

## Duty to Accommodate

Every member has the right to be treated equally and with dignity. If something prevents you from being able to perform a task or work duties, an accommodation may be needed. As always, please discuss any concerns you may have with your Supervisor first, or if you are uncomfortable, you may contact your local union rep (each site has a list of reps on their Union boards).

Under the [Human Rights Code s. 3\(1\)](#):

A person must not:

- (a) Refuse to employ or refuse to continue to employ a person
- (b) Discriminate against a person regarding employment or any term or condition of employment because of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person.....

### Process

- 1.** Member makes request
- 2.** Meeting with Supervisor, HR & Union Rep
- 3.** Review possible accommodations
- 4.** HR will respond in writing to employee

### What is duty to accommodate?

Duty to Accommodate means protecting workers from discrimination at work which includes any barrier covered in human rights legislation and the Canadian Charter of Rights and Freedoms. This may include physical, mental, chemical, or environmental sensitivities, as well as any recurrent, episodic, or chronic disabilities. The employer must provide members with accommodations up until the point of undue hardship. The goal is to focus on the individual's ability instead of their disability, while respecting and maintaining confidentiality.

### What is Undue Hardship?

If the accommodation for a member would result in harm to either the employer (evidence required), union or other member(s), then the duty to accommodate would end. For more information on this process and your rights please visit the [Duty to Accommodate](#) page on the CUPE BC website.

### Who should I make a request to?

Accommodation requests can be made through your Supervisor, HR Consultant, and/or Union Representative

### Resources

[Disability Management](#) (internal Hub document, through VPL)  
[Family Status Accommodations](#) (internal Hub document, through VPL)  
[Workplace Accommodation Brochure](#) (internal VPL document)