Policy Direction – Accommodation for Employees with Disabilities

Rationale and Relationship to Vision, Mission, and Values

MS Canada strives to reflect the diversity of the greater population within the workforce including those with disabilities. MS Canada acknowledges that employees with and without disabilities can make a valuable contribution to the success of MS Canada and will be supportive of this goal.

Therefore, where an employee has a disability or develops a disability during the course of employment, MS Canada seeks to ensure that the employee remains in employment for as long as the following points apply:

- the employee's medical condition permits continuation of employment, and;
- the employee can perform the essential duties of their position, with appropriate accommodations if necessary.

To allow for the principles to be put into practice, accommodation may involve modifying the job design and content; modifying the work environment; transferring employees to different jobs for which they are qualified; offering rehabilitation programs; providing assistive devices; providing specialized training; or offering flexible hours of work or reduced hours.

Policy Objective

MS Canada will endeavour to assist employees with disabilities by providing reasonable accommodation to the employee without causing undue hardship to MS Canada. The objective of this policy is to attempt to identify and remove barriers that employees with disabilities may encounter, in order for them to perform the essential duties of their position, consistent with their abilities, qualifications and experience. This policy will provide administrative guidelines for employees with disabilities and their leaders.

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Applies to:	All staff at all levels
Frequency of review:	Every three years
First approved:	June 6, 1998
Last reviewed:	October 15/16, 2026
Next scheduled review:	October 2029

Policy Application

The policy applies to all MS Canada employees.

Authorization

This policy was approved by the MS Society board of directors, June 6, 1998.

Policy Details

The following statements will guide the policy:

- The employee has an obligation to inform MS Canada that accommodation is required, to cooperate in facilitating the accommodation and accept reasonable accommodation. The employee may independently make the request or a joint request may be made with the employee's leader.

- The employee's disability must be substantiated by medical documentation which includes details of the employee's functional capacities. MS Canada may choose to request the employee seek a second opinion and be examined by another medical practitioner of MS Canada's choice. In addition, MS Canada may request updated information from the employee and/or their medical practitioner from time-to-time. Monitoring with current information will enable MS Canada to respond to any changing needs and/or identify when the need for accommodation ends.

- Accommodation will be provided on a case-by-case basis. In the event that the employee and their leader cannot agree on appropriate accommodation, the request will be brought forward to an ad hoc committee of affected parties for consideration. The ad hoc committee may consist of the employee's leader, executive lead, director, HR and the employee. Where appropriate, medical authorities and rehabilitation specialists may be consulted. Final recommendations will be brought forward to the Vice President, People and Community for approval.

- The committee will respect the confidentiality of the information received from employees and any medical practitioners regarding the employee's disabilities.

- All parties will make a reasonable attempt to implement this policy without

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causing undue hardship to MS Canada. It is also understood that the employer's ability to identify, properly assess and implement appropriate accommodation initiatives is dependent upon the support and input of all the other parties as outlined herein.

Executive Champion

The Vice-President, People and Community, is the executive champion for this policy direction.

Monitoring and Compliance

The Vice-President, People and Community, is responsible for leading the monitoring of the application and compliance of this policy direction and the related procedures in conjunction with other members of the Executive Team.

Related Policies, Legislation

Legislation that complement and support this policy direction include: the Canadian Human Rights Act and the various provincial/territorial human rights acts.

Policy Review

The policy direction is to be reviewed at a minimum every three years following approval.

- May 5, 2021 - Reviewed and approved
- October 15/16, 2026 – Reviewed and approved by the Board of Directors

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Definitions:

Disability - Under the Accessible Canada Act, "disability" means:

"…any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment—or a functional limitation—whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society."

Reasonable accommodation - any adjustment necessary to ensure that a person

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is not disadvantaged involves adjusting the workplace to give an employee with a disability an equal opportunity to perform their job. Such accommodations are reasonable when they do not impose undue hardship on the employer.

Specialized training - any training necessary to ensure that an employee with a disability is not at a disadvantage for employment opportunities or is prevented from carrying out the essential components of a job because of a disability. Training could be provided either by MS Canada or by an external organization.

Undue Hardship - There is no distinctive test for determining when this point has been reached. However, factors to be considered include financial cost, health and safety requirements and interchangeability of the workforce.

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