DUTY TO ACCOMMODATE

Alberta
Human Rights Commission

Q6A-0421

HUMAN RIGHTS GUIDE

Introduction **2**
Accommodation **3**
Duty to accommodate **3**
Who has a duty to accommodate? 4
Who can request accommodation? 4
To what extent is accommodation required? 5
What is undue hardship? 5
Absenteeism 7
Accommodating people with disabilities 7
Rights and responsibilities in the accommodation process 8
Rights and responsibilities of the person seeking accommodation 8
Rights and responsibilities of the employer or service provider 9
Potential consequences of failing to accommodate 10
Reasonable and justifiable contravention **10**
Duty to accommodate in employment **11**
Bona fide occupational requirement 12
The *Meiorin* test helps employers determine if a particular standard, policy, or rule is a bona fide occupational requirement 12
Evaluation of a bona fide occupational requirement 13
Employee privacy 14
Do changes to an employee's duties affect rate of pay? 14
Questions about the duty to accommodate employees 14
Duty to accommodate in services, accommodation, facilities, and tenancy **19**
The *Grismer* case helps service providers determine if policies and standards have bona fide and reasonable justification 19
The importance of duty to accommodate in services, accommodation, facilities, and tenancy 20
Conclusion **21**
Related resources **21**
Commission human rights guides 21
Commission information sheets 21
Other Commission resources 22
Privacy resources 22
Appendix: Cases on the duty to accommodate **23**
Contact us **26**

This guide is produced by the Alberta Human Rights Commission (the Commission). It discusses the principles of human rights law and is based on decisions made by human rights panels,[1] tribunals, and courts. These decision-makers have interpreted certain sections of the *Alberta Human Rights Act* (the *Act*) based on the facts of relevant cases. As this case law evolves, so does the Commission's application of the *Act*.

This human rights guide will:

- Help individuals, employers, service providers, and policy-makers understand their rights and responsibilities under Alberta's human rights law, particularly as it relates to the duty to accommodate
- Help individuals and groups understand their rights and responsibilities under Alberta's human rights law, particularly as it relates to acquiring accommodation
- Assist organizations and individuals in setting standards for behaviour that complies with human rights law, particularly as it relates to identifying and implementing accommodations or determining whether an action meets an exception to Alberta's human rights law

The information in this guide was current at the time of publication. If you have questions related to this guide, please contact the Commission.

This guide does not provide legal advice. Should you require legal advice, please consult legal counsel.

Introduction

The *Act* recognizes that all people are equal in dignity, rights and responsibilities, regardless of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation. Each of the categories in this list is referred to as a protected ground.

Accommodation means making changes to certain rules, standards, policies, workplace cultures, and physical environments to eliminate or reduce the negative impact that a person or group faces because of a characteristic that falls within a protected ground or grounds.

The duty to accommodate is a responsibility of the employer, service provider, or landlord to adjust the conditions of employment or service in order to address any prima facie (on its face) discrimination.

The person who needs accommodation must participate in the accommodation process, cooperate with the employer, service provider, or landlord, and accept reasonable accommodation efforts.

[1] In October 2009, as part of the amendments to Alberta's human rights legislation, panels were renamed human rights tribunals. In this publication, the word "tribunal" should be interpreted to include panels.

In all situations where there is a duty to accommodate, the employer, service provider, or landlord must provide accommodation to the point of undue hardship.

This publication explores the above concepts, and the duty to accommodate in various contexts.

Accommodation

The goal of accommodation is to provide an equal opportunity to participate in any of the areas protected by the *Act*, including:

- goods, services, accommodation or facilities customarily available to the public (for example, restaurants, stores, hotels, or municipal and provincial government services) (section 4)
- residential or commercial tenancy (section 5)
- employment practices (section 7)
- employment applications and advertisements (section 8)
- membership in trade unions, employers' organizations, or occupational associations (section 9)

In addition, the *Act* protects Albertans in the area of equal pay. Section 6(1) of the *Act* states: "Where employees of both sexes perform the same or substantially similar work for an employer in an establishment the employer shall pay the employees at the same rate of pay."

Accommodation is a way to balance the diverse needs of individuals and groups with the needs of organizations and businesses in our society. It may cause a degree of inconvenience, disruption, and expense to the employer, union, or service provider. However, accommodation to the point of undue hardship is required by law.

The accommodation process is most successful when everyone participates and communicates effectively together to come up with creative and flexible solutions. Effective accommodation is most often the result of good communication, creativity, and flexibility. While the accommodation process may involve challenges and costs, it helps to create an inclusive society that respects diversity and human rights.

Duty to accommodate

The legal duty to accommodate a person's needs based on certain protected grounds is well established in Canadian human rights law. One of the primary exceptions to the duty to accommodate a person or group with a characteristic protected under the *Act* is when the organization providing the accommodation can establish that its decision not to accommodate was reasonable and justifiable in the circumstances. This includes situations in which an accommodation would cause the person or group providing accommodation to incur undue hardship.

The duty to accommodate has both a substantive and procedural component.[2] The substantive aspect of accommodation refers to the accommodation that was offered to a person or group. To create an appropriate substantive accommodation, the employer or service provider must undertake an individualized assessment of the person's or group's needs and try to be flexible and creative in the search for an accommodation that meets those needs. This process of assessing a person's or group's needs and finding an accommodation is part of the procedural aspect of accommodation, which essentially refers to the process used to find a substantive accommodation. The employer or service provider must engage the individual or group and the union (if applicable) during the process of finding and implementing an accommodation. In order to fulfill this obligation, the employer or service provider must provide notice that the process of assessing accommodation will take place, and then consult with the person or group and union about appropriate accommodation methods.[3]

Some examples of accommodations include:

- time off for extended illness
- modifying work environments to provide better access for service dogs
- ensuring that places of business and workplaces are accessible for persons who use wheelchairs, or modifying work environments to provide that access
- modifying work duties/responsibilities
- purchasing adaptive equipment such as chair lifts
- providing space and time for employees to observe religious practices at set times during the workday

Who has a duty to accommodate?

The duty to accommodate applies to employers, landlords, business owners, public service providers, educational institutions, professional associations, trade unions, and other individuals and groups (as set out in the *Act*). For ease of reference, this guide refers to those who have a duty to accommodate as employers and service providers, as the duty to accommodate arises most commonly in these areas.

Who can request accommodation?

People who need accommodation to overcome a disadvantage caused by the application of a rule or a practice may include employees, prospective employees, union members, tenants, students, and customers, among others. The reason for the accommodation must be based on a need related to a ground that is protected under the *Act*.

---

[2] *Canadian National Railway Company v Teamsters Canada Rail Conference*, 2018 ABQB 405, [2018] AWLD 2437 [*CNR v Teamsters*].

[3] *CNR v Teamsters* at para 36.

To what extent is accommodation required?

The Supreme Court of Canada has ruled that employers and service providers have a legal duty to take reasonable steps to accommodate individual needs to the point of undue hardship. To substantiate a claim of undue hardship, an employer or service provider must show that they would experience a significant inconvenience or expense. In many cases, accommodation measures are simple and affordable and do not create undue hardship.

What is undue hardship?

Undue hardship occurs if accommodation would create significantly onerous conditions for an employer or service provider, for example, intolerable financial costs or serious disruption to business. An employer or service provider must make every effort to make a reasonable accommodation for an employee or client/customer. Some hardship may be necessary in making an accommodation; only when the point of undue hardship is reached is the employer's or service provider's duty to accommodate fulfilled.

To determine if undue hardship would occur, the employer or service provider should review factors such as:

- **Financial costs:** Financial costs must be substantial in order to be found to cause undue hardship. They must be so significant that they would substantially affect productivity or efficiency of the employer or service provider responsible for the accommodation. Accommodation measures could result in lost revenue, which should be taken into account when assessing undue hardship. However, if lost revenue due to accommodation would be offset by increased productivity, tax exemptions, grants, subsidies, or other gains, then undue hardship may not be a factor. Financial costs do not include the expense of complying with other legislation or regulations (for example, providing wheelchair accessible washrooms or all gender washrooms for employees or customers).
- **Size and resources of the employer or service provider:** The cost of modifying premises or equipment and the ability to pay those costs in installments will be taken into consideration when assessing if there is undue hardship. The larger the operation, the more likely it is that it can afford to support a wider range of accommodations without undue hardship.
- **Disruption of operations:** The extent to which the inconvenience would prevent the employer or service provider from carrying out essential business activities will be a factor when assessing undue hardship. For example, modifying a workspace in a way that substantially interferes with workflow may be considered too disruptive to the workplace. Also, where there is no productive work available to offer to the employee, accommodation may be an undue hardship.
- **Morale problems of other employees brought about by the accommodation:** Morale problems could be due to the negative impact of increased workload on other employees due to an accommodation. For example, in a warehouse environment, if employees begin to quit because they are frustrated or overwhelmed by taking on more heavy lifting responsibilities due to an employer accommodating a person who cannot lift heavy objects,

this situation may amount to undue hardship for the employer. However, the Supreme Court has stated that morale should be considered in the context of undue hardship with caution.[4] Objections related to morale that are based on attitudes inconsistent with human rights law will not amount to undue hardship.

- **Substantial interference with the rights of other individuals or groups:** A proposed accommodation should not interfere significantly with the rights of others or discriminate against them. For example, a substantial departure from the terms of a collective agreement could be a serious concern to other employees. However, the objections of other employees must be based on well-grounded concerns that their rights will be affected.
- **Interchangeability of work force and facilities:** Whether an employer or service provider could relocate employees to other positions or work environments on a temporary or permanent basis is a factor in determining undue hardship. This may be easier for a larger company.
- **Health and safety concerns:** Where safety is a concern, consider the level of risk and who bears that risk. For example, consider if the accommodation would violate health and safety regulations. There would be an undue hardship if accommodation sacrificed safety for either the employee or others. The employer or service provider may need to gather more information before making the determination that the accommodation would compromise safety, as the decision cannot be based solely on the assumptions or arbitrary beliefs of the person or organization responsible for making the accommodation.[5]

These factors serve as a great starting point for assessing whether accommodating a person or group would cause an employer or service provider to experience undue hardship. It is important to keep in mind, however, that Canadian courts have been very clear that undue hardship is unique to every situation. There is no complete list of factors for undue hardship. Instead, the factors mentioned above should be applied with common sense and flexibility in each situation, and new factors may emerge depending on the circumstances.

While certain accommodation measures may create an undue hardship for one employer or service provider, the same measures may not pose an undue hardship for a different employer or service provider. For example, the manager of a business with three employees may not be able to accommodate a request for revised work hours as easily as a manager who has 25 employees.

Measures that do not cause an employer or service provider undue hardship now, may do so in the future if its circumstances change. For example, a company that has recently laid off 50 per cent of their staff due to an economic downturn may no longer be able to accommodate a new request for a change in job duties from an employee with a disability, although the company may have accommodated such requests in the past. If there is already an accommodation in place, the company and employee may need to review the accommodation agreement and make changes that work in the new company structure.

---

[4] *Renaud v Central Okanagan School District No 23*, [1992] 2 SCR 970 at para 37, 71 BCLR (2d) 145.

[5] For a Supreme Court of Canada summary of factors that constitute undue hardship see *Renaud v Central Okanagan School district No 23*, [1992] 2 SCR 970 or *Chambly (Commission solaire regionale) v Bergevin*, [1994] 2 SCR 525.

Absenteeism

The Supreme Court of Canada also examined undue hardship in a case involving the duty to accommodate an employee who had significant absences over many years due to a disability.[6] The Court found that situations of chronic absenteeism, where the employee is unable to resume work in the foreseeable future, may cause the employer to incur undue hardship by continuing to accommodate the employee, depending on the facts of the case. This will be determined by two factors: whether the employee's absenteeism is excessive, and whether there is a reasonable likelihood that the employee's attendance will improve in the foreseeable future.[7]

According to the Alberta Court of Queen's Bench, before these factors can establish undue hardship, the employer must attempt to accommodate the employee and warn the employee that continued excessive absences may result in a termination of employment.[8] To fulfill the procedural aspect of the duty to accommodate, the employer is required to give notice to the employee and the employee's union (if any) that the process of assessing possible accommodations will take place. Then the employer must meaningfully consult with the employee and union to identify the employee's needs and possible means of accommodating those needs. Only after the employer has participated in this consultation process and the parties have determined that there are no means of accommodating the employee without the employer incurring undue hardship has the employer fulfilled its duty to accommodate. At that point, the employer may lawfully dismiss the employee.

The employer maintains the duty to accommodate an employee who is absent due to a characteristic protected by the *Act*, such as physical disability, even if the absence is long.[9]

Accommodating people with disabilities

Many complaints about accommodation relate to the grounds of physical disability and mental disability.

The *Act* says that **physical disability** means "any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness." Some of the disabilities that have been established as protected under human rights law are: epilepsy/seizures, heart attack/heart condition, cancer, severe seasonal allergies, shoulder or back injury, asthma, Crohn's disease, hypertension, hysterectomy, spinal malformation,

---

6 *Hydro-Québec v Syndicat des employé-e-s de techniques professionnelles et de bureau d'Hydro Québec*, section locale 2000 (SCFP-FTQ), 2008 SCC 43, [2008] 2 SCR 561. For clauses in a collective agreement regarding maximum sick leave, see *McGill University Health Centre (Montreal General Hospital) c Syndicat des employés de l'Hôpital général de Montréal*, 2007 SCC 4, [2007] 1 SCR 161.

7 It is important to note that the decision regarding whether an employee's attendance is likely to improve should be based on available medical information, not the employer's or employee's subjective beliefs about future attendance.

8 *CNR v Teamsters*.

9 *CNR v Teamsters*.

visual acuity, colour blindness, loss of body parts such as fingers, speech impediments, arthritis, muscular atrophy, cerebral palsy, and alcoholism. Drug dependence and other addictions may be captured under physical and/or mental disability.

Some common conditions, such as colds and flus, which do not last long and have no long-term effects, are not normally considered to be physical disabilities. However, just because a given condition is common, this does not mean that it is automatically not considered a disability. Some disabilities occur regularly in the general population.

Mental disabilities are defined by the *Act* as "any mental disorder, developmental disorder or learning disorder, regardless of the cause or duration of the disorder." Some examples of mental disabilities include: dyslexia, depression, schizophrenia, obsessive compulsive disorder, and anxiety disorders.

It is not possible to provide a complete list of conditions normally considered to fit in these definitions. The disabilities listed above are examples only.

Rights and responsibilities in the accommodation process

Both the person seeking accommodation and the employer or service provider have rights and responsibilities in the accommodation process. The most effective accommodation measures are a result of cooperation and clear communication between both parties. For more information on accommodations that require medical information, refer to the Commission's human rights guide *Obtaining and responding to medical information in the workplace*.

Rights and responsibilities of the person seeking accommodation

A person who is seeking accommodation should take the following actions/steps when making the request:

1. Bring the need for accommodation to the attention of the employer or service provider, preferably in writing. Include the following information:
   - Explain why accommodation is required (for example, because of disability, religious belief, pregnancy, family status, etc.).
   - Support the request for accommodation with evidence or documents (for example, a written statement from a doctor or health care provider, or written information about specific religious practices). For mental and physical disabilities, employees are often required to provide documentation from medical professionals. However, the employee is not obligated to disclose a specific diagnosis to the employer.
   - Provide medical information that explains the employee's functional limitations and necessary accommodations (for example, medical information that the employee cannot lift more than 20 pounds for the next three months). See the **Related resources** section at the end of this guide for more information on obtaining and responding to medical information in the workplace.
   - Suggest appropriate accommodation measures.
   - Indicate how long accommodation will be required.

2. Allow a reasonable amount of time for the employer or service provider to reply to the request for accommodation.
3. Listen to and consider any reasonable accommodation options that the employer or service provider proposes. A person seeking accommodation has a duty to accept a reasonable accommodation, even if it is not the one that the person suggested or prefers.
4. Discuss the factors creating undue hardship if the employer or service provider indicates that accommodation would pose an undue hardship. Provide more details about your needs if such information is helpful.
5. Cooperate to make the agreement work.
6. Advise the employer or service provider when accommodation needs have changed. Provide medical documentation to support these changes and assist the employer in the process of modifying the accommodation.
7. Be willing to review and modify the accommodation agreement if circumstances or needs change and the agreement is no longer working.
8. Tell the employer or service provider if the need for accommodation ends.

Rights and responsibilities of the employer or service provider

An employer or service provider who receives an accommodation request, must:

1. Determine if the request falls under any of the areas and grounds protected under the *Act*.
2. Be aware that, once a request is received, the onus to accommodate is on the employer or service provider.
3. Respect the dignity of the person or group requesting accommodation.
4. Respect the privacy of the person requesting accommodation. Medical information is considered personal information, and employers and service providers[10] must abide by applicable privacy legislation when they collect, use, or disclose an employee's medical information.
5. Listen to and consider the needs of the person seeking accommodation and their suggestions for accommodation.
6. Review medical or other information that the person seeking accommodation provides to support the request for accommodation.
7. Be willing to take substantial and meaningful measures to accommodate the needs of the person seeking accommodation.
8. Consult an expert such as a human resources professional or lawyer if more information is needed to assess the request.
9. Be flexible and creative when considering and developing options.

[10] For more information on the service providers that are obligated to protect personal information and how, see the *Alberta Personal Information Protection Act*, SA 2003, c P-6.5.

10. Discuss options with the person who needs accommodation.
11. Take reasonable steps to accommodate the person seeking accommodation to the point of undue hardship. If full accommodation is not possible without undue hardship, try to suggest options that may partially meet the needs of the person seeking accommodation.
12. Reply to the request for accommodation within a reasonable period of time.
13. Make a formal written accommodation agreement with the person being accommodated and ensure that the accommodation is given a fair opportunity to work.
14. Follow up to ensure that the accommodation meets the needs of the person seeking accommodation.
15. Provide details that explain why accommodation is not possible because it poses undue hardship or because of a bona fide occupational requirement.
16. Be willing to review and modify the accommodation agreement if circumstances or needs change and the agreement is no longer working.

Potential consequences of failing to accommodate

If the employer or service provider fails to provide accommodation to the point of undue hardship, then the employer or service provider may be in contravention of the *Act*. The person seeking accommodation should discuss this with human resources and ultimately may file a complaint with the Commission. If the person seeking accommodation chooses to file a human rights complaint, the person must do so within one year of the date of the event that they believe contravened the *Act*. If, on the other hand, the person seeking accommodation refuses a reasonable and appropriate accommodation, the employer or service provider has likely met their legal responsibilities.

Visit the Commission's website for information about the complaint process and remedies.

Reasonable and justifiable contravention

The *Act* recognizes that certain limitations on individual rights are not a contravention of the law. Section 11 states, "A contravention of this *Act* shall be deemed not to have occurred if the person who is alleged to have contravened the *Act* shows that the alleged contravention was reasonable and justifiable in the circumstances."[11] This section applies to the entire *Act*, and allows a person or organization responding to a human rights complaint to argue that their standards or policies do not amount to discrimination under the *Act*. For more information on when policies or standards do not amount to discrimination, please see the Commission human rights guide *Defences to human rights complaints*.

In human rights statutes across Canada, a variety of terms describe the "reasonable and justifiable" exemption. In employment practices, a reasonable and justifiable practice that

[11] See **Appendix 3** for full text of sections 7, 8, and 11.

would otherwise be discriminatory is referred to as a bona fide **occupational requirement.** In the areas of services customarily available to the public and tenancy, such a practice is called a bona fide **reasonable justification**.

The Supreme Court of Canada has, over the years, established a comprehensive set of requirements that employers, service providers, and landlords must meet in order to show that, while it may appear on its face that there is discrimination (referred to as "prima facie discrimination"), there is a reasonable and justifiable rationale for contravening the *Act*. When this occurs, the *Act* allows a defence to, or an exemption from, a finding of prima facie discrimination.

The two fundamental cases that set out the test for reasonable and justifiable discrimination in the area of employment (*Meiorin*) and in the other protected areas of services, accommodation, facilities, and tenancy (*Grismer*) are outlined below.

Duty to accommodate in employment

The duty to accommodate in employment refers to an employer's obligation to take appropriate steps to eliminate discrimination against employees and potential employees. Discrimination may result from a rule, practice, or standard that has a negative effect on a person due to one of the protected grounds under the *Act*. An employer's duty to accommodate employees or potential employees is far reaching. It can begin when a job is first advertised and finish when the employee requiring accommodation leaves the job.

Accommodation in employment most often involves the protected grounds of physical or mental disability. It may also involve the other protected grounds, including religious beliefs, gender (including pregnancy), gender identity, gender expression, family status, and marital status.

Examples of accommodation measures in the employment context include:

- purchasing or modifying tools, equipment or aids, as necessary
- altering the premises to make them accessible
- altering aspects of the job, such as job duties
- offering flexible work schedules
- offering time off to attend rehabilitation programs
- allowing time off for recuperation
- transferring employees to different jobs
- using temporary employees
- adjusting policies (for example, relaxing the requirement to wear a uniform)

Generally, an appropriate method of accommodating an employee will be based on open communication between the employee and employer. The employee must also provide enough information or documentation to allow an employer to understand what type of accommodation that person needs. For mental and physical disabilities, employees often are

required to provide documentation from medical professionals. However, the employee is not obligated to disclose a specific diagnosis to the employer.

Large employers may be required to look for reasonable accommodations in other departments or locations. However, an organization need only look at accommodating the employee within the areas it has control over.

Bona fide occupational requirement

The law recognizes that, in certain circumstances, a limitation on individual rights may be reasonable and justifiable. Discrimination or exclusion may be allowed if an employer can show that a discriminatory standard, policy, or rule is a necessary requirement of a job (referred to as a bona fide occupational requirement). For example, in *McKale v Lamont Auxiliary Hospital*, a senior's residence was only hiring male nursing attendants for male residents who had requested an attendant of the same sex.[12] This was held by the Alberta Court of Queen's Bench to be a bona fide occupational requirement, as it was reasonable that residents have their requests met to preserve their sense of personal dignity and privacy.

The *Meiorin* test helps employers determine if a particular standard, policy, or rule is a bona fide occupational requirement

In 1999, the Supreme Court of Canada released a decision that provides direction to employers as to whether a particular occupational requirement is a bona fide occupational requirement.[13] The Government of British Columbia had created minimum fitness standards that applied to forest firefighters. A female firefighter did not meet the requirements of a running test designed to measure aerobic fitness. Consequently, even though she had worked as a forest firefighter for three years, her employment was terminated. In grieving her dismissal, the firefighter argued that the aerobic standard discriminated against women because women generally have lower aerobic capacity than men. The Court held that the Government had not provided evidence that the aerobic standard was reasonably necessary to provide effective forest firefighting.

In its decision, the Court outlined a three-part test. The *Meiorin* test, named after the female firefighter, sets out an analysis for determining if an occupational requirement is justified. Once the complainant has shown that the standard, policy, or rule has caused prima facie discrimination,[14] the employer must prove, on a balance of probabilities, that:[15]

1. A workplace standard is rationally connected to the functions of the job performed
2. The standard was established honestly and in the good-faith belief that it was necessary to fulfill a legitimate work-related objective

---

[12] *McKale v Lamont Auxiliary Hospital* (1987), 37 DLR (4th) 47, 51 Alta LR (2d) 1.

[13] *British Columbia (Public Service Employee Relations Commission) v British Columbia Government and Service Employees' Union* (BCGSEU), [1999] 3 SCR 3, 176 DLR (4th) (SCC).

[14] For more information on prima facie discrimination, see the *Evaluation of a bona fide occupational requirement* section (below).

[15] The term "balance of probabilities" essentially means more likely than not.

3. The standard itself is reasonably necessary to accomplish the work-related goal or purpose. In demonstrating if the standard is reasonably necessary the employer must show that they have accommodated the employee to the point of undue hardship[16]

The test requires employers to consider the capabilities of different members of society and whether individual needs can be accommodated while determining if a standard, policy, or rule is a bona fide occupational requirement. For example, some women have lower aerobic capacity than men. Before setting a fitness standard so high that many women would be unable to achieve it, an employer must be certain that such a high level of fitness is necessary to do the job. This does not mean that the employer cannot set standards, but it does mean that the standards should reflect the requirements of the job.

Evaluation of a bona fide occupational requirement

To determine whether a policy or standard is discriminatory, the Commission will first ask:

- Does the person have a characteristic protected from discrimination under the *Act*?
- Has the person making the complaint been treated in a differential manner that results in a negative situation?
- Was the protected characteristic a factor in the differential treatment?[17]

If the answer to these questions is **yes**, then a prima facie case of discrimination is established. It is the employer's responsibility to provide evidence that the standard, policy, or rule is a bona fide occupational requirement or that there is a reasonable justification for the discrimination.

Using the *Meiorin* test *(British Columbia (Public Service Employee Relations Commission) v BCGSEU*, [1999] at page 65), the following considerations may be used throughout this analysis:

a. Has the employer investigated alternative approaches that do not have a discriminatory effect, such as individual testing against a more individually sensitive standard?

b. If alternative standards were investigated and found to be capable of fulfilling the employer's purpose, why were they not implemented?

c. Is it necessary to have all employees meet the single standard for the employer to accomplish its legitimate purpose or could standards reflective of group or individual differences and capabilities be established?

d. Is there a way to do the job that is less discriminatory while still accomplishing the employer's legitimate purpose?

e. Is the standard properly designed to ensure that the desired qualification is met without placing an undue burden on those to whom the standard applies?

f. Have other parties who are obliged to assist in the search for possible accommodation fulfilled their roles?

---

[16] *British Columbia (Public Service Employee Relations Commission) v BCGSEU*, [1999] 3 SCR 3 at para 54 [*Meiorin*]

[17] *Moore v British Columbia*, 2012 SCC 61, 3 SCR 360.

An employer who makes a successful defence based on the *Meiorin* test in one instance may not necessarily be able to rely on the defence in similar situations in the future. Each situation is assessed based on the facts of the individual case.

Employee privacy

While the person seeking accommodation has a right to privacy, the employer or service provider has a right to, and a need for, information that can help determine appropriate accommodation measures. The privacy issue most often arises when an employee with a disability requests accommodation from an employer. See the **Related resources** section at the end of this publication for more information on privacy.

Employers seeking medical information about an employee with a disability are rarely entitled to a diagnosis of the employee's illness or disability, or to information about the employee's specific medical treatment. Employers may request information about:

- The expected length of disability and absence (prognosis for recovery)
- The employee's fitness to return to work
- The employee's fitness to perform specific components of the pre-injury job and ability to perform modified work
- The likely duration of any physical or mental restrictions or limitations following the employee's return to work

It is the employee's responsibility to provide information that will help the employer or service provider assess an accommodation request.

Do changes to an employee's duties affect rate of pay?

An employee should continue to receive the same rate of pay they received before the accommodation, unless:

- Their duties have changed significantly, or
- The employer would experience undue hardship to maintain their rate of pay

Questions about the duty to accommodate employees

Physical disability

Q: An employee of a large moving company has developed seizures as a result of a car accident. His doctor has diagnosed mild epilepsy and has recommended that the employee take at least one month of leave from work to stabilize on medication. The employee has heard the owner of the company expressing negative views about employing people who have seizures. The employee is concerned that he will be laid off or fired. Can the employer lay off the employee because the employee has epilepsy?

A: No, the employer cannot lay off the employee because the employee has epilepsy, unless retaining the employee in their original position would cause undue hardship and there are no other methods of accommodation short of undue hardship. Epilepsy is a physical disability. Physical disability is a protected ground under the *Act*. If the employee requests time off work, the employer must try to accommodate him to the point of undue hardship. The employer should not make decisions about the employee's future capabilities based on assumptions about epilepsy or on stereotypical views of people with epilepsy.

Initially, the employer could accommodate the employee by agreeing to the recommended time off. If the employer feels that the employee's absence will cause undue hardship by interfering with operations, the onus is on the employer to prove undue hardship. Options such as having other employees work more hours with overtime pay or hiring a temporary employee could be considered.

Until the requested time off has passed and the employee has returned to work, the employer should not assume that the employee will need further accommodation. If the employee returns to work with medical restrictions or limitations, the employer and employee need to discuss further accommodation requests. For more information, see the Commission's human rights guide *Obtaining and responding to medical information in the workplace*, which includes two sample medical information forms, a *Medical Absence Form* and a *Medical Ability to Work Form*.

Q: Following a heart attack, an employee of a small business asked her employer to install a stair lift because she was no longer able to climb the stairs that join the three floors on the business premises. The employer feels that she should not have to accommodate the employee because of the small size of the business. Does the employer have to install a stair lift for the employee?

A: Every employer, large or small, must make real efforts to accommodate and make their workplaces physically accessible to the point of undue hardship. Even though a business is small, it may have the financial or other resources to accommodate an individual's needs. In some cases, the costs of accommodating an employee are not significant when compared with offsetting costs such as hiring and training a new employee. Ensuring access for other employees and clients with mobility problems may financially benefit the company by increasing staff retention and business. A large cost may amount to undue hardship for a small business, but employers must still make efforts to make their workplaces accessible or to offer modified work for the employee.

Whether the employer must accommodate this employee by installing a chairlift depends on the circumstances. The employer is obligated to provide reasonable accommodation to the point of undue hardship, but is not required to provide a perfect accommodation or the exact accommodation that an individual has requested. If the cost of a chairlift would result in undue hardship for the employer, the employer may still be able to provide a reasonable accommodation and should consider alternative options. One possible alternative is providing the employee with a workspace on the ground floor, which may be a particularly reasonable accommodation if the employee is only temporarily unable to use the stairs. However, if the employer can afford the chairlift and installing it would not cause any other

type of undue hardship, the employer could accommodate the employee by installing the lift, particularly if the employee's disability is long-term. As noted, there may also be other reasonable accommodations under these circumstances. The employer can choose a less expensive accommodation than installing a lift, as long as the alternative is reasonable.

The duty to accommodate is largely fact-specific. Accordingly, it is important for the employer and employee to maintain open lines of communication during the process of identifying the employee's barriers to the workplace and implementing reasonable accommodation that likely will resolve those barriers, provided there are accommodation measures that would not impose undue hardship on the employer.

Gender, gender identity, and gender expression

Q: After an employee told her employer that she was pregnant, the employer advised her that the company was restructuring and that she would be laid off. Can an employer lay off this employee?

A: An employee cannot be arbitrarily fired or laid off simply because she is pregnant. If pregnancy is a factor in the decision to lay off or terminate an employee, the employer is in contravention of the *Act*. Discrimination on the basis of pregnancy is prohibited because gender, which includes pregnancy, is one of the protected grounds under the *Act*. Employees who are breastfeeding are also covered under this ground and are entitled to accommodation.

An employer must accommodate a pregnant employee who needs accommodation for medical reasons, to the point of undue hardship. Depending on the circumstances of the case, some ways to accommodate needs based on pregnancy include:

- altering work and break schedules
- reassigning jobs or duties
- providing protective clothing
- allowing the employee to work while seated if duties are normally performed while standing

An employer is, however, permitted to dismiss a pregnant employee if the termination of that person's employment is entirely unrelated to her pregnancy or eligibility for maternity or parental leave. The existence of a protected ground—such as gender, which includes pregnancy—does not obligate an employer to prioritize that employee. Employers are entitled to make business decisions and terminate a particular employee's position, so long as a protected ground is not a factor in those decisions. In this scenario, if the employer is legitimately restructuring and no longer requires this pregnant employee's position, terminating her employment, even after being notified of her pregnancy, would not contravene the *Act*.[18]

[18] For an example of a case in which an employer terminated a pregnant employee's position for unrelated reasons after being notified of her pregnancy and the dismissal was found not to be discriminatory, see *Burgess v Stephen W Huk Professional Corporation*, 2010 ABQB 424, 30 Alta LR (5th) 262 (Alberta Court of Queen's Bench).

However, under the *Alberta Employment Standards Code*,[19] an employer cannot terminate an employee while that person is on maternity or parental leave. Employers are also prohibited from providing notice that effectively terminates employment while an employee is on maternity or parental leave, even if the employer has legitimate reasons that are entirely separate from the employee's leave.[20]

Q: An employee is transgender and requires time off for recovery after their surgery. Does the employee have a right to accommodation?

A: Gender identity and gender expression are both protected under the *Act*. Employees who request medical time off for reasons involving gender identity or gender expression must be accommodated to the point of undue hardship, just like any other employee. The employee will need to provide sufficient doctor's notes for medical procedures, for instance when needing time off. However, the employee is not obligated to provide their employer any private medical information that is not relevant to the employee's need for accommodation. The employee's privacy must be respected. For example, if the gender marked on some of the employee's private documents does not match their presenting gender, this should not be shared with the rest of the organization. Transgender employees also have the right to use the washroom that corresponds to their identified gender, and some employers have incorporated all gender and single stall washrooms into their workplaces. Communication with the employee will assist in these transitions.

Religious beliefs

Q: An employee's religious practice requires the employee to pray at set times during the day. Does the employee have a right to accommodation?

A: Religious belief is a protected ground under the *Act*. Although religious belief is not precisely defined in the *Act*, it has been the subject of case law. Religious belief refers to a system of belief, worship, and conduct. Religion has been defined as being "about freely and deeply held personal convictions or beliefs connected to an individual's spiritual faith and integrally linked to his or her self-definition and spiritual fulfillment, the practices of which allow individuals to foster a connection with the divine or with the subject or object of that spiritual faith."[21] When the Commission receives an inquiry or complaint that involves a religious belief, the Commission reviews information concerning the faith on a case-by-case basis.

For the employee who needs to pray at set times, break schedules may be modified to coincide with prayer times or to accommodate religious fasting. When requesting accommodation, the employee should provide information about the guidelines and rules of their faith or religion so that the employer can assess and respond to the request.

Some other examples of accommodation of religious beliefs include:

[19] RSA 2000, c E-9.

[20] *Jayman Masterbuilt Inc, Re*, [2013] AWLD 2237 (Alberta Umpire under Employment Standards Code).

[21] *Syndicat Northcrest v Amselem*, 2004 SCC 47, [2004] 2 SCR 551 (SCC).

- **Dress code:** An employer may exempt the employee from wearing standard headgear for the job and permitting certain head or facial hair or dress that are part of the religious observance, even though the hair or dress conflict with uniform requirements or dress codes for the job.
- **Religious leave:** An employee may be granted time off to observe a religious holiday.
- **Work schedule:** By modifying a shift or work schedule, an employer may be able to accommodate an employee who cannot work on a particular day of the week for religious reasons.
- **Modified work duties:** An employer may modify work duties to accommodate an employee who is fasting for religious reasons (if required by the employee).

Family status

Q: An employee needs to drop their child off at school at 8:00 a.m., but is required by their job to be in the office at 7:30 a.m. Does their employer have to accommodate their childcare schedule?

A: Family status is defined in the *Act* as "the status of being related to another person by blood, marriage, or adoption."[22] Under the *Act*'s protected ground of family status, employers have a duty to accommodate parents' and caregivers' childcare obligations to the point of undue hardship. The duty to accommodate childcare obligations, however, only applies to commitments that arise from the parent's or caregiver's legal responsibility to meet the needs of the child, and not to activities that arise from personal choice (such as attending dance classes and sporting events). An employee must make an effort to reconcile childcare obligations with work obligations by finding appropriate childcare. When no suitable alternative options for childcare are available, the employer must work with the employee to adjust work requirements in a manner that allows the employee to fulfill childcare obligations, provided the accommodation required does not impose undue hardship on the employer. However, there are no legal precedents that hold that the start time of childcare dictates when an employee starts work. As with all protected grounds, a person that needs an accommodation based on the protected ground of family status is required to communicate and cooperate with their employer to find a reasonable accommodation.

In the situation detailed above, the employee must try to find suitable alternative means of dropping their child at school, so that the person can be at work for the 7:30 a.m. start time. If the person cannot find an appropriate alternative option for getting the child to school at 8:00 a.m., the employee and employer are required to cooperate in an effort to identify and implement a reasonable accommodation. The employee, however, is not entitled to insist on a particular accommodation measure. The employee must be willing to participate in facilitative discussions with the employer, in which the employee and employer may consider various accommodation options.[23]

Employers may also have requests for accommodation from more than one employee (all of whom have the same right to be accommodated). This can require all parties to be flexible so that the employer is able to offer accommodation to the point of undue hardship to as

[22] Section 44(1)(f).

[23] For an example of a case in which an employee requesting a work schedule accommodation was required to cooperate with her employer in the accommodation process, see *Wisdom v Air Canada*, 2017 FC 440, 280 ACWS (3d) 120 (Federal Court).

many employees as possible. The employer might find is useful to create a policy about family status accommodations so that all staff are aware of the employer's approach and the limitations they may encounter.

Ultimately, this employer is only required to provide an accommodation measure if the parties can create an accommodation that meets the employee's needs and does not cause the employer undue hardship. For example, in this scenario, a reasonable accommodation may be adjusting the employee's shift to begin and end an hour later, so that the employee is able to drop the child at school before their scheduled workday begins. However, if the employer's operations require that the office open at 7:30 a.m. and no other employee is able to open the office, an accommodation that would require adjusting this employee's hours may cause the employer undue hardship.

Duty to accommodate in services, accommodation, facilities, and tenancy

The *Grismer* case helps service providers determine if policies and standards have bona fide and reasonable justification

While the *Meiorin* decision set out a new test for assessing policies or standards in employment, questions remained as to whether the test would apply equally in non-employment areas such as services, accommodation, facilities, and tenancy. (For ease of reference in the remainder of this guide, the areas of services, accommodation, facilities, and tenancy will be collectively referred to as services.) These questions were answered when the Supreme Court of Canada decided the *Grismer*[24] case, which was released very soon after the *Meiorin* decision. The *Grismer* case clarified that the tests used in the *Meiorin* case do apply when evaluating discriminatory practices in the area of services.

In the *Grismer* case, the complainant (*Grismer*) had homonymous hemianopia (commonly known as HH), which affected his peripheral vision. The British Columbia Superintendent of Motor Vehicles cancelled *Grismer*'s driver's licence because his vision no longer met the standard of a minimum field of 120 degrees. Motor Vehicles allowed certain exceptions to the 120-degree standard, but individuals with HH were never permitted to drive in British Columbia.

Grismer reapplied for his licence several times, passing all the tests except field of vision. Motor Vehicles did not allow *Grismer* to be individually assessed to establish that he was able to compensate for his limited peripheral vision.

[24] *British Columbia (Superintendent of Motor Vehicles) v British Columbia (Council of Human Rights)*, [1999] 3 SCR 868, 181 DLR (4th) 385 [*Grismer*].

Grismer filed a complaint with the British Columbia Council of Human Rights, alleging discrimination on the grounds of physical disability in the area of services. The Tribunal ruled that Motor Vehicles had not proven that there was justification for the rigid vision standard applied to people with HH. In fact, other people with less peripheral vision were granted licences.

On appeal, the Supreme Court of Canada made it clear that the approach that it had outlined in the *Meiorin* case applied to service provision cases too. The Court concluded that the Superintendent of Motor Vehicles had not provided the Court with sufficient evidence that *Grismer* could not be assessed individually.

The *Grismer* case clarified that the principles in the *Meiorin* test can be applied in the area of services, and slightly adapted the wording of the test to suit the services context. The elements of the **bona fide and reasonable justification test** from *Grismer* are:

1. It adopted the standard for a purpose or goal that is rationally connected to the function being performed
2. It adopted the standard with a good faith belief that it is necessary for the fulfillment of the purpose or goal, and
3. The standard is reasonably necessary to accomplish its purpose or goal, in the sense that the defendant cannot accommodate persons with the characteristic of the claimant without incurring undue hardship[25]

To illustrate, a mandatory attendance policy for a university course could meet the bona fide and reasonable justification test if the policy was implemented because a core objective of the course is to develop students' interpersonal skills by requiring students to engage in in-class discussion groups to talk about what they are learning in the class.[26]

A policy or standard will not meet the requirements of the *Grismer* test if the service provider can modify conditions or practices without undue hardship. In the case of *Grismer*, the Superintendent of Motor Vehicles failed to show that individual testing of applicants with HH imposed undue hardship on Motor Vehicles.

The importance of duty to accommodate in services, accommodation, facilities, and tenancy

The duty to accommodate in the area of services is important if all members of society are to enjoy full and equal participation in society. For example, discrimination may result from the outright refusal to rent premises or provide a service, or it may result from the imposition of unreasonable or unnecessary requirements based on criteria such as customer or staff preferences.

---

[25] *Grismer* at para 20

[26] For an example of a case in which a court found that a mandatory attendance policy met the requirements of the **bona fide and reasonable justification test**, see *Harris v Camosun College*, 2000 BCHRT 51, 39 CHRR D/36 (British Columbia Human Rights Tribunal).

Conclusion

In order to fulfill the requirement to accommodate to the point of undue hardship, a service provider may be required to modify premises or equipment, or the manner in which a service is delivered.

The duty to accommodate in the area of services may arise in a variety of circumstances. Some examples of accommodation include:

- A recreational complex making changes to the building entrance so that individuals with reduced mobility can enter
- A service provider providing access to an individual with a service animal
- A service provider changing a requirement that people who want to rent a hall, costume, or video need to provide a driver's licence as identification

  For various reasons, many individuals do not have a driver's licence or have reasons for not providing it. The service provider could consider accepting other forms of identification.

Related resources

Commission human rights guides

- *Defences to human rights complaints*
- *Obtaining and responding to medical information in the workplace*, which includes the sample medical information forms, *Medical Absence Form* and *Medical Ability to Work Form*
- *Duty to accommodate students with disabilities in post-secondary educational institutions*
- *Rights and responsibilities related to pregnancy, breastfeeding, adoption, maternity and parental leave, and childcare obligations*.
- *Human rights in the hospitality industry*

Commission information sheets

- *Employment: Duty to accommodate*
- *Obtaining and responding to medical information in the workplace: A summary for employers*
- *Obtaining and responding to medical information in the workplace: A summary for employees*
- *Obtaining and responding to medical information in the workplace: A summary for doctors*

Other Commission resources

You can access Commission human rights guides and information sheets, as well as other resources, online at **albertahumanrights.ab.ca**.

Privacy resources

Contact the Office of the Information and Privacy Commission at **oipc.ab.ca**.

Appendix: Cases on the duty to accommodate

Hansen v Big Dog Express Ltd,
2002 AHRC 18, 45 CHRR D/266
Duty to accommodate—employment—gender

The complainant worked for the respondent in the shipping and receiving department, where she often had to lift freight weighing over 20 pounds. The complainant became pregnant and informed her employer that she could no longer lift items over 20 pounds, along with requesting a few other work modifications. The respondent told the complainant that he would be cutting back her hours because he thought it was unfair to continue to employ her despite her not being able to do the entirety of her duties. The complainant alleged that her employer thereafter often glared at her and yelled at her for mistakes that were not her own. The employer also thereafter changed the dress code of the workplace to a uniform that was not designed to fit a pregnant woman. The dress code was not enforced for all employees, but the complainant was consistently reprimanded if she did not comply with the uniform. Eventually, the complainant was dismissed after a gradual decline in her scheduled hours. The complainant could not find further full-time work and had not accumulated enough hours to qualify for unemployment insurance. The Panel held that the respondent did not attempt to accommodate the complainant to the point of undue hardship, nor did the respondent try to work with her and other employees to implement acceptable accommodation initiatives. The complainant was awarded her lost wages, as well as an additional sum for injury to her dignity and self-respect.

Cooper v 133668899 Ltd,
2015 AHRC 6, [2016] AWLD 3178
Accommodation—undue hardship—employment—mental disability

The complainant had been put on temporary medical leave from her job at a hotel by her doctor for depression and stress. When she communicated to her employer that she would need to leave work on a temporary basis, but would return in the future, the complainant alleged that her employer fired her and told her not to return to the property. The respondent employer stated that he had not fired the complainant, but that she had in fact quit, as the complainant had stated that she would not be completing her remaining work shifts. The respondent accordingly told the complainant to pack her things and not return to the property. The complainant filed a complaint with the Alberta Human Rights Commission, stating that she had been discriminated against on the ground of mental disability. The respondent argued that because the complainant had quit, they had not had a reasonable opportunity to accommodate her. However, the Tribunal held that it was unreasonable for the respondent to interpret the complainant's medical leave as quitting, and that the respondent did in fact fire the complainant because of her request for medical leave on the basis of her mental illness. The Tribunal also held that, while it was understandable that the respondent would initially react unfavourably to the inconvenience of losing an employee temporarily, they still had a duty to consider her request for accommodation. Because the employer did not sufficiently

consider this employee's request or other potential accommodation measures, the Tribunal held that the respondent had not accommodated the employee to the point of undue hardship. The complainant was awarded damages for her pain and suffering, in addition to lost wages.

Horvath v Rocky View School Division No 41,
2016 AHRC 19
Duty to accommodate—employment—physical injury

The complainant was employed as a part-time caretaker with a school in Alberta. While cleaning a desk at the school, she dislocated her shoulder. She had had issues with her shoulder prior to the injury, but had never suffered from a full dislocation. Prior to her injury, she had received a performance review indicating that her work performance had been "exceptional." Two weeks after her injury, she was advised by the physician that she could return to work, as long as the work itself was modified for her injury—specifically, she would be limited to light and sedentary activity. Her physician also stated that the complainant would eventually recover with physiotherapy and surgery. In the meantime, the complainant's employer stated that they could not find work for the complainant, and did not attempt to allow her to do modified work duties. The complainant applied to other positions within the school district that would have been commensurate with her capabilities, but was refused. The complainant began a return to work program, which would allow her to return to her pre-accident physical capabilities, but shortly after she was terminated by the employer. The stated reason was that the employer was unable to accommodate her work restrictions in her position as caretaker. Her Record of Employment indicated that the reason for termination was shortage of work or end of season, both of which the Tribunal held were incorrect. Horvath applied for a number of other jobs for which she was qualified with the same employer. The Alberta Human Rights Tribunal held that the employer had failed in their duty to accommodate the employee's physical injury. The employer had not considered alternative work situations for the employee, modifying her duties, or the employee's future potential to return to work. Because the employer refused to assess whether the employee had the ability to fill other types of positions, despite evidence indicating that she had the proper qualifications, the Tribunal held that the employer had not accommodated the employee to the point of undue hardship.

Kovacevic v City of Red Deer,
2016 AHRC 18, [2017] AWLD 1441
Duty to accommodate—mental disability

The complainant was head custodian with the City of Red Deer. In May 2012, she gave her employer a doctor's note indicating that she had been diagnosed with major depressive disorder and panic disorder. In September 2012, the complainant gave another doctor's note to her employer stating that she could not lift items heavier than five pounds because of a back injury. In December, her doctor put her on extended medical leave, which would include a gradual return to work by February. This medical leave was extended three times by the complainant's medical practitioners to give her more time to attend to her health needs. Each time, a medical note was provided. In addition to this, the complainant requested time off from work the following May to visit her father's gravesite in Serbia on

the one-year anniversary of his death, which was important to the complainant for religious reasons. This was initially granted. Meanwhile, OHI, an independent agency that the City had contracted to administer its Disability Support Plan, had been requesting a specific medical form from the complainant's doctor to support her medical leave, and had yet to receive it. After OHI failed to receive this form after a few months, the City sent a letter to the complainant stating that she could no longer go on vacation, since she hadn't provided the company with proper medical documentation, and therefore her long-term absence had been improper. Her employer informed her that she would be dismissed if she left for Serbia. When the complainant and her doctor confirmed that she would be returning to Serbia for the week in May, the complainant was dismissed.

The complainant made a complaint to the Alberta Human Rights Commission that she had been discriminated against on the basis of religion, physical disability, and mental disability. The Tribunal held that there was prima facie discrimination on the basis of mental disability only. The City had known that the complainant was visiting her father's gravesite for religious reasons, and her physical disability did not account for her medical leave. Her depressive and panic disorders, on the other hand, accounted for her extended absences, and this was the reason for her dismissal. The Tribunal found that while the need for the particular medical documentation was made in good faith by the City and was rationally connected to their purpose of determining eligibility for leave, it was not reasonably necessary. Once the complainant's doctors had put the complainant on medical leave, the City should have turned their mind to this and not to the documentation. The City's insistence on very specific documentation exceeded what was reasonable for an employer to request in an accommodation process.

Custer v Bow Valley Ford Ltd,
2017 AHRC 21
Undue hardship—physical disability

The complainant worked as a parts person for the respondent. He required two surgeries for carpal tunnel syndrome. After his first surgery, however, the complainant's employer informed him that that employer could not accommodate the employee's absence for the second surgery. According to the respondent, the surgery was putting stress on other employees to make up for the complainant's absence. Furthermore, the respondent was under the impression that the second surgery was optional and not medically necessary, and therefore did not need to be accommodated. The respondent made no attempt to discuss the possibility of modified work. When the complainant indicated that he would still go through with the second surgery, he was dismissed.

The Tribunal found that an inconvenience to other employees, without further evidence, did not amount to undue hardship. In addition, the employer indicated that he would have accommodated the complainant if the surgery had been necessary, which supported the conclusion that the employer would not have incurred undue hardship by accommodating the employee. As such, the respondent did not meet his duty to provide accommodation.

Contact us

Website: albertahumanrights.ab.ca

Confidential inquiry line: 780-427-7661

Fax: 780-427-6013

Toll-free within Alberta: 310-0000 and then enter the area code and phone number

TTY service for persons who are deaf or hard of hearing: 1-800-232-7215

Alberta Human Rights Commission | Calgary Office
200 John J. Bowlen Building
620 - 7 Avenue SW
Calgary, Alberta T2P 0Y8

Alberta Human Rights Commission | Edmonton Office
800 - 10405 Jasper Avenue NW
Edmonton, Alberta T5J 4R7

Upon request, the Commission will make this publication available in accessible formats for people with disabilities who do not ready conventional print.

Help us to improve this publication by completing this short online survey:
albertahumanrights.ab.ca/reader-survey