



# Accommodation Requests in the Registration Process

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# 8-190

<b>Established:</b>	March, 2017
<b>Effective:</b>	April 1, 2017
<b>Approved by:</b>	Registration Committee

### **Preamble:**

The College of Occupational Therapists of Ontario (the “College”) is committed to complying with the *Human Rights Code* at all times and is committed to assisting applicants to understand their rights under the *Human Rights Code*.

### **Purpose:**

The purpose of this policy is to describe the process the College follows when an applicant requests accommodation in relation to the College’s registration process.

### **Principles:**

1. The College recognizes and respects the dignity and value of every person.
2. The College is committed to providing registration practices that are transparent, objective, impartial and fair.
3. The College’s overriding duty is to serve and protect the public interest.
4. The College will evaluate every request for accommodation on an individual basis in keeping with its obligations under the *Human Rights Code*.
5. In order to be able to provide meaningful accommodation, the College will require information from the applicant.
6. The College will protect the confidentiality of all personal information and personal health information an applicant provides to the College in accordance with the College’s obligations under the *Regulated Health Professions Act, 1991* and any other applicable privacy legislation.
7. Accommodation is a dynamic process that may change over time and that must fit the needs of each individual applicant.



8. Accommodation will be provided up to the point of undue hardship for the College in accordance with the *Human Rights Code*, where applicable.
9. Accommodation will be provided in a manner that respects the dignity of the applicant.

**Applicable to:**

This policy applies to all applicants for all classes of registration with the College.

**Applicable Legislation:**

***Health Professions Procedural Code***, being Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18

3. (2) In carrying out its objects, the College has a duty to serve and protect the public interest.

22.2 The College has a duty to provide registration practices that are transparent, objective, impartial and fair.

***Human Rights Code***, R.S.O. 1990, c. H.19

6. Every person has a right to equal treatment with respect to membership in any trade union, trade or occupational association or self-governing profession without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

**Type of Requirement:** Not applicable

**Procedure:**

1. Staff will assist the applicant at every stage of this procedure as appropriate.
2. If an applicant requires accommodation from the College in the registration process on the basis of a protected ground under the *Human Rights Code*, the applicant will be asked to make a request to the Registrar.
3. Requests may be in writing or in an alternative form of communication approved by the Registrar.
4. The applicant should make the request as soon as possible. Requests for accommodation are normally expected to be made before any College deadlines (e.g., before the expiration of an application).



5. In the request, the applicant should:
  - a. explain the reason for the request (e.g., which part of the registration process does the applicant believe accommodation is needed and why);
  - b. if possible, specify any protected ground under the *Human Rights Code* on which the applicant relies (staff can assist an applicant to understand what grounds are protected under the *Human Rights Code*);
  - c. if possible, describe the type or form of accommodation the applicant seeks; and
  - d. include any supporting documentation that the applicant may have.
6. The College may request additional information or documentation in support of the applicant's request for accommodation, if necessary. Depending on the nature of the request, the College may require information from third parties, such as treating health care professionals.
7. Depending on the nature of the request, the request will be considered by College staff, the Registrar and/or the Registration Committee.
8. The College's decision on the accommodation request will be communicated to the applicant in writing or in an alternative form of communication where appropriate.

#### **Decision Criteria:**

1. College staff, the Registrar and/or the Registration Committee will review the information received from the applicant to determine whether a registration practice or process may result in an adverse impact on the applicant as a result of a protected ground under the *Human Rights Code*.
2. If so, College staff, the Registrar and/or the Registration Committee will engage with the applicant to determine whether the applicant may be accommodated without causing undue hardship for the College. Undue hardship will be considered in light of the College's overriding public protection mandate.

#### **Possible Outcomes:**

1. The College may grant an accommodation request.
2. The College may deny an accommodation request.
3. The applicant may appeal certain registration decisions of the Registration Committee to the Health Professions Appeal and Review Board under section 21 of the *Health Professions Procedural Code*.

**Note:** If an applicant requires accommodation in writing the National Occupational Therapy Certification Examination (NOTCE), the applicant will be directed to contact the Canadian Association of Occupational Therapists (CAOT) directly.