

The Salvation Army Canada and Bermuda Accommodation Guidelines

The Salvation Army (TSA) is a service provider and has a duty to accommodate clients seeking or utilizing TSA services and programs. As a service provider, we have a legal obligation to reduce and/or eliminate barriers experienced by individuals, based on prohibited grounds of discrimination. Under provincial and federal human rights legislation, the duty to accommodate includes the obligation to meaningfully incorporate diversity in all aspects of program and service delivery systems.

Policies and procedures that apply equally to everyone can sometimes create barriers for individuals. The duty to accommodate requires Ministry Units to identify and consider when policies have unintended discriminatory impacts. ‘Accommodating’ means eliminating or changing rules, policies, practices, and behaviors which discriminate against persons based on certain grounds, including:

- Race
- National or ethnic origin
- Religion
- Age
- Sex
- Sexual orientation
- Marital/family status
- Disability

Accommodations are intended to provide clients with equitable opportunities to participate in our programs and services. Accommodations are not intended to provide greater benefits to persons needing adjustments to policies and procedures. It may mean, however that persons requiring accommodations will sometimes be treated differently, to ensure equitable access to our programs and services.

Ministry Units should periodically review their policies and procedures to determine whether they may impose barriers to those who wish to access program and services. Further, when Ministry Units receive requests for accommodations from clients, the request should be



thoroughly considered to ensure that TSA Ministry Unit practices and procedures align with our core value of **Service**, reaching out to support others without discrimination.

When considering accommodations on a case-by-case basis:

- Take a **proactive role** in determining what barriers might be limiting an individual's ability to access program/services and explore a range of options available to equitably include the individual.
- Be aware that a **client might not use the word 'accommodation'** when they are looking to be served in a way that includes their needs.
- Work with the client to come up with a **person-centered** accommodation plan. A person-centered approach is **trauma-informed, culturally sensitive** and is **respectful of the client's choices**. The plan should be the result of a **collaborative** meeting between the client, case worker and program manager, who work together to understand the client's needs and jointly determine how they can be accommodated at the facility.
- Maintain and respect **confidentiality** of the client's accommodation needs.
- Develop a **policy and procedure** for handling formal accommodation requests and accommodation plans. (See '[Sample Accommodation Request & Plan Process](#)'). When doing so, consider the following:
 - **Communicate** widely your accommodation, admission, and discharge policies to ensure clients understand the basis on which applicants may be allowed or denied access to programs/services.
 - Although it is recommended that a **standardized procedure** for accommodation requests be developed, each request should be **treated uniquely**.
 - Reasonable accommodation decisions should be made in a **timely manner**.
 - Keep a **record** of the accommodation request and the actions taken. Referrals, denials, and agreements to make accommodations should be documented in writing.



- Forms and communications should be provided in **formats that are accessible** to the client.
 - Limit any requests for **client information** or documentation (e.g. doctor’s note) to those **directly related to your programmatic needs**. If documentation is required, consider paying for the associated costs.
 - Accommodation requests should be received **in good faith**, unless there are legitimate reasons for acting otherwise. If the accommodation would cause “undue hardship”, such as extreme financial costs, explain this clearly and be prepared to demonstrate why you cannot provide the accommodation.
- Ensure **employees are periodically trained** on accommodation and requirements under applicable human rights legislation and the protected grounds.
 - Other clients who voice concern about “**special treatment**” should be provided with the Ministry Unit accommodation process and procedure, if applicable. It is critical to maintain confidentiality for all clients seeking accommodation; it is also an opportunity to discuss TSA’s legal responsibility to accommodate clients. It can be explained that accommodation is a fundamental duty that demonstrates our commitment to equality and to eliminating discriminatory practices.
 - As needed, consult with your funder should any changes be needed to your contractual accessibility/eligibility criteria. It may be necessary to advocate for certain changes to their expectations, based on client need; or there may be additional funding available to facilitate certain kinds of accommodation. In certain instances, your funder may support the duty to accommodate.
 - If a Ministry Unit is unable to admit, or must discharge, a client because they cannot maintain the safety and security of the client as a result of an accommodation, management/staff will make best efforts to **refer the client to another service provider/facility** where capacity to meet the accommodation need exists.



Glossary of Terms

Duty to Accommodate - Refers to the obligation of a service provider, to take steps to eliminate disadvantage to clients resulting from a rule, practice, or physical barrier that has or may have a negative impact on individuals or groups protected under **human rights laws**. Sometimes, service providers have policies and practices that apply equally to everyone, but which can create barriers for some.

Federal and Provincial human rights legislation identifies that equality means respect for people's different needs. Accommodation means changing the rule or practice to incorporate alternative arrangements that eliminate the discriminatory barriers.

Undue Hardship - Undue hardship describes the limit beyond which service providers are not expected to accommodate. Undue hardship usually occurs when a service provider cannot sustain the economic or efficiency costs required to meet an accommodation need. If accommodating one person would pose an undue risk to the health or safety of that person or others, a service provider may be able to establish undue hardship.

Grounds for Discrimination - The duty to accommodate is frequently applied in situations involving persons with a physical or mental disability (including addiction to drugs or alcohol), but it also applies to all other grounds covered by provincial human rights legislation which includes, but is not limited to race, national or ethnic origin, religion, age, sex (including pregnancy), sexual orientation, marital status, and/or family status.

For more information about Human Rights and Accommodations, please visit your local Human Rights authority website:

[Alberta Human Rights Commission](#)

[British Columbia Human Rights Tribunal](#)

[B.C. Office of the Human Rights Commissioner](#)

[Manitoba Human Rights Commission](#)

[New Brunswick Human Rights Commission](#)

[Newfoundland and Labrador Human Rights Commission](#)



[Northwest Territories Human Rights Commission](#)

[Nova Scotia Human Rights Commission](#)

[Nunavut Human Rights Tribunal](#)

[Ontario Human Rights Commission](#)

[\(Ontario\) Human Rights Tribunal of Ontario](#)

[\(Ontario\) Human Rights Legal Support Centre](#)

[Prince Edward Island Human Rights Commission](#)

[\(Québec\) Commission des droits de la personne et des droits de la jeunesse](#)

[Saskatchewan Human Rights Commission](#)

[Yukon Human Rights Commission](#)

[Bermuda Human Rights Commission](#)

