

Commission des droits de la personne et des droits de la jeunesse

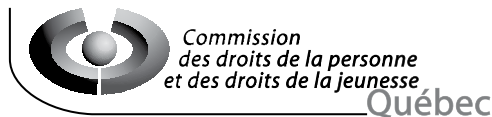
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ADVISORY SERVICE



The *Commission des droits de la personne et des droits de la jeunesse* (Human Rights and Youth Rights Commission) is an independent body whose mission is to promote and uphold the principles set out in the Québec Charter of Human Rights and Freedoms.

The mission of the Commission is also to ensure that the interests of children are protected and that their rights as recognized by the Youth Protection Act and the Youth Criminal Justice Act are respected.

In addition, the Commission oversees compliance with the Act Respecting Equal Access to Employment in Public Bodies.

ON REASONABLE ACCOMMODATION

For decision makers :
A free and confidential service

ADVISORY SERVICE ON REASONABLE ACCOMMODATION

This advisory service is specifically designed for decision makers, human resource managers, union officers, and any person who needs to consider an accommodation request related to labour relations or service delivery.

In-depth analysis and sound advice

The service offers:

- A case by case analysis of the request based on the facts;
- A study of the applicable legal framework and jurisprudence;
- Recommendations adapted to the particular situation.

Each file relative to a reasonable accommodation question is handled with a view to identifying discrimination-free solutions that respect the needs of the organization.

An approach based on discussion and conciliation

Communication, conciliation, as well as a spirit of openness and tolerance characterize the approach used to arrive at a negotiated solution, acceptable to all parties.

Section 10 of the Québec Charter of Human Rights and Freedoms

Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, disability or the use of any means to palliate a disability.

Duty to accommodate

This legal obligation derives from the right to equality, and applies in all situations involving discrimination. It entails adapting a standard or practice applied universally in order to create differential treatment for a person who would otherwise be penalized by the application of the standard. There is no duty to accommodate if doing so would involve undue hardship.

Undue hardship

An assessment of undue hardship allows for a determination as to whether the given accommodation measure is acceptable. It is assessed on the basis of the cost of the accommodation, and its impact on the organization's operations. Infringement of the rights of others, and the level of safety that must be maintained within the organization are also taken into consideration. In some cases, the organization's specific mission determines the "reasonableness" of the request.