

## Accommodation Policy

<b>Policy Sponsor:</b>	Dean of the Faculty of Medicine
<b>Office of Administrative Responsibility:</b>	Postgraduate Medical Education
<b>Scope:</b>	All Postgraduate Trainees. All non-Dalhousie Trainees registered for electives; and University and Postgraduate Training Program Leadership
<b>Approved</b>	Pending Approval - PGME Committee – September 12 <sup>th</sup> , 2024

### Background & Purpose

Under provincial human rights legislation, the Faculty of Medicine at Dalhousie University is required to allow equal benefit from and participation in services and education for Dalhousie Trainees who are experiencing a barrier due to a characteristic protected by the applicable provincial human rights legislation. Accommodations are intended to reduce or eliminate these barriers so that those Trainees can meet the academic and technical standards for certification and independent practice. In doing so, accommodations must not compromise patient safety and well-being or lower the academic standards of postgraduate medical education at Dalhousie University. The responsibility for making reasonable accommodation is shared. While the responsibility is always shared by the Faculty of Medicine and the Trainee, depending on the accommodation sought, the responsibility may also be shared by the Training Site. The accommodation process is to be approached with fairness, sensitivity, respect for confidentiality, and cooperation. The purpose of this Policy is to affirm that the Faculty of Medicine will make reasonable efforts to provide accommodations, up to the point of undue hardship, for Trainees experiencing barriers due to a characteristic protected by human rights legislation, and to establish a framework for managing requests by Trainees for accommodation in an appropriate and timely manner.

### Application

This Policy applies to all Trainees who have been accepted into or are currently enrolled in a Program at Dalhousie University.

## Definitions:

- a. **“Assistant Dean”** means the Assistant Dean, Resident Affairs (RA) of Dalhousie University’s Faculty of Medicine (NS, PEI based residents) or the Assistant Dean Student and Resident Affairs Dalhousie Medicine New Brunswick (DMNB) (NB based residents).
- b. **“Essential Skills and Abilities”** means the Program-specific proficiencies that all candidates for admission, promotion or graduation in the Trainee’s Program must meet to successfully demonstrate the required competencies (including those with respect to knowledge, skills, professional behaviors and attitudes) necessary to practice their area of medicine in Canada. The Essential Skills and Abilities are set out in each program’s essential skills and abilities policy based on the PGME template –hyperlink- [Microsoft Word - Essential Skills and Abilities \(dal.ca\)](#)
- c. **“Faculty Appeal Committee”** means the Faculty Appeal Committee established under PGME’s Appeal and Reconsideration Regulations.
- d. **“PGME”** means the postgraduate medical education unit at Dalhousie University.
- e. **“PGME Office”** means the Associate Dean of PGME or their designate.
- f. **“PGME Activity”** means all activities included within a Trainee’s Program.
- g. **“Program”** means a postgraduate medical education training program at Dalhousie University. For clarity this excludes hospital based clinical fellows not registered with Dalhousie University.
- h. **“Program Director”** means the director of the Trainee’s Program.
- i. **“Trainee”** means a resident, fellow or learner, who has been accepted into or is enrolled in a Program within Dalhousie University’s Faculty of Medicine.
- j. **“Training Site”** means the site within Dalhousie University or an affiliated health authority or family practice teaching sites where a Trainee is pursuing their Program.
- k. **“Accommodations Advisory Committee”** (AAC) means the committee established to review complex accommodation requests in Postgraduate medical training at Dalhousie Faculty of Medicine.
- l. **“Student Accessibility Center”** (SAC) means the Dalhousie Student Accessibility Center located on upper campus
- m. **“Human Rights and Equity Services”** (HRES) means the Dalhousie Human Rights and Equity Services office on upper campus

## Policy

1. Dalhousie University’s Faculty of Medicine is committed to ensuring that Trainees who experience barriers to participation in PGME Activities due to a characteristic protected under human rights legislation have access to the educational and learning environment and to the University facilities and services by reasonably accommodating them up to the point of undue hardship.
2. Trainees are encouraged to seek accommodation where they believe that they are experiencing a barrier to participation in a PGME Activity due to a characteristic protected under human rights legislation, which may be reduced or eliminated through reasonable accommodation. It is the Trainee’s responsibility to make such requests in a timely and proactive fashion.
3. The search for a reasonable accommodation is a multi-party inquiry that, depending on the accommodation sought, may include the Assistant Dean, the Program Director, the PGME Office, the Trainee, the Training Site, and other relevant bodies
4. Each accommodation request must be determined on a case-by-case basis.
5. Whether reasonable accommodation is possible without reaching the point of undue hardship will be determined by considering relevant factors, including:

- Accommodation sought.
  - Length of time the proposed accommodation will be required.
  - Link between the proposed accommodation and the identified barrier it seeks to eliminate or reduce.
  - Patient health and safety concerns.
  - Size and nature of the Trainee's Program and the impact of the proposed accommodation thereon.
  - Impact on Trainee's capacity to meet the Essential Skills and Abilities (Trainee must be able to fulfill his/her duties and meet the Essential Skills and Abilities after being accommodated).
  - Impact on other Trainees and other learners.
  - Impact on members of health care teams, hospital personnel and service users.
  - Impact on other protected rights.
  - Financial costs of the accommodation.
  - Other possible accommodation.
6. For simple requests the Assistant Dean and Program Director/Site Director will decide what accommodation will be provided.
  7. For complex requests, the Accommodations Advisory Committee will be asked to review.
  8. In weighing the factors set out in section 5 and when implementing an accommodation decision, it may be necessary to share some of the Trainee's personal information, including personal health information, on a need to know and confidential basis with individuals involved in assessing the accommodation sought or in implementing the accommodation. Written consent must be provided by the resident for specific levels of collaboration.
  9. Accommodations will be reviewed by the Assistant Dean, Program Director/Site Director, and possibly the Accommodations Advisory Committee on a regular basis and adjusted to the Trainee's current circumstances as necessary.
  10. A Trainee must inform the Assistant Dean and Program Director when there is a change in their circumstances that may affect the need for accommodation, the ability to provide accommodation, and the accommodation provided.

### **Administrative Structure**

- **Authority:** This Policy is sponsored by and falls under the authority of the Dean of the Faculty Medicine.
- **Postgraduate Medical Education:** Postgraduate Medical Education is the unit responsible for the administration of this Policy.
- **Policy Review:** This Policy will be reviewed in accordance with Dalhousie's Policy on Policies or earlier if deemed necessary by the Dean of the Faculty of Medicine.

### **Procedures**

**Notice of Policy:** Trainees will be made aware of the existence of this Policy through the following means:

- a. This Policy will be posted on the PGME and Resident Affairs websites.
- b. The letter of Agreement sent out by PGME to the Trainee will refer to the policy and advise Trainees where they can access it.
- c. During orientation sessions for new Trainees prior to the commencement of their Programs, Trainees will be advised of this Policy; and
- d. Program Directors, the PGME Office, and the Assistant Dean will refer Trainees to this Policy when consulted by Trainees on accommodation matters or when they have reason to believe that a Trainee may require accommodation.

### **Request for Accommodation:**

A request for accommodation shall be made in one of the following ways:

- a. In the course of completing the registration package after being selected to a Program, a Trainee may indicate a need for accommodation and make contact with RA or the Program Director/Site Director.
- b. In the course of residency training, a Trainee may disclose information to RA or the Program Director indicating their belief that an accommodation is required; or
- c. When making a request for accommodation, a Trainee shall complete the Accommodation Request form as posted on the RA and PGME websites to provide a complete description of the requested accommodation with any relevant supporting documentation.

### **Assessment:**

The Assistant Dean Resident Affairs will make a preliminary assessment of the request for accommodation to determine the nature of the barrier experienced by the Trainee and the connection of that barrier to a characteristic protected under human rights legislation. If additional information is required to complete the preliminary assessment, the Trainee will be asked to provide such information. If both a barrier, and a connection between that barrier and a characteristic protected under human rights legislation cannot be established, then the request shall be denied. If a barrier and a connection are established, the request for accommodation will be considered further by the ADRA and Program Director/Site Director for disposition and operationalization.

If the request is complex or if there is uncertainty about whether it meets criteria for accommodation, The request will be referred to the Accommodation Advisory Committee (AAC) for assessment and recommendations.

For all requests, there may be consultations with the Trainee and, or subject matter experts, either internal or external to the University, if necessary to assess the request for accommodation.

### **Notification of Accommodation Decision:**

The Assistant Dean or the AAC will notify the Trainee, the Program Director/Site Director in writing of whether the request for accommodation is granted. Where the request is granted, further collaboration between parties may be required to clarify the specifics of the accommodations including details around the implementation duration, and the frequency of

review of the accommodation. A signed copy of the Accommodation Agreement will then be forwarded by RA to PGME. It is the responsibility of the Program and the Trainee to ensure that details of the accommodation will be provided to the Training Site(s) and others who need that information for purposes of implementing the accommodation.

**Objection to Accommodation Decision:**

If a Trainee disagrees with the accommodation decision, the Trainee must first attempt to resolve the matter through informal discussions with the Assistant Dean and the Program/Site Director.

**Appeal of Accommodation Decision:**

The trainee may appeal the decision by filing a written appeal to the Provost and Vice-President Academic within 10 working days of the date that the AAC made its final decision. The Provost and Vice-President Academic may designate an Associate Vice-President Academic to act in their place. The Provost and Vice-President Academic or designate may uphold the initial accommodation decision or may determine that an alternative form of accommodation should be provided. This decision is final and cannot be appealed further.

**Change in Circumstances:**

If the Trainee's circumstances change in a way that may affect any aspect of an accommodation (including but not limited to the need for an accommodation and the accommodation provided), he/she will promptly notify the Assistant Dean and Program/Site Director. The Trainee will also respond to all inquiries for information related to the accommodation within 10 working days.

**Licensing Examinations:**

Trainees will be responsible for arranging any and all accommodations required for certification exams directly with the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada and LMCC examinations with the Medical Council of Canada.

**Filing of Accommodation-Related Materials:**

A copy of all confidential records of all information regarding accommodation, including the nature of the accommodation, the dates of implementation, and any subsequent modification to the original accommodation will be kept secured in paper and/or electronic form in the Assistant Dean's office, Program/Site Director, AAC records, and in the Trainee's file in the PGME Office.