



"From inVisibility to Inclusion" logo. Large text says "i2i" above square brackets containing the words "From inVisibility to Inclusion"

Episodic Disabilities Tip Sheet

What are episodic disabilities?

Episodic disabilities are conditions that may reduce an employee's ability to work from time to time. It is often difficult to predict when or for how long these impairments will occur.

Examples of episodic disability include: arthritis, asthma, chronic fatigue syndrome, diabetes, epilepsy, fibromyalgia, HIV/AIDS, pain, lupus, mental health difficulties, multiple sclerosis (MS), muscular dystrophy, severe migraines, and many others.

Such conditions may result in impairments—like pain, fatigue, environmental sensitivities, limited mobility, etc.—that can present challenges to both employers and employees and require creative accommodations.

What is an employer's "Duty to Accommodate"?

- Human rights legislation in every part of Canada guarantees people with disabilities equal treatment in employment. As part of this, employers have a legal duty to accommodate employees with a disability. This duty has both procedural and substantive aspects, which means that both the accommodation process and outcome are important.
- Along with employers, employees and unions must also participate in finding effective accommodations.
- In some jurisdictions, accessibility legislation may require employers to establish policies for creating individual accommodation plans in advance of any actual requests. This is the case in Ontario, for example, where employers with 50 or more employees must have such policies.
- Employers must accommodate an employee with a disability unless they can demonstrate that: a requirement, qualification or factor is essential to the job; or, the accommodation would result in an undue hardship for the employer.

What are some examples of workplace accommodations?

Workplace accommodations are often grouped into four broad categories:

1. How and when the job is carried out, e.g. allowing for late arrival to the office due to medication-related fatigue in the morning
2. Provision of technological or human support; e.g. renting a scooter for an employee who may be struggling with mobility issues
3. Ergonomic support and adaptations to workstations; e.g. providing of a foot pad and document holder to address back pain following ergonomic assessment recommendations

4. Adaptations to the physical environment; e.g. placing of a baffle to reduce noise for employee with concentration difficulties

Given the nature of episodic disabilities, the accommodations will often need to be flexible and evolve over time. In each case the manager must:

- Consider the employee's abilities, limitations and restrictions;
- Examine the duties of the job;
- In concert with the employee, identify possible accommodation strategies.

Tips and strategies to foster an inclusive work environment

- Make sure your workplace policies explicitly include episodic disabilities (Human Resource Policies, Leaves of Absence, Workplace Safety Policy and Procedures, Hours of work, Overtime).
- Ensure your workplace programs account for episodic disability (Counselling Services, Wellness Committee, Employee and Family Assistance Program, etc.).
- Don't make assumptions. Symptoms of an episodic disability can be misinterpreted as sloppiness, disengagement or other negative attributes.
- Build trust within your organization to reduce the risk of misunderstandings or discrimination.
- Intervene early when an employee begins to show behaviours that concern you. Arrange a confidential meeting or opportunity to talk. Under Human Rights legislation, employees are not required to disclose a diagnosis. As an employer/supervisor, your conversation should focus on the development of an accommodation plan that will meet the employee's needs.
- Work with employees to build accommodation plans.
- Drive the conversation about episodic disabilities at your workplace by generating awareness, providing training and other educational opportunities.

Resources

Need more information on episodic disabilities? Check out the following resources:

- From Invisibility to Inclusion: www.invisibility2inclusion.ca
- Episodic Disabilities Network: www.episodicdisabilities.ca
- Ontario Human Rights Commission: www.ohrc.on.ca
- Realize: www.realizecanada.org
- Mental Health Works: www.workplacestrategiesformentalhealth.com
- Canadian Centre for Diversity and Inclusion: www.ccdi.ca