

<b>Policy Type:</b>  Registration	<b>Effective Date:</b> March 29, 2023
<b>Policy Number and Name:</b>  3.4 Accommodation	<b>Revision Date:</b>
<b>Page: 1 of 4</b>	

## ***Purpose***

“Disability” or “Handicap” refers to all disabilities protected under the Nova Scotia Human Rights Act, RSNS 1989, c 214 (the “Act”). Physical disability or mental disability is defined in Section 3(l) of the Act as an actual or perceived:

- Loss or abnormality of psychological, physiological or anatomical structure or function; Restriction or lack of ability to perform an activity; Physical disability, infirmity, malformation or disfigurement, including, but not limited to, epilepsy and any degree of paralysis, amputation, lack of physical co-ordination, deafness, hardness of hearing or hearing impediment, blindness or visual impediment; speech impairment or impediment or reliance on a hearing-ear dog, a guide dog, a wheelchair or a remedial appliance or device;
- Learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- Condition of being mentally impaired;
- Mental disorder; or,
- Dependency on drugs or alcohol.

“Reasonable Accommodation” means providing alternative arrangements or measures to persons who are protected under the Act. Accommodation is intended to support the needs and requirements of the applicant without causing undue interference to the operations of the Association of Nova Scotia Land Surveyors.

“Undue Hardship” means that all reasonable methods of accommodation have been exhausted and only unreasonable or impracticable options remain. Undue hardship may include factors such as operational costs, financial impact, or safety concerns. The Association of Nova Scotia Land Surveyors will make reasonable efforts to accommodate applicants with special needs.

Accommodation does not:

1. Require an organization to lower standards to accommodate candidates with disabilities.
2. Relieve the candidates of the responsibility to develop the essential skills and competencies expected of all candidates to be registered as a Nova Scotia Land Surveyor.

### ***Process***

Candidates who are applying for accommodation must provide their request in writing to the ANSLs at the earliest point possible. The following information must be included in the request:

1. The nature of the disability.
2. The type of accommodation requested.
3. A set of options for accommodating the specific disability.
4. Examples of accommodation the candidate has received in the past.

Depending on the nature of the disability and the type of accommodation requested, the Executive Director may request that the applicant provide additional evidence. Such additional evidence may include, but is not limited to, a formal medical diagnosis, or documentation from a health practitioner explaining the need for the accommodation being requested. (e.g., medical information from the doctor or specialist).

Once the ANSLs is aware of a need to accommodate, the request will be reviewed by a minimum of three members of the Nova Scotia Board of Examiners (NS BoE). The NS BoE will work with the candidate to develop a plan of accommodation that does not cause undue hardship to the ANSLs.

### ***Types of Accommodation***

- The Executive Director is not required to provide the applicant with their preferred type of accommodation. In cases where the applicant's specific request cannot be accommodated, the Executive Director will work with the applicant to determine a reasonable accommodation that will enable the applicant to overcome the discriminatory effect of the application process.
- If the requester and the Association cannot agree on what type of accommodation is appropriate in any case, the Executive Director will make a determination as to what accommodation, if any, is to be provided.

- Examples of accommodations that can be made include, but are not limited to:
  - assistance in completing application forms,
  - methods of communication that differ from the Association's regular process,
  - alternate times/locations for in-person meetings/interviews/hearings.
- Examples of accommodations that can be made for the Association's jurisdictional examination include, but are not limited to:
  - additional time,
  - alternative times/locations for the examination,
  - translation assistance (e.g., reader, recorder, interpreter for the hearing impaired, voice-output software),
  - modification of test material (e.g., large font, coloured paper, computerized).
- The Executive Director may decline to provide any accommodation when doing so would circumvent a bona fide occupational requirement.
- Notes related to the accommodation request are kept separate from other file materials to avoid inappropriate disclosure of personal health information.

### ***Appeal Process***

If the candidate and NS BoE fail to develop a plan of accommodation, an outside source will be contacted to mediate/arbitrate.

### ***Supports in place for the Candidate***

The candidate handbook outlines the process for candidates who require accommodation. When a candidate enters into articles, they are required to fill out an articling resume. One of the questions asked is if he or she requires accommodation which is reviewed at the initial interview. Yearly the candidate is required to fill out an annual articling report. Again, one of the questions asked is if the candidate requires accommodation. If yes, the request is sent to the chair of the NS BoE.

### ***Is the process transparent, objective, impartial and fair?***

**Transparent:** Accommodation process is outlined in the Candidate Handbook which is available on the ANSLS website. Candidates are asked on the articling resume and yearly articling report if they require accommodation. This ensures that if a candidate requires accommodation that they have an opportunity to notify the NS BoE.

**Objective:** The NS BoE works with the candidate to develop a plan of accommodation specific for their needs. Allowing the candidate to work with the NS BoE, ensures that he or she has input on the plan of accommodation.

**Impartial:** There is a minimum of three members of the NS BoE working with the candidate to develop a plan of accommodation. This ensures that potential biases are mitigated.

**Procedurally Fair:** The NS BoE does not decide on accommodation. They work with the candidate to develop a plan.

### ***Protection of the Public***

The ANSLS is not lowering its standards by accommodating candidates. Candidates still have the responsibility to develop the essential skills and competencies expected of all land surveyors in order to protect the public.