

TIPS FOR OBTAINING AN ACCOMMODATION WITHOUT A LAWYER¹

If you suffer from environmental sensitivities, there will undoubtedly be occasions where you will require to make arrangements in order to do what you would like or have to do.

For example:

- You would like to try on a jacket at a clothing store, but there is an air freshener in the changing room.
- The receptionist at your doctor's office wears too much perfume, and you feel ill at every appointment.
- Your friends plan to take you out for dinner, but you need to make sure you can eat something on the menu.

In legal terms, the arrangements you need to make are called an *accommodation*.

How to obtain an accommodation

By virtue of the Quebec Charter of Human Rights and Freedoms, businesses and organizations have the obligation to accommodate people with a disability, including those with environmental sensitivities.

An exemption from this obligation occurs only when an accommodation constitutes undue hardship, for example, such as causing major financial difficulties to the organization. (For instance, you may want a department store to get rid of its perfume counter, but that would result in a significant financial loss for the store.)

In many cases, writing one letter is enough to get an accommodation. The time should be taken to write a letter or an email, for you may later need a written record of the steps you have taken.

¹ Adapted from the document Getting Help Without a Lawyer written by Pamela Stagg for the Environmental Health Association of Ontario.

Here are some tips:

- It is essential to be polite and patient. Most people are unfamiliar with environmental sensitivities and are unaware that the products they use have toxic properties. You will most likely have to explain your condition and needs several times.
- Do not expect an immediate reply. Some businesses and organizations investigate the matter before answering such requests.
- If you are requesting accommodation measures to allow you to attend a specific event or participate at a celebration being held at a restaurant, send your request several weeks in advance. For a trip, a six-month notice may be required, because there could be renovations or other obstacles keeping you from getting the needed accommodation.
- If you do get an accommodation, immediately send a thank you letter.
- Specify the date on your correspondence and keep copies.

Sample letter requesting an accommodation at a clothing store

[Your return address:]

[Apartment Number-Civic Number] [Street name]

[City], [Province]

[Postal Code]

[Date]

[Manager name: e.g. Mr. Lavoie]

Manager, [XYZ store name]

[Civic Number] [Street name]

[City], [Province]

[Postal Code]

Dear Mr. Lavoie,

Yesterday I went to [XYZ store name] to buy a jacket. Unfortunately, there was an air freshener in the changing room. After I tried on a couple of jackets, my throat and lungs became irritated and my eyes were itchy.

I suffer from environmental sensitivities. In other words, I become ill after coming into contact with trace amounts of toxic substances that do not seem to affect other people. My disease is recognized as a disability under the Quebec Charter of Human Rights and Freedoms, which gives me the right to a reasonable accommodation.

I am writing to request: Would it be possible to remove the air fresheners from the changing rooms or can another place in your store be made available to me so that I may be able to try on clothes without becoming ill? This request is made by virtue of the Quebec Charter.

If you would like more information on my request, please do not hesitate to contact me.

I thank you in advance for the attention given to my letter and look forward to receiving your response.

Yours truly,

[Your name]

[Your telephone number and/or email address]

Encl.: 2 Québec Human Rights letters
 Environmental Sensitivities: Questions and Answers

Sample letter requesting an accommodation at a restaurant

[Your return address:]

[Apartment Number-Civic Number] [Street name]

[City], [Province]

[Postal Code]

[Date]

[Manager name: e.g. Ms. Sylvie Maisonneuve]

Manager, [XYZ restaurant]

[Civic Number] [Street name]

[City], [Province]

[Postal Code]

Dear Ms. Maisonneuve,

On August 31, my friends would like to take me out to a dinner party at your restaurant. I am delighted by their invitation, as I have heard wonderful reviews about your chef.

This being said, I suffer from environmental sensitivities, a disease recognized as a disability under the Quebec Charter of Human Rights and Freedoms. By virtue of the Charter, I request the following three accommodation measures:

- I can only eat organic fruits and vegetables and cannot eat food prepared with wine. I would appreciate the chance to discuss my dietary needs and agree on a suitable menu with you or your chef before I head to your restaurant.
- Because scents make me ill, I need to sit at a distance from other guests—preferably by an open window (if possible).
- I would also appreciate the staff members I come into contact with avoid wearing scented products on the evening of August 31, 2011.

If you would like more information on my request, please do not hesitate to contact me.

I thank you in advance for the attention given to my letter and look forward to receiving your response.

Yours truly,

[Your name]

[Your telephone number and/or email address]

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Sample letter requesting an accommodation at work

[Your return address:]
[Apartment Number-Civic Number] [Street name]
[City], [Province]
[Postal Code]

[Date]

[Manager name: e.g. Ms. Anne Dupuis]
[XYZ company Inc.]
[Civic Number] [Street name]
[City], [Province]
[Postal Code]

Dear Ms. Dupuis,

I have been working at [XYZ company Inc.] for several years now. Recently, some of my colleagues have been wearing perfume and scented products that cause me to have uncomfortable reactions (severe headaches, difficulty concentrating, irritated throat and lungs) that keep me from performing at my full potential.

I suffer from environmental sensitivities, a disease that is recognized as a disability under the Quebec Charter of Human Rights and Freedoms. I become ill after coming into contact with trace amounts of toxic substances such as those found in perfumes, even when the levels of exposure seems to not affect other people. Given that my disease is recognized as a handicap under the Quebec Charter of Human Rights and Freedoms, I have a right to a reasonable accommodation from you.

As such, I would like you to ask my colleagues to refrain from wearing perfume and scented products at work. Many organizations and businesses have already adopted such policies, including Health Canada. In fact, a scent-free workplace provides a healthier environment for everyone. Not only will it benefit environmental sensitivities sufferers like me, but also people with allergies and those who have respiratory or heart problems.

The Canadian Centre for Occupational Health and Safety considers the adoption of such a policy a best practice in terms of health and safety in the workplace and you can find information on "Scent-Free Policy for the Workplace" on its website at http://www.ccohs.ca/oshanswers/hsprograms/scent_free.html

If you would like more information on my request, please do not hesitate to contact me.

I thank you in advance for the attention given to my letter and look forward to receiving your response.

Yours truly,

[Your name]
[Your telephone number and/or email address]

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 Environmental Sensitivities: Questions and Answers

c.c.: [Union Name]
 ASEQ-EHAQ