

Na Píobairí Uilleann

**Disability and Reasonable Adjustments
Policy**



Disability and Reasonable Adjustments Policy

Policy Statement

This policy sets out Na Píobairí Uilleann (NPU)'s commitment to eliminating discrimination and providing equal opportunities and an inclusive work environment for job applicants, employees and contractors.

Policy Scope

The policy applies to all business activities of NPU.

This policy applies to all job applicants, people completing work-experience, trainees, apprentices, interns, employees (full-time, part-time, and temporary), contractors, Executives, Directors and Trustees.

Policy Development

This policy was written in consultation with people with disabilities and the wider workforce. The HR/People team review this policy annually and when there are changes to relevant legislation.

Policy Responsibility

The Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to any concerns raised under this policy.

Key Legislation

In accordance with the **Employment Equality Acts 1998-2015** NPU bans discrimination on the grounds of disability in employment, including training and recruitment. Different types of discrimination are prohibited under the Employment Equality Acts. These include: direct discrimination, indirect discrimination, discrimination by association and instructing discrimination.

In accordance with the **Safety, Health and Welfare at Work Act 2005**, NPU ensures the safety, health and welfare of all of its employees. We take into account the needs of employees who have a disability and make every effort to provide accommodations for people with a disability.

In accordance with the **Disability Act 2005**, 3% of jobs will be reserved for people with disabilities.

Key Terminology

Disability

'Disability' is defined broadly to include, physical, intellectual, learning, cognitive, emotional, or medical conditions. This includes mental health conditions.

Disability discrimination

Disability discrimination occurs when there is less favourable treatment of one person compared to another person because one has a disability and the other has not, or the other person has a different disability.

Direct discrimination

Direct discrimination is the treatment of a person in a less favourable way than another person who is in a comparable situation because they differ on any of the nine grounds.

This is a difference which:

- exists;
- existed but no longer exists;
- may exist in the future; or
- is imputed to the person concerned (this occurs where a person is labelled as differing under the specified grounds even though this is not the case).

An example of direct discrimination because they had been off work on long-term sick leave due to a mental health condition in the past.

Discrimination by association

This occurs when a person who associates with another person is treated less favourably because that other person differs under any of the nine grounds. For example, if an employee was treated less favourably due to having a child with a disability.

Indirect discrimination

This happens where an apparently neutral provision, criterion or practice which appears unproblematic at first sight, puts a person differing under any of the nine grounds at a particular disadvantage, compared with another person. For example, making it mandatory for all employees to complete training and related assessment tasks on a specific online platform that does not allow for accommodations such as additional time.

Instructing discrimination

This occurs when someone gives an order or instructs another person who is in some way dependent, such as an employee, to discriminate against another person. For example, if a Senior Leader instructed a Team Leader not to appoint a person due to a perceived disability.

Reasonable accommodation

A '*reasonable accommodation*' is when an employer makes a change to the tasks or structure of a job or makes changes to the workplace to allow an employee with a disability to fully do the job and enjoy equal employment opportunities.

Zero Tolerance of Discrimination

NPU does not tolerate discrimination and any discriminatory acts will be addressed through the company disciplinary policy and procedure.

Equal Opportunities

NPU will:

- Provide people with equal opportunities when they apply for work with NPU.
- Ensure classification and re-grading of posts does not disadvantage people with a disability.
- Ensure job advertising and access to employment process (i.e. interviews) do not discriminate
- Provide fair terms and conditions of employment, such as equal pay for like work
- Ensure people with a disability have equal opportunities for pensions and retirement benefits.
- Provide all employees with equal opportunities for promotions.
- Provide leaders, managers and the HR/People team with training on Reasonable Accommodations.
- Foster good relations between employees by tackling prejudice and promoting understanding of disabilities and health conditions.
- Provide all employees with Disability Awareness training.
- Advance equality of opportunity.
- Take positive action to address underrepresentation of people with a disability.

Equal Pay

- NPU will provide equal pay for like work.

'Like work' is work that:

- is performed in the same or similar conditions as another employee, or is interchangeable with the work of another employee; or
- is of equal value to the work performed by another employee.

The equal value provision allows dissimilar jobs to be compared and to be considered 'like work'.

Equal pay includes all forms of remuneration. This includes cash or in kind, which you receive, directly or indirectly, from NPU in respect of your employment. For example, allowances, bonuses and eligibility for same, performance payments, and non-cash benefits such as cars and mobile phones.

Advancing equality of opportunity

To advance equality of opportunity we:

- Remove or minimise disadvantages that people with a disability or health condition face.
- Take steps to meet the needs of people who have a disability or health condition.
- Encourage people who have a disability to participate in activity in which participation by such persons is disproportionately low.
- Take action to address underrepresentation of people with a disability.

Consultation

Telling us about a disability or health condition is a personal choice. You are not required to tell us if you do not want to. We encouraged you to share information about how your disability affects you so that we can provide support and/or accommodations to keep you safe in the workplace. With your agreement, the HR/People team may seek advice from your doctor, or an occupational health specialist to better understand how we can support and accommodate you.

If you do choose to tell us about your disability or health condition, please make us aware of who you would like the information shared with (for example, your line-manager). We will ensure that information about your disability or health condition is only shared with people that you specify.

If we are aware of your disability and/or how it affects you, we will meet with you to discuss ways in which we may be able to support and accommodate you.

Privacy

We fully respect your right to privacy. Any personal information which you provide to us will be treated with the highest standards of security and confidentiality, strictly in accordance with the Data Protection Acts 1988-2018.

Reasonable Accommodations

If you have a disability or health condition, we will provide ‘*reasonable accommodations*’ to enable you:

- to have access to employment opportunities;
- to participate or advance in employment; and
- to undertake training.

[Insert Organisation Name] strives to ensure that any accommodation requested is provided. We will make every effort to obtain public funding or a grant if [Insert Organisation Name] cannot afford the cost involved with the accommodation measures needed. In the unlikely event that we are unable to accommodate your request, we will discuss possible alternative options with you.

If you would like your work environment (facilities, resources, materials, equipment, processes, or systems) to be adapted in any way, please request a meeting with the HR/People team to discuss your preferences and requirements.

The People Team will:

1. Meet with you within 2 working days of your meeting request.
2. Ask you how your disability or health condition affects you.
3. Listen to your support and accommodation requests.
4. Discuss with you the accommodations you have requested.
5. Explore options for other accommodations that could assist you.
6. Consider your work practices, processes, and systems.
7. Consider if alterations are required to the premises, equipment or resources
8. Consider whether your existing job could be adapted.
9. Agree accommodations with you prior to implementation.

Examples of accommodations that may be offered to a person with a disability or health condition (with your agreement) are:

- assistive technology (computer device or software);
- adapting the workplace (premises or equipment);
- time off to attend medical appointments;
- flexible working arrangements or working from home;
- contract modification (such as a change from full-time to part-time);
- partial re-deployment; and
- re-deployment.

Assistive technology

Assistive technology may be provided to allow you to carry out your work in a way that meets your individual needs.

Adapting the workplace

We may adapt your work environment (work practices, processes, and systems) or make alterations to the premises, equipment, or resources that you use for your job.

Flexible working options

It is important to us that options are available to you that will allow you to continue in your current job role in a safe way. Flexible working options may provide the opportunity for you to maintain your current responsibilities. Flexible working options include part-time contracts, flexitime, job share or working from home. You may find that one or more of these options would allow you to continue with your current role and responsibilities in a safe way. Please note that if home working is agreed NPU will make any agreed accommodations within your at home/work environment.

Contract modification

Due to your disability or health condition, you may wish to request a contract modification, such as a change from full-time to part-time hours. Any contract modifications would be agreed with you during the consultation process.

Partial re-deployment

This means you would continue doing part of your original job (either part-time or full-time) with the addition of new tasks. This would involve dropping certain responsibilities and taking on other responsibilities that were previously carried out by other colleagues. Please note that partial re-deployment would be agreed with you, and you would receive any training and development required for the new responsibilities.

Re-deployment

In the event that it is unsafe for you to carry out your current job role and responsibilities, or if your disability prevents you from carrying out your current role and responsibilities but you are able to carry out another role within the organisation, you may wish to consider re-training and re-deployment. Please note that re-deployment would be agreed with you, and you would receive any training and development required for the new role.

Recruitment and Selection

NPU] takes action to ensure that the recruitment process is fair. Applications from people with disabilities are considered purely on the basis of a person's ability to do the job.

Person Specification

The person specification will only include qualities, skills, and experience that are deemed essential for the job role.

Job Advertisements

All job advertisements for NPU will make it clear that we welcome applications from people with a disability and that we will make every effort to provide accommodations.

All jobs vacancies will be advertised and open to internal and external candidates.

Accommodations

NPU will make every effort to provide accommodations for job applicants candidates with disabilities. For example by:

- ensuring physical accessibility to a building;
- providing extra time for interviews or assessments; and by
- providing assistive technology.

Job applicants will be encouraged to contact the HR/People team if they require accommodations in relation to completing the job application form or with any other aspect of the recruitment and selection process.

Shortlisting

Members of the shortlisting team will not be provided with information relating to the applicant's prior sickness absence history.

Interview Questions

Interview Questions will be pre-planned and will not be multi-faceted. All interviewed applicants will be asked the same questions; however, candidates will have the opportunity to ask for a question to be reworded or broken into parts.

Interview Panels

Interview panels will be made up of three people who are independent of [Insert Organisation Name]. Interview panels will be diverse in relation to age, race, gender, religion, sexual orientation, marital status, family status, disability, and membership of the Traveller community.

Promotions

All of the criteria in relation to recruitment and selection applies equally to internal promotions.

Feedback

Feedback will be sought from all job applicants following the recruitment and selection process to find out about their experience.

Positive Action

To address underrepresentation of people with a disability we:

- offer work internships, apprenticeships and training programmes to people with a disability; and
- offered progression coaching and mentoring to employees with a disability

Training

Members of the interview panels are trained in unconscious bias and the requirements of anti-discrimination law.

Reasonable Accommodations training will be provided for all leaders, managers, and HR/People colleagues. This training is designed to help leaders, managers and the HR/People team understand how to best support, accommodate and safeguard people who have a disability or health condition.

All people completing work-experience, trainees, apprentices, interns, employees (full-time, part-time, and temporary), Executives, Directors and Trustees / Board members will be provided with Disability Awareness training.

Employment Rights

If you have a disability, you have the same employment rights as other employees.

If you have been off work on sick leave due to a disability, health condition or long-term illness, we will ensure that you are able to return to the same job. Upon your return to work we will meet with you to see how we can support and accommodate you.

Recording and Monitoring

To identify any trends, NPU records and monitors the following data:

- The number of job applicants with a declared disability or health condition against the number offered employment, starts, and retained employees.
- The number of employees with a declared disability or health condition that are promoted.
- The number of accommodations requested and provided.
- Employee feedback and complaints related to disabilities, health conditions and accommodations.

This data will be analysed by senior leaders monthly and presented to the Board annually. Action will be taken to address any unfavourable trends.

How to make a complaint

If you have complaint relating to a disability or if you think you may have been discriminated against in work because of your disability, please contact Gay@pipers.ie