

CODE OF PRACTICE FOR THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

1. Policy Statement

The Institute of Technology, Tralee is committed to a policy of equality of opportunity for all its employees and potential employees, and recognises that equitable treatment in the workplace is a fundamental human right for all employees.

As part of its commitment to Equal Opportunities, the Institute aims to provide equality of opportunity in the attraction and employment of people with disabilities. Institute of Technology Tralee seeks to encourage suitably qualified people with disabilities to consider the Institute as a career choice.

The purpose of this Code of Practice is to provide a statement of policy and guidance in relation to the employment of people with disabilities. The Institute is committed to ensuring

- that people with disabilities are not disadvantaged by reason of having a disability in the jobs which they hold or to which they aspire to hold and
- that all reasonable efforts are made to meet any special requirements to which some disabilities give rise so as to maximise access to employment in the Institute for people with disabilities and to enable staff with disabilities to make the fullest possible contribution to the work of the Institute.

2. Definition

For the purpose of the Employment Equality Act, 1998, disability is defined as

- a) "the total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body,
- b) The presence in the body of organisms causing, or likely to cause, chronic disease or illness,
- c) The malfunction, malformation or disfigurement of a part of a person's body,
- d) A condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- e) A condition, illness or disease which affects a person's thought processes, perception of reality, emotions or judgement which result in disturbed behaviour".

And shall be taken to include a disability which exists at present or which previously existed but no longer exists, or which may exist in the future or is imputed to a person.

3. Recruitment

People with disabilities are eligible to apply for any post in the Institute for which they are qualified and to have their applications considered on the basis of their abilities, qualification and suitability for the work in question. No unnecessary or irrelevant obstacle will be placed in the way of people with disabilities applying for posts in the Institute. The Institute will make reasonable efforts to provide such special facilities and equipment as are necessary to enable applicants with disabilities to participate in competitions for posts for which they would be suited.

The following guidelines will apply in relation to recruitment:

3.1 Job Description/Selection Criteria

The job description and selection criteria will be drawn up objectively, using non-discriminatory and essential work-related criteria. Any requirements which may discriminate against applicants with disabilities and which are not essential for the job will be eliminated e.g.: stipulating that a driving licence is required may be discriminatory if the job requires only limited travelling which would be done easily using public transport or by making other arrangements.

3.2 Advertisements

Both the advertisement and further particulars will not contain any job titles, headlines, illustrations or wording from which an inference could be drawn that applicants with disabilities would be treated less favourably than non-disabled applicants, or that the Institute would be unwilling to make a 'reasonable adjustment' in order for disabled applicants to be considered/selected.

3.3 Job Application Forms/ Curriculum Vitae

The Institute will regularly monitor the content and format of applications form issued by the Institute to ensure that no discriminatory questions are used.

3.4 Interviews

Letters inviting candidates for interview will include the following statement:

'The Institute is committed to providing all candidates with the opportunity to complete fairly for jobs. If you have any special needs or requirements with regards to the arrangements for this interview and/or the skills test/presentation etc, please mention this to the Human Resources Office when you confirm your attendance'.

Selection Boards will be briefed on this Code of Practice for the Employment of People with Disabilities and the Institute's Equal Opportunities Policy.

4. Reception and integration into the workplace

It is recognised that people with disabilities may encounter greater difficulties than others in adjusting to a new workplace. Good communication is a key requirement in overcoming difficulties that may arise. Full and frank discussions of the problems, which some staff with disabilities may encounter, is essential if difficulties are to be minimised. The following guidelines will apply in relation to staff with disabilities and their integration into the workplace:

- In deciding on the placement of an employee with a disability, regard should be given to any particular issues that may require attention. For example, staff with mobility problems should, where possible, be located close to accessible toilets and entrances.
- The person who will be the new employee's superior should be informed of the employee's circumstances and should be involved in any discussions concerning special difficulties which might arise and special facilities which might be required.
- The probationary period should be managed in such a way as to take account of any particular difficulties which may be encountered by an employee with a disability

5. Career Development & Training

Staff with disabilities will have the same opportunities as other staff to develop full and rewarding careers in the Institute. The following guidelines will apply in relation to career developments as far as practicable:

- In assigning duties to staff with disabilities, care should be taken to ensure, to the greatest extent possible, that they are given the same opportunities as other staff to acquire the range of skills and experience necessary for future career development.
- Staff with disabilities will be offered the same access to training as other staff and measures will be taken to ensure they are not inhibited from availing of such opportunities by problems of physical or sensory access to training centres or conference rooms or by the format of training materials.
- Staff with disabilities will have equal access to promotional opportunities.
- Staff with disabilities will be offered appropriate opportunities to broaden their experience, acquire new skills and to develop their full potential.

6. Accommodation and Equipment

Modifications to the working environment may be required to ensure that some people with disabilities can operate effectively. In certain cases mechanical aids can greatly enhance the comfort and efficiency of the staff concerned. It is the policy of the Institute to ensure that, insofar as is practical, the working environment is such as to minimise problems which face staff, including staff with disabilities.

The following guidelines will apply in relation to accommodation and equipment:

- The Institute will take the requirements of people with disabilities fully into account in their assessment of planning campus development.
- In undertaking any significant structural alteration to or renovation of an existing building, the Institute will, insofar as is practicable, include in the work such alterations as are necessary to bring the building concerned up to an acceptable standard of accessibility for people with disabilities.
- Departments should consult staff with disabilities about any equipment which might enhance their efficiency and effectiveness in performing their duties, and adopt a positive approach to reasonable requests for such equipment.

7. Safety, Health and Welfare at Work

The Institute has obligations under the health and safety legislation to make every effort, insofar as is reasonably practicable, to provide a safe and healthy working environment for its entire staff. The new employee's supervisor should be informed of the employee's particular circumstances insofar as they have an effect on work practices, and how the employee will fulfil their duties and responsibilities. All employees are required to tell the employer of conditions that may give rise to risks to themselves or others which if not disclosed would mean that the employer would be unable to carry out an adequate risk assessment. The Institute's Risk Assessment under the Safety Statement will take account of specific risks that may arise in the case of employees with disabilities.

8. Support for staff who become disabled

Experiencing gradual loss of function or becoming disabled can lead to uncertainty, insecurity and loss of confidence for an individual. A flexible, understanding and supportive approach will enable the newly disabled member of staff to continue to contribute to the Institute. An existing member of staff, newly disabled or facing disability, may have no idea what his/her future needs will be with regard to possible adjustments to premises, equipment or working arrangements etc. The individual and, if requested, his/her staff representative should be involved (including when he/she is on sick leave) in any decisions that directly affect his/her working life.

In accordance with the provisions of this policy, the Institute will make all reasonable accommodations to meet the requirements of a staff member who becomes disabled and to provide the appropriate support, and, as far as is practicable, make necessary adjustments to their working conditions.

9. Grievance Procedure

Formal complaints of discrimination (direct or indirect), on the grounds of disability, may be dealt with under the relevant Grievance and/or Disciplinary Procedures and in the absence of such a procedure in accordance with the principles of natural justice.

10. Implementing this Code & Training of Institute Staff

All employees in the Institute of Technology, Tralee have a role in ensuring that the provisions of this Code are adhered to. Special responsibility in this regard attaches to the Director, the Executive, managers and supervisory staff, who will be supported in this role by the Human Resources Office.

The Institute will ensure that management of the Institute avail of training in disability awareness and the implementation of this policy. Awareness training will be made available to all staff who will be encouraged to avail of it.

In giving effect of the provisions of this Code, managers and supervisory staff are likely to require advice and assistance on a wide range of issues. The Human Resources Office will advise on questions concerning the interpretation and implementation of this Code.

11. Legal Interpretation

- In the event of any ambiguity or inconsistency or conflict arising between any of the provisions of this policy and any of the provisions of the Employment Equality Acts, 1998 and 2004, the provisions of the Act will prevail.
- This policy constitutes a statement of intent on the part of the Institute. However, its provisions, save to such extent as may be required by law, shall not constitute a legally binding or enforceable commitment, contract or agreement whether expressed or implied.
- In order to comply with its statutory obligations the Institute will record on personnel records those employees who have disclosed a disability, as defined under the Employment Equality Act, 1998.

This policy will be reviewed after one year.

HR Office – May 2005