



Code of Practice for the Employment of People with
Disabilities

1.0 Policy Statement

Dublin City University is committed to providing equality of opportunity to people with disabilities in all aspects of employment. As part of this commitment, DCU aims to ensure that people with disabilities have full access to employment, training, promotion and career development within the University.

The purpose of this Code is to state the University's policy in relation to the employment of people with disabilities, and to provide information within the University on the recruitment of people with disabilities.

DCU is committed to:

- Proactively promoting employment at DCU as a career choice to people with disabilities.
- Increasing the proportion of staff with disabilities to a minimum of 3% of total staff.
- Employing people with disabilities in jobs suited to their aptitudes, abilities and qualifications, making any reasonable accommodation ¹ necessary.
- Ensuring that people with disabilities will be facilitated to give effective performance in the posts that they hold, and will not be disadvantaged by reason of having a disability.
- Removing such barriers ¹ that prevent full access and participation in the life of the University for people with disabilities, and ensuring that people with disabilities are not at any substantial disadvantage compared with those who do not have a disability.

2.0 Definition of Disability

Under the Employment Equality Act 1998 (section 2), 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,
- (e) a condition, illness or disease, which affects a person's thought process, perception of reality, emotions or judgement or which results in disturbed behaviour,

¹ Section 16(3b) of the Employment Equality Act 1998 states that "an employer shall do all that is reasonable to accommodate the needs of a person with a disability by providing special treatment or facilities ...". (Dept Justice, Equality and Law Reform 1998). Employers must therefore do all that is reasonable to accommodate the needs of a person with a disability unless the employer can show that there is a cost to them other than a nominal cost.

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 which is imputed to a person.

Under section 16 (3) the Act provides that:

- (a) For the purposes of this Act, a person who has a disability shall not be regarded as other than fully competent to undertake, and fully capable of undertaking, any duties if, with the assistance of special treatment or facilities, such person would be fully competent to undertake, and be fully capable of undertaking those duties.
- (b) An employer shall do all that is reasonable to accommodate the needs of a person who has a disability by providing special treatment or facilities to which *paragraph (a)* relates.
- (c) A refusal or failure to provide for special treatment or facilities to which *paragraph (a)* relates shall not be deemed reasonable unless such provision would give rise to a cost, other than a nominal cost, to the employer.

3.0 Recruitment, Selection and Access to Employment

Dublin City University is committed to equality of opportunities in employment. Recruitment and selection of staff will not discourage those with disabilities.

In support of this, the following guidelines will apply in relation to recruitment, selection and access to employment:

- **Recruitment:** DCU will actively encourage applications from people with disabilities. This will be led by the HR Department in consultation with the Disability Service. The University will also promote relevant targeted recruitment strategies where possible. The University will conform with the latest Web Content Accessibility Guidelines and will clearly state that it will make its publications available in alternative formats on request.
- **Job Advertisements:** will explicitly state that Dublin City University is committed to a policy of equal opportunities in employment / is an equal opportunities employer.
- **Job Descriptions:** will identify the requirements for the post. Job descriptions should not discourage those with disabilities from applying.
- **Screening and Shortlisting:** the University's guidelines, which prohibit the use of irrelevant and subjective criteria in screening applications, will apply (see www.dcu.ie/personnel).
- **Interviews:** Any reasonable adjustment that is needed to ensure that a candidate with a disability is not at a substantial disadvantage compared with other applicants, will be made (such as ensuring that the interview room is accessible to wheelchairs, that adequate toilet facilities are available, suitable parking space is allocated, procedures for testing or assessment are modified and sign-language interpreters or other appropriate interpreters will be made available.
 - All letters inviting candidates for interview at DCU will state:

"Dublin City University is committed to providing equality of opportunity in all aspects of employment. If you have any particular requirements for your interview, please notify the Human Resources Department at your earliest convenience"

- All interviewers will be briefed prior to interviews on this Code of Practice for the Employment of People with Disabilities.
- Anyone concerned with recruitment to the University should assess what applicants with a disability can do to meet the requirements of the post. They should avoid assumptions such as people with a disability can be problematic. Job and career prospects should be assessed flexibly. It should be borne in mind that people with disabilities may need to carry out their tasks in a different way from usual procedure, taking into account at all times the provision of reasonable accommodation.
- **Selection:** Decisions to appoint are made on the merit and suitability of the candidate and the needs of the University. All candidates will be assessed on their abilities and according to objective criteria concerning the competence and qualities needed to undertake the post.
- **Pre-employment health check:** All offers of employment at DCU are subject to a health screening.

4.0 Integration into the Workplace

4.1 Health, Safety and Welfare at Work

Those with disabilities are not necessarily less safe at work than other staff. However, arrangements may be necessary to ensure that a person's disability does not create any hazard either for the person concerned or for others.

DCU will make every effort to provide a safe working environment for all its employees. Where an employee's disability has an effect on his/her work practices, his/her supervisor will be informed. The Health and Safety Office will advise Heads and Managers of their obligations under the Health, Safety and Welfare at Work legislation. This will include hazard identification, personal emergency egress plans etc.

4.2 The Working Environment

DCU recognises that staff with disabilities may experience greater difficulties than others in adjusting to their new work environment. The following guidelines apply in relation to the integration of staff with disabilities into the workplace;

- DCU will provide all reasonable accommodation to ensure that an employee with a disability is not at any substantial disadvantage compared with an employee who does not have a disability.
- DCU will consult staff with disabilities on the reasonable accommodation of their needs and will take all steps to ensure that any reasonable accommodations required to perform specific job functions or meet specific requirements will be made.

- DCU will ensure that, insofar as is practicable, the working environment is such as to minimise difficulties which staff with disabilities may encounter;
- All new buildings and alterations to existing buildings will be designed in consideration of Universal Design Principles². The University will meet, and where possible, exceed the requirements of all applicable legislation and regulations.
 - DCU will consult staff with disabilities about assistive devices, which might enhance their efficiency and effectiveness in performing their duties, and will adopt a positive approach to reasonable requests for such equipment.

4.3 Treatment of Staff With a Disability

- DCU will support the full integration of staff members with disabilities into the University community, recognising that to ensure such integration, members of staff with a disability must be accepted by their colleagues.
- Individuals must be asked whether they wish their colleagues to be informed of their disability. Their wish in this regard should be respected.
- Line managers / supervisors will be fully informed of staff members' circumstances relating to their work environment, and with regard to any reasonable accommodation required. Medical confidentiality will be maintained and respected at all times.
- The Human Resources Department will maintain reasonable contact with the new staff member to facilitate his/her integration into the workforce, and assist in promoting positive peer support for members of staff with disabilities.

4.4 Harassment

- The *Policy to Protect Respect and Dignity in DCU* states the University's commitment to creating a working and learning environment free from harassment and bullying. The Policy outlines in detail the procedures to be followed where a person believes that he or she has been subjected to such behaviour.

5.0 Training, Promotion and Career Development

Under the *DCU Equality and Access Policy*, the University is committed to equality of opportunity in relation to the training, development, and promotion of all staff.

² Universal Design is based on the "design for all" philosophy. The concept seeks to ensure that people of all ages, abilities and needs can use the built environment as independently as possible, with as much dignity as possible.

6.0 Members of Staff Who Acquire A Disability in The Course of Employment

The University will assist members of staff who acquire a disability during their employment to integrate into the environment, and, where reasonable changes can be made, will enable them to continue in post or take alternative employment within the University.

Heads and Senior Managers should deal sensitively and flexibly with those individuals who acquire a disability. They should be aware of the problems that may be experienced. These can include not only loss of health, but also loss of status, financial loss or reduced self-esteem.

6.1 Options For Members of Staff Who Acquire a Disability

There are a number of possible options when members of staff acquire a disability in the course of their employment.

These may include:

- Continuing in the same post
- Redeployment
- Job Restructuring,
- Rehabilitation,
- Re- Training,
- Re-Location
- Flexible working conditions.
- Early retirement on the grounds of incapacity
- Termination of employment on the grounds of incapacity

It will be necessary to assess whether the person could continue in the same or in a similar post, what type of job might be suitable if continuing in the same post is not possible, and what assistance is necessary to enable the person to continue in the same job or to undertake a different job.

7.0 Responsibilities

All members of the University community have a duty to ensure that the provisions of this Code are adhered to, and must treat those with disabilities in accordance with its provisions.

Deans and Heads of Schools, Centres and Units, along with managers and supervisors are responsible for the integration of staff with disabilities into their Departments, Schools, Centres and Units, and into the University community generally.

The Director of Human Resources is primarily responsible for the overall implementation of this policy for the employment of people with disabilities

The Disability Officer through the Disability Service will provide information, support and assistance.

8.0 Training

The Human Resource Department will ensure that those involved in recruitment and selection will receive disability awareness training and will be briefed on this Code of Practice for the Employment of People with Disabilities.

9.0 Review and Monitoring of Policy

This policy for the employment of people with disabilities will be reviewed on a regular basis for effectiveness in its implementation and operation. This will be done in line with changes in statute law, relevant case law and other developments, and in line with the University's experience. Any revisions or modifications necessary will be made.

The Director of Equality will make an annual report on the operation of this policy to the President and University Executive.

10.0 Help and Guidance

Both the Disability Service and the Human Resources Department are available to discuss any issues in relation to this policy. For further information, please contact:

(i) Disability Service

Tel: 01 7005927
Fax: 01 7008661
Web Site: www.dcu.ie/disability/index.html
Email: disability.service@dcu.ie

(ii) Human Resources Department

Tel: 01 7005149
Fax: 01 7005500
Web Site: www.dcu.ie/personnel/index.html
Email: hr.applications@dcu.ie