

Have you been treated unfairly at work because you have a disability?

Disability at Work

The Equality Act 2010 is there to protect employees and workers against unfair treatment at work including discrimination and unfair dismissal because of a disability. We have found that not everyone knows what a disability is under the ACT.

Do you know what constitutes a disability?

Disabilities are wide-ranging and can include:

- AIDS/HIV
- Alzheimer's Disease
- Arthritis
- Asperger's and Autism
- Cancer
- Cerebral Palsy
- Chronic Fatigue Syndrome
- COPD
- Cystic Fibrosis
- Depression
- Diabetes
- Down's Syndrome
- Dyslexia
- Fibromyalgia/Chronic Pain Syndrome
- Hearing Impairments
- Inflammatory Bowel Disease
- Mental Health problems
- Migraine
- Mobility impairments
- Multiple Sclerosis
- Parkinson's
- Spina Bifida
- Spinal Cord injury
- Stress and anxiety
- Visual Impairments

If you have a disability, your employer has obligations to ensure you are treated fairly, such as making reasonable adjustments.

What are reasonable adjustments?

Your employer must understand what your disability is and investigate it to discover what adjustments they need to make to help you carry out your work. This may involve changes to your workload, work station or equipment. There are a number of ways that your employer can achieve this, as plenty of assistance is available to them. They must also consult with you about any planned adjustments.

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What if you feel the correct procedure isn't being followed?

If your employer does not consult with you, carry out the necessary checks and investigations and make any reasonable adjustments required, your work may suffer as a result.

In certain circumstances you may find that you are dismissed on the basis that you are unable to carry out the role and if this is the case then you may be entitled to claim against your employer for disability discrimination.

There is no maximum length of employment required to bring a claim at the Employment Tribunal, but it is important to take action within 3 months of the act of discrimination occurring. It is therefore essential that you take legal advice on your situation at an early stage and as soon as possible.

**Contact the
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