

# Chronic Fatigue Syndrome / ME

Chronic Fatigue Syndrome or ME can be extremely debilitating and cause you difficulties in performing everyday tasks. Having such a condition does not mean that you cannot work but may mean that you need adaptations to your role to allow you to work.

Many people with Chronic Fatigue / ME are left undiagnosed meaning that their employer is unaware, this also prevents any understanding or assistance being put into place.

In the first instance as the condition may constitute a disability, transparency is vital to allow the employer the opportunity to obtain a specialist assessment setting out any adjustments that could be implemented to assist you in your role. Once they know that you have the condition and understand what that entails, you are able to ask your employer to make a range of adjustments which may include changes to your working environment, workload and work pattern such as:

- Providing a quiet area where you can rest without being disturbed
- Permission to use an allocated parking space near the entrance of the building
  - Changing lighting or the position of your workstation
- Changing your working hours to avoid rush-hour travel
  - Allowing you to work reduced or flexible hours
  - Allowing you to work from home where possible
- Allowing you to take longer or more frequent breaks away from your desk/workstation
- Allowing you to attend medical appointments during working hours if required
  - Reducing your workload
  - Reducing physical tasks
- Providing regular review meetings to check whether your workload and hours are still manageable.

# Chronic Fatigue Syndrome / ME

Help may be available for such adjustments through the Access to Work programme, via the Jobcentre Plus. Your employer may also take advice from an Occupational Therapist about what they can best do to help you at work.

## **Making a claim**

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

There is no minimum length of employment required to bring a claim at the Employment Tribunal, but it is important to lodge your claim with ACAS 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 Ashley Hunt & Carrie-Ann Randall on 01858 445 480 or Vaishali Thakerar & Alex Reid on 0116 212 1000 if you have been discriminated against because of a chronic fatigue syndrome / ME.**