

Chronic Obstructive Pulmonary Disease (COPD)

(COPD) is a long-term illness that makes breathing difficult and might have an impact on your working life at some point. Your doctor can help you decide whether your working environment is affecting or likely to affect your lung condition or if your current job is too strenuous.

In addition, if you are exposed to gas, fumes or dust at work, it may be necessary to request modifications or to change to a different job.

If your condition affects your ability to work, it is advisable to talk to your employer who may be able to make reasonable adjustments that make it easier for you to do your job such as:

- Providing a parking space that is near to the entrance
 - Moving your workstation closer to the entrance
- Allowing you to work from home some or all of the time
 - Providing adequate ventilation
 - Providing a dust and fume free environment
- Allowing you flexibility to attend doctors' appointments e.g. by starting later on those days
- Letting you know in advance if any work will be taking place in your working area that will cause dust or fumes e.g. building or cleaning work.

Your employer can get advice and support about making adjustments to the workplace from the government's Access to Work scheme. They should also consult thoroughly with you to fully understand what your condition involves and what they can do to help.

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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 COPD.