

Unite Fibromyalgia

Equality Workplace Action Plan & Model Agreement



Unite the Union and _____ (employer) agree to the following 8-point Action Plan to give effect to the attached Fibromyalgia Equality Agreement.

In order for the Agreement to be fully implemented, the following action plan, developed by both parties to the Agreement (_____ and Unite the Union) will be followed

1. Named Managers/Supervisors will be responsible for the implementation of each element of this policy
2. The Employer and the Union will work together to review existing agreements, policies and procedures with the aim of eliminating both direct and indirect discrimination
3. A workplace access audit will take place to include access to the building and all facilities such as toilets, canteens, social events. It will also include access to language, information and workstations
4. An audit will take place to include numbers of workers with Fibromyalgia, area of work, specific improvements and, any adjustments made, numbers of applicants with Fibromyalgia, numbers of applicants taken on and if not, why not and numbers of workers with Fibromyalgia applying for promotion and training with results and reasons. Disabled people shall be involved in the audit
5. Based on information from the audit, targets shall be set to measure success of positive action
6. All staff involved in recruitment and selection shall be given guidance and training to make sure that the process is discrimination-free
7. Trade Union representatives including union equality reps and disability champions will have reasonable paid time off to carry out their role and to attend union disability and equality courses
8. This Agreement will be widely publicised

Unite the Union Model Agreement on disability/fibromyalgia equality

Statement of Intent

There should be a statement confirming that the parties to the Agreement (the Employer and the Union) are committed to disability equality and equal opportunities for ALL, including those who have a physical, mental or sensory impairment - including Fibromyalgia - and that this will apply to the operation and implementation of all policies, recognising responsibilities in relation to disability under the Equality Act 2010 and related codes of practice.

Employment Practice

Recruitment

All job applicants will be assessed on the basis of suitability for the job without disability discrimination. No question related to disability shall be asked prior to interview, apart from ensuring disability access. Applicants who are suitable for the job at the time of interview will not be placed at a disadvantage because they have an impairment.

The Placing of Advertisements

To encourage disabled people to apply for vacancies, adverts will be placed in the disability press and other places where a wider audience can be reached.

Recruitment information will be available in alternative formats, such as large print, Braille and audio, when requested. All advertisements will include a commitment to providing reasonable adjustments, a statement on equal opportunities for all and the "two ticks" Disability Employment Symbol.

Interviews

For candidates with particular access requirements, reasonable adjustments should be made and panel members will receive equal opportunities training and education on disability equality.

On Employment – Reasonable Adjustments

A commitment to make reasonable adjustments, as required on appointment. Examples of reasonable adjustments include:

- Making adjustments to premises
- Allocating some of the disabled person's duties to another person
- Transferring him/her to fill an existing vacancy
- Altering hours of working or training
- Assigning him/her to a different place of work or training
- Allowing for absence during working or training hours for rehabilitation, assessment or treatment

- Giving, or arranging for, training or mentoring (whether for the disabled person or any other person)
- Acquiring or modifying equipment
- Modifying instructions or reference manuals
- Modifying procedures for testing or assessment
- Providing a reader or interpreter
- Providing supervision or other support

Retention

The employer and the union agree that making reasonable adjustments should ensure the retention of the disabled employee without financial loss.

Disability Leave

A commitment to provide paid disability leave to ensure:

- Sufficient time and help to adjust to changed circumstances
- Paid time off to allow reasonable adjustments to working conditions and arrangements to be made
- Counselling and support
- Paid time off for medical appointments

Disability-related leave will be recorded separately from sick leave, and in no case will disability-related leave be used as part of any criteria for redundancy, disciplinary, promotion, or performance appraisals.

Following on from this a further meeting will be arranged with the employee, the line manager, the Personnel Manager or occupational health staff, the union representative and any other specialists nominated by the Union to:

- (a) assess the potential for the employee to carry on with their own job
- (b) assess any adaptations or training which may be required
- (c) where it is agreed, if necessary, alter duties, including working hours or offer alternative job, including, where appropriate, a more senior position without competitive interview
- (d) where none of the above apply, recommend alternative action including early/medical retirement, ensuring that this is done in the most beneficial way for the worker and respecting disability rights

Special Leave

All those who have a responsibility caring for disabled relatives or dependents, shall be able to make changes to working hours and take reasonable paid time off. Those with caring responsibilities shall be entitled to additional special and compassionate bereavement leave.

Benefits and Services

All workers are entitled to work benefits and services without disability discrimination. All facilities, including toilets, rest rooms and canteens, and social facilities and events whether at or away from the workplace, shall be fully accessible and we shall consult with disabled employees, the relevant trade union and disability organisations when alterations are to be made to buildings, IT and telecommunication systems, and other facilities.

For our occupational pension scheme, we shall use the pension provider that offers the best package and seek full actuarial advice and/or medical evidence if a facility cannot be offered due to an employee's disability.

Career Development

All workers applying for promotion or training shall be considered on their merit and shall not be discriminated against on the basis of their disability. For the purpose of promotion and training, reasonable adjustments shall be made including alterations to venues for training, provision of accessible materials and providing a signer or induction loop. Where disabled people are under-represented, positive action – for example training and recruitment activity targeted specifically at disabled workers – shall be taken.

Education/Training

All Managers and staff shall be made aware of this policy on disability and equality, and education and training courses shall be provided. The Union shall be involved, and union reps, including union equality reps and disability champions shall be given reasonable paid time off to carry out their responsibilities and for training.

Health & Safety

All workers shall have equal access to all health and safety provision. Safety inspections and risk assessments will include disability and access issues and specific safety requirements of disabled workers including workers with Fibromyalgia. Health and safety arrangements shall not be used to justify discrimination against disabled people.

Harassment/Bullying

The employer aims to provide a safe and supportive environment for all workers. Any harassment or bullying such as taunts, mental and physical abuse, unfair allocation of work, deliberate exclusion from normal workplace conversation or social events, based on a person's disability, will be taken very seriously and regarded as a matter for disciplinary action, in line with the grievance and disciplinary procedures. Any individual raising a grievance on harassment or bullying shall have the right to be accompanied by their trade union representative.

CONFIDENTIALITY

Information about an employee's disabled status, including fluctuating or progressive conditions e.g. Fibromyalgia and mental health, however obtained, will be kept confidential and will not be disclosed to anyone without the individual's written consent.

*Any breaches of confidentiality by any member of management or individual employee, will be treated as a serious offence and subject to disciplinary procedures.

*It is recognised that in certain areas of work there are legal requirements related to the public interest and the wording here should be adapted to reflect this

Procedural Agreements

All procedural agreements shall apply equally to all staff, without disability discrimination. In particular, correct procedures for selection for redundancy, disciplinary and grievance shall be followed.

Any worker who believes that they are at a disadvantage due to the failure to implement this Agreement, or any other discrimination based on their disability, including Fibromyalgia, should make a complaint, which shall be dealt with fully and sensitively through the existing grievance procedure.

THIS AGREEMENT WILL BE BROUGHT TO THE NOTICE OF ALL NEW AND EXISTING EMPLOYEES AND WILL BE WIDELY CIRCULATED THROUGHOUT THE WORKPLACE TO RAISE AWARENESS, PREVENT DISCRIMINATION AND TO PROMOTE A WORKING ENVIRONMENT OF RESPECT AND DIGNITY FOR ALL.

Signed _____

on behalf of the Trade Union

Signed _____

on behalf of the Employer