



**AfricaRice**

# **Workplace Disability Policy**

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**CONTENTS**

- 1. Purpose ..... 3
- 2. Objectives..... 3
- 3. Scope..... 3
- 4. Definitions ..... 3
- 5. Guiding Principles ..... 4
- 6. Policy ..... 5
  - 6.1. Reasonable accommodation for people with disabilities ..... 5
  - 6.2. Accessible Physical Environments ..... 5
  - 6.3. Recruitment and Selection ..... 5
  - 6.4. Selection Interviews ..... 6
  - 6.5. Medical testing..... 6
  - 6.6. Testing after illness or injury..... 6
  - 6.7. Orientation and Induction ..... 7
  - 6.8. Retaining People with Disabilities ..... 7
  - 6.9. Confidentiality and Privacy..... 7
- 7. Roles and Responsibilities ..... 7
  - 7.1. Executive Management Committee ..... 7
  - 7.2. Human Resources Services Unit..... 7
  - 7.3. All employees ..... 8
  - 7.4. Health and Safety Committee..... 8

## 1. Purpose

This policy demonstrates the commitment AfricaRice has made to promote an inclusive, accessible and safe work environment and to support a diverse workforce, integrating equal opportunity for people with disabilities into the institution, procedures, decisions and operations. AfricaRice strives to ensure a work environment free from discrimination, bullying and harassment where disabled people can access to professional growth.

This policy aims to provide Management and all staff with the understanding and knowledge they need to address the needs of disabled workers. It gives information on:

- The definition of disability.
- The respect and equal opportunity to be afforded to workers and potential workers with disability.
- The legal framework in which this policy has been developed.
- The level in the employment life-cycle at which disability and reasonable adjustment must be considered
- The opportunity to develop professional understanding, learning and positive attitudes about disability in the workplace.

## 2. Objectives

AfricaRice wants by all means to ensuring disability does not provide a barrier to existing and potential workers. In line with this statement, our main objectives are to:

- ensure the accessibility of our physical and virtual environment for everyone.
- ensure our recruitment policy, procedure and criteria do not create unnecessary obstacles for disabled candidates.
- provide support to disabled staff and prevent conditions that may expose our staff to disabilities while working with us.
- encourage disability disclosure among our staff, while maintaining confidentiality.
- work with disabled staff to determine and review the support needs.
- support managers in responding to the needs of disabled staff.

## 3. Scope

This policy covers all staff members of AfricaRice who have a disability. We intend to ensure that our response to supporting disabled staff and students is consistent. This policy also does not cover conditions that are specifically excluded from being covered by the disability definition such as tendency to set fires or addictions to non-prescribed substances, etc.

## 4. Definitions

**Disabilities** Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations.

Disability is thus not just a health problem. It is a complex phenomenon, reflecting the interaction between features of a person's body and features of the society in which he or she lives<sup>1</sup>.

**Persons with disabilities** include those who have long term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others."<sup>2</sup>

**Direct discrimination** occurs when someone treats another person(s) less favorably, or proposes to treat them less favorably, than they would treat someone else who does not have a disability, in similar circumstances. Direct discrimination is also when a rule or policy that applies to the majority but disadvantages someone with a disability.

**Harassment** may involve any form of bullying, intimidation or hostile treatment, which is brought about because of the person's disability.

**Temporary disability** is a condition that exists for a short period of time and is not lasting or permanent. In some cases, temporary disability may also be treated as a past disability if adverse treatment was to continue after the disability case.

Vilification is any public act that could incite hatred, serious contempt or severe ridicule of a person, or group of people, because of their disability.

**Inherent requirements** refer to the ability to:

- Perform the essential duties and functional requirements of the job;
- Meet the productivity and quality requirements of the position;
- Work effectively in the team or other type of work organisation concerned; and
- Do the job without undue risk to your own or others health, safety and welfare at work.

## 5. Guiding Principles

In line with the commitment of AfricaRice to provide to its staff with a safe environment, the following principles demonstrate the will to supporting a diverse workforce and to integrate equal opportunity for people with disabilities into policies, procedures, decisions and operations.

- AfricaRice is aware that people with disability are often able to perform at the same level as people without disability.
- AfricaRice treats people with disability as it would any other employee or applicant.
- AfricaRice will not make any assumptions about people with disability.
- AfricaRice supports the rights of people with a disability<sup>3</sup> to work in an environment that is favorable to realization of their full potential by implementing and improving strategies to provide equitable access to employment opportunities.
- AfricaRice will continuously improve all building and facilities to be more accessible to people with disabilities.

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<sup>1</sup> Definition of the World Health Organization, 2015

<sup>2</sup> United Nations Convention on the Rights of Persons with Disabilities (2006)

<sup>3</sup> Except disabilities such as tendency to set fires, steal, or physically or sexually abuse other persons, or a compulsion toward exhibitionism or voyeurism, etc.

- AfricaRice takes all reasonable steps to ensure that adjustments for staff with a disability neither advantage nor disadvantage them in comparison with other staff members.
- AfricaRice maintains confidentiality of all the information provided by workers about their disability. Disability may be disclosed by a staff when seeking for accommodations or workplace adjustments.
- Employees who believe they have been treated unfairly or unreasonably in any matter related to their employment because of their disability can lodge a grievance using the Grievance Policy and Procedures.

## **6. Policy**

### **6.1. Reasonable accommodation for people with disabilities**

Reasonable accommodations are administrative, environmental, or procedural changes required enabling a person with a disability to work effectively. AfricaRice will accommodate the needs of disabled people to reduce the impact of the impairment of the worker's capacity to fulfil the essential functions of a job. AfricaRice may seek the most cost-effective means that are consistent with effectively removing the barrier to a person allowing him to perform the job, and to benefit from equal access to compensation and opportunities of employment.

Reasonable accommodation applies to job applicants and to workers with disabilities and may be required:

- During the recruitment and selection processes;
- In the work environment;
- In the way work is usually done, evaluated and rewarded;
- In the benefits and privileges of employment.

The accommodation will depend on the individual, the impairment and its effect on the person, as well as on the job and the working environment. Reasonable accommodation may be temporary or permanent, depending on the nature and extent of the disability.

AfricaRice intend also to evaluate work performance against the same standards as other workers acknowledging that some disabilities may require a supervisor to adapt the way the performance is measured. However, AfricaRice will not accommodate a qualified applicant or a worker with a disability if this would impose an unjustifiable hardship on the objectives of AfricaRice.

### **6.2. Accessible Physical Environments**

The constructed environment can significantly impact on how people with a disability are able to access employment. A workplace assessment may recommend that adjustments be made to the built environment such as the installation of ramps, rails, accessible toilet facilities etc.

### **6.3. Recruitment and Selection**

AfricaRice is an equal opportunity employer which believes that staff diversity promotes excellence in its operations. A recruitment process at AfricaRice shall consider the purposes for which the job exists and what are necessary to get the job done. That is to:

- Identify the inherent requirements and the essential roles of the vacant position;
- Describe the necessary skills and capabilities for job;
- Set reasonable criteria for selection for job applicants.

The selection process focuses on identifying an applicant's ability to perform the essential functions of the job. As ability, we mean academic background, experience in similar position, additional knowledge, etc.

Job advertisements should be accessible to disabled people and should include sufficient detail about the essential roles and duties of the job so that potential applicants with disabilities can make a decision if they meet the inherent requirements of the job.

AfricaRice would apply the same criteria to test the ability of people with disabilities as are applied to other applicants, although it may be necessary to accommodate applicants who have disabilities.

#### **6.4. Selection Interviews**

Selection interviews via phone, Skype or face-to-face should be sensitive, objective and unbiased. Recruitment panel members should avoid assumptions about people with disabilities. If an applicant has disclosed a disability or has a self-evident disability, the recruitment committee must focus on the applicant's qualifications for the work rather than any actual or presumed disability but may enquire and assess if the applicant would, but for the disability, be suitably qualified. The HR Officer in a panel should ask all applicants to indicate how they would accomplish the inherent requirements of the job and perform its essential functions and if accommodation is required.

#### **6.5. Medical testing**

Tests must be relevant and appropriate to the kind of work, the workplace and its hazards. If an applicant with a disability is suitably qualified, AfricaRice may make a job offer conditional on medical testing to determine an applicant's actual or potential ability to perform the essential roles of a specific job. The testing must comply with the requirements and be consistent with measuring if the applicant is able to perform on the job, with or without reasonable accommodation. If the testing shows that accommodation requirements would create unjustifiable hardship, or that there is an objective justification that relates to the inherent requirements of the job or to health and safety, the employer may withdraw the job offer.

Health testing should only be carried out after the decision to hire the candidate who is in fact competent to perform the duties of the job and after a job offer has been made.

#### **6.6. Testing after illness or injury**

If a worker has been ill or injured and it appears that s/he is not able to perform the job, AfricaRice may require the worker to agree to a functional determination of disability. Such medical or other appropriate tests shall be to assess if the worker can safely perform the job or to identify reasonable accommodation for the employee.

## **6.7. Orientation and Induction**

New employees with disabilities must be treated equally, subject to reasonable accommodation, to employees who do not have disabilities. Orientation and initial training should be accessible, responsive to and able to accommodate the needs of employees who have disabilities.

## **6.8. Retaining People with Disabilities**

Workers who become disabled during employment should, where practicable, be re-integrated into work according to AfricaRice Human Resources Manual.

If an employee is frequently absent from work for reasons of illness or injury, the HR Office will consult the employee to assess if the cause of the illness or injury is a disability that requires accommodation. If practicable, AfricaRice may offer alternative work, reduced work or flexible work.

If the employee is unable to be accommodated or there is not appropriate alternative employment, AfricaRice may terminate the employment relationship.

## **6.9. Confidentiality and Privacy**

The privacy of personal and health information disclosed by a job applicant should be maintained. Information regarding any disability, reduced function or impaired health status should be kept secure by HR Office and Health services. Disclosure is only permissible after obtaining the written consent of the individual concerned.

# **7. Roles and Responsibilities**

## **7.1. Executive Management Committee**

It is the responsibility of the Executive Management Committee to ensure that the objectives of the Disability Policy are met. The Committee will interact with the Human Resource Services and Supervisors in order to maintain good practices. The specific responsibilities of the EMC are:

- Ensuring that the Disability Policy and the detailed measures concerning workplace adjustments are well known by all AfricaRice workers and implemented;
- Ensuring the absence of discrimination of any kind and other inequities regarding the work of disabled people.
- Ensuring that all AfricaRice workers are aware of their responsibilities and are adequately informed on workplace disability policy;
- Ensuring compliance of AfricaRice with host country legislation;
- Constant review of the effectiveness of the Workplace Disability Policy.

## **7.2. Human Resources Services Unit**

The Human Resource Services Unit (HR) coordinates and administers the implementation of the Policy. HR meets with the top management and supervisors to discuss the inherent requirements of a position, where reasonable adjustment is required or it may not be possible to make reasonable adjustments. HR is responsible to:

- Assist units to take an active role in providing employment opportunities which do not discriminate people with disabilities;
- Ensure recruitment processes support the needs of applicants with disabilities and ensure that applicants are aware of the inherent requirements of advertised positions.

### **7.3. All employees**

Employees are not responsible for disability adjustments decisions but their responsibilities include:

- Approach their supervisors or appropriate staff in HR, in case they need an adjustment at work due to a disability.
- Understand and discuss, the inherent requirements of the position they hold if a disability occurs after they are employed.
- Avoid, and to challenge the victimization or harassment of disabled people.

### **7.4. Health and Safety Committee**

Health and Safety Committee could be the first line of communication with employees, and therefore have a shared responsibility with the Human Resource Services Unit. The committee will highlight abnormalities and make recommendations. The committee is responsible to:

- Assist in the development and monitoring of return to work plans for staff with a disability; and
- Assist supervisors in the provision of a safe work environment by implementing risk management activities.
- Ensuring that non-discriminatory policies and procedures are in place in order to avoid discrimination against disabled staff, clients and visitors.