

Sample Equal Opportunity Policy for Persons with Disabilities for Government Establishments (including local bodies)

Name of the Establishment

(government establishment name)

Preamble and Overview

At (government establishment name), we recognise the value of a diverse workforce. We are committed to providing equal opportunities in employment and creating an inclusive workplace and work culture in which all employees are treated with respect and dignity.

At (government establishment name), workforce diversity is a best practice imperative. We will strive to ensure that our workforce is representative of all sections of the society. We believe that, by doing so, we would be better equipped to develop and deliver accessible and inclusive services. In this way, we hope to be able to meet the needs of our employees and the public better thus providing equitable provision of services. At (government establishment name), we will proactively work towards ensuring that at least 5% of our workforce is composed of people with benchmark disability.

This Equal Opportunity Policy is in accordance with the provisions of The Rights of Persons with Disabilities Act, 2016. At (government establishment name), we commit to conform not just to the letter but also to the spirit of the Act. To ensure seamless implementation of this policy, (government establishment name) has created a strategic plan and modified the related employee policies and processes. The plan has been devised on the basis of advice from relevant organisations as well as in consultation with appropriate employee representatives including any persons with disabilities.

The (title of the head authority of the government establishment) has the overall responsibility for the effective operation of the Equal Opportunity Policy. (government establishment name) will ensure the appointment of a Liaison Officer, Persons with Disabilities. The Liaison Officer, Persons with Disabilities, will be in charge for the implementation of EOP PwD.

Policy Statement

(government establishment name) is committed to eliminating all forms of unlawful discrimination (which includes direct discrimination, indirect discrimination and denial of reasonable accommodation), bullying and harassment of people with disabilities.

At (government establishment name), we continuously work to ensure that all our facilities, technologies, information both physical and electronic and privileges are accessible to people with disabilities. We encourage candidates with different disabilities to apply. Our decisions on employment, career progression, training or any other benefits are solely based on merit.

We follow an inclusive evaluation process by ensuring that a person with disability is provided with any suitable flexibility and accommodation that may be required so that she/he may be evaluated fairly. Any information shared by employee on disability/medical condition will remain confidential.

If an employee acquires a disability during her/his employment tenure she/he can return to work at the same rank as before. In case the employee is unable to perform the current job, the organisation will invest in re-skilling the employee for another position at the same rank or higher. (government establishment name) is committed to promoting awareness on equal opportunity and inclusion of people with disabilities among all employees by organising training and sensitisation programmes and campaigns.

Scope

The Policy covers all persons with disabilities. They could be job applicants, full time/part time employees, contractual employees, including temporary employees. It also covers those employees who acquire disability during their work tenure. The Policy applies to all aspects of employment, be it recruitment, training, working conditions, salaries, transfers, employee benefits and career advancement.

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Definitions as per The RPwD Act

“**Person with disability**” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others. “**Person with benchmark disability**” means a person with not less than forty per cent of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority.

“**Specified disabilities**” are the disability categories mentioned in the Schedule of the Act. There is also “any other category”, which allows Central Government to add any other disability by issuing a notification.

The disability categories as mentioned in the Schedule are:

- Locomotor disability
- Muscular Dystrophy
- Leprosy cured
- Dwarfism
- Cerebral Palsy
- Acid attack Victim
- Low vision
- Blindness
- Deaf
- Hard of Hearing
- Speech and Language disability
- Intellectual Disability
- Specific Learning Disability
- Autism Spectrum Disorder
- Mental illness
- Chronic Neurological Conditions
- Multiple sclerosis
- Parkinson’s disease
- Haemophilia
- Thalassaemia
- Sickle Cell disease
- Multiple Disabilities

Any other category (as may be notified by the Central Government).

High support means an intensive support, physical, psychological and otherwise, which may be required by a person with benchmark disability for daily activities, to take independent and informed decision to access facilities and participating in all areas of life including education, employment, family and community life and treatment and therapy.

Discrimination in relation to disability, means any distinction, exclusion, restriction on the basis of disability which is the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination and denial of reasonable accommodation.

Reasonable accommodation means necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others.

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Policy Details

1. Facilities and amenities

1.1. Physical Infrastructure:

1.1.1. HGSS/NBC Compliance

(government establishment name) aims to ensure that our physical infrastructure (buildings, furniture, facilities and services in the building/compound) adheres to the accessibility Standards given in The Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons, 2016 and the National Building Code, 2016.

1.1.2. Existing Building Rectification:

(government establishment name) also aims to revamp its existing buildings by March 2022, to ensure strict compliance with the Standards. Any new facility that is built or renovated or leased or rented will be evaluated for compliance with accessibility Standards at different stages of the building construction.

1.1.3. Accessibility Complaints:

Any employee facing accessibility issues should report to the facilities team at their location or write to the Liaison Officer. The complaint can be in the form of an email or physical written/typed document. Records of complaints must be maintained. No complaint can be left unresolved or closed without proper reasonable resolution taking into account the pleas of the complainant and/or notification of justification for non-resolution to the complainant.

1.2. Digital Infrastructure

It is (government establishment name)'s continuous endeavour to ensure that all our documents, communication and information technology systems adhere to the accessibility standards. The Standards for Information and Communication Technology as given in the RPwD Rules 2017 are:

1.2.1. Website Standards: Guidelines for Indian Government Websites (GIGW), as adopted by Department of Administrative Reforms and Public Grievances, Government of India.

1.2.2. Documents Standards: Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf formats. We will ensure that only accessible technologies are procured. Any employee facing accessibility challenges can reach out to the local IT support team or write to Liaison Officer.

2. Reasonable Accommodation

(government establishment name) will make reasonable accommodations, whenever necessary, for qualified employees or job applicants who have disabilities, as per The RPwD Act. Such accommodation would be provided:

- 2.1. to ensure equal opportunity in the application and selection process,
- 2.2. to enable an employee with a disability to perform the essential functions of a job
- 2.3. to enable an employee with a disability to enjoy the same benefits and privileges of employment as non-disabled employees. Examples of reasonable accommodations may include (but not limited to) acquiring or modifying equipment or devices, modifying assessment and training materials, modifying work schedules, reassignment to a vacant position.

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- 2.4. Record Keeping:** All documents concerning an employee's reasonable accommodations request would be maintained in the employee's confidential file, separate from the employee's official personnel file.
- 2.5. RAR Form.** (government establishment name) has formulated Reasonable Accommodation Request Form and Reasonable Accommodation Guidelines in which the process for availing accommodations have been further detailed out. In the absence of such a form

3. List of positions identified in (government establishment name):

All positions are open for people with all types of disabilities. The hiring is purely based on merit and the candidates are evaluated based upon their skills and competence. Flexibility and accommodations will be provided to persons with disabilities on an individual basis as detailed in the subsequent section.

4. Manner of Employment Selection - Vacancy advertisement and application.

- 4.1.** Wherever possible, all vacancies will be advertised internally and externally. Wherever possible, vacancies will be notified to colleges, polytechnics and disability organisations.
- 4.2.** All vacancy advertisements will include an appropriate short statement on equal opportunities for people with disabilities. Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are non-discriminatory and that they relate purely to the skills needed for the job and nothing else.
- 4.3.** Application forms will be made available in alternate formats, based on request.

5. Other facilities

5.1. Training and Career development

(government establishment name) will endeavour to provide course materials meant for induction and training in accessible formats on request. The request for reasonable accommodation, such as assistive aids, accessible training venue, accessible materials, interpreter, scribe, etc. should be placed at least one week prior to the scheduled date of commencement of induction/training.

The (government establishment name) has an accessible and inclusive appraisal process. Any employee/Manager requiring any accommodations for an appraisal process must place a request with the Liaison Officer at least two days in advance. The establishment conducts yearly training programmes on 'Objective Performance Appraisal Process' for all Managers.

5.2. Disability Leave

An employee's request for extra leave, for a reason related to her/his disability, will be treated as a request for reasonable accommodation and will be evaluated accordingly. (government establishment name) will make every effort to accommodate according to the rules governing employment. Where existing policies are inherently discriminatory or by way of omission in contradiction to the policy for inclusion they will be rectified by the procedures available.

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5.3. Travel, stay and transport

For official travel (local, outstation and international), employees with disabilities will be provided accessible modes of transport. Air travel (in case road/train travel is inaccessible), accessible guest houses and hotels and allowing a personal attendant to travel along, will be provided, as per our reasonable accommodation guidelines. An employee can place a written request for this with the officer in charge of travel allowance/arrangements.

5.4. Employee Engagement and social inclusion

(government establishment name) will endeavour to make all department events and meetings inclusive by ensuring that these are conducted at accessible venues with a provision of reasonable accommodation being available to employees with disabilities.

6. Governance Framework

The **(title of the head authority of the government establishment)** is responsible for ensuring that the establishment operates in compliance with The RPwD Act, 2016 and to fulfil the terms of this Policy. The HR Head takes a lead in implementing the programme and is responsible for planning, monitoring and reviewing the programme's progress to ensure compliance with the Policy.

7. Disability Leadership Committee

Disability Leadership Committee comprises of representatives of all departments, two elected representatives from employees with disabilities (, and one external member who has extensive knowledge of disability issues. The charter of the Disability Committee is to: Collect periodic feedback from various stakeholders on disability barriers. Create an annual action plan based upon the feedback received. Allocate budget to implement the plan. Monitor the progress of the plan to ensure that the required targets are met. The Committee reports annually on the various equal opportunity activities undertaken.

8. Liaison Officer

As per the mandate of The RPwD Act, (government establishment name) has appointed (name of liaison officer) as a Liaison Officer who will be responsible for taking initiative and providing the requisite support needed to realise the goals of an inclusive and accessible workplace and reasonable accommodation. The Liaison Officer is responsible for:

- 8.1. Implementing the action plan for making the workplace and IT systems accessible for people with disabilities by liaising with the various departments in the organisation.
- 8.2. Ensuring that all employees are aware of the Equal Opportunity Policy and know their duties and rights in relation to the Equal Employment Opportunity policy.
- 8.3. Developing proactive strategies to prevent discrimination and harassment.
- 8.4. Sharing the quarterly progress report with the HR Head who would then present the progress report to the (title of the head authority of the government establishment) and the Disability Leadership Committee.
- 8.5. All employees have the responsibility to comply with the Equal Opportunity Policy. Managers and team members need to monitor the work environment to ensure that it is free from discrimination and harassment and encourages inclusion and respect for others.
- 8.6. All employees are encouraged to report any incidents of violation of this policy and Managers should act promptly when concerns arise or complaints are made.

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9. Maintenance of Records

- 9.1. (government establishment name) will collect and maintain data regarding employees with disabilities in relation to their employment, facilities provided and other necessary information as per The RPwD Act.
- 9.2. All employees will be asked to fill the Voluntary Disability Self Identification Form in order to give information regarding any disability that she/he may have. If such a form is not implemented they may inform in email or in written/printed document about their mitigation needs due to their disability.
- 9.3. An employee can edit the information at any time during her/his tenure. There will be no penalties imposed because she/he did not share information regarding her/his disability earlier.
- 9.4. An employee who acquires disability can also edit and update the form. The information that an employee shares about her/his disability will be kept confidential. It will be maintained in a separate file and not in her/his personal file.

10. Personal Data Sharing:

- 10.1. Managers/Supervisors may be given information about an employee's disability for allowing/providing any accommodations to relevant department for providing those mitigations.
- 10.2. (government establishment name) will not share this information outside the establishment without the written consent of that person concerned.

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Annexure A

Reasonable accommodations may include, but are not limited to:

1. **Job restructuring** such as:

- 1.1. Altering when and/or how an essential function of a job is performed.
- 1.2. Reallocating marginal job functions that an employee is unable to perform because of a disability.

2. **Work Place Modifications:**

- 2.1. Providing accessible parking, and installing ramps.
- 2.2. Modifying or fabricating an accessible toilet.

3. **Providing assistive technology or devices** such as:

- 3.1. Make sure the software is accessible as per the standards.
- 3.2. computer screen readers for employees with visual impairments.
- 3.3. a specific telephone that is compatible with an employee's hearing aid (this does not include personal assistive devices such as hearing aids or prosthetics).

4. **Modifying work schedules** to allow an employee with a disability to attend to matters related to treating the disability such as medical appointments or medication schedules.

5. **Acquiring or modifying equipment or devices** such as:

- 5.1. adjusting a desk height to accommodate an employee who uses a wheelchair
- 5.2. providing an employee with quadriplegia a mouth stick device to type on their computer.

6. **Adjusting or modifying tests and training material** for example, providing materials in alternate formats, such as braille, CD or large print).

7. **Reassigning** - reassigning an employee with a disability to a vacant position for which he/she is qualified when no longer able to perform the essential functions of the current job with or without reasonable accommodations. This accommodation is available only for incumbent workers.

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Annexure B

Voluntary Self-Identification of Disability

Form No. XXXX

Date: DD/MM/YYYY

Why are you being asked to complete this form?

Reasonable accommodation for the needs of persons with disabilities is required by (RPwDA Rules 2017).

How do I know if I have a disability?

You are considered to have a disability if you have a physical or mental impairment or medical condition that substantially limits a major life activity, or if you have a history or condition or record of such an impairment or medical

Disabilities include, but are not limited to:

1. Locomotor disability
2. Muscular Dystrophy
3. Leprosy cured
4. Dwarfism
5. Cerebral Palsy
6. Acid attack Victim
7. Low vision
8. Blindness
9. Deaf
10. Hard of Hearing
11. Speech and Language disability
12. Intellectual Disability
13. Specific Learning Disability
14. Autism Spectrum Disorder
15. Mental illness
16. Chronic Neurological
17. Conditions
18. Multiple sclerosis
19. Parkinson's disease
20. Haemophilia
21. Thalassemia
22. Sickle Cell disease

Please check one of the boxes below:

- YES, I HAVE A DISABILITY (or previously had a disability)
- NO, I DON'T HAVE A DISABILITY
- I DON'T WISH TO ANSWER

Your Name

Signature

Today's Date
DD/MM/YYYY