

MODULE 3: OWN PRACTICES IN THE WORKPLACE

CONDUCT

- In the past intellectually and physically disabled people's talents and skills were not frequently used in terms of labour.
- Should a disabled person practice misconduct in a workplace; they should be disciplined the same way as people without disabilities. The same disciplinary measures or procedures that are applicable to individuals without impairments should also be used to discipline employees with disabilities.
- Employer should not excuse any type of violation done in the workplace. All employees should conduct themselves in a professional way.

HARASSMENT

- The Employment Equity Act forbids harassment based on disability like any other law forbids harassment based on race, gender, colour, sex etc.
- The EEA also forbids offensive conduct that may create a hostile or abusive working environment for all employees within an organisation.

EMPLOYERS RESPONSIBILITIES

- It is the employer's responsibility to maintain a working environment that is free from harassment; should an employer fail to take suitable measures to prevent or correct harassment it may contribute to employer's liability for unlawful harassment.

- When the employer knows of harassment between co-workers and failed to take immediate action the law finds him/her liable for unlawful harassment.

ELIMINATING DISABILITY-BASED HARASSMENT IN THE WORKPLACE BEGINS WITH PREVENTION. EMPLOYER MAY TAKE FOLLOWING STEPS:

- Clearly explain policy statements forbidding discrimination based on disability.
- Provide training for management and employees with regards to working with disabled individuals.
- Establish grievance procedures to address disability harassment.
- Respond immediately to disability harassment by investigating incidents thoroughly and promptly.
- Take prompt and effective action to end the harassment and prevent it from happening again.

EMPLOYEES RESPONSIBILITIES

- Employees who believe they have been subjected to harassment because of their disabilities should not ignore the harassment instead they should report the matter.

AN EMPLOYEE MAY TAKE THE FOLLOWING STEPS IF HE OR SHE HAS BEEN SUBJECTED TO HARASSMENT:

- Keep a journal with detailed information on instances of harassment; including times; places and the names of people who might have seen the harassment when it actually happened.
- Discuss the situation with a family member, friend, or social worker for support and guidance.

- Tell the person who engaged in harassment that his or her actions are unwelcome.
- Let supervisors or other management officials know about the harassment.
- Contact the person responsible for handling harassment complaints.

SAFETY CONCERNS

- It is a common misperception that disabled people are more capable to accidents in the workplace and present an increased safety risk.
- Surveys show that disabled employees do not create safety risk in the workplace; their records are equal to those without disability.
- Employers may refuse to hire a person if they pose danger or threat to their health or safety including the health and safety of others in the workplace.
- Employer should evaluate the person's ability to safely perform essential functions of the job; considering the duration of risk; nature and the potential harm that may occur and the potential harmful situations that might happen in the future.

PERSONAL BELIEFS AND VALUES IN DEALING WITH THE DISABLED

- Stats show that three quarters of people with acute disabilities are unemployed; when unemployed many talents of these individuals are not made use of.
- The unemployment rate for disabled people has not changed much even after the amendment of the Disability Act.

- ❑ The negative stereotyping and discomfort of employers concerning disabled individuals is one of the factors that result in the skills of the disabled not being fairly used.
- ❑ Personal beliefs and values relating to disabled people should not be of any difference to those of a person without disabilities.

CONSIDER THE FOLLOWING WHEN DEALING WITH A DISABLED PERSON:

- Always show respect and consideration towards the disabled individual.
- Do not assume the person has additional disabilities.
- Ask the person if he or she would like assistance; do not assume that they would need a helping hand without asking.
- Listen to the person.
- Be flexible at all times when assisting a disabled person.
- Adapt procedures to the person and not the person to the procedures.
- Contact a community disability organisation for advice on how best to go about modifying the environment for a disabled person.