

TWO TICKS - USING THIS CHARTER TO HELP DISABLED WORKERS



WHAT IS THE TWO TICKS?

Unless you have the benefit of being involved in a case which involves a disabled dynamic it is likely that most people will not have heard of the Two Ticks scheme. Essentially, the Two Ticks scheme is a recognition given to employers who are positive about disabled people.

The scheme focuses on five key areas and these are 1) Employment 2) Retention 3) Training 4) Career Development of Disabled Employees, with the 5th area a commitment to continuous review of the previous four points. They are elaborated upon as follows:

1. to interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities
2. to ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities
3. to make every effort when employees become disabled to make sure they stay in employment
4. to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
5. each year to review the five commitments and what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans.

WHY EMPLOYERS MUST UNDERSTAND THEIR TWO TICKS OBLIGATIONS AND WHAT TO DO WHEN THEY DON'T....

We have designed a case study where the Two Ticks scheme would appear to have been ignored. The details of the case are as follows in order that branch representatives can establish for themselves if a similar course of action is required.

An engineer has been diagnosed with Muscular Dystrophy for a number of years and works in a 2-person team out in the field. The benefit of working with his partner for a while is that his partner understands his disability well and carries out those aspects of work which the disability causes him difficulty to perform. For arguments sake, a target is set at 85% and by and large they are able to reach 75-80%.

The line management decide arbitrarily to take the disabled engineer out of the field citing reasons of safety (saying the disabled person is both unsafe and a danger to the public). The disabled engineer has not had an accident at work in 25 years service. Despite occupational advice and a letter from the Muscular Dystrophy Campaign advising that the member should remain in an active role and that a failure to do this will accelerate the deterioration of his condition, if he is placed into a sedentary role.

Despite the submission of a grievance, a prohibited conduct questionnaire and an Employment Tribunal application the management team along with support from their General Manager, are maintaining that the actions of the management are 'reasonable'. When you are arguing the salient points

from the Equality Act 2010, namely sections 15,20, 26 and possibly 158 (which is discrimination arising from a disability, duty to make adjustments, harassment and positive action provisions), and they fall on to deaf ears, what do you do next?

Well, one tactic union representatives should consider is to cite the Two Ticks scheme, particularly if the employer is accredited with Two Ticks. We should remind the employer of what it means to be given the Two Ticks status. In the case of the engineer who is diagnosed with Muscular Dystrophy his employer is a member of the Two Ticks scheme. A Union representative would be perfectly within their rights to threaten a formal complaint to those who administer the Two Ticks and effectively report the employer for failing to comply with those commitments - this would be with a view to getting the employer stripped of this status. Two Ticks administrators can be contacted through your local Disability Employment Advisor who will be based at the local job centre, or job centre plus office.

For further information relating to this factsheet please do not hesitate to contact the Equal Opportunities Department.

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