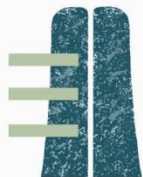
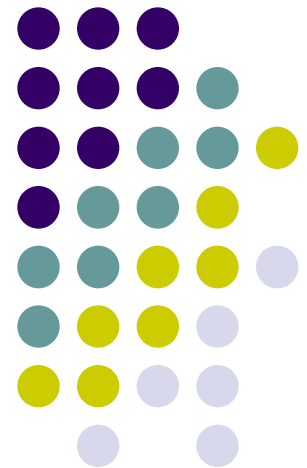


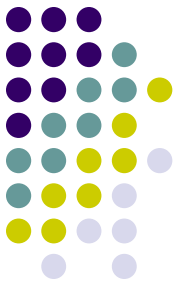
Mental Health and the Workplace

Disability Forum
Congress, National Disability
Authority
17 April 2012



THE EQUALITY AUTHORITY
AN tÚDARÁS COMHIONANNAIS

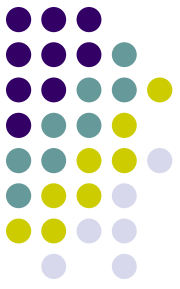
Mental health and the workplace



- Census 2006 – 27% participation rate in employment for people with mental health related disabilities compared with 63% for the general population.
- *Hear My Voice* – 4 out of 10 reported unfair treatment in employment – 36% finding a job and 43% keeping a job

Dublin City University study, commissioned by Amnesty International.

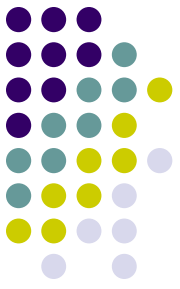
Perceptions of mental health in the workplace



- Millward Brown Landsdowne (2010)
 - 41% - comfortable working with someone with schizophrenia.
 - 72% - comfortable working with someone with depression.
 - 48% - would deliberately conceal their diagnosis from co-workers or classmates.
 - 47% - perceive that a diagnosis with a mental health problem would have a negative impact on job and career.
 - 37% - perceive that a diagnosis with a mental health problem would have a negative effect on their relationship with colleagues.

Public Attitudes Towards Mental Illness: A Benchmark Study for See Change, 2010, Millward Brown Landsdowne

Impact of negative perceptions

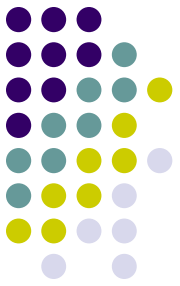


- In a context of negative attitudes towards people with experience of mental health difficulties, the potential for discrimination increases.
- This was highlighted in a case determined by the Equality Tribunal (DEC-E2011-229).
- The Equality Officer concluded, based on the evidence before him, **that an employee was dismissed in a discriminatory manner** because the employer considered that the person was not fit to return to work due to an **imputed** stress related illness.

Equality Authority and See Change



Equality Legislation



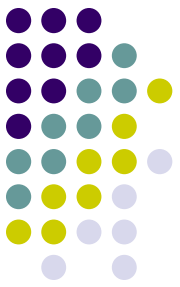
People with experience of mental health difficulties are covered by the disability ground

Definition of disability

Employment Equality Acts 1998-2011

Equality law protects you in the workplace

Equality Cases



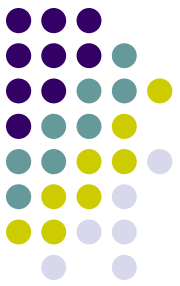
DEC-E2008-26

- An employer dismissed an employee while the employee was on sick leave.
- Dismissal letter issued after the employer became aware the employee was experiencing depression.
- **Decision:**
 - Discrimination on disability ground
 - Awarded €17,500

DEC-E2003-052

- An employer said it was not feasible to allow an employee to return to work on a phased basis because of the nature and size of the organisation.
- There was evidence a former employee has been allowed time off on daily basis to attend treatment for a medical condition.
- **Decision**
 - Discrimination on disability ground
 - Awarded €8000
 - Employer ordered to provide disability training to senior staff

Reasonable accommodation

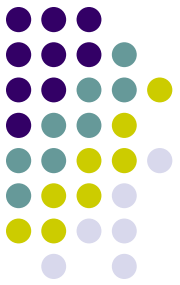


Employers are obliged to make reasonable accommodation

Disability ground

Under the Employment Equality Acts reasonable accommodation is known as appropriate measures

Disclosure

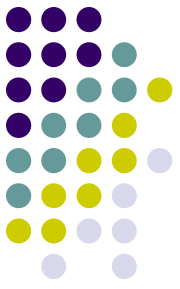


Employers – think about

- Why information needed
- What they will do with the information
- What information is needed
- When do they need the information
- How they need to be informed
- How they will store the information

Employees – consider

- Why disclose
- What to disclose
- How to disclose
- Who to disclose to
- What will be done with the information
- Disclosure – www.ahead.ie



Other initiatives

- AHEAD – Association for Higher Education Access and Disability
 - Conference, March 2012 - Opening access to teacher education and practice for students with disabilities
 - Practical guidelines for the staff of HSE and Nursing Schools in Ireland on the inclusion of students with disabilities on clinical nursing placements – INTO Nursing