



## **Irish Congress of Trade Unions**

**Submission to Oireachtas Joint Committee on Autism**

**October 2022**

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#### **Introduction**

Congress is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 750,000 working people. There are currently 46 unions affiliated to Congress, north and south of the border.

Congress thanks the Committee on Autism for the invitation to provide a written submission on matters relating to the services and supports provided by the State for autistic people. In this short submission, we will concentrate on employment as a key issue identified by the Committee, namely:

“d) Employment – including lack of employment supports”

Target (8.5) set out under Goal 8 of the Sustainable Development Goals states that:

“By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value”.

Article 27 of the UN CRPD emphasises the state’s obligation to recognise the right of persons with disabilities to work, on an equal basis with others. Of particular relevance here are the states responsibilities under the convention to safeguard and promote the right to work for people with disabilities by taking appropriate steps, including through legislation, to:

- Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures (27:h).
- Ensure that reasonable accommodation is provided to persons with disabilities in the workplace (27:i).

These should serve as overarching targets to inform this work.

We would also like to associate ourselves with the submission of our affiliate trade union, the INTO, and their call for education to be inclusive.

Congress work on the broad disability agenda is guided by the work of our disability committee who also work closely with a number of disability organisations, including those working on neurodiversity.

## Autism and the Workplace

Autism is a lifelong condition that may affect how a person communicates with, and relates to, other people. It may also affect how a person makes sense of the world around them. People with autism may also have difficulties with understanding and processing language. At least 1 in 65 people in Ireland are autistic with 85% of that number either unemployed or underemployed. This is according to research commissioned by AsIAm, Ireland's national autism charity.

Given this under-representation in the workforce, it is clear therefore that work needs to be done to ensure that our workplaces are inclusive of autistic people. The NDA has published guidance<sup>1</sup> for line managers and HR professionals in order to better understand autism and to effectively recruit, work with and support staff with autism in the workplace. The guide states that:

“Given the right job and within the right environment, in some cases the characteristics of people with autism can become strengths for an organisation. However, as a spectrum condition, it is important to be aware that no two people are likely to be identical, and different individuals will have different skills, knowledge, capacity and characteristics”.

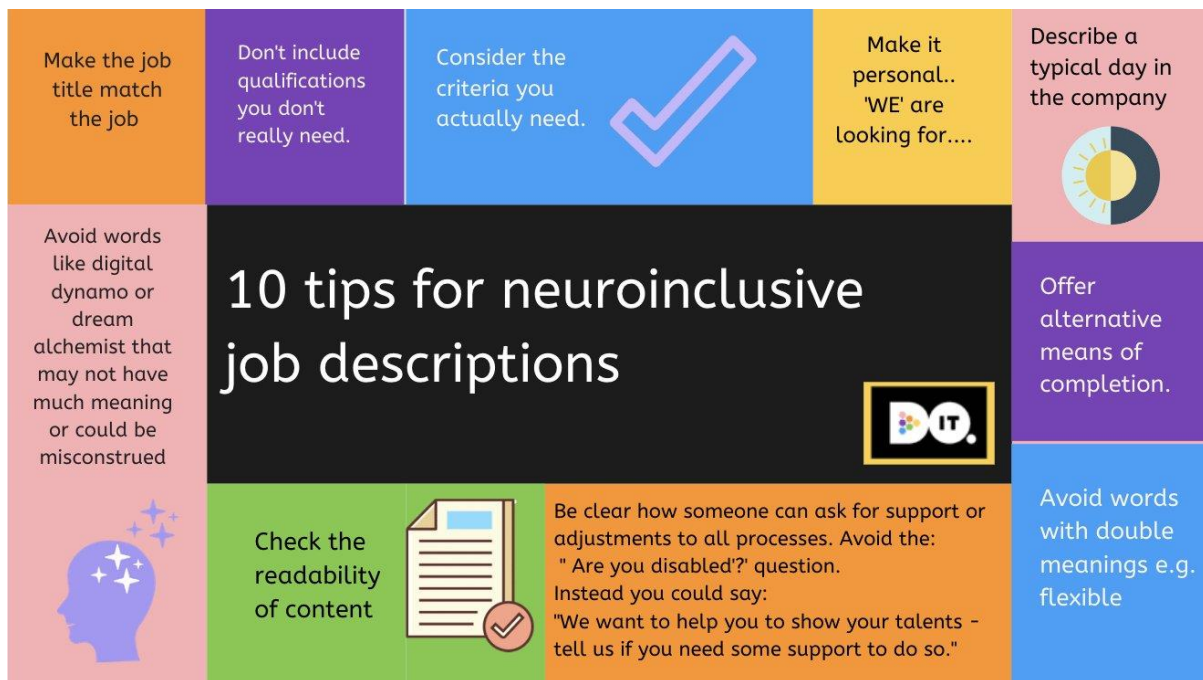
The guide has a number of practical tips for ensuring inclusive workplaces, including for example, a suggestion that Employers should provide information about the interview process to candidates in advance of the interview. Research shows that for some persons with autism spectrum disorders providing them with information prior to the interview about the interviewers and the types of questions candidates would be asked can alleviate their anxiety about the event.<sup>[2]</sup> It also helps them to prepare for the interview.

An organisation known as Do-IT solutions has also produced a “ten tips for neuro-inclusive job descriptions” with useful ideas to consider:

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<sup>1</sup> <https://nda.ie/Publications/Employment/Employment-Publications/Assisting-People-with-Autism-Guidance-for-Line-Managers-HR-Professionals.pdf>

<sup>[2]</sup> RSM PACEC & National Disability Authority (2018) **Research on good practice in the employment of people with disabilities in the public sector**, Dublin: RSM PACEC & NDA, p.8.



## Reasonable Accommodation

Key to achieving inclusive workplaces for people with autism is the provision of reasonable accommodation. Section 16 of the Employment Equality Act obliges employers to provide 'reasonable accommodations' to employees. However, this does not mean that an employer would have to recruit an autistic person or an employee just because they are autistic or are disabled – Employers do not have to hire staff if they believe that they cannot do the job. Applying supports can level the playing field for autistic people and disabled people, and can support an autistic person to contribute to the organisation's work and to be included as a valued member of the organisation.

As the NDA guide states, Reasonable accommodation practices which benefit people with autism can also have a positive outcome for all employees and for employers themselves. Reducing possible stress points in the workplace is good for everyone. It is also good for business outcomes, as a stress-free workplace helps employers to maintain maximum productivity and to retain staff.

The NDA has also produced a guide<sup>2</sup> to Reasonable Accommodations for people with Autism Spectrum Disorder which includes suggestions for employers of people right across the ASD spectrum. While each person is unique, the guide outlines a number of commonalities across settings in effective accommodations such as:

<sup>2</sup> <https://nda.ie/nda-files/Reasonable-Accommodation-for-People-with-Autism-Spectrum-Disorder-updated-20151.pdf>

- the use of pacing in workplace or classroom (extending and adjusting time; allowing more frequent breaks; varying activity often; omitting tasks that require working against the clock)
- environmental adjustments (altering physical room arrangement; defining limits (physical/ behavioural)
- reducing or minimizing visual or auditory distractions (visual, auditory, both)
- the way material is presented (individualising instruction; taping lectures for replay; demonstrating; using hands-on activities; providing visual cues; emphasising a particular teaching approach - visual, auditory, tactile, multi)
- reinforcement and follow-through (using positive reinforcement; checking often for understanding; providing peer tutoring etc) Finally, nurture the traits associated with ASD as they may be considered prerequisites in particular occupations. Great attention to detail and precision are characteristics that many employers value.

AsIAM also have similar tips on their website<sup>3</sup> which include useful suggestions in terms of the Built Environment Accommodation, Communication Accommodations, Sensory supports and Attention Maintenance Support.

NDA research<sup>4</sup> confirms that there are a number of common barriers to a seamless reasonable accommodation, including issues around disclosure, lack of policies and procedures, failure to respond to requests for accommodations in a timely manner, low awareness regarding the whole area of reasonable accommodations and the type of supports currently available, and lack of follow-up regarding implemented accommodations. Congress has responded to these issues by promoting the reasonable accommodation passport scheme.

## **Reasonable Accommodation Passport Scheme**

Congress, in partnership with Ibec, have done some work on reasonable accommodation culminating in the launch of the reasonable accommodation passport scheme<sup>5</sup>. The passport scheme provides a confidential live record of adjustments agreed with an employer. The passport is for workers to keep and share with anyone they think may need to know about the barriers they face within or outside the workplace and the adjustments that have been agreed to prevent or reduce its impact in the workplace.

A passport system would ensure that everyone is clear about what has been agreed and reduce the need to reassess these each time an employee changes role or has a change in

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<sup>3</sup> <https://asiam.ie/advice-guidance/employment/reasonable-accommodations-in-the-workplace/>

<sup>4</sup> <https://nda.ie/Publications/Employment/Employment-Publications/Reasonable-Accommodations-Obstacles-and-Opportunities-to-the-Employment-of-Persons-with-a-Disability1.html>

<sup>5</sup> <https://www.employersforchange.ie/Reasonable-Accommodation-Passport-Scheme>

line management. It acts as a tool to support individuals in fulfilling their potential and contributing to their own success and that of the organisation. We believe that its adoption by employers could encourage the employment of people with autism and open up conversations around reasonable accommodation.

**We urge the Committee to recommend its wide usage.**

## **Reasonable Accommodation Fund**

Earlier in the year we were asked to submit views on how the Reasonable Accommodation Fund (RAF) could be improved to further support disabled people in gaining access to decent work. Despite the RAF's potential to assist business only 10% of employers are aware of the Fund and 70% state they have never received any advice on delivering disability services or retaining people identified as having a disability<sup>6</sup>. In that submission we suggested a number of steps to be implemented, including:

1. As part of a communication strategy for the revised RAF, deliver a **national promotion campaign** on web, social media and traditional media platforms, targeting employers, trade unions and people with disabilities. This campaign should seek to raise awareness about the existence and nature of the available grant streams, the accessibility of the redeveloped application process, how these can assist employers in meeting their obligations, and the business benefits of hiring people with disabilities. Ensure the campaign is delivered in an accessible manner and features people with a range of disabilities in its design and delivery. Campaigns should be run on a periodic basis to maintain a high level of awareness about funding streams.
2. Combine all reasonable accommodations related grants into one holistic, needs-based **Workplace Access Fund**, with a single, easy to use, online application portal, with employer, employee and approved service provider (e.g. sign language interpreting services) access. The Ability to Work grant in Northern Ireland could provide useful learning in this regard.
3. Establish a '**Personal Employment Grant**.' This would ensure that a person was employment 'ready' upon entering the workforce and that they could keep their adaptations and equipment throughout their career in all employment settings. We believe use of the Reasonable Accommodation Passport scheme referenced above could be useful in this regard.
4. **Extend the availability of supports** to include recruitment, development and retention actions. A number of hours support should be available for important

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<sup>6</sup> [1. Assessment and recommendations | Disability, Work and Inclusion in Ireland : Engaging and Supporting Employers | OECD iLibrary \(oecd-ilibrary.org\)](#)

employee communications, performance reviews or further development and training which can be key to retaining and progressing within a job. The job interview interpreter grant should be expanded to allow employers to access funding for assistive technologies that may be required at interview stage to give people with varying disabilities equal opportunity.

5. Create a **user-friendly platform** or virtual one-stop-shop should with information on supports available and the ability to apply for grants and to check the status of applications. This platform should strengthen coordination between employers, workers and their representatives and state services and could also highlight positive experiences of employers and employees with disabilities. Provide employer, workers and their representatives and approved service provider access to the new online application portal so that all parties can review the content of applications and view their application status.
6. Place more emphasis on grant eligibility applying to people with **disabilities of all kinds** (including people with Mental Health Difficulties) in line with the broad definition of disability in the Employment Equality Act and ensure promotional material clearly highlights the broad applicability of the grants to people with all kinds of disabilities.
7. The work of **Employers for Change** should be placed on a more sustainable funding stream. Their contribution has been very impactful in beginning to build awareness and supporting employers. However, we need to move beyond temporary initiatives in this regard and ensure that the work continues in a sustainable manner with the requisite public and private funding.
8. The work of **Trade Unions** and organisations such as **Towards Work** who work with disabled people seeking decent work must also be supported.

Congress would ask the Committee to support these calls which are shared by a number of disability and employer organisations.

## Conclusion

Congress and affiliate unions welcome this opportunity to focus on creating more inclusive workplaces to ensure people with disabilities and more specifically autistic people can access the labour market. Congress wants all workplaces to be accessible, inclusive and free from barriers so that people with disabilities can participate equally. Unions play a vital role for unions in achieving this and can help ensure that accommodations are put in place aim to eliminate any workplace barriers. In addition, through collective bargaining, unions can negotiate for inclusive policies and practices that address inequalities.

For example,

- Negotiate the use of reasonable accommodation passports with employers on the use and implementation of the passports in the workplace.
- This policy can sit alongside an already existing disability policy and will ensure that an individual's circumstances are catered for.
- Encourage employers to promote RA passports with all staff.
- Support members with disabilities in completing their passport if needed. Ensure they feel they have covered everything they want to include and that the accommodations put in place will minimise barriers. Helping members getting accommodations significantly reduces stress and anxiety.
- Union officials and workplace reps are available to accompany people in any discussions they have with their line manager about their passport.
- And to follow up with members to check that any agreed reasonable accommodations have been implemented.

Congress remains committed to the opening of our labour market to many more disabled people and looks forward to continued work with Government departments, employers and disability organisations to achieve this goal.