



MAURITIUS EMPLOYERS'
F E D E R A T I O N

Employment Guide on
Benefits for Business

Why and how to employ people
With disabilities in Mauritius

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PREFACE

During difficult economic times it is even more crucial for businesses to recruit and retain appropriately qualified and skilled employees. The Mauritius Employers' Federation (MEF) is aware that there are good business reasons for hiring a diverse and skilled workforce, including employees with disabilities. MEF aims to assist business in Mauritius to maximise the potential of all our human resources to optimize growth, create employment opportunities and improve the quality of life of all segments of the population.

In line with its social role as the national employers' organisation, MEF believes that the integration of people with disabilities into the world of work is an important step in building an inclusive society and the empowerment of vulnerable groups. MEF has taken a key role in addressing the issue of employment of people with disabilities since 2008, in collaboration with the Mauritian Government and the International Labour Organisation. MEF has partnered with the Ministry of Social Security, National Solidarity and Reform Institutions to better implement the strategy of mainstreaming people with disabilities in the world of work. In addition, the MEF has implemented, together with the Training and Employment of Disabled Persons Board (TEDPB), a series of measures that include training programmes, job fairs, job placement and an ongoing awareness campaign. (See Appendix One for more details on the TEDPB)

In 2010, the MEF has benefited from the support of the Decentralised Cooperation Programme of the European Union to implement a project: '**Promoting Awareness about the Employment of Persons with Disabilities among Enterprises**'. One activity of the project is to develop this Guide for employers.

The objectives of this Guide are:

1. To assist employers in the recruitment and retention of people with disabilities.
2. To improve the awareness of employers about the employability of people with disabilities.
3. To demonstrate the socio-economic benefits for employers in creating appropriate job opportunities for people with disabilities.
4. To describe the legislative and policy environment relevant to the employment of people with disabilities.

The Mauritius Employers' Federation (MEF) is privileged to assist its members in employing people with disabilities. We hope this Guide will assist companies to tap the skills, talents and resources of people with disabilities for the benefits of enterprises, the community and people with disabilities themselves. It is another contribution to our vision of '*working together for industrial peace, productivity and prosperity for all.*'

Azad Jeetun
Director



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Acronyms Used in this Document

APEIM	Association de Parents d'Enfants Inadaptés de L'Île Maurice
APDA	Association de Parents des Déficients Auditifs
CEDEM	Centre d'Education et de Développement pour les Enfants Mauriciens
DPO	Disabled Persons Organisation/Organisation of People with Disabilities
HR	Human Resources
HRDC	Human Resource Development Council
HSBC	Hong Kong and Shanghai Banking Corporation
ILO	International Labour Organisation
IVTB	Industrial and Vocational Training Board (now MITD)
LCPL	Loreto Convent Port Louis
LLTF	Lois Lagesse Trust Fund
MBA	Masters of Business Administration
MEF	Mauritius Employers' Federation
MQA	Mauritius Qualifications Authority
MITD	Mauritius Institute of Training and Development
MMHA	Mauritius Mental Health Association
NCRD	National Council for the Rehabilitation of Disabled Persons
NEF	National Empowerment Foundation
NGO	Non-Governmental Organisation
NPCC	National Productivity and Competitiveness Council
NWEC	National Women Entrepreneur Council
PSSA	Private Secondary Schools Authority
PWD	Persons With Disabilities
RTW	Return to Work
SEHDA	Small Enterprises and Handicraft Development Authority (now SMEDA)
SFWD	Society for the Welfare of the Deaf
SMEDA	Small and Medium Enterprise Development Authority
TEDPB	Training and Employment of Disabled Persons Board
UNCRPD	United Nations' Convention on the Rights of Persons with Disabilities

Glossary

<i>Adjustment or accommodation</i>	Adaptation of a job, including adjustment and modification to machinery and equipment and/or modification of the job content, work organization and/or the work environment, in order to provide access to the place of work and working time to facilitate the employment of individuals with disabilities.
<i>Apprenticeship</i>	A structured program of on-the-job training with specific theoretical and practical learning requirements. Apprenticeships are often certified by vocational training authorities. An apprenticeship is normally more formal and often longer in duration than a traineeship.
<i>Person with a disability/ disabled person</i>	An individual whose prospects of securing, returning to, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical, sensory, intellectual or mental impairment.
<i>Discrimination</i>	Any distinction, exclusion or preference based on certain characteristics that reduce equality of opportunity or treatment in employment or occupation. Indirect discrimination refers to apparently neutral situations, regulations or practices that in fact result in unequal treatment of persons with certain characteristics. Distinction or preferences that may result from application of special measures of protection and assistance taken to meet the particular requirements of disabled persons are not considered discriminatory.
<i>Equal opportunity</i>	Equal access to and opportunities for all persons in employment, vocational training and particular occupations consistent with Article 4 of ILO Convention No. 159.
<i>Impairment</i>	Any loss or abnormality of a psychological, physiological or physical function, including the systems of mental function.
<i>Internship</i>	Structured work experience placement to provide experience in a particular job. Normally an internship will have specific learning outcomes for the intern.
<i>Job Analysis</i>	The detailed and systematic process of breaking down work performed into a number of separate tasks and duties and describing these duties in detail. It is a detailed process in that it considers all tasks to be performed, sometimes dividing them between main tasks and secondary tasks.



<i>Job retention</i>	Remaining with the same employer and with the same or different duties or conditions of employment, including return after a period of paid or unpaid absence.
<i>Mainstreaming</i>	Including people with disabilities in employment, education, training and all sectors of society.
<i>Open employment</i>	Open employment refers to the mainstream labour market.
<i>Organization of people with disabilities</i>	Organizations that represent persons with disabilities and advocate for their rights. These can be organizations of or for persons with disabilities.
<i>Sheltered employment</i>	A type of employment specifically dedicated to people who, because of a disability, are unable or unlikely to obtain or keep a job in the open labour market, either indefinitely or temporarily due to a lack of opportunity or experience.
<i>Social enterprises</i>	Those enterprises belonging to what is often referred to as the 'social economy' or 'third sector', represented by cooperatives, mutual companies, non-profit associations, not-for-profit companies, credit and micro-credit unions, etc. Such entities do not belong to the public sector and often adhere to a special regime of democratic management and property and profit distribution. They usually have a specific social purpose rather than being driven by profit.
<i>Traineeship</i>	Structured on-the-job training. In many countries traineeships have specific theoretical and practical learning components and are certified by vocational training authorities.
<i>Return to work</i>	The process by which a worker is supported in resuming work after an absence due to injury or illness.
<i>Vocational rehabilitation</i>	A process that enables people with disabilities to secure, retain and advance in suitable employment and thereby furthers their integration or reintegration into society.
<i>Worker/employee</i>	Any person who works for a wage or salary and performs services for an employer. Employment is governed by a written or verbal contract of service.
<i>Working conditions</i>	The factors determining the circumstances in which the worker works. These include hours of work, work organization, job content, welfare services and the measures taken to protect the occupational safety and health of the worker.



<i>Working environment</i>	The facilities and circumstances in which work takes place and the environmental factors that may affect workers' health.
<i>Workplace</i>	All the places where people in employment need to be or to go to carry out their work and that are under the direct or indirect control of the employer. Examples include offices, factories, plantations, construction sites, ships and private residences.
<i>Workstation</i>	The part of the office or factory where an individual works, including desk or work surface used, chair, equipment and other items.
<i>Work experience</i>	Work activity to provide experience in a particular job for students or jobseekers.
<i>Work trial</i>	Work activity to provide experience in or test suitability for a particular job.

INTRODUCTION and BACKGROUND

Employers and the Government in Mauritius have been very supportive to the right of employment for people with disabilities. Many employers are willing to hire people with disabilities; however, they do not have appropriate information about the best way to accommodate people with disabilities into the workplace. This Guide aims to address that problem and provide information for employers on recruiting and retaining qualified employees with disabilities.

Definitions

In Mauritian law the Training and Employment of Disabled Persons Act of 1996, defines a person with disabilities in section 2:

“Disabled person means a person with (a) a physical, mental or sensory disability, including a visual, hearing or speech functional disability, which gives rise to barriers inhibiting him from participating at an equal level with other members of society in activities, undertakings or fields of employment that are open to other members of society; and (b) who is willing and able to work.”

The following definition is included in the UN Convention on the Rights of Persons with Disabilities (UNCRPD) which came into force in May 3, 2008:

“Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

The Social Model of Disability

The definition from the CRPD is based on the social model of disability. This approach acknowledges the interaction between a particular physical or mental impairment and the physical, social, economic and cultural environment. The social model acknowledges that environmental barriers play a role in disabling people. For example, a person in a wheelchair has no problem working at the post office, unless the office has steps and no ramp or elevator. In this situation, the fact that the person cannot walk does not affect his/her ability to work. However, the environmental barrier of steps can be a significant obstacle.

Barriers can be physical (the built environment), institutional (discrimination in legal, educational or political institutions), attitudinal (stereotypes and negative attitudes by non-disabled people) and concerning communication and information. The social model sees the ‘problem’ of disability within society, rather than just in an individual. The way in which society is organised and built to exclude people with disabilities from the mainstream of social activities can be more disabling than the impairment.



Jean Francois Favory, a fresh University graduate was recently recruited by HSBC

Overcoming disability and enabling people with disabilities to work thus becomes a matter of overcoming physical, social and attitudinal barriers rather than only focusing on the individual with a disability. This approach is recommended by the ILO and Mauritius Employers' Federation as a more constructive way to assist people with disabilities to access work and integrate into society.

Categories

Normally, five main categories of people with disabilities are recognised as follows:

- (i) People with physical impairment. People who have problems with their limbs, backs or other parts of their body and thus have difficulty in moving, walking, sitting or holding things.
- (ii) People with intellectual impairment. People who have difficulties with learning, understanding and/or processing information.
- (iii) People with psychiatric illness or mental health problems. People who suffer from schizophrenia, depression or other mental illness. These conditions may not be present all the time and may be effectively controlled by medication.
- (iv) People with visual impairment. People who have difficulty in seeing even with the use of glasses.
- (v) People with hearing impairment. People who have hearing and very often speech difficulties.

Disability in Mauritius

The Republic of Mauritius has a population of 1,2 million inhabitants including over 40,000 people with disabilities.

The most recent statistics on disability are from the population census of 2000:

People with disabilities

Male	20,576
Female	20,214
Total	40,790 (4% of total population)

It is to be noted that between 1990 to 2000, the number of people with disabilities increased by 46.5%. While some of this increase could be due to better identification of people with disabilities, it is likely that more than 40,000 people with disabilities live in Mauritius as of 2010.

The TEDPB keeps a register of 2000 persons with disabilities willing and seeking employment.



Selina in the library at SMEDA

“Employers speak . . . ‘Selina Beedassy has a speech impairment. She joined SMEDA in 2007 as a general worker/assistant and is presently working in the library of SMEDA. The performance of Selina Beedassy is highly appreciated by the staff of SMEDA. Her outgoing personality coupled with her commitment to work is remarkable and form the basis of her strength.

Selina integrated well into SMEDA after her training at the Training and Employment of Disabled Persons Board. She is very keen to take part in other activities organized by SMEDA. She had a prominent role at the opening of the SEHDA exhibition last year. SMEDA has shown commitment and concern about the integration of persons with disabilities.”

Policies on employment of people with disabilities

The Government, through the Ministry of Social Security, National Solidarity, Senior Citizens Welfare and Reform Institutions promotes policies aiming to enable people with disabilities to work on an equal basis with others and to raise awareness of the barriers to full participation in the labour market. The Training and Employment of Disabled Persons Act 1996, Act No. 9 of 1996 requires that the workforce of enterprises having 35 or more employees should include 3% of persons with disabilities. Unfortunately, implementation of this policy has been difficult and many employers do not know how to meet this obligation.

Government Vision

In its five year program 2005 – 2010 the Mauritian Government provides a broad vision and framework for priority actions needed to achieve its objectives of **Building an Inclusive Society**.

‘Government wishes to promote the concept of an inclusive society and thus physically challenged persons will need to be better integrated in mainstream society. Government will implement a host of measures to this effect.’

Source: Government Programme 2005-2010

The new Government Programme 2010-2015 states the following

'Government will further promote the integration of persons with disabilities by facilitating their access to training, education, employment, health and ensure the protection of their human rights amongst others'

The Ministry of Social Security, National Solidarity and Reform Institutions has the responsibility to ensure that government strategy is being implemented to enhance the quality of life of people with disabilities in Mauritius and Rodrigues. In that context the Ministry unveiled a National Policy Paper and Action Plan on Disability in December 2007.

Mauritius signed the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol in September 2007 and ratified the Convention in January 2010. Mauritius has not yet ratified the Optional Protocol. Recommendation 7 in the National Policy Paper refers to work and employment and is in line with *Article 27 (Employment)* of the UNCRPD.

Recommendation 7 of the National Policy Paper stipulates:

- The review of the Training and Employment of Disabled Persons Act, 1996 in order to adopt a wider definition of work and employment.
- Establishment of a new unit to deal with work and employment which will act as a facilitator to ascertain the employability of people with disabilities.
- To encourage entrepreneurship among people with disabilities by creating appropriate incentives, including loans and guaranteeing a market for their products.
- To create a better network between public and private sector institutions for the employment of people with disabilities.
- To emphasise corporate social responsibility so as to capitalise on the networking and job market represented by the corporate sector.
- To encourage employers to recruit a percentage of disabled employees or alternatively to pay a levy to subsidise training programmes.

The Mauritius Employers' Federation has subscribed to the Government Policy of **Building an Inclusive Society**. It has joined hands with the Ministry of Social Security to further implement Recommendation 7 (Work and Employment).

MEF Position and the Inclusive Society

The Mauritius Employers' Federation is collaborating with the Ministry to assist people with disabilities to secure training and employment. MEF activities follow the four key principles of rights, independence, choice and inclusion to provide new opportunities for people with disabilities to live full and independent lives as part of their local communities.

Working in partnership with other government bodies, NGOs and the private sector, these principles are at the heart of MEF commitment to:

- improve life chances for people with disabilities;
- facilitate more opportunities for training and employment;
- support both employers and employees with disabilities;
- make the employment market more disability inclusive to create long term employment for people with disabilities, and;
- conduct an awareness campaign promoting integration of people with disabilities in mainstream employment.



Ravi Ramjeewon, a liftman at Keep Clean Ltd

THE OBJECTIVES OF THIS EMPLOYMENT GUIDE

The primary objective of this Employment Guide is to enhance the awareness of employers about the issues associated with employment of people with disabilities, and to provide practical information to assist employers.

The Guide can be read from start to finish, or you may wish to read only specific sections. Case studies from real life employers and employees with disabilities are included throughout the Guide as examples. For ease of use, the information in the Guide is arranged as follows:

Chapter One: Why employ people with disabilities? Information about the good business reasons behind why many employers are hiring people with disabilities. This chapter also includes a summary of domestic and international policy and legislation governing employment of people with disabilities.

Chapter Two: How to employ people with disabilities? Information, tips and hints on how to develop a successful strategy to hire and retain employees with disabilities.

Chapter Three: Accommodating and retaining employees with disabilities. Practical information about how to accommodate people with disabilities, assistive devices and equipment and real life case studies from Mauritian employers. This chapter also gives information about how to retain and re-integrate workers who become disabled on the job.

Chapter Four: Health and safety for employees with disabilities. A common concern among employers is occupational health and safety for disabled employees. This chapter provides valuable information and tips to ensure you can effectively assess and manage risks.

Chapter Five: Resources to help employers. Listing of organisations and agencies who can assist employers. Local and international publications and websites where employers can find more information. Most of the publications included are available free of charge.



Dharma Poligadu, a fresh University graduate working at HSBC.



CHAPTER ONE. WHY HIRE PEOPLE WITH DISABILITIES?

Employers around the world are increasingly recognising the business value of hiring people with disabilities. Hiring people with disabilities goes beyond corporate social responsibility, it can contribute significantly to improving the bottom line of your business.

The business reasons to hire people with disabilities

The business case for employing people with disabilities essentially demonstrates that the benefits to business are wide ranging and can contribute to increased productivity and reduced costs.

✓ **Reliability of employees with disabilities**

Employers report that employees with disabilities are reliable and often perform better than non-disabled employees in terms of efficiency, productivity and attendance.

✓ **Higher retention rates**

People with disabilities are less likely to change employers than non-disabled employees. This can mean significant savings on recruitment and training costs. The US firm Pizza Hut found that the retention rate for their disabled employees was 72% higher than non-disabled workers.

✓ **Lower accident rates**

Employees with disabilities on average show a better track record than other workers when it comes to employee maintenance factors. For example, a study in Victoria, Australia found that employees with disabilities are three times less likely than non-disabled employees to have a workplace accident.

✓ **Gains in productivity and loyalty**

On average, an employee with a disability has productivity rates comparable to other employees and they demonstrate high levels of loyalty, are dependable, dedicated and hard working.

✓ **Increased morale**

Employers report that teamwork and morale improve when workers with disabilities become part of the staff. This also positively impacts on the work culture by creating a sharing, caring team culture.

✓ **Valuable and untapped skills**

People with disabilities are an untapped source of skills and talents. In dealing with the barriers they face, people with disabilities have often developed skills that businesses need, both technical job skills and transferable problem-solving skills developed in daily life.

✓ **A market opportunity**

People with disabilities and their families and friends represent an overlooked and multibillion dollar market segment. The annual disposable income of disabled persons is estimated to be US\$200 billion in the United States, \$50 billion in the United Kingdom and \$25 billion in Canada. Ignoring this market may mean losing not only the disabled consumer but his or her family and friends. As the population ages and health systems improve, the incidence of disability increases. It makes sense to have employees who know first-hand about the product and service needs of this consumer segment.

Benefits of Employing People with Disabilities

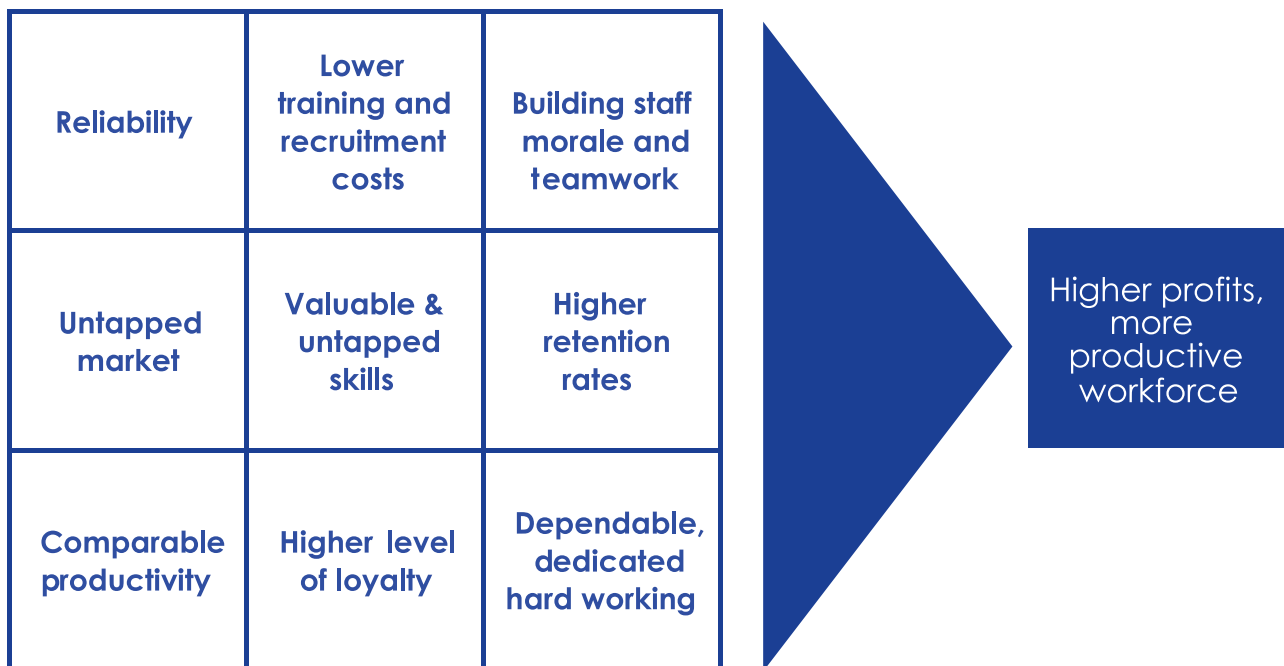


FIGURE 1

Trends in employment for people with disabilities

The strategy of the Mauritius Employers' Federation and the Training and Employment of Disabled Persons Board is in line with best practices in employment for people with disabilities. In recent years the approach to employment of people with disabilities has shifted from a largely charitable, segregated approach to an approach where many people with disabilities have integrated into mainstream employment, thus contributing to the economy of their country.

This has been possible through a shift in paradigm and a different approach as elaborated below.

The Right to Work - Shift in focus

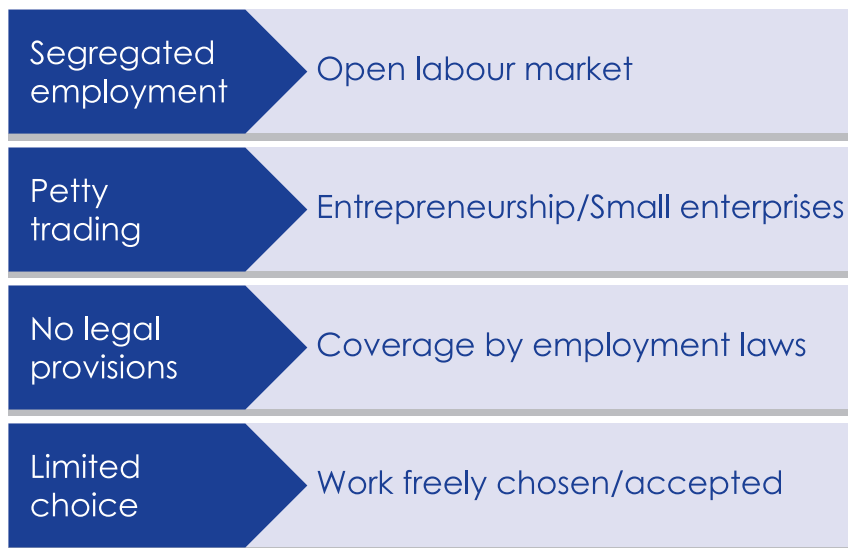


FIGURE 2

Traditionally, people with disabilities were given jobs as a matter of charity, or worked in segregated or sheltered employment. Most of these jobs were substandard and there was little legal protection for wages or conditions. As a result of greater awareness, as well as education and training for people with disabilities they are beginning to get a fairer deal. In Mauritius the strategic alliance between TEDPB and MEF has increased the awareness of employers about disability issues and employment and will result in a better deal for both employers and Mauritians with disabilities through employment. (See Appendix One)

Case Study: Eddy Songur - La Pirogue Hotel

Eddy Songur is 28 years old and lives in Vacoas. He has been a professional dancer in various hotels for the last ten years. Two years ago he joined La Pirogue Hotel and has blended perfectly in the dancing crew. The amazing fact is that though Eddy has a hearing impairment, he dances in a remarkable way synchronizing his movements even if he does not hear the music playing.

His entertainment manager, Mr Vardeyen Soopaya, is thrilled to have Eddy in his dancing crew because Eddy is a hard worker and is a role model for other employees in the hotel. According to Mr Soopaya the success of Eddy's integration is due to the fact that he is treated like everyone else. Mr Soopaya communicates with Eddy using sign language and some of Eddy's colleagues have also learnt how to use sign language, which has helped immensely to integrate Eddy into the workplace. His colleagues admitted that learning sign language is quite easy.

Eddy is someone full of energy, motivation to do well and has a passion for his career. He intends to keep on progressing. In his spare time, he enjoys socialising, going to balls and surfing the internet, especially Facebook.

Eddy demonstrates that one cannot assume what job a person can do based on one's disability. Given an opportunity and some simple workplace accommodation, a person with a disability can work as well or better than any other person.

The Legislative environment

Domestic Legislations

The Constitution of Mauritius

The Constitution is the supreme law of Mauritius. It provides for the separation of powers between the different organs of the State and safeguards the fundamental rights of all citizens, including people with disabilities.

Training and Employment of Disabled Persons Act 1996, Act No. 9 of 1996

The Training and Employment of Disabled Persons Act 1996 was proclaimed on 23 May 1996 and gazetted on 1 June 1996. Amongst other things, the Act merged the former Trust Fund for Disabled Persons and the Employment of Disabled Persons Board.

The philosophy behind the Act is to combat discrimination against and to promote inclusion of people with disabilities in the workplace. It has served as a deterrent force to combat prejudice against people with disabilities in employment. The most salient feature of the Act is the so called *quota* requiring enterprises of 35 or more employees to include 3% of people with disabilities in their workforce.

At a general level, the other provisions of the Act are:

1. to keep a register of people with disabilities;
2. to keep a register of employers, and;
3. to create employment opportunities for people with disabilities.

The Board is responsible to match the training needs of people with disabilities to the needs of the labour market.

See Appendix two for the complete text of the Act.

Employment Rights Act, Act No. 33 of 2008

This Act is the primary piece of legislation that governs the employment relationship in Mauritius. It has replaced the now defunct Labour Act. The provisions of the Act generally constitute the minimum floor of rights governing terms and conditions of employment for all workers, including workers with disabilities.

Two provisions of the Employment Rights Act have special relevance for workers with disabilities:

Section 20(1): Equal Remuneration for work of equal value: 'Every employer shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing the same type of work.' This means that a person with a disability performing work shall receive equivalent remuneration to another worker performing the same type of work.

Section 54(1)(a): Violence at work: 'No persons shall harass, sexually or otherwise a worker, in the course of or as a result of his work.'

Section 2: '“harassment” means any unwanted conduct, verbal, non-verbal, visual, psychological or physical, based on age, disability, HIV status, domestic circumstances, sexual orientation, race, colour, language, religion, political, trade union or other opinion or belief, national or social origin, association with a minority, birth or other status, that a reasonable person would have foreseen that a worker would be affected negatively in his dignity.'

Harassment of a worker (including a worker with a disability) is construed as violence at work. Any person who commits this offence shall on conviction be liable to a fine not exceeding Rs75000 and an imprisonment for a term not exceeding 2 years.¹

International Instruments

Mauritius is party to several international instruments related to employment and training for people with disabilities.

The ILO Convention (No.159) concerning Vocational Rehabilitation and Employment (Disabled Persons),

1983

The Convention was adopted on 20 June 1983. The Government of Mauritius ratified Convention No. 159 on 12 May 2004.

Article 2 of the Convention requires each member to implement a national policy on vocational rehabilitation and employment of disabled persons. The policy must aim at ensuring that appropriate vocational rehabilitation measures are made available to all categories of disabled persons and at promoting employment opportunities for disabled persons in the open labour market.

The Convention promotes the principle of equal opportunity between disabled workers and workers generally, and between disabled men and women. Special positive measures aimed at improving equality of opportunity and treatment between disabled workers and other workers shall not be regarded as discriminating against other workers.

UN Convention (No 111) concerning Discrimination (Employment and Occupation), 1958

The Convention No 111 was adopted on 4 June 1958. Mauritius ratified this Convention on 18 December 2002.

Convention 111 prohibits any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin or any other quality which has the effect of preventing or impairing equality of opportunity or treatment in employment or occupation.

Countries which have ratified the Convention are required to develop a national policy to ensure non-discrimination and promote equality of opportunity and treatment in employment, occupation and vocational training.

The UN Standard Rules on the Equalisation of Opportunities for People with Disabilities, 1993

The Standard Rules on the Equalisation Opportunities for People with Disabilities were adopted by the United Nations General Assembly at its 48th session on 20 December 1993. As a member of the UN, Mauritius is a party to these rules.

The Standard Rules deal with issues such as awareness-raising, support services, medical care, accessibility, education, employment ('states should actively support the integration of people with disabilities into open employment') income maintenance and social security, culture, recreation and sports.

Although the Rules are not compulsory, they imply a strong moral and political commitment on behalf of states to take action for the equalization of opportunities for people with disabilities. They offer an instrument for policy-making.

The UN Convention on the Rights of Persons with Disabilities (UNCRPD), 2006

The UN Convention on the Rights of Persons with Disabilities was adopted by the UN General Assembly on 13th December 2006. Mauritius ratified the UNCRPD on 8 January 2010 which means a moral and legal obligation to adhere to its principles.

Article 27 of the UNCRPD

Work and Employment

1. 'States Parties recognise the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:
 - (a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
 - (b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;

- (c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
 - (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
 - (e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
 - (f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
 - (g) Employ persons with disabilities in the public sector;
 - (h) 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;
 - (i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
 - (j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
 - (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.'

Article 24 of the UNCPRD

Education

5. 'States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.'



Devdas Herkanaidu, one of many telephonists at Barclays.

Case Study: Telephonists at Barclays

In 1989 Barclays, as part of its social responsibility, took the decision to provide employment opportunities to people with disabilities.

After successfully completing a training course at Orian Training Centre Baboo, Twaher, Luchmee, Lutchana and Enrico were recruited as telephonists. They became Barclays' first telephonists with vision impairment.

All five staff members are well integrated in their work environment as productive employees. The feelings and state of mind of all five of them are aptly summarized in the words of Baboo:

'My employment with Barclays has given me the opportunity to meet people and to work in an entirely new environment. It was also a test to see whether I was accepted by society despite my visual disability. I can now say that my experience has been most positive as I have been very well accepted by my colleagues in the office and I no longer feel that people look at me as a disabled person.'

The ability to earn their own living and their acceptance by society has transformed the lives of these telephonists.

Barclays is proud of its contribution to better the lives of people with disabilities.

CHAPTER TWO. HOW TO HIRE PEOPLE WITH DISABILITIES

Developing a disability policy

Many companies now recognise the good business and social reasons for including people with disabilities in their workplaces. One way to effectively ensure the recruitment and integration of people with disabilities is to develop a disability policy. Such a policy is integral to human resources policies as it can address issues such as health and safety for all workers and accommodate the needs of all employees.

A disability policy may include the following elements:

- ◆ The goals and objectives of the disability policy.
- ◆ Reference to relevant domestic legislations. E.g. The Training and Employment of Disabled Persons Act, 1996.
- ◆ Recruitment guidelines for hiring workers with a disability (more details provided in this chapter):
 - Publicize job vacancies in various formats: in print, radio, on the internet.
 - Contact local disabled persons' organizations.
 - Make workplace accommodations for recruitment and interview processes to ensure people with disabilities can compete on an equal basis.
 - Include a statement stressing that you are an equal opportunity employer and that employment is given solely on the basis of merit.
- ◆ Guidelines and procedures for workplace accommodation (See Chapter three for more information).
- ◆ Guidelines for existing workers who become disabled or impaired (see Chapter three for more information).
 - The responsibility of enterprises for disabled workers.
 - Benefits following an accident occurred in the workplace that results in a disability.
- ◆ Information about the financial incentives available for employers and employees. (More information provided in this Chapter.)
- ◆ Details of grievance procedures if an employee feels they have experienced discrimination.

- ◆ A statement on confidentiality of personal information.
- ◆ Monitoring and review procedures for the policy. The disability policy should be regularly monitored in order to ensure that it is effectively implemented, and to see if it needs updating in the light of changed legislation or circumstances.

In addition to developing a specific policy on disability, it is also important to review and update any existing human resources policies such as promotion, induction and training and other policies such as emergency procedures to ensure that they are not discriminatory against people with disabilities and take their needs into account.

See Appendix Three for some examples of templates for developing a company disability policy.

Recruiting people with disabilities

Many companies in Mauritius are very willing to hire people with disabilities; however they do not know how to find and recruit appropriately qualified candidates. This section will provide some strategies as well as hints on communicating and working with people with various kinds of physical, sensory or intellectual impairments.

A number of agencies in Mauritius maintain lists of jobseekers with disabilities and can help employers to recruit appropriately qualified people with disabilities. Contact the Training and Employment for Disabled Persons Board (TEDPB), the Mauritius Employers' Federation, National Empowerment Foundation or your local office of the Ministry of Labour, Industrial Relations and Employment (contact details in Chapter five of this Guide).

The Steps in Recruitment and Integration

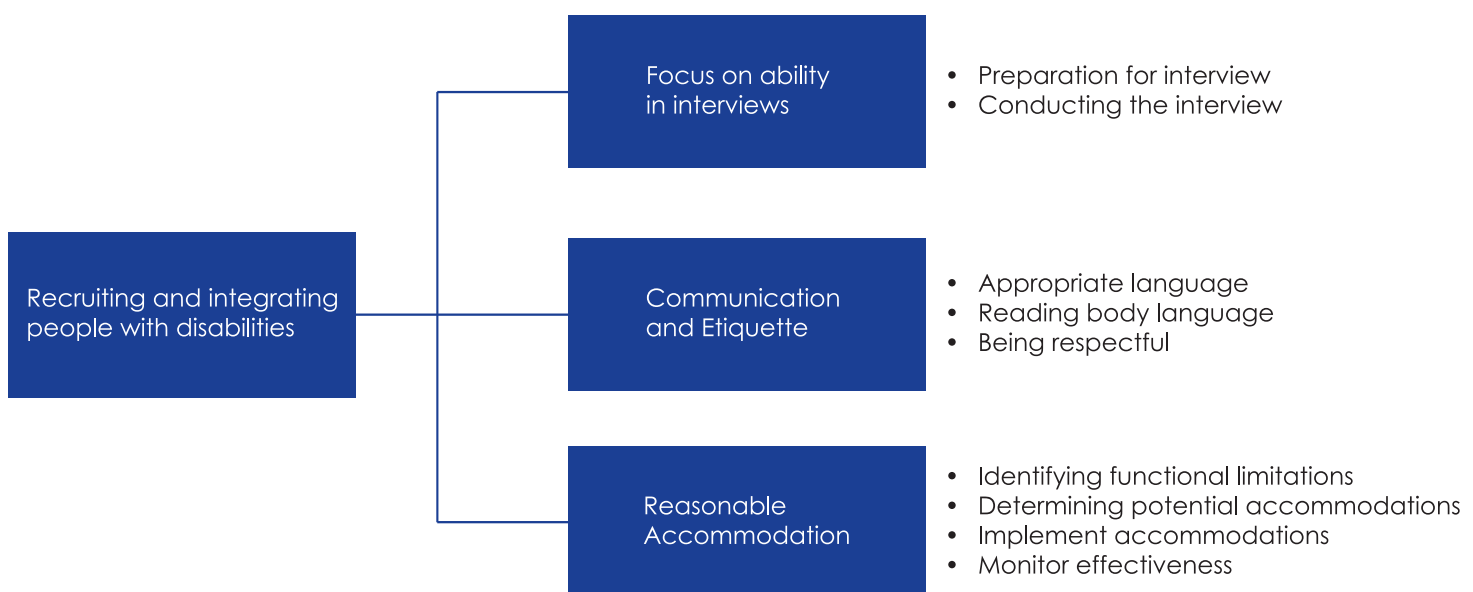


FIGURE 3

To recruit and integrate people with disabilities, an organisation has to focus on the abilities of the person during interviews, on the communication and etiquette and on reasonable accommodation. This chapter and the following one provide some information to help.

Preparing For the Interview

Below is information that may assist employers in ensuring maximum benefit from an interview when the person being interviewed happens to have a disability.

- ✓ Ensure that the company application and interviewing procedures comply with the **Training and Employment of Disabled Persons Act 1996** by not discriminating against any person on the basis of disability. (See Appendix two for details)
- ✓ Check that application forms, employment offices and interviewing locations are accessible to people with different types of disabilities. E.g. are there ramps or elevators for wheelchair users, do application forms use decent sized fonts (12pt or above).
- ✓ Be willing to make appropriate and reasonable accommodations to enable an applicant with a disability to participate in the interview, explaining ahead of time what is involved in the process.

Example 1: If an applicant is visually impaired, you may need to provide an assistant to help to read out and complete application forms.

Example 2: Allow a sign language interpreter for an applicant who has a hearing impairment if he or she requests assistance in communicating.

Example 3: Provide detailed specific instructions to applicants with cognitive disabilities.

- ✓ Inform applicants ahead of time if they will be required to take any tests to demonstrate their ability to perform tasks so that they can request an accommodation if necessary.

Example 1: If you are conducting a typing test, inform applicants in advance so that visually impaired applicants can ensure they have the appropriate software available.

Example 2: If you are conducting a sewing skills test, inform applicants in advance so that physically disabled candidates can explain any accommodations they might need in terms of the workspace (a lower or higher workstation for example).

Conducting the Interview

- ✓ Relax and help the applicant feel relaxed. If the applicant has a visible disability or reveals a disability during the interview, concentrate on the individual and their skills and qualifications, not the disability.
- ✓ Treat the individual with the same respect you would treat any candidate whose skills you are seeking. Likewise, hold individuals with disabilities to the same standards as all applicants.
- ✓ Ask only job-related questions that are relevant to the functions of the job for which the applicant is applying.
- ✓ Concentrate on the applicant's technical and professional knowledge, skills, abilities, experiences and interests.
- ✓ Do not try to imagine how you would perform a specific job if you had the applicant's disability. He or she has mastered alternative ways of living and working. If the applicant has a known disability, either because it is obvious or was revealed by the applicant, you may ask him or her to describe how he or she would perform the job.

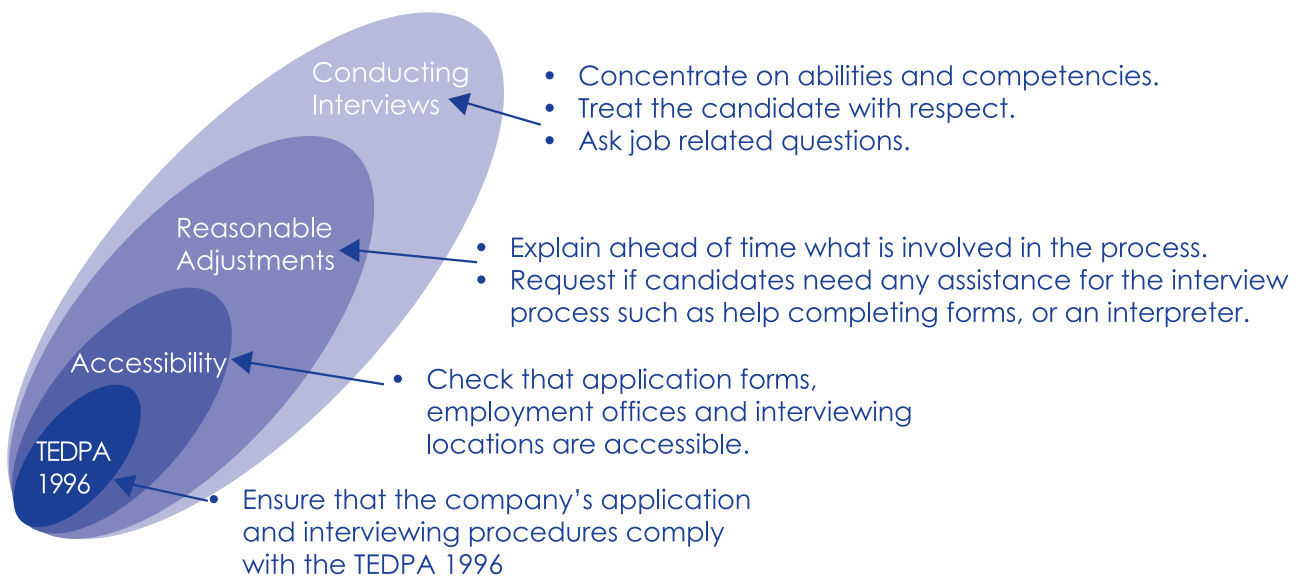


FIGURE 4

Communication and Etiquette

Communication is a very complex and detailed concept involving far more than simply speaking and listening.

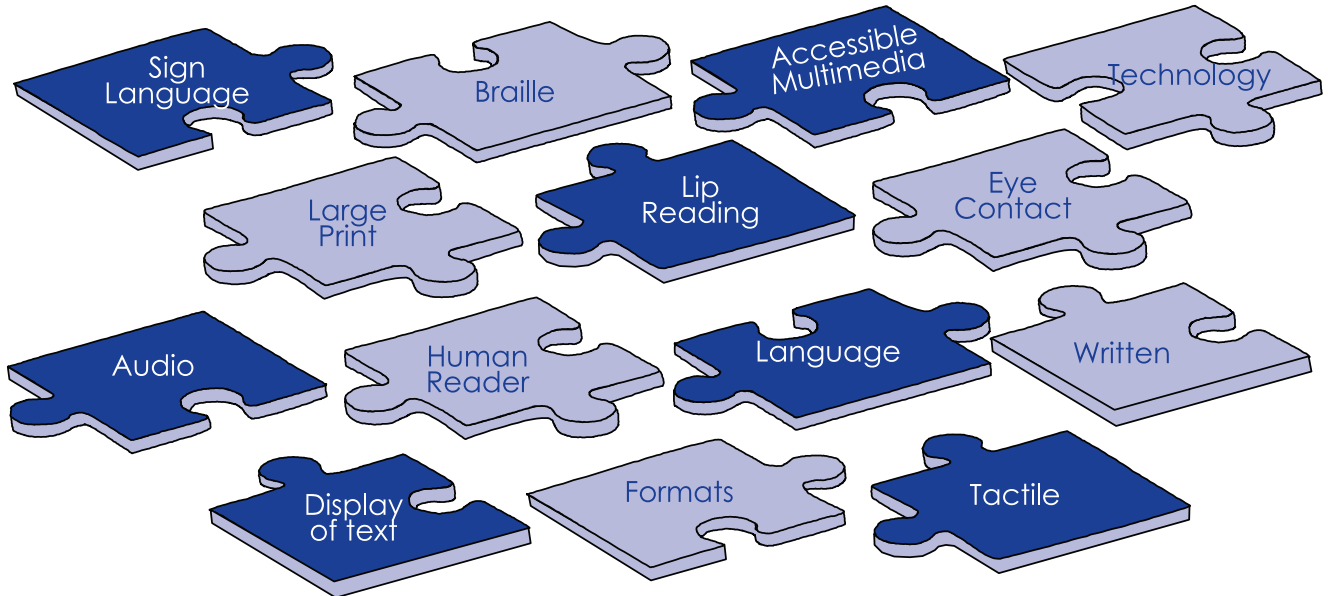


FIGURE 5

Figure five shows that there are different forms of communication with a person with disability. Which form to be used depends on the type of disability and circumstances.

Hints when interviewing a candidate with a disability.

- ✘ Do not assume that the person is either unemployable or necessarily lacks education and training for employment.
- ✘ Avoid asking personal questions about someone's disability. If you must ask, be sensitive and show respect. Do not probe if the person declines to discuss it.
- ✓ Be considerate of the extra time it might take for a person with a disability to do or say something.
- ✓ Be polite and patient when offering assistance, and wait until your offer is accepted. Listen or ask for specific instructions.
- ✓ Be respectful of the rights of people with disabilities to use accessible parking spaces.
- ✓ Refer to a person's disability only when necessary and appropriate.

- ✓ Use person first language; i.e. refer to the individual first, then to his or her disability. (It is better to say 'the person with a disability' rather than 'the disabled person'.)
- ✓ When addressing someone with a disability, offer him or her the same respect as anyone else in the same situation. Do not treat adults as if they were children.

Appropriate language

POSITIVE PHRASES	NEGATIVE PHRASES
Person with an intellectual, cognitive, developmental disability	The retarded; mentally retarded
Person who is blind or visually impaired	The blind, blinds
Person with a disability	The disabled; handicapped
Person who is deaf or hard of hearing	The deaf; deaf and dumb
Person with multiple sclerosis	Someone afflicted by MS
Person with cerebral palsy	A CP victim
Person with epilepsy or a seizure disorder	An epileptic; person with fits
Person who has muscular dystrophy	Someone stricken by muscular dystrophy
Person who uses a wheelchair; wheelchair user	Person confined, bound or restricted to a wheelchair. A wheelchair provides freedom and transport, it is not confining.
Person who is unable to speak, person who uses synthetic speech	A mute
Person with a psychiatric disability	Crazy, mad, insane, nuts, etc
Person with a physical disability, person who is physically disabled	Person who is crippled, lame or deformed
Person who is successful, productive	Person who has overcome his/her disability; person who is courageous

FIGURE 6

Communicating with a person with an intellectual disability

People with an intellectual disability may take extra time to understand and respond in an interview situation. Be patient and if necessary repeat the question several times.

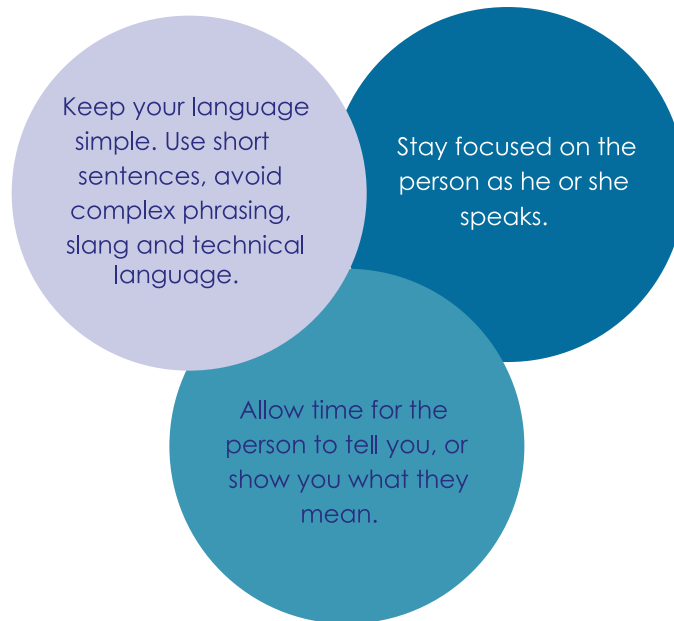


FIGURE 7

Communicating with a person who is a wheelchair user

For a person who uses a wheelchair, accessibility is the main issue in job interviews. However, below are some other tips and hints when interviewing a wheelchair user.



FIGURE 8

Communicating with a person with hearing impairment

Every hearing impaired person is unique and has their own way of communicating. Some people will use a sign language interpreter, some may lip read or others may be able to hear sufficient to understand speech if there aren't too many other background noises. Below are some tips on general good practice when communicating with someone who has a hearing impairment.



FIGURE 9

Communicating with someone with a speech disability

Someone who has a speech disability may or may not also have a hearing difficulty. Either way, the following tips will help you to communicate effectively.

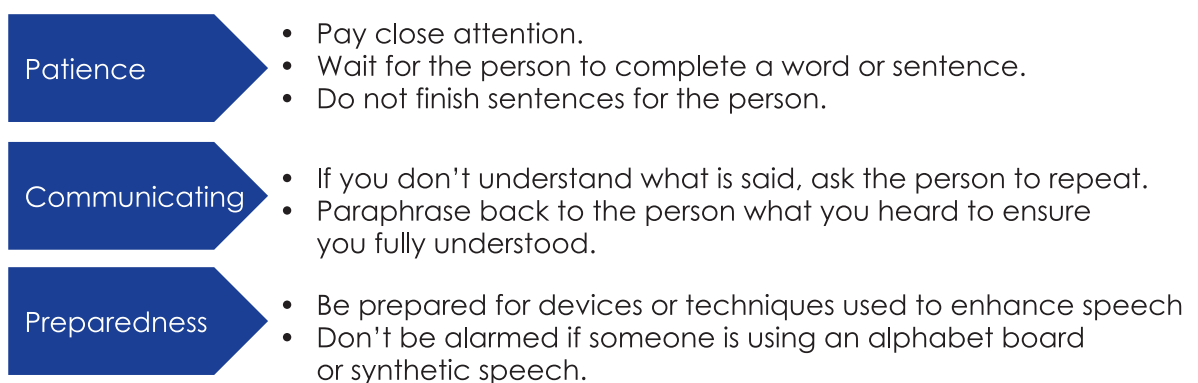


FIGURE 10

Communicating with a person who is visually impaired

People with visual impairments will range from being unable to see at all to having some vision. Each individual may see quite differently. The key when communicating with a person with a visual impairment is to ensure that the person knows who is in the room, and who is speaking. The tips below will help you to interview people with visual difficulties.

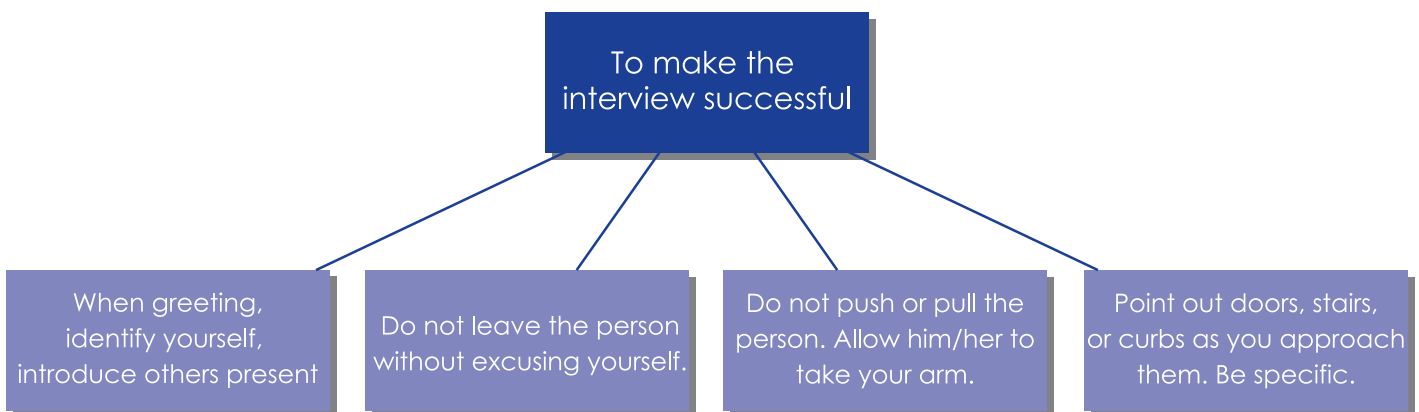


FIGURE 11

How to find qualified people with disabilities

Traditional recruitment strategies like advertising vacancies may not be very effective in finding employees with disabilities. There are a range of other strategies for employers to engage with people with disabilities and find appropriately qualified and skilled people with disabilities.

Organisations of people with disabilities

Many organisations of people with disabilities (DPOs) or NGOs of and for people with disabilities maintain lists of qualified disabled jobseekers. These organisations can also assist with information about disability, workplace accommodation and provide disability awareness training for companies. DPOs can also provide a valuable support network for employees with a disability, offering advice and assistance from other people with disabilities in similar circumstances.



On the job training

Employers can provide a range of on the job training opportunities for people with disabilities. This provides an opportunity for a person with a disability to learn in a real-work situation. It also provides employers an opportunity to 'try before you buy', allowing time for the employer to assess the skills of a disabled person before providing a permanent job.

Work-based learning experiences can allow people with disabilities to:

- develop positive work attitude and behaviours;
- learn general workplace skills as well as specific skills;
- identify necessary work accommodation and support;
- gain exposure to diverse working environments;
- clarify their career choices, and;
- network with potential employers.

For employers it provides an opportunity to:

- witness and test specific work skills of disabled jobseekers;
- identify necessary workplace accommodation and support, and;
- educate employees about disability related issues.

On the job training opportunities include:

✓ *Apprenticeships/Traineeships*

Apprenticeships and Traineeships are formal training opportunities with specific theoretical and skills learning requirements. Apprentices or trainees engage in real work during their training period. There is no requirement for the employer to continue employment after the training period, although many employers do choose to provide a permanent position to former trainees.



A jewellery making training organised in 2008 by TEDPB for young people with disabilities

In Mauritius, the Training and Employment of Disabled Persons Board and the Mauritius Institute for Training and Development coordinate apprenticeships and traineeships for people with disabilities. Contact details are in Chapter five.

✓ *Internships*

Internships can be paid or unpaid opportunities for people with disabilities to work and learn on the job. Internships are normally short work experience opportunities with no requirement for the employer to hire the intern at the end of the experience period.

The Training and Employment of Disabled Persons Board coordinates internships for people with disabilities. Contact details are in Chapter five. The Human Resource Development Council funds courses approved by the Mauritius Qualifications Authority (MQA) for people with disabilities.

✓ *Work Experience*

Work experience placements are short, unstructured on the job training opportunities often provided as part of education or a training course. Work experience placements provide an opportunity for people to demonstrate their skills in a real workplace and learn more about their specific industry. There is normally no requirement for employers to hire the person at the end of the work experience placement.

The Training and Employment of Disabled Persons Board coordinates work experience for people with disabilities. Contact details are in Chapter five.

✓ *Job Shadowing and Mentoring Days*

Job shadowing provides an opportunity for people with disabilities to 'shadow' or observe workplace mentors through the usual tasks performed during a day. Job shadowing is usually conducted for young people with disabilities to give them an idea of the reality of work and exposure to different workplace situations.



Case Study: Annick Wong Shi Kam - Loreto Convent Port Louis

Annick Wong Shi Kam had jaundice as a newborn baby and had to have several blood transfusions. In the process the nerves governing her motor muscles were affected. Fortunately, her memory and her intelligence were not touched.

Annick was determined that nothing would prevent her from leading a normal life. She attended Raoul Rivet Primary School, then from Form 1 – IV she followed classes in Loreto Convent, Port Louis (LCPL), securing good results in her School Certificate and Higher School Certificate Exams. Annick then set her sights on studying Librarianship at the University of Mauritius. Her family and friends thought this would be too difficult for her, but she was determined to try, and after 2 years of hard work, Annick obtained her Diploma in Library and Information Studies in 1992.

Annick was employed as a member of the LCPL staff in August 1997 with a full salary from the Private Secondary Schools Authority (PSSA). In 1998 she was made a permanent Library Officer.

"I am genuinely motivated to serve others, perform useful work for society, being with my old (and new) teachers whom I know so well, helping students to choose reading materials and information and carry out research work just as I was helped along myself as a child", says Annick.

Annick is a shining example of willpower and perseverance of someone who uses her talents to the full to contribute to society and lead an independent life.

Entrepreneurship

For many people with disabilities, establishing a small business either alone, with family or in cooperation with other people with disabilities is preferable to open employment. In Mauritius a number of organisations and training centres provide training in entrepreneurship and small business skills to people with disabilities and assist them to establish enterprises. Larger employers may wish to include these small enterprises of people with disabilities in their supply chain.

Organisations involved in such training are MITD, SMEDA, National Women Entrepreneur Council (NVEC), MEF and other private institutions (see Chapter five for contact details)

Sheltered Workshops

Sheltered workshops are normally operated by NGOs or government agencies to provide supported employment and training for people with disabilities who would find it difficult to find employment in the open market, either because of the severity of their disability or due to a lack of experience. These workshops produce real products; however, there is extensive support and assistance for the employees with disabilities. Larger employers may wish to include sheltered workshops in their supply chain. Sourcing from such workshops can assist to meet a company's social responsibility as well as provide a marketing opportunity.

In Mauritius, The Mauritius Mental Health Association, the Lois Lagesse Trust Fund and a number of NGOs run sheltered workshops. (See Chapter five for details)

Financial Assistance to Employers for Hiring People with Disabilities

In Mauritius, there are substantial subsidies available for training of people with disabilities. The National Empowerment Foundation, an organisation under the aegis of the Ministry of Social Integration and Economic Empowerment, is implementing a large poverty reduction project and provides assistance for enabling disadvantaged people to find appropriate training and employment opportunities. If employers wish to provide on the job training for employees with disabilities, the Foundation will subsidise 75% of the training costs for the training period.

The TEDPB and the Human Resources Development Council also provide subsidised training for people with disabilities. See Chapter five for contact details and Appendix One for more information.



Launch of the Job Fair for people with disabilities, 25 November 2009. From left to right: Mr Chetanand Bundhoo, General Manager, TEDPB, Mr Ambanaden Veerasamy, Permanent Secretary, Ministry of Social Security, National Solidarity & Reform Institutions, Mr Anwar Joonas, President, Mauritius Employers' Federation, Mrs Danielle Wong, Director of Mauritius Export Association (MEXA)

Case Study: Naeem Bakurally - Bank of Mauritius

Today Naeem Bakurally is brimming with optimism. He has completed his studies and has a job which he likes very much. But the situation was not always like this for him. When he was around 16 years old, he became seriously ill and had to follow a long treatment. He was compelled to abandon his studies.

After medical treatment Naeem found himself in a wheelchair for life and he became quite depressed and despondent. Gradually, he gathered his courage and decided to continue his studies and face life with will and determination. He contacted the NCRD which secured an admission for him at St Andrew's College. The Council provided him with a scholarship (the François Sockalingum Award) and also retrofitted the college – i.e. built ramps and special toilets for him. At St Andrews' college he performed very well and came out with flying colours in both his School Certificate and Higher School Certificate Examinations.

As Naeem is ambitious, he decided to continue his studies at the University of Mauritius. The NCRD again did the necessary renovations to enable Naeem to attend classes in his wheelchair. He successfully completed a Diploma in Accountancy and completed an on-the-job training course at the Ministry of Social Security, National Solidarity and Reform Institutions.

Naeem is now employed as Bank Officer at the Bank of Mauritius. His colleagues and employer respect his skills and qualifications, and his positive, hard working character.

Case Study: Sanjay Brambodary - Self-Employed



Sanjay Brambodary in his rattan workshop

Sanjay Brambodary is a classic example of an independent entrepreneur who knows exactly where he stands in life and what he wants.

He lost his sight at the age of eight and immediately joined the Lois Lagesse Trust Fund. After a few years as an apprentice, Sanjay became a creative entrepreneur as a rattan artisan. In 1995, he set up his own small enterprise and now employs three non disabled employees. He earns his living with the support of his clients which are large companies on the island (Beachcomber and Hydro Plants Company Limited). These large clients report that his services are indispensable because of his commitment to work, high quality delivery and the added value of his products.

Sanjay is married to Gina who is also vision impaired and as they have put it "We have only four children". All the children are in full time education. Gina unfortunately has not been successful in securing a job although she is a trained and qualified telephonist.

This very happy family of Bamboos is an example of how employers can benefit from the skills of people with disabilities through sourcing arrangements with small enterprises of disabled people.

CHAPTER THREE. ACCOMMODATING AND RETAINING EMPLOYEES WITH DISABILITIES

Reasonable Accommodation

An understandable concern of employers is how employees with disabilities will move around in the workplace and use work equipment. Most people with disabilities can be accommodated in the workplace with a few small changes. Employers are required by law to make 'reasonable' accommodations in the workplace. This may include modification of machinery and equipment and/or modification of the job content, work organization or adaptation of the work environment, to facilitate the employment of individuals with disabilities.

Accommodating a person with a disability into the workplace needs not be difficult or expensive. Research shows that most accommodations are simple and inexpensive. All accommodations should be made in collaboration with the employee with a disability; they are the expert on their needs.

This chapter provides more detailed information and hints on accommodating people with various kinds of disabilities.

The workplace accommodation process

Workplace accommodation is not just about providing ramps and elevators instead of stairs. Modifications may need to be made in a range of areas and policies of the company. The TEDPB or NGOs can assist with more detailed advice about workplace accommodation.



1. Facilitate requests	<ul style="list-style-type: none">✓ There is a need for a process to facilitate accommodation requests.✓ Take steps to ensure that all employees are aware of and understand the process to request an accommodation.
2. Identify Functional Limitations	<ul style="list-style-type: none">✓ Functional limitations are the specific tasks or activities that are limited for a person. For example, a person in a wheelchair is limited in how high they can reach.✓ The employer and employee should discuss the employee's functional limitations and determine where they intersect with his or her duties.✓ The focus should be on a person's essential job tasks and the physical functions necessary to complete them, not his or her disability.✓ Reviewing functional limitations should consider :<ul style="list-style-type: none">▪ Postures required when working▪ General physical demands. E.g. standing time, walking required, bending, lifting, etc.▪ Tools or equipment used▪ Time spent on various tasks▪ Daily workflow▪ Access to the workplace▪ Access to information and communication
3. Determine Potential Accommodations	<ul style="list-style-type: none">✓ Accommodations are not limited to a physical work environment, they may involve:<ul style="list-style-type: none">• Changing the way a job is done or structured.• Modified workplace policies.• Modified procedures.• Modified training time or methods• Changed work or break schedules.• Eliminating marginal functions.• Changes to corporate culture.
4. Monitor Effectiveness	<ul style="list-style-type: none">✓ Not all accommodations produce the desired outcome. If they are not working, the employer and employee should start the process again.

Some general principles of workplace accommodation

Working environment

- ✓ Modification in terms of work space; addition of room dividers, partitions or other soundproofing or visual barriers between workspaces to reduce noise or visual distractions.
- ✓ Consideration of noise and light levels in workspaces.
- ✓ Acquiring or modifying equipment, for example, adjustable desks for wheelchair users, Braille keyboard, hands-free phone.

Accessibility

- ✓ Accessibility does not just refer to access to buildings. At work, accessibility refers to the ease with which employees can use the premises, allowing them to be as independent as possible. This applies to all disabilities.
- ✓ It is important to consider accessibility for hearing and visually impaired people as well as physically impaired. For example, visually impaired people can benefit from contrasting colours, marking corridors or entrances, or tactile strips at the edge of stairs.
- ✓ Accessibility is also about access to information. People with visual or hearing impairments may need information in different forms such as training documents on cassette tape or large print documents.

Signage

- ✓ Providing clear, large signage on workspaces will improve the working environment for all employees.

Work Organisation and Duties

- ✓ It may be necessary to re-structure a job so that particular duties that cannot be done by the disabled employee are replaced with a different duty. E.g.: transfer driving duties to another employee, replace with an office based duty.
- ✓ Some people with disabilities may need adjusted working hours, including part time if appropriate, for example, to enable the person with a disability to travel outside rush hours or allowing time for rehabilitation, assessment or treatment.
- ✓ Organising a phased return to work after an injury.



Training and Supervision

- ✓ Employers should take measures to ensure that a person with a disability is not disadvantaged in regard to training, instruction and information.
- ✓ Provide awareness training for new employees, current workers and managers.
- ✓ Consider establishing a mentoring system for new employees with disabilities to help them integrate into the workplace.
- ✓ Provide training in disability management for those who will coordinate the strategy.

Promotion and Transfer

- ✓ Ensure that promotion or transfer is open to all suitable employees in terms of working ability and experience and modify procedures for testing or assessment if necessary.

Emergency procedures

- ✓ Employers must ensure that emergency warnings and procedures are accessible and understood by all staff. This may involve installing audible and visible alarm systems.
- ✓ A 'buddy' system can be introduced whereby employees with a disability are paired with a non-disabled partner who will assist in an emergency situation if necessary.

Reasonable adjustments do NOT include:

- ✗ Eliminating a primary job responsibility
- ✗ Lowering production standards that are applied to all employees
- ✗ Providing personal use items, such as, prosthetic limbs, wheelchairs, eyeglasses or hearing aids.
- ✗ Allowing anything that would be considered to be an undue hardship to the employer.

Example 1	If the receptionist uses a wheelchair, potential accommodations may include elevating the desk on blocks, or putting in an adjustable height desk (which would also accommodate anyone else filling in), or remodelling to replace the desk with one that could be used with a wheelchair.
Example 2	For a receptionist with an intellectual disability, potential accommodations may include installing a voice mail system, or creating a colour-coded phone directory and accompanying switchboard, or exchanging the cashier duties for another employee's tasks.
Example 3	For a receptionist with visual impairment, potential accommodations may include installing voice recognition and/or text to speech software on a computer, putting up a sign to inform visitors and ask them to announce themselves and providing all training and information materials in large print format.

Accommodations for people with an intellectual disability

People with an intellectual or learning disability may take longer to learn specific job tasks; however, employers report good productivity and extremely hard working loyal employees once the person has learned the job. Below are examples of adjustments that have helped employees with intellectual disabilities to be efficient in enterprises. The list below does not include all possible adjustments. Contact an NGO or the TEDBP for additional advice.

- ✓ Conduct disability awareness training for all staff.
- ✓ Provide extended training time, or individual training.
- ✓ Develop flow-charts or diagrams for job tasks to help the employee remember.
- ✓ Allow a period of job shadowing to help the person learn the job tasks.
- ✓ Consider the possibility of offering a part time job.
- ✓ More frequent breaks and/or flexibility in schedule.
- ✓ Establish a 'buddy' system to assist staff with an intellectual disability in an emergency.



Employers speak. . . *Keep Clean Ltd. was incorporated in 1997 as a cleaning company. However, as time passed, our activities were diversified, such that nowadays we equally operate as a Construction Company, provider of Hygiene Services and Property Management Services. Being an ISO certified company, it is the policy of the company to be an equal opportunity employer, giving the chance to one and all to express fully their skills and capabilities. Presently, Keep Clean Ltd employs several disabled persons, be it at middle management or operational levels. They are provided a conducive environment to foster the development of their skills and fully integrate the company and society at large.*

Accommodations for people with a mental health disability

One difficulty of mental health disability is that it is inconsistent. People may be very well for long periods of time, and then have a period of illness. Employers can assist people to retain their employment by allowing employees to compensate for time off when they are ill, and by helping employees to maintain their health.

Below are some examples of workplace accommodations that can assist people with mental illness to be productive employees:

Supervising effectively

- ✓ Provide continual feedback and reinforcement.
- ✓ Develop clear expectations of responsibility.
- ✓ Develop strategies to deal with problems if they arise, e.g. allow access to a counsellor or allow flexible working times.
- ✓ Establish a 'buddy' system to assist people with mental health issues in an emergency.
- ✓ Include arrangements for how the employee can compensate for missed time in the employment terms and conditions.

Ensuring productivity

- ✓ Allow flexible scheduling.
- ✓ Provide additional time to learn tasks and new responsibilities to reduce stress.
- ✓ Allow snacks and drinks to mitigate the effects of medication.
- ✓ Allow the employee to work from home.

Maintaining concentration

- ✓ Reduce distraction in the work area.
- ✓ Provide space enclosures or private office space.
- ✓ Plan for frequent breaks.
- ✓ Divide large assignments into smaller tasks.

Interacting with co-workers

- ✓ Provide disability awareness training to co-workers and supervisors.
- ✓ Make attendance at work-related social functions optional.

Aiding memory

- ✓ Allow the employee to use a tape recorder.
- ✓ Provide written notes, checklists and instructions.
- ✓ Allow additional time for training.

Handling stress

- ✓ Provide praise and positive reinforcement.
- ✓ Ensure all employees are aware of counselling and employee-assistance programs.
- ✓ Allow telephone calls to a doctor/counselor during work hours.

Accommodations for people with a visual impairment

People with visual impairments face challenges with physical accessibility in the workplace and access to printed/written information. Technology can assist in overcoming many of these difficulties.

- ✓ Conduct disability awareness training for all staff.
- ✓ Install software for visually impaired people (text to speech and/or voice recognition software).
- ✓ Consider emergency procedures and ensure there are audio as well as visual alarms.
- ✓ Establish a 'buddy' system to assist hearing visually impaired staff in an emergency.



- ✓ Keep all workspaces clear of clutter and obstacles, particularly corridors.
- ✓ Consider the need for Braille, large print or electronic versions of printed information.
- ✓ Ensure sufficient lighting in all work areas.
- ✓ Consider different working hours so that staff doesn't need to travel during peak hour, particularly if they use public transport.

Accommodations for people with a hearing and/or speech impairment

Many people who are deaf or hearing impaired do not consider themselves as having a disability, but rather as a member of a community with a different language: sign language. For someone with a hearing impairment, the primary consideration in the workplace is verbal communication. Accommodations need to take this into account.

- ✓ Conduct disability awareness training for all staff.
- ✓ Subsidise or provide sign language training for staff.
- ✓ Provide important information via email, memos or text messages in addition to meetings.
- ✓ Provide a sign language interpreter for important meetings or training.
- ✓ Reduce noise distractions in the workplace.
- ✓ Ensure sufficient lighting, particularly in meeting rooms etc where staff may need to lip read.
- ✓ Ensure that all emergency alarms have a visual as well as audio warning.
- ✓ Establish a 'buddy' system to assist hearing impaired staff in an emergency.

Accommodations for people with a physical disability

For people with physical disabilities; people who use a wheelchair or have problems with one or more limb, etc, accessibility is the primary barrier to productive employment. Workplace accommodations need to focus on overcoming physical access barriers.

- ✓ Conduct disability awareness training for all staff.
- ✓ Ensure that all areas are accessible to a wheelchair – this will include all meeting rooms, bathrooms, workspaces etc.



Keep Clean Ltd has provided a simple accommodation to enable Premnath Seegolam to work effectively even with a serious mobility limitation

- ✓ Consider automatic door openers on heavy doors. Consider also the height and accessibility of door handles, light switches, emergency alarms etc.
- ✓ Keep the workspace clear of clutter and obstacles.
- ✓ Consider different working hours so that staff doesn't need to travel during peak hour.
- ✓ Establish a 'buddy' system to assist staff with physical disabilities in an emergency.

Case Study. Kausar Banu Azeer - Mauritius Institute of Training and Development



Kausar Banu Azeer at work

After completing a secretarial course, Kausar Banu Azeer joined IVTB (now Mauritius Institute of Training and Development) on 08 October 2003 as Trainee Clerk/Word Processing Operator. After only one year of training a vacancy for the post of Clerk/Word Processing Operator came up at the Corporate Affairs Division. Kausar applied and was successful.

Kausar Banu Azeer has found that at IVTB she was well integrated like any other employee regardless of her physical disability. Staff at IVTB have been very helpful, friendly, caring, always making sure that she does not have any trouble and there is always someone to accompany Kausar in case she needs assistance.

Kausar has benefited from several accommodations to ensure she can work effectively. Her office is situated on the ground floor, and she can use the lift and parking facilities for easy access. Another staff member brings the attendance book to her so she can sign in and out. Meetings which Kausar needs to attend are held on the ground floor.

Other than working as Clerk/Word Processing Operator, Kausar was elected as Secretary of Anglo Mauritian Disability Link. Kausar is grateful to the Government for all the efforts, help, initiative and facilities which are being put in place to integrate people with disabilities in society. Kausar plans to pursue her studies to further enhance her career prospects in the future.



Return to work

If an employee is in work and becomes disabled through illness, an accident or a medical condition, employers can ensure that they retain their skills, knowledge and experience by facilitating a return to work. This section provides some information about return to work for workers who become disabled on the job.

The Return to Work Plan

The best way to ensure that employers retain the skills and experience of injured workers is to develop a Return to Work Plan (RTW Plan). This plan can be prepared by the employer, the human resource persons and employee and may require input by rehabilitation professionals.

The Return to Work plan could include the following:

- clearly spell out the job title;
- reviewed job description;
- starting and finishing times;
- break times;
- any specific restrictions (e.g.: no lifting, or no overtime work);
- recommendations (from a Medical Certificate or medical professional) and;
- a detailed return to work schedule.

The employer should discuss the plan in detail with the employee. All parties should sign off to indicate their agreement to and understanding of their obligations as part of the plan.

Reviewing work duties

In the situation where an employee is injured or develops a disability over time, it is advised to review their duties as outlined in the Job Description. This will ensure whether any modifications or accommodations are needed to enable the employee to return to work. Determining modifications required is exactly the same as discussed above regarding workplace accommodation.

The best way to gain an insight of the situation experienced by the employee is to ask the employee himself or herself. Nevertheless, it is of crucial importance to have confirmation from a medical body that the employee has been granted medical approval to return to work and to ascertain whether the return should be gradual or immediate and any functional limitations that should be taken into account.

The process of job analysis may be useful to examine the workers' specific job requirements and make necessary modifications to ensure the worker can return to productivity. Job Analysis is a detailed and systematic process of breaking down work performed into a number of separate tasks and duties. It is a detailed process in that it considers all tasks to be performed, sometimes dividing them between main tasks and secondary tasks. Job analysis can assist the employer and employee with a disability to identify specific job tasks or activities that might be difficult due to functional limitations and either work out an accommodation, or change the job duties. For more information on how to conduct job analysis see Herron, R., 2005, *Job and Work Analysis. Guidelines for Identifying Jobs for Persons with Disabilities*, ILO, Geneva. (See Chapter Five for details).

Ensuring a successful return to work

In addition to accommodations, there are several other factors to consider for a successful return to work. For some injured workers a gradual return to work will be appropriate, starting with a part-time commitment or reduced duties and gradually moving up to full return. Some workers may need to be moved to a new position or totally different duties requiring re-training as a result of their disability.

Whatever the RTW plan, it is important that the plan is communicated to direct work colleagues. Communication about the situation is important to overcome misunderstandings, but should also take into account the individual's right to privacy. The employee should be consulted about what they would like to communicate to their colleagues about their health and disability situation.

Providing other support on the job may also ease the return to work. For example, counselling for the injured worker and even their colleagues may be necessary. Disability awareness training can also be valuable in this situation.

“ Employers speak. . . *‘Mediterranean Shipping Company employs Miss Saraswatee Guranna, declared as disabled (born without right wrist and hand). Miss Guranna has worked for MSC since 1990 . She is currently a Freight Officer at the Import Desk. Her job involves issuing delivery orders, finalizing electricity bills for reefer containers and generally tending to customer requests.*

Miss Guranna has always delivered her tasks in a very professional way and is much liked by her colleagues. In fact she is so integrated in our organisation that we tend to forget her 'disability'.

We are proud to have her as part of our team. ”

Disclosure and Privacy

✓ Employers

The employee with a disability may have to take medication which could have side effects that impact on their work. The employer or HR manager may need to ask questions about medication taken by an employee. However, the employer should limit his or her questions about medication in terms of how the medication or side effects might affect the employee's ability to perform the requirements of the job.

✓ Employees

Employees are required to inform the employer about any potential effects of medication on work performance as it may affect occupational safety. Employees have a right to decide how much they wish to disclose to employers about their disability; however, it is best to discuss any work-related functional limitations including effects of medication in order to design appropriate necessary accommodations.



Kevin Francois, a trainee at the TEDPB

CHAPTER FOUR. HEALTH AND SAFETY FOR EMPLOYEES WITH DISABILITIES

Knowing their obligations under new **Occupational Safety and Health Act 2005, Act No. 28 of 2005**, employers may be worried about ensuring the health, safety and welfare of all employees without discrimination. Employers may be concerned that employees with disabilities will incur additional costs for health insurance, or there may be significant safety issues. The reality is that most insurers do not charge any additional costs for employees with disabilities, and that safety can be easily ensured in the same way companies ensure safety for all other workers. This chapter will provide more information and assistance to assist employers to have effective health and safety plans for all their employees.

Risk Assessment

Health and safety risk assessments are enterprise driven examinations of hazards and risks which could cause harm to employees or visitors. Assessments promote a precautionary approach in order to find solutions and alternatives to ensure the safety of all workers, including workers with disabilities.

Emergency Risk Assessments

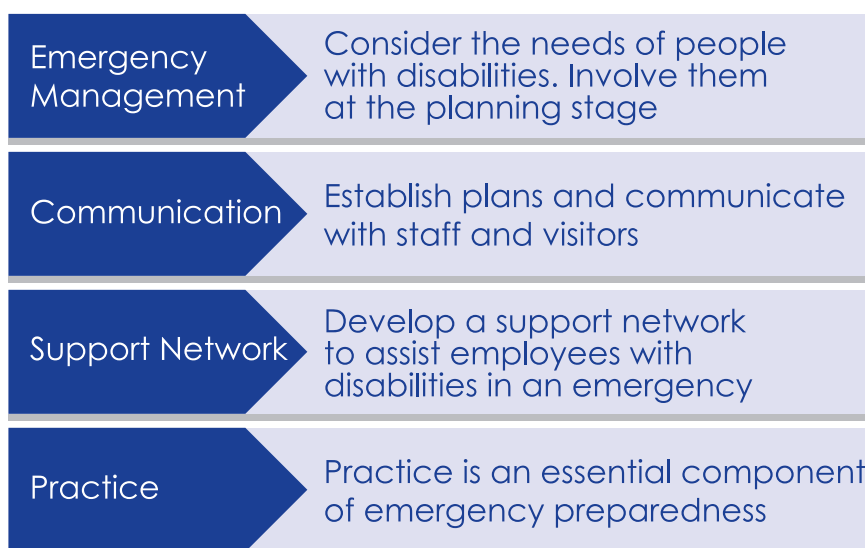


FIGURE 12

The above diagram outlines key principles when developing and implementing a health and safety risk assessment.

Risk Assessment for Employees with Disabilities

Employees with disabilities may face some different risks to non-disabled employees. Some factors to consider include:

- ✓ Train safety personnel about disability and ensure they are aware of any specific mobility or communication needs of employees with disabilities.
- ✓ Seek assistance where necessary, for example, from safety organisations the TEDPB, NGOs or disability organisations.
- ✓ Consider information and training needs; for example, safety information and training may need to be provided in different mediums (large print format, one-on-one training, etc).
- ✓ Consider also psychosocial hazards, such as stress or bullying. For example, disability may be used as an excuse for bullying and measures should be taken to ensure this does not happen in the workplace.
- ✓ Ensure confidentiality of personal medical information. It may be important for certain safety personnel to be aware of employee medical information; however, privacy standards should be maintained, and employees should be consulted about who receives their personal information.
- ✓ You are not obliged to employ an employee with a disability if to do so would pose a significant risk to the health or safety of the public, the employee or colleagues and/or there is no possibility of reducing that risk.

Case Study. Mervin Anthony - Mauritius Sugar Authority

Mervin Anthony is a striking example of an individual who has overcome multiple barriers to succeed in life.

Born deaf and with a physical disability, he attended mainstream school at Windsor College, Rose Belle, where he successfully completed his School Certificate and Higher School Certificate Exams.



Mervin at work at MSA

Successful completion of school was not enough for Mervin. However his ambition and will to succeed encouraged him to pursue higher studies. After a certificate in Management Studies, he registered himself with The Management College of Southern Africa (MANCOSA). Mervin has just completed his MBA from this prestigious South African University through distance learning.

He is presently working as Senior Clerk at the Documentation Department of the Mauritius Sugar Authority. With his MBA in his pocket, Mervin is bound to climb higher ladders. Mervin is also a high level sportsman.

Emergency Risk Assessment

In addition to general health and safety risk assessments, it is important to have good emergency plans that incorporate the needs of people with disabilities. Below are suggestions to keep in mind when developing, implementing and maintaining a workplace emergency plan:

- Consider the needs of people with various kinds of disabilities, e.g. sensory, mobility, intellectual, psychiatric). The tips for workplace accommodation in Chapter Three will help.
- Involve individuals with disabilities at the planning stage. People with disabilities themselves are the best guides as to what assistance they might need.
- Other employers, the TEDPB, NGOs or local emergency response personnel may also be able to assist with developing appropriate emergency procedures.
- Establish plans that facilitate communication with all staff and visitors, including those who have communication difficulties. i.e.: Ensure that all communication is in multiple forms; written, through meetings, in large print format, etc.
- Ensure that necessary procedures, equipment, signage and supports are in place to safely evacuate all employees.
- Keep in mind that no standards are currently in place for evacuation devices. Employers and employees must conduct their own research in this area. Contact the Fire Services Department for assistance.
- Determine appropriate situations for elevator use. Normally people are cautioned to avoid elevators during an emergency.
- Develop a buddy system or support network of several individuals without disabilities who are willing to assist employees with disabilities in an emergency.
- Practice, practice, practice! Practice is an essential component of emergency preparedness. It is impossible to prepare adequately for an emergency without it.
- Risk assessment and emergency plans should be evaluated and updated on a regular basis.

Case Study - Mr Dharmanand Kunniah - HSBC



Dharmanand at his desk at HSBC

Mr Dharmanand Kunniah resides at Impasse Filling St Louis Surinam. He attended both primary and secondary education and is holder of a Higher School Certificate. He is also computer literate and has completed courses in Word Processing, Database and Programming from The Cambridge Information Technology Centre. Dharmanand also has a physical disability and cannot communicate clearly.

Dharmanand pursued further studies at the University of Mauritius to complete a degree in Economics. In 2006 he approached the TEDPB to help him secure a job. He was given the opportunity to choose his career path and opted for the banking sector. With the assistance of TEDPB he was taken on board at HSBC where he is a bank clerk at the Cards Department.

While working, Dharmanand went on to complete an MSc. in Banking and Finance at the University of Technology and is currently studying to complete ACCA level 3. He also gives tuition at secondary level in Accountancy and Economics since 2002.

Roshnee Maraye, HR Assistant at HSBC says 'Kunniah participates actively in team events and provides input. He maintains a good team spirit and is helpful to colleagues.'

Mr Kunniah's disability has never been a hindrance to him. He is a responsible, dedicated and proactive person with good interactive skills. His future prospect is to work for one of the big consultancy firms in the city.

CHAPTER FIVE. RESOURCES TO ASSIST EMPLOYERS

Statutory Bodies

The Ministry of Social Security, National Solidarity and Reform Institutions has overall responsibility for the well-being of people with disabilities. A number of institutions under the Ministry provide an array of services to people with disabilities and employers who wish to hire disabled employees.

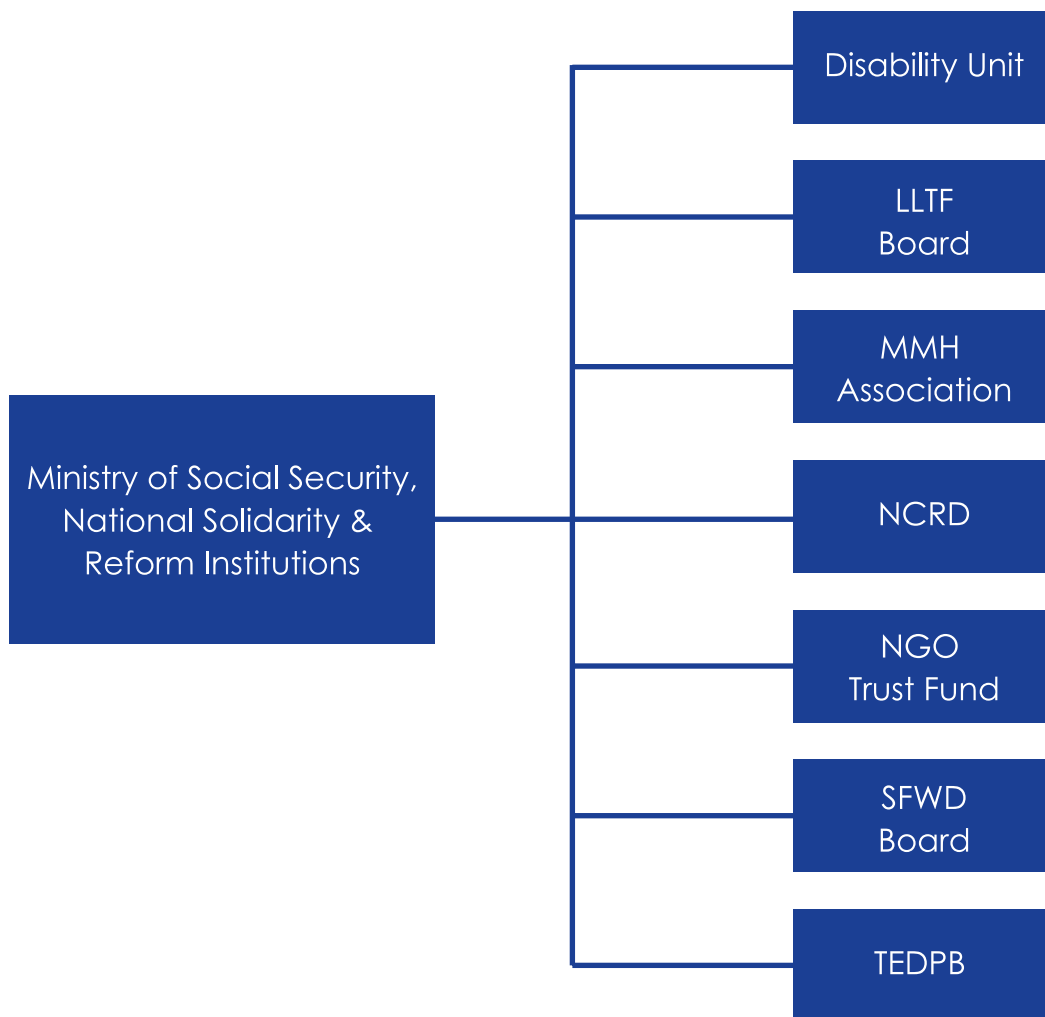


FIGURE 13



(i) Disability Unit

The Disability Unit is the “focal point” for disability issues. It provides information, counselling, guidance and referral services and facilitates the integration of people with disabilities in mainstream society.

The Unit is responsible for policy issues and provides a number of direct services such as provision of assistive devices, free parking coupons, refund of transport costs to disabled children (and accompanying parents) attending schools.

The Unit is developing a database on disability, the objective of which is to compile the various services provided to people with disabilities and to keep an updated list of those seeking services so that prompt action can be taken.

Contact Details

Address: 1st floor, Renganaden Seeneevassen Building, Port Louis

Tel No: [230] 2070625

Fax No: [230] 2089913

Contact Person: Mr A. Bankur

Email: abankur@mail.gov.mu

Website: <http://www.socialsecurity.gov.mu>

(ii) Lois Lagesse Trust Fund (LLTF)

The Lois Lagesse Trust Fund provides education, training and employment to people who are blind and visually impaired. It trains people in mobility and orientation and provides equipment such as white canes, large print documents, talking library and IT facilities.

It also runs a sheltered workshop where people with vision impairment produce baskets and rattan products.

Contact Details

Address: 101, Colonel Maingard Street, Beau Bassin

Tel No: [230] 4543253-4549806

Fax No: [230] 4659961

Contact Person: Mr Ashvin Roy

Email: lagesse101@yahoo.com

(iii) Mauritius Mental Health Association (MMHA)

This organisation provides education and training to children and adolescents who are intellectually impaired. MMHA provides counselling and guidance to parents and children.

MMHA also runs a sheltered workshop for intellectually impaired adults.

Contact Details

Address: Berthaud Avenue, Stanley, Rose Hill

Tel No: [230] 464 1157, 465 9508

Fax No: [230] 465 9508

Contact Person: Miss Helene de Casanove

Email: mmhaii@intnet.mu

(iv) National Council for the Rehabilitation of Disabled Persons (NCRD)

The NCRD is an advisory body which is mainly involved in advocacy. It is the umbrella for most of the voluntary organisations operating in the field of disability and aims to promote the welfare of people with disabilities.

Contact Details

Address: 1st floor, Renganaden Seeneevassen Building, Port Louis

Tel No.: [230] 2070625

Fax No: [230] 2089913

Contact Person: Mr S. Ramdhayan

Email: sramdhayan@yahoo.ca

(v) NGO Trust Fund

The NGO Trust Fund was created under section 24 of the Finance and Audit Act and came into operation in May 1999.

Its main objectives are:-

- (i) to consider and approve application for assistance from NGOs;
- (ii) to finance wholly or partly, services and projects of NGOs which have been approved by the Committee;
- (iii) to rationalise the disbursement of funds to NGOs.

The NGO Trust Fund functions as a major partner of the NGO sector by providing both financial assistance and capacity building.

Contact Details

Address: 2nd Floor, Renganaden Seeneevassen Building, Port Louis.

Tel No: [230] 2115575

Fax No: [230] 2114930

Contact Person: Mr. A. Sowdagur

Email address: ngotfund@intnet.mu

(vi) The Society for the Welfare of the Deaf (SFWD)

This organisation promotes the empowerment of people with hearing impairment. It provides a range of services including education, vocational training and counselling as well as sign language interpretation, hearing aids, and an ear mould laboratory.

Contact Details

Address: Pope Hennessy, Beau Bassin

Tel No: [230] 4643834

Fax No: [230] 4650784

Contact Person: Miss A. Bissoonauthsing

Email: swdeaf@intnet.mu

Website: <http://www.swdmauritius.org>



(vii) Training and Employment of Disabled Persons Board (TEDPB)

The Training and Employment of Disabled Persons Board is a para-statal body which is mainly responsible for promoting training and employment opportunities for people with disabilities.

At its centres in Calebasses, Flacq and Rose Belle basic training is provided in arts, craft, jewellery, agriculture and woodwork. The Board also subcontracts training of people with disabilities to private and public training institutions (e.g MITD ex IVTB).

TEDPB's main objective is to integrate people with disabilities in the world of work by liaising with employers and service providers. (See also Appendix One for more details about TEDPB)

Contact Details

Address: Calebasses, Pamplémousses

Tel No: [230] 2488986/7

Fax No: [230] 2493362

Contact Person: Mr C. Bundhoo

Email: tedpb@intnet.mu

Collaborative Institutions

With the adoption of the rights-based approach, disability is no longer a merely welfare issue. It is a human rights issue which cuts across departments, organisations and sectors. As a result, there are a number of other agencies which are concerned with the issue of training and employment of people with disabilities.

(i) Human Resource Development Council (HRDC)

The HRDC can provide funding for training for employees with disabilities. Training programmes for people with disabilities which are approved by the Mauritius Qualifications Authority (MQA) can be funded on submission of a project proposal to the Director of HRDC for approval by the Executive Committee.

Contact Details

Address: IVTB Compound, Pont Fer, Phoenix

Tel No: [230] 6018125/6/7

Fax No: [230] 6973901

Contact Person: Mrs P. Imrit

Email: p.imrit@gmail.com

Website: <http://www.hrdc.com>

(ii) Mauritius Employers' Federation (MEF)

The MEF is the national employers' organisation with more than 1000 members from all sectors of the economy. The MEF has a facilitator role within the private sector and is actively engaged in supporting its members in promoting the integration of people with disabilities in the world of work.

The Federation regularly conducts training on employability skills for people with disabilities. Employers wishing to employ people with disabilities can contact the MEF which will liaise with the appropriate organisations to facilitate the employment of people with disabilities.

Contact Details

Address: MEF-MCCI Building, Ebène Cybercity, Ebène

Tel No: [230] 4663600

Fax No: [230] 4658200

Contact Person: Dr. Azad Jeetun

Email: a.jeetun@mef-online.org

Website: <http://www.mef-online.org>

(iii) Ministry of Labour, Industrial Relations & Employment

The Ministry of Labour has 13 Employment Offices throughout Mauritius. People with disabilities are registered at these offices and the Ministry has a database of people with disabilities willing to work.

Contact Details

Address: Victoria House, Cr. Barracks & St. Louis, Port Louis

Tel No: [230] 2072600

Fax No: [230] 2133393

Contact Person: Mr S .M. Surat

Email: 1miunit@mail.gov.mu

Website: <http://www.gov.mu/lmisweb> or <http://www.labour.gov.mu>

(iv) Mauritius Institute of Training and Development (MITD ex IVTB)

The MITD is a corporate body established under Act 12 of 2009 to take over the activities of the Industrial and Vocational Training Board (IVTB) and part of the Technical School Management Trust Fund (TSMTF) with effect from 16 November 2009. The MITD runs accredited training programmes for the general population and reserves a number of seats for people with disabilities.

Contact Details

Address: IVTB House, Phoenix

Tel No: [230] 6018000

Fax No: [230] 6984200

Contact Person: Mr H. Putty

Email: headoffice@mitd.mu

Website: <http://www.mitd.mu>



(v) National Empowerment Foundation (NEF)

As part of its empowerment programmes, the National Empowerment Foundation registers people with disabilities and circulates a list to employers. The NEF also partially funds placement of people with disabilities in enterprises through a poverty reduction program. The NEF will subsidise 75% of training costs for employees with disabilities placed in enterprises.

Contact Details

Address: 6th Floor, Garden Tower, Poudrière Street, Port Louis

Tel No: [230] 4055100

Fax No: [230] 2111350

Contact Person: Mr Jacques Marie Jeanne

Email: cm@nef.mu

Website: <http://www.nef.mu>

(vi) Small & Medium Enterprise Development Authority (SMEDA ex SEHDA)

The aim of SMEDA is to rationalise and optimise the use of resources dedicated to the small business sector in Mauritius. It supports potential and existing entrepreneurs with a view to enabling them start new enterprises or to improve their existing business. SMEDA works closely with the TEDPB to assist entrepreneurs with disabilities.

Contact Details

Address: Industrial Zone, Royal Road, Coromandel

Tel No: [230] 2330500

Fax No: [230] 2335545

Contact Person: Mr Vijay Ramgoolam

Email: smeda@intnet.mu

Website: <http://www.sme.gov.mu>

Non-Government Organizations (NGOs)

NGOs in Mauritius provide a wide range of services to people with disabilities, including providing vocational training and sheltered employment.

Physical disability

(i) Arc-en-Ciel Disabled Group

Address: Ramachandar Rd, Central Flacq

Tel No: [230] 4181346 – 7770142

Contact Person: Mrs. D. Seegoolam

Services provided: Runs a workshop for disabled women who make jute bags and other products.

(ii) Association Foyer Vivre Debout

Address: Charles Cheron Street, Curepipe Road

Tel No: [230] 670 5898

Contact Person: Mrs. Marie Lourdes

Services provided: A residential home and a workshop for physically disabled persons who make various handicraft products.

(iii) Cypres Handicapped Welfare Association

Address: 20, Freelane, Glen Park, Vacoas

Tel No: [230] 6752252

Fax No: [230] 6846682

Contact Person: Miss Nicole Dercy

Email: cypres@intnet.mu

Services provided: A sheltered workshop where disabled artisans make products which are sold in hotels.

(iv) Fraternité Mauricienne des Malades et Handicapés

Address: Royal Road, GRNW

Tel No: [230] 2126349/ 2105012

Fax No: [230] 2126349

Contact Person: Mrs. Lisemay Limkee – 7257415

Services provided: A school for severely disabled children at G.R.N.W and a sheltered workshop for physically disabled persons at Mahebourg. FMMH also offers training in patchwork.

(v) Physically Handicapped Welfare Association

Address: Joseph D'Argent Street, Rose Hill

Tel No: [230] 4644845

Fax No: [230] 4650549

Contact Person: Mrs. O. Mathuvirin.

Services provided: A sheltered workshop involved in reconditioning Air Mauritius passenger earphones and producing handicraft products.

(vi) United Skills Workers' Cooperative Society

Address: Cr Prince of Wales & Edward VII Street, Rose Hill

Tel No: [230] 4547205

Contact Person: Mrs Salatchi Murday

Services Provided: A sheltered workshop doing contract work for textile factories.

Intellectual and psychiatric disability

(i) Association Amour Sans Frontières

Piton Unit

Address: Beau Sejour, Piton, Goodlands

Tel No: [230] 2648818

Fax: [230] 2648816

Goodlands Unit

Address: St Antoine, Goodlands

Tel No: [230] 2820738

Fax: [230] 2820738

Contact Person: Mrs. J. Rousset

Services Provided: A school for children who are intellectually impaired and a workshop where adolescents with disabilities produce woodwork and other craft work.



(ii) Association des Malades et Handicapés de l'Est

Address: Royal Road, Poste de Flacq

Tel No: [230] 4139346 – 7921314

Fax No: [230] 4139346

Contact Person: Mrs Christine

Email: centrejoiedevivre@yahoo.fr

Services provided: A school for children who are intellectually impaired and a workshop where adolescents with disabilities produce woodwork and other craft work.

(iii) Association de Parents d'Enfants Inadaptés de L'île Maurice (APEIM)

Address: Morcellement Belzim, Trianon

Tel No: [230] 6964400

Fax No: [230] 6967166

Services provided: A number of schools for children with intellectual impairments. APEIM also provides counselling and guidance to parents and runs a sheltered workshop producing a wide variety of products.

(iv) Centre d'Education et de Développement pour les Enfants Mauriciens (CEDEM)

Address: La Caverne No. 2, Vacoas/Beetul Lane, Floreal

Tel No: [230] 6961176/6977640

Fax No: [230] 6977640

Contact Person: Mrs Rita Venkatasamy

Email: cedem7@intnet.mu

Services provided: A school for children with intellectual impairments. CEDEM provides counselling and training to parents, educators and social workers.

(v) Eastern Welfare Association for the Disabled

Address: Royal Road, Beau Champs

Tel No: [230] 4139520 – 9314045

Contact Person: Mrs S. Gooniah

Email: ewad-4823@hotmail.com

Services provided: A school for children with intellectual impairments and a workshop producing woodwork or other craftwork.

(vi) Flacq Disabled Centre

Address: Near Auguste Voltaire Stadium, Central Flacq

Tel No: [230] 413 0897

Contact Person: Ms. V. Aukhey

Services provided: A school for children with intellectual impairments and a workshop producing rattan and other handicraft products.

(vii) Fondation Georges Charles

Address: Royal Rd, Pointe aux Sables

Tel No: [230] 2345415/ 1603

Fax No: [230] 2345415

Contact Person: Mr. Jac Falzara

Email: fondationgc@gmail.com

Services provided: A school for children with intellectual impairments and a workshop producing woodwork, artisanal products and agriculture.

(viii) Friends in Hope

Address: Goburdhun Lane, Sookdeo Bissoondoyal Ave, Bonne Terre, Vacoas

Tel No: [230] 4270495/ 4271870

Fax No: [230] 4244067

Contact Person: Mrs. Solange Prosper

Email: fihope@intnet.mu

Service provided: A half-way home and a workshop for people with psychiatric illness. It also provides information and counselling to patients and their families.

(ix) Laventure Technical School for the Disabled

Address: Shivala Rd, Laventure

Tel No: [230] 418 2988 - 792 8455

Contact Person: Mr. Y. Ancharag

Services provided: A school for children with intellectual impairments and a workshop producing woodwork, glass painting and embroidery.

(x) Southern Handicapped Welfare Association

Address: Royal Road, Riambel

Tel No: [230] 625 4055 – 913 9798

Fax No: [230] 625 4045

Contact Person: Mr R. Bondy

Services provided: A school for children with intellectual impairments and a workshop for people with physical and intellectual disabilities producing rattan products, jute bags and other wooden decorative items.

Visual Impairment

Lizié dan la main - Union des Aveugles de l'île Maurice

Address: Louis Pasteur Street, Forest Side

Tel. No: [230] 675 1777

Fax No: [230] 6702676

Contact Person: Mr. R. Permal

Email: udadim@intnet.mu

Services provided: A school and a workshop producing basketry and rattan ware.

Hearing Impairment

Association de Parents des déficients Auditifs (APDA)

Address: Bougainville Lane, Curepipe Road

Tel. No: [230] 6764681/7679561

Fax No: [230] 6702919

Contact Person: Mrs. Summun

Email: hearapda@intnet.mu

Services provided: A school for children who are hearing impaired and vocational training for young people with hearing impairment.



RODRIGUES

(i) **Rodrigues Association for the Disabled**

Address: Malabar, Rodrigues

Tel No: [020] 831 4804

Fax No: [020] 831 4804

Contact Person: Mrs Jasmine Leopold

Services provided: A day-care centre for children and adolescents with intellectual impairments .

(ii) **Pierre Louis Gonzague Centre**

Address: Camp du Roi, Port Mathurin, Rodrigues

Tel No: [020] 832 0120

Fax No: [020] 832 0120

Contact Person: Mrs Susan Auguste

Services provided: A special learning centre for children with hearing impairment. The Centre also runs a sheltered workshop specialized in handicraft, bee-keeping and other craftwork.

Useful publications and websites

Publications

The ILO's "Disability and Work" web site provides a list of publications, working papers, research papers and reports on the training and employment of people with disabilities. To download publications, go to the "Publications and working papers" item on the main page.

Web site: <http://www.ilo.org/disability>

Sample publication titles:

- *ILO Code of Practice on Managing Disability in the Workplace, 2002* (also available in French)
- *Job and work analysis : guidelines on identifying jobs for persons with disabilities, 2005*
- *Mental Health in the Workplace: Introduction and Executive Summaries, 2000*

AbilityAsia is the ILO's disability program in Asia and the Pacific. Its website provides information, resources and a list of publications related to various disability issues in the region, but relevant to other geographical areas. Check the site's "Publications" section.

Web site: www.ilo.org/abilityasia

Sample publication titles:

- *EmployAbility. A resource guide on disability for employers in Asia and the Pacific*
- *Unlocking Potential: A Multinational Corporation Roundtable on Disability and Employment Asia and the Pacific – Proceedings of the Meeting, 2005*
- *Moving Forward: Toward Decent Work for People with Disabilities – Examples of Good Practices in Vocational Training and Employment from Asia and the Pacific, 2003*

- *Employment and Disabled Persons (Information sheet)*
- *The Basics of Vocational Assessment (Information sheet)*

AbilityAsia: Hiring People with Disabilities – Employer Perspectives and AbilityThailand are videos on CD that are geared to an employer audience to encourage employers to hire disabled workers by identifying specific benefits. For video clips and contact information or to obtain a copy, go to the “Employers” section of the AbilityAsia web site.

Website: www.ilo.org/abilityasia

The ILO's Factory Improvement Programme (FIP) is a training initiative to develop local factories' capacity in industrial relations, health, safety and working conditions. The FIP training program includes the Disability in the Workplace sub-module. To download the publication, go to “Want to learn more” item on the main page of the web site, which leads you to the “Disability sub-module”.

Website: www.ilofip.org

Job Accommodation Websites

The American Job Accommodation Network has an excellent website with a lot of information about job accommodation, including an accommodation database and fact sheets on accommodations for different disabilities.

Website: <http://askjan.org/>

The Australian Government has a useful site which includes a range of information for employers related to recruiting, accommodating and promoting people with disabilities, including checklists to determine the 'disability readiness' of work environments, goods and services.

Website: <http://jobaccess.gov.au/>

The Australian Employers Network on Disability site includes some publications on reasonable accommodation, as well as various factsheets and other information.

Website: www.aend.org.au/

General Websites

UN Convention on the Rights of Persons with Disabilities website: www.un.org/disabilities/

All ILO Conventions are available in full text versions at: www.ilo.org/ilolex/



Appendix One: The Training and Employment of Disabled Persons Board

The Training and Employment of Disabled Persons Board (TEDPB) was set up in April 1996 under the Training and Employment of Disabled Persons Act, Act No. 9 of 1996. The Board operates under the aegis of the Ministry of Social Security, National Solidarity and Reform Institutions. Its main objective is to work towards the inclusion of people with disabilities into the world of work.

Vision: Valuing People with Disabilities

Integrating people with disabilities into the world of education, training and employment.

Mission

To shape the services of the TEDPB into a modern and user friendly one that meets the needs and aspirations of the disabled persons into the world of education, training and employment.

Objectives

- *to prevent, as provided under section 16, discrimination against disabled persons resulting from or arising out of their disability;*
- *encourage the establishment of appropriate vocational centres and other institutions for the training of disabled persons;*
- *operate and encourage schemes and projects for the training and employment of disabled persons;*
- *generally improve the social and economic status and condition of disabled persons;*

Core Values

The core values are guided by four key principles of:

- *Rights*
- *Independence*
- *Choice*
- *Inclusion/integration*

Improving the lives of people with disabilities requires commitment nationally and locally to strong principles, a firm value base and clear objectives for services. Each individual should have the support and opportunity to be the person he or she wants to be.

The Main Provisions of TEDPB Act 1996 are as follows:

Employer's duty to register with the Board

Every employer must register himself with the Board. It is an imperative obligation as per Section 12 of the Act. The employer must also provide full particulars when he registers with the Board which includes:

- his full name, residential address and social security number;
- the registered name and address of his organisation;
- the number of employees in his organisation;
- the number of people with disabilities he employs or may employ;
- the nature or description of any employment which he is providing or may provide to people with disabilities;
- the name, address and nature of disability of any person with disability employed by him.

The Board also has the discretion to interview employers and make appropriate recommendations as and when is required.

It's worth noting that so far no one has been prosecuted under this section of the law.

Duty to employ people with disabilities

Section 13 of the TEDPB Act 1996 explicitly highlights the responsibility of employers to employ people with disabilities as specified in the Schedule. The schedule in turn stipulates that any 'organisation employing more than 35 people must employ three (3) % of people with disabilities in its workforce'.

In case an employer is not able to comply with Section 13 (1), he is under a legal duty to inform the Board in writing why he is not able to do so. There are instances where employers may not be able to comply in full or in part or it is impossible to comply at all but the employer is not exonerated from informing the Board of his inability to comply with the law.

Moreover, in case the employer does not communicate to the Board the reasons for non compliance under Section 13 (2), the Board can summon the employer to show cause as to why he is not complying. Prior to reaching a decision, the Board or any of its committee must hold a hearing in order to determine whether the employer has sufficient cause not to comply with Section 13 (1) the proceedings will accordingly be registered.

In holding a hearing, the Board or its committee shall take into account by virtue of Section 13 (6) the following criteria:

- the implications for health and safety norms;
- the duty of the employer to provide reasonable accommodations;
- whether the candidates are sufficiently trained would impose an honest burden on the employer;
- the location of the employer's business in terms of accessible transport;



Exemption to employers

After making a determination under Section 13 (6) above, the Board may direct the employer:

- to comply with the provisions of the law;
- direct the employer to pay a contribution to the Board;
- Exempt the employer from his obligation to employ people with disabilities.

It is worth noting that section 14 (1) provides that no person with disability shall be employed on work, which having regard to the nature of his disability, is not suitable.

Duty not to discriminate

Section 16 (1) of TEDPB Act 1996 states that subject to subsection (2), no employer shall discriminate against any person with disability in relation to:

- any advertisement of employment;
- recruitment for and advancement in employment;
- determination or allocation of wages, salaries, pensions, leave or other such benefits;
- the provision of facilities related to or connected with any employment;
- any other matter related to employment.

The Act does not define the concept of discrimination. A definition is provided in the UNCRPD. Now that the convention is domesticated into our national law, it becomes binding upon all employers. The Board is vested with powers to determine whether an employer has discriminated against a worker with disability.

An employer would not discriminate where Section 16 (2) provides that an employer shall not be deemed to have discriminated against a person with disability where:

- the act or omission alleged to constitute the discrimination was not wholly or mainly attributable to the disability of the person with disability;
- the disability in question was a relevant consideration in relation to the particular requirements of the employment concerned;
- the employer has been exempted under this the TEDPB Act.

Appendix Two: The Training and Employment of Disabled Persons Act, 1996

Act No. 9 of 1996

Proclaimed by [\[Proclamation No. 10 of 1996\]](#) w.e.f. 1st December 1996

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Interpretation
3. Establishment of the Board
4. Functions of the Board
5. General Fund
6. General Manager
7. Appointment of staff
8. Powers of the Minister
9. Execution of documents
10. Establishment of registers
11. The register of disabled persons
12. The register of employers
13. Duty to employ disabled persons
14. Duty to provide suitable employment
15. Appeal
16. Prohibition of discrimination
17. Donations and legacies
18. Offences
19. Jurisdiction
20. Regulations
21. Repeals
22. Transitional provisions
23. Consequential amendments
24. Saving
25. Commencement

An Act

To provide for the training and employment of disabled persons

ENACTED by the Parliament of Mauritius, as follows —

1. Short title

This Act may be cited as the Training and Employment of Disabled Persons Act 1996.

2. Interpretation

In this Act —

“Board” means the Training and Employment of Disabled

Persons Board established under section 3;

“disabled person” means a person —

(a) with a physical, mental or sensory disability, including a visual, hearing or speech functional disability, which gives rise to barriers inhibiting him from participating at an equal level with other members of society in activities, undertakings or fields of employment that are open to other members of society; and

(b) who is willing and able to work

“employer” means any person who has in his regular employment 35 or more employees;

“exempt employer” means an employer who is exempt under section 13(7) from employing any disabled person but not from paying such contribution as may be directed under that section; “member” means a member of the Board and includes the Chairperson;

“Minister” means the minister to whom responsibility for the subject of social security and national solidarity is assigned;

“suitable employment” means such employment as a disabled person may, having regard to his disability, be reasonably engaged in, and includes any work which a disabled person may, on a contract of service or for services, be called upon to perform at his residence or in any other premises.

3. Establishment of the Board

(1) There is established for the purposes of this Act, a Board to be known as the Training and Employment of Disabled Persons Board.

(2) The Board shall be a body corporate.

(3) The Board shall consist of the following members —

(a) a Chairperson to be appointed by the minister;

(b) a representative of the Ministry of Social Security and National Solidarity;

(c) a representative of the Ministry for Civil Service Affairs;

- (d) a representative of the Industrial and Vocational Training Board;
 - (e) the Director of the Medical Unit of the Ministry of Social Security and National Solidarity;
 - (f) a representative of the Ministry of Employment, Manpower Resources and Training;
 - (g) a representative of the Ministry of Industrial Relations;
 - (h) 4 persons appointed by the Minister to represent the interests of disabled persons;
 - (i) 2 representatives of employers to be appointed by the Minister.
- (4) The Chairperson and the representatives of employers and disabled persons shall be appointed for such term as the Minister may determine.
- (5) In the absence of the Chairperson from any meeting of the Board, the representative of the Ministry of Social Security and National Solidarity shall preside at that meeting and shall, in relation to that meeting, exercise the functions and have all the powers of the Chairperson.
- (6) Seven members of the Board shall constitute a quorum.
- (7) The Board may appoint such committees and co-opt such persons to such committees, as it may deem necessary.
- (8) Subject to this section, the Board shall regulate its meetings and proceedings in such manner as it thinks fit.
- (9) The members of the Board shall be paid such fees or allowances as the Minister may determine.

4. Functions of the Board

The functions of the Board shall be to —

- (a) prevent, as provided under section 16, discrimination against disabled persons resulting from or arising out of their disability;
- (b) encourage the establishment of appropriate vocational centres and other institutions for the training of disabled persons;
- (c) operate and encourage schemes and projects for the training and employment of disabled persons;
- (d) improve generally the social and economic status and condition of disabled persons;
- (e) perform such other functions, not inconsistent with this Act, as the Minister may, in writing, specify or approve.

5. General Fund

The Board shall establish a General Fund —

- (a) into which all money received by the Board shall be paid; and
- (b) out of which all payments required to be made by the Board shall be effected.



6. General Manager

- (1) The Board shall, with the approval of the Minister, appoint on such terms and conditions as it may think fit, a General Manager.
- (2) The General Manager shall be entitled to attend every meeting of the Board and take part in its deliberations but shall not be entitled to vote on any matter before the Board.
- (3) In the discharge of his functions, the General Manager shall act in accordance with such directions he may receive from the Board.
- (4) The General Manager shall be responsible for —
 - (a) coordinating the activities of the Board with Ministries, local authorities, employers and any association or organisation of disabled persons or any other institution in order to implement the measures recommended by the Board;
 - (b) providing and encouraging the training of disabled persons;
 - (c) assisting disabled persons to secure employment;
 - (d) the financial management of the General Fund;
 - (e) such other activities, not inconsistent with this Act, as may be approved by the Board.

7. Appointment of Staff

- (1) The Board may, with the approval of the Minister, employ, on such terms and conditions as it thinks fit, such staff as may be necessary for the proper discharge of its functions.
- (2) All staff employed by the Board shall be under the administrative control of the General Manager.

8. Powers of the Minister

The Minister may give directions of a general character to the Board, not inconsistent with this Act, and the Board shall comply with such directions.

9. Execution of documents

All documents shall be deemed to be executed by or on behalf of the Board if signed by the Chairperson and the General Manager or, in his absence, any other member designated by the Board.

10. Establishment of registers

The Board shall establish and maintain —

- (a) a register of disabled persons; and
- (b) a register of employers.

11. The register of disabled persons

- (1) Every disabled person may apply to have his name and particulars entered in the register of disabled persons.
- (2) Every applicant under subsection (1) may be required to attend such interview, medical examination and other assessment as the Board may consider necessary.
- (3) Where the Board is satisfied that the applicant is a disabled person, it shall direct that the name of the applicant and his particulars be entered in the register.
- (4) The Board may, at any time, delete, subject to section 15, the name of a person from the register where it is satisfied that the name has been entered by misrepresentation or through fraudulent means or where the person has ceased to be a disabled person, and shall inform the person concerned accordingly.

12. The register of employers

- (1) Every employer shall apply to have his name entered in the register of employers and specify, in the application —
 - (a) his full name, residential address and social security number;
 - (b) the registered name and address of his organisation;
 - (c) the number of employees in his organisation;
 - (d) the number of disabled persons he employs or may employ;
 - (e) the nature or description of any employment which he is providing or may provide to disabled persons;
 - (f) the name, address and nature of disability of any disabled person employed by him.
- (2) Every applicant may be required to attend an interview for the purposes of this Act.
- (3) Where the Board is satisfied that the application complies with subsection (1), the Board shall direct that the name of the applicant and the particulars specified in the application be entered in the register.



13. Duty to employ disabled persons

- (1) Subject to the other provisions of this section, every employer shall employ such number of disabled persons as is specified in the Schedule.
- (2) The Board may summon any employer to show cause, on such date and at such time as may be specified, why he is not complying with subsection (1).
- (3) Every employer who fails or is unable to comply with subsection (1), either wholly or in part, shall inform the Board of the reasons for such non-compliance.
- (4) The Board may hold a hearing or may require any of its committees to hold a hearing for the purposes of this section and where it does require any of its committees to hold such a hearing, any recommendation made by that committee shall be communicated to and be deemed a decision of the Board.
- (5) A proper record shall be kept of all proceedings under subsection (4).
- (6) The Board or any committee under subsection (4) shall, after the completion of the hearing, determine whether the employer cannot reasonably be expected, having regard to the nature of his business, to provide suitable employment to or to create suitable employment opportunities for the employment of disabled persons.
- (7) The Board may, after making a determination under subsection (6) —
 - (a) give such directions to an employer as it may consider reasonable and proper in all the circumstances including a direction that the employer shall pay to the Board such contribution as may be prescribed; or
 - (b) exempt the employer from his obligation to employ disabled persons.
- (8) The employer shall, subject to section 14, comply with any direction of the Board under subsection (7).

14. Duty to provide suitable employment

- (1) No disabled person shall be employed on work which, having regard to the nature of his disability, is not suitable.
- (2) Where any dispute arises as to whether any work is or is not suitable for a disabled person, the dispute may be referred by the disabled person or his employer to the Board for determination.
- (3) The Board shall, on being requested to make a determination under subsection (2) —
 - (a) hear the parties to the dispute and such other persons as it considers necessary and make its determination; or
 - (b) require any of its committees to hold such a hearing and make the determination.
- (4) A proper record shall be kept of all proceedings held under subsection (3).

- (5) Any determination made by the Committee under subsection (3)(b) shall be communicated to the Board and be deemed to be a determination of the Board.
- (6) The Board shall inform the parties of its decision under subsections (3)(a) or (5).

15. Appeal

- (1) Any disabled person or employer, as the case may be, who is aggrieved by —
 - (a) the deletion of his name from the register, under section 11(4);
 - (b) a direction given by the Board under section 13(7); or
 - (c) a determination of the Board under section 14(3) or (5), may appeal, within 21 days of the notification of such cancellation, direction or determination, to the Judge in Chambers.
- (2) The Judge in Chambers may, on an appeal, make such order as he thinks fit.

16. Prohibition of discrimination

- (1) Subject to subsection (2), no employer shall discriminate against any disabled person in relation to —
 - (a) any advertisement of employment;
 - (b) recruitment for and advancement in employment;
 - (c) determination or allocation of wages, salaries, pensions, leave or other such benefits;
 - (d) the provision of facilities related to or connected with any employment;
 - (e) any other matter related to employment.
- (2) An employer shall not be deemed to have discriminated against a disabled person where —
 - (a) the act or omission alleged to constitute the discrimination was not wholly or mainly attributable to the disability of the disabled person;
 - (b) the disability in question was a relevant consideration in relation to the particular requirements of the employment concerned;
 - (c) the employer has been exempted under this Act.

17. Donations and legacies

Article 910 of the Code Napoleon shall not apply to the Board.



18. Offences

(1) Any employer who —

- (a) fails to comply with any direction of the Board under section 13(7);
- (b) discriminates against a disabled person;
- (c) fails to register himself under this Act, shall
commit an offence.

(2) Any person who —

- (a) commits an offence under this Act; or
- (b) contravenes any regulations made under this Act,

shall, on conviction, be liable to a fine not exceeding 4,000 rupees or to imprisonment for a term not exceeding 6 months.

19. Jurisdiction

Notwithstanding —

- (a) section 114 of the Courts Act; and
- (b) section 72 of the District and Intermediate Courts (Criminal Jurisdiction) Act,

a Magistrate shall have jurisdiction to try all offences under this Act or any regulations made under this Act and may impose any penalty provided by this Act or by any regulations made under this Act.

20. Regulations

The Minister may make such regulations as he thinks fit for the purposes of this Act.

21. Repeals

The following enactments are repealed —

- (a) The Employment of Disabled Persons Act 1988;
- (b) The Trust Fund for Disabled Persons Act 1988.

22. Transitional Provisions

- (1) All the assets, rights and liabilities of the Fund shall vest in the Board.
- (2) All proceedings, judicial or extra judicial, started by or against the Fund, shall be deemed to have been started by or against the Board.
- (3) All employees of the Fund shall be deemed to have been transferred to the Board without losing their period of service and under the same terms and conditions of employment and any service with the Fund shall be deemed to be service with the Board.
- (4) For the purposes of this section, "Fund" means the Trust Fund for Disabled Persons established under section 3 of the Trust Fund for Disabled Persons Act 1988.

23. Consequential amendments

- (1) Subject to subsections (2) and (3), the Statutory Bodies (Accounts and Audit) Act is amended in Part II of the Schedule by —
 - (a) deleting the words "Trust Fund for Disabled Persons";
 - (b) adding the following in its appropriate alphabetical place—Training and Employment of Disabled Persons Board
- (2) For the purposes of the Statutory Bodies (Accounts and Audit) Act the period extending from the commencement of this Act to 30 June 1997 shall be deemed to be the first financial year of the Fund.
- (3) Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply in relation to the first financial year of the Fund.
- (4) The auditor to be appointed under section 5(1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.

24. Saving

Notwithstanding the repeal of the "Employment of Disabled Persons Act 1988", any disabled person or employer who is registered under section 6 or 7 of that Act shall be deemed to have been validly registered under this Act.

25. Commencement

This Act shall come into operation on a day to be fixed by Proclamation.

Passed by the National Assembly on the second day of April one thousand nine hundred and ninety-six.



SCHEDULE

(Section 13)

Number of eligible persons *Percentage of work force* *to be employed*

Employer having a total work force of 35 or more ... 3 percent

Appendix Three: Tools and templates for employers

DISABILITY POLICY TEMPLATE

A disability policy has to be tailored to your enterprise's specific needs. Adopting such a policy and communicating it to managers and workers ensures that your enterprise is an equal opportunity employer.

To be effective, managers must be committed to the policy. That is, the enterprise must not only have a written policy, but must use it as well. Here are two examples of different disability policies that can help you develop your own. Adapt these examples to your enterprise. You may also wish to consult the **ILO Managing disability in the workplace** code of practice, which is available on: http://www.ilo.org/public/english/employment/skills/disability/policy_c.htm

Basic template

Purpose statement

The disability policy sets out the company's responsibilities and commitments towards providing equal opportunities and equitable access for people with disabilities. In line with national legislation and our equal opportunities and freedom from harassment policy, Company XYZ will continue to work towards providing a more inclusive work environment.

Policy Statement

The Company will :

- Endeavour to remove any physical and communication access barriers to ensure our premises are as accessible as possible for staff and visitors with disabilities;
- Seek to foster positive attitudes amongst management and co-workers towards people with disabilities;
- Encourage the development and implementation of procedures to address the requirements of workers with disabilities across all areas of the enterprise;
- Provide reasonable accommodations in the form of teaching strategies, alternative assessments, and support assistance for employees with disabilities in all aspects of their work;
- Advertise and promote the disability policy and procedures, and the provision of disability support within all areas of employment opportunities.



A policy statement could look like this:

We, (company name) seek to recruit individuals without regards to disabilities or impairments and encourage job seekers with impairments or disability to apply for jobs with our company.

Comprehensive template:

Disability policy

Company XYZ is committed to the inclusion of people with disabilities and those who advocate and offer services on behalf of people with disabilities.

Our policy on disability is as follows: We promote a climate of non-discrimination against and equal opportunity for people with disabilities.

For purposes of this policy, a disability is defined as "a physical, sensory, intellectual or psychiatric impairment that affects a major life function".

The policy complements existing staffing and personnel procedures.

Policy objectives

The objectives of the policy on disability are:

- Increase awareness of issues of people with disabilities.
- Engage other enterprises, contractors and suppliers in fostering a climate of non-discrimination against people with disabilities.
- Support international advocacy for people with disabilities.

Consultation

Company XYZ must determine the best ways to consult with disabled persons and with those who advocate on behalf of, or provide services for individuals with disabilities.

Company XYZ will also look to organizations and individuals with in-depth local experience to assist in designing and implementing participatory mechanisms to ensure that strategic objectives and activities incorporate, to the extent feasible, the priorities and values of people with disabilities and groups pursuing these issues and interests.

Training and enhanced awareness

Employees and contractors will be trained in issues of relevance to people with disabilities. Contractors will be encouraged to provide relevant training to their staff.

Programme Review Process

Upon receipt/notification of the request for a reasonable accommodation, the management will involve the concerned worker to immediately initiate the process for review of the request. The management will expedite the process in a prompt and efficient manner. If approved, the reasonable accommodation should be provided within a reasonable amount of time.

Grievances

Applicants or workers with disabilities who feel they have been discriminated against because of their disability may follow the grievance procedures already established.

Confidentiality

Information provided by a potential employee or a current employee regarding their disability will be kept confidential. Supervisors, managers, and safety and health personnel may be informed of any restrictions in service duties or necessary accommodations. Government personnel may be provided information in compliance with various laws and regulations.

Adapted from ILO, Factory Improvement Program, Submodule on Disability in the Workplace



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