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**DISABILITY LEGISLATION HAS NO TEETH IN THE PUBLIC SECTOR**

*Los Angeles, London, New Delhi, and Singapore (March 1, 2007)* Research published in The British Sociological Association journal ***Work, Employment and Society*** this month proves that laws which aim to keep people with disabilities in the workplace, can often have the opposite effect and lead to ill-health, absence and in some cases bullying.

At a time when the Government is trying to encourage more people to get off Incapacity Benefit and return to work, this study makes a timely contribution to current debate, by highlighting the issue of 'reasonable adjustments' and the experiences of disabled employees,

Dr Deborah Foster from the University of Cardiff explains: "We explored the experiences of disabled people in the workplace and looked at the legal obligation on employers to make 'reasonable adjustments' under the terms of the Disability Discrimination Act 1995. The Act was of course updated in 2005 in line with European Union legislation. More worryingly in terms of our research, this updated legislation also introduced disability harassment as a concept and a Disability Equality Duty into the public sector in December 2006."

"Based on research funded by the Economic and Social Research Council, we found that many disabled employees experienced the process of trying to secure adjustments both difficult and stressful."

The study also identified an absence of effective procedures in the public sector to deal with requests for adjustments from employees with disabilities, alongside inadequate training in this area among line managers. The study is particularly striking as it focuses on the under-researched employee perspective which tries to give a personal voice to the participants.

A nurse with 24 years service in the NHS became a wheelchair user following post-operative complications. Although she applied for a position that would use some of her nursing skills in the nurse bank office, she was re-deployed to the hospital's booking office where her nursing skills were not used, and where she earned considerably less than her previous salary.

A period followed where her line manager refused to discuss adjustments to her working hours and conditions, and then began to routinely humiliate her in front of her colleagues by discussing her medical problems loudly in an open plan office. The incident continued with the involvement of human resources and finally the nurse's union, UNISON. The nurse spent a good deal of time on sick leave with stress as a consequence of her experiences. She said: "I can't work in that place again... I want apologies ... and I want them to understand that they need further training in how to deal with people with disabilities. The law is in now and they weren't prepared for it ... I don't think they've even read [the Act]."

Dr Foster says: "Education and training was the single most important finding of this research as it's one of the most potent means of combating institutional discrimination. As the story of the nurse shows, we know that disability is commonly negatively equated with inability. Despite 27 years nursing experience, in a profession that is crying out for such commitment, she was re-deployed to a clerical position."

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