

Requesting flexible working

It is worth noting that you may be able to request flexible working under the law if you have worked for the same employer for at least 26 weeks. This is called a statutory request for flexible working and is completely separate from making reasonable adjustments under the Equality Act 2010. You also have the option of making a non-statutory request; that is, one that is not made under the law on flexible working. Such requests may overlap with those covered by reasonable adjustments, e.g. change of hours, working from home.

The following websites include information on statutory and non-statutory requests for flexible working: who is eligible to make them and the processes involved. There is also guidance on what you can do if your employer refuses your request for flexible working.

Flexible working www.gov.uk/flexible-working

Flexible working: what is it?

www.citizensadvice.org.uk/work/rights-at-work/flexible-working/flexible-working-what-is-it/

For more information on employment and disability, please visit these websites:

Disability rights

www.gov.uk/rights-disabled-person

Redundancy: your rights

www.gov.uk/redundant-your-rights

Dismissal: your rights www.gov.uk/dismissal

Discrimination: your rights www.gov.uk/discrimination-your-rights/discrimination-at-work

Disability discrimination advice from ACAS

www.acas.org.uk/index.aspx?articleid=1859

About the CGD Society

The Chronic Granulomatous Disorder Society (CGD Society) is the leading global charity dedicated to promoting an understanding of CGD and providing support to affected individuals and their families.

Our website www.cgdsociety.org provides medical information and practical advice on living with CGD. It is free to become a member of the CGD Society. Please go to www.cgdsociety.org/register/.

If we can be of any help, please contact us at hello@cgdsociety.org or on 0800 987 8988, where you can leave a message.

Our charity is reliant on voluntary donations. To make a donation, please go to www.cgdsociety.org/donate.



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Your Employment Rights

hello@cgdsociety.org
0800 987 8988
www.cgdsociety.org

This leaflet gives information about your employment rights when you have CGD.

If you have chronic granulomatous disorder (CGD), then you are automatically covered by the definition of disability under the Equality Act 2010. It is illegal for employers to discriminate against you (directly or indirectly) because of a disability in areas such as recruitment, pay, redundancy and dismissal.

Employment and recruitment

Except in a few limited circumstances, an employer should not ask questions about your disability or health at the interview stage or at any other stage of the application process. Similarly, you do not *have* to disclose your CGD to a prospective employer. It is advisable, however, to disclose your condition once an offer of employment is made, otherwise your employer will not be under any duty to make **reasonable adjustments** to accommodate your treatment.

Medical examinations

Some jobs may require you to have a routine medical after a formal offer of employment is made. Don't be concerned about this. Your employer should work with you to ensure that reasonable adjustments are made for you in your future role. Your employer should do this on a case-by-case basis.

What are reasonable adjustments?

Reasonable adjustments are changes made by your employer to prevent you being put

at a disadvantage compared with non-disabled people in the workplace.

Examples of reasonable adjustment include:

- Taking a flexible approach to start/finish times and/or shift patterns
- Allowing use of paid or unpaid leave for attending medical appointments (see below)
- Agreeing a phased return to work, e.g. offering temporary part-time hours
- Taking the standard amount of break time but in shorter, more frequent chunks
- Allowing annual leave to be spaced throughout the year
- Allowing the possibility to work from home at times
- Temporarily reallocating some tasks to improve output where it's needed.

Medical appointments

People with CGD have no right to paid time off to attend medical appointments. However, being allowed the time off, whether it is paid or unpaid, is seen as a reasonable adjustment.

Home therapy

If you need home therapy regularly during the working week, it is best to request a permanent change to your working hours. If, for circumstances beyond your control, you must have treatment during the working week and you can show that you are not able to have it at any other time, then this ad-hoc request should be seen as a reasonable adjustment for your employer to make.

Working from home

If you are able to carry out your work to the required standard from home, then home-working may potentially be a reasonable adjustment for your employer to make. However, many jobs cannot be performed remotely, so you may want to discuss other adjustments with your employer, such as reducing your hours or altering your start and finish times.

Sickness absence

If your employer is considering disciplinary action or even dismissal relating to the amount of absence you have taken, then you should remind them that any absence relating to your disability (medical condition) needs to be treated separately from other absence.

If your company's general policy is that after three episodes of absence you are given a written warning, then this should not normally apply in your case. This is because, owing to the nature of CGD, you are likely to have more sickness absence than average. As the sickness absence is caused by your disability, it should not be counted in the same way. An employer may be directly discriminating against you if they decide to dismiss you because of the amount of sickness absence you have taken owing to your CGD.

