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EQUAL OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES

Section 21 of the Rights of Persons with Disabilities Act 2016 mandates that :

(1) Every establishment shall notify Equal Opportunity Policy detailing measures proposed to be taken by it in pursuance of the provisions of chapter IV in manner as prescribed by the central govt.

(2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be.

Therefore, in pursuance of the Section 21 of the of the Rights of Persons with Disabilities Act 2016 and Rule 8, 9 and 10 under Chapter-IV (Employment) of the Rights of Persons with Disabilities Rules 2017 and as incorporated under Rule 12, 13 and 14 under Chapter- V, Employment and Vacancies for Persons With Benchmark Disabilities of the Delhi Rights of persons with Disabilities Rule 2018, the Labour Department, NCT of Delhi frames the following Equal Opportunity Policy for Persons with Disabilities:-

Policy Statement:

The Labour Department GNCTD is committed towards eliminating all forms of unlawful discrimination (which includes direct as well as indirect discrimination), harassment and denial of reasonable accommodation to persons with disabilities.

(a) **Facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment-** The Labour Department aims to ensure that our physical and digital infrastructure (buildings, furniture, facilities and services in the building) adheres to the accessibility standards as prescribed by the Government of India. The Department also aims to revamp its existing buildings to ensure strict compliance with the RPWD Act 2016. Provision of ramps, grab bars, and wider doorways to enable access to buildings and workplaces, provision of lifts, tactile paths, wheelchairs accessibility, web accessibility, parking facility, accessible toilets etc.

(b) **List of posts identified suitable for persons with disabilities in the establishment-** The Labour Department shall prepare a list of the identified posts in all groups- A, B, C and D for persons with disabilities which could be easily performed by them.

(c) the manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;

(i) **Selection of persons with disabilities for various posts:** The Labour Department would encourage candidates with different disabilities to apply. All vacancies will be advertised through proper channel. **All vacancy advertisements will include an appropriate short statement on equal opportunities for people with disabilities.**

Selection criteria (job description and employee specification) will be kept under periodic review as per DoPT norms to ensure that they are non-discriminatory and that they relate purely to the skills needed for the job and nothing else. Application forms will be made available in alternate accessible formats.

Decisions on employment, career progression, training, reservation or any other benefits shall be given as per govt. policy. An inclusive evaluation process shall be followed by ensuring that a person with disability is provided with any suitable flexibility and reasonable accommodation that may be required so that she/he may be evaluated fairly.

Any information shared by an employee on disability/medical condition shall be kept confidential. If an employee acquires a disability during her/his employment tenure she/he can return to work at the same rank and with the same service conditions as before. In case the employee is unable to perform the current job, the organization shall invest in re-skilling the employee for another position at the same rank or higher and if the same is not possible, the employee shall be posted on a Supernumerary post.

(ii) **Post recruitment and Pre-promotion Induction training:** It is an essential component of the service requirement of an employee. Induction training programme for the persons with disabilities shall be imparted together with the other employees. Job specific post-recruitment as well as pre-promotion training programmes shall be organized for the persons with disabilities. The Department shall take definite action to conduct job specific inclusive training programmes for the persons with disabilities with other

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employees. Duration, training contents shall be developed and experts who are proficient in providing training to PwDs shall be identified in consultation with the UTCS, GNCT of Delhi and State Commissioner, Disabilities and if felt necessary, prominent Associations/Federations/Confederations working in the sphere of disability shall be consulted.

It shall also be ensured that training programmes are conducted at the time of change in job, introduction of new technology, after promotion of the employee, etc. The venue of the training shall be fixed as considered suitable for conducting such training to PwDs. The Department and their offices shall utilize; existing Budget provisions for undertaking the aspects of training programme. The employee with disability shall be placed with an experienced employee for at least one month on resuming responsibility of a post. This would help him to pick up skills required to perform the job and also the adaptations that may be required in individual cases.

(iii) **Preference in transfer and posting:** As far as possible, the persons with disabilities may be exempted from the rotational transfer policy/transfers and be allowed to continue in the same job, where they would have achieved the optimum performance. Further, choice of preference in place of posting at the time of transfer/promotion may be given to the persons with disability subject to the administrative constraints. Instructions issued by the Department of Personnel and Training, GOI from time to time will be followed.

(iv) **Special leave:** The guidelines issued in this regard as per office memorandum no. 36035/3/2013-Estt. (Res) dated 31/03/2014 by the Department of Personnel and Training, GOI will be followed which refer to 9M No. 25°11/1/20°8-Estt.(A) dated 19.11.2008 having a provision of Special Casual Leave for 4 days in a calendar year for employees with disabilities for specific requirements relating to disabilities of the official. Further, vide DoPT, GOI OM No. 28°16/0212°07-Estt (A) dated 14.11.2007, there is also a provision of 10 days Special Casual Leave in a calendar year (subject to exigencies of work) for the employees with disabilities for participating in Conference/Seminar Trainings/ workshop related to disability and development to be specified by Ministry of Social Justice & Empowerment shall be implemented. The same shall also be applicable for participating in Conference/Seminars/Trainings/Workshop related to disability and development to be specified by the GNCT of Delhi.

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(v) **Preference in allotment of residential accommodation:** Subject to availability, the Department shall provide accessible accommodation, to the persons with disabilities near their place of posting and they will be preferred for allotment of ground floor accommodation. Existing housing accommodations will be renovated subject to feasibility to make them accessible to persons with disabilities (by the Estate officers).

(d) **Provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities:** Appropriate furniture, wheel chairs (motorized if necessary), software scanners, computer and other hardware, etc. in accordance with their requirement, which would improve their efficiency, shall be provided to PwDs by the Department. High tech/latest technology led assistive devices (including low vision aids, hearing aids with battery) on the recommendation of Doctor shall either be provided or the cost of such devices shall be reimbursed as per govt. approved rates to persons with disabilities in accordance with the price/durability of the special devices. The Department would carry out a review in this regard every three years. The employees with disabilities may seek reimbursement of such devices from the office from which they draw their salary.

Any new facility that is built or renovated will be evaluated for compliance with accessibility standards at different stages of the building construction. Any employee facing accessibility issues should report to the Head of office at their office or write to the Liaison Officer.

(e) **Appointment of liaison officer by the department to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.**

The Labour Department shall appoint a Liaison Officer not below the rank of a Gazetted Officer (not below the rank of Group A officer), who will be responsible for taking initiative and providing the requisite support needed to realize the goals of an inclusive and accessible workplace and reasonable accommodation. The Liaison officer shall be assisted by Grievance Redressal Officer.

The Liaison Officer shall be responsible for:

- Implementing the action plan for making the workplace and IT systems accessible for people with disabilities by liaising with the concerned officers.
- Ensuring that all employees are aware of the Equal Opportunity Policy and know their duties and rights in relation to the Equal Opportunity Policy.
- Developing proactive strategies to prevent discrimination and harassment.
- Monitoring the work environment to ensure that it is free from discrimination and harassment and encourages inclusion and respect for others since all employees have the responsibility to comply with the Equal Opportunity Policy.
- Ensuring of reservation of 4% Vacancies for PwDs in the establishment. All recruitment proposals will be routed through Liaison Officer.

The Liaison Officer will submit the quarterly progress report in the prescribed format as given below, to the Head of the Department.

Sl. No.	Action to be initiated	Actual realization in the quarter (w.e.f. ____ to ____)	Limitations in achieving the set target	Remarks if any
1.	Marking the workplace and IT systems accessible for employees with disabilities			
2.	Awareness among all employees about Equal Opportunity Policy			
3.	Measures taken to prevent discrimination and harassment against employees with disabilities			
4.	Monitoring of status of implementation of 4% reservation of PwDs in the establishment.			
5.	Identification of jobs suitable for PwDs in the Department.			

- (f) The Administration Branch of the Department shall maintain records containing the following particulars, namely:-
1. the number of persons with disabilities who are employed and the date from when they are employed;
 2. the name, gender and address of persons with disabilities;
 3. the nature of disability of such persons;
 4. the nature of work being rendered by such employed person with disability; and
 5. the kind of facilities being provided to such persons with disabilities.
- (g) The department shall produce for inspection on demand; records maintained under these rules, to the District level Committee on Disability and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.
- (h) The department shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer. The Grievance Redressal Officer shall be head of a committee comprising of two members among whom one will be an employee with disability and other may be an outside expert (RCI registered) in the field of disability. Also at least one of the members of the Committee shall be a woman. This committee shall assist the Grievance Redressal Officer in the discharge of his/her functions.
- (i) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-
1. date of complaint;
 2. name of complainant;
 3. name of the person who is enquiring the complaint;
 4. place of incident;
 5. the name of establishment or person against whom the complaint is made;
 6. gist of the complaint;
 7. documentary evidence, if any;
 8. date of disposal by the Grievance Redressal Officer;
 9. details of disposal of the appeal by the district level committee; and
 10. any other information.

Employees with disability have the right to file a complaint concerning any discrimination with the Grievance Redressal Officer. Any policy violation i.e. when any person with disability is discriminated against or not provided reasonable accommodation or denied access to any facility will be regarded as a grievance.

On investigation, if the employee against whom the complaint has been made is found guilty of discriminatory behavior, she/he will be dealt in accordance with the provisions of the Act. Possible action taken against the employee may include a reprimand, detraction of benefits for a definite or indefinite time period, demotion, denial of promotion and suspension or termination for more serious offences. Involuntary or indirect discrimination will be resolved through training, counseling and, suitable modification of procedures when required to ensure fair treatment.

The above policy covers applicants with disabilities for posts in the Department, full time/part time employees, interns/trainees, contractual employees, including temporary employees. It also covers those employees who acquire disability during their work tenure. This policy also applies to all aspects of employment, be it recruitment, training, working conditions, salaries, transfers, employee benefits and career advancement. Review of Policy shall be undertaken at regular intervals.