BRAC Adults with Special Needs Policy and Procedure

May 2019

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1. Introduction

BRAC, for over forty years, has given paramount importance to the safety of the participants of its programs, the safety of the employees of its programs, and the safety of the employees of its enterprises; in the way, it has conducted its (anti-poverty) work.

BRAC is committed to being an equal opportunity employer, and advocate for equality in the communities it works with, and has considerable practices in its programs and enterprises to prove this. The rights of adults with special needs will be protected on an equal basis with others, including the right to just and favorable conditions of service and to equal opportunities and equal remuneration for work of equal value. This also encompasses safe and healthy working conditions, including protection from harassment and the redress of grievances. BRAC is committed to employ, retain, and develop adults with special needs, at all levels of responsibility, and across all areas of work, where it is possible through reasonable accommodation. BRAC will continue to strive for the betterment of programme participants, with targeted initiatives for persons with special needs, and address any concerns they may have through the complaints processes.

BRAC has safeguarded its people (program participants, employees) in the first place, by making their safety a primary consideration already, at the level of the design of programs and enterprises. The prevention of sexual harassment, intimidation, violence, bullying, humiliation and discrimination, neglect and exploitation, is as far as possible, built into the work practices by itself. If the design and its implementation cannot reduce risks sufficiently, BRAC has installed secondary safeguarding mechanisms, like selecting and training of personnel, supervising and monitoring activities, reporting channels, investigations and punishments.

In the overall safeguarding policy, BRAC has described its history in more than forty years of safeguarding practice. BRAC pledges to continue its vigilance. The safeguarding policy also described BRAC's ethos and prevention practice in general.

This BRAC Adults with Special Needs policy and procedure is a description of how BRAC deals with situations, where (despite all its efforts) incidents of humiliation, discrimination, and/or sexual harassment still do take place.

2. Scope of Policy

This policy should be read and interpreted, in line with the overarching Safeguarding Policy. The objective of this policy is to promote and ensure employment equity for persons with special needs and highlight as well as, further the inclusion of programme partcipants. The complaint process outlined in this policy will also be followed, in the event that persons with special needs face behaviours, which are intimidating, threatening, bullying, humiliating, discriminatory, neglect, exploitation that needs to be addressed.

This policy applies to all employees, including regular, contractual, project, service, trainee (including apprentices & interns), volunteers, temporary staffs and non-graded staffs and programme participants of BRAC.

3. Definitions

Disability Rights: By ratifying the United Nations Convention on the Rights of Persons with Disabilities, Bangladesh activated the national law on disability, Disabilities' Rights and Protection, Act 2013. According to the Constitution of Bangladesh, all citizens of the country have the right to enjoy their dignity, fundamental human rights, and have social equality. Bangladesh.

Special Needs: Particular supports or requirements, resulting from learning difficulties, physical disability, or emotional and behavioural difficulties.

Reasonable Accommodation: A reasonable accommodation is assistance or changes to a position or workplace, that will enable an employee with a disability to do his or her job. The employer has a duty to make reasonable efforts, to modify the job requirements, or put supports in place, so the person can perform the job with their disability.

Undue Hardship: The global standard of providing reasonable accommodation to an employee is until the point of undue hardship for the employer. The threshold of undue hardship depends on national jurisprudence. Currently, the majority accepted threshold of undue hardship is, if the accommodation would be a heavy financial or administrative burden on the organization.

Discrimination: With regards to disability, refers to any act that prevents persons with disabilities to get fair treatment, enjoy rights, and have access to opportunities open to others.

Consultation: Determining a reasonable accommodation for a person with special needs, should be done in consultation with the person directly. The particulars of their needs should be taken from the candidate directly, and not a standard general approach should not be used.

Individualized: When determining accommodations or supports for persons with special needs, a "one size fits all" approach cannot be used. Any accommodation plan has to be specialized to the requesting individual's needs.

4. Employment Equity

Adults with special needs will not be discriminated against at any point in the employment cycle. This includes all matters related to recruitment, selection, appointment, career guidance and development, learning opportunities, performance evaluations, promotions, transfers, retention in employment, and return to work. BRAC has developed standard practices/guidelines for candidates with special needs, to follow during recruitment:

- When advertising, appropriate language will be used that is neutral and positive and conveys accurately, that BRAC is inclusive and accommodating of disabilities.
- Statements in adverts, such as, "we encourage persons with disabilities" or “we recruit persons with disabilities on their abilities” will be used. This wording indicates the recruitment process is inclusive in nature.
- BRAC will ensure that the methods by which it advertises are accessible to candidates with different disabilities, and that multiple sources and selection networks are used.
- BRAC will network with Disabled Persons' Organizations (DPOs), other academic institutions.
- BRAC will host and participate in employment events, such as disability career expos, recruitment and trade fairs, as well as disability conferences and exhibitions.
- A candidate's disability should not be used as a basis to determine suitability for the job. The focus will be on the competencies, required to meet the job demands, i.e. on inherent requirements and essential functions when shortlisting. The focus should be on what the candidate can do.
- As a standard procedure, BRAC will inquire as to whether any reasonable accommodation or special need, requires to be addressed during the interview process. This information should be sought from all candidates, regardless of whether a candidate has disclosed a disability or not.
- The entire process must accommodate any needs, in consultation with the applicant with the disability (e.g. parking, building entry and exit, interview room, attitude of support staff, toilet facilities, waiting area, access to information, site tours, assessments etc.
- Interview questions should be consistent, and ask the same questions to candidates with and without disabilities. Questions should be related to the job, and represent valid employment issues.
- It is within BRAC’s right to ask questions about the disability, if it relates to the job e.g. the impact of the disability on carrying out the function.
- All forms of assessments used to test competency and work performance will be applied fairly to applicants with disabilities, with due cognizance to reasonable accommodation needs, and fairness in the test identification, administration, and interpretation.
- Should the results of the functional assessment demonstrate that the candidate can successfully meet the inherent requirements of the job, and that the accommodations are “reasonable” with no “hardship” incurred by BRAC, then the job offer should be finalized.

5. Special Needs Focused Programmes

BRAC has several existing programmes, which target participants with special needs. Existing examples from BRAC are: the Microfinance programme, which has a designated person to engage persons with disabilities in income generating activities, to include them in loan services. The BRAC Education Programme (BEP) has dedicated guidelines for inclusion of children with special needs. Prior to the commencement of operations of any BEP school, it is a mandatory

requirement to include at least one child with a disability. BRAC will continue to consider the accommodation of special needs participants, from the programme design and implementation stage.

6. Reasonable Accommodation in the Workplace

An employer has a duty to make modifications to the workplace or the specific job role, if it is reasonable to do so, and would not be undue hardship on the organization for doing it. Examples of reasonable some accommodations are:

Physical changes should be made, by modifying and altering the layout of a workspace, to accommodate for disabled employees. Then, employers should ensure that computer software is accessible for disabled persons, with accessible and assistive technologies, that will be easy for them to use. This can be color refreshable Braille display, colour coded keyboards etc. Even screen reader software can be provided, and also using videophones, to facilitate communications with colleagues who are deaf. Furthermore, sign language interpreters at meetings and events can be, provided, as well as making materials available in Braille or large print, for blind colleagues.

7. Reporting and Response

Additional measures that will be implemented in Special Needs complaints are:

- Intake/initial complaint handling: The victim/survivor need not lodge the complaint. The complaint may be lodged through his or her guardian or other person of trust.
- It is not necessary that the victim/survivor must communicate directly to the person lodging the complaint. If the complainant has witnessed, or come to know of a child ,or adolescent being faced with an incident, a complaint can be lodged
- When interviewing, the **BRAC Guidelines when Communicating with Victims/Survivors** should be followed.
- Due diligence needs to be taken during interviews, with special consideration to the issues such as; if the victim/survivor requires any accommodations to attend/participate in the investigation, if the perpetrator is in a position of authority, if the abuse is still ongoing and with reasonable accommodations in place, gather as many details as possible without forcing them to “re-live” the experience.
- At any time of the investigation process, if it is felt that the victim/survivor is at risk, steps shall immediately be taken to ensure their safety.

A Report related to discrimination or harassment based on a person’s disability can be made by a victim, peers, supervisors or witnesses using the methods below:

Complaints are received through letters, phone calls and emails. Report can be lodged immediately through any of the following ways:

Complaints or allegations can be made directly to the **Grievance Unit** via mailing to **hrd.gmt@brac.net** or can dial to **+880-1730346883, +880-1708491000**

For countries other than Bangladesh, complains can be lodged to voice.country name@brac.net (i.e for Uganda voice.uganda@brac.net, for Afghanistan –voice.afghansitan@brac.net)
Report can also be lodged directly to Country Representative, Senior Directors, Executive Directors, Chairperson and CPO / Director Human Resources.

If the victim complains via their line management, the manager will send the complaint to the Grievance Management Committee, who are responsible for reviewing the complaint, and deciding whether it warrants investigation. If so, they will refer to the Investigations Unit for investigation.

Requests or complaints related to special needs accommodation can be directed to the respective HR representative, or of the relevant programme can be contacted. If this is not appropriate or feasible, the Programme Director or the HR Director or the Chief People Officer of BRAC can be contacted directly.

7. Training and Awareness

- Orientation about current Adults with Special Needs policy, during every employees onboarding
- BRAC's Human Resources and Learning Division (HRLD) will develop Reasonable Accommodation guidelines
- Create campaigns/event calendar to support, create awareness among staffs and stakeholders on regular basis with support of digital platforms

8. Confidentiality

In accordance with medical and other norms of confidentiality, BRAC will respect the confidentiality of any information, provided by a staff member or job applicant, relating to the individual's special need.

9. Review of Policy and Procedure

The policy will be reviewed at a minimum of every 2 years or when it is shown necessary that additional issues need to be identified and addressed, such as with a significant change in context or program or change to legislation.