

Redundancy: You can't be chosen for redundancy just because you have a PID. The selection process for redundancy must be fair and balanced for all employees.

Some employers may use sickness records as one of the factors when deciding whom to make redundant from a group of employees. If they choose to use sickness absence as a selection criterion for redundancy, then they should not count any absence linked to your disability.

The PID UK website has frequently asked questions on this topic.

Please visit www.piduk.org/livingwithpids/affectedadultswithpids/pidsandyourrightsfaqs

We can help: If you have a query regarding your employment rights, please email hello@piduk.org with your question and any details we may need to know regarding the situation. We will do our best to advise you via our professionally qualified volunteer service.

For more information on employment rights, please visit:

- www.gov.uk/rights-disabled-person
- www.hse.gov.uk/sicknessabsence
- www.gov.uk/redundant-your-rights
- www.gov.uk/dismissal

About Primary Immunodeficiency UK

Primary Immunodeficiency UK (PID UK) is a national organisation supporting individuals and families affected by a primary immunodeficiency (PID).

Our website provides useful information on a range of conditions and topics, and explains the work we do to ensure the voice of PID patients is heard.

If we can be of any help, please contact us at hello@piduk.org or on **0800 987 8986**, where you can leave a message.

Visit www.piduk.org for further information.

Support our work by becoming a member of PID UK. It's free and easy to do online at www.piduk.org/register, or just get in touch with us.



Your
employment
rights

hello@piduk.org
0800 987 8986
www.piduk.org

This leaflet gives information about your employment rights when you have a primary immunodeficiency (PID).

If you have a primary immunodeficiency (PID) then you are automatically covered by the definition of disability in the Equality Act 2010. It is against the law for employers to discriminate against you (directly or indirectly) because of a disability. This includes areas such as recruitment, pay, redundancy and dismissal.

Recruitment: If you are not asked directly (e.g. on an application form) and you would prefer not to tell your employer about your PID, then that is totally up to you. However, if you think you might need reasonable adjustments to be made or some support with attending medical appointments, then it is often best to be open and honest with your employer.

If your employer asks you directly, either at application stage or afterwards, then you need to be open and honest about your condition and its potential impact on your work and/or attendance. Your employer cannot discriminate against you for having a health condition/disability, but may need to know so that they can consider any reasonable adjustments you may need.

Medical examinations: Some jobs may require you to have a routine medical after a formal offer of employment. Don't be concerned about this. Your employer should work with you to ensure **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?

These are changes made to avoid you being put at a disadvantage compared with non-disabled people in the workplace. The key word is 'reasonable', so the following adjustments may be made depending on your role in the company.

- Changing your working hours to fit around your treatment
- Helping with transport to and from work
- Allowing you to have extra breaks during the working day (these may be paid or unpaid at your employer's discretion)
- Allowing you to work from home if this fits with your role for all or some of the week.

Medical appointments: People with PIDs 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 and it occurs regularly during the working week, it is best to request a permanent change to your working hours. If, for circumstances beyond your control, you have to infuse during the working week and can show that you are not able to infuse 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 same standard from home, then this may potentially be a reasonable adjustment for your employer to make. However, for many jobs this is not possible, so you may want to discuss other adjustments with your employer, such as reducing your hours or changing your commuting time.

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 due to the nature of immune deficiency disorders, you are likely to have more sickness absence than average, and as this 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 disability.

