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The National Disability Authority (NDA) is the independent statutory advisory body to government on disability policy and practice.

This brief submission is in relation to Recommendation no 7 from the University of Limerick, which reads

We recommend that there shall be a minimum period of 3 continuous working hours where an employee is required to report for work. Should the period be less than 3 hours, for any reason, the employee shall be entitled to 3 hours' remuneration at the normal rate of pay.'

Need to 'disability-proof' consideration of recommendation

The NDA considers that the implications of recommendation no. 7 for the provision of individualised support services to people with disabilities, including individualised arrangements people may make from a personal budget, would need to be carefully considered, in line with the provisions of the Government handbook to 'disability-proof' any significant Government decisions.

(a) Consider possible implications for individualised support to people with intermittent care/support needs

Some people with disabilities may have intermittent needs during the course

of the day (e.g. help with getting up and dressed, or help with eating/drinking) but would not need continuous support. The suggestion from

the University of Limerick may not suit circumstances where someone requires intermittent paid help but not a continuous presence for three hours at a time.

Where services are collectively provided, meeting individuals' needs in succession can provide the recommended minimum 3 hours of continuous employment for care/support workers. However, the current thrust of disability policy is towards providing individualised supports that fit into the supported person's preferred daily schedule, and towards development of a system of personal budgets where individuals could be free

to contract for their own services (e.g. a personal assistant) rather than attend a disability service. Requiring individuals to pay for three hours of support where they may only need half an hour would be prohibitive.

While the National Disability Authority fully supports the provision of decent working conditions, we suggest that the use of the word 'continuous', and the individualised care context, be carefully considered in reviewing the particular recommendation from the university research team.

(b) Consider possible implications for employment of people with

disabilities who have very limited stamina

The recommendation also needs consideration in the context also of the Government's Comprehensive Employment Strategy for People with Disabilities, and the commitment to review employment options for individuals with high support needs. There is an interdepartmental process currently underway, in line with action point 5.1 of the Strategy, to examine this issue.

There may be individuals with a disability who have a very limited capacity and stamina to work, yet who could enjoy the social and participation benefits of the minimum degree of participation in the workforce that they would be able to undertake. If those individuals would not have the stamina for a three hour continuous spell of employment, the measure proposed by the University of Limerick could serve to block off possible avenues of employment and social engagement to them, or make it prohibitively expensive to employ them. Again, we suggest that this issue should be examined in more depth to 'disability-proof' the government response to the University of Limerick proposals.

Happy to engage with Department in more in-depth examination of proposals
The National Disability Authority would be very happy to engage with the Department of Jobs Enterprise and Innovation around a more in-depth examination of the implications and issues concerned.

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