

TUC Disabled Workers' Conference 2022

Final Agenda

Contents

Motions

01 Defending Disabled People in Employment

Unite the Union

02 Disabled Workers and Flexible Working

USDAW

Composite 1 Removing barriers to work protected accessibility gains post pandemic

Mover: Prospect

Seconder: FDA

05 Reasonable Adjustments (as amended)

Mover: POA

Seconder: CWU

06 Menopause is a workplace issue

Community

07 Long COVID and Disabled Workers

NASUWT

08 New Deal for Workers with Disabilities (as amended)

Mover: CWU

Seconder: Unison

09 Decline of Employment, Pay, Terms and Conditions of Disabled People

PCS

Composite 2 Using the Disability Employment Charter to make the National Disability Strategy deliver for disabled workers

Mover: UNISON

Seconder: UCU

12 Disabled workers active involvement in fighting discrimination

Equity

13 Remove Unfair Fitness to Work Regulations

NEU

Composite 03 Disability and Invisible Impairment Awareness in the workplace

Mover: GMB

Seconded: Royal College of Podiatry

16 Reforming Access to Work (as amended)

Mover: The Musicians' Union

Seconded: NUJ

17 Food Insecurity and Mental Health

BDA

18 Accessible parking bays in private car parks

ASLEF

19 Digital accreditation as a reasonable adjustment in sports journalism

NUJ

20 Accessibility under attack from public transport cuts

RMT

21 HS2

TSSA

Constitution

1 Title and purpose of the conference

2 Date of conference

3 Basis of representation

4 Elections

i) General Council representation

ii) Elected members

iii) Conference Arrangements Committee

5 Motions

Standing orders

1 Hours of conference

2 Conference chairs

- 4 Appointment of scrutineers and tellers
- 5 TUC regional and trades council observers
- 6 Limitation of speakers
- 7 Closure
- 8 Voting
- 9 Conference reception
- 10 Suspension of standing orders
- 11 Chair's ruling

Note on Committee Attitudes

Please note that, unless otherwise indicated, the committee is in support of all motions. Where this is not the case, this will be detailed immediately after the title of each motion.

Motions

01 Defending Disabled People in Employment

Over half of disabled people are counted as 'economically inactive'. However, at the same time many have been forced into employment after 'failing' the work capability assessment or through universal credit. More and more disabled people are pushed into precarious work including bogus self-employment and part-time jobs with minimal hours.

Disabled workers should:

- i. Be employed in workplaces that are organised and meet their needs
- ii. Have decent jobs, pay and conditions
- iii. Have access to promotion and good training programmes

It is time we took steps to address disability discrimination; we therefore call on the TUC and all affiliates to ensure employers take positive action and implement the social model.

We also call on the TUC and affiliates to continue campaigning for:

- a) A stronger Equality Act 2010
- b) Incorporating UN Convention on the Rights of Persons with Disabilities (UNCRPD) into UK law
- c) Statutory requirement for employers to report Disability Pay Gap and employment rates with action plans and regular monitoring
- d) Mandatory reasonable adjustments with a substantial penalty for non-compliance
- e) Sufficiently funded Access to Work with a less onerous process and available to disabled people seeking work

- f) Scrapping work capability assessment
- g) Decent income for disabled people who are unable to work

Unite the Union

02 Disabled Workers and Flexible Working

Conference notes that the majority of low paid disabled workers continued to go out to work during the pandemic.

Public attitudes to disability show that significant numbers of people believe that disabled workers are a burden and take more than they give but without disabled workers key industries like retail and food manufacturing would be unable to function. Millions of key workers are also disabled workers.

Despite Government and employer rhetoric about valuing key workers many disabled workers feel unheard and undervalued.

One sided employer driven flexibility has a detrimental impact on the physical and mental well- being of disabled workers. Lack of control over working hours, short notice changes to hours and low hours contracts make it difficult for disabled workers to manage their well- being and work life balance.

Positive worker-centred flexible working can be a reasonable adjustment for disabled workers if it removes a barrier, they face to doing their job.

Unions are challenging casualised forms of flexibility that only work for the employer.

Conference calls on the TUC Disabled Workers Committee to:

- i. Be clear that flexibility isn't just about home working

- ii. Ensure the voice of disabled workers is heard when campaigning around flexible working

USDAW

Composite 1 Removing barriers to work protected accessibility gains post pandemic

Conference welcomes the TUC report, 'Disabled workers' access to flexible working as a reasonable adjustment', which found that 90% of those who had worked from home during the pandemic wanted to continue doing so in some form after the pandemic and that 68% of disabled workers want some form of hours-based flexibility.

Disabled members reported feeling more able to contribute to conversations when teams were meeting remotely and told us that the playing field had been levelled. The world of work has changed and the switch to online-working has seen a number of accessibility gains. No longer were colleagues on the phone or video-link a second thought.

While remote, hybrid or predominantly online working is not a fix-all for issues of workplace accessibility, the benefits should be protected.

Conference notes that despite strong support for greater access to flexible working many disabled workers continue to be subject to discrimination and disadvantage. The pandemic has reinforced the need for employers to structure work differently and remove barriers so that equality can be delivered for disabled people.

Conference calls on the TUC Disabled Workers' Committee to continue campaigning for:

- iii. Increased research into the benefits of remote working for disabled members, with a focus on producing data that can be used to influence negotiations with employers. This research should also support union calls for a recognised right to switch off from work.
- iv. Clear guidance for employers on their legal responsibilities in relation to reasonable adjustments and fair treatment for disabled people working from home, including clear examples of how reasonable adjustments should be implemented in a timely way.
- v. To guard against a two-tier workforce through poor performance assessments and fewer opportunities for training and promotion for disabled workers especially those who are less visible because of their work location.
- vi. Putting a duty on employers to report their disability pay gap.

Mover: Prospect

Secunder: FDA

05 Reasonable Adjustments (as amended)

The failure of Employers to implement reasonable adjustments in a timely manner despite years of legislation continues to occur in our members workplaces' and beyond. The POA believes that the lack of a punitive sanction is one of the reasons why so many of our disabled members are both unable to work and dismissed from work.

Therefore, the POA calls on the TUC Disabled Workers Conference to use its power and influence on lobby for changes in legislation to enable the following:

- i. To place the onus of proof of implementing reasonable adjustments on the Employer so they need to satisfy a court

that it is unreasonable for them to provide the adjustments required.

- ii. To seek a change in legislation so that a failure to provide reasonable adjustments which leads to the dismissal of the Employee is deemed to be automatically unfair.
- iii. Give courts the power to direct Employers to provide reasonable adjustments and impose financial compensation/fines for their failure to do so
- iv. In addition to these tribunal powers it shall be a requirement for Employment Tribunals to liaise with EHRC to recommend investigations into employers who are serial disability discrimination offenders.

Mover: POA

Seconder: CWU

06 Menopause is a workplace issue

Conference notes that 3.5 million UK women are going through the menopause. Symptoms can include hot flushes, memory issues, difficulty sleeping, anxiety and depression. Conference notes that menopause significantly affects disabled workers although little data has been collected, and that experiencing severe symptoms of menopause can be classed as a disability under the Equality Act.

Conference recognises that flexible working can make it easier to manage menopause symptoms, as can changes to uniforms, breaks, or room temperature. Reasonable adjustments remain important for workers with disabilities. Employers should not use flexible working in lieu of the reasonable adjustments required by law.

Conference believes all employers should have a menopause policy in place to support workers. Conference recognises that awareness

training for managers will help employers support workers, and signpost appropriate support.

Conference notes and endorses Carolyn Harris MP's menopause revolution campaign and commends the creation of a menopause task force and the reduction in HRT costs.

Conference calls upon the TUC to:

- i. Support affiliates to introduce menopause policies into all workplaces
- ii. Research the experiences of disabled workers going through the menopause
- iii. Campaign for better healthcare information for women experiencing the menopause at work and increased awareness of relevant workplace rights.

Community

07 Long COVID and Disabled Workers

Conference deplores the stark statistics that show that six in ten people who lost their lives to the coronavirus pandemic were disabled people.

Conference is deeply concerned that more than one million people in the UK are now living with Long COVID, with teachers and education support staff being the second most likely profession to be affected.

Conference is further concerned that despite the disparities of Long COVID on vulnerable people, some employers fail to recognise this condition or support school and college staff with the necessary reasonable adjustments they require.

Conference notes with alarm the evidence showing that some school and college employers are now deploying draconian absence

management procedures in cases where school staff with debilitating symptoms seek time off.

Conference welcomes the work of the TUC and affiliates in campaigning for Long COVID to be legally recognised as a disability under the Equality Act and for improved access to ill-health pension provisions.

Conference calls on the TUC and affiliates to:

- i. continue to fight for the rights of all those affected by Long COVID; and
- ii. hold employers and the Government to account on their duties to eliminate disability discrimination and advance equality of opportunity for all workers.

NASUWT

08 New Deal for Workers with Disabilities (as amended)

Committee attitude – Support with comment:

The Committee supports this motion but has concerns that the language in the motion is not in line with the social model of disability, which is written into the Committee's Statement of Purpose and is supported by the TUC. Under the social model, we speak of disabled people rather than 'people with disabilities' or 'people who have a disability'. Similarly, the social model would use mental health crisis or increase in mental distress rather than a 'mental health epidemic,' as mental health is something we all have. The Committee also has concerns over the use of 'children on the spectrum' rather than autistic children; and the negative connotations of the terms 'dealing with' and 'vulnerable,' which implies helplessness - at higher risk would be preferable.

The Committee also notes that any charter on neurodiversity should acknowledge the experiences of neurodivergent adults and workers as well as families with autistic children.

Covid19 has had a devastating impact on people with disabilities. 6 in 10 deaths linked to Covid19 have been people who have a disability. Covid19 has also pushed people with disabilities deeper into poverty. Job losses linked to the downturn will impact on this community more.

A new deal for workers with disabilities is essential. It will seek to raise working standards and job opportunities for all workers and people with disabilities.

Conference urges the TUC Disability Committee to:

- i. Strengthen efforts to push for long Covid19 to be recognised as already meaning that a person is disabled if the impairment has lasted or is likely to last 12 months or more, with a substantial impact on day to day activities, and consider the case for Long Covid to join the only three named conditions that automatically make a person disabled under the Equality Act (cancer, MS and HIV/AIDS).
- ii. Ensure employers are forced to be more disability-friendly and that part of this process sees the adoption of Disability Pay Gap Audits commenced similar to that done under gender.
- iii. Develop a charter around neurodiversity so that affiliates push a positive neurodiversity platform – this will acknowledge that more families are dealing with children on the spectrum and employers must be more sympathetic in supporting them.

- iv. Recognise that Covid19 has caused a mental health epidemic and much more resources must be made available to help vulnerable workers suffering from anxiety.

This list is not exhaustive.

Mover: CWU

Seconder: Unison

09 Decline of Employment, Pay, Terms and Conditions of Disabled People

We note the decline in the employment, pay, terms and conditions of disabled workers due to the government's austerity policies. They impact across the diversity of disabilities.

Employment of disabled people has declined in public services. DPAC & TUC reports show our pay gap has increased to 20%. Many disabled workers suffer appalling zero hours' contracts in private companies. Reasonable Adjustments are cut to the bone impacting on recruitment and applications with severe reductions of access to work funding, and lack of facilities for legal assistance, exacerbated by Long Covid with rising unemployment under the imposition of reduced Universal Credit facility. Many disabled people are driven to suicide and demonised by the media as benefit scroungers leading to increased "disability hate crime".

Therefore, we ask the TUC Disabled Workers' Committee to implement the following measures:

- i. Develop an action plan with Trade Unions to campaign for employers to offer better employment opportunities and improved pay, terms, conditions including reasonable adjustments for all disabled workers
- ii. Lobby the government through parliamentary groups, MPs, regional assembly members and councillors to pressurise

employers to close the disability pay and employment gaps by 2024

- iii. Report on progress by TUC Disabled Workers Conference 2023.

PCS

Composite 2 Using the Disability Employment Charter to make the National Disability Strategy deliver for disabled workers

Committee attitude – Oppose.

The Committee opposes the composite motion due to its support of the Disability Employment Charter, which the Committee has concerns about due to its inclusion of quotas, and the instruction to use the Charter as a tool to campaign for a government disability strategy that delivers for disabled workers.

The committee agrees that the government disability strategy falls far short of what is needed to meaningfully enhance the life chances of disabled people and agree that we need to demand changes to the strategy (the Committee will provide a statement on the strategy during conference). However, the Committee is not in support of the Disability Employment Charter. This is because of the Charter's inclusion of Disability Confident and the requirement of employers to meet minimum thresholds regarding the percentage of disabled people in their workforce. The Charter also states that the government should take into account the percentage of disabled people in the workforce during procurement processes including requiring government contractors to work towards a minimum threshold regarding the percentage of disabled people in their workforce.

The Committee opposes this use of quotas which historically have not addressed the discrimination and barriers experienced by disabled people in accessing and progressing at work. Quotas incentivise employers to have token positions for disabled workers without

addressing the systemic problems which drive the disability employment and pay gaps.

Conference notes the long-awaited July 2021 government disability strategy and is extremely concerned about its abject failure to engage in meaningful dialogue with Disabled people and Disabled People's Organisations.

Conference believes the strategy lacks ambition, urgency and weight. The 'strategy' does nothing to change society in a way that will meaningfully enhance the life chances of disabled people and will do very little to advance the interests of disabled people. Many proposals are voluntary, a rehash of previous announcements, or lacking sanctions. There are:

- iv. No concrete proposals to improve the enforcement of reasonable adjustments in the workplace
- v. No plans for mandatory disability pay gap monitoring, just continued promotion of the Voluntary Reporting Framework
- vi. No clear proposals to ensure Disability Confident employers must employ disabled people.

Conference notes that:

- Post-16 education is barely mentioned in the 121 page document.
- the strategy does not provide any clear direction on inclusive education, for disabled students to access mainstream education
- the strategy does nothing to redress the constant erosion of support for post 16 disabled students.

Conference welcomes the Disability Employment Charter, launched in October and backed by a number of trade unions, developed as a

response to the inadequacies of the disability strategy. The charter includes:

- a) mandatory pay gap monitoring,
- b) two-week deadline for reasonable adjustment request responses
- c) time off for trade union equality reps

Conference notes UNISON has made 2022 the year of disabled workers. Initiatives like this can help to raise awareness of the inadequacies of the strategy and the solutions in the charter.

Conference calls on the TUC and TUC Disabled Workers Committee to:

1. demand a change to the National Disability Strategy
2. Use the Disability Employment Charter as a tool to campaign for a government disability strategy that delivers for disabled workers
3. Support UNISON's plans to use 2022 the year of disabled workers to publicise the charter.

Mover: UNISON

Seconder: UCU

12 Disabled workers active involvement in fighting discrimination

Equity's Deaf and Disabled Members Committee (DDMC) read with concern the data released by the TUC in June 2021 identifying that at least 1 in 3 disabled workers faced discriminatory and unfair treatment over the period of the lockdown, and that 1 in 8 had not disclosed detail of their disability. We acknowledge that, whilst the discrimination and social exclusion faced by disabled workers can diminish their confidence in speaking up to address the workplace

issues they face, we must collectively do more to build this confidence.

As a result, Equity's DDMC calls upon the TUC disabled workers committee to:

- i. Embark on a national campaign which seeks to (a) encourage more disabled workers to join a trade union and (b) encourages activism on the part of trade union members.
- ii. Ensure this campaign includes resources and materials that can be adopted and utilised by all affiliates – and including those unions that organise across self-employed and gig economy workers.
- iii. Ensure that all affiliates support the TUC's call in June 2021 for additional funding for the EHRC to enforce the adoption of reasonable adjustments.

Equity

13 Remove Unfair Fitness to Work Regulations

Conference believes that Disability should not automatically call into question a person's fitness to teach. The current regulations create a hostile environment for Disabled school staff and trainees and are at odds with the Government's purported aim of creating a diverse and inclusive education workforce.

Conference knows that would-be applicants for education work and training are often deterred by the intrusive and disproportionate number of questions in pre-employment health questionnaires. These questions encourage training providers and employers to view manageable and often common-place health conditions as incompatible with work. This is perpetuating employment gaps.

Conference is concerned at the proportion of disabled staff who are "managed out" of their jobs after a diagnosis, rather than retained

with relevant adjustments. Conference calls upon the TUC to campaign for:

- i. The removal of screening for health conditions for school staff as we believe that it serves no useful function in relation to predicting future conduct or competence or most importantly, assessing future risk.
- ii. A government commitment to an inclusive education workforce, which includes Disabled workers.
- iii. Teacher training which is accessible and positively promotes the recruitment of Disabled people.

NEU

Composite 03 Disability and Invisible Impairment Awareness in the workplace

This conference notes the awareness and publicity there has been around invisible conditions in recent months. This is greatly needed and long overdue but there is much more that needs to be done.

14.1 million people are disabled in the UK under the Equality Act and 70% have a invisible impairments.

These non-visible disabilities, also known as invisible impairments, are not immediately obvious. They can be physical, mental or neurological when these significantly impact day-to-day life.

The pandemic has highlighted instances of people who are exempt from mask-wearing due to invisible conditions being harassed without justification.

Blue badge holders have long experienced this level of abuse if they have no visible disability.

We also see more and more instances of unsympathetic employers telling our members they “look fine” no matter what limiting conditions they may be coping with or what barriers they face at work.

Even though the Equality Act gives clear rights to disabled workers including those with invisible impairments there is still widespread ignorance of the law and proper reasonable adjustments are lacking.

Conference believes this narrative needs to change.

The Invisible impairments Sunflower Scheme aims to raise awareness of invisible impairments. Members have a sunflower card to discreetly show they have a not visible disability. Whilst business can sign up to show they are proactive in recognising and assisting staff and customers/patients with invisible impairments whilst also providing training so workplace accommodations can be made based on their specific disability.

We therefore call on the TUC to continue to raise awareness of invisible impairments including looking at supporting the sunflower scheme. Plus continue to actively encourage union reps to raise awareness of invisible impairments in the workplace so businesses will support all their employees appropriately.

Conference resolves that the TUC develop existing TUC materials including the Wales TUC Cymru toolkit and training to roll out to workplace reps on what invisible conditions are.

Conference recognises the work that has been done on the Reasonable Adjustment Passport and the GMB neurodiversity policy. These excellent tools should be utilised in conjunction with the training programme.

Mover: GMB

Secunder: Royal College of Podiatry

16 Reforming Access to Work (as amended)

Conference believes that the support available through Access to Work is essential for some young disabled musicians to enter the music profession and where disability may occur mid-career, enable others to continue working in the profession.

While many disabled people have benefited from the scheme it is out of step with the current employment market.

Disabled people can only apply for Access to Work once they have secured a job not to help them look for work. This puts disabled job seekers at a huge disadvantage.

There is an inconsistent application process and for successful candidates there are long waiting periods to secure funding and often, the solutions offered are too generic to meet the needs of musicians, cultural workers and the self-employed.

Self-employed workers face additional barriers securing Access to Work due to the variability of their work and income. Members have reported difficulties securing support for administrative work that is essential to running a business. They must also prove a minimum turnover which disadvantages those who are new, working part-time or resuming work after time out.

When it works, Access to Work can enable disabled people to thrive. In its current form it is just another barrier to employment.

Conference calls on the TUC to lobby government to:

- i. Make Access to Work available to disabled job seekers
- ii. Streamline the application process to tackle waiting times
- iii. Remove the annual cap

- iv. Be more flexible and responsive in the support offered.

Mover: The Musicians' Union

Seconder: NUJ

17 Food Insecurity and Mental Health

Conference is appalled that an estimated 8.4 million people in the UK are affected by food insecurity, and in particular that adults with mental ill-health are disproportionately affected.

People living with mental ill-health face a significant income gap compared to those without mental ill-health (as high as £8,400 per year). Conference is further concerned that food insecurity has also been exacerbated by the COVID-19 epidemic.

There are very few studies reporting food insecurity in adults with mental ill-health which has led to the issue being under-managed and under-supported in mental health clinical practice and across the wider health and social care system.

Conference believes that all health and social care workers should be properly trained to assess food insecurity as part of their routine assessment of a person with mental ill-health through a person-centred approach.

Conference therefore calls upon the TUC to:

- i. Continue to campaign for adequate funding for mental health services

- ii. Raise awareness of the impact of food insecurity for people with mental ill-health including addressing the income gap and access to specialist services.

BDA

18 Accessible parking bays in private car parks

Conference is concerned that there is no obligation for private car parks to provide accessible parking bays; this is inclusive of any workplaces which have parking for employees.

Whilst conference acknowledges that disabled workers who park at their workplace are able to request an accessible parking bay via a reasonable adjustment request, this does however, leave the onus on the employee.

Currently, there is no obligation for private car parks to provide accessible parking bays unless they are providing a service. This can lead to gaps in the provisioning of accessible parking bays. This has an unfair impact on agile workers who require accessible parking spaces or workers that have a temporary disability.

This lack of accessible parking can be rectified if legislation was updated to require all private car parks to have at least one accessible car parking space and aim to meet the recommendations of DMUK, which states 2 spaces +3% of total car park for a car park of 1-50 spaces.

Conference calls on the TUC Disabled Workers Committee to:

- i. Lobby the government to update legislation on the use of private land for car parks to require that they have at least one accessible parking space.

ASLEF

19 Digital accreditation as a reasonable adjustment in sports journalism

Conference notes that many industries switched to digital and remote working during the pandemic, opening up new opportunities for disabled workers. With travel restricted, sports journalists were offered digital accreditation as a new way of reporting on major sports events. This provided equal access to athletes and players as 'on site' reporting, especially in venues with poor access.

Digital accreditation opens up opportunities for disabled sports journalists covering international sporting events. Barriers relating to health risks, PA support, and financial and energy costs of long distanced travel can be mitigated. It allows more disabled journalists to enter and progress in the industry while also managing their impairments.

Returning to only 'in person', 'on site' reporting puts at risk these gains in inclusion and diversity.

Conference notes that the Australian Open continues to offer full digital accreditation for 2022 but other events such as the Tokyo Olympics and Para Olympics limited reporters' remote access to incentivise journalists to travel.

Conference calls on the TUC to join lobbying and campaigning efforts to:

- i. promote hybrid styles of media accreditation for major sporting events.
- ii. improve access and secure reasonable adjustments within sports events and stadia.

NUJ

20 Accessibility under attack from public transport cuts

Conference believes that public transport plays a vital role in mitigating inequalities within society and in particular can play a vital role in helping disabled people enter and remain in employment and participate in social life.

Conference also notes that prior to the Covid-19 pandemic, a range of disabled people's campaign and advocacy groups had raised concerns with the government and train operating companies about the understaffing of stations and attempts to cut guards from trains, including Disabled People Against the Cuts, the Equality and Human Rights Commission and the government's own Disabled Persons Transport Advisory Committee.

Conference further notes that recent research commissioned by the government from the Steer consultancy has confirmed that disabled passengers want more staff on stations and on-board trains not less; notes with dismay that government and train operating companies plan to cut thousands of jobs from the railways; and believes that this will make Britain's railways less accessible and widen inequalities.

Conference therefore pledges to support all campaigns, including those involving industrial action, undertaken by affiliates to oppose these cuts.

RMT

21 HS2

That this conference notes with dismay the broken promises made by the Conservative government regarding the upgrading of the railways across the North and the cancellation of the Eastern branch of HS2 to Leeds. This failure of the so-called Northern Powerhouse will, as ever, disproportionately effect people with mobility issues. The quality of some of the rolling stock and other infrastructure in

the north of England is very poor, with some services relying on old trains that do not reflect the levels of comfort and quality expected in a modern economy and are certainly not adequately accessible to disabled passengers. Such services not only discriminate but are a national scandal in terms of their suitability for a modern inclusive economy. Further dithering and delay, on what are essential upgrades, serves to once again let down those who are most in need of public transport.

Conference therefore calls on the TUC to campaign in support of improvements to rail services across the North of England rail network, including improvements to high-speed connections to the other parts of the UK and Europe. Conference further calls for a campaign to improve accessibility to our stations, trains and passenger information.

TSSA

22 The Right to Reasonable Adjustments

A Disabled person in the UK is significantly more likely to be employed part-time, in a lower-skilled occupation or self-employed.

The government have grand plans to close the disability employment gap by 2027, ensuring that one million more Disabled people are working.

If the government intend to close the gap, it must act with urgency to ensure employers give the 20% of their staff who are Disabled, a fair and just outcome when applying for reasonable adjustments.

When a reasonable adjustment request is approved, employers must ensure that any adjustment is made in a timely manner. Too often, Disabled workers are left for months without the right adaptations,

causing avoidable, unnecessary stress and in the worst cases, being unable to work and without an income.

Conference calls on the government to:

- i. Ensure Disabled workers have fair access to request reasonable adjustments and are not discriminated against for doing so
- ii. Ensure employers understand their legal duty to enact reasonable adjustments for Disabled workers

Where a disabled worker requires an adjustment, this indicates that the workplace falls short of full accessibility. We reject excuses from employers that they will provide, say, dyslexia-friendly print layout or step-free access 'as required'; we demand that these are provided as standard.

Conference calls on TUC and its affiliates to

- a) Continue to campaign for better reasonable adjustments for Disabled workers as a workplace issue
- b) To campaign for accessibility as standard

Mover: CSP

Seconder: RMT

Constitution

1 Title and purpose of the conference

The title of the Conference is the TUC Disabled Workers' Conference, and its purposes are to encourage disabled people to play a full and active role in the trade union movement. The conference seeks to allow both debate on motions and wider capacity building work and workshop-based engagement for delegates.

2 Date of conference

The Conference shall meet annually for two consecutive days. In general, there will be two sessions focused on motions-based business and two focused on more interactive sessions.

3 Basis of representation

All affiliated unions are entitled to be represented by a minimum of two delegates, provided always that they have paid the fee prescribed in Rule 3 of the Rules and Standing Orders of the Trades Union Congress. For affiliates with 10,000 or more members, the following entitlements also apply:

- i. Affiliated organisations with between 10,000 and 20,000 members shall be entitled to be represented by a total of 5 delegates.
- ii. Affiliated organisations with between 20,001 and 50,000 members shall be entitled to be represented by a total of 10 delegates.
- iii. Affiliated organisations with between 50,001 and 100,000 members shall be entitled to be represented by a total of 15 delegates.

- iv. Affiliated organisations with between 100,001 and 500,000 members shall be entitled to be represented by a total of 20 delegates.
- v. Affiliated organisations with between 500,001 and 1,000,000 members shall be entitled to be represented by a total of 25 delegates.
- vi. Affiliated organisations with over 1,000,001 members shall be entitled to be represented by a total of 30 delegates.

It is the TUC's strong expectation that conference delegates put forward by unions should as far as possible be disabled. There is also an expectation that union delegations reflect the full diversity of their wider union membership (ensuring, for example, appropriate representation of black workers, women workers, LGBT+ workers and young workers).

4 Elections

i) General Council representation

General Council members of the Disabled Workers' Committee shall be appointed by the General Council of the TUC.

ii) Elected members

There shall be eighteen elected members of the Disabled Workers Committee. Each affiliated union is entitled to nominate one candidate for each Section. One nomination shall be for Section A (fourteen places) one for Section B (one place for Black members), one for Section C (one place for LGBT+ members), one place for Section D (one place for women members) and one for Section E (one place for young members). Each affiliated union is entitled to nominate one candidate for each Section. Affiliated unions with over 1.5 million members have the right to make two nominations for election to Section A, one of whom must be a woman.

Candidates shall be given the opportunity to submit a nomination statement of no more than 150 words that will appear in the nomination document that will be circulated to delegates. The statement should contain biographical details and relevant details of work carried out in the trade union movement but should not be in any way an election address.

No candidate shall be eligible for election unless they are a delegate to Conference from their union. If a nominee is unable to attend the Conference, the nomination will only stand if the reason for non-attendance is acceptable to the Committee.

Voting shall be by ballot. Each trade union delegate attending the Conference has fourteen votes for Section A and not more than one votes for Sections B, C, D and E with not more than one vote being given to any one nominee.

Any elected member of the Committee who during the year ceases to be the official representative of their nominating union will cease to be a member of the Committee.

Should a vacancy occur during the year among the elected seats, the runner-up in the election at the previous conference will be invited to fill it. If there is no runner up, or the runner up does not wish to take the seat, the Committee may decide to invite co-options to the Committee. Co-opted members do not have voting rights on the Committee.

If the Committee decide to appoint co-optees, this must be done in accordance with the existing process for electing members, in line with the rest of the processes set out in rule ii.

iii) Conference Arrangements Committee

The Disabled Workers' Committee will act as the Conference Arrangements Committee.

5 Motions

- i. Motions for the Conference agenda must be signed by the General Secretary of the union sending them and must reach the General Secretary of the TUC at least ten weeks before the date fixed for the Conference. Electronic signatures are acceptable.
- ii. Each affiliated union is allowed one motion of not more than 200 words. Each motion should deal with one subject only, relate to issues of disabled worker and specifically mention disabled workers. The Disabled Workers' Committee, acting in their capacity as the Conference Arrangements Committee, shall consider whether motions are competent for inclusion in the agenda. The decision of the Committee shall be final.
- iii. The motions included in the preliminary agenda will be sent to each union as soon as possible after the closing date for their submission. The order in which subjects will be discussed is decided by the Disabled Workers' Committee acting as the Conference Arrangements Committee.
- iv. Each affiliated union is allowed one amendment of not more than 60 words. All amendments to the motions submitted by affiliated unions must reach the general secretary of the TUC by a date to be decided by the Disabled Workers' Committee. Amendments must be signed by the general secretaries of the organisations submitting them. Electronic signatures are acceptable.
- v. Affiliated unions that have had an amendment submitted to their motion will be asked if their union accepts the amendment(s). Affiliated Unions decisions on acceptance or rejection of amendment(s) must be signed by the General Secretary. Electronic signatures are acceptable.
- vi. In making arrangements for the conference, the Disabled Workers' Committee shall have authority to take any steps they consider necessary to co-operate with the unions submitting motions and amendments, in order that composite motions may be obtained wherever practicable. Additionally, where affiliated unions have accepted amendments, the motions and

amendment(s) will appear on the final agenda as composites. Failure to comply with the Disabled Workers' Committee's arrangements may involve a union's motion being deleted from the Final Agenda.

- vii. Notwithstanding the above provisions, the Disabled Workers' Committee may submit statements on issues that are on the agenda or emergency issues that are relevant to the conference that have arisen after the closing date for motions. Additionally, any affiliated union shall, subject to the approval of the Disabled Workers' Committee, be permitted to submit an emergency motion for consideration of the delegates to the conference. No such permission shall, however, be granted unless:
- such an emergency motion is received from the Secretary of the affiliated organisation by the General Secretary of the TUC not later than the morning of the day two days prior to the opening of the conference
 - and at least two-thirds of the delegates to the particular conference agree to its inclusion in the agenda of that conference.
- viii. Delegates will select, by secret ballot, one resolution of the Conference to go forward onto the agenda of the succeeding TUC Congress.

Standing orders

1 Hours of conference

The Conference assembles no earlier than 10.00 on the opening day and closes at 18.00, opening at 09.30 and closing at 17.30 on the final day with a break. Lunch breaks will be no less than 75 minutes. Lunch times on both days shall be from 12.45 and 14.15 each day.

2 Conference chairs

The chairs of the Disabled Workers' Conference will be selected by the Disabled Workers' Committee.

3 Business of the conference

Included in the business of the annual conference shall be the consideration of the annual Report of the Disabled Workers' Committee and of motions and amendments. The Report and the Agenda for the conference will be sent to delegates not later than two weeks before the Conference.

The Disabled Workers' Committee as the Standing Orders Committee for conference will prepare an order of business that indicates the Committees attitude to each motion as follows:

- Support: In order to allow more time for delegates the Committee usually (but not always) waive their right to speak in a debate on a motion or amendment they support.
- Support with Reservations: If necessary, a Committee member will explain to Conference any reservations they may have on a motion or amendment they otherwise support. The union concerned is notified in advance of the Committee's reservations.
- Support with Comment: If necessary, a Committee member will explain to conference any procedural issues they may have on a motion.
- Remit/Oppose: The Committee may ask remission of a motion before Conference. If the union will not agree to remit the motion a Committee member will speak in opposition to it. The union remitting the motion is allowed to speak to their motion but there is no debate or vote.
- Seek withdrawal: The committee may seek withdrawal of a motion form the submitting union. If the motion is not withdrawn, the motion will be opposed by the Committee. The

union will not speak to the motion if the request to withdraw is accepted.

- Oppose: A Committee member will speak on any motion or amendment opposed by the Committee
- Leave to conference: The Committee do not take an attitude and conference votes on the motion.

4 Appointment of scrutineers and tellers

Four ballot scrutineers and four tellers will be appointed by delegates at the start of the conference.

5 TUC regional and trades council observers

TUC Regions and Trades Council can send one Observer to conference respectively. The TUC Regional or Trades Council observer may speak on motions at the discretion of the Chair. In limited circumstances, and at the TUC Regional and Trades Council discretion, a visitor without speaking rights, can attend conference with the designated Observer as a reasonable adjustment.

6 Limitation of speakers

Five minutes are allowed for the mover of a motion and three minutes for each subsequent speaker. Speeches on behalf of the Disabled Workers' Committee will be limited to five minutes unless otherwise agreed by the Conference, with the exception of the chair's address which shall be no longer than 15 minutes. Other guest speakers will not exceed the length of the chair's address.

Additional time can be given as a reasonable adjustment at the chair's discretion. The Chair's ruling shall be final.

A delegate shall not speak more than once on any question unless permission to do so, on a point of order or explanation, is given by the chair.

The mover may be allowed three minutes to reply to discussion on the motion concerned but no new matter may be introduced into such reply.

Movers of amendments do not have the right of reply. Delegates shall vote on the motion immediately the mover has replied.

7 Closure

Delegates may request that a debate is closed by moving any one of the following procedural motions.

- That the previous question be put: This motion can be moved during an amendment debate. All debate on the amendment will cease and the original motion will be put to the vote. The amendment will be abandoned.
- Move next business: All debate on the current business will cease and that item of business will be abandoned.
- Closure of the debate: All debate on the current business will cease but a vote will be taken. Should the closure be carried, the mover of the original motion shall have the right to reply in accordance with Standing Order 6.

Procedural motions in this instance must be seconded and can only be moved by delegates who have not previously spoken during the debate. There shall be no speeches on such motions.

8 Voting

The method of voting at the Conference on all matters except the election of representatives to serve on the Disabled Workers' Committee, and the selection of one resolution to go forward onto the agenda of congress, shall be by voice or show of hands.

9 Conference reception

The TUC General Council shall support a delegate reception at the close of the first day of the conference.

10 Suspension of standing orders

Standing Orders may be suspended only if agreed by at least two-thirds of delegates to the Annual Conference who are present and voting.

11 Chair's ruling

The Chair's ruling shall be final.