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Department of Higher Education

Equal Opportunity Policy for Persons with Disabilities (under the Rights of Persons with Disabilities Act, 2016 Central Act No. 49 of 2016)

1 Preamble and Overview.

Whereas the Parliament has enacted the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) to give effect to United Nations Convention on the Rights of Persons with Disabilities, and for matters connected therewith or incidental thereto:

Whereas in terms of section 21 of the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) every establishment is mandated to notify equal opportunity policy detailing measures proposed to be taken by it in pursuance of the provisions of Chapter IV of the said Act in the manner as prescribed by the Central Government.

Whereas the Central Government has provided for manner of publication of equal opportunity policy in rule 8 of the Rights of Persons with Disabilities Rules, 2017.

Now, therefore, pursuant to mandate of section 21 of the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) read with rule 8 thereof, Department of Higher Education, Haryana hereby notifies equal opportunity policy for persons with disabilities as follows:-

1.1 This Equal Opportunity Policy is framed in compliance with of the provisions of the Rights of People with Disabilities Act, 2016 (Central Act No. 49 of 2016) and the Department of Higher Education, Haryana commits to comply with the said Act not just in the letter but also in the spirit.

1.2 The Department of Higher Education, Haryana recognizes the value of a diverse workforce and is committed to provide equal opportunities to persons with disabilities in employment and creating an inclusive workplace and work culture in which all employees are treated with respect and dignity.

1.3 The Department of Higher Education, Haryana shall strive to ensure that its workforce is representative of all sections of the society and shall follow the Government of India guidelines issued from time to time pertaining to reservations to be implemented in letter and spirit. As such, the Department of Higher Education, Haryana shall be better equipped to develop and deliver services to its employees and be able to meet the needs of its employees.

2. Policy Statement

2.1 The Department of Higher Education, Haryana commits to eliminate all forms of unlawful discrimination which include direct discrimination, indirect discrimination and denial of reasonable accommodation, bullying and harassment of persons withdisabilities.

2.2 The Department of Higher Education, Haryana, continuously strives to ensure that all its facilities. information and privileges are accessible to persons with disabilities.

2.3 The Department of Higher Education. Haryana encourages candidates with different disabilities to apply for the vacancies notified from time to time. The Department of Higher Education, Haryana decisions on employment, career progression, training or any other benefits are solely based on merit keeping in consideration the guidelines issued by Government of Haryana from time to time. The Department of Higher Education, Haryana follows an inclusive evaluation process by ensuring that a person with disability is provided with suitable flexibility and accommodation that may be required. Any information shared by employee on disability/medical condition remains confidential.

2.4 If an employee acquires a disability during his/her employment tenure he/she may return to work at the same rank as before his/her disability. In case the employee is unable to perform the current job; the organization shall invest in re-skilling the employee for another position.

3. Scope

3.1 The Policy applies to all job applicants, full time/ part time employees, interns/trainees, contractual employees, including temporary employees and shall include employees who acquire disability during their work tenure recruitment, training, working conditions, allowances, transfers, employee benefits and career advancement.

4. Facilities and amenities

4.1 Physical Infrastructure

The Department of Higher Education, Haryana aims to ensure that the physical infrastructure (buildings, furniture, facilities and services in the building/campus and transportation) adheres to the accessibility standards per the relevant rules by the Government of Haryana. Any new facility that is built or renovated or leased or rented shall be evaluated for compliance with accessibility standards at

different stages of the building construction. Any employee facing accessibility issues shall report the matter to the Higher Education Department or write to the Grievance Redressal Officer or Liaison officer.

4.2 Digital Infrastructure

The Department of Higher Education, Haryana continuously endeavours to ensure that all its documents, communication and information technology systems adhere to the accessibility standards. The Department of Higher Education shall ensure that only accessible technologies are procured. Any employee facing accessibility challenges may reach out to the Information Technology Department or write to the Grievance Redressal Officer.

4.3 Reasonable Accommodation

The Department of Higher Education, Haryana shall make reasonable accommodations, whenever necessary, for qualified employees or job applicants who have disabilities, as per the Rights of Persons with Disabilities Act, Such accommodation shall be provided:

(1) to ensure equal opportunity during the selection process;

(2) to enable an employee with a disability to perform the essential functions of a job; and

(3) to enable an employee to enjoy the same benefits and privileges of employment as non-disabled employees.

5 List of positions identified

The Department of Social Justice and Empowerment, Haryana, maintains exhaustive list of jobs identified in Ministries, Departments, Public Sector Undertakings and the autonomous bodies. For identification of posts for people with disabilities, the Department of Higher Education, Haryana shall refer to such identified posts, as notified from time to time. The recruitments are based on merit and the candidates are evaluated based upon their skills and competence within the guidelines issued by Social Justice and Empowerment Department, Haryana.

6. Recruitments

(a.) The vacancies shall be computed **as per the instructions issued by the Haryana Government** time to time including vacancies arising in the **identified posts** in the cadre strength in eachgroup of posts, for this purpose, vacancy based roster shall be maintained as per instructions of Government of

Haryana issued from time to time.

(b.) The advertisements to fill the vacancies shall be issued to ensure maximum reach to all prospective applicants. Wherever possible, vacancies shall be notified to colleges, polytechnics anddisability organizations.

(c.) The number of vacancies reserved for each class of persons with benchmarked vacancies shall be indicated in the advertisement issued.

(d.) All vacancy advertisements shall include an appropriate short statement on equal opportunities for people with disabilities.

(e.) Selection criteria (job description and employee specification) shall be kept underconstant review to ensure that they are non-discriminatory and relate purely to the skills needed for the job and nothing else.

(f.) Application forms shall be made available in alternate formats, based on request.

(g.) At interview stage, each interviewer is mandated to record his/her comments, if any, on the candidate's capability in the Interview Evaluation Form. Reasons for rejection must be objective and not related to the person's disability.

7. **Other facilities**

a) Training and Career development

The Department of Higher Education, Haryana shall endeavour to provide course materials meant for training in accessible formats on request. The request for reasonable accommodation, such as assistive aids, accessible training venue, accessible materials, interpreter, scribe, etc. shall be placed at least one week prior to the scheduled date of commencement of training.

An employee if attending any seminar /workshop regarding training or career development shall inform the Liaison Officer regarding aids and immunities.

b) Special Casual Leave

For the purpose of Special Casual leave, the Haryana Civil Services (Leave) shall be followed.

c) Travel, stay and transport

The Haryana Civil Services (Travelling Allowance) Rules, 2016 shall be followed.

d) Employee Engagement and social inclusion

The Department of Higher Education, Haryana shall endeavour to make all departmental events and meetings inclusive by ensuring that these are conducted at accessible venues with a provision of reasonable accommodation being available to employees with disabilities.

8. Governance Framework

The Head of Department is responsible for ensuring that the establishment operates in compliance with the Rights of Persons with Disabilities Act, 2016(Central Act 49 of 2016) and fulfills the terms of this Policy. The Liaison Officer shall take a lead in implementing the programme and shall be responsible for planning, monitoring and reviewing the programme's progress to ensure compliance with the Policy.

9. Liaison Officer

The Department of Higher Education, Haryana shall appoint a Liaison Officer who shall be responsible for taking initiative and providing the requisite support needed to realise the goals of an inclusive and accessible workplace and reasonable accommodation. The Liaison Officer shall be responsible for:

(i) overseeing the action plan for making the workplace accessible and to prevent discrimination and harassment free for persons with disabilities by liaising with the various departments in the organisation.

(ii) Ensuring that all employees are aware of the Equal Opportunity Policy and know their duties and rights in relation to the Equal Employment Opportunity policy.

(iii) Helping in developing proactive strategies to prevent discrimination and harassment.

The Grievance Redressal Officer shall help the Liaison Officer in preparing and finalizing quarterly progress report who shall then present the progress report to the Head of Department.

All employees have the responsibility to comply with the Equal Opportunity Policy. The Head of the Department shall monitor the work environment to ensure that it is free from discrimination and harassment and encourages inclusion and respect for others.

All employees are encouraged to report any incidents of violation of this policy to the Head ofDepartment/Liaison Officer.

10. Maintenance of Records

The Department of Higher Education, Haryana shall collect and maintain data regarding employees with disabilities in relation to their employment, facilities provided and other necessary information as per the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016). All employees shall have to fill the Voluntary Disability Self Identification Form in order to give information regarding their disability. An employee may edit the information at any time during his/her tenure. There shall be no penalties imposed because he/she did not share information regarding his/her disability earlier.

The information that an employee shares about his/her disability shall be kept confidential. It shall be maintained in a separate file and not in his/her personal file.

Exceptions to the confidentiality clause:

1) Department Heads may be given information about an employee's disability forallowing/providing any accommodations.

2) Security personnel may be given information about an employee's disability so as tofacilitate obtaining any necessary support during an emergency.

3) Government officials who are investigating the compliance with the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) may be given information about an employee's disability.

11. Grievance Redressal

The Department of Higher Education, Haryana shall designate one officer as Grievance Redressal Officer for looking into complaints of persons with disability. Employees with disability have the right to file a complaint/raise a grievance concerning any discrimination. Any Policy violation i.e. when any person with disability is discriminated against or not provided reasonable accommodation or denied access to any employee facility shall be regarded as a grievance.

The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-

- Date of complaint;
- Name of complaint;

- Name of the person who is enquiring the complaint;
- Place of incident
- The name of the establishment or person against whom the complaint is made;
- Gist of the complaint;
- Documentary evidence if any;
- Date of disposal by the Grievance Redressal Officer
- Details of the disposal of the appeal by District Level Committee, any otherinformation.

Any employee against whom the complaint has been made is found guilty of discriminatory behaviour, he/she shall be subjected to disciplinary actions and penalties as provided under the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) (Chapter XVI) section 89-91.

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