



Equality Statement

28 September 2009

Note: If you require this document in an alternative format please contact Sandra Rafferty at 01-8045447



1. OUR COMMITMENT

- 1.1 The Competition Authority will strive to achieve real equality of opportunity by continuously monitoring its employment practices to ensure that they do not perpetuate any inequalities. It is committed to personal and collective freedom, to tackling inequality wherever it exists and to eradicating the unacceptable treatment of any person when this happens.
- 1.2 While the Authority recognises that people are different, employment practices must ensure that these differences do not lead to unlawful discrimination in the workplace. Hence, the purpose of this policy is to provide equality to all current, future and potential staff, irrespective of their gender, race, family status, disability, age, membership of the traveller community, sexual orientation, religion or belief, or marital status. All employees, whether part time, full time or temporary, will be treated fairly and equally.
- 1.3 Equality is about treating people fairly and with respect, giving regard to others' rights and wishes. Equality of opportunity means that all persons are valued as individuals and no-one receives less favourable treatment than someone else. It does not always mean that everybody must be treated in exactly the same way as treating everyone in the same way may lead to the continuing exclusion of individuals or groups. It may therefore occur where special steps are implemented to encourage those who may have been unfairly excluded to come forward for recruitment, placement or promotion.
- 1.4 For example, a number of actions may be taken by the Authority to encourage people with a disability to apply for positions in the Authority or to facilitate existing staff who have/or develop a disability.
- 1.5 This statement provides a commitment to current, future or potential employees that they will not receive less favourable treatment in relation to each of the following;

Accessibility

Access to Authority Facilities and Services

- 1.6 The Authority will ensure that information services will be made accessible (where relevant) and that goods and services that we procure are also accessible (where appropriate).
- 1.7 In compliance with Section 26 of The Disability Act 2005 (Code of Practice) the Authority has in place an Access Officer (see Complaints/Enquiries Section for contact details) to ensure that members of the public have access to our services. The role of the Access Officer is to co-ordinate the provision of assistance and guidance to persons with disabilities in accessing Authority services.
- 1.8 All places of work will be designed and maintained in a condition that is, so far as is reasonably practicable, safe and without risk to health, with safe means of access and egress. For employees with disabilities, the Authority will arrange appropriate consultation in order to establish specific needs and have in place a clearly articulated well practised

plan to evacuate people with disabilities from buildings in case of emergency.

Access to employment

- 1.9 It is the Authority's objective to target the widest possible pool of potential applicants and to ensure that all candidates have equal access to positions. In general, recruitment methods, documentation and all associated publicity material will contain nothing of a discriminatory nature and will encourage applications from all potential candidates. In this regard, the Authority is committed to Government policy on the employment of people with disabilities in the Public Service to a minimum of 3% of total staff. The Authority will play its full part in ensuring that this objective is achieved and maintained.
- 1.10 The Authority will accommodate, as far as possible, the special needs of individuals to facilitate their participation in the recruitment and selection process and employment. In particular, candidates who are invited for interview will be asked whether they have any particular needs for which the Authority can make prior provision. The Authority will endeavour to ensure that, where possible any special arrangements which may be needed are made available e.g. ensuring that the place of interview is accessible; make provision for an interpreter for someone with a hearing impairment or speech difficulty.
- 1.11 All aspects of the recruitment and selection process (job description and person specification; advertising; application forms/short-listing; interviewing; pre-employment medical assessment) will be based solely on the principle of assessing the skills, qualities and attributes of applicants against those which have been determined to be required for effective performance of the job.

Advertisements

- 1.12 All employment advertisements will reflect the Authority's commitment to equality. In the wording, design and placing of advertisements, the Authority will seek to avoid giving the impression that it would favour or discriminate against any applicants.
- 1.13 Advertisements will not specify, as essential, qualifications and experience that are not genuinely required for the job. However, advertisements may mention qualities, qualifications and experience that are seen as desirable.
- 1.14 Consistent with the policy of providing equal access to all jobs, advertisements will be circulated widely. This does not preclude local advertising of positions where appropriate.

Recruitment Processes

The Authority provides the following commitments regarding recruitment processes;

Qualification and Requirements

- 1.15 To ensure that indirect discrimination does not occur, qualification requirements, e.g. experience, aptitude and potential will be in line with what is necessary to fill the position. Selection will be based on

merit and those who are successful shall demonstrate their suitability for appointment according to predetermined job-related selection criteria which will be consistently applied throughout the recruitment process.

Applications for Posts

- 1.16 Application forms will only require necessary and relevant information. Applications will be accepted in formats such as large print, Braille and audio, if necessary.

Interview Boards

- 1.17 All those involved in the procedures for the appointment of staff will be made fully aware of their obligations in line with this commitment.
- 1.18 All questions asked at interview will be directed solely towards assessing the suitability of candidates for the respective positions and similar, relevant questions will be asked of all candidates and evaluated in the same way. However, this will not restrict interviewers developing their questioning depending on the relative qualifications/experience of candidates.
- 1.19 The Authority will ensure that, in so far as is possible, interview boards will be gender inclusive.

Career Development

- 1.20 Conditions governing access to career development will not discriminate, directly or indirectly, on any of the nine grounds outlined in paragraph 1.2. In this regard all staff will be encouraged to prepare, plan and consider themselves for career development. All employees will be afforded the same opportunities to acquire the range of skills and experience necessary for future career development and enhancement.
- 1.21 All reasonable measures will be taken to ensure people with a disability are not inhibited from availing of such opportunities for reasons of physical or sensory access to training centres, conference rooms, format of training materials etc. Also all training plans will be "disability proofed" to ensure equality of opportunity for employees with disabilities.
- 1.22 All staff will be notified about job opportunities and encouraged to compete.
- 1.23 Applicants for promotion will be assessed objectively on their merits in the light of the essential requirements of the particular post. The criteria and qualities on which suitability for promotion will be assessed will be made known to candidates in advance.

Conditions of employment

- 1.24 The Authority complies fully with the Employment Equality Acts in relation to pay, remuneration and terms and conditions of employment. All employees are offered the same terms and conditions of employment as equivalent staff in the same grade/post.

- 1.25 The Authority is also committed to encouraging employee-friendly initiatives. To this end and subject to its overall business needs the Authority will endeavour to facilitate staff in successfully integrating their domestic life with their working life e.g. worksharing, career breaks, paternity leave, parental leave, special leave, flexible working arrangements etc.
- 1.26 The induction process will be used as an opportunity to discuss with new employees any special needs that they may have arising from one of the nine grounds outlined in paragraph 1.2 and, where practicable, measures will be taken to accommodate such needs.
- 1.27 However, integration goes beyond induction and therefore, in recognition of the fact that people with disabilities may encounter additional difficulties in adjusting to a new workplace, particular attention will be given to placing staff with disabilities, monitoring their performance in the initial stages of employment and altering the working environment where feasible. Disability awareness training may, in consultation with the individual employee, be provided for staff in areas where an employee with a disability is being assigned.
- 1.28 Losing the services of an employee who becomes disabled deprives an organisation of a considerable asset and investment in terms of their skills, experience, training and the loyalty and commitment they have shown. Any employee who becomes disabled will be given the fullest support to maintain or return to a role appropriate to their experience and abilities.
- 1.29 The Authority's formal procedures will be applied in a non-discriminatory way and all performance assessments throughout the career of the employee will be conducted in an objective manner, bearing in mind the principles of equality of opportunity.
- 1.30 Decisions on placement and mobility will be taken fairly and objectively in the light of the requirements of the job, the individual's training and development needs, and the general needs of the Authority.

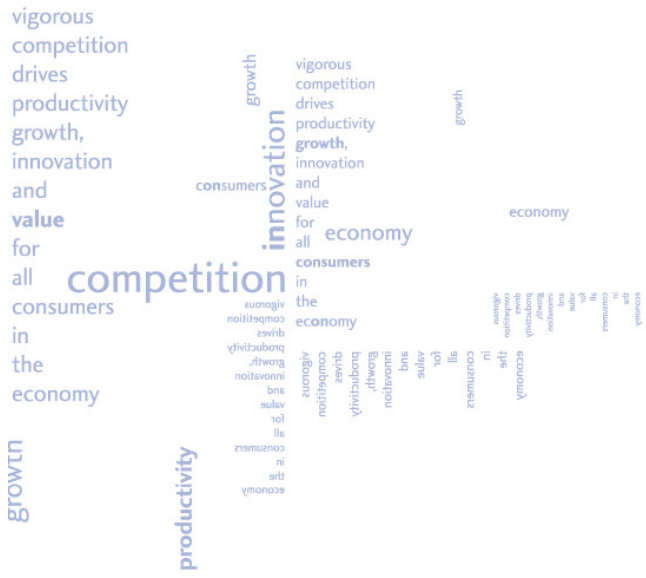
2. COMPLAINTS / ENQUIRIES

- 2.1 All enquiries and questions on disability should be addressed to the Authority's Access Officer, Ms. Laraine Cooper, who can be contacted by phone on 01-8045413 or by email at lc@tca.ie.
- 2.2 Employees may avail of confidential support from HR Personnel [Sandra Rafferty (ph: 01-8045447, email: sr@tca.ie) or Ciarán Quigley (contact details below)] or via the Authority's Employee Assistance Service.
- 2.3 Any employee who feels that s/he has been unfairly treated should bring the matter to the attention of the Authority under its Grievance Procedures (available on Authority's intranet).
- 2.4 A potential employee who feels that s/he has been unfairly treated should outline their grievance in writing, where possible, to the Secretary to the Authority, Mr. Ciarán Quigley at;
- Competition Authority
Parnell House
14 Parnell Square
Dublin 1
- Direct Line:** 01-8045408
- Fax:** 01/8045401
- Email:** cq@tca.ie
- 2.5 The Authority assures its employees and potential employees that any concerns or reports made will be without fear of reprisal.
- 2.6 An employee found to be engaging in any form of discrimination will be subject to disciplinary action up to and including dismissal in accordance with the Authority's Disciplinary Code.
- 2.7 However, if, after investigating a complaint, management has reason to believe that the complaint was made for improper motives or maliciously, appropriate disciplinary action may be taken against the complainant.

3. STATUTORY RIGHTS

- 3.1 If a complainant is unhappy subsequent to the complaints procedure, they have a right of redress under the Employment Equality Acts 1998 – 2007.
- 3.2 Where a person wishes to pursue externally a case under the Employment Equality Acts (other than those involving dismissal and gender discrimination) it must be referred in the first instance to the Director of Equality Investigations within 6 months of the date of the occurrence. In extreme cases the Director, the Labour Court or the Circuit Court, as the case may be, may extend this period up to 12 months.
- 3.3 A dismissal case may be referred in the first instance to the Labour Court for a determination. There is a right of appeal to the Circuit Court within 42 days of the Labour Court's determination.
- 3.4 As an alternative to the redress procedures set out above, a person who considers that s/he has been discriminated against on the gender ground may apply direct to the Circuit Court for redress. There will be a right to appeal to the High Court in accordance with the Rules of the Court.

Note: The above information summarises the redress mechanisms open to persons with an equality grievance but does not purport to be a legal interpretation of the Acts.



The Competition Authority, Parnell House, 14, Parnell Square, Dublin 1, Ireland
 Tel: +353 (0)1 8045400 LoCall 1890 220224 e-mail: info@tca.ie

www.tca.ie