

## September Members' Corner Epilepsy and Work

**John Bostock**  
**Epilepsy Action.**



John reminded us that there are many people who have epilepsy in the working population, in fact there are approximately six hundred thousand people in the UK with epilepsy. Some people are unaware that they have epilepsy, for example, those who experience an 'absent seizure' which can last up to 30 seconds. There is no cure.

### Epilepsy and Equality:

John told us that there are 40 different types of epileptic seizures and reminded us that it is illegal under equality laws to deny a person a job because they are an epileptic. Equality legislation demands equal treatment for employees and a person with a disability cannot be dismissed unless there is a genuine reason for doing so. John mentioned that there are a few exceptions such as an HGV Driver. Epilepsy does come under the Equality Act.

Where a potential employee fails to reveal the fact that they are an epileptic, that person is failing in their responsibilities.

### "Reasonable adjustment"

These must be considered for those with a disability. One example is flexi-time and because tiredness can cause seizures, certain shift patterns may better suit certain epileptics. Some fits can occur only at night and there are no problems during the daytime. If "reasonable adjustments" are not in place, the employee has recourse to bodies such as the Law Centres, ACAS, the Equality and Human Rights Commission etc. for advice/support.

### Member's Questions:

There were a number of questions which prompted the following key point:

- In the case of **confined spaces**, the employee will be required to pass a medical examination prior to commencing this type of work. A Member reported that he has two employees who have become epileptics and are required to enter a confined space as part of their work. John advised that a review of the job risk assessment be carried out, and it may be that these employees lose their jobs. Re-deployment can be an option in certain situations.