



Republic of Kenya

DIRECTORATE OF OCCUPATIONAL SAFETY AND HEALTH SERVICES

DOSHS Vision: *A Healthy Worker in A Safe Work Environment*

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OCCUPATIONAL SAFETY AND HEALTH ADVISORY FOR EMPLOYEES WITH DISABILITIES ON COVID-19

1. Introduction

The Persons with Disabilities Act, 2003 defines a disability as “a physical, sensory, mental or other impairment, including any visual, hearing, learning or physical incapability, whether arising from natural or artificial causes, which is irreversible and long term and which impacts adversely on a person’s capacity to participate in social, economic, cultural or political activities.”

2. Purpose of Advisory

This advisory is in addition and supplementary to the advisory issued on 14 Mar 2020 by the Director of Occupational Safety and Health Services in the State Department of Labour, Ministry of Labour and Social Protection.

The purpose of this guidance is to make general recommendations on the inclusion and additional safety and health measures that employers and employees can take to minimize and reduce the spread of COVID-19 among employees with disabilities during this time, while protecting their rights to employment, as per the UN Convention for the Rights of People with Disabilities and the Persons with Disabilities Act, 2003 as well as ensuring that employees with disabilities are not discriminated against at this difficult time.

3. Supporting Employees with Disabilities on COVID-19

- 3.1. The Government of Kenya has advised that, unless an individual is working in a listed essential service, employees to stay at home during the Coronavirus pandemic. This means that employers need to explore practical ways of how they protect the safety and jobs of employees with disabilities, for example, through flexible working or home working. If teleworking is not possible, consider allowing people with disability at the highest risk of infection to take leave (including paid leave) until the risk of infection is reduced.
- 3.2. Any information on COVID-19 that by employers would like to share with all staff with disabilities should be in an accessible format to employees with disabilities. These includes:
 - i. Use of braille or screen readers; or use of digital formats/soft copies for ease of text to speech for workers with visual impairments.



Republic of Kenya

- ii. Use of sign language, sign language interpreters and captioning for workers who have hearing impairments.
 - iii. Use of easy read formats and pictorials and infographics for workers with intellectual and cognitive disabilities.
- 3.3. If an individual, including a person with a disability, has symptoms of Coronavirus, e.g. fever and a continuous cough, they should be advised to remain in their homes for at least seven (7) days, and call or SMS 719 to reach the Government of Kenya's toll-free helpline.
- 3.4. Where job roles permit, workers with disabilities should be encouraged to work from home and be provided with laptops, assistive technology and other equipment provided to support this. These may include, for example, modified chairs, monitors and other hardware or appropriate software. Hand sanitizers, soap and sufficient tissue papers should also be provided.
- 3.5. Alternatively, all jobs or tasks that can be undertaken safely by employees with disabilities should be so transferred, only on condition that appropriate risk assessments or job safety analysis is undertaken and suitable mitigation measures incorporated in the tasks.
- 3.6. All job roles or tasks that can be conducted online should be identified and employers are strongly encouraged to support employees with disabilities to enable them work at home effectively and to facilitate good communications with colleagues.
- 3.7. Regular communication between all workers including those with disabilities and their managers is encouraged. This will help alleviate perceptions of isolation and ameliorate the effects of lone work and promote good mental health and wellbeing.
- 3.8. Employers are encouraged to set systems in place to facilitate work collaboration and employee communication through online tools like Zoom, Microsoft 365, Cisco Webex and, cloud storage services like One Drive. All employees with disabilities who are able to, should be inducted in using these online tools.
- 3.9. If job roles cannot be fully changed to home working roles, employers should consider if there are any elements of an individual's role, or roles of colleagues which can be adapted to working at home scenario. Adapting job descriptions and the daily tasks of employees with disabilities could enable more people with disabilities to safely stay at home, reducing their risk of contracting COVID-19.
- 3.10. For employees with disabilities who are unable to work from home but would be required to be stay at home, online training courses could be offered to them to help them improve their skills, gain accreditation and make their homestay productive and less stressful.
- 3.11. Further to No. 3.10 above, the following measures shall be put in place to ensure such employees are fully protected from the virus:



Republic of Kenya

- i. In addition to handwashing and social distancing, workstations, phones, computers and equipment should be regularly sanitized, as should any assistive technology people with disabilities use, e.g. handles of wheelchairs, white canes, walking aids or screen readers.
 - ii. Provision of hand sanitizers, gloves and masks to be used at the workplace.
 - iii. For people working in retail or customer service professions, electronic rather than cash payments should be encouraged to limit personal contact.
 - iv. For people using public transport, they should be encouraged to travel outside off-peak times, to reduce the chances of infection. Work schedules should be revised accordingly.
 - v. Flexible working hours should be offered to workers to accommodate these travel requirements and dusk to dawn curfew being implemented by the Government.
 - vi. Employers are strongly encouraged to assign specific volunteers to be responsible for the safety and health of employees with disabilities during the full period of the pandemic.
- 3.12. Employees with disabilities may have a support worker to assist them, e.g. sighted guides, wheelchair aides or sign language interpreters, with their daily living needs or support whilst at work. Please keep in mind, that this support may be disrupted during this period of COVID-19, particularly if public transport networks are closed down. Flexible working hours should therefore be offered to workers with disabilities, to accommodate potential changes to their support arrangements.
- 3.13. Further, employers are strongly encouraged to assign specific focal person (volunteers) to be responsible for the safety and health of employees with disabilities during the full period of the pandemic. Such focal persons may include sighted guides, wheelchair aides or sign language interpreters and will be able to assist employees with disabilities with their daily living needs or support whilst at work to enhance their protection from COVID-19.
- 3.14. Employees with disabilities who have more than one disability or have any underlying health conditions e.g. chronic heart, kidney, liver, spleen or respiratory diseases; diabetes, cancer, organ transplants, weakened immune systems or pregnant must socially isolate and stay at home. All employees with disabilities aged over 58 must also stay at home.
- 3.15. Employers should constantly consult with employees with disabilities on their needs and measures to protect them from COVID-19 during this crisis period to ensure their concerns are taken into account while taking decisions that might affect them.

4. Responsibilities of Employees with Disabilities during the COVID-19 Crisis

- 4.1. Employees with Disabilities must keep safe and adhere to all prescribed safety and health precaution measures to avoid contracting COVID 19.
- 4.2. Employees with Disabilities must adhere to the guidelines and instructions given by the respective employers in the workplace, as well as strictly adhering to orders and guidelines issued by the Government of Kenya.



Republic of Kenya

- 4.3. Employees with Disabilities must protect the safety and health of other persons who may be affected by their acts or omissions at the workplace.
- 4.4. Employees with Disabilities must account for your time by filling all necessary documentation provided by their employers to cover for work from home.
- 4.5. Employees with Disabilities must inform the employers promptly and fully in the unfortunate incidence of occupational exposure to COVID 19 to protect and keep safe any volunteer support staff and other colleagues.

Additional Information:

If employers need additional support on how to most effectively support workers with disabilities, they can approach:

- i. the National Council for Persons with Disabilities
- ii. local health and social service providers or NGOs like Leonard Cheshire, United Disabled Persons of Kenya
- iii. The International Labour Organization
- iv. Directorate of Occupational Safety and Health Services (DOSHS).

Dr. Musa Nyandusi
Ag. Director,
Directorate of Occupational Safety and Health Services,
Safety House,
Commercial Street,
Nairobi
Email: doshdept@labour.go.ke; doshdept@yahoo.com,
Tel: 020-266-7722; 0791-571-344; 0775-833-675, 0775-833-676,

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