



# Reasonable accommodation of people with disabilities in the provision of goods and services



THE EQUALITY AUTHORITY  
AN tÚDARÁS COMHIONANNAIS

*Reasonable accommodation is a simple, easily achievable part of quality customer service and ordinary common courtesy.*

## Reasonable accommodation of people with disabilities in the provision of goods and services

If you provide goods or services the Equal Status Act 2000 applies to you.

### Discrimination

Providers of goods and services must not discriminate against people with any type of disabilities, including mobility, sensory, mental health and intellectual impairments.

### Reasonable accommodation

The Act requires providers of goods and services to accommodate the needs of people with disabilities through making reasonable changes in what they do and how they do it where, without these changes, it would be very difficult or impossible for people with disabilities to obtain those goods or services (unless it costs more than a nominal cost).

### Positive action

You are not confined to just taking reasonable steps. Positive action is allowed under the Equal Status Act. You can take whatever steps are necessary to ensure that people with disabilities can obtain your goods and services.

**The Equal Status Act 2000 prohibits discrimination in the provision of goods and services on the following nine grounds; gender, marital status, family status, sexual orientation, religion, age, disability, race, member of the Traveller community.**

**Nominal cost exemption: Service providers are not obliged to provide special facilities or treatment where the cost involved is greater than a nominal cost.**

## Obstacles faced by people with disabilities

The obstacles that make it difficult or impossible for people with disabilities to access goods and services can include;

**Communication:** for example, staff using inappropriate or disrespectful language, speaking too quickly or unclearly, providing information only in small print,

**Negative attitudes towards customers with disabilities:** for example, patronising attitudes and making assumptions about peoples' abilities or inabilities,

**Physical environment:** for example, lack of access to buildings, narrow doorways, steep staircases, cluttered layout, poor lighting and signage.

**The way services are provided:** for example, inflexible systems, poor briefing of staff, unnecessary and complicated procedures.

**Reasonable accommodation will help you overcome some of these obstacles. Positive action can eliminate them.**

Example: If customers have to queue to access your service, providing some seating in the area will assist customers with disabilities who are unable to stand for long periods – this will also benefit older people, pregnant women etc.

**Studies conducted in the US in 1986 and 1992 showed that more than half of accommodations made for people with disabilities cost nothing, with a further 15% costing less than \$500.**

## What does reasonable accommodation mean?

It means that goods and service providers must take reasonable steps to provide special treatment or facilities where it is very difficult or impossible for people with disabilities to access the goods and services being provided.

**Knowing what your disabled customers need will help you to provide reasonable accommodation. Ask them!**

Many kinds of reasonable accommodation cost very little or nothing at all, such as changing staff attitudes or means of communication.

Some of these things are common courtesy. Others are just part of what you are doing anyway. At other times you will need to do something differently or make changes in order to assist customers with disabilities to access your goods, services or facilities.

## Reasonable accommodation benefits everyone

If your organisation's values involve respect and thoughtfulness towards customers then you will be on your way to providing reasonable accommodation. It is part of any quality customer service.

**Nominal cost exemption:**  
The meaning of nominal cost will depend on the circumstances of each case. A recent Irish employment case considered "nominal cost". It stated that "nominal [cost] may not be the same for every employer or enterprise and

the term may be interpreted in a relative sense. What is nominal cost for a large enterprise employing thousands of people will not be the same as that of a small business with two or three employees".

**Example:** A theatre box office issues staff with cards showing the name of the shows, types of tickets and the price of tickets. It trains staff so that customers with communication difficulties can point to or ask for the options on the card that they want.

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## Changes you make to accommodate people with disabilities will:

- make your service accessible to a wider market,
- make your premises easy to get around,
- prime staff to respond to the needs of all customers,
- make all customers feel valued,
- provide a service which people want to return to.

Providing reasonable accommodation for people with disabilities will ensure compliance with equality legislation. It will also:

- benefit other customers and staff,
- open your potential customer base,
- enhance your positive public image,
- enhance your competitiveness,
- attract market esteem (corporate social responsibility).

## Redress

Failure to provide reasonable accommodation for people with disabilities can amount to discrimination.

Customers with disabilities can bring a complaint to the Office of the Director of Equality Investigations – the Equality Tribunal where they feel that they have been discriminated against when trying to avail of goods, services or facilities or where they have not been given reasonable accommodation.

**Example:** A small estate agency is changing the style of its sales literature and decides to change the size and design of its material so that it is more accessible to partially sighted clients. They decide to record details on audiotape for blind clients when requested.

## As a provider of goods, services or facilities, how can you make sure that you are doing what is reasonable to accommodate people with disabilities?

The starting point for providing reasonable accommodation for customers with disabilities is by assessing their needs. This will be straightforward if you have a fixed customer base. If your customer base is constantly changing you will need to make greater efforts to engage with customers and potential customers with disabilities that are not readily identifiable. On the basis of this assessment of need it will be important to explore: -

### Profile of your organisation

- Do you advertise your goods, services and facilities in ways that ensure that people with disabilities can find out about them?
- How do you let people with disabilities know what steps you have taken or will take to ensure that your goods, services or facilities are accessible?
- What steps can you take to ensure that you are communicating effectively with people with disabilities?

Example: A medium-sized supermarket widens checkout lanes for customers who are wheelchair users. This will also benefit customers accompanied by young children.

## Policies and procedures

- Do you have operational equality policies and procedures which assist in compliance with the law? Do they proactively promote equality? Do they ensure reasonable accommodation of people with disabilities?
- Do you have customer service plans or charters? If so, do they address the needs of people with disabilities?
- Do you have policies in place which may discriminate indirectly against people with disabilities, e.g. no dogs allowed, dress code?
- Do you have an active commitment to quality customer care that includes people with disabilities?

## Professional development

- Do you promote an inclusive and responsive approach to all customers?
- Do you provide staff with disability awareness training?
- Do you ensure your staff have a solution-focused, “can-do” approach to customers experiencing obstacles or problems in availing of your goods, services or facilities?
- Do staff have access to support/expertise in providing reasonable accommodation to customers with disabilities?
- Does management support staff to make changes for customers with disabilities?

Example: Widening aisles, lowering shelves and clearing obstructions may be reasonable accommodation to assist people with visual impairments and mobility difficulties to get around

the local supermarket – but will also create a safer and easier shopping environment for all staff and customers.

## Service provision

- Are your premises easy to get into and get around?
  - Are goods, services and facilities signposted on your premises? Are they legible and understandable?
  - Have you explored other methods of making your goods, services or facilities more accessible?
  - Have you checked that the communication technologies you use are accessible, e.g. telephone services, website, internet and interactive technologies?
  - Are customer service points/cash desks visible and easily accessible?
  - Do you effectively encourage customers with disabilities to ask for their needs to be met?
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## What are the implications of reasonable accommodation for you as a person with a disability?

- You have a right to access and avail of goods, services and facilities without discrimination.
- You have a right to make reasonable requests for special treatment or facilities to enable you to access goods and services.
- You should tell service providers what you need if you experience any obstacles or problems in accessing goods or services on their premises.
- Expect to be listened to.

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We can direct you towards sources that can guide you in reasonable accommodation.  
For further information contact:



**The Equality Authority**  
2 Clonmel Street  
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Public Information Centre Lo Call: 1890 245545  
Tel: + 353 1 4173333  
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