



Glasgow: 0141 331 5150

Aberdeen: 01224 683 286

Manchester: 0161 920 5990

London: 020 7590 3152

[Annual Retainer Service for Employers](#) | [Employment Tribunal Representation](#) | [Project Work](#) | [FREE Email Updates Service](#) | [Seminars and Training](#) | [Meet the Team](#) | [Contact Us](#) | [F.A.Qs](#) | [Features & Articles](#) | [Home](#)

Extra Sick Pay for Disabled Employees – A Reasonable Adjustment?

The Disability Discrimination Act requires employers to make “reasonable adjustments” in respect of disabled employees’ jobs. But does this duty go as far as requiring employers to pay disabled employees in respect of disability-related absences where other employees would not have been paid?

-
- The EAT made the point that HMRC had made reasonable adjustments to assist the employee back to work, thus seeking to reduce her financial disadvantage. You should make sure that if you have a disabled employee on sick leave, all reasonable adjustments have been made to assist the employee in returning to work (e.g., changes to working pattern, physical adjustments to working areas) so that the absence is no longer than it needs to be.
 - Bear in mind that although there is no general principle that a disabled employee should be paid more sick pay than other employees, there may be exceptions. For example, many sick pay schemes are designed to **discourage short-term absences** by including waiting periods before sick pay is paid. A rigid application of such a scheme might well

unjustifiably discriminate against an employee whose disability is such that it results in a substantial number of short-term absences.