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## **Woman with cancer settles case against Yellow Door Ltd for £40k**

Siobhan Jacobs, an employee with over sixteen years' service, has settled a disability discrimination case against her former employer, Yellow Door (Portadown) Ltd, for £40,000. The case was supported by the Equality Commission for Northern Ireland and was part heard in Tribunal in August 2021 before being settled.

Siobhan Jacobs said: "After four stressful days in Tribunal, I'm pleased my case has been settled. I have two young children to support and all I ever wanted was to get back to a job I had been in for such a long time, I had really enjoyed my job.

"I was a dedicated and hardworking employee throughout my time with Yellow Door and I thought they would fully support me to get back to work after my treatment for cancer. I still find it hard to believe that after 16 years loyal service, it ended like this."

Siobhan joined Yellow Door in 2003 and was promoted to Head of Events in 2014. In February 2016, she was diagnosed with cervical cancer and, after treatment, returned to work in September 2016. However, in September 2017, Siobhan faced another devastating blow when she was diagnosed with metastatic lung cancer.

Following treatment, Siobhan returned to work on a phased part-time basis in February 2019. No return to work meeting or welfare meeting took place. Siobhan found herself without access to basic equipment including a mobile phone, and her desk and computer had been reallocated. She had to 'hot desk', which was only possible when colleagues were away from their desks. This made it difficult for her to do her job properly.

Siobhan found that she could no longer manage long 10-12 hour shifts, as they caused her pain and fatigue. She raised this with her employer and gave them a letter from her consultant who advised that she should not work shifts longer than 6 hours and needed to do light duties where possible. Despite assurances, her employer did not meet with her to talk about her difficulties or her consultant's advice. She was advised by her employer that long shifts were in her contract and she had to fulfil them.

After refusing to work one such long shift at an event, Siobhan was asked to attend an investigatory meeting under the disciplinary policy. With the help of Macmillan Cancer Support, she wrote to her employer seeking reasonable adjustments to help her do her job. However, the day after receiving this letter her employer sent

Siobhan a letter inviting her to a Disciplinary hearing for major misconduct.

Siobhan then raised a grievance with her employer and her solicitor also wrote to her employer raising concerns about her treatment. After the grievance procedure concluded, with only some of her grievances being partially upheld, Siobhan felt she had no choice but to resign. She then contacted the Equality Commission.

Geraldine McGahey, Chief Commissioner, Equality Commission for Northern Ireland said: "Siobhan had faced a life changing illness and despite the challenges, she wanted to work and make a positive contribution to her workplace. Many people like Siobhan face ill health and acquire a disability over the course of their working lives and the disability discrimination law protects them.

"Employers should have relevant policies and procedures in place to allow them to deal with employees requests for reasonable adjustments appropriately. Importantly they must ensure these policies are used when they are needed. Employers should also ensure that all staff and managers understand their rights and responsibilities.

"By supporting employees like Siobhan, employers can give people the opportunity to continue to work and live a full life whilst living with a disability".

In settling the case, Yellow Door (Portadown) Ltd affirmed its commitment to the principle of equality of opportunity in employment and has undertaken to liaise with the Equality Commission, to review its equal opportunities policies, practices and procedures. The company also confirmed that it will provide equality training to all management and staff in relation to their obligations and responsibilities under the Disability Discrimination Act 1995.