

WHAT ABOUT STAFF SAFETY?

The Government clearly deduced, on the basis of scientific evidence from NPHE, that such limited exemptions for disabled people would not enhance the risk of Covid 19 amongst the general population.

This means that one cannot attempt to justify discriminatory practices on the unfounded basis that such actions protect staff and customers, particularly when such practices are in breach of the law.

While everyone is prioritising public health and safety, lack of clarity regarding the law has led to differing policies and some are inadvertently in breach regarding disability rights.

There have already been a number of cases taken on the grounds of discrimination and settlements have been imposed for breaches of the law - traders should review their policies to ensure compliance with the above-cited law - **it applies to both staff and customers.**

It is important in these times that the rule of law is upheld.

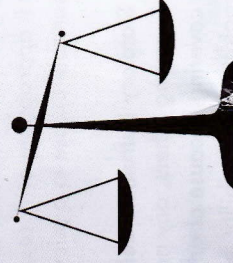
WHAT ABOUT SIGNAGE?

Traders should be aware that "No Mask, No Entry" signage discriminates against i) people with disabilities (under the Equal Status Acts) and; ii) people who have a reasonable excuse (under Statutory Instrument 296 of 2020) and as such Traders should make certain that no discriminatory signage is displayed on their premises, to ensure they do not expose themselves to legal liability by refusing service to those unable to wear a mask.

NOTE REGARDING THE TYPE OF PREMISES COVERED BY MASK ORDERS

a 'relevant premises' (as defined) does not include the following:

1. Any premises in which the principal activity is the sale of Food and Beverages for consumption on the premises, or
2. Any premises in which the principal activity is the provision of Medical, Dental or other Healthcare services, including Opticians and outlets providing Hearing tests.



This Information Sheet is published by the **Irish Council for Human Rights**. It is intended as a guide to traders, it does not apply to public transport. Anyone affected should seek their own professional legal advice. Email: info@ichr.ie

DISABILITY RIGHTS ARE HUMAN RIGHTS



NOTICE

to traders, owners, managers or persons in charge of a relevant premises as outlined in Statutory Instrument number 296 of 2020 (the "Statutory Instrument"), which came into operation on 10th August 2020 and shall continue in operation until 9th November 2021 (unless extended)