



**EMPLOYMENT SUPPORT ALLOWANCE (ESA),
JOB SEEKER'S ALLOWANCE (JSA),
ILL HEALTH PENSIONS
AND
ELECTROMAGNETIC HYPERSENSITIVITY (EHS)**

EMPLOYMENT SUPPORT ALLOWANCE (ESA)

Since 2012 a number of people with electromagnetic hypersensitivity (EHS) have succeeded in claiming Employment Support Allowance (ESA) in the UK. At least five have informed the charity ES-UK by 2018 that they have been awarded ESA either directly or through successful appeals before a judge at a First Tribunal.

ESA may be awarded straightaway by the Department of Work and Pensions (DWP). If ESA is not be awarded straightaway, the process involves the following:

- Asking the DWP to reconsider its decision (mandatory reconsideration);
- If necessary, appealing against the DWP decision before a First Tier tribunal.

Some judges at First Tier tribunals are fully knowledgeable about EHS and aware of how functionally limiting the condition can be. Although judges have been used the term EHS in court, some court documents, but not all, have listed the EHS symptoms and functional limitations but used another general term, like chronic fatigue, rather than EHS to describe the EHS condition.

Some judges have had to direct representatives of the DWP to consider a person with EHS only for work which is suited to them and does not involve exposure to, for instance, Wifi or mobile phones. They have also told representatives of branches or offices of the DWP to arrange to see a person with EHS in premises which are suitable for the person with EHS and which do not have, for instance, Wifi or mobile phones in use.

Some courts and tribunals have been willing to help the person with EHS through restricting EM exposure in the courtroom by limiting use of mobile phones and limiting CFL lighting.

- UK Government: ["Form SSCS1: Appeal a social security benefits decision \(Notice of appeal\)"](#)
- ["Challenging an ESA decision - mandatory reconsideration"](#) (Citizens Advice)
- ["Appealing Employment Support Allowance Decisions: How to make an appeal"](#) (Disability Law Service, 2016)

JOB SEEKER'S ALLOWANCE (JSA)

A few people with electromagnetic hypersensitivity (EHS) have succeeded in claiming Job Seeker's Allowance (JSA) in the UK.

The need for jobs appropriate to someone with EHS, noted under ESA above, is also relevant to JSA.

- UK Government: [Job Seeker's Allowance \(JSA\)](#)

ILL HEALTH PENSIONS

Someone with electromagnetic hypersensitivity (EHS) has told the charity ES-UK that he/she was awarded an early pension by a national pension provider based on inability to access work specifically because of EHS; EHS was stated as the cause in the settlement. Now that EHS has been recognised legally in the UK as a health disability, not only for ESA and JSA but also for a school pupil with EHS in a successful appeal before an educational tribunal, it is possible that other pensions providers will follow suit in awarding ill health pensions because of EHS.