Reasonable adjustment for employees with a disability

REASONABLE ADJUSTMENT

Reasonable Adjustment refers to adjustments which are made to a job, an employment practice, the workplace or work-related environment to ensure equal opportunity for an employee who has a disability.

The Department is committed to ensuring that people with disabilities are able to compete for recruitment and promotion, and pursue careers in the Department as effectively as people without disabilities. Reasonable adjustment is a key strategy in achieving this outcome. It is an approach to employment where employers examine the physical and organisational barriers which may prevent the employment, limit the performance, or curtail the advancement, of people with disabilities.

For many people with a disability, a major barrier to equal opportunity, equal participation or equal performance at work is a feature of the work situation which could be readily altered. While reasonable adjustment is a legislative requirement, each request for adjustment must be assessed in light of all the circumstances of the case.

Reasonable adjustments enable an employee with a disability/impairment to:

- perform the inherent requirements of their role safely
- access equal employment opportunities
- enjoy equal terms and conditions of employment.

Not every person with a disability will require reasonable adjustment, however, adjustments may be required when people with disabilities:

- apply for a role and/or are interviewed
- commence in a role
- require training
- change duties, role and/or location
- experience changes in the form or degree of their impairment.

The encompassing principles to be applied include:

- merit-based recruitment, selection, promotion and transfer processes
- flexible and creative ways of working
- fair and equitable treatment for all
- valuing people for their diversity
- safe and healthy work practices and environments
- concern for the welfare of employees
- compliance with legislative requirements
- prompt resolution of complaints.

Reasonable adjustment may include one or more of the following types of accommodation:

- adjustments to workplace or work related premises, equipment or facilities, including provision of additional equipment or facilities
- adjustments to work related communications or information provision, including the form or format in which information is available
- adjustments to work methods and practices
- adjustments to work arrangements, including in relation to hours of work and use of leave entitlements
- adjustments to methods used for testing, assessment or selection
• adjustments to work related rules or other adjustments to enable a person to comply with rules as they exist
• access to training, transfer, acting, trial or higher duties positions, traineeships or other forms of opportunity to demonstrate or develop capacity in a position
• provision of interpreters, readers, attendants or other work related assistance
• permitting or facilitating a person to use equipment or assistance provided by the person with a disability or by another person or organisation
• providing training to co-workers or supervisors
• other work-related adjustments.

If a person with a disability can perform the inherent requirements of a role with some adjustment, the adjustment is to be made unless:
• it imposes an unjustifiable hardship on the employer
• the request is clearly unreasonable
• the employee would be unable to perform the inherent requirements of the role, even with the requested adjustments.

The employer's duty to provide reasonable adjustment need not include:
• changing the inherent requirements of a job
• maintaining a job that would otherwise be altered or abolished
• assigning inherent components of a job to another employee
• creating a different job
• promotion or transfer to a different job except as part of a program of training or rehabilitation reasonably likely to enable the employee to perform the inherent requirements of a role within a reasonable time frame.

FURTHER INFORMATION

A variety or resources and links are available at the Reasonable Adjustment web page on the Creating Healthier Workplaces site.

The following documents relate directly to this topic:
• Reasonable Adjustment for People with Disabilities Procedure
• Guidelines –Reasonable Adjustment
• Fact Sheet: Reasonable Adjustment for Employees with Hearing Impairment
• Fact Sheet: Reasonable Adjustment – Resources and Service Providers
• Fact Sheet: Reasonable Adjustment – Case Studies

Please note: information regarding reasonabel adjustment for students with disabilities can be found at Learning and Disability Support.