



**Australian Government**

**National Health and Medical Research Council**

<b>Policy Number:</b>	
<b>Purpose:</b>	To provide policy and guidelines for workplace adjustment.
<b>Category:</b>	Human Resources
<b>Applicable to:</b>	Employees covered by the NHMRC Enterprise Agreement and potential employees of NHMRC.
<b>Relevant Legislation:</b>	<a href="#"><u>Public Service Act 1999</u></a> <a href="#"><u>Equal Opportunity Act 2010</u></a> <a href="#"><u>Disability Discrimination Act 1992</u></a> <a href="#"><u>Work Health and Safety Act 2011</u></a> <a href="#"><u>Privacy Act 1988</u></a> <a href="#"><u>Fair Work Act 2009</u></a>
<b>Related Documents:</b>	Fitness for Duty Policy Return to Work Policy Working from Home Policy and Agreement Review of Actions Policy
<b>Policy Statement:</b>	National Health and Medical Research Council (NHMRC) is committed to ensuring an accessible and inclusive work environment to enable people with disability, illness or injury to participate fully in all aspects of employment.
<b>Approved by:</b>	Chief Executive Officer
<b>Review Date:</b>	2019
<b>Policy Owner:</b>	Human Resources
<b>First Issued:</b>	
<b>Document Change Control</b>	

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## Introduction

The National Health and Medical Research Council (NHMRC) is committed to ensuring an accessible and inclusive work environment to enable people with disability, illness or injury to participate fully in all aspects of employment. In keeping with the requirements of the *Equal Opportunity Act 2010*, the *Disability Discrimination Act 1992* and the *Work Health and Safety Act 2011*, NHMRC seeks to apply the principle of workplace adjustment to remove barriers to participation in work by people with disability, illness or injury. NHMRC and managers will do everything possible to accommodate people who require workplace adjustments.

## Principles

To:

- enable existing and potential employees with disability to perform the inherent requirements of their positions
- support the employment of skilled and talented candidates with disability
- consult with the person with disability on any adjustments that may be required.

This policy applies to, but is not limited to, the following areas:

- recruitment, selection, and appointment
- induction and orientation
- participation in projects and committees
- training and career development
- performance management
- opportunities to enjoy all NHMRC supported social or recreational activities
- promotion, transfer, or any other employment benefit.

## What is workplace adjustment?

Workplace adjustment is the modification or alteration of the work environment, practice or management and will be different in each situation. Examples of workplace adjustment may include one or more of the following:

- adjustment to workplace or work-related premises, equipment or facilities, including provision of additional equipment or facilities
- adjustments to work-related communication or information provision, including the forms or formats in which information is available
- adjustments to work methods
- adjustments to work arrangements, including hours of work and use of leave entitlements
- adjustments to methods 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 other than altering the inherent conditions of a position.

Further examples of workplace adjustments can be found at **Attachment A** and **B**.

## Definition of disability

The *Disability Discrimination Act 1992* defines disability as:

- a total or partial loss of a person's body or their mental or bodily function
- the presence in the body of organisms causing or capable of causing illness or disease
- the malfunction, malformation or disfigurement of a part of the body
- a disorder or malfunction that results in the person learning differently than others
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or adjustment, or results in disturbed behaviour.

## Who can seek a workplace adjustment?

Workplace adjustment may be required for any number of health or personal circumstances. This policy applies to people who:

- are recovering from injury or illness
- are managing a chronic medical condition
- have a disability
- have caring responsibilities
- are applying for a position
- are interviewing for a position or have been offered employment
- are commencing a new role
- have had significant changes made to their role.

This policy covers adjustments in all aspects of employment. Implementing workplace adjustments is designed to eliminate barriers so that a person with disability can perform the requirements of the job, have equal opportunity in employment (including promotion) and participate in social events on an equal basis. NHMRC will consider making changes or modifications for people who request a workplace adjustment regardless of whether they are people with a disability noting that some adjustments are covered by legislation, such as adjustments for employees who are pregnant, breast or bottle feeding or have carer responsibilities .

## Roles and Responsibilities

The NHRMC ensures that all applicants and employees are notified of the availability of workplace adjustments.

The Applicant is responsible for:

- discussing workplace adjustment requirements with their manager and making a written request to their manager
- discussing workplace adjustment requirements initially with the Recruitment Officer/Contact Officer and making a written request to them
- providing evidence, such as a letter from a medical practitioner, demonstrating that the adjustment is reasonable.

The Recruitment Officer/Contact Officer is responsible for:

- ensuring that all applicants invited for interviews are notified that they can request adjustments for their disability for the interview process and informed of the procedure for making an adjustment request
- where interviews are scheduled by telephone, ensuring all applicants are informed about the availability of adjustments in the interview process. Specifically, the scheduler should ask:
  - 'Do you require any special arrangements to enable you to equitably participate in the interview?'
- liaising with the Rehabilitation Case Manager to ensure adjustments can be arranged.

Human Resources is responsible for:

- ensuring that information concerning the workplace adjustment policy and procedure is shared during the induction of new employees
- referring people for whom adjustment might be appropriate to the Recruitment Officer (for job applicants) or the Rehabilitation Case Manager (for employees)
- providing a right to review where the request for workplace adjustments has been declined.

Managers are responsible for:

- advising employees of the workplace adjustment policy and procedure upon job commencement and during performance reviews (by asking, for example, 'Have you been informed of NHMRC's Workplace Adjustment Policy?'). This information should be introduced in a respectful and supportive manner
- ensuring that information about the Workplace Adjustment Policy is readily available in the work areas of employees supervised
- ensuring that the workplace adjustment procedure is discussed as part of the return to work discussion when a staff member is returning to work after illness or injury

- explaining the workplace adjustment procedure and either contacting the Rehabilitation Case Manager when approached by an employee requesting an adjustment or assisting the employee to contact the Rehabilitation Case Manager
- following the workplace adjustment procedure when appropriate and managing communications in a manner that models integrity.

Rehabilitation Case Manager is responsible for:

- analysis of and reporting of organisational Work Health and Safety trends from a risk management and treatment perspective
- identifying where adjustments may be appropriate
- processing any requests for adjustments
- providing assistance and advice to employees and managers in matters relating to workplace adjustments
- keeping the Workplace Adjustments Policy up to date and relevant.

## Confidentiality

All NHMRC employees are required to comply with the *Privacy Act 1988* and the Information Privacy Principles. Any information collected or created during a reasonable adjustments process will be handled in accordance with these principles.

## Workplace Adjustment Procedure

### Request

- **Applicants** can make requests for adjustments either to the contact person for the advertised position or the Recruitment Officer directly.
  - If upon being approached by an applicant, the contact person can easily and informally meet the request to the satisfaction of both parties, he/she will do so and the procedure will end. If not, the contact person will either assist the applicant to contact the Recruitment Officer or, with the applicant's permission, refer the request to the Recruitment Officer on behalf of the applicant.
  - If an applicant has had a workplace adjustment in place prior to this policy being developed, they can still make an application for workplace adjustments under this policy for previous adjustments.
- **Employees** can make requests for workplace adjustments to their manager or to the Rehabilitation Case Manager directly. Employees should describe:
  - The adjustments they propose
  - The reason for the adjustment(s)
  - How the adjustment will improve the productivity of the employee
  - Where applicable, evidence, such as a letter from a medical practitioner, may be useful in demonstrating a requirement for workplace adjustments
- **Managers** may think a workplace adjustment might be appropriate for an employee under their supervision. If this is the case they will either approach the employee to discuss the matter (if comfortable doing so) or contact the Rehabilitation Case Manager for advice
- **Rehabilitation Case Manager** may apply workplace adjustments to an employee returning to work from long term illness or injury or an employee who has developed an illness or injury
- **Recruitment Officer** will liaise with the Rehabilitation Case Manager to arrange appropriate workplace adjustments.

An application form for workplace adjustments can be found at **Attachment C**.

Practical steps for implementing workplace adjustments can be found at **Attachment D**.

### Assess and Reach a Decision

In consultation with the applicant or the employee, the Rehabilitation Case Manager or the employee's manager will evaluate a request and determine what, if any, adjustment is appropriate.

NHRMC will be supportive of removing barriers for employees with disability, illness or injury in the workplace. A decision on a request for workplace adjustment will be made within ten days. When dealing with a request for an adjustment, a manager may seek information relating to reasonableness such as:

- the benefit of the adjustment to the employee
- the cost of the adjustment or other relevant operational matters
- the potential risk of not implementing an identified adjustment in terms of an occupational injury or illness.

The decision on whether to approve a request for workplace adjustment will be in consultation with the Rehabilitation Case Manager and the manager. Each request will be reviewed on a case-by-case basis.

## Appeals

Employees dissatisfied with a decision or action taken in relation to a claim for reasonable adjustment may seek a review of the employment action under the [Review of Actions Policy](#) (link here).

Upon receiving a request for such a review, the Reviewing Officer will resolve the issue by:

- obtaining and reviewing all documentation relating to the request for reasonable adjustment
- meeting with the supervisor and the applicant or employee (may include personal carer or guardian or a staff or union representative)
- consulting with the Rehabilitation Case Manager
- reviewing the inherent requirements of the position, position-related limitations involving the applicant's or employee's disability and potential adjustments
- evaluating the reasonableness of applicant or employee and manager preferences in adjustments, giving primary consideration to the applicant's or employee's preferences, and
- issuing a written determination on the request for reasonable adjustment, specifying what adjustment will be provided, if any, and directing the Rehabilitation Case Manager to arrange and monitor the implementation of such accommodation promptly.

People applying for positions with NHMRC who are dissatisfied with a decision or action taken in relation to a claim for a workplace adjustment may lodge a formal complaint with the Chief Executive Officer, Level 1, 16 Marcus Clarke Street, Canberra, ACT, 2601.

## Funding workplace adjustments

Funding to undertake workplace assessments and implement workplace adjustments is available through the [Commonwealth Government's Employee Assistance Fund](#) (link here). This fund is administered by [JobAccess](#) (link here) which will assist with funding on a cost-recovery or reimbursement basis. This funding is available for people who are about to start a job or who are currently working, as well as those who require assistance to find and prepare for work.

## Implementation and evaluation

Once approved, an adjustment should be made as quickly as possible. The employee will be kept informed about the timeframe for implementing workplace adjustments. A review meeting will be held three months after implementing adjustments to discuss the effectiveness of the arrangement.

## Resources

- [National Disability Insurance Scheme](#) is a scheme for a person with an impairment that is likely to be permanent and the impairment makes it difficult to take part in everyday activities.
- [JobAccess](#) is the national hub for workplace and employment information for people with disability, employers and service providers.

### APSC Resources

- The APSC has useful information on the [Disability page](#) of their website.
- The [Working Together: Promoting Mental Health and Wellbeing at Work](#) guide aims to empower managers and employees to work together to build inclusive workplace cultures and effective systems for promoting mental health in the Australian Public Service.

## References

- National Disability Insurance Scheme
- Australian Human Rights Commission

- Department of Social Services, Reasonable Adjustment Policy
- National Museum of Australia, Reasonable Adjustment Policy
- Australian Institute of Health and Welfare, Reasonable adjustments (Disability Discrimination Act) policy and procedures

## Contact Information

<b>Policy Manager:</b>	Director, Human Resources
<b>Policy contact officer:</b>	Director, Human Resources

### Document history of changes to the policy

Effective date	Last update	Policy version number	Notes

- Note: “The NHMRC will make proposed changes to any policy, procedure or guideline that is in place to support the operation of this Agreement available to the Staff Consultative Forum for comment and feedback for a minimum period of two (2) weeks. The NHMRC will take into account any comments or feedback received in relation to the proposed changes prior to the employment policy, procedure or guideline being finalised.”<sup>1</sup>

<sup>1</sup> NHMRC Enterprise Agreement 2016-19, Clause 200

# Attachment A - Examples of Workplace Adjustments

The principle of workplace adjustment applies to all areas of employment. Below are examples of how this principle may be applied to particular aspects of employment.

## **Recruitment**

Workplace adjustments during recruitment may include:

- making materials related to the recruitment process (including position descriptions, selection criteria, application forms, questionnaires) available in preferred formats on request. (Note: if necessary, submission deadlines will be extended to applicants requiring alternative formats that delay their receipt or submission of application materials)
- arranging interpreters, readers, attendants or other assistants during interviews.

## **Job Redesign/Sharing**

Job redesign includes any changes in working conditions (e.g. scheduling, work environment, team culture) that improve the employee's ability to do the job may include:

- modifying attendance policies
- providing flexible working options
- allowing time off for counselling or other medical appointments (e.g. rehabilitation, assessment or treatment)
- allowing home based work (see the [NHMRC's Working from Home Policy and Agreement](#))
- allowing longer breaks
- exchanging one task in a job for another (for example, exchanging telephone duties with filing duties for a hearing impaired person)
- modifying performance agreement expectations.

Job sharing involves two or more people sharing responsibilities for the same job, examples include:

- allocating some of the employee's duties to another person
- having two people share a full-time job, for example, by having one person work Monday, Tuesday and the other work Wednesday, Thursday, Friday.

## **Co-worker supports**

Training for co-workers as required.

## **Workplace Modifications**

Workplace modifications may include:

- Improving physical accessibility:
  - Installing floor coverings, matting, carpet mats, and removing cords on floors or hanging plants.
  - Positioning an individual's workstation in an appropriate area that best meets their needs (e.g. nearer to rest rooms or behind sound reduction barriers).
  - Lowering control panels and emergency buttons/phones in lifts.
- Modifying work-site temperatures:
  - Providing work areas with temperature control.
  - Temporary air conditioners, fans, heaters or proper ventilation and redirecting vents.
- Providing ergonomic devices:
  - Specific seating (office chair), headsets, footstools, backrests or cushions.
  - Computer monitor risers and document stands and ergonomic arms, ports or tilt-boards.
- Installing sound reducing devices, particularly for individuals with mental health issues, stress issues and hearing impairments:
  - Environmental sound machines – help block out extraneous noises that are often found to be distracting. They can reduce stress in the work environment.
  - Sound absorption panels.
- Modifying lighting for eye sensitivity:
  - Anti-glare filters for computer screens to relieve eyestrain, fatigue, headaches and stress.
  - Place blinds on windows, flicker free lighting, full spectrum lighting, light filters for covering fluorescent lighting, lower wattage overhead lights, task lighting or other alternative lighting.
- Installing indoor air cleaning systems to remove allergens and pollutants.
- Providing time management and organisational devices:
  - Day planner, calendar, electronic organisers and multi-set alarm wristwatch that beeps or vibrates.

- Written instructions and checklists, voice activated dictaphone for verbal instructions or instructional diagrams for office equipment.
- General training for co-workers or managers.
- Specific training and support for an employee with disability.
- Providing of additional equipment or facilities:
  - Providing large screen computer monitors and/or keyboards.
  - Using a dictaphone instead of note pads to take and leave messages for the sight impaired.
  - Provision of raised wooden platforms to photocopiers/fax/printers etc for people of small stature.
  - Provision of interpreters, readers, attendants or other work related assistance.
  - Modifications to work related communications or information provision, including the form or format in which information is available.
  - Permitting or facilitating a person to use equipment or assistance provided by the person with disability or by another person or organisation.
  - Arranging temporary light duties: Duties can be temporarily altered to suit individuals who have a temporary mobility problem such as a broken leg or arm. Temporary changes can be made to duties whilst awaiting delivery of equipment, such as a TTY machine for the hearing impaired.

## Attachment B - Type of disability – Examples of Workplace Adjustments

*\*Please note this list is not exhaustive, these are just examples of Workplace Adjustments.*

Type of disability	Examples of Workplace Adjustments
Person with a mobility impairment	Ramps, scooters, stair lifts, automatic doors, height adjustable work stations, vehicle modifications (work related), accessible bathroom, accessible lifts, handrails, accessible computer keyboard/mouses, adapted office furniture or equipment, speech-recognition speech to text software.
Person who is deaf or hard of hearing	Hearing loops, vibrating or visual alarms, TTY, SMS, National Relay Service (NRS), live captioning, Auslan interpreters, video phones, subtitling.
Person who is blind or vision impaired	Screen magnification (e.g. Zoom text) or screen-reading software, magnification software for mobile phones, braille machines and printers, CCTV magnifiers for reading printed material, tactile ground surface indicators, contrasting work surfaces or trays, braille or tactile maps.
Person with a mental health condition e.g. depression, schizophrenia	Flexible working arrangements, e.g. work from home, work part-time, change start/finish times, longer or more frequent breaks, provide a partitioned area or private office to reduce noise/distractions, divide large projects into smaller tasks, 'to do' checklists, regular meetings with managers.
Person with learning disability e.g. dyslexia	Task cards, 'to do' checklists, screen-reading software, speech to text dictation software, provide verbal instructions.
Person with a long term or chronic health condition e.g. diabetes, MS, chronic fatigue syndrome	Height adjustable work stations, building modifications, changes to the lighting, e.g. increase natural light, remove fluorescent lighting, flexible working arrangements, e.g. work from home, work part-time.
Person returning to work with a minor back injury	Sit-stand desk, ergonomic chair, stretch break software, heat packs

## Attachment C – Request for Reasonable Adjustment Form

NHMRC is committed to ensuring an accessible and inclusive work environment to enable people with disability to participate fully in all aspects of employment.

This form is to be used to request workplace adjustments to be made to enable appropriately skilled people with disabilities to perform the inherent requirements of their positions.

### **Step One**

Current employees / Interview applicants

Name			
Branch			
Section			
Workplace adjustments (tick or complete as appropriate)			
Reader		Scribe	
Bilingual dictionary		Braille	
Large print		Coloured paper	
Audio		Rest period/break	
Hardware			
Soft ware			
Additional time			
Any other (please specify)			
Reason for the adjustment			
How will the adjustment improve productivity			
Supporting medical evidence attached			

Employee's / Interviewee's signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **Step Two – Supervisor (where applicable)**

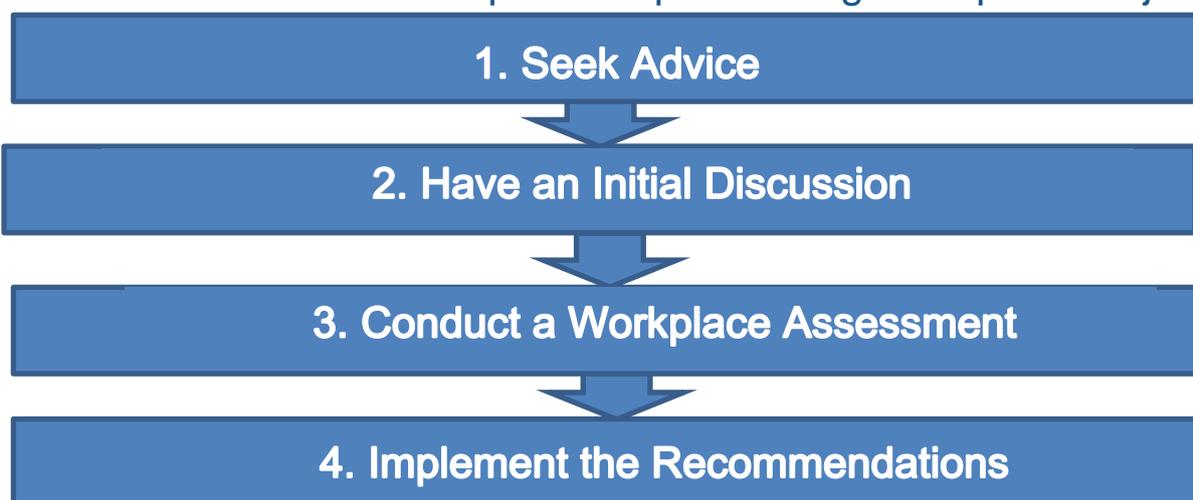
Supervisor's Name	
Title and/or Level	
Work Contact Number (in full)	

Signature	
Date	

**Step Three – Human Resources approval**

Name	
Director, Human Resources	
Signature	
Date	

## Attachment D - Practical Steps for Implementing Workplace Adjustments



### **Step 1 – Seek advice**

It is highly recommended that managers contact the Rehabilitation Case Manager as soon as they become aware that workplace adjustments may be required to support a candidate or employee with a disability. The Rehabilitation Case Manager can provide support to both managers and employees with a disability.

### **Step 2 – Have an initial discussion**

It is often a good idea for the manager and employee to have an initial discussion about the employee's particular situation and the process that will be undertaken. The goal of this discussion is to ensure everyone is comfortable with, and in agreement to the next steps in the process.

### **Step 3 – Arrange a workplace assessment**

A workplace assessment will be arranged by the Rehabilitation Case Manager. The Rehabilitation Case Manager will either organise an assessment by NHMRC's provider or through JobAccess.

JobAccess is a Commonwealth Government organisation which provides information and advice to assist with the employment of people with disability. The service is free and can assist with all aspects of disability employment including workplace assessments to determine what changes need to be made, coordination of any work required and financial assistance.

A workplace assessment may include:

- Job Task Analysis
- Workplace/Work Station assessment
- Vocational/Job Capability assessment
- Fitness for Duties examination
- Functional Capacity Evaluation
- Clinical Psych Assessment
- Activities of daily living assessment
- Cognitive/Neuro-psych assessment
- Exercise physiology/dietician assessment

### **Step 4 – Implement the recommendations**

The workplace assessment will usually result in the preparation of a report which may include one or more recommendations including:

- Installation or modification of information or communication devices
- Training, coaching, mentoring or education for employees, managers and/or colleagues
- Specialist services
- Modifications to the physical work environment
- Changes to working arrangements through flexible working
- Auslan interpreting