

## Workplace Adjustment Policy

### Policy statement

The City of Whittlesea is committed to providing an inclusive workplace that encourages employees to participate, without discrimination, in both work-related and other activities conducted within a work context, with the support of workplace adjustments.

Where possible, Council will identify and resolve potential barriers to the recruitment and employment of people with disabilities within the organisation.

Workplace adjustment (also known as “reasonable adjustment”) is defined as:

“Whatever is considered necessary and achievable to enable an employee to perform their job role efficiently and to the best of their abilities”.

### Principles

The Workplace Adjustment Policy is informed by the following City of Whittlesea Community Building Principles:

#### *Efficient and effective business operations*

Council will continue to employ people from a wide range of backgrounds including mature aged workers, young people, people with disabilities, Aboriginal Australians, and people from culturally and linguistically diverse backgrounds to address the needs of our community today and into the future.

#### *Wellbeing*

Council is committed to providing and creating a safe and supportive working environment for all employees.

#### *Equity, access and inclusion*

Council supports the development of a safe and inclusive workplace, and promotes respect for diverse values, abilities, beliefs, cultural practices and ways of living by harnessing the strength of our diverse and talented workforce.

### Objectives

The Workplace Adjustment Policy will:

- Promote Council as a “disability confident” organisation

- Assist employees and candidates with a process for requesting a “workplace adjustment”
- Support transparency in recruitment and selection of people with disabilities
- Comply with legislative requirements and protect employees and candidates against discrimination.

### **Context/Rationale**

Disability is common in Australia, and a normal part of life which contributes to the vibrant diversity of human experience. In the City of Whittlesea, there are a slightly higher proportion of residents who report needing assistance with day-to-day activities due to disability compared with Greater Melbourne (5.7% and 4.9%, respectively)<sup>i</sup>.

Providing people with access to workplace adjustments will allow people with disabilities to be successfully employed in the workforce.

Workplace adjustment is a change to a work process, practice, procedure or environment that enables an employee with a disability to perform their job in a way that minimises the impact of their disability.

Workplace adjustments allow a person to:

- Perform the essential requirements of their role safely in the workplace
- Have equal opportunity in recruitment processes, promotion and ongoing development
- Experience equitable terms and conditions of employment
- Maximise productivity.

Under the Disability Discrimination Act 1992 (DDA), employers are obligated to make adjustments to accommodate an individual’s disability, unless that adjustment would result in unjustifiable hardship. Unjustifiable hardship could be in the form of financial cost, an amendment to the physical building that is not possible due to regulations or other restrictions, or an adjustment that would disadvantage another employee.

### **Scope**

This policy applies to all current employees and candidates seeking employment with Council.

Council will endeavor to provide, in a timely and effective way and so far as reasonably practicable, adjustments specific to an individual’s needs.

This may include, but is not limited to:

- Workplace access: changes to work area design and means of access to the workplace and all facilities, modifications to technology and equipment
- Hiring practices: changes to the procedures used for testing, selection, learning and development training, promotion and termination
- Provision of specific services, facilities, aids or equipment: including, but not limited to, the provision of interpreters, equipment, or assistance with particular aspects of a job

### **Key linkages**

All City of Whittlesea policies comply with the *Victorian Charter of Human Rights and Responsibilities*.

This Policy supports the objectives of the *Equal Employment Opportunity Policy, Recruitment and Selection Policy, Wellbeing at Work Guidelines* and the *Guidelines for Safe use of Workstations*.

This Policy has clear linkages to a range of codes, charters, legislation and Council documents:

- Disability Discrimination Act 1992 (Cth)
- Fair Work Act 2009 (Cth)
- Australian Human Right Commission Act 1989 (Cth)
- Age Discrimination Act 2004 (Cth)
- Occupational Health and Safety Act 2004 (Vic)
- Racial Discrimination Act 1975 (Cth)
- Equal Opportunity Act 2010 (Vic)
- Racial and Religious Tolerance Act 2001 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Privacy and Data Collection Act 2014 (Vic)
- Privacy Act 1988 (Cth)
- Disability Action Plan
- City of Whittlesea Code of Conduct for Staff and Others
- Whittlesea City Council Enterprise Agreement (as amended from time to time)
- Recruitment and Selection Policy
- Equal Employment Opportunity Policy
- Flexible Working Arrangements Policy/Guidelines
- Wellbeing at Work Guidelines
- Guidelines for the Safe use of Workstations

## Workplace Adjustment Guidelines

These guidelines outline how workplace adjustments are implemented for a candidate undergoing a selection process, a newly recruited employee, or an existing employee within their workplace. The Access Team is available to assist in this process.

Requests for individual workplace adjustments will be addressed, as far as is practicable, in a timely, confidential and sensitive manner.

An employee can only commence their role after the workplace adjustment/s arising from the 'Request for Workplace Adjustment' form has been implemented by the employee's supervising manager.

It is understood that alterations may need to be made throughout the employee's employment, to implement further workplace adjustment requests. It is important that accessibility of training facilities, as well as an employee's workstation, be considered for any adjustments to meet the employee's needs.

De-identified data on the number of workplace adjustments and retention of employees will be recorded and reported on by People and Capability. This data will be used to improve systems and processes over time.

### Privacy and Confidentiality

All documents relating to specific requests for adjustments will be kept confidential and will only be shared in accordance with the provisions of the Privacy Act 1988 (Commonwealth). Employees involved in the process, including the employee requesting a workplace adjustment, are responsible for maintaining the confidentiality and privacy requirements of this information.

### Communicating the Procedure

Candidates should be asked whether adjustments are required at every stage throughout the selection process. Candidates should be assured that this information is used for the provision of adjustments only and will not have any adverse implications on their application.

A newly recruited employee, whether or not they have shared their disability information to Council, should be informed:

1. That a request for workplace adjustments can be made through their supervisor and People and Capability. The 'Request for Workplace Adjustment' form should be used.
2. Candidates should be informed that their information is confidential and requests for adjustments are forwarded on a 'need to know' basis to ensure that the required workplace adjustments or modifications can be made ready for their

commencement of employment. Council will comply with the provisions of the Privacy Act to protect personal information.

3. A copy of the 'Request for Workplace Adjustment' form should be kept on the employee's personnel file and counter-signed by the manager who has actioned the workplace adjustments.

All successful candidates will be asked whether they need workplace adjustments for the commencement of their role.

Existing employees can ask their supervising managers about the availability of workplace adjustments and complete a 'Request for Workplace Adjustment' form as needed.

### **Supporting Documentation**

The employee is responsible for providing any required supporting documentation, such as medical assessments, that assist in ascertaining accurate and useful workplace adjustments. The "Request for Workplace Adjustment" summarises the supporting documentation required. These documents are kept in the confidential HR file of the employee.

### **Requests for Workplace Adjustments**

The form for a request for an adjustment is 'Request for Workplace Adjustment'. This form is available on People and Capability CoWHub site.

An employee can discuss the required adjustment/s with People and Capability prior to completing the form. Sharing of personal information or the need for workplace adjustment is subject to confidentiality and Privacy Act provisions.

### **Assessment Stages**

#### **Step 1**

The completed "Request for Workplace Adjustment" form and any required accompanying supporting documentation, is submitted by the employee to the employee's direct supervisor and People and Capability.

#### **Step 2**

Requests for adjustment are assessed by the People and Capability (in consultation with Safety and Wellbeing and Major Projects).

Council will endeavour to accommodate requests for adjustment. However requests for adjustments may not be approved if the request causes 'unjustifiable hardship' to the organisation.

Alternative adjustment options that can be implemented will be negotiated.

### **Step 3**

People and Capability forwards the approved form and recommendation for making the requested workplace adjustment to the supervising manager who will action the approved adjustments with support from the Safety and Wellbeing Team. Any required building modifications will be led by the Major Projects Department in consultation with the supervising manager.

#### **Key Contact for staff**

The supervising manager remains the key contact for staff during the assessment and implementation stages of the adjustment.

#### **Funding**

Where the cost of workplace adjustment exceeds \$500, the supervising manager can apply to [www.jobaccess.gov.au](http://www.jobaccess.gov.au) or telephone 1800 464 800 to source government funding. JobAccess do not fund all workplace adjustments but it is recommended that enquiries are made.

Costs of workplace adjustments not covered by JobAccess are borne by a centralised/universal cost centre managed by Major Projects. The Access Team can assist in developing an application to JobAccess.

#### **Request declined**

Where a requested workplace adjustment is not implemented due to unjustifiable hardship, the applicant will be informed of the decision and be supplied with the completed "Request for Workplace Adjustment" form by the supervising manager in conjunction with the People and Capability.

The usual staff grievance procedures are available via Prevention and Settlement Disputes.

#### **Review of Workplace Adjustment**

Review of the implemented workplace adjustments should be made as soon as possible after the commencement of employment and the implementation of the adjustment. An initial meeting should occur within the first week, with additional meetings as required.

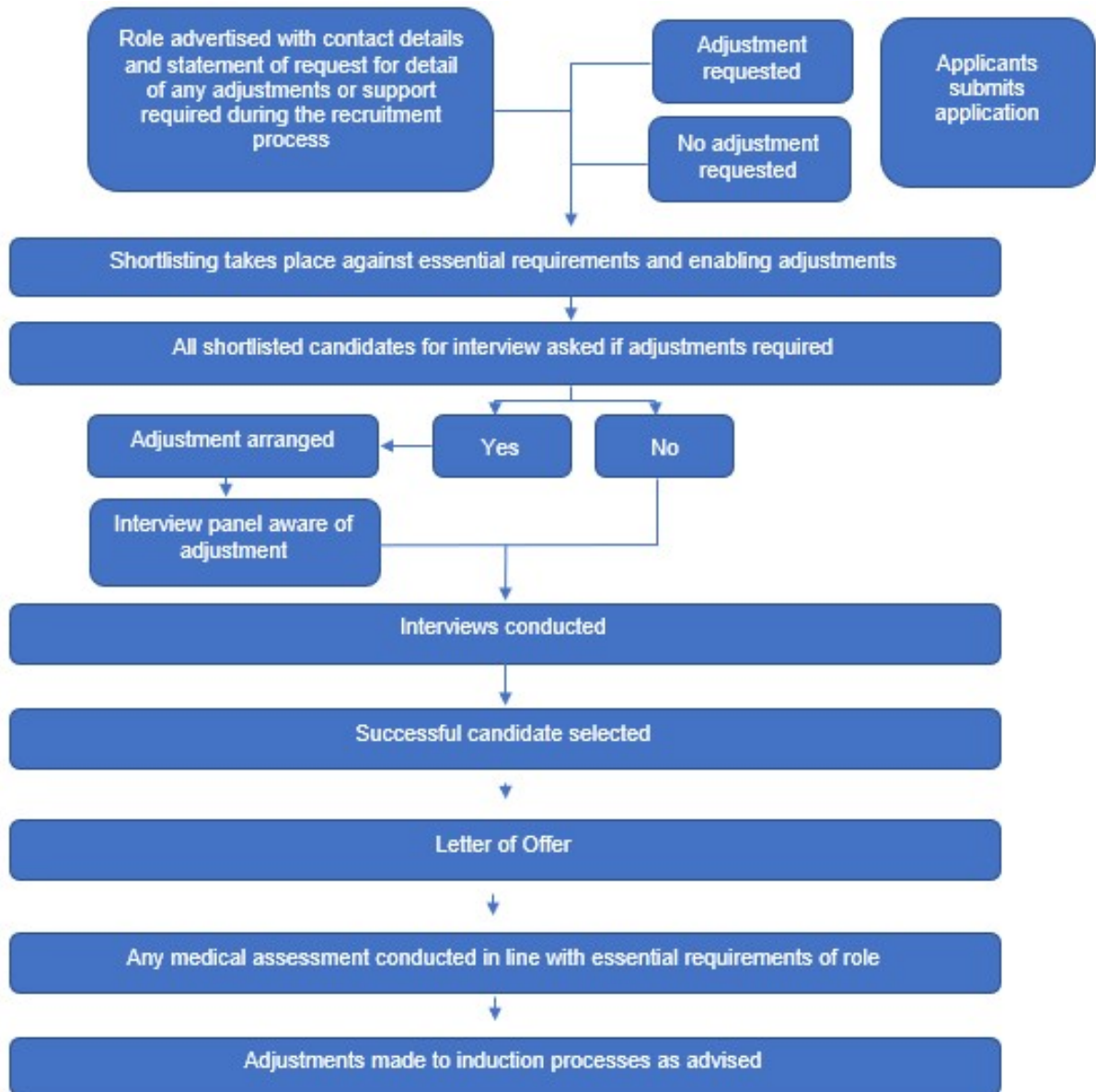
The supervising manager should discuss with the employee whether improvement has been made in relation to workplace accessibility following the implemented workplace adjustments. Summary of satisfactory implementation should be attached to the adjustment form and placed in the employee's personnel file.



## Workplace Adjustment Process Flowchart for current or new employees



## Workplace Adjustments Process as a part of the pre-employment





## Request for Workplace Adjustment

<b>Name:</b>
<b>Position Title:</b>
<b>Department/Business Unit:</b>
<b>Location:</b>
<b>Phone Number:</b>
<b>Email:</b>
<b>Supervisor Name:</b>

**Please answer the following questions to assist us to understand the context of your request for Workplace adjustment/s**

<b>If you are a candidate for a position and require an adjustment/s for the selection process, please describe the adjustment/s you are seeking</b>
<b>Please describe the essential requirements of your role for which you need a workplace adjustment to achieve.</b>
<b>What specific adjustment are you seeking, if known?</b>

**Do you require a workplace assessment to assist you to determine the most appropriate adjustment/s?**

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**Are there time sensitivities relating to the request? If so, please detail.**

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**Please forward this form to People and Capability with supporting documentation, if appropriate.**

**Candidate/ Employee's  
signature** \_\_\_\_\_

**Date application submitted:** \_\_\_\_\_

**Approved /Declined (please circle)    Date:** \_\_\_\_\_

**Deciding officers name and title:**

\_\_\_\_\_

**If declined, reason:**

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Note: Information contained in this form will be treated in a strictly confidential and private manner.

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<sup>i</sup>Profile id (2018). *City of Whittlesea Population Forecasts*. Accessed August 2018:  
[www.profile.id.com.au/whittlesea](http://www.profile.id.com.au/whittlesea)