

Information Sheet: What are Workplace Adjustments in Graduate Employment?

This Information Sheet provides a brief explanation of the concept of 'Workplace Adjustments' and how it particularly relates to graduate employment. Making workplace adjustments for employees with disability is an essential way of creating a more inclusive workplace and a legal obligation under Australian anti-disability discrimination legislation (see Information Sheet on Key Disability Legal Rights and Obligations in Graduate Employment).

An awareness of how workplace adjustments apply to graduate employment will help Employment and Career Services to better anticipate the needs of employers and graduates when planning the transition from adult education to employment.

For more information see the Education to Employment website at www.uws.edu.au/ndco/employment. This information should be considered a guide only and not legal advice.

What are Workplace Adjustments?

The following information is adapted from *Diversity@Work* website as at 31 October 2008 www.diversityatwork.com.au and *The Australian Human Rights Commission* website, www.hreoc.gov.au as cited on 4 June 2010.

- ➔ Workplace adjustments refer to any accommodations, modifications or provisions made in the workplace to enable a person with disability to work effectively. These may be administrative, environmental or procedural and temporary or long-term changes.
- ➔ In graduate employment this also includes adjustments to the process of graduate recruitment, placement programs and development programs.
- ➔ Other terms used to describe workplace adjustments include reasonable Adjustments, Workplace Modifications, Reasonable accommodations or some other variation.
- ➔ Not all graduates with disability need adjustments at work. Do not assume that all graduates with disability will need to negotiate workplace adjustments.

- Some existing features of Graduate Employer workplaces and programs act as a major barrier to a graduate with disability being able to equally participate and perform in graduate level employment. Often these features could be readily altered.
- Employers are legally obliged to remove these barriers by making reasonable adjustments that would enable a graduate with disability to work or participate in the workplace effectively.
- Graduate Employers who fail to make reasonable workplace adjustments will be exposed to liability for unlawful discrimination as well as missing an opportunity for using the talents of the full pool of graduates.
- If an employer declines to make adjustments, they are legally obliged to demonstrate a thorough assessment showing that adjustments would cause the employer 'unjustifiable hardship' (see below for definition).
- Workplace Adjustments are usually simple and inexpensive: 86% of all workplace adjustments cost less than \$500 and could be implemented quickly (*source: Diversity at Work website at www.diversityatwork.com.au*)
- 65% of employers surveyed who had recently employed a person with disability said that the costs involved were cost neutral and an additional 20% said that there had been an overall financial benefit to the business (*source: Business Benefits of Employing People With Disability, Australian Network on Disability for Employers Making Difference as cited on www.and.org.au on 30 May 2010*).
- There is government assistance available to Graduate Employers to help with costs associated with equipment, modifications and/or interpreter services.

What are some examples of Workplace Adjustments that might be typical in Graduate Employment?

- The type of workplace adjustment needed by any person with disability is a highly individual matter and can only be effectively determined by speaking with the graduate directly and investigating possible options. No graduate would need all of these adjustments and some will need none at all.
- *Graduate selection processes*
 - Allowing a later or earlier interview appointment time to help the person deal with travelling during 'peak hour';
 - Providing a 'Quiet Room' before the interview to help the graduate have reading and/or 'chill-out' time; and/or
 - Allowing the application to be submitted electronically.
- *Graduate placement and/or development programs*
 - Allocating a mentor to the graduate with disability, especially during the start and peak periods of the program;

- Allowing extra time for reading, new tasks and/or orientation programs; and/or
 - Extending the program to allow the person to work part-time and complete the program over a longer period.
- *Job redesign*
 - Dividing larger projects into smaller tasks, especially when the project is new; and/or
 - Exchanging some minor duties with co-workers.
- *Changes to work practices or methods*
 - Developing regular workplace routines for the graduate done in similar ways, times and/or places as often as possible;
 - Using electronic 'to do' lists to record and track the tasks that need to be regularly completed on a daily, weekly or monthly basis; and/or
 - Providing plain English written instructions about new job processes.
- *Flexible work arrangements*
 - Allowing more frequent or differently sequenced breaks in work routine to allow for rest, quiet time, taking medications, eating snacks, etc; and/or
 - Working from home for part of the time for specific tasks
- *Alterations to work premises or work areas*
 - Providing adjustable height desk or workbench;
 - Working at an alternative site, closer to home or quieter;
 - Increasing lighting at workstation and other work areas, such as laboratory, workshop or interview room;
 - Providing clear markings and colour contrasts on steps or pathways;
 - Providing a parking space close to the place of employment for an employee who uses a wheelchair; and/or
 - Building modifications to allow access to a building or bathroom facilities.
- *Information and communication in alternative formats*
 - Giving new instructions in written and spoken form, where possible;
 - Providing important documents in accessible electronic versions prior to meetings;
 - Accessing interpreters such as Auslan interpreters for employees who are deaf or have a hearing impairment; and/or
 - Allowing extra reading time where large amounts of reading is required.
- *Modified or specialised equipment, furniture or technological aides*
 - Providing lifting equipment for an employee who cannot lift heavy objects safely;
 - Arranging telephone typewriter (TTY) phone access for an employee who is deaf, hearing or speech impaired;
 - Using a voice-activated tape recorder for verbal instructions;
 - Providing screen reading software for employees with vision impairments; and
 - Providing disability specific equipment such as Braille equipment.

(References: *Diversity@Work* website www.diversityatwork.com.au as cited on 31 October 2008; and Department of Education, Employment and Workplace Relations' Job Access website www.jobaccess.gov.au as cited on 4 June 2010.)

What is meant by 'unjustifiable hardship'?

- To determine what adjustments are reasonable, an employer needs to take into account:
 - Whether the costs of the adjustment/s would be more than the organisation could afford;
 - Whether the adjustments would have a negative impact on other employees;
 - The benefit to the person with disability and the workplace generally.
- To decline to implement a specific workplace adjustment, under the Disability Discrimination Act (1992), an employer will need to be able to demonstrate that the organisation has explored all possibilities and that the adjustment would be considered unreasonable because it causes an 'unjustifiable hardship' on the employer (as above).
- If an employer declines to implement specific workplace adjustments they must tell the employee with disability as soon as possible and explain the reasons that the workplace can not implement the adjustment.

What does this mean for graduates with disability, Graduate Employers and Employment & Career Services?

Graduates with disability need to be encouraged by Employment & Career Services to:

- Consider early in their career and transition planning whether and what workplace adjustments they are likely to need in their graduate employment.
- Think about and, if possible, decide whether they intend to disclose to future graduate employers about their disability and need for workplace adjustments (see Information Sheet on Disability Disclosure in Graduate Employment for more information).
- As part of building their work-readiness skills, develop the skills, strategies and confidence to effectively negotiate plans for workplace adjustments with their graduate employer.

Graduate Employers need to know early about:

- Their obligations to ask about and implement workplace adjustments (see Information Sheet on key legislative obligations).
- The likely low costs and high benefits of implementing workplace adjustments.

- Availability of government assistance with costs of modifications, equipment and other services (see Information Sheet on Services and Programs available).

Employment and Career Services need to incorporate the above considerations when:

- Assisting students and graduates with disability with skill development, career planning, employment placements and transition planning; and
- Working with graduate employers about Graduate Recruitment Programs being organised through the institution.

References

Australian Human Rights Commission website at www.hreoc.gov.au as cited on 4 June 2010.

Diversity at Work website at www.diversityatwork.com.au as cited on 31 October 2008.

'*Business Benefits of Employing People With Disabilities Fact Sheet*' by Australian Network on Disability as cited on website at www.and.org.au as cited on 30 May 2010

Department of Education, Employment and Workplace Relations' Job Access website www.jobaccess.gov.au as cited on 4 June 2010

'*Manager's Guide to Disability in the Workplace*' by Australian Employers Network on Disability' (now known as Australian Network on Disability), undated.