

Reasonable adjustment policy template

Introduction

The introduction should explain the purpose and main ideas of the policy, laws, and company rules.

For example:

[Employer name] is committed to creating a workplace where people with disability can fully take part in all areas of work. This can include work job design, hiring, training, and leaving the organisation.

In line with the Disability Discrimination Act, 1992 (DDA), relevant state laws (like the Victorian Equal Opportunity Act, 2010), and our internal diversity policies, [Employer name] is committed to making reasonable adjustments (or workplace adjustments) to support people with disability.

These adjustments will help skilled people with disability to perform their jobs inherent requirements (or essential parts) unless it causes undue hardship to our organisation.

The purpose of this policy is to explain the principles and steps for making reasonable adjustments in the workplace to meet the needs of current and future staff with disability.

Definitions

This section defines important terms and ideas. It might include definitions of disability, sharing information about disability (previously called disclosure), discrimination, inherent requirements, merit principle, reasonable adjustment, and unjustifiable hardship.

The number of definitions included may depend on whether other broader policy documents already exist (like a disability action plan or diversity and inclusion policy).

Disability

This policy uses the broad definition of 'disability' set out in the DDA. Disability includes any condition affecting how a person thinks, feels, moves, or works. It could be caused by accidents, trauma, injury, genetics or other factors. Disability can be:

- Short-term or permanent
- Visible or non-visible
- Something that happened in the past, may happen in the future, or is believed to exist

Sharing information about disability

Sharing information about disability is a personal choice to tell someone or an organisation about their disability. Job applicants or employees do not have to share this information unless it:

- Affects their ability to do the inherent requirements of the job
- Affects their safety, or
- Affects the safety of their co-workers

People with visible disabilities can't choose not to share this information. Those with non-visible disability may choose not to share because they fear discrimination, being treated unfairly, or think their disability won't affect their work.

Having a clear policy on reasonable workplace adjustments can help employees feel comfortable sharing their information. Information about disability may be partial, like mentioning a symptom that affects a job task. Some people feel comfortable sharing information before employment, while others prefer to wait until after probation, when their performance is affected, or when they become unwell.

Inherent requirements

Inherent requirements are the essential parts of a job, the task to be carried out to do the job properly. It is not every duty listed in a "job requirements" or "job description". Inherent requirements are different from the tasks that are optional, flexible or can be changed.

Example:

For a delivery driver, an inherent requirement is having a valid driver's licence and being able to safely drive a vehicle. A non-essential task, like helping in the office once a week, could be changed or removed if needed.

Reasonable adjustment

Reasonable workplace adjustments are changes to help employees with disability work safely and work effectively. These changes can be:

- Flexible work hours
- Special equipment
- Extra training
- Changes to job design
- Different ways of sharing information

Unjustifiable hardship

Employers should make fair adjustments at work to support people with disability. But if a change is too expensive, disruptive, or hard for the organisation, it might be seen as an unjustifiable hardship. In that case, the employer might not have to make the change. What counts as hardship depends on the size, nature of the business. The DDA places the onus on the employer to prove if the adjustment is unreasonable.

Many adjustments cost little or nothing. JobAccess can provide advice and possible funding to modify the workplace or buy equipment for eligible employees with disability.

Entitlement/coverage

This section should clarify who qualifies for consideration of reasonable adjustments.

For example:

All current and future employees that share information about disability at each stage of employment. This includes probation, full time or part-time, permanent or casual, temporary contractors or seasonal staff.

Confidentiality

This section should summarise the organisation's policy regarding the sharing of disability information. It also includes details handling private disability-related information.

For example:

[Employer name] will follow federal and state privacy laws to protect employee's personal information including health or disability information. I/We will:

- Only collect information that is necessary and relevant to role
- Tell the employee why the information is being collected and how it will be used
- Explain who will see the information, how it will be stored and when it will be deleted

[Employer name] is legally required to keep personal and health information private and safe.

[Employer name] will only share this information without permission if there is a serious and immediate risk to someone's health, safety or property at work or in the community.

Even when a person shares information about their disability, their privacy will still be respected. Information about reasonable adjustments will only be shared with staff who need to know, like an HR manager or direct supervisor. Other disability related details will be shared with written consent from the employee.

Communication and responsibilities

This section should outline how the availability of reasonable adjustments will be publicised in the organisation and summarise which staff have responsibilities in the reasonable adjustment approval and implementation process.

It could also include information on organisation and staff liabilities for failing to meet their DDA obligations regarding reasonable adjustment.

For example:

[Employer name] will ensure all job applicants and employees are notified of the availability of reasonable adjustments.

The CEO has overall responsibility of ensuring that this policy is implemented and regularly reviewed.

The human resources team will be responsible for:

1. Ensuring that all application forms and job interview correspondence outline the existence of a reasonable adjustment policy and advise who to contact in HR for further information or assistance
2. Notifying all job applicants invited to interview how they can make a reasonable adjustment request and participate in the interview process equitably
3. Organising the financing of all reasonable adjustments and related workplace assessments through internal budgets or through application to the Australian Government's Employment Assistance Fund which can be accessed through [JobAccess \(www.jobaccess.gov.au\)](http://www.jobaccess.gov.au)
4. Publishing this policy on the organisation's website

Line managers will be responsible for:

1. Advising employees of the reasonable adjustment policy and procedure upon job commencement and during performance appraisals
2. Ensuring that information about the reasonable adjustment policy is readily available in the work areas of employees supervised
3. Approving or rejecting all requests for reasonable adjustments
4. Implementing and reviewing all reasonable adjustments in conjunction, if necessary, with HR staff and direct supervisors

It is important that HR staff and managers understand that they can be held responsible under federal and state law for an act of disability discrimination. By failing to make available a reasonable adjustment they could be joined as co-defendants in the event of a disability discrimination complaint with a consequent personal liability.

Or more simply:

The Director Corporate has overall responsibility for ensuring this policy is implemented and regularly reviewed.

The personnel section, in consultation with divisional managers and immediate supervisors, has day-to-day responsibility for ensuring that all reasonable adjustment applications are considered and implemented where reasonable/possible in accordance with this policy, and that all employees and potential employees are made aware of this policy.

The Director Corporate has the authority to approve all expenses relating to the purchase of equipment and/or software, alteration to accommodation arrangements such as refitting of office space and other reasonable adjustment related expenditures and processes. The head of each division has the authority to approve redesign requests relating to reasonable adjustments under this policy.

Reasonable adjustment procedure

This section should describe the internal procedures regarding how reasonable adjustments are requested, assessed and approved or rejected, financed, implemented and evaluated. It should also detail an appeals process for individuals who wish to challenge any rejection decisions.

The information in this section will vary from organisation to organisation, depending on size and structure. It also needs to fully outline staff members responsible for managing the various parts of the process, and timelines involved.

Some organisations may prefer to have this procedure separated out from the policy as a guidelines document with a final sentence in the opening principles section. For example, 'this policy is supplemented by the 'reasonable adjustment guidelines' that provides detailed information and a guide to assist relevant staff to administer this policy'.

For example – outline only:

The following procedures shall be used by designated staff for all reasonable adjustment requests by employees who have shared information about their disability:

1. Request
2. Assess and reach a decision
3. Appeal process
4. Funding adjustments
5. Implementing adjustments
6. Monitoring and evaluation

A simple version could read:

WhenW manager gets a reasonable adjustment request, they will contact the Director, Human Resources (or nominee), who will arrange as a high priority for the Workers Compensation and Rehabilitation Unit to assess the nature, degree and cost of the adjustment required.

Each type of adjustment will be considered on its merits and be related to the specific disability and the inherent requirements of the job. The nature of the adjustment will be assessed on-site in the workplace and will involve the prospective or current employee as one of the main sources of information on the adjustment sought.

The Workers Compensation and Rehabilitation Unit will be responsible for organising, if necessary, external workplace assessments through the Australian Government's Employment Assistance Fund (EAF) which can be accessed through JobAccess (www.jobaccess.gov.au), as well as initiating and progressing applications under the EAF to cover any approved adjustments requiring an outlay of over \$500.

A final decision on whether an adjustment is reasonable will be made by the Director, Human Resources for adjustments up to \$20,000, and by the CEO (or nominee) for adjustments in excess of \$20,000.

Where no costs are involved, like job redesign initiatives or office space reorganisation, then a decision can be made by the immediate manager.

If an employee disagrees with a decision about adjustment, they can use the usual workplace complaint or grievance procedures.

Consider using the **Reasonable adjustment policy checklist** ([PDF copy](#) and [Word copy](#)) to support the implementation process.

Case study

An organisation may wish to include one or more case studies from its own experience.

Where to from here?

Contact JobAccess on 1800 464 800 or submit an enquiry to learn more about JobAccess can help.