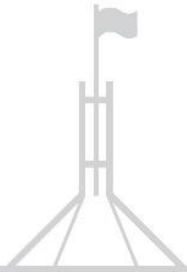




**Australian Government**



**Workplace Adjustment Policy for  
*Members of Parliament (Staff) Act 1984*  
employees**

**APRIL 2022**

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**Workplace Adjustment Policy for *Members of Parliament (Staff) Act 1984* employees**

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# 1. Introduction

1.1 The Department of Finance (Finance) is committed to contributing to an accessible and inclusive work environment that enables people with disability, illness or injury to participate fully in all aspects of employment.

1.2 In keeping with the requirements of the *Equal Opportunity Act 2010*, the *Disability Discrimination Act 1992*, and the *Safety, Rehabilitation and Compensation Act 1988*, Finance seeks to apply the principles of workplace adjustment for all staff employed under the *Members of Parliament (Staff) Act 1984* (MOP(S) Act employees) to remove any barriers to participation in work by people with disability, illness or injury.

# 2. Principles

2.1 This policy provides guidance to Parliamentarians, managers and MOP(S) Act employees on requesting and implementing workplace adjustments.

2.2 Workplace adjustments can be made for any number of reasons including for:

- persons with a disability
- persons recovering from illness or injury or managing a chronic illness
- persons with caring responsibilities
- persons who are experiencing domestic and family violence
- enabling potential employees with a disability to perform the inherent requirements of their positions.

This is not an exhaustive list.

2.3 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
- promotions, transfers, or any other employment benefit.

# 3. What is workplace adjustment?

3.1 Workplace adjustment is the modification or alteration of the work environment, work process, practice or management to eliminate barriers to work. It will be different in each situation.

3.2 Examples of workplace adjustment may include one or more of the following:

- adjustment to workplace or work-related premises, equipment or facilities, including provisions of additional equipment or facilities
- adjustment to work-related communication or information provision, including the forms or formats in which information is available
- adjustment to work methods
- adjustment to work arrangements, including hours of work and use of leave entitlements
- adjustments to methods for testing, assessments or selection
- adjustment to work-related rules or other adjustments to enable a person to comply with rules as they exist and demonstrate or develop capacity in a position
- provisions 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

- other work-related adjustments other than altering the inherent conditions of a position.

3.3 Reasonable adjustments do not include changing the inherent requirements of the job or creation of an entirely new job, unless in the context of training or rehabilitation.

## 4. Definition of a disability

4.1 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 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.

## 5. Who can seek a workplace adjustment?

5.1 Workplace adjustment may be required for any number of health or personal circumstances. This policy covers adjustment in all aspects of employment and applies to MOPS Act employees and prospective employees 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.

5.3 Implementing workplace adjustments are designed to eliminate barriers so that a person with disability can perform the requirements of the job, have equal opportunities in employment (including promotions) and participate in social events on an equal basis.

## 6. Request for adjustment

6.1 If a MOP(S) Act employee wants to request a workplace adjustment, they should discuss their circumstances with their supervisor in the first instance, or Ministerial and Parliamentary Services (MaPS) Case Manager, and provide information as to what proposed adjustment(s) are required. Supervisors should be supportive of removing barriers for MOP(S) Act employees with a disability or injury in the workplace and decide whether the request is reasonable by considering:

- the benefit of the adjustment to the employee
- any detriments to any other affected employees
- the cost of the adjustment or other relevant operational matters
- the availability of other sources of funding.

6.2 Finance will work with employing Parliamentarians and managers to determine potential alternative solutions and funding sources.

6.3 Supervisors should ensure that they treat any information provided to them by the employee for this purpose in confidence and in line with the requirements of the *Privacy Act*

1988 and the *Australian Privacy Principles*. Any information collected or created during a reasonable adjustment process should be handled in accordance with these principles.

## 7. Roles and responsibilities

### Parliamentarians and supervisors

7.1 Parliamentarians and managers play a crucial role in providing a work environment where people are able to participate to their full capacity. This includes considering:

- accessibility requirements
- job re-design, if appropriate
- use of adaptive technology and ergonomic equipment
- advising MOP(S) Act employees of the workplace adjustment policy and procedures upon job commencement and during performance reviews. 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
- ensuring that the workplace adjustment policy is discussed as part of any return to work discussion when a staff member is returning to work after illness or injury
- explaining the workplace adjustment policy to the employee and either contacting Ministerial and Parliamentary Services (MaPS) when approached by an employee requesting an adjustment, or assisting the employee to contact the MaPS directly
- following the workplace adjustment policy and managing communication in a manner that models integrity.

### MOP(S) Act employees

7.2 MOP(S) Act employees are responsible for behaving appropriately and safely in the workplace and supporting diversity in the workplace. This includes:

- notifying their manager/supervisor if they require a workplace adjustment
- informing their employing Parliamentarian/supervisor of any change to their condition or circumstances (improvements or deteriorations)
- actively managing their own health and safety
- following advice from their medical practitioner
- providing evidence, such as a letter from a medical practitioner, demonstrating that the request for a workplace adjustment is reasonable.

### Finance

7.3 MaPS can assist Parliamentarians and managers in making reasonable adjustments by:

- facilitating the assistance of specialist organisations to support an employee to remain in the workplace
- providing work health and safety specialists to assist and provide ergonomic and adaptive technology adjustments
- ensuring Commonwealth-funded workplaces are accessible
- providing advice on how to adjust work methods, including flexible working arrangements and the use of leave entitlements.

7.4 Where workplace adjustments are required, MaPS will work with the employee to identify their requirements and assist with the provisions of essential equipment, adaptive technology and other reasonable adjustments. Where possible any workplace adjustments should be in place prior to the commencement of any new employee.

## 8. Services

8.1 Persons with disabilities may be eligible for the employee assistance fund under the JobAccess program run by Services the Department of Social Services. This program covers workplace modifications, work equipment, Auslan services, workplace assistance and support services. This assistance must be clearly directed to the specific needs of the person with a disability and be essential for them to perform their work duties and responsibilities.

8.2 Any modifications or equipment purchased under this fund remain with the MOP(S) Act employee to assist with their general participation in employment and do not remain with the employer if the MOP(S) Act employee ceased employment.

## 9. Related legislation and guidelines

- *Equal Opportunity Act 2010*
- *Disability Discrimination Act 1992*
- *Work Health and Safety Act 2011*
- *Safety, Rehabilitation and Compensation Act 1988*
- *Privacy Act 1988*
- *Fair Work Act 2009*

## 10. Resources

- [National Disability Insurance Scheme](#)
- [Australian Human Rights Commission](#)

## 11. Further Assistance

For queries relating to the operation of this policy please contact [MOPSWHS@finance.gov.au](mailto:MOPSWHS@finance.gov.au).

## Attachment A: Supports and resources

### **HR Advice and Support Team, MaPS, Finance**

The HR Advice and Support Team offers access to a team of trained case managers who can provide support and advice on options to Parliamentarians and employees engaged under the MOP(S) Act by calling (02) 6215 3333 or via email on [MOPSupport@finance.gov.au](mailto:MOPSupport@finance.gov.au).

### **Employee Assistance Provider (EAP)**

You can access EAP services for work or personal issues or to access the Manager Support Program by calling 1800 945 145 or by emailing [info@assureprograms.com.au](mailto:info@assureprograms.com.au) to make a booking. Available to MOP(S) Act employees' families, friends and colleagues.