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1 PURPOSE

- 1.1 This procedure informs and assists CQUniversity employees with disability on how to access specialised support services, assistive technologies, equipment and other reasonable adjustments, to ensure equitable access to employment opportunities, training, promotion, services and facilities.
- 1.2 The provision of reasonable adjustments will be made to assist employees with disability in performing the inherent requirements of work. Consideration in regard to work will be given if potential or existing employees are not able to perform the inherent requirements of the work with reasonable adjustments or, if the reasonable adjustments would result in unjustifiable hardship.

2 SCOPE

- 2.1 This procedure applies to employees of CQUniversity.
- 2.2 Support services for CQUniversity students with disability are outlined in the [Disability Support Procedure – Students](#).

3 PROCEDURE

- 3.1 Potential or existing employees have no obligation to disclose a disability unless it is likely to affect their ability to undertake the inherent requirements of the position.
- 3.2 New and existing employees who indicate they have a pre-existing, recently diagnosed or temporary illness, medical condition or disability and wish to access a support service, assistive technology, equipment or other reasonable adjustment are invited to discuss their needs with their supervisor or seek initial advice from the Senior Rehabilitation and Human Resources Officer within the People and Culture Directorate. Existing employees may also access assistance through the [Rehabilitation Policy and Procedure](#) as a non-work related injury or illness.
- 3.3 Employees generally disclose the following information to their supervisor:
 - the name of the condition
 - how it may affect the way the employee works, and
 - possible adjustments to the work environment.

- 3.4 After consulting with the employee, the supervisor may seek advice and assistance from the Senior Rehabilitation and Human Resources Officer. Requests are managed on a case by case basis and may need further consultation with professional medical officers and other areas of the University before a decision on a reasonable adjustment can be made. Cases are considered from a whole of organisation perspective and not the work unit.
- 3.5 Once adjustments are agreed upon, employees are notified directly by their supervisor with assistance from the Senior Rehabilitation and Human Resources Officer.
- 3.6 A supporting medical document from the employee's treating health professional may be required before a reasonable adjustment is made, but will only used for the purpose of implementing forms of support.
- 3.7 Disclosure of information cannot be made without consent of the employee and will only made on a 'need to know' basis (refer to the [Information Privacy Policy and Procedure](#)).
- 3.8 If mandatory reporting to the Australian Health Practitioners Registration Authority (AHPRA) is required, the relevant employee delegated with reporting authority will discuss disclosure with the affected employee. CQUniversity employees are required to report to AHPRA any employee registered with the AHPRA who, because of their impairment, may place the public at substantial risk of harm during the practice of their profession.
- 3.9 Employees with disability are encouraged to self-disclose their disability through Employee Self Service Online (ESSO), as part of the Equal Employment Opportunity data. This information will be used to provide statistical information for reporting purposes, to inform CQUniversity equity and diversity strategies; marketing purposes and to improve funding opportunities. Data will only be accessible by the People and Culture Directorate. The Senior Rehabilitation and Human Resources Officer may contact individuals regarding specialised equity needs.
- 3.10 Employees who believe they have been treated unfairly under these procedures should use the [Workplace Harassment \(including Sexual Harassment\), Workplace Bullying and Unlawful Discrimination Policy and Procedure](#). Employees also have the right to contact the [Anti-Discrimination Commission Queensland](#) or the [Australian Human Rights Commission](#).

4 RESPONSIBILITIES

Compliance, monitoring and review

- 4.1 The Director, People and Culture is responsible for monitoring, reviewing and ensuring compliance with this policy.

Reporting

- 4.2 No additional reporting is required.

Records management

- 4.3 Staff must maintain all records relevant to administering this procedure in a recognised University recordkeeping system.

5 DEFINITIONS

- 5.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Consultation: before an adjustment is made for an employee, the employee must be consulted. Employees with disability who have indicated they require assistance are consulted on reasonable adjustments and other forms of assistance based on their individual circumstances. The University encourages staff to be involved in the decision making process to ensure their best possible outcomes.

Reasonable adjustments: are based on consultation. Reasonable adjustments will be made to accommodate employees with disability without compromising the inherent requirements of the position. Adjustments are reasonable if they do not impose unjustifiable hardship on the University.

Inherent requirements: are the fundamental, essential elements to the performance of roles and tasks relevant to a position. The University will consider whether the person could perform these requirements if a reasonable adjustment were made.

Unjustifiable hardship: is a defence which may be used by the University to counter a claim of discrimination if it is unable to make an adjustment for an employee with a disability. In determining unjustifiable hardship CQUniversity must take into account all relevant circumstances of a particular case. This includes consideration of:

- the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned the effect of the disability of the person concerned, and
- the financial circumstances and the estimated expenditure required by the University.

6 RELATED LEGISLATION AND DOCUMENTS

[Anti-Discrimination Act 1991](#) (Qld)

[Anti-Discrimination Act 1977](#) (NSW)

[Anti-Discrimination Act](#) (NT)

[Anti-Discrimination Act 1998](#) (TAS)

[Australian Human Rights Commission Act 1986](#) (Cwlth)

[Discrimination Act 1991](#) (ACT)

[Disability Discrimination Act 1992](#) (Cwlth)

[Disability Policy](#)

[Disability Action Plan 2016-2021](#)

[Disability Standards for Education 2005](#) (Cwlth)

[Equal Opportunity Act 1984](#) (SA)

[Equal Opportunity Act 1984](#) (WA)

[Equal Opportunity Act 2010](#) (VIC)

[Fair Work \(Registered Organisations\) Act 2009](#) (Cwlth)

[Guide, Hearing and Assistance Dogs Act 2009](#) (Qld)

[Information Privacy Policy and Procedure](#)

[Racial Vilification Act 1996](#) (SA)

[Racial and Religious Tolerance Act 2001](#) (VIC)

[Whistleblowers Protection Act 1993](#) (SA)

[Rehabilitation Policy and Procedure](#)

[Workplace Harassment \(including Sexual Harassment\), Workplace Bullying and Unlawful Discrimination Policy and Procedure](#)

7 FEEDBACK

- 7.1 University staff and students may provide feedback about this document by emailing policy@cqu.edu.au.

8 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice Chancellor and President
Advisory Committee to Approval Authority	Vice Chancellor's Advisory Committee
Administrator	Director, People and Culture
Next Review Date	11/04/2021

Approval and Amendment History	Details
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