

For graduates with disability, employment & career service providers and employers

Information sheet 11: A 10 step plan to negotiating workplace adjustments

This information sheet provides basic information about negotiating workplace adjustments between employers and employees with disability.

Negotiating workplace adjustments can be a great chance for the worker and employer to come to concrete agreements about working together to get the job done and building an effective and strong working relationship. It's about sorting out the practical issues plus getting good communication going. The approach you take to negotiations can make a huge difference.

For more information see the Education to Employment Package website: www.uws.edu.au/ndco/employment.

Employee

Employer

1. Know your legal rights and obligations as a person with disability in the workplace.

1. Know your legal rights and obligations as an employer of a person with disability.

2. Tell your employer about your disability and request workplace adjustments (see our website for advice on decisions about disclosure and tips on how to make a constructive disclosure).

2. Respond constructively to the person's disclosure of disability and maintain confidentiality (see our website for advice and tips on handling disability disclosure). Set up a time to meet to discuss further.

3. Think about the inherent requirements of the position and analyse which duties are core and which may be negotiable.

4. Find out about and come up with some ideas of workplace adjustments that you think you may need.

4. Find out what workplace adjustments are and typical examples of adjustments. Remember you can only know what type of adjustments are needed by asking the employee directly about the affects of their disability and suggestions for adjustments.

5. Sketch out a plan of how you will approach the negotiations. You may want to think about positive ways to deal with any difficulties that could come up.

6. Sit down with your employer and discuss how your disability affects you at work, the specific areas or duties where you need support and your suggestions for workplace adjustments.

Some employers have a specific person within the organisation who has a background in workplace adjustments and who may attend the meeting.

6. Sit down with your employee and listen to them about how their disability affects them at work, where they believe they need support and their suggestions of workplace adjustments.

You may have some suggestions to contribute about areas where the person may need assistance and possible workplace adjustments.

See if your organisation has a specific person with a background in workplace adjustments who you may invite to attend the meeting.

7. If possible, agree on the adjustments that will be made and a timeframe for when they are to be implemented. The employer or employee may need some time to consider and/or find out more about the most appropriate adjustments. If so, set a timeframe for this and the next meeting together.

8. If there is disagreement or difficulties in agreeing on which adjustments will be implemented, stay cool.

Clearly communicate in a positive and respectful manner the reasons you believe you need the adjustment/s and request that the employer reconsider.

If you can't resolve the issues using this approach, you may need to make a formal grievance with the organisation.

If this does not work, you may need to consider a complaint to an independent anti-discrimination agency (see our website for details).

8. If there is disagreement or difficulties in agreeing on which adjustments will be implemented, stay cool.

If at all possible, keep the discussion focused on finding a way to support the person to be able to do the job.

If you decline to implement a specific workplace adjustment requested by the employer, see our website for information about the process you must undertake to demonstrate the reasons the organisation cannot implement the adjustment requested.

Give the employee clear reasons in a positive and respectful manner for declining to make the adjustment and the alternative arrangement that you would like to implement.

9. When an agreement is reached, record the plan and both parties keep a copy. Include a review date within the plan.

10. Implement and review the plan within the agreed timeframes.