

Workplace Adjustment (Staff) Policy

Section 1 - Key Information

Policy Type and Approval Body	Administrative - Vice-Chancellor
Accountable Executive - Policy	Executive Director, Human Resources
Responsible Manager - Policy	Executive Director, Human Resources
Review Date	20 May 2026

Section 2 - Purpose

(1) The purpose of this document is to outline La Trobe University's (the University) commitment to workplace adjustments to support staff and to provide information on workplace adjustments, including how to request an adjustment and guidelines for arranging workplace adjustments and who is responsible.

(2) This Policy reflects the [La Trobe University Enterprise Agreement 2023](#) (Enterprise Agreement) which details (clause 52) the University's commitment to fostering a diverse workplace by supporting workplace adjustments, including adjustments for staff with disability. This Policy and procedure adopts the broad ranging definition of disability set out in the [Disability Discrimination Act 1992 \(Cth\)](#) which in the context of employment, can be summarised as a condition either caused by accident, trauma, injury, genetics or disease that may restrict a person's mental, emotional, sensory or mobility functions to undertake a job. This includes physical, sensory, intellectual, learning, neurological and psychiatric disability. Disability may be temporary or permanent, total or partial, lifelong or acquired. Disability may be visible or hidden.

(3) In relation to this workplace adjustment Policy, the [Carers Recognition Act 2012](#) (Vic) applies. The Act defines a carer as an individual who provides personal care, support and assistance to another individual who needs care because that other individual:

- a. has a disability; or
- b. has a medical condition (including a terminal or chronic illness); or
- c. has a mental illness; or
- d. is frail and aged.

Section 3 - Scope

(4) This Policy applies to:

- a. all La Trobe University staff, including ongoing, fixed term and casual staff, contractors and CONAGOTHs, across all La Trobe campuses and working environments, and is in accordance with the [Equity, Diversity and Inclusion \(Staff\) Policy](#) and the La Trobe [Universal Design and Inclusion Action Plan 2023-2030](#).

Section 4 - Key Decisions

Key Decisions	Role
Approve a workplace adjustment request	Line manager/supervisor in consultation with the individual staff member
Implement the agreed workplace adjustment	Individual staff member with relevant support from line manager, HR consultant and if required, a designated subject matter expert.

Section 5 - Policy Statement

(5) At La Trobe University, our goal is to foster a culture of care by promoting and supporting the wellbeing of our people within the La Trobe community. We are committed to providing an inclusive, accessible, respectful, safe and equitable workplace, that embraces diversity and is free from discrimination. We recognise workplace adjustments are important for supporting a diverse workforce.

(6) Requests for workplace adjustments can be made at any time in the recruitment and selection process and at any stage of employment including probation, training, career development, promotion and performance management.

Section 6 - Procedures

Part A - Requesting a Workplace Adjustment

(7) A workplace adjustment also referred to as a 'reasonable adjustment', is an administrative, environmental, or procedural alteration to enable a staff member to meet the inherent requirements of their role. Inherent requirements of a role relate to results or what must be accomplished, rather than the means or how it is accomplished.

(8) Workplace adjustments can apply at different stages of the employment process and lifecycle and may be temporary or permanent depending on the requirements of the individual and the nature of the request. Examples of adjustments may include:

- a. Workplace access and premises: adjustments to premises and facilities, changes to work area design and modification to work equipment;
- b. Work procedures: modifications to work methods and working arrangements including but not limited to flexible practices with working hours, days of work, use of leave entitlements, working remotely and incorporating breaks; redistributing some duties (i.e. not inherent requirements of a job) that a person finds difficult to do due to their disability; modifications to work-related rules or policies to enable a person to comply with rules as they exist; adjustments to communication styles; provision of information in accessible and suitable formats;
- c. Hiring and recruitment practices: adjustment to methods used for testing, assessment, selection, and recruitment processes; accessible interview room; additional time to complete assessments; receiving interview questions in advance;
- d. Provision of specific services, aids or equipment: provision of interpreters, live captioning; providing training, accommodating requests for a support person or carer; providing ergonomic equipment, assistive software and technologies.

(9) If necessary, staff seeking an adjustment may be asked by the University to provide supporting documentation from a registered health professional to assist in affirming accurate and useful workplace adjustments. If supporting information is required from health professionals, it will specifically relate to the essential requirements of the role.

(10) If a staff member shares information regarding their disability (or other personal circumstance) and requests a

workplace adjustment, the University under relevant legislation has a positive obligation to make the adjustment.

(11) A workplace adjustment will be deemed reasonable and will be implemented by the University unless it causes “unjustifiable hardship”. Unjustifiable hardship is based on an assessment of what is fair and reasonable in the circumstances. Relevant factors that inform unjustifiable hardship to the University include practicality, complexity, the degree of disruption or benefit to the business or people or cost. Limitations on the obligation to provide workplace adjustments include:

- a. adjustments which impose an unjustifiable hardship on the University, i.e. significant financial cost;
- b. amendments to a physical building that is not possible due to council or other restrictions;
- c. changing the inherent requirements of the job (or maintaining a job that would otherwise be altered or abolished);
- d. assigning performance of some inherent requirements of the job to another staff member;
- e. adjustments that would disadvantage other staff members;
- f. creating a new or different job; or
- g. transferring to a different job.

(12) For more information about what could be considered unjustifiable hardship, refer to the [Disability Discrimination Act 1992](#) and the Unjustifiable Hardship page of the [Australian Human Rights Commission](#) website.

(13) If the University denies a workplace adjustment request based on unjustifiable hardship, the decision must be communicated in writing to the staff member. The staff member can seek a review of the decision with the Executive Director, Human Resources.

(14) Staff requiring flexible working to support disability, injury, medical condition or carer responsibilities (as defined in the [Carers Recognition Act 2012](#)) should request flexible working through the Workplace Adjustment Process rather than the University’s [Flexible Work Policy](#).

Part B - Funding of Workplace Adjustments

(15) The costs for the workplace adjustment will be met by the University. Depending on the circumstances and the adjustment required, the adjustment may be funded via a staff members’ direct work area or through Infrastructure and Operations (I&O) or Information Services (IS). Purchase of equipment will be arranged by the line manager in consultation with the staff member. Responsibility for the costs of adjustments for CONAGOTHs will be discussed and negotiated with the CONAGOTH’s employer.

(16) To apply for I&O funding, the line manager is responsible for confirming funding with the I&O Deputy Director Operations.

(17) To apply for IS funding, the line manager confirms funding with Team Leader Desktop and AV, IS.

(18) In instances where the I&O and IS funding has exceeded the allocated budget, the line manager is responsible for confirming funding with the Finance Department.

(19) Adjustment requests and recommendations related to office and building modifications will require discussions with I&O, initiated via the I&O contact page <https://www.latrobe.edu.au/io/contacts>.

(20) Staff members with a disability may be eligible for financial assistance to implement a workplace adjustment through the Federal Government’s Job Access [Employment Assistance Fund \(EAF\)](#). EAF provides financial assistance to eligible people with disability to buy work related modifications, support services and equipment. This can include the cost of making physical adjustments to the workplace and purchasing equipment, communication devices and aides, Auslan services and disability workplace training. Staff members can contact Job Access directly on 1800 464 800 to

clarify eligibility and to seek assistance with applying for funding via the [EAF](#).

Part C - Compliance Obligations

Privacy and Confidentiality

(21) Disclosure refers to a personal decision to tell a person or organisation about one's disability. There are many reasons why a person may or may not choose to share information about their disability and adjustment requirements. Legally, a person with disability is not obligated to disclose or share information about their disability unless:

- a. an adjustment is required to complete the main tasks of their job; or
- b. there is a risk to workplace safety.

(22) The University acknowledges that sharing information about a disability is deeply personal. Individuals may choose to disclose information to assist with understanding and implementing an adjustment in the workplace, the information will not be specific to the staff members' disability. The University may not be able to provide a workplace adjustment to a staff member who does not wish to disclose their disability or adjustment need(s).

(23) To assist individuals in considering what personal information they might share in a workplace, the [Australian Human Rights Commission \(AHRC\)](#) has produced a guide which is available via this [link](#). [Beyond Blue](#) has guidance on what to consider before deciding to share information about a mental health condition available at the following [link](#). Individuals may want to visit these resources to understand your rights when sharing personal information in the workplace.

(24) Any information shared by staff is treated as private and confidential and is subject to applicable laws in accordance with the Information and Health Privacy Principles contained within the [Privacy and Data Protection Act 2014](#) (Vic) and the [Health Records Act 2001](#) (Vic) – please refer to the University's [Privacy Policy](#).

(25) Information provided by staff about their personal circumstances, disability, injury or health condition must only be shared with the staff member's consent. Managers who may need to discuss adjustment information with service providers to get advice, will seek consent from the staff member and will do so without disclosing names to maintain confidentiality. The University may not be able to provide the adjustment support required if the staff member does not provide the consent to discuss the adjustment with the service provider.

Equal Opportunity

(26) Equal opportunity legislation covers all University staff members, including ongoing, fixed term and casual staff members, contractors, CONAGOTHs, consultants, volunteers, and candidates applying for a job.

(27) Equal opportunity legislation contains a positive duty which requires employers to make workplace adjustments for staff members and prospective staff members with disability (subject to the exceptions outlined below).

(28) There are certain circumstances where discrimination is not unlawful under the [Disability Discrimination Act 1992](#) (Cth) and [Equal Opportunity Act 2010](#) (Vic). These include:

- a. where an unjustifiable hardship would be imposed by the provision of special services or facilities which are necessary for the person with the disability to do the work;
- b. where the person, because of their disability, would be unable to carry out the inherent requirements of the role, even with the provision of workplace adjustments by an employer; and
- c. general exceptions such as if the discrimination is necessary to protect the health or safety of any person or property, or where the discrimination is authorised by another piece of legislation.

(29) A staff member or job applicant who requests a workplace adjustment is protected by legislation from being disadvantaged because they have made such a request. Individuals who believe they have experienced unfavourable or unfair treatment due to a workplace adjustment request can raise a concern. This also includes grievances related to discrimination or harassment on the grounds of disability, illness or personal circumstances. Concerns should be reported at the earliest opportunity to ensure prompt investigation of the matter. The University takes breaches of policy and non-compliance with legislation seriously and encourages concerns about non-compliance to be reported. Existing staff members can raise concerns through a confidential conversation with the HR Consultant.

(30) It's recommended the HR Consultant be the first point of contact to discuss concerns. Contact information for HR Consultants is available via the following HR page <https://intranet.latrobe.edu.au/human-resources/hr-systems-and-support/hr-contacts-and-portfolios>. If the staff member is seeking an alternative contact point for a confidential discussion about a concern, they can choose to contact any of the following contact points:

- a. Senior Manager, Equity, Diversity & Inclusion, HR via diversity.inclusion@latrobe.edu.au
- b. Diversity & Inclusion Advisor, AccessAbility Team, Health, Wellbeing & Inclusion, DVC Students via access.ability@latrobe.edu.au
- c. Injury and Workplace Support Consultant, HR via injury.management@latrobe.edu.au

Section 7 - Definitions

(31) For the purpose of this policy and procedure:

- a. Carer: as per the [Carers Recognition Act 2012](#) (Vic) is an individual who provides personal care, support and assistance to another individual who needs care because that other individual:
 - i. has a disability; or
 - ii. has a medical condition (including a terminal or chronic illness); or
 - iii. has a mental illness; or
 - iv. is frail and aged.
- b. Disability: as per the [Disability Discrimination Act 1992](#) (Cth) which in the context of employment, can be summarised as a condition either caused by accident, trauma, injury, genetics or disease that may restrict a person's mental, emotional, sensory or mobility functions to undertake a job. This includes physical, sensory, intellectual, learning, neurological and psychiatric disability. Disability may be temporary or permanent, total or partial, lifelong or acquired. Disability may be visible or hidden.
- c. Inherent Requirements: are the essential activities that must be carried out to complete a task. They relate to results or what must be accomplished, rather than the means or how it is accomplished.
- d. Subject matter expert: provides specific information and guidance on what adjustment is needed and can provide support to implement the adjustment.
- e. Workplace Adjustment: is an administrative, environmental, or procedural alteration to enable a staff member to meet the inherent requirements of their role.

Section 8 - Authority and Associated Information

(32) This Policy is made under the [La Trobe University Act 2009](#).

- a. [Disability Discrimination Act 1992 \(Cth\)](#)
- b. [Equal Opportunity Act 2010 \(Vic\)](#)

- c. [Fair Work Act 2009 \(Cth\)](#)
- d. [Carers Recognition Act 2012 \(Vic\)](#)

(33) Associated information includes:

- a. [La Trobe University Enterprise Agreement 2023](#)
- b. La Trobe University [Code of Conduct](#)
- c. [Equity, Diversity and Inclusion \(Staff\) Policy](#)
- d. [Workplace Issue Resolution \(Staff\) Procedure](#)

Status and Details

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