

--	--

5 November 2023

9.	What are the potential liabilities for a manager in not making reasonable adjustment?	4
10.	How does an employee or potential employee contest an assessment of reasonable adjustment or unjustifiable hardship?	4
11.	Further Information	4

These guidelines are subject to future decisions in the relevant tribunals.

1. Introduction and Scope

A person with a disability has a right to the same employment opportunities as a person without a disability. The Disability Discrimination Act 1992 (DDA) makes it unlawful for an employer to discriminate against someone on the grounds of disability. The following guidelines are designed to assist managers (including supervisors) with their legal and organisational responsibilities for providing workplaces which allow employees with disabilities to contribute as full members of their work teams and to enjoy the same employment rights as other staff.

2. Definitions

2.1 What is a disability?

Disability is defined very broadly as any physical, sensory, neurological, intellectual, psychiatric or learning disability, and includes physical disfigurement, the presence in the body of disease-causing organisms (for example the HIV virus) and total or partial loss of part of the body or a bodily function. It also includes a temporary, permanent, current, past or future disability. In some

Recurrent Claims

For staff with a disability that require reasonable adjustments on a recurrent basis over a number of calendar years, a recurrent claim process may be approved. The Manager Workplace Diversity can provide advice on reasonable adjustments that qualify as a recurrent claim. A recurrent claim will be met by the budget unit on the following basis:

- an individual claim of up to \$500 will be fully funded by the budget unit;
- where the claim exceeds \$500, the budget unit will meet the first \$500 plus half the cost for the next \$1000, with a maximum of \$1000 being paid by the budget unit;
- t

