

# Staff Disability and Accessibility Policy

## Section 1 - Summary

- (1) Victoria University (VU) is committed to building and maintaining a diverse and inclusive workforce and workplace.
- (2) This Policy affirms VU's commitment to providing an environment where staff of all abilities are valued, supported and encouraged, and are able to carry out their roles at the University to the fullest extent possible.

## Section 2 - Scope

- (3) This Policy applies to all prospective employees, new employees and existing employees of the University.
- (4) It also applies to independent contractors and consultants engaged by the University.
- (5) This Policy does not apply to students of the University (see [Student Equity and Social Inclusion Policy](#)).

## Section 3 - Definitions

- (6) Reasonable Adjustment
- (7) Unjustifiable hardship
- (8) Direct Discrimination
- (9) Indirect Discrimination

## Section 4 - Policy Statement

### Part A - Overview

- (10) VU values all members of its community and welcomes staff of all abilities.
- (11) VU strives to be an accessible employer for a diverse range of people, and will make reasonable adjustments wherever possible to remove barriers to full workforce participation.

### Part B - Discrimination

- (12) Discrimination on the basis of protected characteristics, including disability, is unlawful under the [Equal Opportunity Act 2010 \(Vic\)](#).
- (13) The objectives of the [Equal Opportunity Act 2010 \(Vic\)](#) are to encourage the identification and elimination of discrimination, sexual harassment and victimisation and their causes, and to promote and facilitate the progressive

realisation of equality.

(14) If employees engage in behaviour that constitutes discrimination, this not only puts the University at risk of liability, but exposes the employee to possible legal action.

(15) Discrimination against people with disabilities may be direct or indirect.

- a. Direct discrimination occurs when you treat, or propose to treat, someone with a disability unfavourably because of their disability.
- b. Indirect discrimination occurs when you impose an unreasonable requirement, condition or practice that disadvantages people with disabilities.

(16) VU has zero tolerance for discrimination of any nature against a person based on their status as a person with a disability.

## **Part C - Reasonable Adjustments**

(17) VU is committed to fostering a diverse, inclusive, fair and equitable workplace environment for all staff, including making reasonable adjustments to support staff with a disability wherever possible.

(18) Reasonable adjustments for employees are measures taken by the University to ensure that all employees have an equal opportunity to participate in all aspects of workplace life. This is a mutual and ongoing process between the employee and the university. Reasonable adjustments may be made to aspects of business including, but not limited to:

- a. recruitment processes;
- b. performance of duties;
- c. physical access to facilities;
- d. access to relevant information;
- e. access to employment benefits and conditions;
- f. performance management.

(19) Adjustments may include, but are not limited to:

- a. creation of accessible office areas;
- b. alterations to premises and work areas;
- c. modification to equipment or the support of specialised equipment or furniture;
- d. ensuring staff are provided with relevant adaptive equipment or software (including flexible learning environments);
- e. providing essential information in suitable formats;
- f. flexible work arrangements (flexible hours, days and working from home);
- g. job redesign;
- h. changes to work practices;
- i. training or retraining;
- j. provision of appropriate equipment or assistance to ensure the selection process is fair and equitable;
- k. short term or interim strategies (e.g. car parking permits or office relocation to enable physical access to workplace and support for performance of duties).

(20) VU will provide reasonable accommodation, consistent with medical information, when staff experience

temporary illness, injury or disability that impacts their ability to undertake the inherent requirements of their job. Short-term or interim strategies may be needed to help a temporarily disabled employee return to full workload.

## **Part D - Where adjustments cannot be made**

(21) While VU will endeavour to make all adjustments that are reasonably possible, there may be some circumstances where adjustments cannot be made if they constitute an unjustifiable hardships.

(22) It is incumbent on the University to provide accessible workplace environments wherever possible. For this reason, financial cost alone is not generally considered an unjustifiable hardship if the adjustment will have ongoing accessibility benefits for others (eg ramp access to buildings).

(23) VU may not be able to accommodate an employee who is unable to fulfil the inherent requirements of the role, even with reasonable adjustments.

(24) VU will not make an adjustment where to do so would mean failing to fulfil occupational health and safety standards.

(25) Before declining a request for adjustment, the relevant manager must:

- a. consider how an adjustment might be made;
- b. discuss the issue with the employee involved, including considering alternative accommodations;
- c. discuss the matter with People & Culture and, where appropriate, Occupational Health & Safety;
- d. consult relevant sources of advice (eg financial or legal).

## **Part E - Privacy and Confidentiality**

(26) Information about an employee's health is personal and private and its use, disclosure and access is managed under the University's [Privacy Policy](#).

## **Part F - Monitoring and Training**

(27) As part of its broader commitment to equal opportunity, VU will provide training for staff on support and inclusion of people with disabilities. To ensure the effectiveness of this policy, VU will:

- a. require all managers in the University to integrate equal opportunity and inclusion for employees with disabilities into the functional and operational plans for their area of responsibility, in particular ensuring budget allocation is available if required.
- b. ensure that staff are trained in equal opportunity and inclusion for diverse abilities.
- c. provide support to all staff affected by this policy, including advice on how to meet accessibility requirements and negotiate reasonable adjustments.

## **Section 5 - Procedures**

(28) [Staff Disability and Accessibility Procedure](#)

## **Section 6 - Guidelines**

(29) Nil



## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	4th June 2019
<b>Review Date</b>	24th February 2023
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	4th June 2019
<b>Expiry Date</b>	Not Applicable
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## Glossary Terms and Definitions

**"Direct Discrimination"** - Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected attribute unfavourably because of that attribute.

**"Indirect Discrimination"** - Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice: that has, or is likely to have, the effect of disadvantaging persons with a protected attribute; and that is not reasonable.

**"Unjustifiable hardship"** - In determining whether a hardship is an unjustifiable hardship, all relevant circumstances must be taken into account, including the following: a.the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned, including any wider community benefit; b.the effect of the disability of any person concerned; and c.the financial circumstances, and the estimated amount of expenditure required to be made. The burden of proving that something would impose unjustifiable hardship lies on the person or organisation claiming unjustifiable hardship.

**"Reasonable Adjustment"** - Any adjustment to be made by the university modifying the work environment to accommodate the needs of employees with disability, injury or illness. An adjustment is a reasonable adjustment unless making the adjustment would impose an unjustifiable hardship on the person or organisation.