

# A quick employer guide to disability and employment

This information is designed to assist employers who want to know more about employing people with disability, and to provide advice about how to comply with anti-discrimination law in South Australia.

For more detailed information read the Guideline: disability and employment practices.

Employing people with disability has many benefits. A diverse and inclusive workplace can improve employee health and wellbeing, creativity at work and productivity and reputation.

## What does the law say?

About one in five South Australians have disability. Disability can be a physical impairment, but that's not always the case.

The *Equal Opportunity Act 1984* makes it unlawful to discriminate against people with disability, although there are some exceptions.

It is unlawful to discriminate when:

- > recruiting, offering a job or dismissing staff
- > offering opportunities such as training or promotions, or
- > setting the job conditions.

Employers should not assume that people with disability can't do part or all of a job; rather, they should be provided with support to help them do their jobs where this is needed and reasonable, and this includes accommodating assistance animals. Visit

<https://dogandcatboard.com.au/dogs/assistance-dogs> for more.

[Federal laws](#) also apply in South Australia.

## How to be fair when you are hiring

- > Don't make assumptions about what people with disability can do.
- > Consider your job ads and making information more accessible.
- > Encourage people with disability to apply.
- > Focus on what needs to be delivered, not how it should be done.
- > Consider any adjustments you could make to interviews e.g. time of day, access requirements, providing questions ahead of time.
- > Choose people based on skills and experience.
- > Keep information about a person's disability confidential.
- > Pre-employment tests should only be used for what's essential in the job.



## How to be fair in the workplace

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- > Help people with disability feel welcome and supported.
- > Have a diversity and inclusion policy.
- > Train staff in disability inclusion.
- > Consider requests for 'reasonable adjustments'. These remove barriers for people with disability e.g. changes to equipment, facilities, work schedules etc. By law you need to provide these, where this is reasonable. Funding may be available.
- > Making training, promotions, work trips and transfers available to everyone, where possible.
- > Seek legal advice or more information when you are not sure.

## How this will help

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Having a diverse and inclusive workforce can improve:

- > creativity and how you do things
- > staff loyalty, morale, and retention
- > productivity
- > your business reputation
- > marketing opportunities and profit.

Employment can help people's health and wellbeing but people with disability are under-represented in the workplace.

## Where to find out more

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More detailed advice, including where to find more information and what's involved when complaints are made, is in the Guideline: Disability and employment practices.

## Contact us

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Office of the Commissioner for Equal Opportunity

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