



**Personnel**  
**EMPLOYMENT**

## **Disclosing disability in the workplace**

*– Craig Harrison, General Manager, Personnel Employment*

Disclosure is a personal decision to reveal a disability to a prospective or current employer.

Many people with disabilities fear disclosure will lead to discrimination, such as being viewed differently and consequently denied jobs, promotions or entitlements. Others stay silent because they do not want to be the focus of attention or unnecessary concern from employers or colleagues.

Disclosing a disability can be a major decision for a job seeker or an employee but there is no legal obligation to disclose a disability to employers, unless it is likely to affect your job performance or ability to work safely.

The reasons for disclosing a disability include:

- Disclosure generates trust and an open relationship with your employer and may allow you to discuss the most effective workplace adjustment strategies.
- If your disability is visible you can deal with misconceptions and show how working with a disability can be 'business as usual'.
- If there is a crisis related to your disability it may be difficult for the employer to make work related allowances quickly unless you have disclosed your disability.
- If your disability impacts on your job, an employer may perceive this as poor work performance.
- If your disability could reasonably be seen to cause a health and safety risk for other people in the workplace, failing to disclose that risk could be a breach of your obligations under the Occupational Health and Safety Act.

The reasons for not disclosing disability include:

- Your disability may have no effect on your ability to do the job and it is therefore not necessary to disclose
- It may provoke unnecessary curiosity, concern and insensitive questions.

If you choose to disclose your disability to your employer, determine exactly what information you will provide to your employer. Remember, the only information you need to disclose relates to any adjustments required to ensure a fair and equitable selection process, how your disability may impact on the critical requirements of a job and any adjustments that may be required to complete the requirements of the job. You do not need to disclose specific medical or personal information about a disability.

You also need to consider when you will disclose your disability to an employer. This can happen prior to an interview, at interview or at job commencement.

Disclosure prior to or at an interview will enable you to have an open conversation with the employer about disability issues in relation to the requirements of the job, as well as discuss the workplace culture and attitude towards a diverse workforce.

This will enable the employer to make the necessary arrangements for access to the building, if mobility is an issue, and will allow you to obtain information about an organisation's workplace adjustment schemes. Overall this process should eliminate any surprises or awkwardness when speaking with the employer and commencing the job.

If you are going to disclose your disability at interview, consider the purpose of your disclosure and how your disability may impact your ability to perform your duties so you are ready to discuss workplace or position modifications.

Your job interview is an opportunity to provide the employer with evidence of your skills, abilities and ways for overcoming any implications of a disability. You should feel confident to inform the interview panel regarding the likely work/position modification that will be required.

If you choose to disclose your disability on job commencement, this will still enable you to achieve the above outcomes however it may be more difficult to gauge the preparedness of the employer in relation to organising workplace adjustments if they are required.

For employers:

- A person's disclosure of disability should not be the focus in either the recruitment process or the management of existing staff.
- Instead, look at a person's skills and experiences and assess their relevance to the inherent requirements of the job.
- If an employee or job seeker discloses a disability, work with them to identify potential issues and find solutions.
- Never ask an employee or job applicant if he or she has a disability. Instead ask about a person's ability to do the job.
- Avoid personal questions about health and injury. Focus on a person's ability to meet the requirements of the job.
- Never assume anything about what a person with a disability can and can't do.
- Choose the best person for the job, whether that person has a disability or not.
- Only use medical tests to assess a job applicant's ability to carry out the essential requirements of the job – never to assess general health or unrelated medical conditions.
- Create a discrimination-free workplace, not only to build a productive and healthy workplace, but also to boost the pool of potential employees.
- Take the view that an employee with a disability has shown tremendous drive and courage and overcome a significant barrier in getting through the selection process and has therefore demonstrated characteristics that are highly beneficial in the workplace.