**Reasonable accommodation in employment**

**Information for employers**

***Accommodations*** *are modifications and adjustments made to enable a person to do something.*

Employers provide ‘reasonable accommodations’ to many employees, such as parents caring for young children or other relatives, staff with religious or ethical beliefs, as well as disabled people. It may be for current employees whose situation has changed, or for new employees being recruited.

Successful managers get the best from people by identifying what will assist employees do the best job possible, whether the person has a impairment or not. A reasonable accommodation may be a part of that. Most accommodations are low or no cost e.g. flexible hours; instructions in writing as well as verbal; showing people how do a task.

Under the Human Rights Act 1993, employers must not discriminate against a person because of their disability. An employer is also obliged to reasonably accommodate a person’s disability, including special services or facilities if needed.

The Act doesn’t define what is ‘reasonable’, this will depend on the particular circumstances.

**What is reasonable?**

Factors to be taken into account include:

* the activities or business of the organisation
* whether it is practical to make the adjustment
* the effectiveness of the adjustment in assisting the employee to perform their job
* the costs of the adjustment, in relation to the size of the employer’s business
* the extent of the organisation’s and other resources
* how other employees might be impacted
* how much disruption, if any, would be caused to the business or other people.
* health and safety (based on a proper assessment, not assumptions).

When considering possible accommodations, an employer doesn’t have to change the basic nature of the job. A reasonable accommodation assists in creating equality of opportunity.

When accommodations are identified that aren’t reasonable for an employer to provide (due to cost for example) the person may be eligible for assistance through the government’s Job Support Fund. This covers additional costs that are a direct consequence of the person’s disability. A person must be getting the appropriate market rate of pay for the job to be eligible for Job Support.

**Providing reasonable accommodations**

### Develop written policies on accommodations/flexible work practices to ensure consistent decision making and document your efforts to provide accommodations. This will help all staff know what the guidelines are and how to request an accommodation.

### Make sure your recruitment processes are accessible, including advertisements, application forms and interviews.

### What you provide all employees is the starting point of any conversation with people around their needs.

* **Ask the person** before they start the job about what they would find useful. Workbridge and other organisations can provide expert advice.
* **Most accommodations are low or no cost.** Where there are associated costs, extra support may be available through the Job Support Fund.

### Provide the required accommodation/s and check with the person that the accommodations are meeting their needs.

* **Talk with the employee regularly** to check if the accommodations are still meeting their needs, especially where the employee’s needs change or there are changes to the workplace or the job.

**Some examples of reasonable accommodations**

* Holding the interview in a more convenient location, engaging an interpreter, allowing longer for the interview, asking the person the best time of the day that suits them.
* Modifying the workplace such as rearranging furniture to ease navigation and improve accessibility.
* Special equipment such as non-standard workstations, screen or chair.
* Making information accessible such as providing clear (written) instructions, screen reading software, giving plenty of notice of any planned changes.
* Supports such as physical support, job-specific training, a mentor or buddy, a support person, interpreter services.
* Raising awareness of disability or a particular condition amongst employees and/or (with the person’s consent) briefing colleagues about the person’s needs.
* Flexible working arrangements, for example redistributed duties across a team, breaking down large jobs into smaller ones, allowing headphones to be worn (to screen out noise), allowing the person to move around and get fresh air

This could also include flexible or shorter hours, flexible rostering or leave arrangements, rostered days off or time off in lieu, regular or occasional working from home and job-sharing.

* Transport.
* Evacuation support.

For more examples see:

* *WorkAble Employers and disabled workers information hub*
<http://www.dol.govt.nz/er/workable/accommodation/index.asp>
* *Making reasonable accommodations*<http://www.workbridge.co.nz/?page=1335>
* *Getting a job*
<http://www.hrc.co.nz/hrc_new/hrc/cms/files/documents/08-Sep-2010_11-55-33_AtoZPre-emplGuidelines.pdf>
* Job Accommodation Network (a US resource)
<https://askjan.org/erguide/> .

Expert **advice on reasonable accommodations** is available from Workbridge. Their website also has links to other **relevant organisations**.
[www.workbridge.co.nz](http://www.workbridge.co.nz)