Inclusion Australia

Your rights at work





Contents



About this factsheet 3



Rights at work 5



Safety Page 7



Confidentiality Page 9



Sharing information about your disability Page 12



Freedom from discrimination Page 15



Fair pay and conditions Page 22

Reasonable adjustments Page 24



Workers compensation Page 27



Where to get more support Page 30



More information Page 32

About this factsheet



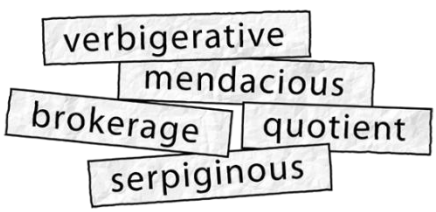
This factsheet is about your **rights** at work.



Rights are rules and laws about how people should be treated.



This factsheet is written in Easy Read.



Hard words are in **bold.**

We explain what they mean.



It is a good idea to read this factsheet with support.

Rights at work



Everyone has rights at work.



Australia has **laws** to protect rights at work.



Laws are rules made by the government that everyone must follow.



Rights at work make sure:

- Everyone is treated fairly and equally



- Workplaces are safe and accessible for everyone



- Everyone is paid correctly and has fair working **conditions**.



Working conditions are rules your employer must follow.

For example how much time you get for holidays.

Safety



Everyone has the right to be safe at work.



This means:

- Getting training on how to work in a safe way and keep others at work safe



- Safe building and work equipment

  For example special clothes or other tools to do your job safely



- Knowing what to do in an emergency.

  For example if there is a fire.



- Being **psychologically safe**
  This means keeping your mind and emotions safe.



- Being safe from abuse or harm.

Confidentiality



Confidentiality means making sure information stays private.



Australia has laws to protect confidentiality by keeping **personal** and **sensitive information** private.





Personal information is things like:

- Your full name
- Your address
- Your phone number and email address.



Sensitive information is details about you that are very private.

For example information about your health and disability.



Your employer might ask you for some of your personal information.

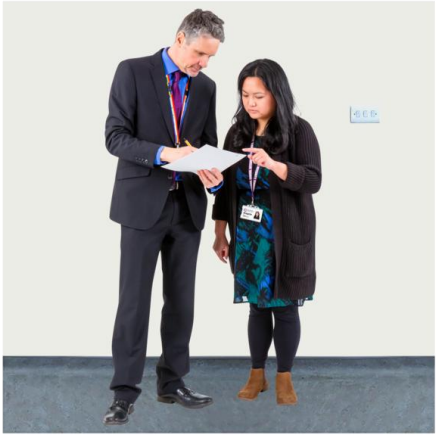


You have the right to know:

- why they need your personal information



- what will happen to your information it after it is collected



- who your information will be given to

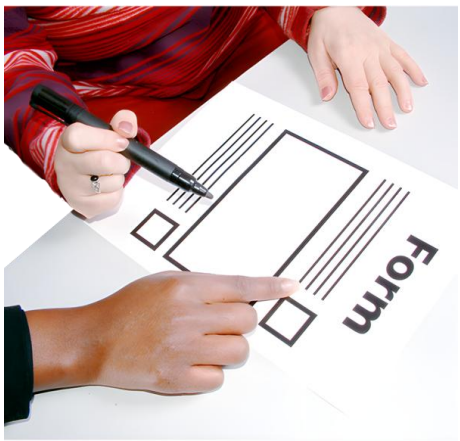


- what the law says about how your information will be kept.



You have the right to:

- see what personal information your employer has about you



- change your personal information to make sure it is correct.

Sharing information about your disability



Sometimes a person's disability can stop them from doing a job safely.



The law says you must tell your employer if you think your disability might stop you from doing your job safely.



The law says you only need to give information about:

- how your disability might stop you from doing your job safely



- medications you take that might stop you from doing your job safely.



You do not need to give information that is not about your disability.



You do not have to tell your employer about your disability if you do not think your disability will stop you from doing your job safely.



You can ask for support to decide if you want to tell your employer about your disability.



For example from a family member or friend.



Your employer or co-workers cannot ask you:

- For personal details.
- Other questions about your health or disability.



If you talk about your disability to someone at work the law says they cannot tell anyone else unless you say it is okay.

Freedom from discrimination



Everyone has the right to be treated fairly at work.



Discrimination is when you are treated differently because of who you are.



Discrimination may happen:

- when you are applying for a new job



- while you are doing your job



- when you are applying for a **promotion**

  A promotion is when you start a new role at your job for more money.



- when you want to do training.

Harassment is a type of discrimination.



For example:

- Bullying a person because of their disability



- Asking private questions about a person's disability



It is against the law to discriminate against a person because of who they are.



The Disability Discrimination Act is a law that protects people with disability from discrimination.



If you are being discriminated against or harassed at work you can make a **complaint.**



A **complaint** is when you tell someone when something is not fair or unsafe.

You can make an **informal** or **formal complaint.**



An informal complaint is when you talk to the person or people who have caused the discrimination.



A formal complaint is when you or someone you trust writes down what happened and gives it to a **regulator.**



A regulator is an organisation that makes sure workplace rules and laws are followed.

The 2 main regulators for discrimination at work are:

- The Fair Work Ombudsman

- The Australian Human Rights Commission.



The Fair Work Ombudsman is the part of the Australian Government that makes sure employers are following the rules.

You can make a complaint to the Fair Work Ombudsman by:



- Calling 13 13 94 or



- Filling out a form on the Fair Work website:

  https://www.fairwork.gov.au/about-us/contact-us/online-enquiries

The Australian Human Rights Commission look into complaints about unfair treatment and human rights.



You can contact the Australian Human Rights Commission by:

- Calling 1300 656 419



or

- Emailing respect@humanrights.gov.au



You can learn more about the Australian Human Rights Commission at: https://humanrights.gov.au/



It is a good idea to have support from someone you trust when you make a complaint.



You can also get help from an **advocate.**

An advocate is someone who is trained to support you to speak up for your rights.



You can find an advocate in your area at: https://www.disabilitygateway.gov.au/legal/advocacy

Fair pay and conditions



You have the right to get paid correctly and have fair working conditions.



Most jobs have rules about this in their **award**.



An Award is the rules about your job and your pay. It tells you:

- How much you must be paid



- Rules about working hours or breaks and holidays.

If you think your pay or working conditions are wrong you should contact the Fair Work Ombudsman.



You can contact the Fair Work Ombudsman by:

- Calling 13 13 94



There is Easy Read information about what to do before you call the Fair Work Ombudsman at https://www.fairwork.gov.au/sites/default/files/2024-01/er-what-to-do-before-you-call-us-easy-read.pdf

Reasonable adjustments



Reasonable adjustments are changes to the way you do your job to make it accessible.

Reasonable adjustments can help you:



- When you are applying for a job

  For example when you go to a job interview.



- To do your job properly.

Reasonable adjustments can be things like:



- Changes to your workplace



For example, ramps or accessible bathrooms.



- Equipment or services to help you do your job properly

For example a screen reader program on your computer.



- Changes to the way you work or the tasks you do

For example extra time to do tasks or Easy Read information.



The law says your employer must make reasonable adjustments for you unless they can show it would cause them **unjustifiable hardship.**



This means they cannot make the adjustment because

- It would cost too much money



- There are technical problems that cannot be fixed

  For example a very old building might not be strong enough to have a lift installed.

Workers compensation



Workers compensation is money to help you if you get hurt or very sick at work.



For example:

- Injuring yourself at work

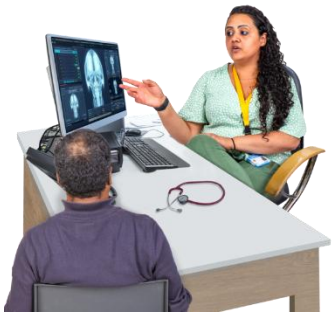


- Having mental health problems because of your work.



Workers compensation can help pay for:

- Wages you lose if you cannot work



- Going to the doctor or other health worker to help you get better



- Help to get back to work safely
  For example a support worker



- A one-off payment if you get a **permanent** injury or illness.
  Permanent means it will not go away in time.

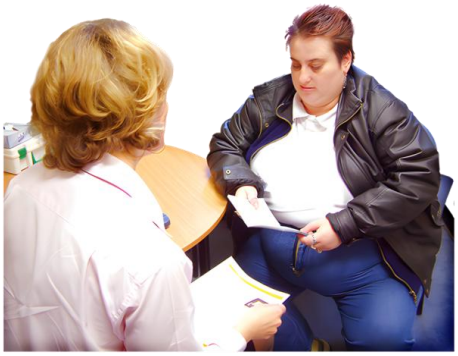
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The law says all employers must be able to apply for workers compensation if they need it.



If you get hurt at work you should tell your employer as soon as you can.



If you get very sick or have mental health problems because of work you should:

- Talk to your employer.



- Contact the workers compensation regulator where you live.



For more information about worker's compensation go to https://www.fairwork.gov.au/employment-conditions/workers-compensation

Where to get more support



You can read more about rights at work where you live by going to:

https://www.disabilitygateway.gov.au/employment/rights



You can get support for your mental health.

Lifeline is free confidential counselling for people who feel overwhelmed or are having unsafe thoughts.

Lifeline

Lifeline is available 24 hours a day, 7 days a week.

Call: 13 11 14

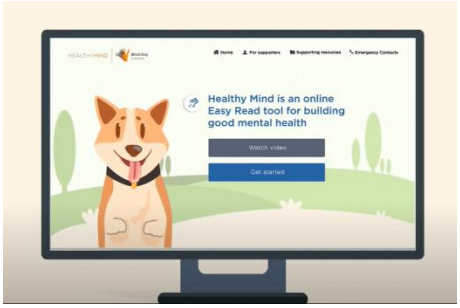
Text message: 0477 13 11 14

Online chat: https://www.lifeline.org.au/crisis-chat/

13 Yarn is free confidential phone counselling for First Nations people.

13 Yarn is available 24 hours a day, 7 days a week.

Call: 13 92 76



Healthy Mind is an online Easy Read tool for building good mental health.

https://www.healthymind.org.au/

More information



This factsheet is part of the Supported Employment Advocacy project.

We say SEA project for short.





The SEA project is about helping people

- Understand their employment options
- Learn about their rights at work
- Access the right support and advocacy to make informed decisions about employment.



You can learn more about the project and find other resources by going to https://www.inclusionaustralia.org.au/project/supported-employment-and-advocacy-project-sea/