

CORPORATE POLICIES
CP21 STANDARD 9(CwIth): EMPLOYMENT CONDITIONS

1.0 POLICY STATEMENT

Disability Services Australia (DSA) recognises that all people with a disability have the right to working conditions comparable to those of the general workforce.

2.0 PURPOSE

To provide a framework for services provided by DSA that ensures every person with a disability placed in open or supported employment:

- Has conditions of employment consistent with and comparable to general workplace norms and relevant Commonwealth and State legislation.
- Is informed of the process for determining wages and conditions and the consequences of this.
- Is treated fairly and with due recognition according to the appropriate legislation and Industrial Instrument and contract of employment.

To meet the Disability Services Standards and comply with all relevant legislation.

3.0 SCOPE

This policy is a requirement of Disability Services Australia's Commonwealth funded services. However each relevant area of DSA is required to consider the intent of the Commonwealth Standards within divisional procedures, work instructions and forms.

The Commonwealth Disability Services Act and Standards relate to the provision of Commonwealth funded disability services for people with a disability.

For adults with a disability supported by DSA, the participation/involvement of family/significant others/advocates/guardians in decision making on key service delivery processes (e.g. individual goal planning) is dependent on:

- The relevant decision making rights for family/significant others/advocates/ guardians, as determined by their legal status in relation to the person receiving support;
- The expressed wishes of the person with a disability receiving support; and
- The assessed need for such advocacy

4.0 POLICY DETAILS

DSA is committed to providing quality services that respect the right to fair and equitable employment conditions for every person with a disability.

Facilitation of this commitment in relation to Employment Conditions is supported by:

- Ensuring all levels of management and staff understand, comply with and apply the intent of this policy.
- Having a written policy and procedures outlining how DSA ensures equitable employment conditions for people with a disability placed in open or supported employment, and making these available in appropriate formats to those who use the service.
- Ensuring that when people with a disability are placed in employment, their conditions of employment are consistent with and comparable to general workplace norms and relevant Commonwealth and State legislation.
- Ensuring each person with a disability placed in employment is informed of and supported to understand, to the best of their ability, how wages and conditions are determined and the consequences of this for them. The involvement of a guardian/advocate is supported (as requested by the person receiving support).



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- Ensuring that each person with a disability placed in open or supported employment receives:
 - Wages according to the relevant industrial instrument;
 - A wage that has not been reduced, or will be reduced, because of award exemptions, incapacity to pay or similar reasons; and
 - A pro-rata wage based on an industrial instrument where employees are unable to work at full productive capacity due to their disability. This pro-rata wage must be determined through a transparent assessment tool or process (e.g. Business Services Wage Assessment Tool - BSWAT, or Supported Wage System - SWS) that complies with the criteria in the Guide to Good Practice Wage Determination.
- The review of processes and systems as part of scheduled and as needed policy and procedure reviews, including where possible input from those who use the services.
- Ensuring adherence to policies and procedures through the quality assurance audit process to maximise the design, delivery and implementation of a quality service.

5.0 RESPONSIBILITIES

Refer to the Quality Policy Manual Section 5.0 Management Responsibility

[Quality Policy Manual](#)

6.0 REFERENCES

Legislative context

Human Rights and Equal Opportunity Commission Act (Cwlth) 1986

Disability Discrimination Act (Cwlth) 1992

Anti-Discrimination Act (NSW) 1977

Disability Services Act (Cwlth) 1986 and Commonwealth Disability Services Standards

Policy Context

[Quality Policy Manual](#)

Relevant Commonwealth and DSA policies are listed in [The DSA Document Matrix](#).