



Right to
work

A guide for employers

This document has been produced by Down Syndrome Australia.

Down Syndrome Australia is the peak body for people with Down syndrome in Australia. Our purpose is to influence social and policy change, and provide a national profile and voice for people living with Down syndrome. We work collaboratively with the state and territory Down syndrome associations to achieve our mission. Our vision is an Australia where people living with Down syndrome are valued, reach their potential, and enjoy social and economic inclusion.

Acknowledgements

Thank you to all of the people working and volunteering at the state and territory associations who have contributed to the development of this booklet.

The content of this booklet has been put together from the resources that the state and territory associations have developed over many years.

[Last updated: February 2022](#)



Funded by the National Disability Insurance Scheme (NDIS)

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Introduction

This resource contains information and practical tips for employers who are thinking about employing someone with Down syndrome.

People with Down syndrome want to work for the same reasons as everyone else – so that they can be independent, have good self-esteem and take pride in their work, contribute to society, earn their own money, learn new skills, meet new people, and feel valued.

People with Down syndrome can achieve great things in the workplace when given the opportunity. While people with Down syndrome have an intellectual disability, each person is an individual and brings their own strengths, skills and qualities to their job. This resource will help employers to recruit and retain employees with Down syndrome to bring those benefits to their workplace.

The information has been developed by people with Down syndrome and their families.

Myths and facts about Down syndrome

There are many myths and misunderstandings about Down syndrome – and people with Down syndrome – that create barriers to employment. However, when it comes to getting and keeping a job, most of the barriers that people with Down syndrome experience exist because, in the past, people with Down syndrome did not have the opportunity to develop to their full potential. Often, they were separated from the rest of the community, living in segregated settings such as institutions with very limited opportunities for learning and personal growth.

Today we know that growing up in families and communities, with the same rights and responsibilities as everyone else, enables people with Down syndrome to develop to their full potential. When people with Down syndrome are given opportunities to reach their full potential, such as being part of the workforce, they can become valued and productive members of their families and the community. However, the old beliefs and low expectations still persist. So here is some current information about Down syndrome, and some information to bust the myths.

Down syndrome is a genetic condition – it is not an illness or disease or mental health condition. Down syndrome is the most common genetic cause of intellectual disability. It occurs at conception as a result of an extra chromosome 21. This is why Down syndrome is also sometimes known as trisomy 21. The extra genetic material causes some level of intellectual disability and some characteristic physical features. But that doesn't mean all people with Down syndrome are the same; every person is an individual, with different interests, skills, personality and life aspirations. And you can't tell just by looking at someone how much they can contribute or how much support they may need.

Here are some other myths and facts:

MYTH: People with Down syndrome need a lot of support with everything.

FACT: Every employee, whether they have a disability or not, needs some support. Some will need more than others. Part of the role of an employer is to make sure each person gets the training and support they need to do their job. It's the same with each employee with Down syndrome. While they may need extra help and take longer to learn some things, they may also be more capable doing some tasks than other staff; you can't assume. Some people with Down syndrome may not use much speech, some may have hearing or vision impairments, some may read and write, some may not. You may need to make some small adjustments but there are extra government supports you can tap into to support your employee with Down syndrome.

MYTH: People with Down syndrome can only do simple jobs, and don't really contribute, so 'should be in a workshop'.

FACT: With training and support, people with Down syndrome have the ability to carry out a number of different tasks including jobs that require complex thinking, and things that require some initiative. And like everyone else, they enjoy the challenge of ongoing skill development and the satisfaction of a job well done. Even if a person with Down syndrome is doing less complex work, they still contribute to the workplace and are an essential part of the organisation's success. Sometimes, it benefits an organisation or business to have someone on staff who has just a few simple tasks to do; often these are the things that otherwise just don't get done. Think for a moment what these might be in your organisation, and consider how it would be useful to have a person taking pride in making sure the tasks are done properly.

MYTH: People with Down syndrome (and other disabilities) are at greater risk of injury.

FACT: An Australian Government review of research found that workers with disabilities are no more likely to be injured at work than other employees. Of course, employees with Down syndrome must be included in your organisation's health and safety training, along with your other staff.

MYTH: People with Down syndrome (and other disabilities) are unreliable and will take a lot of sick days.

FACT: Australian and overseas studies have found that workers with disabilities actually take fewer sick days than other employees. Studies also found that employees with disabilities are more punctual and stay in jobs longer than other employees. Some people with Down syndrome may have some health conditions, but due to better health care, people with Down syndrome are living healthy lives and, on average, live well into their 60s. So, like everyone else, they have many years of life when they are fit and able.

MYTH: People with Down syndrome (and other disabilities) are less productive.

FACT: Again, research here and overseas has found that work performance and productivity is not an issue. When a person with Down syndrome has a job that they enjoy, has been properly trained and gets the support they need, they will do it well.



MYTH: Employing someone with Down syndrome will be expensive.

FACT: There are costs associated with employing all staff. And, on average, it costs no more to employ a person with a disability. Plus, there are cost savings with less absenteeism and staff turnover. Employers can tap into government assistance and wage subsidies, including help with reasonable workplace adjustments, and expert advice if needed. Any costs will be offset by the many benefits that employees with Down syndrome bring to your organisation.

“There are mutual gains when people with Down syndrome are included in the workplace. People with Down syndrome involved in such initiatives have a better quality of life and opportunities for development, while the companies that employ them often report significant improvements in their ‘organisational health’.”

The McKinsey Report (March 2014).



The advantages of employing people with Down syndrome

Here are some more good reasons to employ people with Down syndrome.

As well as being punctual, reliable and committed, having a workforce that reflects the diversity of the community is good for public relations and for business. Employers who have employed people with Down syndrome say this has:

- improved staff morale
- reduced staff turnover
- improved staff attendance
- given them access to an untapped pool of labour
- given their other staff the chance to step up to a supervisor or mentor role, and
- improved teamwork.

What kind of work can people with Down syndrome do?

Because each person with Down syndrome is a unique individual – just like anyone else – they will have specific interests, skills and personal attributes that they can bring to the workplace.

So, we shouldn't assume that all people with Down syndrome will be good at certain kinds of work, or that they can only do (and be happy with) very menial work. For example, one person with Down syndrome will enjoy and be good at working in a café with a team of co-workers, another will have great organisational skills in an office setting, and another will enjoy the physical work and aesthetic satisfaction of working as a gardener. As with anyone, it is about fitting the person's interests and skills to the job and making sure they have the support they need.





Employing someone with Down syndrome

When you are thinking of employing a person with Down syndrome, here are a few simple points to consider.

- Talk with your other staff members about employing someone with Down syndrome. They will help you identify tasks that need doing. For example, things they don't have time for, or that take up time they could use better.
- Think through the tasks you need completed. This could involve employing a person with Down syndrome in an existing position, or designing a new role for that person and redefining other staff members' tasks. Spend time making sure that the tasks and roles are clearly defined.
- Think about how you will make sure the person has the right support in their role. Find out about government and other support you can tap into. Also discuss with your other employees; they may also have some ideas about adjustments and any support they could give in the workplace.
- Don't underestimate a person's abilities. Make sure the employee with Down syndrome gets opportunities to develop in their role as well as any support they may need.

Job design

One of the things you can do as an employer to make sure you recruit employees who are the best fit for a job is to consider job design. This means thinking about the work to be done and how it can be done. Some people with disabilities may need some assistance to do a job, or some equipment. Some may need flexibility such as reduced working hours. This doesn't mean the work is compromised; it still gets done, but perhaps in different ways. By thinking about job design, you can open up opportunities for people who may only be able to do some parts of a role, or need more flexible working arrangements or can only work part-time.

Job analysis

The first step in job design is to work out what are the essential tasks to get the work done, and think about how they could be done. This applies to new jobs and existing ones that you want to re-design. Some questions you need to think about:

- Does one person need to be able to do the whole job, or could it be made into more than one position?
- What skills and attributes does a person need to do the job? If it's an existing job, do the selection criteria relate to the essential tasks needed to do the job?
- Does a person really need a driver's license to do the job? It is common to see this in selection criteria for a job that doesn't need a person to travel as part of their job, and it could prevent you from gaining a good employee.
- Does a person need formal qualifications for the job? Sometimes we may advertise for a person with qualifications when it isn't actually necessary.
- How flexible is the job? Does the work need to be done in a specific location, within traditional work hours, and can it be done part-time? Just being able to offer more flexible working arrangements opens up more opportunities and helps you get the best person for the job.

Thinking through these job analysis questions should help you to look at a position quite differently, to spot ways of creating roles that offer more opportunities for people with disabilities and help you find people who are well suited to the required tasks. The questions are also a very useful step when you are writing any position description.



Job carving

Job carving is a useful strategy when you want to employ someone with Down syndrome. Job carving looks at matching the work to be done, or a workplace setting, with a person's unique contributions. These contributions could be a specific set of skills, personality traits or other attributes that would be an asset in the workplace. For example, someone who can't read could be the best person for shredding confidential documents, and a gregarious person who enjoys contact with others could be an excellent greeter for your customers or clients, or as an interior courier, delivering files or other items around a large workplace.

To be successful at job carving you need to know the person's capabilities, needs and interests. Most often, a person, their family or an employment agency will contact an employer to ask about getting some work. They may already have done some work on finding out what the person can contribute to the workplace. You can then match the person to a particular task or set of tasks, with the support they may need. They may get support from a Disability Employment Service, through their NDIS plan or workmates may be able to support them. Some people will need minimal support if they are well-matched to the tasks.

Providing support in the workplace

Below are some tips for employers about supporting a person with Down syndrome through recruitment, training and in the workplace.

People with Down syndrome may need more time to learn and you may have to make some adjustments to your usual methods of recruitment, training and induction. People with Down syndrome are usually visual learners, so having information in simple written or picture format (depending on what the individual needs) can be really helpful.

This includes recruitment information, daily task lists, safety information and workplace rules and processes. Many people with Down syndrome do read, but even if your employee doesn't, having information in Easy Read – simple text with images, can help them understand and remember. At first, some people will need someone to go through the information with them so they understand it. (This can also be helpful for other people with low literacy or who have English as a second language).

We all need support to be able to do our jobs. People with Down syndrome need this too, except that the type of support they need may be more obvious. Remembering that every person with Down syndrome is an individual and has their own strengths and need for supports, it is important to check with the person and their support people about what helps them in different situations. Then you can provide the individual supports that will help them the best.



Recruitment tips

It is important to ensure that candidates with Down syndrome can understand what the job is and apply appropriately. Some tips for the application and interview processes are:

Application process:

- Use clear, easy to understand language in any documentation, such as the job description and application form. Provide Easy Read information or in a large font if someone asks for it – ask what size font they need. You could also offer to explain the job and how to apply for it.
- Consider offering candidates the option of a short video application, rather than a written application form.
- Consider flexibility around work hours, for example shorter days, part time, job sharing.

Here are some ways of making contact with potential employees:

- Contact the Down syndrome organisation in your state and ask them to promote the job. They are very well connected and will use their networks including social media and email news to let people with Down syndrome and their families know about the job opportunity. They may even know of some people who could be a good match.
- Contact Ticket to Work. Operating across Australia, they prepare young people for the world of work and provide them with an open employment pathway in their transition from school.

 www.tickettowork.org.au

- Contact local Disability Employment Services (DES). They may have job seekers with Down syndrome on their books, will discuss the role with you, tell you about the support they can offer, and help people apply for the job.

These organisations may also offer advice and skills training for the employee and your other staff, including on the job support and advice as well as disability awareness training. If you need information and advice that is specific to people with Down syndrome, it's best to contact the Down syndrome organisation first. See the resource list for contact details and other resources.

Interviews:

- Ask one question at a time, using plain language.
- Speak clearly.
- Don't use jargon, metaphors or acronyms.
- Allocate more time for the interview.
- Allow the person with Down syndrome to bring a support person with them who may help with rewording questions and responses. However, address questions to the person with Down syndrome.
- Consider providing some questions in advance to give the person time to consider how they might answer the questions.

Induction and orientation:

- Assign a workplace buddy to the person with Down syndrome so they have a person they can go to with any questions.
- Give the employee a map of the workspace with photos of who works where.
- Show the new employee where the main facilities are especially the toilets and lunchroom or kitchen. Show them where they can put their lunch and where they can keep any personal items.
- Include all the usual content of induction and orientation, but consider not doing it all quickly and in one session. Maybe spread it over a few days, with the most important information first.
- Look at written information beforehand, to see if it needs any adaptations such as Plain English, and Easy Read if that is what the person needs. Their workplace buddy, or employment support person can explain it and the person can revisit the information when they need to.

Training tips and on-the-job support

Communication:

- Use plain language and easily understood alternatives for words and concepts. For example, say 'put together', rather than 'compile'.
- Speak clearly and avoid using jargon.

Accessible Information:

- Make information understandable and accessible using visual aids (For example, make task sheets with photos/pictures to demonstrate the task).
- Use larger text and Easy Read for written instructions.

Support to complete tasks:

- People with Down syndrome respond well to daily routines and tasks, and learn by doing. Repeat a few times until the person has understood and learnt. Once learnt, tasks will be done consistently and well, with occasional revisiting over time to make sure all is going well.
- Break jobs down into manageable tasks (see separate schedule resource in this toolkit).
- Demonstrate how to do the task while explaining it to the person.
- Explain tasks in other ways if the person doesn't understand.
- Allow a reasonable timeframe to complete a job or task.



Managing performance

It is as important for a staff member with Down syndrome to have work goals and performance appraisals as with any other employee. You should look at making some adjustments to support the employee to take part in the performance appraisal process.

This can include:

- Giving the employee regular feedback about their work, not just at appraisal time.
- Highlight positive feedback as well as areas that the person needs to work on.
- Make sure all performance appraisal documents and forms are in Plain English or Easy Read, depending on what the employee needs.
- Include a tick box system to help the employee fill in the form.
- Allow more time for the person to complete any forms and take part in performance meetings.
- Include the person's support buddy so they can assist them through the appraisal process.
- If the performance appraisal shows that there are areas that the person needs to work on, then provide guidance and advice on ways to do this.
- Offer training and support to the person if this is highlighted as required.
- Provide the same performance incentives as you would to any other staff member.

Supporting positive working relationships

Whilst the most important part of employment is getting the work done and being productive, being employed also provides the opportunity to work alongside other people, with and without disabilities, and develop relationships.

Building positive social relationships in the workplace is an important part of achieving inclusion and helps to build a cohesive team that will lead to better employer satisfaction and greater levels of productivity from staff. Many workplaces foster a culture that supports social interactions both in and outside of the workplace. For example, social clubs, staff Christmas parties, Melbourne Cup day lunches and sweeps, work teams for charity events and morning teas to welcome or farewell staff or celebrate birthdays. Employees with Down syndrome should be supported to be a part of these social networks and occasions.

Here are some tips to help an employee with Down syndrome to build positive relationships with other staff members and be an active part of the team:

- Give people the opportunity to be involved. Invite the employee to an informal walk at lunch or to go along on the coffee walk.
- Explain to the person the unwritten rules of the workplace, for example whose coffee cup not to borrow.
- Let the person with Down syndrome know about social activities that might be happening outside of their current working hours and offer the opportunity to be involved. You might want to ask if they need a lift to and from the event, as you might with other staff who don't drive.
- Make sure the person with Down syndrome has a buddy in the workplace and give them the chance to be a buddy for other staff when the opportunity arises.
- Give the person with Down syndrome some guidance on what to share and what is not ok to share in workplace conversations.

Legal responsibilities

In Australia, it is against the law to discriminate against people with disabilities (including people with Down syndrome) in a range of life areas, including employment. People's rights are protected through the Commonwealth Disability Discrimination Act 1992 (DDA) and similar state laws. Both commonwealth and state laws offer ways for people to complain and bring cases against employers who discriminate.

Australia has also signed the UN Convention on the Rights of Persons with a Disability (CRPD).

Article 27 of the CRPD states "States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities."

This means that Australia, as a State Party, has to take appropriate steps to protect people's rights, prevent discrimination, make sure people with disabilities have equal opportunity when it comes to jobs, training and business ownership, and can get the supports and 'reasonable accommodation' they need to be able to work.

The government funds various services aimed at helping people get the supports they need, and the DDA helps make sure many of the legal obligations of the CRPD are met. An important CRPD obligation is 'reasonable accommodation', known as 'reasonable adjustment' in Australian law.

What are reasonable adjustments?

People with disabilities face a range of barriers when it comes to employment. The law says that employers must make any reasonable adjustments a person with disability needs, unless it causes 'unjustifiable hardship' to the employer. This is when an adjustment would be beyond the financial means of the employer, or would create unreasonable disruption to the business. Adjustments for people with Down syndrome are usually quite simple and unlikely to be on the scale where they would create unjustifiable hardship.

Reasonable adjustments apply to recruitment processes, training, and promotion opportunities, as well as equal terms and conditions of employment, and making sure workplace support is there for a person with a disability to work safely and productively. Reasonable adjustments depend on what each person with a disability may need, and are often no or low-cost adjustments. In fact, employers are often already making some of these adjustments for other employees without disabilities. These include flexible working hours and job sharing. Other adjustments for some people with disabilities might be more costly, and require more time to organise, such as specialised equipment or workplace modifications. Employers can get financial help to cover costs.

While every person is different, some examples of reasonable adjustments for people with Down syndrome might include:

- modifying recruitment practices
- offering flexible working hours
- approving more frequent breaks
- providing information, such as the job description and responsibilities, to-do lists and task cards, in Easy Read or using visual images
- using apps to help with doing tasks on time
- having a buddy-program or other mentoring
- adjusting furniture or the height at which items are stored to enable a person with short stature to do their job independently.



Dealing with discrimination

Depending on the situation, they may want to deal with the situation directly at first by raising it with the person or people involved, or with a supervisor, manager or the workplace discrimination/harassment contact officer.

People can make a complaint directly to the Australian Human Rights Commission (AHRC) which is responsible for investigating and resolving complaints under the DDA.

However, they may like to get some advice and help first, to try to deal with the discrimination without taking legal action. There are disability legal services in all states and territories that can advise and help with trying to resolve the problem or with making a complaint to the AHRC.

For more information

Help from the Down syndrome associations

Down Syndrome Australia and the state and territory Down syndrome organisations are the experts on Down syndrome and a wealth of information you can tap into. Some run information workshops and can provide individual sessions and provide advice for your organisation on including and supporting people with Down syndrome.

You can find more information on our Right to Work website.

 <https://www.downsyndrome.org.au/right-to-work/>

You can also find more resources here:

The IncludeAbility website

IncludeAbility is designed to support employers to create meaningful employment opportunities, and to support people with disability seeking employment or considering self-employment.

 <https://includeability.gov.au>

The Everyone Can Work website

The Everyone Can Work website is for people with intellectual disability, their families and supporters. It brings together information about Australian Government employment supports, the lived experience of families and people with intellectual disability, and current research about employment for people with intellectual disability in Australia.

 <https://www.everyonecanwork.org.au/>

Australian Network on Disability

A national, membership based, organisation that supports organisations to advance the inclusion of people with disability in all aspects of business. Visit www.and.org.au or call **1300 363 645**. The Australian Network on Disability has some great information including the latest research outlining the strong business case for employing people with disability.

 <https://www.and.org.au/join-us/why-hire-people-with-a-disability/benefits>



Fair Work Commission

National workplace relations tribunal – awards, agreements, other workplace matters. Find it at www.fwc.gov.au or call the toll-free 24-hour helpline for employers on **1300 462 957**

Fair Work Ombudsman

Separate from Fair Work Australia. Information and advice about workplace rights and obligations. Handy calculators for wages and leave. Find it at <https://www.fairwork.gov.au> or call **13 13 94**

Job Access

Information hub for people with disability and employers. Workplace solutions including workplace modifications. Find it at www.jobaccess.gov.au or call **1800 464 800**

Videos

Advocates tell us about what employment means for people with Down syndrome.

🎥 https://youtu.be/el10_oTBQsG

The Hiring Chain

🎥 <https://www.youtube.com/watch?v=SKku4RAWa4M>

Associations

National: 1300 881 935

New South Wales

Down Syndrome NSW

T: 1300 881 935

E: admin@dsansw.org.au

W: www.downsyndrome.org.au/nsw

Victoria

Down Syndrome Victoria

T: (03) 9486 9600

Toll Free 1300 658 873

E: info@dsav.asn.au

W: www.downsyndrome.org.au/vic

Queensland

Down Syndrome Queensland

T: (07) 3356 6655

E: office@downsyndromeqld.org.au

W: www.downsyndrome.org.au/qld

South Australia

Information Service South Australia (Down Syndrome Australia)

T: 1300 344 954

E: infoSA@downsyndrome.org.au

W: www.downsyndrome.org.au/sa

Western Australia

Down Syndrome WA

T: (08) 6253 4752

E: office@downsyndromewa.org.au

W: www.downsyndrome.org.au/wa

Tasmania

Down Syndrome Tasmania Inc.

T: 1300 592 050

E: info@downsyndrometasmania.org.au

W: www.downsyndrome.org.au/tas

Northern Territory

Down Syndrome Association NT

T: (08) 8985 6222

W: www.downsyndroment.com.au

Australian Capital Territory

Down Syndrome Association of ACT Inc.

T: (02) 6290 0656

E: admin@actdsa.org.au

W: www.downsyndrome.org.au/act

Disclaimer

The information in this resource is general in nature and does not constitute advice. Down Syndrome Australia will not be held responsible for any decisions made as a result of using this information. The contents of the resource do not constitute legal advice and should not be relied on as such.



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