



# Guide for **Employers**



## What is MS?

It is likely you are reading this because you have an employee who has recently told you they have Multiple Sclerosis (MS). MS is different for everyone and there is no 'one size fits all' approach to managing MS in the workplace. While some people find no need for any changes to be made to their job or working pattern, others may benefit greatly from small adjustments.

MS is the most common neurological condition affecting young adults in Australia. It is usually diagnosed during the 20s and 30s and it affects three times as many women as men. MS is a disease of the central nervous system, and because any part of the nervous system can be affected, symptoms are wide ranging and unpredictable.

No two people with MS have the same experience. The most common symptoms are often invisible. Just because a person looks the same as they always have does not mean they are not feeling the impacts of MS. Symptoms include fatigue and neuropathic pain; sensory issues such as numbness, tingling and pins and needles; balance and mobility difficulties; bladder issues and a variety of others.

**While there is no cure for MS, the new generation of therapies mean the old stereotypes of people with MS no longer apply.**

These days, MS can be managed more effectively than ever before. There are disease modifying therapies that minimise the number and severity of relapses, slowing down disease progression.



## What you need to know

Although many people with MS don't see themselves as disabled, the condition is defined in Australia as a disability under equality law.

Under federal and state laws it is unlawful to treat people with MS unfairly. Under the *Health and Safety at Work Act*, as an employer you have a legal duty of care to protect your employees. This applies from the moment someone is diagnosed with MS, regardless of how it affects them.

It is against the law for an employer to harass or discriminate against a person with MS in the workplace (and against the law to allow this to happen in your work place). It is also against the law to discriminate against a potential employee because they have MS.

So, as an employer, you have a responsibility to your employee with MS, and to any potential employees with MS you may be considering hiring. It goes without saying that it is important to treat people with MS equitably, and to accommodate their needs as far as reasonably possible.

**MS does not mean an individual is less skilled, less capable, or a less valuable employee or potential employee.**

## The importance of workplace culture

For many people with MS, having a supportive employer is what enables them to remain in employment. However, some employers have concerns about employing a person with MS, often because of misconceptions about how a person may be affected by this medical condition. MS is an individual disease and does not automatically lead to severe disability. The majority of people with MS are willing and able to continue working long after diagnosis.

Most people with MS are diagnosed in the prime of their working lives, when they have valuable experience and expertise to contribute to the workplace. It is therefore important to look carefully at how MS affects an individual's ability to work, and how that person could be supported and retained in your workplace.

In most cases, the reasonable adjustments your employee needs in order to do their job will be minimal and should not affect the profitability of your organisation.

Moreover, demonstrating an open, responsible and productive approach to people with MS (and people with other medical conditions) will foster a positive workplace in the eyes of your employees, as well as an inclusive and welcoming organisation in the eyes of your customers.

## PERSONAL STORY

Following my diagnosis in Feb 2015, I had approximately 13 weeks off work, during which time I attended weekly physiotherapy, occupational therapy and speech therapy.

I requested a compassionate transfer to an office closer to home, which was granted. Upon return my new manager offered assistance and we arranged an ergonomic assessment of my work area. Following recommendations, changes were made to the positioning of my desk, computer screen height and position. A new chair with arm rests was purchased which allowed my right arm to be supported at all times and reduced the drop from my shoulder which was the result of my initial right side paralysis. I was also given a two handed mouse launch bar which reduced the movement of my damaged right shoulder. This mouse sits at the base of my keyboard and requires two hands which helps to assist my right hand which has very poor movement and control.

I was able to significantly reduce my work hours albeit temporarily. My work have been open to the hours going up and down again based on my level of functioning. I'm currently working 20 hours a week, and will take leave again in September for round two of Lemtrada (MS Treatment).

It helps me so much that my manager is so supportive of my situation. She understands that some days I significantly struggle to get out of bed and is happy for me to come in later or switch my days around. We communicate via text or telephone on a regular basis about how I am feeling. My manager also has an open door policy, whereby I can talk to her at any time about work or my health needs and worries.

Sommer, 35 years old





## How you can help

People with MS are valuable employees, and valuable potential employees.

If you have an experienced, well-trained member of staff, it makes sense to maximise the return on your investment in that person rather than lose his or her skills prematurely.

If you are looking to hire, there is no reason not to hire a person with MS.

**Have a conversation:** Because MS is such an individual condition, it is difficult to predict exactly how it will affect your employee. It is important to establish an open dialogue, so you can find out what support they need and ask them any questions you may have. The support they need depends on how their MS affects them, the job they do, and their own abilities and coping strategies.

At all times, respect their ability to manage their MS – it is not your responsibility to determine how much they can or cannot do. Trust their self-evaluation and encourage their input into decisions about future roles and responsibilities.

Talking to your employee needs to be more than a one-off conversation. Foster a relationship in which they feel they can trust you. For example, you could arrange a quarterly meeting to talk about how their MS is affecting them and whether they need any additional or different support.

People with MS have just as much education, skill and ambition as they did before their diagnosis. They are valuable employees – worthy of retention and hiring.

Given the new generation of medications, people with MS don't have to automatically assume they will end up in a wheelchair. MS is not the end. In fact, I am probably a better employee now – I know how to use my time wisely and prioritise.

Astrid, 33 years old



**Protect your employee's privacy:** You should take care to ensure that any information your employee shares with you about their MS remains confidential. If you do have to share this information, for example to enable compliance with health and safety requirements or when tendering for a contract, you should do this in a way that maintains the privacy of your employee.

**Make workplace adjustments:** Many reasonable adjustments cost little or nothing to put in place. A reasonable adjustment is a change, perhaps to the job or the working environment, which supports an employee to do their job. An example of these adjustments are listed below:

- Having a special chair or stool to sit on
- Negotiating flexible or reduced working hours
- Changing work hours (for example starting later or finishing earlier)
- Working from home
- Moving a work station away from a source of heat
- Putting a fan on their desk
- Access to a refrigerator for cooling products
- Taking time off for medical appointments
- Having somewhere to rest for short periods during the working day
- Using a parking space close to the entrance to work.

My employer was amazing when I was recovering from a relapse. They delivered a laptop to my apartment and assigned me with email access and a number of spreadsheet jobs that needed regular attention. I got paid on an hourly basis depending on how many hours I could handle.

To be able to wake up each morning, turn my laptop on after only a brief shuffle to the couch, and still feel a part of the business and work that I loved meant so much. I felt a part of a community of people that cared about me and crucially, I felt that I could still contribute something to the business, no matter how small, as I worked towards recovery.

Claudia, 38 years old

## Further information

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