



Cancer, Work & You

A guide for people with cancer,
their families and friends

Practical
and support
information

For information & support, call

13 11 20



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Check the publication date above to ensure this copy is up to date.

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Note to reader

Always consult your doctor about matters that affect your health. This booklet is intended as a general introduction to the topic and should not be seen as a substitute for medical, legal or financial advice. You should obtain independent advice relevant to your specific situation from appropriate professionals, and you may wish to discuss issues raised in this book with them.

All care is taken to ensure that the information in this booklet is accurate at the time of publication. Please note that information on cancer, including the diagnosis, treatment and prevention of cancer, is constantly being updated and revised by medical professionals and the research community. Cancer Council Australia and its members exclude all liability for any injury, loss or damage incurred by use of or reliance on the information provided in this booklet.

Cancer Council

Cancer Council is Australia's peak non-government cancer control organisation. Through the eight state and territory Cancer Councils, we provide a broad range of programs and services to help improve the quality of life of people living with cancer, their families and friends. Cancer Councils also invest heavily in research and prevention. To make a donation and help us beat cancer, visit cancer.org.au or call your local Cancer Council.



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About this booklet

Cancer and its treatment can affect many aspects of a person's life. This booklet has been prepared to help you manage your working life after a cancer diagnosis.

The way that cancer affects your work and finances will depend on your individual situation. You may work on a part-time, full-time or casual basis, be self-employed, be looking for work, or work from home.

We hope this booklet helps you find a working arrangement that suits you. It contains information about how cancer can affect your ability to work, tips about working during treatment, things to consider when returning to work after a break, information for working carers, and an overview of your rights and entitlements.

This booklet does not need to be read from cover to cover – just read the parts that are useful to you. You may also like to pass this booklet to your family, friends and co-workers for their information.

How this booklet was developed

This information was developed with help from a range of health, legal and human resource (HR) professionals, and people affected by cancer.

If you or your family have any questions, call Cancer Council **13 11 20**. We can send you more information and connect you with support services in your area. You can also visit your local Cancer Council website (see back cover).



**Cancer
Council**
13 11 20

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Key questions

Q: Will I be able to work?

A: Most people of working age who are diagnosed with cancer wonder how it will affect their ability to work. In many cases, cancer will affect a person's work life. For example, some of your treatment appointments will probably be scheduled during business hours.

Whether you are able to work during treatment will depend on:

- the type and stage of cancer
- the type of treatment you have and its side effects
- how you feel during treatment
- the kind of work you do.

Discuss the demands of your job with your health care team. Ask them how much time off you are likely to need or whether you will be able to work throughout your treatment and recovery. See pages 26–31 for information on how to manage some common side effects of cancer treatment.

Your decision will also depend on the support and flexibility of your employer. Most people who want to keep working during treatment are able to do so in some capacity. Some people manage by adjusting their work hours – they may miss a couple of days here and there or work part-time. Others choose to take a break or retire.

Each person's situation is different – not everyone with the same type of cancer will make the same decision about work. It's best to do what feels right for you.

Q: Should I tell my employer?

A: Telling your employer that you have cancer is a personal decision. While there is no law that says you have to share the diagnosis with your employer, you do have some obligations. You must tell your employer about anything that will affect your ability to do the essential parts of your job, or could reasonably cause a health and safety risk for yourself or other people. For example, some medicines you are taking may affect your ability or safety at work.

You may decide to wait and only tell your employer if the cancer starts to affect your ability to do your job. Or you may decide to inform them right away so that you can work together to plan how to deal with the impacts on you and your workplace. Keeping the diagnosis secret may cause you unnecessary stress trying to cover it up. Being open with your employer may:

- let you discuss the support you need and any changes that could be made to your work (see pages 10–11)
- help you find out about any benefits you can access, such as additional leave or income protection insurance
- make it easier to organise flexible working arrangements or take time off work for appointments or treatment
- reduce the risk that any impacts on your work will be seen as poor work performance.

If you want to keep the diagnosis to yourself, remember that information you share on social media websites, such as Facebook and Twitter, may be visible to your employer and co-workers.



Q: What are my rights regarding privacy and disclosure?

A: If you do tell your employer about your diagnosis, they should keep this information confidential. In general, your employer needs your consent to tell other people about your illness and treatment. In some rare situations they may be able to share (disclose) this information without your consent if there's a serious health risk to others. If you believe your health information has been disclosed without your consent, talk to your employer. The person who shared the information may be disciplined. Contact the Office of the Australian Information Commissioner for advice – call 1300 363 992 or visit oaic.gov.au.

If you take paid personal leave because you are sick, your employer may require a medical certificate or other evidence confirming that you're not fit for work. The certificate doesn't have to say you have cancer. Depending on how long you are away, your employer may ask for some details about why you are absent.

Q: What should I tell my employer?

A: What and how much you tell your employer will depend on your preferences, your workplace and the kind of relationship you have. You may want to let your employer know whether you:

- will be able to continue working (and for how long)
- will be able to perform all of your job duties
- want other people in your workplace to know
- need to take time off work (and when you are likely to return)
- need any workplace adjustments (see pages 10–11).

You may need to talk with your health care team before you can answer these questions. Some answers may not be clear until you've started treatment. Remember that you do not need to share all the details of your illness with your employer. You only need to tell them about anything that may affect your ability to work or cause a health and safety risk for yourself or others.



Talking to your employer

- You may feel more confident talking to your employer if you practise what you want to say with your family and friends.
- Decide beforehand how much information you want to share. Prepare some notes so you don't forget anything.
- Consider taking a support person with you to help with the discussion.
- Request a meeting in a quiet, private place where you won't be interrupted. Allow plenty of time for your discussion.
- Come to the meeting with some ideas about your needs and how any impact on the workplace can be dealt with.
- Reassure your employer of your commitment to your job.
- Be prepared for your employer to bring up your working arrangements, e.g. they may ask if you want to change your work schedule. If you don't know, say that you need time to think about your options.
- Keep notes about the discussion. Write down any agreed changes to your working arrangements for you and your employer to sign.
- Don't feel that you have to agree on everything in the first meeting. You may both need to get more information.
- Refer your employer to Cancer Council's online Workplace Fact Sheets for employers and workplaces. Check your local Cancer Council website or call Cancer Council **13 11 20**.

Q: Should I tell my co-workers?

A: There is no wrong or right answer – it is a personal decision that depends on what you want. Sharing details about the diagnosis and treatment may make you feel uncomfortable, or you may not want to answer questions. You may be concerned your co-workers will treat you differently.

You can talk to your employer about whether or not you plan to tell your co-workers. Points to consider include:

- the types of relationships you have with other staff
- whether your workplace is collaborative, friendly and supportive, or distrustful and negative
- who you feel you can trust with personal matters
- the impact on team unity if you tell some people and not others
- how your workplace has dealt with other employees with cancer or other serious illnesses
- whether your co-workers need to know what to do if you become unwell at work.

It can be difficult to hide your illness if you work in a close-knit team. You may be away from work for some time. The cancer or treatment side effects may also have a visible impact on your behaviour or appearance. Your co-workers may wonder about these changes. Some may even become resentful if they think that you aren't doing your fair share of work and don't understand why.

Sharing information about your cancer with close workmates gives them an opportunity to express their concern for your wellbeing and discuss ways they can help you.



Talking to your co-workers

- You don't need to tell everyone, especially if you work in a large organisation. You may only want to inform your immediate team members or close workmates.
- Decide beforehand how much information you want to share.
- Find a comfortable and private place, and set aside time to talk.
- Think about how you'll handle different reactions. Some co-workers might react with understanding, others may feel uncomfortable or afraid. Planning ahead will help you cope with different responses.
- Let your co-workers know about the kind of support and help you need, and how this may change over time. It's okay to let them know that you don't want to hear about other people's cancer experiences.
- If you feel uncomfortable about telling your co-workers yourself, ask your manager, a close workmate or the human resources manager to pass on the news for you.
- You may find that news about your diagnosis spreads around the office. Let your co-workers know up-front if you would prefer the news to be kept confidential. If you are upset, talk to your co-workers or ask your manager to get involved.

Q: Can my employer dismiss me because I have cancer?

A: In general, discrimination in the workplace due to cancer and treatment is unlawful. This includes stopping you taking leave, offering you a more junior role or dismissing you, for a reason related to your cancer. If you are unsure of how your employer will react, it's good to know your rights and your employer's responsibilities – see pages 55–59.

Q: How can my employer support me?

A: Under Australian law, cancer is considered a disability. If you cannot perform your usual work duties, the Commonwealth *Disability Discrimination Act 1992* requires your employer to make changes to the workplace so you can keep working. These changes are known as reasonable adjustments.

An employer can refuse your request to make changes only if the changes would cause unjustifiable hardship to their business or, in some cases, on reasonable business grounds. See pages 55–59 for more information on your workplace rights.

Changes could be to your duties, workspace or hours, and they could be temporary or long term. You and your employer can discuss ideas for possible changes. Your health care team may also have useful suggestions. Reasonable adjustments could include:

- extra breaks because of pain or fatigue, or to attend medical appointments
- temporary duties as agreed, reduced hours, flexitime, working from home, part-time work or a gradual return to work
- changes to the workspace such as a more suitable chair, height-adjustable desk or counter, or ergonomic work tools
- providing new technology, such as voice-activated software, telephone headsets, a hearing loop or screen-reading software
- setting you up to use the National Relay Service on your computer, tablet, mobile phone or telephone typewriter (TTY). This service helps people who have a hearing or speech impairment to make phone calls. For more information, call 1800 555 660 or visit relayservice.gov.au.

Your employer can get advice, financial support and practical assistance to help support you from JobAccess, an Australian Government service. Call 1800 464 800 or visit jobaccess.gov.au.

Many employers also have employee support systems, such as rehabilitation and retraining programs, or an Employee Assistance Program (EAP) that offers free, confidential counselling. Another option may be a buddy or mentoring system with someone else in your workplace who has had cancer. Your co-workers can offer advice or help you liaise with management. How any buddy or mentoring system is arranged is up to you and your employer.

Q: Am I entitled to compensation if my cancer is work-related?

A: About 5000 people are diagnosed with work-related cancers each year.¹ Work-related cancers can result from exposure to sunlight, toxic dusts and chemicals (including asbestos, heavy metals, diesel engine exhaust, solvents and pesticides), and ionising radiation.

If you have been diagnosed with a work-related cancer, you may be entitled to workers compensation. It's important to get legal advice from a lawyer who specialises in workers compensation matters. To find a lawyer, contact the Law Society in your state or territory. To make a claim, notify your state or territory WorkSafe authority (see page 35) about your cancer and why you think it is work-related. A time limit may apply.

- ▶ Download the *Compensation for work-related cancers* fact sheet from cancer.org.au or call Cancer Council 13 11 20.

Managing your working life after diagnosis

Work is an important part of many people's lives. Whether you are able to keep working during treatment for cancer, or while caring for someone with cancer, will depend on your personal situation.



After weighing up all the competing factors you may decide to keep working, take a break or retire from work. If you take a break, you might return to your existing job after treatment, or you may want to change jobs or careers.



Continue working

With support from your employer, flexible working arrangements or workplace adjustments.

➤ see pages 15, 20–21, 48–49



Take time off

You may be able to use your paid leave entitlements, take unpaid time off, or claim on insurance.

➤ see pages 16, 22–24, 43–44, 50–51



Return to work

You may:

- be able to slot back into your existing job straightaway
- need to ease back into a full workload, with some workplace changes and a return to work plan
- find a new job due to changes in your abilities or priorities.

➤ see pages 32–39



Retire from work

You may decide that retirement is the best option.

➤ see page 17



Making decisions about working

You may feel overwhelmed by all the decisions you have to make after a diagnosis of cancer and during treatment. Weighing up whether to keep working, have a break, resign or retire may be difficult.

This chapter discusses the options you have and the factors you may consider when making a decision (see table on pages 18–19). Try to avoid feeling rushed. Although things may seem to be happening quickly, there is usually time to make a well-informed decision.

If you are having trouble deciding what is important to you, make a list of reasons for and against. It may help to talk to family, friends or a counsellor to decide what you want. Or call Cancer Council 13 11 20 to see if they can connect you with a person who's experienced a similar situation. You may also want to seek input from your general practitioner (GP) and cancer specialists.

Reasons to work

Some people need to keep working for financial reasons, but work can also:

- be enjoyable, stimulating and rewarding
- give you a chance to socialise and decrease your sense of isolation
- help you maintain a sense of identity
- develop your skills, creativity and knowledge
- keep you busy and get you out of the house
- keep you in contact with friends and workmates who can offer regular support
- provide a purpose and feeling of accomplishment
- provide a routine, which is important to some people.

“ With the support of my family and workplace, I was able to schedule the radiation therapy appointments before work. ” Christine

Employment options

Working during treatment

Cancer treatment will most likely affect your ability to do your job in some way. This doesn't mean you will be unable to do your job, but you will probably need some flexibility to make work easier.

Discuss with your employer whether your current role needs to be modified or if flexible working arrangements will help you manage your treatment and side effects. Consider setting out any agreed changes in a plan (similar to a return to work plan, see page 35).

Ask your treatment team whether they offer very early or late appointments, appointments on weekends, or chemotherapy from home, so that you can fit your treatment sessions around your work. Also check with your treatment team if there are any precautions you need to take in the workplace to protect others.

Cancer and its treatment may affect your ability to drive safely. Doctors have a duty to advise patients not to drive if they are a risk to themselves or others. If you are unable to drive, this may affect your ability to work. Before you start driving again, seek your doctor's advice.

See pages 26–31 for tips about working while coping with side effects from treatment. See also *Going back to work* on pages 32–35.

Taking time off

Some people find working during treatment and recovery difficult and decide to take a break. They may make this decision straightaway or after returning to work and finding it too physically and emotionally difficult.

Discuss your leave options with your employer. You can use paid leave entitlements or ask for unpaid time off. If you decide to take time off, you may want to set up a system for staying in touch with your employer so you know what is happening at work. If you decide to take extended leave, speak to your manager or human resources department. Let them know you would like to return to work when your health improves.



Carmen's story

I went into work after the doctor told me I had cancer and talked to my boss, who said he'd do anything to stand by me. I was very lucky in that regard.

I took sick leave to have surgery to remove part of my bowel. When I was well enough to have chemo, I worked part-time from home when I felt up to it.

Overall, I worked this way for nine months during my treatment and recovery. Once chemo was

finished, I went back to work full-time. By then, the office had moved from near my home to the city, which meant I had a longer distance to travel each day. I don't know how I did it all, but I did.

I didn't have as much responsibility when I first went back, but I didn't care at the time because I just wanted to recover from my illness. There have been lots of changes at work, but now I'm back in the same role I had before I had cancer.

Check your insurance

If you have disability or income protection insurance, you may be able to receive a portion of your income while you are unable to work. You might have taken out a separate policy, or it may be attached to your superannuation or provided by your employer. If you are thinking of resigning from your job, check your insurance coverage first, because leaving work may affect your entitlements.

- ▶ See our *Cancer and Your Finances* booklet for more detailed information about financial, insurance and superannuation issues.

Retirement

Some people give up work completely when they are diagnosed with cancer. This might be the right choice for you if you are already close to retirement or if the cancer is advanced.

It is natural to have mixed feelings about retirement. How you feel may depend on your age and your plans before the cancer diagnosis. Some people feel a sense of loss and others worry they'll be bored. You may find it helps to talk about these responses with your friends and family, hospital social worker, spiritual leader or counsellor, or call Cancer Council 13 11 20.

Most people take time to adjust to retirement. Making plans for dealing with the impact on your sense of self, finances and relationships can make the change easier. Some people find it helpful to get involved with volunteer work as part of moving into retirement.

- ▶ See our *Emotions and Cancer* booklet and listen to our “Coping with a Cancer Diagnosis” podcast episode.

What to consider when making a decision about working

Treatment



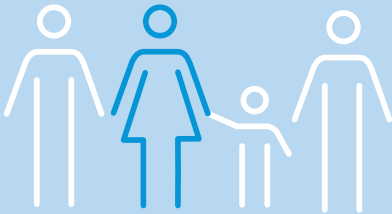
- What type of treatment will you have?
- Are there other treatments that would still be effective but might make it easier to keep working?
- How often will you have treatment?
- Does your treatment schedule suit your work hours? If not, can it be changed?
- What are the potential side effects and how might they affect your job?
- Will the side effects be temporary or long term?
- Does your health care team have any advice about how other patients manage treatment and work?
- Would it help to talk to someone who has had similar treatment to see how they managed? Call **13 11 20** to find out about Cancer Connect, a free telephone peer support service.

Financial



- How much of your family's total income is made up of your wage?
- Do you have any leave that would allow you to take paid time off?
- Is taking unpaid leave an option?
- Do you have savings or insurance that you can access?
- Does your employer have any insurance that you can access?
- How will reducing your work hours or taking time off affect your standard of living?
- What additional expenses, such as medicines or travel for treatment, do you expect?
- How can you manage non-cancer-related debts or bills, such as mortgage and car repayments?
- Do you need professional advice to help you make decisions that affect your finances?

Personal



- Are there any aspects of your personal life that you also have to consider, such as children or other financial dependants?
- Do you have any other caring responsibilities, such as elderly parents or other relatives needing care?
- Can your family and friends provide practical and emotional support, such as transporting you to appointments, helping around the house or providing meals?
- Will working give you a sense of normality or help take your mind off the cancer?
- Will the emotional impact of a cancer diagnosis make it hard for you to concentrate on work?

Workplace



- Do you enjoy your job?
- Are you pursuing specific career goals?
- Have you discussed your situation with your manager or human resources department?
- Is your manager supportive?
Can your workplace offer some flexible working practices (such as working from home)?
- Is your job very demanding?
- Are you physically and emotionally able to work?
- Could your role be modified to make your job easier?
- Would your workmates be a source of support?
- How much do other staff members depend on you and the work you do?



Working during treatment and recovery

If you decide to work during treatment or return to work after it's finished, there are several options to consider. These include asking for flexible working arrangements or using your leave entitlements.

Flexible working arrangements

Under the National Employment Standards (NES), people with a disability such as cancer have the right to ask for flexible working arrangements if they have at least 12 months of continuous service with their employer. Long-term casual employees may also ask for flexible working arrangements. For more information, visit fairwork.gov.au.

Some examples of flexible arrangements are allowing you to:

- work from home some or all days
- reduce the hours you work or change your start, finish or break times
- work from another office or suitable location
- vary your hours, split shifts, work part-time or job share.

You need to ask in writing, giving details of the changes you want and why you want them. Your employer needs to accept or refuse your request in writing within 21 days of receiving it. The only reason they can refuse your request is on reasonable business grounds (for example, the changes are too expensive). If your employer refuses

“Two days a week, I would have chemotherapy. I scheduled it at 1pm and I would work a half-day and spend the afternoon at home in bed.” Sarah

your request and you don't think their explanation is reasonable, you may be able to seek assistance from the Fair Work Commission or the discrimination agency in your state or territory.

Any proposed changes should be realistic and workable for both you and your employer. Your organisation isn't obliged to agree to all your requests. For example, if you ask to work 8pm–10pm, three days each week, it may not suit the needs of the workplace. See page 24 for some ways to manage flexible working conditions.

After a few weeks of the new schedule, catch up with your manager or human resources department to discuss whether the flexible arrangements are working for both you and your employer. You might want to change the arrangement once you know how the treatment is affecting you, or as you start to feel better.

Leave entitlements

There are several types of leave options available to help you balance work and treatment. The National Employment Standards outline the rules for several types of paid and unpaid leave, which apply under most awards or enterprise agreements in Australia. For more details about the different types of leave, see the table on the next two pages.

Entitlements offered under awards or agreements may be different from those provided by the National Employment Standards but can't be less. You should check the terms of your agreement. See page 24 for some ways to manage your leave.

Types of leave entitlements

Personal/carer's leave

- Can be taken when you are unwell or injured, or if you need to care for an immediate family or household member (see page 47). It used to be called sick leave.
- Permanent full-time employees receive a minimum of 10 days of paid personal leave each year.
- Part-time employees receive a pro rata (proportional) amount of personal leave days based on the number of hours they work.
- Paid personal leave is an entitlement for all employees except casuals.
- This type of leave is paid at the employee's base rate of pay.
- An employer can ask you to provide proof that you need to take personal leave (e.g. a medical certificate).
- Unused leave days carry over from year to year (accumulate or accrue).
- Employees can take as much leave as they have accumulated.
- This type of leave is not paid out when you leave your employer.

Annual leave

- Also known as holiday pay.
- Paid annual leave is an entitlement for all employees except casuals. Full-time employees receive a minimum of four weeks of paid annual leave for each year of service with their employer. Part-time staff receive leave on a pro rata (proportional) basis.
- Annual leave is paid at the employee's base rate of pay. Under some awards or agreements, employees are paid an increased rate (leave loading).
- Unused annual leave accumulates over time. Your employer can direct you to take annual leave, but the request must be reasonable.
- Annual leave continues to accumulate when an employee takes a period of paid leave. Leave doesn't accumulate during periods of unpaid leave.
- An employee must apply for annual leave before taking it.
- An employer must approve annual leave unless they have reasonable grounds to refuse it.
- If you leave your employer, any unused annual leave will be paid out.

Long service leave

- A period of paid leave after you've worked continuously for the same employer for an extended period of time. This leave may apply after 7–10 years.
- If you have worked for the same employer for an extended period of time and resign due to illness, you may be entitled to a pro rata long service leave payment. This may apply after 5–7 years.
- The amount of leave and the lengths of service required are different depending on which state or territory you live in.
- Long service leave is paid at the employee's ordinary rate of pay. In some cases, you may be able to take a longer period of leave at half-pay.
- Once you are entitled to take long service leave, any unused leave is usually paid out when you leave your employer.
- Periods of unpaid leave do not count towards continuous service for the accrual of long service leave.

Unpaid leave

- If you have used all your paid personal leave or if you are a casual employee, your employer might grant you leave from work without pay. This is not an entitlement – it is up to your employer to allow it.
- You may have to use your annual leave before your employer allows you to take leave without pay.
- Personal leave and annual leave do not usually accumulate when you are on unpaid leave.
- All employees are entitled to two days of unpaid carer's leave (see pages 50–51). This leave can be taken each time a member of an employee's immediate family or household (see page 47) needs care and support because of illness, injury or an emergency. Full-time and part-time employees must have used all their paid personal leave before they can take unpaid carer's leave.

For more information about entitlements under the National Employment Standards (NES), see fairwork.gov.au or check your award or agreement.



Managing work and treatment

| Flexible arrangements | Leave |
|---|--|
| <ul style="list-style-type: none">• If possible, take a few hours off instead of the whole day.• Try to schedule treatment sessions so you have more recovery time (e.g. late in the day or before your days off).• Explore working from home. Not having to commute may help you feel less tired.• Let co-workers know about changes to your work hours.• Write down the plan you and your employer have agreed on, and then both sign it.• If you feel overwhelmed, don't let your performance suffer too much before re-assessing your work arrangements.• Look for tools to help you work remotely, e.g. using a smartphone to get your emails, copying files to the cloud, or working on a laptop. | <ul style="list-style-type: none">• If you are a new employee, ask your manager or human resources department if there is a waiting (qualifying) period for paid personal leave.• Check with your employer if you can “cash out” your annual leave and any conditions that apply. Some awards and agreements don't allow this.• Give as much notice as possible before taking leave.• Combine personal leave with annual leave and long service leave, if necessary.• If you don't have enough paid leave, ask your manager if you can take unpaid time off.• Know your rights. It is generally against the law to dismiss someone for taking leave for illness (see page 57).• If you believe your employer isn't giving you the correct amount of leave, check your entitlements. Contact the Fair Work Ombudsman on 13 13 94 or visit fairwork.gov.au. |



Key points about working after a cancer diagnosis

Making decisions

- After a cancer diagnosis, it can be hard to decide if you want to keep working, change your hours, take a break, resign or retire.
- You will have to consider several factors, including the nature of your job, treatment side effects, the flexibility of your workplace, your leave entitlements and personal matters.
- Avoid making a hasty decision. Talk to family or friends and seek professional financial advice before making a decision.

Flexible working arrangements

- Talk to your health care team about balancing work and cancer treatment. Doctors, nurses, counsellors or social workers can give you information about coping with treatment.
- Talk to your employer about flexible working arrangements. You may be able to adjust your work location, hours or role.
- Assess your work arrangements once you know how your treatment is affecting you. Discuss any changes with your employer.

Leave entitlements

- Several types of leave options are available to help you balance work and treatment – check your entitlements with your manager or human resources department.
- Permanent employees may take personal leave when they can't come to work due to illness. This used to be called sick leave.
- Eligible employees can also use annual leave, long service leave and unpaid leave.



Coping with side effects

The main treatments for cancer are chemotherapy, radiation therapy and surgery. Other treatments, such as hormone therapy, targeted therapy and immunotherapy, can also be used for some types of cancer. You may experience side effects from these treatments that make it harder to do your job. This chapter provides tips for managing some common side effects.

It can take time to get over the side effects of treatment. Making changes to your work hours and environment may make things easier. If treatment side effects stop you from working, your doctor may be able to change your treatment or prescribe some medicine to help you feel better. Always consult your doctor about possible side effects of medicines. Some drugs can cause drowsiness and make it hard to think clearly or operate heavy machinery safely.

Side effects can be physical and emotional. Feeling low or depressed during or after treatment is common. Talk to your doctor if you are feeling down. For help with managing depression or anxiety, see our *Emotions and Cancer* booklet and visit beyondblue.org.au.

Complementary therapies, such as meditation, yoga, massage and acupuncture, may improve the side effects of treatment.



For more tips and information about managing side effects, read Cancer Council's publications on chemotherapy, radiation therapy, surgery, targeted therapy, immunotherapy and complementary therapies. Call **13 11 20** for support and free copies of our booklets, or visit your local Cancer Council website (see back cover).

Fatigue and tiredness

Cancer treatment and associated stress can make you feel very tired and worn out. Factors such as job stress, shiftwork or standing for long periods may make you feel worse. Many people find that they cannot do as much as they normally would, but others are able to continue their usual activities.



Tips for managing fatigue

- Talk to your employer about changing your work hours so you can arrive later if you have trouble getting started in the morning or leave early if you feel tired in the afternoon.
- Plan meetings for the times you tend to have more energy.
- Discuss your priorities with your manager to ensure you save your energy for the most important tasks.
- Ask permission to take breaks when you need to. Bring a pillow to work and find a quiet place where you can rest. If this isn't possible, get some fresh air or take a short walk.
- If you don't have the energy for physical tasks (e.g. lifting, driving), ask colleagues for help.
- Work from home if you can and rest when you need to.
- Ask your employer if they can provide a parking space. Find out if you are eligible for a disability parking permit.
- Bring your lunch or ask a workmate to pick it up for you so you don't have to go out.
- Try to save your energy for work, e.g. ask for more help around the house or get your shopping delivered.
- Eat well and take care of your body. Regular exercise can help improve your mood or make you feel more energetic.
- ▶ See our *Fatigue and Cancer* fact sheet and listen to our "Managing Cancer Fatigue" podcast episode.

Thinking and memory changes

Your job might require you to interact with others, solve problems and concentrate for long periods of time. After cancer treatment, it can be difficult to concentrate. You may feel like you are in a fog. This is called cancer-related cognitive impairment. Other terms used to describe this include “chemo brain”, “cancer fog” and “brain fog”.

These changes may be caused by the cancer or cancer treatments, and they usually improve with time. Tell your doctor about any thinking or memory problems you are having.



Tips for improving concentration

- Get plenty of sleep. Deep sleep is important for memory and concentration.
 - Keep a diary or set appointment reminders on your phone.
 - Carry a small notepad or download an app to your phone so you can jot down things you need to remember.
 - Create to-do lists to help keep track of the things you need to achieve. Complete tasks one at a time rather than multitasking.
 - Refer to project plans, meeting minutes and other documents to jog your memory.
 - Plan activities so you do things that require more concentration when you are more alert.
 - If possible, let calls go to voicemail and return them when you've had time to prepare your response.
 - Let your manager know you may need more time to finish tasks. Discuss realistic deadlines for your projects.
 - Talk to an occupational therapist about strategies to improve your memory.
- See our *Changes in Thinking and Memory* fact sheet.

Nausea and vomiting

Nausea is best treated early. If you feel sick, talk to your doctor. You will probably be given anti-nausea medicine that you can take regularly to relieve symptoms. Finding the right medicine can take time. If you still have nausea or vomiting after using the prescribed medicine, let your doctor know so that another type can be tried.



Tips for managing nausea

- Take anti-nausea medicine as prescribed by your doctor before your treatment session.
- Sip on fluids throughout the day. If you don't like plain water, drink flavoured water or tea. Peppermint, ginger or weak black tea can be soothing. You can also try sparkling water, lemonade or ginger ale.
- Avoid strong odours. Keep your distance if co-workers are eating strong-smelling food. If you work in the food, hairdressing or construction industries and are affected by strong smells, ask for other tasks.
- Chew gum or suck on ice cubes throughout the day.
- Eat something before going to bed or soon after getting up in the morning, and eat small meals and snacks regularly. An empty stomach can make your nausea worse. Try nibbling on bland crackers.
- Try eating food with ginger, which can ease nausea.
- Breathe deeply and gently through your mouth if you feel like you're going to vomit, or go outside to get some fresh air.
- Keep a sick bag close to you or sit near the bathroom so you can get there quickly if needed.
- Work from home or take leave if you feel too sick.
- ▶ Listen to our "Appetite Loss and Nausea" podcast episode.

Increased risk of infections

Some cancer treatments, such as chemotherapy, may increase your risk of getting an infection. Colds and flu passing around the office may be easier to catch and harder to shake off, and scratches or cuts may get infected more easily. It is important to stay away from people who are unwell.



Tips for lowering your risk of infection

- Let other staff know that you are more likely to get infections. Your employer can remind staff to stay at home when they are sick.
- If you work in an open plan area, move to an office or an isolated desk during treatment and recovery.
- Work in a well-ventilated space, if possible.
- Keep your workspace clean, especially if you share a desk. Wipe down your phone, keyboard, desk and mouse regularly. If you use a company car, clean the steering wheel, handles and radio console.
- Prepare and store food properly to avoid foodborne illness and food poisoning.
- Arrange to have video or teleconferences instead of face-to-face meetings. Work from home if you can.
- Check with your doctor about having the flu vaccine.
- If possible, take time off if you work in hospitality, health care or child care, particularly if your immunity is lowered (e.g. low white blood cell count).
- Wash your hands before eating and drinking, and after taking public transport and using the toilet.
- Clean and cover any wounds or injuries that occur at work to prevent infection. Report the incident to your human resources department for work health and safety reasons.

Changes in your appearance

Side effects from surgery, chemotherapy or radiation therapy may change the way you look. You may be distressed or embarrassed about these changes. You may also feel less confident about who you are and what you can do. It is normal to feel self-conscious when you return to work. Give yourself time to adapt to any changes.



Tips for overcoming self-consciousness

- Talk about the changes. If you don't openly acknowledge that you look different, people may avoid you because they don't know what to say.
- Consider asking your manager to raise the issue of your appearance with your co-workers if you feel uncomfortable talking about it.
- Be prepared for co-workers to ask questions.
- Try not to get angry or flustered by questions that make you feel uncomfortable.
- Answer questions directly or say that you would prefer not to discuss it.
- Wear a wig, beanie, cap or scarf if you've lost your hair and feel uncomfortable being bald at work. Some state and territory Cancer Councils offer a free wig service – call **13 11 20** for more details.
- Consider registering for a Look Good Feel Better workshop to help you manage treatment-related changes in appearance. Call **1800 650 960** or visit lgfb.org.au.

“ I did the Look Good Feel Better program before treatment. It helped me prepare mentally for losing my hair during chemotherapy. ” Ann



Returning to work after treatment

It's natural to feel nervous if you're returning to work after you've been away for a while. If you are returning to an existing job, you may want to talk to your employer about a return to work plan (see page 35).

Or you may seek a new job because of changes to your capabilities or priorities. Cancer Council can provide you with information about the emotional and practical aspects of living well after cancer.

➤ See our *Living Well After Cancer* booklet.

Going back to work

You may be concerned about how your employer and co-workers will react, and if there will be questions about your ability to perform your usual role. You may consider returning to work gradually, increasing your hours and duties as you become stronger, or you may feel ready to resume your old workload.

All employers are legally required to make changes (known as reasonable adjustments) to accommodate the effects of an employee's cancer diagnosis – see *Workplace rights* on pages 55–59. This may mean, for example, that your employer allows you to return to work in stages, is flexible with start and finish times, gives you time off to attend medical appointments, or provides ergonomic work tools.

It's a good idea to speak with your GP, cancer specialist or an occupational physician about whether you are able to undertake your usual tasks. Your employer can request a medical examination to show you are fit for work or to identify any changes they need to make to accommodate your needs. They don't have the right to request full unrestricted access to your medical records.



Kristin's story

I've been employed with a Commonwealth Government department since 1995.

When I was diagnosed with ovarian cancer, I told my boss I'd be taking extended time off and wrapped up some work before taking six weeks of sick leave.

My employer connected me with a workplace rehabilitation consultant, who helped create a return to work plan for me. The consultant spoke to my doctors and manager and determined my working hours and tasks.

Because I was having several months of chemotherapy, I started working from home for four hours once a week.

Over a year, my hours increased and I worked at home and in the office. If I worked more time than planned, my employer would re-credit my sick leave.

Having a written plan was a safety net for me. Each month

I would forecast the amount of work I thought I could handle. When I felt I should be working more or was anxious about people's expectations, I knew I could stick to the approved plan and return at my own pace.

Being back to full-time work is a juggling act because I'm still fatigued and have a lot of appointments, including for my clinical trial. I also have work-related stress – I've lost some corporate knowledge because I was out of the loop for a year.

I'm enjoying being back at work. I know I'm very lucky to have a supportive employer.

I hope employees know that they can ask for support from their employer – especially a written return to work plan. The support from my employer helped me to keep engaged and get back to work when I was able.

Your employer should allow you to return to work if you have a medical certificate saying you're fit to return to work, and you can perform the essential parts (inherent requirements) of your job with reasonable changes to the workplace.

Your employer may not have to accommodate the effects of the cancer diagnosis and treatment if they can show that any proposed changes would cause them unjustifiable hardship or that you will still not be able to carry out the essential parts of the job even if changes are made.

If you are unable to carry out your previous role, your employer may offer a rehabilitation scheme to train you for another role. Your employer is only required to offer you a different role if the cancer is work-related. See page 11 for information about work-related cancers.

Work Assist is a free government program. It helps people in danger of losing their job because of illness, injury or disability stay with their current employer. Call 1800 464 800 or visit jobaccess.gov.au for more information. If you have life or income protection insurance, check if it includes rehabilitation cover to help you return to work.

There are things you can do to prepare to return to work:

- **maintain a healthy lifestyle** – exercise regularly, eat healthy foods, do enjoyable activities, and take time for yourself each day
- **live as if going to work** – get up at your regular work time, dress in your work clothes, practise travelling to work, and do tasks similar to your work tasks
- **get help becoming work ready** – see an exercise physiologist, occupational therapist, physiotherapist or rehabilitation specialist.

Making a return to work plan

When you are ready to return to work, contact your employer about creating a written return to work plan. This is a helpful document prepared by you, your doctor and your employer (or a rehabilitation professional) outlining your approach to returning to work. It may also be helpful to develop a similar plan if you keep working during treatment. The plan is tailored to your specific situation and needs, and may include:

- your job title and location
 - approximate date of return to work
 - time period of the plan
 - your goals and abilities
 - a summary of duties
 - start, finish and break times
 - any specific restrictions or recommendations from your health care team (e.g. time limits for sitting, must wear a lymphoedema sleeve)
 - any short-term changes to your terms of employment
- (e.g. leave, remuneration) as a result of your rehabilitation
 - any training needs
 - any potential triggers within your role that could create additional stress, harm or prevent your recovery
 - details of the supervisors or managers responsible for monitoring progress of the return to work plan
 - dates of regular meetings to discuss progress and changes to the plan if needed.

To see a sample return to work plan, download Cancer Council NSW's *Job Seeking Workbook* from cancercouncil.com.au. For more information about return to work plans, visit jobaccess.gov.au. Your state or territory WorkSafe or workers compensation authority also offers information and advice about workplace safety, workers compensation, worker assist programs, and return to work:

ACT: worksafe.act.gov.au

NSW: sira.nsw.gov.au

NT: worksafe.nt.gov.au

QLD: worksafe.qld.gov.au

SA: rtwsa.com

TAS: worksafe.tas.gov.au

VIC: worksafe.vic.gov.au

WA: workcover.wa.gov.au

Commonwealth: comcare.gov.au

Changing jobs

A cancer diagnosis may make you reconsider your career goals and work values. For some people, returning to the same job may not be possible due to changes in ability or length of time away. You may decide changing jobs is an opportunity for a fresh start. The desire to reduce work-related stress or seek more meaningful work may also be a motivating factor to change jobs.

Finding a new job

Before looking for a new position, you may want to consider:


- Does my illness mean I need to look for a new line of work?
- What abilities, skills and experience can I offer a new employer?
- Will I need to update my skills or education?
- Is there a market for someone with my skills in my chosen field?
- Would I be happy with a lower-level position or fewer hours?
- Can I afford to live on a lower salary?
- How would I manage the stress of a change in employment?
- Does my confidence need a boost?
- Will I need more support (e.g. new equipment or extra breaks)?
- How many hours a week am I able to work?
- Will I need to tell a potential or new employer about my cancer treatment?

Think about different ways of working, such as job-sharing, volunteering, self-employment, part-time or agency work. Discuss your options with co-workers and referees who are familiar with your work and can be honest about your skills. You could also talk with a career counsellor, Cancer Council's Legal, Financial and Workplace Referral Services on 13 11 20, or a JobAccess adviser on 1800 464 800.



Preparing for an interview

- Consider seeing a career counsellor or social worker to practise some job interviews. They can help you identify your strengths, skills and abilities.
- Think about what you may say if asked about a gap in your résumé (CV). Some people write “career break” rather than leaving the gap unexplained.
- Keep explanations general and straightforward – don’t tell a longwinded story. You might want to say that you took some time off for personal reasons.
- If you are asked a direct question about your health history, consider answering: “I had a health or family issue, but it’s resolved now”, “I have no health problems that would affect me performing this job” or “I have medical clearance to perform this type of work”.
- If you have an obvious physical impairment, consider letting the interview panel know how you are able to perform the specific job responsibilities.
- Being up-front with your employer can make it easier to negotiate any necessary modifications to the workplace or time off for medical appointments.
- If you don’t get the job and you believe it is because of the cancer diagnosis and treatment, you can complain to the employer, the discrimination agency in your state or territory, the Australian Human Rights Commission or the Fair Work Ombudsman (see pages 60–61 for contact details). However, these types of complaints are often unsuccessful as it’s hard to prove why you weren’t hired.

“At the time of the diagnosis, I was working as an office manager, but afterwards we reassessed our life. I changed jobs and we moved house. I now work in aged care, which I love.”  Jodie

Telling a potential employer

While you may want to tell a potential employer that you have had cancer, you don't have to unless it may impact on your ability to do the job. You only need to let the employer know about:

- anything that may affect your ability to perform tasks that are an essential part of the job, e.g. if you can lift heavy boxes or drive a car
- any health and safety risks for yourself or others
- any adjustments you may need to help you do your job, e.g. ergonomic tools or a height-adjustable bench.

There will probably be a gap in your résumé (CV) if you did not work during cancer treatment. Be prepared for a potential employer to bring this up. It's common for people to have breaks in their employment history because of travel, having children or other personal reasons, so the employer may not ask about it. Your employer does not need to know details about your personal life unless it is relevant to the job.

Other options

If you are unable to return to your previous job after treatment:

- you may be able to attend a rehabilitation or retraining program to prepare you for another job
- you may be eligible for a payout if you have disability insurance or income protection insurance
- you may consider retiring (see page 17)
- you may be able to get support through the National Disability Insurance Scheme (NDIS) if your disability is permanent and significant; for more information, call 1800 800 110 or visit ndis.gov.au
- contact Centrelink on 132 717 or visit humanservices.gov.au to see if you are eligible for the Disability Support Pension or other payment.

Key points about working after treatment ends



Returning to work

- It's natural to feel nervous about returning to work after treatment for cancer.
- Seek advice from your doctor about whether you are ready to return to work and able to carry out your usual tasks.
- A written return to work plan can be a helpful guide for you and your employer.
- Talk to your employer about returning to work part-time or on lighter duties. As your health improves, you may want to ease back into your previous routine.
- Let your employer know about any changes you need to help you carry out the essential parts of your job.

Changing jobs

- You may be motivated to change jobs after cancer treatment is over.
- If you are thinking about changing jobs, identify your skills and experience. Consider if you want to work part-time, need any support to help you deal with long-term treatment side effects, or need additional training.
- You don't have to tell a potential employer that you've had cancer unless it affects your ability to do the job.
- Be prepared for any questions that potential employers may ask about a gap in your résumé (CV) or your health history.
- If you are unable to return to your previous position, consider attending a rehabilitation or retraining program.



Self-employment and cancer

You may be running your own company or work as a freelancer, contractor, farmer or entrepreneur. You may be working on your own or employ other people. A major concern when you are diagnosed with cancer may be how, and if, you can keep your business running.

Making a decision about working

Many self-employed people with cancer find ways to have treatment while keeping their business on track. Depending on the nature of your business, self-employment can give you more control over your work schedule. You may be able to work around treatment sessions and set aside the time needed for recovery.

The decisions you make will depend on your individual circumstances. The type of cancer, the proposed treatment and potential side effects are all factors to consider. If you rely on your income or if your business has been a major focus of your life, taking time off or permanently stopping work may be a major concern. Reading *Coping with side effects* (pages 26–31) may help you make a decision.

If you are uncertain about what to do, discuss your options with family or friends. You could also seek professional financial advice. Your options may include:

- checking existing insurance policies for entitlements, including any benefits payable through your superannuation
- claiming early entitlements from your superannuation fund (make sure to get financial advice about how this will affect your retirement)
- talking to Centrelink about government benefits
- selling or scaling back your business.

Managing your business

To keep your business running, you may need a business plan to manage the changes caused by treatment. Talk to your health care team about what to expect from treatment as this might help you decide what you can handle.

These suggestions may help you combine work and treatment:

- Be realistic about how much work you can continue to do.
- Decide what has to be done now and what can be left until later.
- Use your energy to do the tasks that you enjoy the most or that you must do yourself.
- Consider subcontracting, hiring temporary staff or asking friends in the same trade or profession to lend a hand.
- Ask for or accept any offers of help from family and friends.
- Consider working from home or changing your role.
- Let any staff know what changes you are making to keep the business running.
- Aim to finish any high-priority work before you start treatment.
- Think about other ways to do your job. Could you travel less for work? Could you work from home more? Would it be practical to use technologies such as smartphones and video calls instead of having face-to-face meetings? If you ship merchandise, could a fulfilment house handle this temporarily?
- Check any existing insurance policies for entitlements and let your insurance company know about changes to your work situation.
- Seek advice from any professional associations you belong to.
- Cancer Council's Legal, Financial and Workplace Referral Services may be able to help. Call 13 11 20 to find out what services are available in your area and whether you are eligible for this assistance.

Telling clients about the cancer

You do not have to let your clients know you have cancer. Your instinct might be to hide the news of your diagnosis, but if you want to talk about it, you should decide who to tell and what to say. Let your clients know how your business will continue to meet ongoing commitments. Some people choose to tell only established clients.



Talking to your clients

- Be direct and talk about what you know. For example, let them know your work hours and the best way to contact you. During treatment, you may want to suggest that clients email you to set up a time to talk.
- Communicate your abilities and emphasise your strengths with statements such as, “My hours may change, but the project will be under control and completed on time.”
- Try to maintain a professional relationship with your client. You may not want to share your fears and insecurities.
- Think about alternative or flexible ways of working that could suit both your needs.
- If you have physical side effects such as hair loss, you may want to postpone meetings in person. Use technology, such as email or conference calling, to stay in touch. If you have told the client about the cancer, you may feel comfortable with a face-to-face meeting.
- Be prepared for a range of reactions if you tell a client about your health. Some people will be compassionate; others may be more aloof. Some clients may choose to work with someone else.
- Consider subcontracting some work or referring clients to another business if you can't meet their needs.

Telling employees about the cancer

You do not have to tell your employees that you have cancer. However, consider the impact on morale if you don't tell them but they find out anyway. If you decide to let your employees know, you will need to consider what to tell them.

It is natural for your employees to be concerned about the impact of your diagnosis and treatment on their future. They may also be a source of support and come up with some options you hadn't considered for managing any changes to the business caused by the cancer diagnosis.

Managing financial issues

For self-employed people who do not have paid leave, taking time off for cancer treatment may mean being without income for several weeks or months, which can be difficult.

Contact Cancer Council – Your local Cancer Council may be able to organise financial advice or assistance. Call 13 11 20 to find out what services are available in your local area.

Consult a financial or business adviser – They can help you assess your financial situation and come up with strategies to manage your finances. To find a business adviser in your area, see business.gov.au/advisory-services/search. You can find a financial adviser through the Financial Planning Association of Australia at fpa.com.au or the Association of Financial Advisers at afa.asn.au. You could also talk with your accountant.

Consult a financial counsellor – A financial counsellor can help if you are experiencing financial hardship. Contact the National Debt Helpline (phone 1800 007 007 or visit ndh.org.au) or the Rural Financial Counselling Service (phone 1800 686 175) for free, confidential and independent financial counselling.

Look into claiming on other insurance policies – You may hold relevant policies, such as income protection insurance, trauma insurance or key person insurance.

Check your superannuation fund – Although self-employed people are not required by law to contribute to a superannuation fund, many people have retirement savings. Check if you have any insurance policies linked to the fund, such as disability benefits, as you may be eligible to make a claim.

Contact Centrelink – You may be eligible for benefits or pensions. There are different types of income support payments for people in financial hardship. Call 132 717 or visit humanservices.gov.au. For information about the Farm Household Allowance, call the Farmer Assistance Hotline on 132 316 or visit humanservices.gov.au.

“ I think if you’re going to choose any type of work to suit a cancer diagnosis, self-employment is it. You can tailor your schedule around treatment. I was used to managing my own time and I continued to do it when I was unwell. ” *Carol*



Key points about self-employment and cancer

Making decisions

- It can be difficult to decide how to keep your business running. Loss of income can be a major concern for self-employed people with cancer.
- Creating a business plan may help. Consider the possible impact of your treatment and side effects, the nature of your job, and how much support you may receive from friends, family and subcontractors.
- For many self-employed people, it is difficult to take unpaid time off. Consult a financial or business adviser, claim on insurance policies, check your superannuation fund, or contact Centrelink to get financial support and advice.

Managing the business

- Try to be realistic about your health and what you will be able to do during treatment.
- Prioritising projects, hiring temporary staff and changing your usual ways of working can help keep your business running.
- If your usual working patterns change, you may decide to tell clients that you are dealing with a family or health issue.
- You don't have to tell clients about the cancer. If you decide to share the news, emphasise how you will continue to meet your business commitments.
- If you have employees, you don't have to tell them about the cancer. If you decide to let them know, talk to them about how you plan to deal with any changes to the business while you are having treatment.



Information for working carers

Many carers are also employed. Your caring duties and your job may both be important and necessary parts of your life. However, it is often difficult to balance the demands of caring, family and work.

- ▶ See our *Caring for Someone with Cancer* booklet and listen to our “Cancer Affects the Carer Too” podcast episode.

Who is a working carer?

A working carer combines paid employment with unpaid personal care, assistance and support to a person who needs this help because of an illness or disability.

There are many different types of caring situations:

- you may be a partner, relative, friend or neighbour
- the person you are caring for may also be employed or you may be looking after someone who isn't in the workforce
- care can be part-time or full-time, over a short period of time or long term
- the support can be practical (e.g. preparing meals, helping with personal care, managing medicines), emotional or spiritual.

Will I be able to work?

You will need to weigh up your ability to handle both your caring commitments and your responsibilities at work. For a list of things to consider, see the table on pages 18–19. Caring can impact on your job in various ways. It may affect your work hours, what you can achieve at work, how much time off you need, your concentration, and your emotional and physical wellbeing.

Each person's situation is different. Factors to consider include:

- how sick the person with cancer is
- what your caring and work duties involve
- the amount of help or respite care available
- how supportive your employer is
- your finances and whether you need to earn an income
- your leave entitlements
- whether you can arrange to reduce or change your work hours or move to a different position within your organisation
- the satisfaction you get from working
- whether a break will have a large impact on your career progression or future employability
- what will give you peace of mind
- whether the arrangement is likely to be temporary or long term.

Who is covered?

Under the *Fair Work Act 2009*, carer's leave is available for:

- **immediate family members** – an employee's spouse, de facto partner, child, parent, grandparent, grandchild, sibling (or the child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner)
- **household members** – any person who lives with the employee.

The *Disability Discrimination Act 1992* also protects carers of people with cancer from workplace discrimination. This includes family members (spouse, de facto partner and other relatives) and unrelated carers who provide assistance to a person affected by cancer.

Contact your state or territory anti-discrimination organisation to see whether they provide similar protection.

Before making changes to your working arrangements, talk over your thoughts with your employer, family and friends. You can also ask the Carers Association in your state or territory for information and support. Call the Carer Advisory Service on 1800 242 636 or visit carersaustralia.com.au.


Talking to your employer

You aren't required to tell your employer that you are a carer. However, talking to your employer about your caring duties may help them to understand and accommodate your needs. It may also help you access carer's leave and flexible working arrangements.

Before talking to your employer, investigate the policies your workplace has for employees with caring responsibilities or what your award says.

You and your employer might discuss:

- the impact of your caring role on your work commitments
- taking time off or setting up flexible working arrangements
- whether the caring role is likely to be short term or long term
- ways your employer may be able to support you
- the benefits for your employer if you stay in your position
- who else at work should know about your situation.

“It's hard to get back into the workforce. I never gave leaving work a second thought, but now I've got to focus on rebuilding my own life. It's like going out in the world for the first time.”  Ross (carer)

If you are thinking about resigning, talk to your employer. They may not want to lose you and may suggest some options to help you remain at work that you hadn't thought about.

If you tell your co-workers about your caring role, they may be a source of support or provide some ideas for how the team can adapt to your changed needs. Some of your fellow employees may also be working carers. However, if you prefer to keep your caring role confidential, your employer needs to respect your wishes.

Flexible working arrangements

- Carers have the right under the *Fair Work Act 2009* to request adjustments to their work hours, work location or pattern of work if they have worked for their employer for at least 12 months.
- You need to ask in writing, giving details of the change you want and the reasons for the requested change.
- Suggest realistic and workable options that show you have thought about how the needs of the workplace can also be met.
- Your employer needs to accept or refuse your request in writing within 21 days of receiving it.
- Your employer can refuse the request on reasonable business grounds only, and they have to tell you their reasons.
- Talk to your manager or human resources department to see if you can arrange some flexible work practices.
- Many employers are aware of the challenges working carers face. Your manager may try to be flexible.
- See pages 55–59 for more information on protections for carers under anti-discrimination laws.

Taking time off work

You may need to take time off work or to stop working for a while to look after the person with cancer. If you need to take a day off to care for a member of your immediate family or household, you can use personal leave, which includes sick leave and carer's leave.

The National Employment Standards outline the rules for personal leave. These include allocating 10 days of paid personal leave each year to full-time employees. Part-time employees receive this entitlement on a pro rata (proportional) basis, based on the number of hours they work. You must let your employer know that you are taking the leave, and your employer may require a medical certificate or other evidence confirming the need to take the leave.

If you're considering using annual leave or long service leave, you may want to talk to your employer about your situation. It might be possible to organise flexible working arrangements (see previous page) or take unpaid leave so you don't have to use all of your paid entitlements.

For more information about the different types of leave available under the National Employment Standards, see pages 22–23.

Unpaid leave

If you've used all of your paid personal leave, you are entitled to two days of unpaid carer's leave. These days are reserved for caring for a member of your immediate family or household. Both casual and permanent employees are entitled to this leave. You can take the leave all at once (e.g. two working days in a row) or in separate periods as agreed by your employer (e.g. four half-days in a row).



If you ask for paid personal leave or unpaid carer's leave, your employer can request basic facts about why you need time off. They may require medical documentation supporting a request for extended leave. This allows them to approve the leave and make sure it's recorded correctly.

If you need more time off and you have used your personal leave and unpaid carer's leave, you can apply for leave without pay. Keep in mind that your employer doesn't have to approve this request (see page 23),

Financial help for carers

Working carers often depend on their income to support their family and the person who is unwell. If your income drops because you need to take time off work, there are some options:

- Call Cancer Council 13 11 20 to see what support may be available.
 - Centrelink supports carers with a range of payments, including the Carer Payment and Carer Allowance. To check eligibility requirements, call 132 717 or visit humanservices.gov.au.
 - Contact the National Debt Helpline (call 1800 007 007 or visit ndh.org.au) or the Rural Financial Counselling Service (call 1800 686 175) for free, confidential financial counselling.
 - Speak to a social worker to see what assistance is available.
 - You may be able to get early access to your superannuation if you are caring for a dependant, such as a child. Make sure you get financial advice about how this may affect your retirement and your ability to claim on any insurance policies linked to your superannuation. Contact your fund for more details.
- See our *Cancer and Your Finances* booklet.

Support for carers

There is a wide range of support available to help you with both the practical and emotional aspects of your caring role. The availability of services may vary depending on where you live. Some services are free but others may have a cost.

Carers Associations – Carers Australia works with the Carers Associations in each state and territory to provide services to carers. These include short-term counselling and information on respite and other services. Call 1800 242 636 or visit carersaustralia.com.au.

Respite services – Respite care is available to give you a break. It can be for a couple of hours, overnight or several days. You can use respite care for any reason, such as looking after your own health, visiting friends or going to appointments. The Carer Gateway provides information about respite and other support services. Call 1800 422 737 or visit carergateway.gov.au. Oncology social workers can also offer support and refer you to appropriate services.

Cancer Council – Call Cancer Council 13 11 20 or visit your local Cancer Council website to find out more about carers' services. You can also find online peer support at cancercouncil.com.au/OC.

Looking after yourself

It can be difficult to find the time to look after your own health and wellbeing when you are trying to balance the demands of your job with your caring responsibilities. Maintaining your fitness and eating healthy foods will help you cope with the demands of both roles.



Tips for working carers

- Talk to your employer about flexible working arrangements, job-sharing or reducing your work hours.
- If you feel guilty about working, focus on the rewarding and satisfying aspects of both your caring role and your job.
- Share your feelings with family, friends, workmates or a counsellor.
- You may be able to talk to a counsellor through an Employee Assistance Program (EAP), either through your workplace or the workplace of the person you are caring for.
- Accept help from your workmates when it is offered.
- Try to take some time out for yourself each day.
- Plan respite care in advance so you can have a break.
- Look after your health and wellbeing by eating well, seeing your doctor when you need to and trying to get enough sleep.
- Try some complementary therapies, such as massage, relaxation or meditation. Call **13 11 20** for more information and audio recordings.
- Shop online to save time and energy.
- Stay involved in activities you enjoy. It's a good stress relief and will give you something else to think and talk about aside from caring.
- For more tips on combining your work and care roles, visit carergateway.gov.au and search for "Working while caring".

“ My employer has an assistance program with six free counselling sessions. I'd recommend that to anyone – just having someone to lean on and talk to is helpful. ” *Stephen*



Key points about working carers

Making decisions

- Whether you are able to work may depend on many factors, such as how sick the person with cancer is, whether the caring role is temporary or long term, your caring duties, your role at work, and your finances.
- You don't have to tell your employer or co-workers that you are a carer, but it may give them an opportunity to provide support.

Working arrangements

- Permanent employees can take paid personal leave if they need to take time off work to care for someone in their immediate family or household.
- Eligible employees can also use annual leave, long service leave and unpaid leave.
- Talk to your employer about flexible working arrangements. You may be able to adjust your work location, hours or role.
- Talk to your employer, family and friends, and seek professional financial advice before deciding to resign.

Support for carers

- Carers can get financial support from organisations such as Centrelink. It may help to seek advice from a financial professional.
- Carers Australia provides a range of information as well as practical help, including short-term counselling.
- The Carer Gateway can connect you with specific support services in your local area, such as counselling, home help, respite services and support groups.



Workplace rights

Many people fear that they will face discrimination if they tell their employer they have cancer. Others fear being dismissed because they need time off work for treatment or to care for a family member with cancer. While many employers and colleagues are caring and supportive, discrimination in the workplace can occur. Knowing your rights and responsibilities may help reassure you that you are being treated fairly.

Concerns about discrimination

Being discriminated against at work because you have a disability is against the law under the Commonwealth *Disability Discrimination Act 1992* and *Fair Work Act 2009*, as well as state and territory legislation. Cancer is considered a disability under these laws.

Disability discrimination in the workplace may occur in different ways:

Direct discrimination – This is when you are treated less fairly because of your cancer than someone without cancer. For example, an employer denies you a promotion, demotes you to a lower-paid job, refuses to hire you or dismisses you for a reason related to your cancer diagnosis, when they would not have done these things to an employee who does not have cancer.

Indirect discrimination – This is when a policy, rule or practice that seems fair actually disadvantages people who can't follow it because they have cancer. For example, a requirement for staff to stand while serving customers might indirectly discriminate against you if the cancer prevents you from standing comfortably. The employer may be able to adjust this rule, however, it won't be unlawful if the rule is reasonable in all the circumstances.

Australian law requires your employer to make changes to accommodate the effects of cancer and help you perform your job (reasonable adjustments). See page 10 for some examples of reasonable changes. Your employer can refuse to make these changes only if they would cause unjustifiable hardship to the business.

Harassment and bullying

You also have the right not to be harassed or bullied by managers, staff or clients because you have cancer or are caring for someone with cancer. National anti-bullying laws protect employees from repeated unreasonable behaviour that creates a risk to their health and safety. This could include unreasonable work demands, offensive or humiliating remarks, intimidation or exclusion. People often have different ideas about what is offensive or unacceptable behaviour. Just because the person did not mean to be offensive does not mean that it is okay. You should seek advice if you feel you've been bullied or harassed.

Caring for someone with cancer

It is against the law for your employer to discriminate against you (treat you unfairly or less favourably) because of your caring responsibilities. It is also illegal to deny you opportunities, intimidate or harass you, or terminate your employment because you are caring for someone with cancer. If you ask for flexible working arrangements because of your carer's duties, your employer must consider your request. They can refuse your request on reasonable business grounds only. For more information, see pages 46–54.

Seek professional advice

This booklet discusses the law that applies to most employees in Australia under the Commonwealth *Disability Discrimination Act 1992* and *Fair Work Act 2009*. The law that applies to you depends on the organisation you work for, your employment status, and whether there is any applicable state or territory legislation. Your award or enterprise agreement may provide additional entitlements. You should obtain specific advice about your situation from a lawyer who specialises in employment matters. If you cannot afford professional advice, Cancer Council's Legal, Financial and Workplace Referral Services may be able to assist. Contact **13 11 20** for more information.

Unfair dismissal

An employer can't pressure you to resign or dismiss you because you have cancer or are caring for a family or household member diagnosed with cancer.

All permanent employees are entitled to receive paid personal leave (see pages 22–23). In general, as long as an employee provides evidence of their illness, it is against the law to dismiss them for:

- taking paid personal leave (even if they are away for a long time)
- taking unpaid, or a combination of paid and unpaid, personal leave up to three months within a 12-month period.

If you think your employment was ended unfairly, this may be unfair dismissal. You have 21 days from the date of dismissal to lodge a complaint with the Fair Work Commission. You must also meet some other conditions to be eligible to lodge an unfair dismissal claim – visit fwc.gov.au for more details.



Resolving a workplace issue

- First, try talking with your employer and follow your workplace's policy for handling grievances or complaints. If your employer does not have a policy to follow, complain to your manager or human resources department about how you've been treated.
- Keep notes about the behaviour. List dates and names of people who saw the behaviour. This will help you remember what happened so you can explain it later.
- Most complaints are resolved through mediation or conciliation. This is an informal way of agreeing on an outcome.
- If mediation or conciliation doesn't work, you may go to an administrative tribunal or to court for a legal judgment that must be followed.
- The Fair Work Ombudsman provides information about workplace rights and how to resolve workplace issues at fairwork.gov.au.
- If you're still employed and reasonably believe you've been bullied, you can apply to the Fair Work Commission (fwc.gov.au) for an order to stop the bullying.
- If you think you're being discriminated against, you can lodge a complaint with the discrimination agency in your state or territory, the Australian Human Rights Commission (humanrights.gov.au), or the Fair Work Ombudsman (fairwork.gov.au). Contact these organisations or seek legal advice to see which one is best for your situation before you lodge a complaint.
- If you have been dismissed from your job or experienced other disadvantage due to your cancer diagnosis, you may be able to lodge an unfair dismissal or adverse action application with the Fair Work Commission (fwc.gov.au). You must lodge these types of claims within 21 days of being dismissed from your job.
- If you have any questions, call Cancer Council **13 11 20**. We may be able to connect you with our Legal, Financial and Workplace Referral Services.



Key points about workplace rights

Discrimination concerns

- Under Australian law, cancer is considered to be a disability.
- It is against the law for an employer to harass you, bully you, discriminate against you, deny you opportunities, pressure you to resign or dismiss you because you have cancer or are caring for someone with cancer.
- Employers must make reasonable changes to accommodate the effects of an employee's cancer or caring responsibilities, as long as it does not cause them unjustifiable hardship.
- It is generally against the law to dismiss someone for taking paid leave for illness.

Resolving a workplace issue

- If you feel you've been treated unfairly, talk to your manager or human resources department. Most complaints are resolved through mediation or conciliation.
- If you think you've been discriminated against because you have cancer or are caring for someone with cancer, you may make a complaint to the Australian Human Rights Commission, the Fair Work Ombudsman, or your state or territory discrimination agency.
- If you think you've been unfairly dismissed, you can lodge a complaint with the Fair Work Commission.
- It is unlawful for your employer to treat you unfairly or threaten you because you have made a complaint about discrimination or harassment at work, or lodged an unfair dismissal claim.



Getting help and support

Useful organisations and resources

Australian

Australian Human Rights Commission
1300 656 419
humanrights.gov.au

Receives complaints about discrimination and bullying in the workplace, and promotes fairness.

Cancer Council Legal, Financial and Workplace Referral Services
13 11 20

Program that can connect people affected by cancer with a legal, financial or workplace professional (or in some states to a small business accountant). Advice is free for eligible clients.

Cancer Council Online Community
cancercouncil.com.au/OC

A safe place for people affected by cancer to connect about treatment, carers' issues and survivorship.

Cancer Council's podcast series
cancercouncil.com.au/podcasts

The Thing About Cancer, Cancer Council's podcast series, provides information and insights for anyone affected by cancer.

Carer Gateway
1800 422 737
carergateway.gov.au

Provides practical information and resources for carers, and links to local support services, including respite care.

Carers Australia
1800 242 636
carersaustralia.com.au

National body representing Australia's carers. Provides information, advice, support and short-term counselling.

Centrelink
132 717
humanservices.gov.au

Offers financial support for people with a long-term illness and for primary carers.

Department of Human Services
humanservices.gov.au

Provides financial support and assistance to help people with cancer find and keep a job.

Useful organisations and resources (continued)

| | |
|--|---|
| <p>Fair Work Commission 1300 799 675 fwc.gov.au</p> | <p>The national workplace tribunal. Can also hear workplace bullying claims.</p> |
| <p>Fair Work Ombudsman 13 13 94 fairwork.gov.au</p> | <p>Information on pay, National Employment Standards, leave, termination/dismissal and complaints.</p> |
| <p>JobAccess 1800 464 800 jobaccess.gov.au</p> | <p>Provides information and assistance to support the employment of people with disability, including cancer. Administers the Employment Assistance Fund to help with work-related equipment, modifications and services for employees with disability.</p> |
| <p>National Disability Insurance Scheme (NDIS) 1800 800 110 ndis.gov.au</p> | <p>Provides supports and services for people with a permanent and significant disability.</p> |
| <p>Office of the Australian Information Commissioner 1300 363 992 oaic.gov.au</p> | <p>National body investigating privacy infringements and handling privacy complaints.</p> |
| <p>Work after Cancer workaftercancer.com.au</p> | <p>Australian information about working during and after cancer treatment.</p> |
| <p>International</p> | |
| <p>Cancer and Careers (US) cancerandcareers.org</p> | <p>Provides information for employed people with cancer.</p> |
| <p>Cancer & Work (Canadian) cancerandwork.ca</p> | <p>Provides information about working after a diagnosis of cancer and returning to work.</p> |



Glossary

adverse action

Action that negatively affects someone's employment. It is unlawful if the action is taken because an employee has a disability, is caring for someone with a disability or takes paid personal leave.

annual leave

Paid time off work that builds up (accumulates) during employment. Must be applied for before taking.

base rate of pay

The rate payable to an employee for their ordinary hours of work.

bullying

Repeated, unreasonable behaviour that causes a risk to your health and safety.

cashing out annual leave

When an employee takes payment for accrued annual leave instead of time off.

casual employee

An employee who does not have regular or guaranteed hours of work. They are normally paid on an hourly or daily basis, and are not entitled to paid leave or termination notice periods.

disability discrimination

When, because of their disability, a person is harassed or treated less favourably than someone without a disability in the same or similar circumstances. Under law, cancer is considered a disability.

flexible working arrangements

Work practices that allow an employee to change their work conditions to suit them, e.g. changing hours or patterns of work.

harassment

Any form of behaviour, including a one-off incident, that is unwelcome, offensive, humiliating, threatening or intimidating. Harassment is considered discrimination if it occurs because of a person's disability.

human resources (HR)

The section of an organisation that deals with employees and issues relating to employees, e.g. work health and safety, leave, recruitment, grievance handling, staff training.

inherent requirement

A task, duty, responsibility or element that is an essential part of a job.

insurance

A contract between a company and an individual that guarantees a payment in the case of covered events.

long service leave

A type of leave that's generally available to employees after they've spent a long period of time with a single employer.

long-term casual employee

A casual employee who has been employed by the same employer regularly and on a systematic basis for at least 12 months, and who has a reasonable expectation of continuing employment.

National Employment Standards (NES)

The minimum standards of employment that apply to national system employees from 1 January 2010. They are set out in the *Fair Work Act 2009*.

occupational physician

A doctor who specialises in managing illness and injury in the workplace. Can formally assess a person's capacity to return to work and identify suitable workplace changes.

permanent employee

An individual who works for an employer on a permanent full-time or part-time basis. Permanent employees receive the minimum entitlements set out in the National Employment Standards.

personal/carer's leave

Leave taken when an employee can't attend work because they are sick or injured, or need to provide care or support to a member of their immediate family or household due to an illness, injury or unexpected emergency.

reasonable adjustments

Any accommodations, modifications or provisions made in the workplace to allow a person with a disability, such as cancer, to perform the inherent requirements of their job.

rehabilitation

A program to help a person recover and regain function after illness or injury.

rehabilitation professional

A professional who works with an employee to help them return to work.

respite care

Alternative care arrangements that allow

the carer and person with cancer a short break from their usual care arrangements.

return to work plan

A document that sets out what needs to happen to help a person return to work after an injury or illness.

self-employment

Working for yourself rather than for another person or company.

side effect

Unintended effect of a drug or treatment.

unfair dismissal

When an employee's dismissal is considered harsh, unjust or unreasonable.

unlawful termination

When a person's employment is unlawfully ended by their employer for one of a number of reasons, including absence from work because of illness.

working carer

A person with paid employment who also provides unpaid physical, practical and/or emotional support to someone who has an illness or disability.

Can't find a word here?

For more cancer-related words, visit:

- cancercouncil.com.au/words
- cancervic.org.au/glossary
- cancersa.org.au/glossary

References

1. L Fritschi and T Driscoll, "Cancer due to occupation in Australia", *Australia and New Zealand Journal of Public Health*, vol. 30, no. 3, 2006, pp. 213–19.



How you can help

At Cancer Council, we're dedicated to improving cancer control. As well as funding millions of dollars in cancer research every year, we advocate for the highest quality care for cancer patients and their families. We create cancer-smart communities by educating people about cancer, its prevention and early detection. We offer a range of practical and support services for people and families affected by cancer. All these programs would not be possible without community support, great and small.

Join a Cancer Council event: Join one of our community fundraising events such as Daffodil Day, Australia's Biggest Morning Tea, Relay For Life, Girls' Night In and other Pink events, or hold your own fundraiser or become a volunteer.

Make a donation: Any gift, large or small, makes a meaningful contribution to our work in supporting people with cancer and their families now and in the future.

Buy Cancer Council sun protection products: Every purchase helps you prevent cancer and contribute financially to our goals.

Help us speak out for a cancer-smart community: We are a leading advocate for cancer prevention and improved patient services. You can help us speak out on important cancer issues and help us improve cancer awareness by living and promoting a cancer-smart lifestyle.

Join a research study: Cancer Council funds and carries out research investigating the causes, management, outcomes and impacts of different cancers. You may be able to join a study.

To find out more about how you, your family and friends can help, please call your local Cancer Council.



Cancer Council

13 11 20

Being diagnosed with cancer can be overwhelming. At Cancer Council, we understand it isn't just about the treatment or prognosis. Having cancer affects the way you live, work and think. It can also affect our most important relationships.

When disruption and change happen in our lives, talking to someone who understands can make a big difference. Cancer Council has been providing information and support to people affected by cancer for over 50 years.

Calling 13 11 20 gives you access to trustworthy information that is relevant to you. Our cancer nurses are available to answer your questions and link you to services in your area, such as transport, accommodation and home help. We can also help with other matters, such as legal and financial advice.

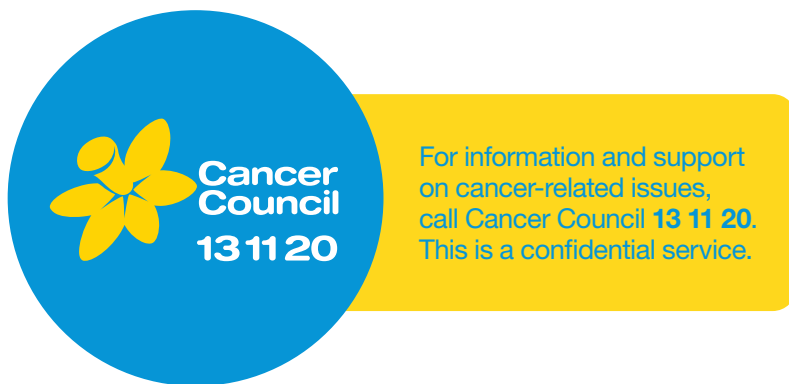
If you are finding it hard to navigate through the health care system, or just need someone to listen to your immediate concerns, call 13 11 20 and find out how we can support you, your family and friends.

Cancer Council services and programs vary in each area.
13 11 20 is charged at a local call rate throughout Australia (except from mobiles).



If you need information in a language other than English, an interpreting service is available. Call 13 14 50.

If you are deaf, or have a hearing or speech impairment, you can contact us through the National Relay Service. www.relayservice.gov.au



Visit your local Cancer Council website

Cancer Council ACT
actcancer.org

Cancer Council NSW
cancercouncil.com.au

Cancer Council NT
nt.cancer.org.au

Cancer Council Queensland
cancerqld.org.au

Cancer Council SA
cancersa.org.au

Cancer Council Tasmania
cancertas.org.au

Cancer Council Victoria
cancervic.org.au

Cancer Council WA
cancerwa.asn.au

Cancer Council Australia
cancer.org.au

*This booklet is funded through the generosity of the people of Australia.
To support Cancer Council, call your local Cancer Council or visit your local website.*