

Cancer, Work and You

A guide for people with cancer, their families and friends



For information & support, call **13 11 20**

Cancer, Work and You

A guide for people with cancer, their families and friends

First published June 2011. This edition June 2023.

© Cancer Council Australia 2023. ISBN 978 0 6455233 7 9

Cancer, Work and You is reviewed approximately every 3 years.

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

Editor: Wendy Winkler. Designer: Ali Wright. Printer: IVE Group.

Acknowledgements

This edition has been developed by Cancer Council NSW on behalf of all other state and territory Cancer Councils as part of a National Cancer Information Subcommittee initiative. We thank the reviewers of this booklet: Brooke Russell, Principal Occupational Therapist, WA Cancer Occupational Therapy, WA; Bianca Alessi, 13 11 20 Consultant, Cancer Council SA; Dr Prunella Blinman, Medical Oncologist, Concord Cancer Centre, Concord Repatriation General Hospital, NSW; James Chirgwin, Physiotherapist, The Wesley Hospital, QLD; Danielle Curmoe, Consumer; Simon Gates, Barrister, Tasmanian Bar, TAS; Justin Hargreaves, Medical Oncology Nurse Practitioner, Bendigo Health Cancer Centre, VIC; Kaylene Jacques, Director, People and Communications, Cancer Council NSW; Alex Kelly, Senior People Attraction Advisor, Human Resources, Allianz Australia Insurance, NSW; Legal reviewer; Georgina Lohse, Social Worker, GV Health, VIC; Lesley McQuire, Consumer, Cancer Voices NSW. We also thank the health professionals, consumers and editorial teams who have worked on previous editions of this title.

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 booklet 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 8 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.



Cancer Council acknowledges Traditional Custodians of Country throughout Australia and recognises the continuing connection to lands, waters and communities. We pay our respects to Aboriginal and Torres Strait Islander cultures and to Elders past, present and emerging.



Cancer Council Australia Level 2, 320 Pitt Street, Sydney NSW 2000 ABN 91 130 793 725
Telephone 02 8256 4100 **Email** info@cancer.org.au **Website** cancer.org.au

About this booklet

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

The way cancer affects your work and finances will depend on your individual situation. Whether you work on a part-time, full-time or casual basis, work from home, are self-employed or looking for work, we hope this booklet helps you find a way of working that suits you.

This booklet 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. Some medical terms that may be unfamiliar are explained in the glossary (see page 62). You may also like to pass this booklet to family and friends 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 or concerns, 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).



Contents

Key questions	4
Will I be able to work?	4
Do I have to tell my employer?	5
What are my rights to privacy?	7
What details should I tell my employer?	7
Can my employer dismiss me because I have cancer?	8
How can my employer support me?	8
Should I tell my co-workers?	10
Making decisions about working	12
Working during treatment	14
Taking time off	18
Retirement	18
Working during treatment or recovery	19
Flexible ways of working	19
Leave entitlements	21
Am I entitled to workers compensation?	24
Coping with side effects	26
Fatigue and tiredness	27
Thinking and memory changes	28
Nausea and vomiting	29
Increased risk of infections	30
Changes in how you look	31
Returning to work	32
Going back to work	32
Changing jobs	34
Other options	38

Self-employment **40**

Making a decision about working	40
Managing your business	41
Telling clients about the cancer	42
Telling employees about the cancer	43
Managing financial issues	43

Working while caring **46**

Who is a working carer?	46
Who can take paid carer's leave?	46
Will I be able to work?	47
Talking to your employer	48
Taking time off work	50
Financial help for carers	51
Support for carers	52

Workplace rights **55**

Concerns about discrimination	55
Harassment and bullying	56
Ways to help resolve a workplace issue	57
Caring for someone with cancer	58
Unfair dismissal	58

Where to find support **60**

Glossary **62**

How you can help **64**

Key to icons

Icons are used throughout this booklet to indicate:



More information



Personal story



Tips



Key questions

Q: Will I be able to work?

A: Cancer can affect your work life in different ways, not just because of how well you may or may not feel. For example, some treatment appointments may be during your usual working hours.

Being able to work before, during or after treatment depends on:

- how cancer impacts your day-to-day function
- the type and stage of cancer
- the treatment you have and any side effects
- how you feel during and after treatment
- the kind of work you do.

Discuss the demands of your job with your health care team. Talk through what your work day is like, including how you travel to work. Ask your doctor how much time off you're likely to need, or if it's possible to work through treatment, recovery and beyond. Also ask about any support available to you. See pages 26–31 for information on managing common side effects of cancer treatment.

Whether you can work may depend on the support and flexibility of your employer. Most people who want to keep working after a cancer diagnosis are able to in some way. You may be able to adjust your work hours, miss a couple of days here and there, or work part-time. Some people decide to take a break, use leave or retire.

Each person's situation is different – not everyone with the same type of cancer will have the same plan about work. It will depend on what is possible and most practical for you.

Q: Do I have to tell my employer?

A: Telling an employer that you have cancer is a personal decision and legally you don't usually have to let them know. You do need to tell an employer about anything that will affect your ability to do the essential parts of your job, or that could reasonably cause a health and safety risk for you or other people. You may need to think about what this means for you now and in the future. For example, will the medicines you need affect your ability to safely do your job?

You may want to wait and see how the cancer or treatment affects you first, and then decide whether you need to tell your employer. Or you may want to talk to them right away about the impacts on you and your workplace. It's your choice.

If you decide to tell your employer, it may help to talk to your doctor first. Your doctor can explain what to expect during cancer and treatment, and how it may affect your work.

If you decide to tell your employer, it may help you:

- discuss the support you need and any changes that could be made to your work
- find out about any benefits available, such as additional leave
- organise flexible working arrangements
- 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 there is a chance that your job may have caused or contributed to the cancer, find out if you are entitled to workers compensation (see page 24). Workers compensation laws may need you to notify your employer of your condition as soon as you can.



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. Write down some notes to take with you, so you don't forget anything.
- Consider having a support person with you to help with the discussion.
- Request a meeting in a quiet, private place where you won't be interrupted – and allow plenty of time.
- Come to the meeting with some ideas or a plan for your needs, and how any impact on the workplace might be managed.
- Reassure your employer of your commitment to your job.
- Be prepared for your employer to talk about your working arrangements (e.g. they may ask if you want to work part-time or change shifts). If you're not sure, ask for time to think about it.
- Let your employer know that you may need to revisit any plans you both make, depending on how you cope with treatment side effects, recovery, etc.
- Keep notes about the discussion, including date and time, what information you shared and any requests made. Importantly, 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 time to get more information.
- This is a good time to update your emergency contact person with your employer.
- Refer your employer to Cancer Council's online workplace fact sheets for employers and workplaces. You can check your local Cancer Council website or call Cancer Council 13 11 20.

Q: What are my rights to privacy?

A: If you tell your employer about your diagnosis, they should keep this information confidential. Your permission (consent) is needed to tell people other than your employer about your health. There are limits on how your employer can use this information in your workplace. For example, your manager can ask human resources (HR) how they can best support you, but they can't tell your team without your permission. Rarely, your employer may share (disclose) information without your consent if there's a serious health risk to others.

If your health information has been disclosed without your consent, talk to your employer. The person who shared the information may be disciplined. Call the Office of the Australian Information Commissioner for advice on 1300 363 992 or visit oaic.gov.au.

If you take paid personal leave because you are sick, your employer may need a medical certificate or other evidence confirming that you're not fit for work. But the certificate doesn't have to detail that you have cancer. Depending on how long you are away, your employer may ask for some details about why (see below).

Q: What details should I tell my employer?

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

- will be able to continue working (and for how long)
- need to take time off work (and when you are likely to return)
- will be able to perform all of your job duties
- want other people in your workplace to know
- need any workplace adjustments (see pages 19–20).

You may need to wait until you've started treatment or see how cancer affects you to know your ability. Things may also change. You may have unexpected side effects or need more time off than planned. 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. This may include your exposure to viruses like COVID-19 if you are immunocompromised.

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

A: Discrimination in the workplace due to cancer and its treatment is illegal. This includes stopping you taking leave, offering you a more junior role or dismissing (firing, sacking) you, for a reason related to having cancer. There are limited reasons your employer can take certain action (e.g. when you can't perform the main part of your job). If you are unsure how your employer will react, 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, federal and state/territory disability and non-discrimination laws require your employer to make changes to the workplace so you can keep working. These changes are known as reasonable adjustments.

An employer must allow you to work flexibly (within reasonable guidelines) and approve the changes within 21 days of any request. The only reason an employer can refuse your request is if it would

cause unjustifiable hardship to their business or, in some cases, on reasonable business grounds. They may be able to refuse changes if you cannot perform the essential parts of your role. See pages 55–59 for more information on your workplace rights.

Changes could be to your duties, workspace or hours. Changes 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 include:

- extra breaks because of pain, fatigue, or to attend 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 555 727 or visit relayservice.gov.au.

Your employer can get advice, financial support and practical assistance to help support you through JobAccess, an Australian Government service. Call 1800 464 800 or visit jobaccess.gov.au. Many employers have employee support systems, rehabilitation and retraining programs, or an Employee Assistance Program (EAP) that offers free, confidential counselling, including career counselling. Another option may be a buddy or mentoring system with someone in your workplace who has had cancer. Your co-workers may offer advice or help you liaise with management.

Q: Should I tell my co-workers?

A: How much you share with your colleagues or team is a personal decision. You may not feel ready to talk about your health and want to avoid lots of questions. Talking about the diagnosis or treatment may make you feel vulnerable or uncomfortable. You may worry people will treat you differently. Managers may worry about how much to share with their team and the effect it may have, or what is considered professional or too personal. There are usually no rules about what is okay to share, so do what feels right for you.

If you tell your employer, you may want to let them know if you plan on telling your co-workers too. Things to consider include:

- your relationship with other staff (as a manager or co-worker)
- whether you feel your workplace is friendly and supportive, or distrustful and negative
- who you feel you can trust with personal matters
- team unity if you tell some people and not others
- how your workplace has dealt with other employees with cancer or a serious illness
- whether your co-workers need to know what to do if you are unwell at work.

It may be difficult to hide your illness if you work in a close team. Cancer or treatment side effects may change the way you look or act at work. You may be away or working from home more than usual. Co-workers may wonder about these changes. Some may even become resentful if it seems like you are getting special treatment, or not doing as much work, and they don't know why.

If you do talk about the cancer with close workmates, they can show their concern for your wellbeing and ask how to 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 tell your immediate team members or some of your close workmates.
- Decide beforehand how much information to share.
- Find a comfortable private place, and set a time to talk.
- Think about how you'll handle different reactions. Some co-workers might be understanding, while others may feel uncomfortable or even be upset. 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 or their advice.
- If the thought of telling people is overwhelming, you could send an email. It's your news to share, so do it in whatever way works best for you.
- If you worry you'll get upset talking to people, ask your manager, a close workmate or the HR manager to pass on the news for you. Be clear about what information you are happy to share and what you want to keep private.
- Some people find that news about their diagnosis spreads around the office. Let your co-workers know up-front if you would prefer the news to be kept confidential.
- If people talking or asking you about your health makes you upset, talk to your co-workers or ask your manager or HR person to get involved.
- If you decide that you want to keep the diagnosis to yourself, remember that information you share on social media, such as Instagram, Facebook and Twitter, may also be seen by your employer and co-workers. Consider setting up a separate social media group for those you are happy to share information about your health with.



Making decisions about working

The many decisions you need to make after a diagnosis of cancer and during treatment can be hard. Adding decisions about work to that load can feel overwhelming. This chapter aims to help by giving you things to think about, and suggesting options that may be available to you.

Work is an important part of many people's lives. It can give a sense of purpose, independence and stability. For many people with cancer, the idea of giving up work can feel like another loss. Others may be happy to take time out from their career to focus on their health.

Being able to work with cancer, or while caring for someone with cancer, depends on several factors. These include the symptoms of the cancer, timing of treatment and any side effects, workplace flexibility, your financial situation, and what support and responsibilities you have. Thinking about these things can help you to work out your best options. You may need or want to keep working, to take a break, or to resign or retire. If you take a break, you may return to your job, change jobs, or even look for a new career that better suits your circumstances.

Although things may seem to be happening quickly, there is usually time to look at your options and make a well-informed decision. Try to avoid feeling rushed, and get any advice you need. If you have trouble deciding what to do, you could list the reasons for and against. Or talk to family, friends or a counsellor to help work out what you want. A workplace EAP can offer career advice. Call Cancer Council on 13 11 20 to connect with someone who's been in a similar situation. You may want to talk to your general practitioner (GP) and cancer specialists too.

Work options to consider

When you are diagnosed with cancer, you may wonder if you can keep doing your job well. You may worry that if you can't perform you may be forced to quit. But there are often other ways of working available to you. Your employer may be able to help you to continue to work with flexible options, or you may decide to take leave and return to work later on.

Continue working



With support from your employer, you can try flexible working arrangements or make workplace adjustments.

▶ See pages 14–17 and 19–25.

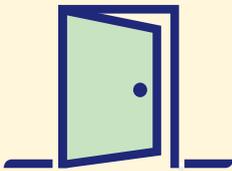
Take time off



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

▶ See pages 18 and 22–25.

Return to work



You may:

- be able to go back to your existing job straightaway
- need to ease back into a full workload, with some workplace changes and a return to work plan
- want 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 right option for you.

▶ See pages 16–18.

Working during treatment

If you are thinking about staying in your current job and working while having treatment, there are some things to consider. Cancer treatment will most likely affect your ability to do your job in some way. This doesn't mean that you won't be able to work, but you'll probably need some flexibility to make things easier for you (see *Flexible ways of working*, pages 19-20).

Workplaces tend to be more supportive of employees with cancer than they were in the past. One study showed that more than half of people with breast cancer who continued to work during treatment, stayed in the same job for 5 years after diagnosis. And a third were still with that same employer 9 years later. In most cases, employers want to keep their staff, so they will usually help you to keep working.

“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

Talk to your employer about whether your current role needs to change, or if flexible working arrangements will help you manage treatment and side effects or how cancer affects you. You could set out any agreed changes in a plan (similar to a return to work plan, see page 35). Let your employer know that you may need to change any plans you make as time or treatment goes on. This is because how well you feel, and your ability to work, can change over time.

Ask your treatment team whether they offer very early/late or weekend appointments, or chemotherapy from home, so that you can fit your

treatment sessions around work. Also check with your treatment team if there are any precautions you need to take in the workplace to protect yourself and others.

Cancer and its treatment may affect your ability to drive safely. Doctors must tell patients not to drive if they are a risk to themselves or others. As a guide, most people are told not to drive on the day of treatment, or if they are feeling unwell. Certain cancers also impact your ability to drive, and your doctor will let you know if this is the case for you. Consider if being unable to drive may affect your ability to work. Before you start driving again, get your doctor's advice.

See pages 26–31 for tips about working while coping with side effects from cancer or treatment. See also *Going back to work* on pages 32–34.

Reasons to work

Some people need to keep working for financial reasons. As well as earning you a wage, work can:

- be enjoyable, stimulating and rewarding
 - give you a chance to socialise and decrease your sense of isolation
 - help you to maintain your sense of identity
 - develop your skills, creativity and knowledge
 - help you to continue to build a career or remain on your chosen pathway
 - keep you active and busy (which may have a positive effect) and get you out of the house
 - help you to stay in contact with friends and workmates who can offer regular support
 - provide a purpose and feeling of accomplishment
 - give you a sense of control at a time when cancer and treatment may make you feel that things are out of your control
 - provide a routine, which can be important to some people.
-

What to consider when making a decision about working

Cancer and treatment



- How does the cancer, treatment or medicines you need to take affect you? Ask your doctor for information on this.
- Have your physical or cognitive abilities (thinking, memory, concentration) changed?
- How often will you have treatment?
- Does your treatment schedule suit your work hours? If not, can it be changed?
- Where will you have treatment? If you have to travel a long way for treatment, ask if you can have all or some of your treatment closer to home, or if you can use telehealth for some appointments.
- What type of treatment will you have, what are the expected side effects, and how could they affect your ability to do your job?
- Are there other treatments that would still be effective but might make it easier for you to keep working?
- Will any 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.

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 taking you to appointments, helping around the house or cooking meals?
- Will working give you a sense of normality and purpose, 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?
- How will the stage and expected outcome of the cancer affect you?

Financial



- Are you single or the only wage earner?
- How much does your wage contribute to your family's total income?
- 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?
- Are you able to gain access to your superannuation or does your fund have insurance you are eligible for? See our *Cancer and Your Finances* booklet and get financial advice before accessing your superannuation.
- How will reducing your hours or taking time off affect your standard of living?
- What extra expenses, such as medicines or travel for treatment, can you expect?
- How can you manage your usual debts or bills, such as mortgage and car repayments?
- Do you need professional advice to help make decisions about your finances?

Workplace



- Do you enjoy your job?
- Are you following specific career goals? Will time off impact your career pathway?
- Have you talked to your manager or the company's HR department about your situation?
- Is your manager supportive? Can your workplace offer some flexible ways of working, 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?
- If you have made a workers compensation claim, will you be entitled to receive weekly compensation to cover the loss of income if you stop working?

Taking time off

Some people find it difficult to work when they have cancer, or during treatment and recovery, and decide to take a break. Sometimes they decide straightaway, other times they may work for a while but then find it too physically or emotionally difficult to continue.

Discuss your leave options with your employer. You may want to use paid leave or ask for unpaid time off (see pages 21–23 for more about leave entitlements). 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 take extended leave, speak to your manager or HR department. Let them know that you would like to return to work when your health improves.

Retirement

Some people stop work completely when they are diagnosed with cancer. You may feel that this is the right choice for you. It's natural to have mixed feelings about retirement. How you feel may depend on your age, and what plans you had before the cancer diagnosis. Some people feel a sense of loss and others worry they'll be bored. It may help to talk about it with friends, family, a hospital social worker, spiritual leader, work EAP or other counsellor, or call Cancer Council 13 11 20.

Most people take time to adjust to retirement. Making plans for dealing with how it affects your sense of self, finances and relationships can make the change easier. Centrelink has financial information support officers and aged care support officers, who may help. Some people find it helpful to do volunteer work as part of moving into retirement.

- ▶ See our *Emotions and Cancer* booklet and listen to “Coping with a Cancer Diagnosis” from *The Thing About Cancer* podcast series.

Working during treatment or recovery

If you want to work during treatment or return to work after treatment, you may consider flexible ways of working or using leave entitlements.

Flexible ways of working

If you have been with your employer continuously for 12 months and have a disability such as cancer, you have the right to ask for flexible working arrangements under the National Employment Standards. Long-term casual employees may also ask for flexible working arrangements. For more detailed information, visit fairwork.gov.au.

Some examples of flexible ways of working include:

- working from home some or all days
- reducing your hours, or changing your start, finish or break times
- working from another office or suitable location
- varying your hours, split shifts, working part-time or job sharing
- asking not to work certain days or times if you are a casual worker
- working alternative duties, or avoiding certain aspects of your role.

An occupational therapist can identify flexible ways of working for you to suggest to your employer, and help you liaise with them. You must make a request in writing, detailing the changes needed and why. Changes should be reasonable and workable for you and your employer.

Your employer can only refuse your request if they have first discussed it with you and genuinely tried to reach an agreement about changing your working arrangements to accommodate your circumstances.

Your employer must accept or refuse your request in writing within 21 days. They can refuse your request on reasonable business grounds or not agree to all your requests. If your employer refuses your request and you don't think their explanation is reasonable, you may be able to get help from the Fair Work Commission or anti-discrimination agency in your state or territory.

After a few weeks of the new schedule, talk to your manager or HR officer to see if the flexible arrangements are working for you both. You might want to change things if treatment is affecting you more than you thought, or as you feel better and can take on more work.



Tips for flexible work arrangements

- 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).
- Try working from home. Not having to commute may help you feel less tired.
- Write down the plan you and your employer have agreed on, and then both sign it.
- Let co-workers know about changes to your work hours.
- If you feel overwhelmed, don't let your performance suffer too much before reassessing your work arrangements.
- Look for tools to help you work remotely. You could use a smartphone to get your emails, copy files to the cloud, or use a laptop.

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

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 leave under most awards or enterprise agreements. Typically, paid leave is only available to full-time and part-time employees, not casual or seasonal employees. But most casual employees can take 2 days of unpaid personal, compassionate or carer's leave at a time. Entitlements offered under awards or agreements may be different, but can't be any less than the National Employment Standards. Check the terms of your agreement for what leave you can take. For details about different types of leave, see the table on the next 2 pages.



Tips for managing your leave

- Paid annual and personal leave starts building up from your first day of work. If you are a new employee, ask your manager or HR department if there is a waiting (qualifying) period for paid personal leave.
- Give as much notice as possible before applying for or 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.
- Check with your employer if you can "cash out" your annual leave and any conditions that may apply. Some awards and agreements don't allow this.
- Know your rights. It is generally against the law to dismiss someone for taking leave for an illness (see page 58).
- If you think that 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.

Types of leave entitlements

There are 4 main types of leave available to full-time and part-time employees. Casual staff are not able to take most of these leave options. For more information

Personal/carer's leave

- Taken when you are unwell or injured, or if you need to care for an immediate family or household member (see pages 46–47).
- Permanent full-time employees have at least 10 days of paid personal leave a year.
- Part-time employees receive a pro rata (proportional) amount of personal leave based on the number of hours they work.
- Casual staff don't get paid personal leave.
- Leave is paid at your ordinary rate of pay.
- An employer can ask for proof that you need personal leave (e.g. a medical certificate).
- Unused leave carries over from year to year (accumulates or accrues). But it is not paid out when you leave your job.
- You can take as much paid personal leave as you have built up.
- An employer cannot dismiss you from your job or take any negative action against you because you use your paid personal leave. There are protections for employees who can't work for longer periods of time because of an illness or injury.
- Full-time and part-time employees may take 2 days of paid compassionate leave when an immediate family or household member dies or has a life-threatening illness or injury.

Annual leave

- Also known as holiday pay.
- Paid annual leave is a legal right for all employees except casual workers. Full-time employees receive a minimum of 4 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 builds up (accumulates) over time. Your employer can ask you to take annual leave, but the request must be reasonable.
- Annual leave continues to build up when you take paid leave, but not during 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 is paid out.

about your entitlements under the National Employment Standards, see fairwork.gov.au or check your employment contract.

Long service leave

- This is 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. In some cases you may be able to transfer long service leave from one employer to another (e.g. QLeave in Queensland).
- If you've 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 long-service 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 base or 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 resign or change employers.
- Periods of unpaid leave do not count towards continuous service for building long service leave.

Unpaid leave

- If you have used all your paid personal leave or if you are a casual employee, your employer might let you take leave from work without pay. This is not an entitlement – it is up to your employer to allow it or not.
- Full-time and part-time employees must use all their paid personal leave before they can take unpaid carer's leave.
- Personal and annual leave don't build up during unpaid leave.
- All employees, including casual employees, are entitled to 2 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 pages 46-47) needs care and support because of illness, injury or an emergency.
- Casual employees can take 2 days of unpaid compassionate leave when an immediate family or household member dies or has a life-threatening illness or injury.

Am I entitled to workers compensation?

Each year in Australia, about 5000 people are diagnosed with work-related cancers, and 34,000 non-melanoma skin cancers, due to exposure at work¹. This can be due to sunlight, toxic dusts and chemicals (e.g. asbestos, silica dust, pesticides), and ionising radiation.

You may be entitled to workers compensation if you are diagnosed with a work-related cancer. It's important to get legal advice from a lawyer specialising in workers compensation (contact the law society in your state or territory). To make a claim, notify your state or territory WorkSafe authority (see page 61). In some states, you may lodge a claim with your employer. A time limit may apply, so get advice early. For more information, download the *Compensation for work-related cancers* fact sheet from cancer.org.au or call Cancer Council 13 11 20.

Check your insurance

Disability or income protection insurance pays a portion of your income if you can't work. You may have a policy, or it may be part of your superannuation. Find out from your employer or superannuation fund:

- your superannuation balance
- if you have income protection insurance (or salary continuance)
- the amount or percentage of pay (e.g. they pay 80% of your salary)
- how soon a claim is paid (usually after 60 or 90 days of not working)
- how many years it will pay you for.

Some people have insurance on their mortgage or credit card that makes repayments if you can't. Ask your bank/creditor if this applies to you.

If you are thinking of resigning from your job, check any insurance coverage first, because leaving work may affect your entitlements.

- ▶ See our *Cancer and Your Finances* booklet for more information about finances, insurance and superannuation, and speak to a financial adviser for advice.
-

Key points about working after a cancer diagnosis

Making decisions

- It can be hard to decide if you want to keep working, change your hours, take a break, resign or retire.
- Consider what you require to do your job, the impact of cancer on your day-to-day life, treatment time, travel and side effects, any workplace flexibility, your leave entitlements and personal matters.
- Avoid making a hasty decision. Talk to family or friends and get professional advice before deciding.

Flexible working arrangements

- Talk to your health care team about balancing work and cancer treatment. Doctors, nurses, occupational therapists, counsellors or social workers can give you information about coping with treatment.
- Talk to your employer about flexible ways of working. You may be able to change where you work, your work hours or parts of your role.
- Think about your work arrangements once you know how your treatment is affecting you. Discuss any changes with your employer.
- Your employer must keep your illness confidential unless you give permission for them to tell people.

Leave entitlements

- Several types of leave are available to help you balance work and treatment. Check your entitlements with your manager or HR department.
- Permanent employees may take paid personal leave when they can't come to work due to illness.
- Eligible employees can also use annual leave, long service leave and unpaid leave.
- Workplace protections exist for employees who take time off work because they have an illness or injury.
- Your employer can't take negative action against you because you use your leave entitlements.

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, may be used for some types of cancer. These treatments may have side effects that make it harder to do your job. This chapter provides tips for managing some of the most common side effects.

It can take time to recover from 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 medicine to help you feel better. Always ask your doctor about possible side effects of medicines, and tell your treatment team about any side effects that you have. Some drugs cause drowsiness and make it hard to think clearly or operate heavy machinery safely. Side effects can be physical and they can be emotional. Feeling sad or depressed during or after treatment is common. Talk to your doctor if you are feeling down, see our *Emotions and Cancer* booklet or visit beyondblue.org.au.

Complementary therapies, such as meditation, yoga, massage and acupuncture, may improve the side effects of treatment. There is evidence showing that physical activity may also help manage the side effects of treatment for certain cancers.



For 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 free copies of our booklets, or visit your local Cancer Council website (see back cover).

Fatigue and tiredness

Cancer and treatment can make you feel very tired and worn out.

Job stress, shift work or standing for long periods may make you feel worse. Many people find that they cannot do as much as they normally could, but others are able to continue their usual activities.



Tips for managing fatigue

- Ask about changing your hours to arrive later if you have fatigue in the morning, or leave early if you're tired in the afternoon.
- Plan meetings for 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 give you a parking space. Find out if you are eligible for a disability parking permit.
- Bring your lunch or ask a workmate to get it for you.
- Save energy for work (e.g. get help with housework or have groceries delivered).
- Eat well and take care of your body. Regular exercise can help improve your mood and energy.
- Prioritise important or meaningful activities.
- Ask an occupational therapist or physiotherapist for ways to manage fatigue.
- ▶ 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 a long period of time. Cancer and its treatments commonly impact the way your brain functions (cognition). You may feel like you are in a fog. This is called cancer-related cognitive impairment, or may also be called “chemo brain”, “cancer fog” and “brain fog”. It may be caused by the cancer or cancer treatments, and usually improves with time (it may help to explain this to an employer). Tell your doctor about any thinking or memory problems you have.



Tips for improving concentration

- Get plenty of sleep. Deep sleep is important for memory and concentration.
 - Keep a diary or set reminders on your phone.
 - Carry a small notepad or use your phone to jot down things to remember.
 - Make lists to keep track of things to do. Complete tasks one at a time rather than multitasking.
 - Refer to project plans, documents and meeting minutes to jog your memory.
 - In a noisy office, try noise-cancelling headphones or headphones with rain sounds (and explain why you're doing this).
 - Let your manager know you may need more time to finish tasks and discuss realistic deadlines.
 - Plan to do things that need concentration when you are most alert.
 - If possible, let calls go to voicemail and return them when you've had time to prepare your response.
 - Talk to an occupational therapist about ways to improve your memory and your thinking, such as concentration, information processing, decision making and judgement.
- 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 you can try another type.



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, try 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 smells. 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.
- Try eating food with ginger, which can improve nausea.
- An empty stomach can make your nausea worse. Eat something before going to bed or soon after getting up in the morning. Eat small meals and snacks regularly. Try nibbling on plain crackers or biscuits.
- Breathe deeply and gently through your mouth if you feel like you're going to vomit, or go outside for 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" episode in *The Thing About Cancer* podcast series.

Increased risk of infections

Some cancer treatments, such as chemotherapy, may increase your risk of getting an infection. Viruses such as colds, flu and COVID-19 in the workplace or on transport to and from work may be easier to catch and pose serious risks. 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 others know that you are more likely to get infections. Your employer can remind staff it's important 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.
- Wear a mask at work and on public transport.
- Work in a well-ventilated space and social distance.
- Keep your workspace clean, especially if you share a desk or car. Wipe down the phone, keyboard, desk and mouse regularly and 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.
- Ask your doctor about flu and COVID-19 vaccines. Tell HR or your manager if you think you have caught something at work for health and safety and insurance purposes.
- If possible, take time off if you work in hospitality, health care or childcare, especially if your immunity is low (e.g. low white cells).
- Wash your hands before eating and drinking, and after taking public transport and using the toilet.
- Clean and cover wounds to prevent infection. Report any injury to HR for work health and safety reasons.

Changes in how you look

Side effects from surgery, chemotherapy or radiation therapy may change the way you look. You may be upset or feel embarrassed about these changes. You may also be 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 get used to any changes.



Tips for improving confidence

- 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.
- Ask your manager to discuss your appearance with co-workers if you don't feel comfortable doing it.
- Be prepared for co-workers to ask questions.
- Answer questions directly or say that you would prefer not to discuss it.
- Set boundaries for any topics or questions that make you uncomfortable.
- Consider 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. They also have Home-Delivered Confidence Kits and online workshops available.

“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

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

You may be looking for a new job because of changes to your ability 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 worried 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 think about returning to work gradually, increasing your hours and duties as you become stronger, or you may feel ready to resume your old workload right away.

All employers are legally required to make changes (known as reasonable adjustments) to accommodate the effects of an employee's cancer diagnosis (see *Flexible ways of working* on pages 19–20). 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.

Ask your GP, cancer specialist or an occupational physician about whether you are able to undertake your usual tasks. They may ask for



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 6 weeks of sick leave.

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

Because I was having several months of chemotherapy, I started working from home 4 hours 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.

an assessment of your function by an occupational therapist to help make a decision. Your employer can ask for a medical examination to show you are fit for work or to identify any changes they need to make to accommodate your needs. However, an employer doesn't have the right to request full unrestricted access to your medical records.

If you are unable to carry out your previous role, your employer may offer a program to train you for another role. Your employer only has a duty to offer you a different role if the cancer is work-related. See page 24 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 to stay with their current employer. Call 1800 464 800 or visit jobaccess.gov.au for more information. If you have life insurance or income protection insurance, check if it includes rehabilitation cover to help you return to work.

“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

Changing jobs

Cancer can make you rethink your career goals and work values. Some people won't return to the same job because of changes in ability or length of time away. Others decide a new job is an opportunity for a fresh start, or that they want a less stressful or more meaningful job.

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 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 work situation and health 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. wearing a mask or social distancing, time limits for sitting, must wear a lymphoedema sleeve)
- any short-term changes to your terms of employment (e.g. leave, wages) as a result of your rehabilitation
- any training needs that could help you

- any potential triggers within your role that could create additional stress, harm or prevent recovery
- details of the supervisors or the managers who are 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.

Where to find out more

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.



Preparing for a job interview

- Consider seeing a career counsellor or social worker to practise job interviews. They can tell you your strengths, skills and your abilities.
- Think about what you may say if asked about a gap in your work history or résumé (CV). Some people write “career break” rather than leaving the time unexplained.
- Keep explanations general and straightforward – don’t tell a long-winded 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 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.
- It is illegal to ask any question that may be seen as discriminatory, including about someone’s health. But an employer can ask if there are any support or accessibility needs they would have to meet to support you in the role.
- Being up-front with your employer can make it easier to negotiate any necessary adjustments 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.

Finding a new job

Before looking for a new job, you may want to ask yourself:

- Does my illness mean I need to look for a new type 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?
- Do I want or need to tell a new employer about my cancer treatment?

Think about ways of working that may suit you, such as job-sharing, volunteering, self-employment, part-time or agency work. You could talk to co-workers and referees who know your work and can be honest about your skills. Or contact a career counsellor, or a JobAccess adviser on 1800 464 800. Cancer Council may be able to refer you to a recruitment professional for support. Call 13 11 20 to find out more.

Telling a potential employer

You may want to tell a new employer that you have had cancer, but you don't have to unless it impacts your ability to do the job. It is illegal for an employer to discriminate against you because of a disability, which includes cancer. You only need to tell the employer 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 ask about this. 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. This also applies for any employment forms that ask for health information. In this case, you only need to write down anything that may affect your ability to do your job, as outlined above.

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 18)
- you may want to access your superannuation early if you are eligible
- you could contact your super fund to see if you have any insurance
- you may be able to get support through the National Disability Insurance Scheme (NDIS) if your disability is permanent and significant; for information, call 1800 800 110 or visit ndis.gov.au
- contact Centrelink on 132 717 or visit servicesaustralia.gov.au to see if you are eligible for the Disability Support Pension or other payment.

Key points about returning to work

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.
- Seek advice from a rehabilitation health professional such as an occupational therapist or physiotherapist to build up your functional endurance. Your employer must keep this information confidential.

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 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. You do not need to tell them about the cancer.
- If you are unable to return to your previous position, consider attending a rehabilitation or retraining program. An occupational therapist or occupational health service may be a good place to start.



Self-employment

You may run 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 running a business. Depending on the business, self-employment can give you control over your work schedule. You may be able to work around treatment sessions and set aside the time needed for recovery.

Any decisions you make will depend on your individual circumstances. The type of cancer, its impact on your day-to-day function, 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 aren't sure what to do, talk to family or friends or a professional financial adviser about your options. These may include:

- checking existing insurance policies for entitlements, including any benefits payable through your superannuation
- claiming early entitlements from your super 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 any changes. Talk to your health care team about what to expect from treatment so you can 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.
- Prioritise what aspects of working/owning your business are important to you and what you can let go or delegate.
- Decide what has to be done now and what can be left until later.
- Use your energy to do tasks you enjoy 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 staff know what changes you make to keep the business running.
- If possible, aim to finish any high-priority or complicated work before you start treatment.
- Think about other ways to do your job. Could you travel less? Could you work from home more? Would it be practical to use technologies such as smartphones and video calls instead of in-person meetings? If you ship goods, 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 may be able to help connect you to a legal or financial adviser. Call 13 11 20 to find out what services are available in your area and whether you are eligible for this assistance.
- Cancer Council may be able to refer you to a financial adviser or small business accountant for support. Contact 13 11 20 to find out what services are available in your state or territory.

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 explain what you know. For example, tell them your work hours and how to contact you. During treatment, you may want to suggest clients email you or make 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 keep a professional relationship with your client. You may not want to share any fears or 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 meeting face-to-face. 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 out some work. You could refer some of your clients to another business you trust, if you don't think you will be able to meet your clients' needs.

Telling employees about the cancer

You do not have to tell your employees that you have cancer. However, it may be worth thinking about how they will feel if you don't tell them but they find out anyway. It might impact staff morale, cause them to worry more or be upset or wonder why you didn't tell them what is happening. 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 own future or job security. 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 – An adviser can help you look at your financial situation and come up with some strategies to help you manage your finances. To find a business adviser in your area, visit business.gov.au/advisory-services/search. You can find a financial adviser through the Financial Advice Association Australia at faaa.com.au. You could also talk through your situation with your accountant if you have one.

Consult a financial counsellor – A financial counsellor can help if you experience financial hardship. Contact the National Debt Helpline (phone 1800 007 007 or visit ndh.org.au) or the Rural Financial Counselling Service in your state or territory (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 – Although self-employed people are not required by law to contribute to a super fund, many people have retirement savings. Check if you have insurance linked to your super fund, such as disability benefits, as you may be eligible to make a claim. In some cases, insurance benefits may be cut if no contributions have been made in 12 or 18 months, so check your fund details. Check if your super fund provides free financial advice.

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 servicesaustralia.gov.au. For information about the Farm Household Allowance, call the Farmer Assistance Hotline on 132 316 or visit servicesaustralia.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

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, or contact Centrelink to find out about financial advice. For support, call Cancer Council on 13 11 20.

Managing the business

- Try to be realistic about your health and what you will be able to do during treatment or as you adjust to any symptoms or impairments.
- 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 you want 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.

Working while caring

Many carers also work. Your caring duties and your job may both be important and necessary parts of your life. But it may be difficult to balance the demands of caring, family and work. As well as the information in this chapter, see our *Caring for Someone with Cancer* booklet and “Cancer Affects the Carer Too” podcast episode.

Who is a working carer?

A working carer combines paid employment with providing unpaid personal care, assistance and support to a person with 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, for a short time or long term
- the support can be practical (e.g. helping with meals, personal care, travel to doctors), emotional (e.g. talking) or spiritual (e.g. praying).

Who can take paid carer's leave?

Carer's leave is available when looking after certain members of your family or people you live with, including:

- **immediate family members** – a spouse, de facto partner, partner, child, parent, grandparent, grandchild or sibling (brother or sister)
- **your partner's immediate family members** – a child, parent, sibling, grandparent or grandchild of your spouse, partner or de facto partner
- **household members** – any person who lives with you
- **former partners** – a former or ex spouse, partner or de facto partner.

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 16–17. 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:

- what treatment the person you care for is having
- whether you need to travel a long way to take them to treatment from regional or rural areas to the city
- 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 caring arrangement is most likely to be temporary or long term.

Before changing your working arrangements, talk with your employer, a work EAP counsellor, family and friends. You can also ask the Carers Association in your state or territory for information and support. Call the Carer Gateway on 1800 422 737.

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

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.

The *Disability Discrimination Act 1992* protects carers of people with cancer from workplace discrimination. This means that you can’t usually be dismissed for taking the caring leave you are entitled to.

Before talking to your employer, find out about the policies your workplace has for employees with caring responsibilities and what your employment contract, award or enterprise agreement says.

You and your employer might discuss:

- the impact that your caring role is likely to have on your work commitments and career goals
- taking time off or setting up flexible working arrangements
- infection risk (e.g. working from home or wearing a mask) if the person you care for is immunocompromised
- 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.

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.

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.

Flexible working arrangements

- Carers have the right under the *Fair Work Act 2009* to request flexible working conditions such as adjustments to 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 why you want or need the requested change.
 - Your employer must respond in writing within 21 days and give you a reason if they reject your request.
 - Your employer may only refuse the request if they have discussed it with you and genuinely tried to reach an agreement with you.
 - You can take this to a tribunal if you think that their answer is not fair.
 - Suggest realistic and workable options that show you have thought about how the needs of the workplace can also be met.
 - Your employer can refuse the request on reasonable business grounds only, and they have to tell you their reasons.
 - Talk to your manager or HR department to see if you can arrange some flexible ways of working.
 - Many employers are aware of the challenges working carers face. Your manager may try to be flexible where they can, so it is worth asking.
 - See page 58 for more information on legal 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 may be able to use personal leave (which includes sick leave and carer's leave). Casual employees can take 2 days of unpaid carer's leave at a time.

The National Employment Standards outline the rules for personal leave. These include 10 days of paid personal leave each year for 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 leave, and they may ask for a medical certificate or other evidence confirming that you are unable to work.

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 you may be able to take, see pages 21-23.

Unpaid leave

If you've used all of your paid personal leave, you are entitled to 2 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. 2 working days in a row) or in separate periods as agreed by your employer (e.g. 4 half-days in a row).

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).

If you request paid personal leave or unpaid carer's leave, your employer can ask for basic facts about why you need time off. They may need medical documents if you request extended leave. This allows them to approve the leave and make sure it's recorded correctly. An employer cannot take action against you for taking your leave.

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. Cancer Council may be able to refer you to a financial adviser or financial counsellor, depending on your location.
 - Centrelink supports carers with a range of payments, including the Carer Payment and Carer Allowance. To check if you are eligible, call 132 717 or visit servicesaustralia.gov.au.
 - Call the National Debt Helpline on 1800 007 007 or visit ndh.org.au, or call the Rural Financial Counselling Service on 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 super 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.

Carer Gateway – Carer Gateway 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 422 737 or visit carergateway.gov.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. 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 services for carers. You can also find online support from other carers through the Cancer Council Online Community at cancercouncil.com.au/OC.

“My employer has an assistance program with 6 free counselling sessions. I’d recommend that to anyone – just having someone to lean on and talk to is helpful.” STEPHEN



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 EAP, either through your workplace, a family member's workplace or the workplace of the person you are caring for.
- Accept help from your workmates and friends when it is offered. Apps like Gather My Crew can help organise co-workers or friends.
- It can be hard to look after yourself when balancing the demands of your job with your caring responsibilities.
- 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 each night.
- Try some complementary therapies, such as massage, relaxation or meditation. For relaxation exercises, listen to our *Finding Calm During Cancer* podcast series. Call Cancer Council on 13 11 20 for information and support.
- 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.
- Try to maintain your fitness and get some regular exercise to help cope with the demands of working and being a carer.
- For more tips on combining your work and caring roles, visit carergateway.gov.au and search for "Working while caring".

Key points about working while caring

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.
- All employees, including casual employees, may be able to take certain leave types.
- 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 government agencies such as Centrelink. It may be helpful to seek advice from a financial professional.
- 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 worry they will face discrimination if they tell their employer they have cancer. Others fear being dismissed for needing 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 happen. Knowing your rights and responsibilities may help you know if you're 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 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 having cancer, 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, the rule won't be unlawful if it is reasonable in all the circumstances.

Australian law requires an employer to make changes (reasonable adjustments) to help people with cancer do their job (see pages 19–20). Your employer can only refuse these changes if they would cause unjustifiable hardship to the business, on other reasonable business grounds, or if you still couldn't perform the essential parts of your job.

Harassment and bullying

It's against your rights to be harassed or bullied by managers, staff or clients because you have cancer or are caring for someone with cancer. Anti-bullying laws protect employees from repeated unreasonable behaviour that creates a risk to their health and safety. This includes unreasonable work demands, offensive comments, intimidation or exclusion. People may have different ideas about what is unacceptable behaviour. Even though someone did not mean to be offensive, it's still not okay. Seek legal advice if you feel you've been bullied or harassed.

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 what 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 get specific advice about your situation from a lawyer who specialises in employment matters.

If you can't afford professional advice, Cancer Council may be able to refer you to a suitable lawyer or suggest a service that can give you more information. Call 13 11 20 to see what help, or possible free legal advice, may be available in your state or territory.

Ways to help resolve a workplace issue

If you feel that you have been treated unfairly, or been harassed, bullied or discriminated against in the workplace, because of cancer or being a carer of someone with cancer, there are steps you can take to try to resolve the issue.

1

Talk to your employer and follow your workplace policy for complaints. If your employer doesn't have a policy to follow, complain to your manager or HR about how you've been treated.

2

Keep notes with dates and names of people who saw what happened. This will help you remember later. It can help to take a support person to any meetings about the issue, and ask them to take notes.

3

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.

4

The Fair Work Ombudsman has information about workplace rights and how to resolve workplace issues at fairwork.gov.au. If you're still employed and believe you've been bullied, you can apply to the Fair Work Commission (fwc.gov.au) for an order to stop the bullying.

5

If you're being discriminated against, lodge a complaint with the anti-discrimination agency in your state or territory, the Australian Human Rights Commission (humanrights.gov.au), or the Fair Work Ombudsman (fairwork.gov.au). Or make a discrimination complaint under a "general protections" claim to the Fair Work Commission (fwc.gov.au). Contact one of these organisations or seek legal advice to see which is best for you before you lodge a complaint. It is illegal for your workplace to take action against you for lodging a complaint.

6

If you have been dismissed (sacked) or otherwise disadvantaged, you can lodge an unfair dismissal or adverse action application with the Fair Work Commission (fwc.gov.au) within 21 days.

- ▶ If you have any questions, call Cancer Council 13 11 20. We may be able to refer you to an employment lawyer for advice.

Caring for someone with cancer

It's against the law for your employer to discriminate against you (treat you unfairly or less favourably) because of your caring responsibilities. It's also illegal to deny you opportunities, intimidate or harass you, or terminate your employment if you are caring for someone with cancer.

If you ask for flexible working arrangements because of your caring duties, your employer must consider your request. They can refuse your request on reasonable business grounds only. For more information, see pages 19–20.

Unfair dismissal

Dismissal is the formal term used for “getting the sack” or being fired. An employer can't pressure you to resign or dismiss you because you have cancer or are caring for someone, such as a family member or someone in your household who is diagnosed with cancer.

All permanent employees (full-time or part-time) are entitled to receive paid personal leave (see pages 21–23). 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 leave, or a combination of paid and unpaid leave, and/or personal leave of up to 3 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.

Key points about workplace rights

Discrimination concerns

- Under Australian law, cancer is considered to be a disability.
- It is illegal 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. Changes may be denied in some cases on reasonable business grounds, or if you would be unable to do the essential parts of the job even if changes were made.
- It is generally against the law to dismiss someone for taking paid leave for illness or caring responsibilities.

Resolving a workplace issue

- If you feel you've been treated unfairly, talk to your manager or HR department. Most complaints are resolved through mediation or conciliation.
- If you feel that you've been discriminated against because you have cancer or are caring for someone with cancer, you can make a complaint to the Australian Human Rights Commission or your state or territory anti-discrimination agency, the Fair Work Ombudsman, or the Fair Work Commission in your state or territory.
- 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.

Where to find support

Useful organisations and resources

<p>Australian Human Rights Commission 1300 369 711 humanrights.gov.au</p>	<p>Receives complaints about discrimination and bullying in the workplace, and acts to promote fairness.</p>
<p>Cancer Council 13 11 20 Call 13 14 50 for a translator</p>	<p>Cancer Council may be able to refer you to a lawyer, financial adviser, HR professional or small business accountant for advice. The service is free for eligible people and may differ depending on where you live.</p>
<p>Cancer Council Online Community cancercouncil.com.au/OC</p>	<p>A safe online place for people affected by cancer and their carers to connect about treatment and survivorship.</p>
<p>Cancer Council's podcast series cancercouncil.com.au/podcasts</p>	<p><i>The Thing About Cancer</i>, <i>The Thing About Advanced Cancer</i> and <i>Finding Calm During Cancer</i> offer information and insights for anyone affected by cancer and their carers.</p>
<p>Carer Gateway 1800 422 737 carergateway.gov.au</p>	<p>Links carers to local support services such as emergency respite care, counselling and peer support groups. Offers practical information, resources and support packages for carers.</p>
<p>Services Australia servicesaustralia.gov.au</p>	<p>Information and support for people with cancer and their carers, as well as help finding or keeping a job. Links to Medicare and Centrelink.</p>
<p>State and territory law societies</p>	<p>The law society in your state or territory can help you find a lawyer in your local area.</p>

Useful organisations and resources (continued)

<p>Legal aid and community legal centres</p>	<p>Provide free legal advice to eligible people. Contact legal aid or the community legal centre in your state or territory to find out what assistance may be available to you.</p>
<p>Fair Work Commission 1300 799 675 fwc.gov.au</p>	<p>National workplace tribunal that helps resolve issues at work, and bullying and unfair dismissal claims. Offers free legal advice for eligible people through the Workplace Advice Service.</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>Job Access 1800 464 800 jobaccess.gov.au</p>	<p>Employment information and assistance for people with a disability, including cancer. The Employment Assistance Fund helps with work-related equipment, modifications and services.</p>
<p>JobWatch jobwatch.org.au</p>	<p>An employment rights community legal centre helping Victorian, Queensland and Tasmanian workers with their rights at work.</p>
<p>National Disability Insurance Scheme (NDIS) 1800 800 110 ndis.gov.au</p>	<p>Provides support and services for people under 65 years of age 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>Safe Work Australia safeworkaustralia.gov.au</p>	<p>National body providing information about work hazards, safety, regulations and compensation.</p>
<p>Work after Cancer workaftercancer.com.au</p>	<p>Australian information about working during and after cancer treatment or changing work.</p>

Glossary

adverse action

Action that negatively affects someone's employment. For example, 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 being taken.

base rate of pay

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

bullying

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

carer's leave

See personal leave.

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)

Workplace section that deals with employees and related issues (e.g. work health and safety, leave, recruitment, complaints, staff training). Sometimes called People and Culture.

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 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 main requirements of their job.

rehabilitation

A program to help a person recover and regain function, or adapt to changes, 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. The care can be given in a range of settings.

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. Most side effects can be managed.

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
-

References

1. L Fritschi and T Driscoll, "Cancer due to occupation in Australia", *Australian 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 experienced health professionals 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.



If you need information in a language other than English, an interpreting service is available. Call 131 450.



If you are deaf, or have a hearing or speech impairment, you can contact us through the National Relay Service. communications.gov.au/accesshub/nrs

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

For information & support
on cancer-related issues,
call **Cancer Council 13 11 20**

Visit your local Cancer Council website

Cancer Council ACT
actcancer.org

Cancer Council NSW
cancercouncil.com.au

Cancer Council NT
cancer.org.au/nt

Cancer Council Queensland
cancerqld.org.au

Cancer Council SA
cancersa.org.au

Cancer Council Tasmania
cancer.org.au/tas

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.*

