



Cancer, Work & You

A guide for people with cancer,
their families and friends

Practical
and support
information

For information & support, call

13 11 20



Cancer, Work & You

A guide for people with cancer, their families and friends

First published June 2011. This edition January 2017.

© Cancer Council Australia 2017. ISBN 978 1 921041 01 3

Cancer, Work & You is reviewed approximately every three years. Check the publication date above to ensure this copy is up to date.

Editor: Ruth Sheard. Designer: Eleonora Pelosi. Printer: SOS Print + Media 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 Publications Working Group initiative.

We thank the reviewers of this booklet: Carolyn Butcher, Chief People and Development Officer, Thomson Geer, VIC; Karen Hall, Clinical Nurse, Cancer Services Division, Flinders Medical Centre, SA; Deborah Lawson, Legal Policy Advisor, McCabe Centre for Law and Cancer, VIC; Phil Mendoza-Jones, Consumer; Jeanne Potts, 13 11 20 Consultant, Cancer Council VIC; Helen Tayler, Social Worker and Counsellor, Cancer Counselling Service, Belconnen Community Health Centre, ACT.

This booklet is funded through the generosity of the people of Australia.

Note to reader

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

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

Cancer Council

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



Cancer Council Australia

Level 14, 477 Pitt Street, Sydney NSW 2000

Telephone 02 8063 4100 **Facsimile** 02 8063 4101

Email info@cancer.org.au **Website** cancer.org.au

ABN 91 130 793 725

Introduction

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

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

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

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

How this booklet was developed

This information was developed with help from a range of professionals and people using Cancer Council's services.

If you or your family have any questions, call Cancer Council **13 11 20**. We can send you more information and connect you with support services in your area. Turn to the last page of this book for more details.



**Cancer
Council
13 11 20**

Contents

Key questions	4
Will I be able to work?	4
Should I tell my employer?	5
What are my rights regarding privacy and disclosure?	6
What should I tell my employer?	6
Should I tell my colleagues?	8
Can my employer sack me because I have cancer?	9
How can my employer support me?	10
Am I entitled to compensation if my cancer is work-related?	11
Managing your working life after diagnosis	12
Making decisions about working	14
Employment options	15
Working during treatment and recovery	20
Flexible working arrangements	20
Leave entitlements	24
Coping with side effects	26
Fatigue and tiredness	27
Concentration and memory	28
Nausea and vomiting	29
Increased risk of infections	30
Changes in your appearance	31
Working after treatment ends	32
Returning to work	32
Changing jobs	36

Self-employment and cancer	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
Information for working carers	46
Who is a working carer?.....	46
Will I be able to work?	46
Talking to your employer	48
Taking time off work	50
Financial help for carers	51
Support for carers	52
Looking after yourself.....	52
Workplace rights	55
Concerns about discrimination	55
Harassment and bullying.....	56
Caring for someone with cancer	56
Unfair dismissal	57
Getting help and support.....	60
Glossary	62
How you can help.....	64



Key questions

Q: Will I be able to work?

A: Most employed people who are diagnosed with cancer wonder how it will affect their ability to work. In many cases, cancer will affect an employee's work life. For example, some of your treatment appointments will probably be scheduled during working hours. Whether you are able to work during treatment will depend on:

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

Discuss the demands of your job with your medical team and ask them how much time off you are likely to need, or whether you will be able to work throughout your treatment and recovery. See pages 26–31 for more information on the side effects you may experience.

Your decision will also depend on the support and flexibility of your employer. Most people who want to continue to work during treatment are able to do so in some capacity. Some people manage by adjusting their work hours for a while – they may miss a couple of days here and there or work part-time. See pages 10–11 for suggestions. Others choose to take a break or retire.

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

Q: Should I tell my employer?

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

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

- enable you to discuss the support you need and any adjustments that could be made to your work (see page 10)
- help you find out about any benefits you can access, such as additional leave
- make it easier to organise flexible working arrangements
- reduce the risk that any impacts on your work will be seen as poor work performance.

Keep in mind that information you share on social media websites, such as Facebook and Twitter, is publicly accessible and may be visible to your employer and colleagues.



Q: What are my rights regarding privacy and disclosure?

A: Your employer needs your consent to tell others about your illness and treatment unless it's a serious health risk to others, in which case they may be able to disclose this information without your consent (but only to the extent necessary to reduce the risk). If you believe your health information has been shared without your consent, talk to your employer. The person who shared the information may be disciplined. You can seek advice from the Office of the Australian Information Commissioner – see oaic.gov.au for more information.

If you take paid personal leave because you are sick, your employer may require a medical certificate confirming you're unwell. The certificate doesn't have to say you have cancer.

Q: What should I tell my employer?

A: What and how much you tell your employer will depend on your preferences, your workplace and the kind of relationship you have with your employer.

You may want to provide the following information:

- if and how long you will be able to continue working
- whether you will be able to perform all of your job duties
- if you want other people in your workplace to know
- if you need to take time off work for treatment and when you are likely to return to work
- any work adjustments you may need.

You may need to talk with your medical team before you can answer these questions, and you may not have some answers until you've started treatment. Remember that you do not need to share all the details of your diagnosis and treatment with your employer. You only need to tell them about anything that may impact upon your ability to work or cause a health and safety risk for yourself or others.



Talking to your employer

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

Q: Should I tell my colleagues?

A: There is no wrong or right answer – it is a personal decision that depends on your individual circumstances. Sharing details about the diagnosis and treatment may make you feel uncomfortable, or you may not want to answer questions. You may be concerned you'll be treated differently.

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

- the types of relationships you have with other staff
- whether your workplace is collaborative, friendly and nurturing, or distrustful and negative
- who you feel you can trust with personal matters
- impact on team morale and cohesion if you tell some team members and not others
- how any previous disclosure of cancer or other serious illness in the workplace was received
- whether your colleagues need to know what to do if you have an emergency at work.

It can be difficult to hide your illness if you work in a close-knit team. If the cancer or treatment side effects mean you will be away from work for some time or if they have a visible impact on your behaviour or appearance, your colleagues may speculate about these changes. Some may even become resentful if they think that you aren't 'pulling your weight' and don't understand why. Sharing with close colleagues provides them with an opportunity to express their concern for your wellbeing and discuss ways they can help you.



Talking to your colleagues

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

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

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

Q: How can my employer support me?

A: Under law, cancer is considered a disability. If you cannot perform your usual work duties, your employer is obligated by the Commonwealth *Disability Discrimination Act 1992* to make ‘reasonable adjustments’ so you can continue to work, unless it will result in ‘unjustifiable hardship’ to the organisation. These adjustments could be to your duties, workspace or hours, and they could be temporary or long-term. See *Workplace rights* on pages 55–59 for more information on protections for workers under anti-discrimination laws.

You and your employer can discuss ideas for possible adjustments. Your health care team may also have useful suggestions. Reasonable adjustments could include:

- additional breaks because of pain or fatigue, or to attend medical appointments
- temporary duties as agreed, reduced hours, flexitime, working from home, part-time work or a gradual return to work
- changes to the workspace such as access to chairs, desks and counters
- providing voice-activated software, telephone headsets, or screen-reading software
- setting you up to use the National Relay Service (relayservice.gov.au) on your computer, a tablet, mobile phone or telephone typewriter (TTY).

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

The Employment Assistance Fund, administered by JobAccess, provides financial assistance to employers for work-related equipment, modifications and services for employees with disability.

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

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

A: About 5000 people are diagnosed with work-related cancer each year.¹ Substances known to cause cancer include asbestos, coal tar pitch, wood dust, diesel engine exhaust, lead and benzene. Radiation exposure (including from the sun) can also cause cancer.

If you have been diagnosed with a work-related cancer, you may be entitled to compensation. It's important to obtain legal advice from a lawyer who specialises in workers compensation matters. To find a lawyer, contact the Law Society in your state or territory. For more information, check whether your local Cancer Council website has a fact sheet on *Compensation and work-related cancers* or call Cancer Council 13 11 20.

Managing your working life after diagnosis

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



After weighing up all the competing factors you may decide to continue working, take a break or retire from work. Following treatment, some people return to their existing job, while others are motivated to change jobs.



Continue working

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

▶ pages 20–25, 48–49



Take time off

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

▶ pages 22–24, 43–44, 50–51



Retire from work

You may decide that retirement is the best option.

▶ pages 18, 38

Return to work



You may:

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

▶ pages 32–39



Making decisions about working

When you are diagnosed with cancer and throughout treatment, you may feel overwhelmed by all the decisions you have to make. Weighing up whether to continue working, have a break or retire may be difficult.

This chapter discusses the options you have and the factors you may consider when making a decision (see table on pages 16–17). Try to avoid feeling rushed. Although things may seem to be happening quickly, there is usually time to make an informed decision.

If you are having trouble deciding what is important to you, make a list of reasons for and against. If you are overwhelmed, it may help to talk to family, friends or a counsellor to clarify what you want. You may also want to seek input from your doctors.

Reasons to work

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

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

Employment options

Working during treatment

Cancer treatment will most likely affect your job performance in some way. This does not mean that you will be unable to do your job, but it does mean that you will probably need some flexibility to make work easier.

You and your employer should discuss whether your current role needs to be modified or if flexible working arrangements will help to accommodate your treatment and side effects. See pages 26–31 for information and tips about working while coping with side effects from treatment. See also *Returning to work* on pages 32–35.

Taking time off

Some people find working during treatment and recovery difficult and decide to take a break. They may make this decision straightaway or after returning to work and finding it physically and emotionally overwhelming. Discuss your leave options with your employer. You can use paid leave entitlements or ask for unpaid time off. If you do decide to take time off, consider setting up a system for staying in touch with your employer so you know what is happening at work. If you decide to take extended leave, speak to your manager or human resources department. Let them know you would like to return to work when your health improves.

“ I was a little ambivalent about going back to work. Working is a normal part of life – it gives me identity. That, for me, was a compelling reason to return. ” Jane

What to consider when making a decision about working

Treatment



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

Financial



- How much does your wage or salary contribute to your family's total income?
- Do you have any personal leave, annual leave or long service 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?
- How will reducing your work hours or taking time off affect your standard of living?
- What additional expenses, such as medicines or travel for treatment, can you anticipate?
- How can you manage non-cancer-related debts or bills, such as mortgage and car repayments?
- Do you need professional advice to assist with decisions that affect your finances?

Workplace



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

Personal



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

Check your insurance

If you have disability or income protection insurance (either independently or through your superannuation fund), you may be able to receive a portion of your income while you are unable to work. If you are thinking of resigning from your job, check your insurance coverage first,

because leaving work may affect your entitlements.

The *Cancer and Your Finances* booklet contains more detailed information about financial, insurance and superannuation issues. Call **13 11 20** for a free copy, or visit your local Cancer Council website.

Retirement

Some people give up work completely when they are diagnosed with cancer. This might be the right choice for you if you are already close to retirement or if the cancer is advanced. It is natural to have mixed feelings about retirement. How you feel may depend on your age and your plans before the cancer diagnosis. Some people experience a sense of loss and others worry they'll be bored.

Most people take time to adjust to retirement, and making plans for dealing with the impact on your sense of self, finances and relationships can make the transition easier. Some people find it helpful to get involved with volunteer work as part of their transition to retirement. You may find it helps to talk about these responses with your friends and family, a hospital social worker, spiritual leader or counsellor, or call Cancer Council 13 11 20.



Key points

- After a cancer diagnosis, it can be difficult to decide if you want to continue working, adjust your working hours, take a break or retire.
- It may help to make a list of advantages and disadvantages about your options, or to talk these over with someone you trust.
- Employment may not only be a source of income. A job can also provide opportunities for social interaction, creativity, learning and travel. Working may make you feel like you are contributing to society.
- Sharing the information that you have been diagnosed with cancer with your employer may allow you to access flexible working arrangements that accommodate your treatment and side effects.
- You will have to consider several factors, including the nature of your job, treatment side effects, the flexibility of your workplace, your leave entitlements and personal matters (such as finances and how much support you have from family and friends).
- You may be able to take some time off work.
- Some people decide to retire. It is normal to have mixed feelings about retirement, depending on your age and what your plans were before the cancer diagnosis.
- Check whether you hold any relevant insurance policies that may be able to provide an income.
- Avoid making a hasty decision. Talk to family or friends and seek professional financial advice before making a decision.



Working during treatment and recovery

If you decide to work during treatment or return to work after it's finished, there are several options to consider, such as flexible working arrangements and your leave entitlements.

Flexible working arrangements

Under the National Employment Standards (NES) you have the right to ask for flexible working arrangements if you have at least 12 months of continuous service with your employer. Some examples of flexible arrangements are:

- allowing you to work from home some or all days
- allowing you to work from another office or worksite
- changing your start, finish or break times
- allowing you to vary your hours, work part-time or job-share.

You need to ask in writing, giving details of the change you want and the reasons for this requested change. Your employer needs to accept or refuse your request in writing within 21 days of receiving the request. They can only refuse your request on reasonable business grounds, for example, the changes are too expensive or would cause a significant productivity loss. If your employer refuses your request and you don't think their explanation is reasonable, you may be able to seek assistance from the Fair Work Commission or the discrimination agency in your state or territory.

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

Your proposed changes should be realistic and workable for you and your employer. Your company isn't obliged to agree to all your requests – for example, if you ask to work from 8pm–10pm, three days per week, it may not suit the needs of the workplace.

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



Managing flexible working conditions

- If possible, take a few hours off instead of the whole day.
- Try to schedule treatment sessions so you have more recovery time (e.g. late in the day or before your days off).
- Explore working from home. Not having to commute may help you feel less tired.
- Ask your employer if your colleagues can help do some of your work during absences.
- Write down the plan you and your employer have agreed on, and then both sign it.
- If you feel overwhelmed, don't let your performance suffer too much before re-evaluating your work arrangements.
- If appropriate, reduce your hours or organise job-sharing.
- Let colleagues know about changes to your work hours.
- Investigate tools to help you work from home or at your treatment centre, e.g. using a tablet or smart phone to get your emails, copying files to the cloud, or taking your work with you on a laptop.

Types of leave entitlements

Personal/carer's leave

- Can be taken when you are unwell or injured, or if you need to care for an immediate family or household member (see page 47). It used to be called sick leave.
- Permanent full-time employees receive a minimum of 10 days of paid personal leave each year.
- Part-time employees receive a pro-rata (proportional) amount of personal days based on the number of hours they work.
- Paid personal leave is an entitlement for permanent employees only. Casual staff may be able to take unpaid leave.
- This type of leave is paid at the employee's base rate of pay.
- An employer can ask you to provide evidence that you need to take personal leave (e.g. a medical certificate).
- Unused leave days carry over from year to year (accumulate or accrue).
- Employees can take as much leave as they have accumulated.

Annual leave

- Also known as holiday pay.
- Permanent employees receive a minimum of four weeks of paid annual leave for each year of service with their employer. Part-time staff are paid on a pro-rata (proportional) basis. Some employees, such as shiftworkers, are entitled to five weeks of paid annual leave.
- Annual leave is paid at the employee's base rate of pay or at an increased rate (leave loading).
- Unused annual leave accumulates over time. Your employer can direct you to use annual leave.
- Annual leave continues to accrue when an employee takes a period of paid leave. Leave doesn't accumulate during periods of unpaid leave.
- An employee must apply for annual leave before taking it.
- An employer must approve annual leave unless the request is unreasonable.



Further information: For more information about entitlements under the

Long service leave

- A period of paid leave after you've worked continuously for the same employer for an extended period of time. This leave may apply after 7–15 years.
- Generally, long service leave is two months of paid leave after 10 years of service, and one month of paid leave for each additional five years of service.
- Conditions may vary depending on which state or territory you live in.
- If you have worked at least five years with your employer and you resign due to illness, you may be entitled to a pro-rata long service leave payment.
- Long service leave is paid at the employee's ordinary rate of pay. In some cases you may be able to take a longer period of leave at half-pay.
- Unused long service leave is usually paid out at the end of employment.
- Periods of unpaid leave do not count towards continuous service for the accrual of long service leave.

Unpaid leave

- If you have used your paid personal leave or if you are a casual employee, your employer might grant you leave from work without pay. This is not an entitlement – it is up to your employer to allow it.
- You may have to use your annual leave before your employer allows you to take leave without pay.
- Annual leave and personal leave do not usually accumulate when you are on unpaid leave.
- All employees are entitled to two days of unpaid carer's leave (see page 51).

National Employment Standards (NES), see fairwork.gov.au.

Leave entitlements

There are several types of leave options available to help you balance work and treatment. The NES outline the rules for several types of paid and unpaid leave, which apply under most awards or enterprise agreements in Australia (see table on pages 22–23).

Entitlements offered under awards or agreements may be different from those provided by the NES but can't be less. You should check the terms of your agreement.



Managing your leave

- If you are a new employee, ask your manager or human resources department if there is a waiting (qualifying) period for paid personal leave.
- Check with your employer if you can cash out your annual leave and any conditions that apply. This is only possible if your award or agreement says that cashing out is allowable.
- Give as much notice as possible before taking leave.
- Combine personal leave with annual leave and long service leave, if necessary.
- If you don't have enough paid leave, ask your manager if you can take unpaid time off.
- Know your rights. It is generally against the law to dismiss someone for taking leave for illness (see page 57).
- If you believe your employer isn't giving you the correct amount of personal or annual leave, check your entitlements. Contact the Fair Work Ombudsman on **13 13 94** or at **fairwork.gov.au**.



Key points

- You might find it useful to talk to your medical team about balancing work and cancer. Doctors, nurses, social workers or counsellors can give you information about coping with treatment.
- Talk to your employer about flexible working arrangements. You may be able to adjust your work location, hours or role. Employers are legally obligated to consider all reasonable requests.
- Re-evaluate your work arrangements once you know how your treatment is affecting you. Discuss any changes with your employer.
- As your health improves, you may want to ease back into your previous routine.
- Consider what tools are available to help you work from home.
- Several types of leave options are available to help you balance work and treatment – check your entitlements with your manager or human resources department.
- Permanent employees may take personal leave when they can't come to work due to illness or injury. This is sometimes called sick leave.
- Eligible employees can also use annual leave, long service leave and unpaid leave.
- Employers must take reasonable steps to accommodate the effects of an employee's illness.
- Cancer Council offers legal, financial and workplace referral services. This is not available in all states and territories – phone **13 11 20** to enquire.



Coping with side effects

The main treatments for cancer include surgery, chemotherapy and radiotherapy. Other treatments, such as hormone therapy, targeted therapy and immunotherapy, can also be used for some types of cancer. You may experience side effects from these treatments that make it challenging to do your job.

This chapter provides tips for managing some common side effects. The *Understanding Chemotherapy*, *Understanding Radiotherapy* and *Overcoming Cancer Pain* booklets have more tips and information about specific side effects.

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

Complementary therapies, including meditation, yoga, massage or acupuncture, may improve the side effects of treatment. See Cancer Council's *Understanding Complementary Therapies* booklet for information about these therapies.

Side effects can be physical and emotional. Feeling low or depressed during or after treatment is common. Talk to your doctor if you are feeling down. Visit beyondblue.org.au for resources to help with managing depression or anxiety, or contact Cancer Council 13 11 20 for a copy of the *Emotions and Cancer* booklet.

Fatigue and tiredness

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



Tips for managing fatigue

- Talk to your employer about adjusting your working hours so you can arrive late if you have trouble getting started in the morning or leave early if you feel tired in the afternoon.
- Schedule meetings for the times you tend to have more energy.
- Discuss your priorities with your employer 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.
- Work from home if you can and rest when you need to.
- Ask your employer if they can provide a parking space. Find out if you are eligible for a disability parking permit.
- Organise your workspace so things are in easy reach.
- If you don't have the energy for physical tasks (e.g. lifting, driving), ask colleagues for help.
- Bring your lunch or ask a workmate to pick food up for you so you don't have to go out.
- Try to save your energy for work, e.g. ask for more help around the house or get your groceries delivered.
- Eat well and take care of your body. Regular exercise can help improve your mood or make you feel more energetic.

Concentration and memory

Your job might require you to interact with others, solve problems and concentrate for long periods of time. After cancer treatment, it can be difficult to concentrate. You may feel like you are in a fog. This is sometimes called ‘chemo brain’, but can happen even if you don’t have chemotherapy. Talk to your oncologist for more information.



Tips for improving concentration

- Keep a diary or set your email or mobile phone to remind you about appointments.
- Carry a small notepad or download an app to your phone so you can jot down things you need to remember.
- Write to-do lists to help keep track of what you need to do. Complete tasks one at a time rather than multi-tasking.
- Refer to project plans, meeting minutes and other documents to jog your memory.
- If you work in a noisy area, talk to your manager about moving to a quiet location.
- Plan activities so you do things that require more concentration when you are more alert.
- If possible, let calls go to voicemail and return them when you’ve had time to prepare your response.
- Set aside time each day to read and respond to emails.
- Let your manager know you may need more time to finish tasks. Discuss realistic deadlines for your projects.
- Get plenty of sleep. Deep sleep is important for memory and concentration.
- Talk to an occupational therapist about strategies to improve your memory.
- Put personal items (e.g. keys, wallet) in a dedicated place at home and at work so you don’t misplace them.

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 one can take time: if you still have nausea or vomiting after using the prescribed medicine, let your doctor know so that another type can be tried.



Tips for managing nausea

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

Increased risk of infections

If your immune system is affected by cancer treatments such as chemotherapy, you need to take precautions against getting an infection. Colds and flu are often passed around in organisations or between people who work closely together. This happens frequently during winter.



Tips for lowering your risk of infection

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

Changes in your appearance

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



Tips for overcoming self-consciousness

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

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



Working after treatment ends

It's natural to feel nervous if you're returning to work after you've been away for a while. If you are returning to an existing job, you may want to talk to your employer about a return to work plan. Or you may seek a new job because of changes to your capabilities or priorities.

Cancer Council can provide you with information about the emotional and practical aspects of living well after cancer – call 13 11 20 and ask for a copy of the *Living Well After Cancer* booklet.

Returning to work

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

All employers are legally required to take reasonable steps to accommodate the effects of an employee's illness – see *Workplace rights* on pages 55–59. This may mean, for example, that your employer allows you to return to work in stages, is flexible with start and finish times, gives you time off to attend medical appointments, or provides a supportive chair.

It's a good idea to speak with your doctor about your capacity to undertake your usual tasks. Your employer can request a medical examination to show you are fit for work, but does not have the right to request full unrestricted access to your medical records.



Kristin's story

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

In 2009, I was diagnosed with ovarian cancer. I told my boss I'd be taking extended time off and wrapped up some work before taking six weeks of sick leave.

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

Because I was having several months of chemotherapy, I started working from home for four hours once a week. Over a year, my hours increased and I worked at home and in the office. If I worked more time than planned, my employer would re-credit my sick leave.

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

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

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

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

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

Your employer must allow you to return to work if you:

- have a medical certificate saying you're fit to return to work
- can perform the inherent requirements of your job with reasonable adjustments to the workplace.

Your employer may not have to accommodate the effects of your illness if they can show that any proposed adjustments would result in 'unjustifiable hardship' to the organisation.

If you are unable to carry out your previous role, your employer may offer a rehabilitation scheme to train you for another role. Your employer is only required to offer you a different role if the cancer is work-related. Job in Jeopardy Assistance is a free government service for people in danger of losing their job because of illness, injury or disability. The program can help with a workplace assessment, job redesign or specialised equipment to help you stay with your current employer. See humanservices.gov.au for more information.

Preparing to return to work

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

Making a return to work plan

When you are ready to return to work, contact your employer about preparing a return to work plan. A return to work plan is a helpful document prepared by you, your doctor and your employer (or a rehabilitation professional) outlining your approach to returning to work. The plan is tailored to your specific situation and needs, and is reviewed regularly. The following may be included in your written return to work plan:

- 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 as stated by your health care team
- any short-term changes to your terms and conditions of employment (e.g. leave, remuneration) as a result of your rehabilitation
- any training needs
- any potential triggers within your role that could create additional stress, harm or prevent your recovery
- details of the supervisors or managers responsible for monitoring progress of the return to work plan
- dates of regular meetings to discuss progress and adjustments to the plan if needed.

To find out more, see the Australian Government's JobAccess website, jobaccess.gov.au. Your state or territory WorkCover or WorkSafe website also has more information.

ACT: worksafe.act.gov.au

NSW: workcover.nsw.gov.au

SA: rtwsa.com

VIC: worksafe.vic.gov.au

NT: worksafe.nt.gov.au

QLD: worksafe.qld.gov.au

TAS: workcover.tas.gov.au

WA: workcover.wa.gov.au

Changing jobs

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

Finding a new job

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

- Does my illness mean I need to look for a new line of work?
- What abilities and skills can I offer a new employer?
- Will I need to update my skills or education?
- Is there a market for people with my experience in my new 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?

You may also want to consider different ways of working, i.e. job-sharing, volunteering, self-employment, part-time or agency work. Discuss your options with colleagues and referees who are familiar with your work and can be honest about your skills. You could also talk with a career counsellor, Cancer Council's Workplace Advisory Service (phone 13 11 20 to see if it's available in your state) or a JobAccess adviser on 1800 464 800 or jobaccess.gov.au.



Preparing for an interview

- Consider seeing a career counsellor or social worker to practise your interview techniques. They can also help you identify your strengths, skills and abilities.
- Think about what you may say if asked about a gap in your résumé (CV).
- Keep explanations about a gap in your employment general and straightforward – don't make up a longwinded story. Some people write 'career break' on their résumé. You might want to say that you had a health issue that is now resolved. If you don't want to say this, you may wish to say you took some time off for personal reasons.
- If you have an obvious physical impairment, consider addressing how you are able to perform the specific job responsibilities.
- Being up-front with your employer can make it easier to negotiate any necessary modifications to the workplace or time off for medical appointments.
- If you are asked a direct question regarding your health history, possible answers include "I had a health or family issue, but it's resolved now", "I have no health problems that would affect me performing this job" or "I have medical clearance to perform this type of work".
- If you don't get the job and you believe it is because of the cancer diagnosis and treatment, you can make a complaint 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, claims are often unsuccessful because it's hard to prove why the prospective employer didn't hire you.

Telling a potential employer

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

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

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

Other options

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

- you may be able to attend a rehabilitation or retraining program to prepare you for another job
- you may be eligible for a payout if you have disability insurance or income protection insurance
- you may consider retiring
- contact Centrelink on 132 717 to see if you are eligible for the Disability Support Pension or other payment.



Key points

- It's natural to feel nervous about returning to work after treatment for cancer.
- Seek advice from your doctor about your capacity to carry out your usual tasks and your readiness to return to work.
- 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 workplace adjustments you may need to help you carry out the inherent requirements of your job.
- Some people reconsider their career goals following a cancer diagnosis and are motivated to seek more meaningful work or a better work–life balance.
- If you are thinking about changing jobs, focus on the skills and experience you can offer a new employer. Consider whether you want to work part-time, if there is any additional support you might need to help you deal with long-term treatment side effects, and whether you need any additional training.
- You don't need to tell a potential employer that you've had cancer unless it impacts on your ability to do the job.
- If you are unable to return to your previous position, consider attending a rehabilitation or retraining program.
- Be prepared for any questions that potential employers may ask about a gap in your résumé or your health history.



Self-employment and cancer

Many Australians run their own business or work as a freelancer, contractor, farmer or entrepreneur. They may be a sole trader or employ other people.

Making a decision about working

A major concern when you are diagnosed with cancer may be how, and if, you can keep your business running. Many self-employed people with cancer find ways to have treatment while keeping their business on track. Depending on the nature of your business, self-employment can give you more control over your work schedule and allow you to manage the time needed for treatment or recovery.

The decisions you make will depend on your individual circumstances. The type of cancer, the proposed treatment and potential side effects are all factors to consider. If you rely on your income or if your business has been a major focus of your life, taking time off or not working permanently may be a major concern. Reading *Coping with side effects* (pages 26–31) may help you make a decision.

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

- checking existing insurance policies for entitlements, including any benefits payable through your superannuation
- claiming early entitlements from your superannuation fund
- talking to Centrelink about government benefits
- selling your business.

Managing your business

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

These suggestions may help you:

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

Telling clients about the cancer

You do not have to disclose the cancer to your clients. 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, what to say and how your business will continue to meet ongoing commitments. Some people choose to tell only established clients.



Talking to your clients

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

Telling employees about the cancer

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

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

Managing financial issues

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

Consult a financial or business adviser – This professional can help you assess your financial position and come up with strategies about how to manage your situation. To find a business adviser in your area, see business.gov.au/advisory-services. The Association of Financial Advisers also provides a 'Find an adviser' service at afa.asn.au/find-afa-financial-adviser.

Consult a financial counsellor – A financial counsellor can help if you are suffering financial hardship. To find a counsellor, see financialcounsellingaustralia.org.au or contact the Rural Financial Counselling Service on 1800 686 175.

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

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

Contact Centrelink – You may be eligible for benefits or pensions. There are different types of income support payments for people in financial hardship, including benefits for farmers. Call 132 717 or visit humanservices.gov.au.

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



Key points

- Loss of income can be a major concern for self-employed people with cancer.
- Creating a plan may help you manage your business. 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.
- Try to be realistic about your health and what you will be able to do.
- Setting priorities about essential work, hiring temporary staff and changing your usual ways of working can help keep your business running during treatment.
- If your usual working patterns change, you may wish to advise clients that you are dealing with a family or health issue. Let them know the best way to contact you.
- You don't have to tell clients about the cancer. If you decide to share news of your diagnosis, 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 the changes to the business while you are undergoing treatment.
- For many self-employed people, it is difficult to take unpaid time off. Consult a financial or business adviser, claim on insurance policies, check your superannuation fund, or contact Centrelink to get financial support and advice.



Information for working carers

Many people who care for someone with cancer are also employed. Your caring duties and your job may both be important and necessary parts of your life, but sometimes people find it difficult to balance the needs of both roles.

Who is a working carer?

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

There are many different types of caring situations:

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

Will I be able to work?

You will need to weigh up your ability to handle both your caring commitments and your responsibilities at work. For a list of things to consider, see the table on pages 16–17. Caring can impact on your job in various ways. It may affect your working hours, what you can achieve at work, how much time off you need, your concentration, and your emotional and physical wellbeing.

Who is covered?

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

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

The *Disability Discrimination Act 1992* also protects carers of people with cancer from workplace discrimination, including family members (spouse, de facto partner and other relatives) and unrelated carers who provide assistance to a person affected by cancer. State and territory anti-discrimination laws generally provide similar protection, except in the Northern Territory.

Your decision will probably depend on:

- 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 a reduction or change in working hours or move to a different position within your organisation
- the satisfaction you get from working
- whether a break will have a large impact on your career progression or future employability
- what will give you peace of mind
- whether the arrangement is likely to be temporary or long-term.

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

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 be more understanding and accommodating of your needs. It may also help you to access carer's leave and flexible working arrangements. Before talking to your employer, investigate the policies your workplace has for employees with caring responsibilities or what your award says. For more information on your rights at work, see pages 55–59.

You might discuss:

- the impact of caring responsibilities on your work commitments
- taking time off or setting up flexible working arrangements
- if 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 should know about your situation, and whether you want to share information with your colleagues.

If you are considering 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 considered.

If you tell your colleagues 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 colleagues may also be working carers. However, if you prefer to keep your caring role confidential, your employer needs to respect your wishes.

Flexible working arrangements

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

Taking time off work

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

The National Employment Standards outline the rules for personal leave, including allocating 10 days of paid personal leave each year to full-time employees. Part-time employees receive this entitlement on a pro-rata basis. Some employers may have rules about taking personal leave.

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

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



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

Unpaid leave

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

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.

Financial help for carers

Working carers often depend on their income to support their family and the person who is unwell. Centrelink provides benefits to reduce financial pressure. For example, the Carer Allowance is a tax-free fortnightly payment for people who are not paid caregivers. Employment doesn't affect eligibility, as the allowance is not income or assets tested, however both the carer and the person receiving care have to meet other eligibility requirements. Contact Centrelink on 132 717 or go to humanservices.gov.au to check if you are eligible.

Seek professional help from a financial counsellor to set up a budget or speak to a social worker to see what assistance is available. You may be able to get early access to your superannuation fund if you are caring for a dependent, such as a child. Contact your fund for more details.

Support for carers

Carers sometimes need assistance to keep caring for the person who needs their help. Examples of support include counselling, community nurses, home help, and services that give you a break from caring (respite care).

Start by contacting Carers Australia, the national body representing carers in Australia. It works with the Carers Associations in each state and territory. Visit carersaustralia.com.au or call 1800 242 636 for more information and resources, including information on respite services and short-term counselling. Oncology social workers can also offer support and referral services to caregivers.

Contact the Commonwealth Respite and Carelink Centre to find out about community care services available in your local area on 1800 052 222, or visit carergateway.gov.au to find a service.

Cancer Council offers support for carers through Cancer Council Online Community (cancercouncil.com.au/OC). You can also call Cancer Council 13 11 20 to talk about support groups and other support services, or to request a copy of our *Caring for Someone with Cancer* booklet.

Looking after yourself

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



Tips for working carers

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

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



Key points

- A working carer is a person who supports someone through an illness or disability and also has paid employment.
- Your decision 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 colleagues that you are a carer, but sharing this information may give them an opportunity to provide support.
- Permanent employees can use personal leave (also called carer's leave) if they need to take time off work to care for someone in their family or household.
- Eligible employees can also use annual leave, long service leave and unpaid leave.
- If you are thinking about resigning, talk to your employer, family and friends, and seek professional financial advice before making a decision.
- Carers can request flexible working arrangements, such as part-time hours or working from home. Employers are legally obligated to consider all reasonable requests.
- Carers can get financial support from organisations such as Centrelink. It may also help to seek advice from a financial professional.
- Take steps to prevent stress and burnout. Carers Australia provides information as well as practical help, such as short-term counselling.
- There are specific support services for carers of all ages, such as counselling, home help, respite services and support groups.



Workplace rights

Many people fear that they will face discrimination if they tell their employer they have cancer. Others fear being sacked because they need time off work for treatment or to care for a family member with cancer. While many employers and colleagues are caring and supportive, discrimination in the workplace can occur. Knowing your rights and responsibilities may help you feel reassured that you are not being unfairly treated due to your illness or treatment, or because of your caring responsibilities.

Concerns about discrimination

Being discriminated against at work because you have cancer is against the law under the Commonwealth *Disability Discrimination Act 1992* and *Fair Work Act 2009*, and the relevant state and territory legislation. Discrimination may occur in different ways:

- **Direct discrimination** – This means you are treated less favourably because of your illness. For example, an employer denies you a promotion, demotes you to a lower paid job, refuses to hire you or sacks you for a reason related to your cancer diagnosis.
- **Indirect discrimination** – This is when a policy, rule or practice that seems fair actually disadvantages you because you have a disability. For example, a requirement for staff to stand while serving customers might indirectly discriminate against you if the cancer prevents you from standing comfortably. It might be possible for the employer to adjust this rule.

Australian law requires an employer to take reasonable steps to accommodate the effects of an employee's illness and help you perform your job. This may include making minor changes to your work duties, reducing your working hours or providing you with additional equipment. For more information on disability discrimination, see humanrights.gov.au.

Harassment and bullying

You also have the right not to be harassed or bullied by managers, staff or clients because you have cancer or are caring for someone with cancer. National anti-bullying laws protect employees from repeated unreasonable behaviour that creates a risk to their health and safety. This could include unreasonable work demands, offensive or humiliating remarks, intimidation or exclusion.

People often have different ideas about what is offensive or unacceptable behaviour, and sometimes you might feel harassed from behaviour that was not intended to offend or harm you.

Caring for someone with cancer

It is against the law for your employer to discriminate against you (treat you unfairly or less favourably) because of your caring responsibilities. It is also illegal to deny you opportunities, intimidate or harass you, or terminate your employment because you are caring for someone with cancer. Employers are required to take reasonable steps to accommodate your caring responsibilities – see *Information for working carers* on pages 46–54.

Seek professional advice

This booklet discusses the law that applies to most employees in Australia under the Commonwealth *Disability Discrimination Act 1992* and *Fair Work Act 2009*. The law that applies to you depends on the organisation you work for, your employment status, and whether there is any applicable state or territory legislation. Your award or enterprise agreement may provide additional entitlements. You should obtain specific advice about your situation from a lawyer who specialises in employment matters.

Unfair dismissal

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

All permanent employees are entitled to receive paid personal leave, which includes sick leave and carer's leave (see pages 22–23).

In general it is against the law to dismiss someone for:

- taking paid personal leave (even if they are away for a long time)
- taking temporary leave of up to three months in a 12-month period for illness, even if some or all of that leave is unpaid.

If you think you've been sacked 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, including a minimum length of service – see www.fwc.gov.au for more details.



Resolving a workplace issue

- First try talking with your employer. Workplaces generally have guidelines about how to deal with complaints of discrimination, harassment and bullying.
- The Fair Work Ombudsman provides information about workplace rights and how to resolve workplace issues at fairwork.gov.au.
- Keep notes about the behaviour, including dates. This will help you remember everything that has happened so you can explain it later.
- Most complaints are resolved through mediation or conciliation. If this doesn't work, you may go to an administrative tribunal.
- If you reasonably believe you've been bullied, you can apply to the Fair Work Commission (www.fwc.gov.au) for an order to stop the bullying.
- If you think you're being discriminated against, you can lodge a complaint with the discrimination agency in your state or territory, the Australian Human Rights Commission (humanrights.gov.au), or the Fair Work Ombudsman (fairwork.gov.au). Contact these organisations or seek legal advice to see which one is most appropriate for your individual circumstances before you lodge a complaint.
- If you have been dismissed from your job or experienced other disadvantage due to your cancer diagnosis, you may be able to lodge an unfair dismissal or adverse action application with the Fair Work Commission (www.fwc.gov.au). You must lodge claims within 21 days of being dismissed.
- If you have any questions, call Cancer Council **13 11 20**. We can send you more information and may be able to connect you with our legal, financial and workplace referral services.



Key points

- All employees have the right not to be discriminated against, harassed or bullied.
- It is illegal for an employer to treat you unfairly or less favourably because you have cancer or are caring for someone with cancer.
- It is against the law to deny you opportunities, harass you or dismiss you because you have cancer or are caring for someone with cancer.
- Employers must take reasonable steps to accommodate the effects of an employee's illness or caring responsibilities.
- All permanent employees are entitled to receive paid personal leave.
- It is generally against the law to dismiss someone for taking leave for illness, even if some of that leave is unpaid.
- If you feel you've been treated unfairly, talk to your manager or human resources department. Most complaints are resolved through mediation or conciliation.
- If you feel you have been discriminated against because you have cancer or are caring for someone with cancer, you may make a complaint to the Australian Human Rights Commission, the Fair Work Ombudsman, or the discrimination agency 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.



Getting help and support

Support is available from a wide range of organisations and health professionals. Get in touch with Cancer Council 13 11 20 and other relevant organisations, or talk to your general practitioner (GP), oncology doctors, nurses, social workers and other health carers.

Useful organisations

Australian Human Rights Commission 1300 656 419 humanrights.gov.au	Receives complaints about discrimination and bullying in the workplace, and promotes fairness.
Cancer and Careers cancerandcareers.org	US website providing information for employed people with cancer.
Cancer Council Legal, Financial, Small Business and Workplace Referral Services 13 11 20 Your local Cancer Council website	Supports people affected by cancer needing advice about financial, legal, small business or workplace issues; available in most states and territories. Free for eligible clients.
Cancer Council Online Community cancercouncil.com.au/OC	This online community for people affected by cancer is a safe place to connect with others about treatment, specific cancer types, carers' issues, survivorship, and grief and loss.
Carer Gateway 1800 422 737 carergateway.gov.au	A national service providing practical information and resources for carers, and links with local support services.
Carers Australia 1800 242 636 carersaustralia.com.au	National body representing Australia's carers. Provides information, advice, support and short-term counselling.

Useful organisations

<p>Centrelink 132 717 humanservices.gov.au</p>	<p>Offers financial support for people with a long-term illness and for primary carers.</p>
<p>Commonwealth Respite and Carelink Centre 1800 052 222</p>	<p>Offers community care services to carers.</p>
<p>Department of Human Services humanservices.gov.au</p>	<p>Provides financial support and assistance to help people with cancer find and keep a job.</p>
<p>Fair Work Commission 1300 799 675 www.fwc.gov.au</p>	<p>The national workplace tribunal. Can also hear workplace bullying claims.</p>
<p>Fair Work Ombudsman 13 13 94 fairwork.gov.au</p>	<p>Information on pay, National Employment Standards, leave, termination/dismissal and complaints.</p>
<p>JobAccess 1800 464 800 jobaccess.gov.au</p>	<p>Provides information to support the employment of people with cancer.</p>
<p>Office of the Australian Information Commissioner 1300 363 992 oaic.gov.au</p>	<p>National body investigating privacy infringements and handling privacy complaints.</p>
<p>Work After Cancer workaftercancer.com.au</p>	<p>Information about working during cancer treatment and returning to work after treatment.</p>
<p>Working Carers Gateway workingcarers.org.au</p>	<p>A website to help people juggling work and caring responsibilities.</p>



Glossary

adverse action

Action that is unlawful if taken because of an employee's workplace rights, including for discriminatory reasons.

annual leave

Paid time off work. Also known as holiday pay.

base rate of pay

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

bullying

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

casual employee

An employee who is paid on an hourly or daily basis, and who is not entitled to paid leave. Termination notice periods do not apply to casual staff.

chemotherapy

The use of cytotoxic drugs to treat cancer by killing cancer cells or slowing their growth.

direct discrimination

When someone is treated less favourably because of a disability, such as cancer.

disability discrimination

When someone is treated less favourably or harassed on the basis of their disability. Under law, cancer is considered a disability.

flexible working arrangements

Work practices that allow an employee to change hours of work, patterns of work or the place of work.

harassment

Any form of behaviour that is unwelcome, offensive, humiliating, threatening or intimidating.

hormone therapy/treatment

A treatment that blocks the body's natural hormones, which sometimes help cancer cells grow. It is used when the cancer is hormone-dependent.

human resources (HR)

The section of an organisation that manages recruitment, administration and training of staff.

immunotherapy

Treatment using substances that alter the immune system's response.

indirect discrimination

When a policy, rule or practice that seems fair actually disadvantages a person with a disability, such as cancer.

inherent requirement

A task 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.

National Employment Standards (NES)

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

permanent employee

An individual who works for an employer and receives entitlements, such as paid personal leave and annual leave.

personal/carer's leave

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

radiotherapy

The use of radiation, usually x-rays or gamma rays, to kill cancer cells or injure them so they cannot grow and multiply.

reasonable adjustments

Any accommodations, modifications or provisions made in the workplace to allow a person to work effectively.

rehabilitation professional

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

rehabilitation scheme

A process that aims to return an employee to their previous level of work.

self-employment

Working for yourself rather than for another person or company.

side effect

Unintended effect of a drug or treatment.

superannuation

A long-term investment fund operated for the purpose of providing a person with retirement income.

targeted therapy

Treatment that attacks specific particles (molecules) within cells that allow cancer to grow and spread.

unfair dismissal

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

unlawful termination

When an employee's employment is ended by his/her employer for one of a number of reasons, including absence from work because of illness.

working carer

A person employed full-time or part-time who provides unpaid physical, practical and/or emotional support to someone who is ill or disabled.

Can't find a word here?

For more cancer-related words, visit:

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

References

1. L Fritschi and T Driscoll, 'Cancer due to occupation in Australia', *ANZ Journal of Public Health*, vol. 30, 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 Pink Ribbon Day, or hold your own fundraiser or become a volunteer.

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

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

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

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

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



Cancer Council 13 11 20

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

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

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

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

Cancer Council services and programs vary in each area.

13 11 20 is charged at a local call rate throughout Australia (except from mobiles).



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



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



Visit your local Cancer Council website

Cancer Council ACT
actcancer.org

Cancer Council NSW
cancercouncil.com.au

Cancer Council NT
nt.cancer.org.au

Cancer Council Queensland
cancerqld.org.au

Cancer Council SA
cancersa.org.au

Cancer Council Tasmania
cancertas.org.au

Cancer Council Victoria
cancervic.org.au

Cancer Council WA
cancerwa.asn.au

Cancer Council Australia
cancer.org.au

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