

Possibly one of the most difficult dilemmas people with epilepsy and parents of children with epilepsy have to face is if, who, Most people with epilepsy are able to work in the type of job they choose and do not need additional help to become employed. Employment limitations can happen if seizures are not well controlled, if there are misunderstandings about epilepsy, or if the job is unsafe for someone having seizures.

There are a number of things that a person with epilepsy can do to improve their chances of gaining and keeping a job in Australia's competitive employment market. Being aware of your rights and responsibilities as a potential or current employee with epilepsy is a good first step.

The Human Rights Commission (HRC) offers a broad definition of disability which includes physical, sensory and neurological conditions amongst others. Even if a person does not consider themselves as having a disability, and do not experience any significant limitations or their epilepsy is completely controlled by medications, they are still protected by the Federal Disability Discrimination Act of 1992 (DDA).

HREOC states that it is discrimination to "treat a person less favourably, because of his or her disability, than a person without that disability would be treated in the same or similar circumstances." This does not mean that you will receive any special rights - only the right not to be discriminated against.

The decision to seek or not seek certain jobs for people with epilepsy can be influenced by:

- The type of seizures and how often they occur
- Time of day seizures occur
- Whether the seizures are controlled by medication
- The risks involved if a seizure occurs in the workplace

What jobs should be avoided if seizures are not controlled?

There are a few jobs that are unsuitable for a person with epilepsy. However, some jobs involve considerable risk if seizures are not controlled. These include working:

- At heights
- Near or in water
- With or around heavy and unguarded machinery
- In a job that involves the use of firearms
- In any job that requires driving



Shift work may be difficult for people whose seizures are triggered by persistent tiredness or sleep disturbance.

What jobs can people with epilepsy do?

Almost any job is possible as long as your safety and the safety of colleagues and the community are not at risk. Remember, everyone has limitations so be realistic about your skills. If you are not successful at getting a particular job, reassess the job requirements and your skills, look at ways you can improve your qualifications and resume, ask for feedback from the interviewer to help improve your chances for future interviews. It is a competitive job market and epilepsy may not be a factor in not being offered the job.

However, there are some jobs prohibited for people with epilepsy. Even with good seizure control, someone with epilepsy will not be able to get employment such as:

- A pilot
- A deckhand or fisherman
- A commercial driver eg: public transport or truck driver

Driving and employment

A person with epilepsy can be employed in a job that involves driving as long as they meet the medical criteria for driving and hold a current Australian driver's licence. Strict criteria are applied to those people wanting to drive large vehicles such as trucks, buses, commercial or emergency vehicles. For further information about the criteria for obtaining a licence call Epilepsy Action Australia or download the Seizure Smart - Driving factsheet at http://www.epilepsy.org.au/fact_sheets

Does working with computers trigger a seizure?

For most people with epilepsy, working with computers does not increase or trigger seizures. However, in photosensitive epilepsy, seizures can be triggered by a flashing or flickering light or change in geometric shapes and patterns. This occurs in approximately 5% of people with epilepsy, so is quite uncommon.

People with this type of epilepsy may be sensitive to computers, but most monitors flicker at a frequency that does not tend to provoke seizures. Laptop computers, which have a liquid crystal display, are even less likely to trigger seizures. It is sometimes the content, what you are actually viewing, that can affect someone prone to seizures.

If someone is sensitive to computer screens, it is suggested to lower the brightness on the monitor and sit at least 60cm away from the computer.

Maintaining employment

Unfortunately, there are circumstances where someone may lose their job because of their seizures, particularly if there are safety concerns. An employer has a duty of care to provide a safe working environment for all employees as per the Occupational Health and Safety Act.

If seizures are likely to impede a person's performance at work, an employer is expected where possible to make reasonable adjustments to the workplace such as changing work hours or changing roles within the organisation until seizures are controlled. If you feel your job is in jeopardy it is important to seek professional advice before agreeing to any new conditions.

Do people with epilepsy take more sick leave?

Research has shown that people with epilepsy generally have average or less sick days than people without epilepsy - and have good job loyalty records. This is because many people with epilepsy have good seizure control with medication and therefore do not have seizures. For people experiencing seizures, the amount of time taken off work will vary from person to person.

There are specific employment agencies that can help find employment

- Employment agencies: Check the telephone book or internet.
- Department of Social Services <https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/for-people-with-disability/employment-for-people-with-disability>
- Australian Apprenticeships Call 13 38 73 <http://www.australianapprenticeships.gov.au/information-and-resources-about-australian-apprenticeships-and-the-support-available>.
- Job Access Call 1800 464 800 <http://www.jobaccess.gov.au/> a free information and advice service about the employment of people with disability.



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- Job search Call 13 62 68 <http://www.jobsearch.gov.au/> online jobs website with job vacancies across Australia
- Job search websites: There are many to choose from, eg. www.seek.com.au or www.careerone.com.au
- Youth job search networks
 - www.jobjuice.gov.au
 - <http://www.jobguide.thegoodguides.com.au/www.myfuture.edu.au>
- Centrelink: Call 132 490 for youth and student services.

Who can help with gaining more skills?

- Commonwealth Respite and Carelink Centres can help find a local employment agency. Call 1800 052 222
- Volunteering Australia Call 02 6251 4060 or visit www.volunteeringaustralia.org
- Local libraries may have details about what is available in the area.
- Local colleges like TAFE offer a wide range of adult education courses.
- Centrelink can assist in job education and training. Call 136 150

Is there any assistance available for travel to and from work if a person does not drive?

- The State and Federal government provides a mobility allowance through Centrelink. <http://www.humanservices.gov.au/customer/services/centrelink/mobility-allowance>
- The Taxi Subsidy Scheme programs and eligibility differ from state to state. However, all offer significant discounts for taxi fares. Contact the transport authority for information and application forms. A letter from a neurologist is required.
- Concession public transport travel cards are available from Centrelink for eligible customers.

Telling an employer

Legally a person with epilepsy is not obliged to disclose their condition unless it affects their ability to meet the inherent requirements of a job.

Although a person may not be obliged to reveal their epilepsy, there are reasons why it can be useful to discuss their seizures with a potential or current employer. For an employer to be able to fulfil their obligations under the Occupational Health and Safety Act, they need to be aware of any condition that may require them to make changes to the working environment to make it safer. This may mean making reasonable adjustments to keep a person employed if they have or develop epilepsy.

If someone with epilepsy chooses to disclose, an employer is required by law to keep the information confidential and must obtain written consent from an employee to share the information with others.

Questions to keep in mind about disclosure are:

- Will my seizures put the community, other employees or me at risk?
- If I have a seizure at work and have not disclosed, can I be personally liable for the consequences of a seizure?
- Is there someone to speak to regarding my obligations, such as a union representative or industrial relations personnel?
- What are my options if I am unfairly treated?
- Do my colleagues and employers understand epilepsy and seizure management?
- Will disclosing to one trusted colleague be enough?
- What are the legal responsibilities?
- Do I portray a positive attitude to my epilepsy?
- Will my colleague and employer find out about my epilepsy from someone else?
- Am I likely to have a seizure at work?

If an employer is not aware of a medical condition, they cannot be held responsible for failing to make necessary adjustments to the workplace.

When applying for a job

Application forms usually include a medical form. Whether or not to disclose epilepsy is an individual choice. If someone chooses not to disclose it is best to leave sections blank rather than record misinformation as there may be repercussions if the medical form is signed and then later found to be inaccurate.

In good practice, the medical form is detached from the job application, so the individual's medical history should not influence the people who are selecting applicants and conducting interviews.

Some people find it helpful to send a covering letter with the job application and include a letter from the neurologist or GP. Others feel that the best time to mention epilepsy is just before accepting a job offer or at a final interview. It is important to project a positive attitude and be well-informed. It can be helpful to not over-emphasise the epilepsy and not to assume that having epilepsy is the reason for not being successful in job applications.

Reactions from work colleagues and employers

Most people want to know what to do in case of a seizure. Knowledge helps people feel more comfortable, and education for colleagues, especially in seizure first-aid, is helpful and avoids poor seizure management or unnecessary ambulance call outs.

What concerns might an employer have?

Many employers have a good attitude towards employing people with epilepsy and try to cater for any special employment needs required. Others may have misunderstandings about seizures and how they might affect the workplace.

Some concerns may include:

- Increased sick leave
- Increased potential for accidents, occupational health and safety issues
- Lower productivity
- Higher compensation insurance premiums
- Attitude of colleagues



It is important for someone with epilepsy to consider the potential or actual impact their epilepsy may have on their ability to fulfil the role or affect the workplace, and to be prepared with solutions.

Workplace discrimination

If someone is facing discrimination because of their epilepsy, if possible, they need to first attempt to resolve the situation directly with all parties involved with support from their employer's human resource personnel.

The Human Rights Commission (HRC) can also help and give guidance. There is no fee and a complaint does not need to be lodged at that point in time.

If an attempt is made to resolve the situation directly with all parties is ineffective, you can seek support from agencies such as trade unions, a lawyer, Working Women's or Women's Legal Centre, or a legal aid representative. Alternatively a formal complaint can be lodged with the HRC, Anti-discrimination Board, Disability Services or the State Ombudsman.

It is important to remember that many disputes are resolved through negotiation or reconciliation with a very small number ending up in court.

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Being knowledgeable about seizures and epilepsy will give both the person with epilepsy and their employer on solid ground for developing strategies to minimise the impact in the workplace.

**Accurate information can change attitudes and misconceptions.
Ask Epilepsy Action Australia about education and information for employers and employees.**

References:

- > Australian Employers Network on Disability <http://www.and.org.au/>
- > Epilepsy Action Australia, 'Striving for Equality in the Workplace', Epilepsy 360° Dec 2008,
- > Human Rights Commission <https://www.humanrights.gov.au/>

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This information is given to provide accurate, general information about epilepsy. Medical information and knowledge changes rapidly and you should consult your doctor for more detailed information. This is not medical advice and you should not make any medication or treatment changes without consulting your doctor.

