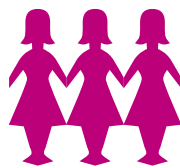


# WORKPLACE GIVING

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Breast  
Cancer  
Network  
Australia



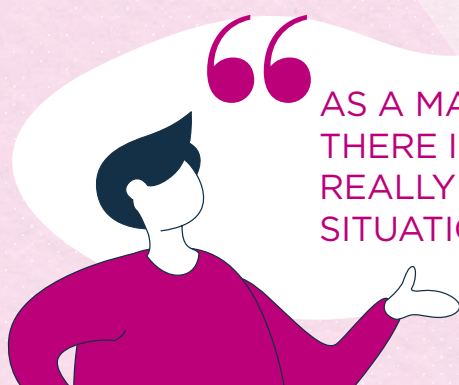
## A guide to supporting an employee with breast cancer

Every day, **57 people living in Australia** are told they have breast cancer. Often this news comes as a complete shock and can be incredibly overwhelming. There is so much information to take in and decisions to be made.

Breast cancer not only affects people physically, but also emotionally and financially. If you are an employer, manager, supervisor or human resources representative and one of your employees is diagnosed with breast cancer, you play an important role in supporting them in the workplace.

### How to support your employee

Supporting your employee can make a big difference to them and their ability to continue to do their job. It can also mean you meet your legal obligations. The best way to support your employee will depend on the type of work they do, their diagnosis and treatment, and whether or not they need or want to work throughout and beyond their treatment. The information throughout this guide provides information about your obligations as an employer and how to manage an employee's breast cancer diagnosis within the workplace.



“AS A MANAGER, IT'S IMPORTANT TO REMEMBER THERE IS NO ONE-SIZE-FITS-ALL SOLUTION, IT'S REALLY ABOUT UNDERSTANDING THE PARTICULAR SITUATION AND BEING FLEXIBLE AND ADAPTABLE.”

### What to expect

There are different types of breast cancer and therefore, different types of treatment. The physical, emotional and mental side effects of these treatments vary from person to person. Even if you have had employees who have been affected by cancer in the past, it's important to remember that each person is different.



## Side effects

Some breast cancer treatments may have side effects and talking about this with your employee will enable you to make necessary adjustments before, during and after treatment. These can include:

- time away from work for medical appointments and treatments
- working from home during treatments
- physical and emotional support to reduce the short- and long-term impact of treatments.

“

I DID STRUGGLE WITH 'CHEMO BRAIN', WHICH WAS VERY FRUSTRATING, SUDDENLY NOT KNOWING HOW TO DO THINGS THAT I HAD BEEN DOING FOR YEARS.

”



**Your employee may experience some or all of the following side effects.**

- Pain and discomfort: this can continue for a long while after treatment and can sometimes last for months or years. If your employee is experiencing pain, they may find it difficult to carry out certain tasks at work.
- Lymphoedema: a persistent swelling of the arm or breast, which can develop after breast cancer treatment. Your employee will need to avoid certain tasks at work that either cause or aggravate this condition.
- Cognitive changes ('chemo brain'/'chemo fog'): chemotherapy can cause issues such as difficulty thinking clearly and problems with memory and attention. These changes often can last for months or longer. These frustrating changes can affect your employee's confidence at work (and in social situations) so it's important to be aware and offer support where appropriate.
- Emotional side effects: some people find it difficult to live up to others' expectations. Some might feel they should be functioning at the same level as they did before their diagnosis. Others feel highly anxious or depressed. These feelings are common, and it is important your employee feels supported in the workplace.
- Fatigue: extreme tiredness is a possible side effect of breast cancer treatment. Offering support through flexible working hours, allowing work from home, and support with certain tasks can help your employee to better manage fatigue.

## If your employee is diagnosed with metastatic breast cancer

If your employee has metastatic breast cancer (also known as advanced or secondary breast cancer), it means the cancer cells have spread from the original site in the breast to other parts of the body, often the bones, lung, liver or, less commonly, the brain. Fortunately, advances in treatments mean that some people with metastatic breast cancer are now living for many years and choose to stay at work for as long as possible.



By law, an employee with metastatic breast cancer should be allowed to work for as long as they want to. As their employer, you can assist them by making appropriate reasonable adjustments. If your employee is gradually becoming weaker, it can be difficult to manage or know what to do. In this case, an occupational therapist can assist and offer recommendations. Colleagues in the workplace may find this time upsetting. Be sure to communicate with your employees so they know how to access counselling or employee assistance programs (EAP) that are available within your organisation.

## Communicating with your employee

As an employer, you may already have experience with ill or injured employees. While this experience is helpful, a cancer diagnosis is quite different. An employee with breast cancer may face many physical and emotional challenges. They may find these challenges difficult to talk about and may not know how to approach the subject with you.

“

I RETURNED TO WORK ONE DAY AFTER FINISHING RADIOTHERAPY. NOW, LOOKING BACK, I WISH I HAD TAKEN SOME TIME OFF TO REST AND RELAX.

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When speaking to your employee about their diagnosis, it can help to:

- find a private place to talk
- tell them that the conversation is confidential
- let your employee take the lead in the conversation
- ask how they are feeling
- ask how much time off they require
- discuss if and how they want to communicate their diagnosis with their team and other colleagues.

## Information for your employee

As an employer, it's helpful to provide your employee with information about:

- leave/time off
- possible adjustments to their work duties
- appropriate policies on flexible working arrangements
- their rights to be protected against discrimination
- support services the organisation may offer e.g. employee assistance, coaching or mentor programs.





## What to do if things don't go to plan

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During this difficult time, your employee may not be receptive to your suggestions or support. There may be misunderstandings in communication, or your employee may not achieve the outcome that they were hoping for.

If there is an issue, you can suggest they access further support via:

- a human resources representative
- an employee assistance program (EAP)
- family and/or friends
- colleagues and/or mentors
- BCNA and other cancer and health organisations.

## Legal rights and responsibilities

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It is important to understand your legal rights and responsibilities as an employer. Under Australian law, cancer is considered a disability, therefore, your employee cannot be treated less favourably because of their breast cancer diagnosis.

If your employee feels they are being treated less favourably because of their breast cancer diagnosis, it can be classed as discrimination.

## Legislation

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The following legislation is in place to protect both employees and employers:

- [the Disability Discrimination Act 1992](#)
- [the Fair Work Act 2009](#)
- [the Privacy Act 1988](#)

Familiarise yourself with the legislation – it is important you know and understand your rights and responsibilities as an employer.

### ***The Disability Discrimination Act 1992***



The Disability Discrimination Act 1992 states that as an employer, you are required to make 'reasonable adjustments' (changes) for an employee with a health condition, to help them remain in their job, unless these adjustments do not allow them to carry out the 'inherent requirements' of their job.

Reasonable adjustments can include time off for hospital appointments or flexible working arrangements during their treatment and recovery.

For further information about the Disability Discrimination Act 1992, visit the [Australian Human Rights Commission website](#).

### ***The Fair Work Act 2009***

Under the Fair Work Act 2009, the National Employment Standards (NES) gives an employee the right to ask for flexible working arrangements if they have at least 12 months of continuous service.





These arrangements can include:

- working from home
- working from another office/worksite
- changes to start, finish or break times
- varying hours, working part-time or job-sharing.

You cannot dismiss your employee because they have taken time off for their treatment or recovery. However, they will need to produce a medical certificate and ensure their absence is less than three months, or less than a total of three months within a 12-month period.

### ***The Privacy Act 1988***

The Privacy Act 1988 regulates how personal information is handled and shared within the workplace. It is against the law for you to share personal information about your employee's diagnosis without their permission. It is your employee's decision how and with whom they share their diagnosis.

For further information about privacy in the workplace, visit the [Office of the Australian Information Commissioner website](#).

## **Communicating with team members and colleagues**

It is up to your employee to decide whether they want to share their diagnosis with their colleagues. It is important to talk to your employee early on about the level of detail they want to communicate with others in the workplace, and when and how they would like to tell others. It is possible that your employee does not want to share their breast cancer diagnosis in the workplace. Whatever their decision, it must be respected and adhered to.

“

I WAS HAPPY FOR PEOPLE AT WORK TO KNOW I HAD BREAST CANCER, I JUST DIDN'T WANT TO BE THE ONE TO TELL THEM. I GAVE COPIES OF THE HELPING A FRIEND OR COLLEAGUE WITH BREAST CANCER BROCHURE TO MY MANAGER, SO HE COULD GIVE THEM OUT.

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## **What to ask your employee**

If your employee chooses to communicate their breast cancer diagnosis to team members and colleagues in the workplace, consider asking the following:

- Who do they want to share the news of their diagnosis with and who should tell them?
- How do they want the news to be communicated, for example one-to-one, in a meeting or by group email?
- How much information do they want to be shared and what information should stay confidential?



- Are there any preferences your employee has for how people can provide them with support?
- How do they want to be communicated with throughout treatment and recover?

When communicating with team members and colleagues try to:

- avoid personal details and dramatising
- use positive language while being honest about what to expect
- discuss with team the best ways to approach their colleague about their diagnosis
- focus on the impact your employee's illness may have on people and projects at work
- suggest staff speak to you or another appropriate manager if they are having practical issues with the situation, or if they are feeling distressed.

## The death of an employee

If your employee is diagnosed with metastatic breast cancer and dies, it can be extremely difficult for colleagues to come to terms with. People will react differently and some team members will need support, personally as well as professionally. Often this is an exhausting time, so it's important to look after your own needs and be aware of support available to you. You may want to think about ways to remember the person by setting up a memorial, such as a garden or a plaque. You should also let your team know about any counselling service or employee assistance program (EAP) available to them.

## Joint planning and workplace flexibility

Many people diagnosed with breast cancer do not receive medical advice about how and when to return to work. Talking with your employee about their needs and assisting them can help them return to work and settle back in. Breast cancer can be unpredictable, so it is important to devise a flexible joint return to work plan. This process allows both you and your employee to discuss and agree the best way forward. Ongoing communication is critical, and the plan should be regularly reviewed and amended as appropriate.

“

**IF WE WANT GREAT WORK OUTCOMES WITHIN OUR ORGANISATION, WE NEED TO SUPPORT PEOPLE TO BE THE BEST THAT THEY CAN BE, AND THAT INCLUDES PEOPLE WHO HAVE AN ILLNESS.**

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Developing a work and breast cancer plan (or a return-to-work plan) is an important step to put in place before your employee comes back. Things to consider are as follows:

- Schedule a meeting with your employee approximately two weeks before they are due to return. This allows them the chance to visit the workplace, receive important information and updates, and raise any concerns they may have.
- This meeting is a good time to ask them how much information they want to share with the team and wider organisation, and how comfortable they are talking to others in the workplace about how they feel.





- Recovering from cancer is often a long process and side effects can continue for months or even years. It's important to be flexible with your employee's return to work plan. As part of this plan, you will need to discuss and finalise any reasonable adjustments required.

Reasonable adjustments - reasonable adjustments may help ease your employee back into the workplace, e.g. flexible working hours, or planning a phased return to work. It's important to involve your employee in these conversations, to ensure collaborative decision making.

Easing the handover of work - ensuring the employee's workload is lighter or spread out can help your employee feel less overwhelmed on their return.

Alternative employment - consider helping your employee to change roles, either temporarily or permanently to suit their needs.

## Useful information

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For further information, the following resources are available:

- For information about breast cancer and treatments, visit the [Understanding breast cancer section](#).
- For a simple explanation of breast cancer, download the [plain English version of the About breast cancer booklet](#).
- Download BCNA's [Helping a friend or colleague with breast cancer brochure](#).
- Download BCNA's [Work rights and responsibilities - for employers](#) to familiarise yourself with the rights and responsibilities of an employer of a person with a serious illness.
- Call BCNA's Helpline on **1800 500 258** for information, support and referral.
- As an employer you can access advice, and financial and practical assistance to help support you at JobAccess. Call **1800 464 800** or visit [www.jobaccess.gov.au](http://www.jobaccess.gov.au).



For more information, please visit [bcna.org.au/donate/workplace-giving-program](http://bcna.org.au/donate/workplace-giving-program) or email us at [contact@bcna.org.au](mailto:contact@bcna.org.au)

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