

Application of Section 66 of the WA Equal Opportunity Act



Section 66 of the WA Equal Opportunity Act 1984 allows you to:

- lawfully advertise and target a position(s) for a person with disability
- progress candidates with disability who meet the minimum selection criteria to the next stage of recruitment
- where there are two equal candidates, allocate the position to the person with disability
- introduce an internship/traineeship program specifically for people with disability
- implement a flexible work policy with criteria for making reasonable adjustments.

What your Agency needs in place:

- Workforce and Diversity Plan
- Equal Employment Opportunity (EEO) management plan

Example an advertisement with wording reference to the Act and Section 66R

'Agency name' is undertaking a diversity initiative to achieve equality and increase workforce representation of people with disability. Therefore, this position is being advertised as a measure to achieve equality under Section 66R of the Equal Opportunity Act 1984 (WA) and only people with disability will be considered for this role. Confirmation of disability will be required.

Example equity statement welcoming diversity for all positions

'Agency name' is committed to building a workplace culture that values diversity and inclusion. We actively promote the employment of Aboriginal Australians, people with disability, youth and other diversity groups. People with disability will be provided with reasonable adjustments in our recruitment processes and in the workplace.

For Section 66 requirements, confirmation of disability may include:

- NDIS eligibility
- Disability Support Pension
- Letter from current Disability or Mental Health Provider
- Letter from GP or current Allied Health Professional or Psychiatrist
- Companion Card

The WA Equal Opportunity Act 1984 recognises:

- that equal opportunity is not necessarily achieved by treating everyone the same
- in certain circumstances discrimination which would otherwise be unlawful can be used positively to meet the objectives of the [WA Equal Opportunity Act](#)
<https://bit.ly/2YQax65>

For further information:

The WA Public Sector Commission has a range of supporting material, including:

- [Employing for Diversity, equal opportunity in public employment](#)
<https://bit.ly/3jPCSBR>

This project is a NDIS Information, Linkages and Capacity Building (ILC) initiative.



Government of **Western Australia**
Department of **Communities**

