



**Submission to the Parliamentary Committee on the Fair Work Bill
Amendment: Right to work from home**

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Physical Disability Council of NSW
3/184 Glebe Point Road, Glebe NSW 2037

02 9552 1606
www.pdcnsw.org.au

Who is the Physical Disability Council of NSW?

The Physical Disability Council of NSW (PDCN) is the peak body representing people with physical disabilities across New South Wales. This includes people with a range of physical disability issues, from young children and their representatives to aged people, who are from a wide range of socio-economic circumstances and live in metropolitan, rural and regional areas of NSW.

Our core function is to influence and advocate for the achievement of systemic change to ensure the rights of all people with a physical disability are improved and upheld.

The objectives of PDCN are:

- To educate, inform and assist people with physical disabilities in NSW about the range of services, structure and programs available that enable their full participation, equality of opportunity and equality of citizenship.
- To develop the capacity of people with physical disability in NSW to identify their own goals, and the confidence to develop a pathway to achieving their goals (i.e. self-advocate).
- To educate and inform stakeholders (i.e.: about the needs of people with a physical disability) so that they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

Introduction

PDCN strongly supports the proposed amendment to the Fair Work Bill to expand the right to request flexible working arrangements, including a new provision allowing employees to work from home up to two days per week.

People with disability represent approximately 17% of the Australian population, with around 77% identifying a physical disability as their main health condition¹. Despite this significant representation, labour force participation for people with disability aged 15–64 years is just 53.5%, compared to 84.1% for people without disability². These disparities highlight systemic barriers to employment that must be addressed through policy reform to ensure people with disability can participate fully and equitably in the workforce.

Recommendation

PDCN urges the Committee to support the Fair Work Bill amendment to guarantee the right to request work from home up to two days per week where the nature of the role allows it. This change will remove unnecessary barriers, promote equitable opportunities, and enable people with physical disabilities to fully participate and build sustainable careers in the workforce.

Barriers to employment for people with disability

PDCN's 2024 member survey, which included 191 participants, found that 58% of respondents encountered accessibility or inclusion barriers during job searches or recruitment processes. Common challenges included the absence of flexible work options, inaccessible workplaces, and rigid organisational structures.

In particular, members reported that inaccessibility of buildings and office infrastructure restricted participation, lack of flexibility contributed to leaving employment (14%), difficulty obtaining reasonable adjustments also drove exits (14%), and non-inclusive work environments deterred retention (12%). These findings reflect entrenched structural and institutional barriers that limit employment stability and workforce participation for people with physical disabilities.

The case for work from home rights

Working from home has become a mainstream practice in Australia. Research by Roy Morgan in 2025 found that 46% of employed Australians work from home at least some of the time, with a majority of employees in larger workplaces adopting hybrid arrangements³. Australian Bureau of Statistics data similarly shows that 36% of employed people usually work from home⁴. These figures

¹ https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/people-with-disability/prevalence-of-disability#dis_grp

² <https://humanrights.gov.au/known-your-rights/rights-of-individuals/disability-rights/disability-rights/disability-and-employment/employment-for-people-with-disability-Australia>

³ Roy Morgan, *More than 6.7 million Australians 'work from home'*, August 2025. <https://www.roymorgan.com/findings/9981-work-from-home-june-2025>

⁴ <https://www.abs.gov.au/statistics/labour/earnings-and-working-conditions/working-arrangements/aug-2025>

indicate that flexible work arrangements are already widely practised and valued across the workforce.

Benefits for people with physical disabilities

Remote and flexible work can remove physical and logistical barriers, making it easier for people with physical disabilities to engage in meaningful employment. The Disability Royal Commission has observed that:

“The COVID-19 pandemic has also highlighted the possibilities and opportunities for a more flexible approach to work, including remote work. This flexibility, along with improved technology, can minimise the impact of daily barriers for people with disability, such as the lack of accessible transport and buildings.”⁵

PDCN members have told us that remote work reduces exposure to inaccessible buildings, transport challenges, and commuting-related fatigue, enabling people with physical disabilities to manage health needs while maintaining productivity.

Importantly, the central focus for employers should be whether an employee can fulfil the essential duties of their role, not the reason they require flexibility. By allowing employees to work from home, individuals can manage pain, fatigue, and other disability-related needs without compromising performance. Normalising remote work for all employees, regardless of reason, disability, caregiving, or personal preference, also helps de-stigmatise flexible work, making it a standard workplace practice rather than a special concession.

Benefits for employers and productivity

Flexible work arrangements have demonstrated tangible benefits for both employees and employers. PDCN’s survey found that 25% of employees with disability remained in the same workplace for ten years or longer, indicating high loyalty when appropriate supports are provided. Remote work reduces commuting costs and logistical burdens, particularly for employees who require wheelchair taxis, support carers, or assistive devices.

Evidence suggests that flexible arrangements can also maintain or improve productivity. Gartner’s Digital Worker Experience Survey found that flexible hours and reduced commuting contribute to higher productivity outcomes⁶. Gallup research shows that flexible work drives engagement, which correlates with reduced absenteeism and increased profitability⁷. These findings underline that flexible work benefits both workforce participation and organisational performance.

Alignment with Australian and NSW policy and targets

Providing a right to work from home supports compliance with domestic and international disability rights frameworks, including reasonable adjustment obligations under Australian anti-discrimination laws and the 2006 UN Convention on the Rights of Persons with Disabilities.

It also aligns with key workforce participation targets, including Australia’s Disability Strategy 2021–2031, the APS Disability Employment Strategy 2020–25 (7% target for employees with disability),

⁵ <https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-%20Volume%207%2C%20Inclusive%20education%2C%20employment%20and%20housing%20-%20Part%20B.pdf>

⁶ <https://www.gartner.com/en/newsroom/press-releases/2021-04-26-gartner-survey-finds-1-in-5-workers-consider-themselves-digital-technology-experts-since-covid-19>

⁷ Gallup (2024) *State of the Global Workplace Report 2024*. Washington DC: Gallup. Available at: <https://www.gallup.com/file/workplace/349484/state-of-the-global-workplace-2022-download.pdf> (Accessed: 12 February 2026).

Inclusive Employment Australia programs, federal Disability Employment Services, and NSW Disability Inclusion Plans 2026–2029, including agency Disability Inclusion Action Plans (targeting 5.6% workforce representation by 2026).

Embedding a formal right to work from home strengthens the implementation of these commitments, providing a measurable step toward increasing employment participation for people with disabilities.