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Using Rule 26 to employ people with disability

Recruiting people with disability to non-executive roles using rule 26 of the Government Sector Employment (General) Rules 2014 (GSE Rules) gives some people a coordinated pathway to employment in the government sector.

What is rule 26?

Rule 26 allows government sector agencies to modify their recruitment and selection process to facilitate the employment of people from disadvantaged groups.

What agencies can use rule 26?

Both Public Service Agencies and Government sector agencies (as per Schedule 1 of the Government Sector Employment Act 2013) can use rule 26 to employ eligible persons. For Government sector (non-Public Service) agencies, please refer to that agency's specific legislation for their recruitment and selection process.

What roles or positions does rule 26 apply to?

Rule 26 applies to roles or positions at the non-executive level only.

Are people with disability eligible to be employed using rule 26?

People with disability are defined by the Public Service Commissioner as eligible persons by rule 26.

Who can make the employment decision?

The government sector agency head can employ a person with disability as an eligible person under rule 26. In most workplaces, this is delegated to the manager or director level.

Are there any requirements for employing people with disability using rule 26?

You need to be satisfied that the eligible person is suitable for the role and has the greatest merit out of all people seeking to be employed in the role.

What modifications can I make under rule 26?

You can modify the recruitment and selection process if you think it is needed to facilitate employment.

Modifications can generally be made to advertising requirements and assessment processes.

Before modifying an assessment process, consider if workplace adjustments can be made to allow people with disability to participate. [Read more about workplace adjustments online.](#)

Modifying advertising requirements

Modifying advertising requirements usually means that targeted advertising or no advertising is used. For example, to employ a person in ongoing employment or temporary employment you could:

- a) Engage a specialist Disability Employment Services (DES) provider to source candidates for jobs (e.g. through Job Active). Using a DES provider is a proactive way of attracting candidates with disability who have been supported to become 'job ready'. Providers also offer advice on promoting job vacancies, shortlisting candidates and interviewing people with disability.
- b) Advertise on a specialist disability employment job board to attract candidates with disability to your role. This is useful for a disability 'targeted role'.
- c) If you become aware of a person or people with disability who you think may be suitable for a role you are filling, you could invite them, as eligible persons, to participate in an assessment process.

Modifying assessments

Modifying assessment requirements may help to employ people with disability. Examples of modifying an assessment process include:

- reduce the number of assessments used in your recruitment and selection process. For example, limit assessments to an interview and a work sample exercise to assess candidates' suitability
- change the type(s) of assessments that are used for recruitment and selection
- remove the requirement for submitting an application and CV – a CV may be sufficient

- reduce the number of assessors or selection panel members.

Modifying bulk recruitment processes

Advertising helps to attract large fields of candidates including people from different diversity groups. This is beneficial for bulk recruitment processes where you have multiple roles to fill.

For a bulk recruitment process, you could advertise to attract a broad field of candidates.

You could then use a modified assessment process specifically for those candidates who have disclosed their disability. You should first ask candidates their preference for being part of the mainstream process or the modified process. The modified process would only compare eligible persons seeking to be employed.