

# GSE rule 26

## Public Service agencies employing people with disability using rule 26

Recruiting people with disability to non-executive roles using [rule 26](#) of the [Government Sector Employment \(General\) Rules 2014](#) enables 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?

Public Service agencies can use rule 26 to employ eligible persons. These are the departments and executive agencies related to departments and separate agencies listed in [Schedule 1](#) of the *Government Sector Employment Act 2013*.

### 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 our [workplace adjustments guide for managers](#).

### Modifying advertising requirements

Modifying advertising requirements usually means that targeted advertising or no advertising is used. For example, to employ a person in ongoing or temporary employment over 12 months you could:

1. 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.
2. Advertise on a specialist disability employment job board to attract candidates with disability to your role. This is useful for a disability 'targeted role'.
3. 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 to participate in an assessment process.

### Modifying assessments

Modifying requirements for comparative or suitability assessments may help employ people with disability.

A requirement for making modifications is that at least one capability-based assessment is used to assess the capabilities of the person against the pre-established standards for the role.

Examples of modifying an assessment process include:

- reduce the number of capability-based assessments
- remove the requirement for an application
- use one or two assessors instead of three or more.

### Modifying bulk recruitment processes

Using external 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 use external advertising to attract a broad field of candidates.

You could then use a modified assessment process specifically for 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.

### What kind of employment decisions can use rule 26?

Rule 26 allows you to recruit people with disability in temporary and ongoing employment. If you use rule 26 to recruit someone to a temporary role you may be able to convert them to an ongoing role later.

The following table outlines the advertising and assessment requirements for each kind of employment:

GSE rule	Kind of employment	Advertising requirement	Assessment requirement
<a href="#">20</a>	Ongoing employment	External advertising	Comparative assessment
<a href="#">21</a>	Temporary employment (up to 12 months)	No requirement	Suitability assessment or comparative assessment
<a href="#">22</a>	Temporary employment (12 months – 4 years)	Advertising across the Public Service	Comparative assessment

### How can I find out more information?

For more detailed information about applying rule 26, you can read the [rule 26 guidance](#) (PDF). You can also contact your workplace HR or diversity area.