**Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability**

# Submission No 342

**Name** Withheld

**Submission made by**

Australian with disability in work

# Submission regarding Older Australians / Australians with Disability / Both

I am a woman in my 20s and until a few months ago was working for a large **[industry redacted]** company in Sydney.

I have Crohn’s disease which is fairly well managed and in the previous year had required 9 days sick leave from work for Crohn’s-related illness.

I had a great manager **[name redacted]** who had accommodated my disease by allowing me to work from home and was very understanding of the doctors’ appointments and sick days. She understood the role stress plays in creating my flares and worked with me to minimise stress by being as flexible as possible.

The role was perfect for me as there was no commute involved and I had a very understanding manager. Also, I loved the work and felt I was developing my career well. I had great reviews, all feedback was positive and constructive.

Then my manager went on maternity leave and was replaced with another woman. The bullying started almost immediately. She micromanaged my work and said things to me like ‘I watch you and you just flick around between screens and don’t do anything’, ‘you’re too young for this job’, ‘you’re too sick for this job’. These types of things were said to me often and in particular over the phone when I was on sick leave (with medical certificate) for a flare up caused by the stress she was creating in my workplace. Other team members also found her unpleasant and hard to work under, but she particularly bullied me regarding my sickness. It was clear she had specific issue with me - she would hardly come near me and if I spoke she often would talk over me, roll her eyes or sigh at me.

One instance of this was her saying she didn’t believe the medical certificate and demanding to speak to my doctor about it (after I had taken 4 days off with a flare). I was very uncomfortable with her doing this as I had no trust in her at all. I didn’t know whether she was really allowed to do this either. I spoke to HR about it but they didn’t seem too bothered and tried to organise a meeting between my doctor, the manager and HR without me in the room. My doctor told me he wouldn’t be happy doing that without me in the room.

Another instance was when I was off work with a flare for 8 days, the only reason why I was in this flare was from the stress from being bullied (All these days had medical certificate). It was at a time when there was a report due, which I was responsible for but couldn’t do in my state. The manager was capable of doing that in my place if it was necessary and she was already taking a lot of work from me anyway. On the 7th day off she called me and said I had to come into work. When I said I couldn’t come into work as I was too sick she started abusing me, saying I was ‘too young/sick for the job’ and ‘**[the previous manager]**,  helped you too much and I won't be' and other things like that. I felt harassed by her.

After advice from a friend who is a lawyer, I kept a log of all the occasions when I felt I was being harassed and I showed it to HR. HR said they had looked at it and none of the occasions warranted any further action, that they were not harassment.

Eventually I couldn’t handle it anymore and felt my health was worth more than the job so I resigned. I was lucky as I had a three month notice period and I was sent home for two months on gardening leave as a man from the HR team was suddenly concerned by how stressed I was. Though they didn't want to support me during this stress while I was employed by the company, also by doing this they admitted they knew I was under stress and decided to do nothing.

When I was put on gardening leave I was told I would not be receiving my holiday leave that I had accrued while with the company as I was told in a letter that I was to give them up as I was going on gardening leave even though they knew I didn't want to leave. I ended up emailing them reiterating that I didn't want to leave the company and otherwise I would be speaking to fair work. Within an hour of sending that email, I had a response saying I was getting my holiday leave. It was as if they wanted to get away with not paying for my holiday leave, but I didn't want to loose my holidays that I worked very hard to earn.

I’m still recovering physically from the time I was working under this manager, who is still there and no action has been taken against her. I was very angry about this but now my focus is making sure this doesn't happen to someone else. I loved that job and the company and it is not fair that I had to leave when she and the company is at fault. I was good at my job and it was somewhere I wanted to be for a lot longer.

Bullying in the workplace is real due to discrimination and often people don't have the financial means as I had (Three month notice period). So they stay in these jobs while being bullied and harassed. That in itself is stressful for any healthy person, but imagine what stress and health effects that would have on someone who already has a disease. This person who already throws up every morning before work, but still shows up and always worked hard or even on days when they loose hair due to a medication that keeps them out of flares. Having a disease is already hard and you already want to be normal and to have someone single you out to make you feel little, is devastating.