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Submission on the Issues Paper: Employment discrimination against Australians with Disability

The Illawarra Forum is the peak body working for community services and organisations in the Illawarra and the Shoalhaven. We support community organisations, promote expertise and innovation in community development, foster industry development and advocate for social justice.

For more than twenty years, the Illawarra Forum has taken a leadership role in the local community services sector, which is a major employment sector in the region, and currently consists of more than 300 organisations in the Illawarra and Shoalhaven areas of New South Wales.

The Illawarra Forum works closely with numerous organisations which provide support to vulnerable people across the region including:

- People with disability
- Home and community care services
- Community health services, including mental health and drug/alcohol services
- Individuals and families with multiple layers of social and financial disadvantage
- Victims of domestic violence and sexual assault
- Youth work programs
- Social housing and homelessness services
- Community legal centre services
- Community development and community capacity building programs

The Illawarra Forum welcomes the opportunity to comment on the Issues Paper.



Policies, workplace practices, programs and incentives to assist with increasing participation of older people

Government

The Illawarra Forum believes that legislation is key to combatting discrimination. While it might take some time to change peoples' misconceptions of people with disability in the workforce, legislation changes action which in turn changes attitude.

Several studies have documented important gains in racial and gender equality as a direct result of affirmative action (Bowen & Bok, 1998; Murrell & Jones, 1996) which indicates that there could be similar results for people with disability

There are various supports¹ for businesses if they employ a person with a disability but a lot of businesses may not know about them. There needs to be more awareness around the types of supports available and how businesses might access them.

The Illawarra Forum encourages government to address the ancillary barriers for people with disability accessing employment. There needs to be acknowledgement regarding transport issues for people with disability to travel to and from work and a commitment to raising the levels of educational attainment of people with disability which is lower than people with no disability²

Recommendations for Government:

- **Promote anti-discrimination legislation and an affirmative action campaign for people with disability in employment**

¹ [Disabled Australian Apprentice Wage Support](#) is an incentive paid to employers who employ an eligible Australian Apprentice with disability. [Job Access](#) can help you with free, confidential advice about employing people with disability and the types of financial help that are available to employers. [Wage Subsidy Scheme](#) pays subsidies to employers to help them with wages and training costs in the first few months of employing a person with a disability. [CRS Australia](#) helps employers find staff with disability and manage injuries in the workplace.

² People who have a disability or long-term health condition are more likely than those without such conditions to have lower levels of educational attainment and participation. Among 20-24 year olds, 75% of people with a disability or long-term health condition had attained Year 12 or were studying towards a qualification at or above Certificate III compared with 87% of people with no disability. In other words, people with a disability were almost twice as likely as people without a disability to finish education prior to Year 12. A similar pattern was observed for people aged 25-64 years. - *Perspectives on Education and Training: Social Inclusion, 2009, ABS*



- **Create awareness of the ancillary barriers to employment of people with disability such as transport, educational attainment etc. and lobby government departments to take a more collaborative approach to addressing these barriers**
- **Run an awareness campaign to address misconceptions about people with disability's ability to participate successfully in employment**
- **Raise awareness around the various supports for businesses if they employ a person with disability³**
- **Continue to support and promote supported employment for people with disability**
- **Ensure all government departments have clear social procurement policies which encourage them to purchase from Australian Disability Enterprises**
- **Ensure the some of the recently announced funding for Innovation targets people with disability to start small businesses. This option can provide an alternative to formal employment for people with disability In order for this to succeed, ensure initial and ongoing support for marketing skills, access to credit etc.**
- **Lead by example – set targets and employ more people with disability. Employment rates of people with disability in the public sector are low – only 3.1% compared with 8.8 in the broader Australian workforce⁴**

Peak Business and Employee Groups

The Illawarra Forum promotes the idea that Peak Business and Employee Groups collaborate and work together to promote more flexible work environments. This could include working from home arrangements, creating sensory sensitive work environments and flexible start and finish times.

The Illawarra Forum believes that Peak Business and Employee Groups should also look at setting targets and quotas in businesses and organisations depending on size, type etc. This could offer challenges for some industries and sectors in terms of skills and experience, but the Illawarra Forum encourages Business and Employee Groups to collaborate on developing partnerships with local employment agencies, educational institutions, skill

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⁴ Willing to Work Issues Paper: Employment discrimination against Australians with disability



training programmes, and social enterprises to build a skilled workforce that includes people with disability.

- **Collaborate on setting fair and realistic targets in terms of employing people with disability. Considerations should be given to the type and size of a businesses**
- **Change work place culture, especially in specific industries, around flexible work environments. Look to the National Employment Standards Best Practice Guide⁵ to start a discussion around possible flexible work arrangements**
- **Work together on developing partnerships with local employment agencies, educational institutions, skill training programmes, and social enterprises to build a skilled workforce that includes people with disability**

Distinct challenges faced by different sized businesses and organisations, sectors and industries in employing people with disability

Different sectors and industries face challenges employing people with disability because traditionally the work place was inflexible. For example if a person is at the coalface of a service or working on a factory floor, their tasks cannot be completed in a home environment, or outside of certain hours.

Smaller organisations may have lack of knowledge and experience in employing people with disability and may lack awareness of the support and financial resources available in doing so. They generally do not have a HR department to assist in the development or implementation of recruitment and employment policies so are often dependent on the skills and experience of one person.

Some businesses may feel that the physical environment might be a barrier to employing someone with a disability and may not be aware of funding available for modifications or it may be difficult or impossible to adjust.

Recommendations

- **Assess if business can be done in a different way in the sectors and industries that face challenges employing people with disability e.g. can phones be diverted to a home office? Can the hours of service be changed? This might suit both customers and workers**

⁵ [The-right-to-request-flexible-working-arrangements-best-practice-guide.pdf](#)



- **Specifically target small to medium businesses in terms of creating awareness of supports for businesses if they employ a person with disability**
- **Create awareness about the Workplace Modifications Scheme⁶ which provides reimbursement to employers of the cost for workplace modifications and equipment for jobseekers with disability, to assist in the enhancement or retention of their employment.**

Lessons and leading practices to address employment discrimination and increase workforce participation of Australians with disability?

The Illawarra Forum highlights the following practices from other countries from which Australia can learn to develop access strategies people with disability in the workplace.

Recommendations:

- **Develop a disability inclusion assessment tool as developed by the US Chamber of Commerce to ensure the inclusion of people with disability in the workplace⁷. It covers recruitment, employment, social procurement, accessible IT, marketing etc.**
- **Government set quotas for businesses to employ people with disability as with quotas for women in Germany⁸ and people disadvantaged by Apartheid in South Africa⁹**
- **Ensure businesses portray people with disability positively in recruitment drives and marketing and materials are made available in alternative formats**
- **Ensure that diversity training is promoted, resourced and funded adequately in work places and that people with disability are a named group in the training**

⁶ <http://www.dwa.org.au/employerincentives.htm>

⁷ Leading Practices on Disability Inclusion -

https://www.uschamber.com/sites/default/files/legacy/reports/Disability_final_v2.pdf

⁸ <http://www.loc.gov/law/foreign-news/article/germany-gender-quotas-for-large-companies-and-for-federal-bodies/>

⁹ ***Black Economic Empowerment (BEE)** is a racially selective programme launched by the [South African government](#) to redress the inequalities of [Apartheid](#) by giving certain previously disadvantaged groups (Blacks, Coloureds, Indians, and [Chinese who arrived before 1994](#))^[1] of South African citizens economic privileges previously not available to them. Although race is the overriding factor, it includes measures such as [Employment Preference](#), skills development, ownership, management, socioeconomic development, and preferential procurement. - Wikipedia*



Distinct challenges faced by certain groups of Australians with disability (e.g. women, Aboriginal and Torres Strait Islander peoples, people from culturally and linguistically diverse backgrounds or LGBTI people) in relation to employment discrimination

The Illawarra Forum would like to reiterate the multiple barriers faced by people with disability in the special needs groups. We would urge that in all areas of this Inquiry there is continued recognition of these barriers and a concerted to address them in future steps.

Recommendations:

- **Ensure people with disability who come from special need groups are portrayed positively in mainstream media**
- **Ensure organisations are able to get information and support in how to best portray them in recruitment drives and marketing**
- **Promote, resource and fund diversity training in work places and that ensure that people with disability from special needs group are recognised in the training**

Thank you for the opportunity to comment on the issues paper. For further information about this submission, please contact nicky@illawarraforum.org.au or 02 4256 4333

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