



**Response to the Commonwealth Government Department
of Education, Employment and Workplace Relations**

**Improving the Employment Participation of People with
Disability in Australia**

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Prepared by the Physical Disability Council of NSW

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QUESTIONS OF INTEREST – DISCUSSION POINTS

1.1: What are the main barriers faced by people with disability in employment?

2.1: What are the practical and workable approaches to make a real improvement to employment outcomes and workplace equality for people with disability? How would they work?

2.2: Would introducing disability employment disclosure arrangements improve the employment of people with disability? What are the likely benefits of such arrangements?

Should they be voluntary or mandatory?

2.3: What are the key risks that would need to be addressed?

2.4: How are disclosure issues best resolved? What would better practice look like?

2.5: How are disclosure and privacy issues best addressed?

2.6: What are the barriers to a person disclosing that they have a disability to their employer?

EXECUTIVE SUMMARY

The Physical Disability Council of NSW (PDCN) appreciates the opportunity to provide feedback to the Department of Education, Employment and Workplace Relations Discussion Paper – Improving the Employment Participation of People with Disability in Australia., due on Friday 18 February 2013.

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

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 (ie self advocate).
- To educate and inform stakeholders (ie about the needs of people with a physical disability) so they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

Discussion Point:

1.1: What are the main barriers faced by people with disability in employment?

The importance of education to all children is reinforced legally by having it as an offence not to send a child to school, as in section 23 of the *NSW Education Act (1990)*.¹ Without experiencing the normal social interactions at school, psychosocial development may be hindered, inhibiting self- growth.

The National Disability Strategy highlights education as a key pillar in moving towards a more inclusive and productive Australian culture. ² Higher levels of educational attainment are linked to better employment, financial and health outcomes. Acknowledging the important links between education and other key indicators such as employment and adulthood, the Council of Australian Governments agreed on the following universal commitments for all children:

- Improve Year 12 or equivalent attainment up to 90% by 2015

¹ NSW Parliament (1990) Education Act

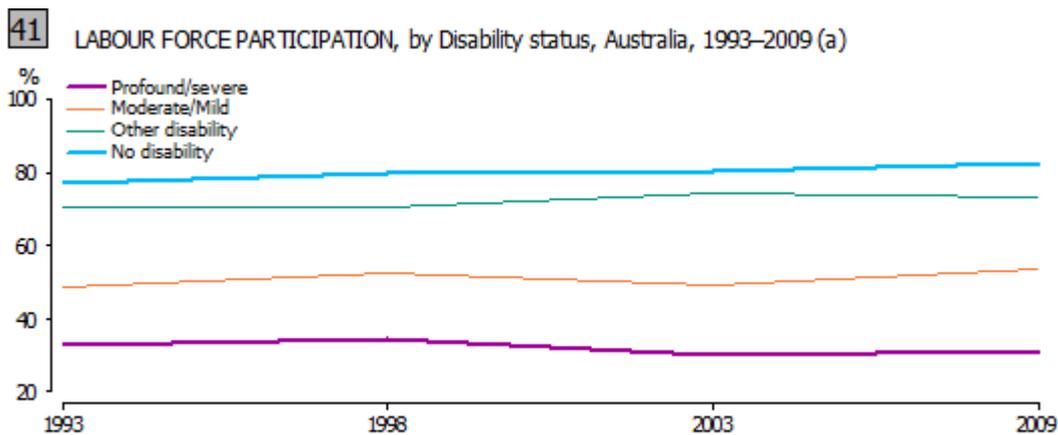
² Australian Government Department of Family Housing, Community Services and Indigenous Affairs (2010-2020) National Disability Strategy

- Double the number of higher education completions by 2020. ³

With inclusive educational practices there have been an increasing number of students attending regular schooling. Over the past thirty years there have been a significant number of children with a disability, starting regular schooling. PDCN believes that with a more inclusive education system will provide children with the necessary skills to enhance the effectiveness of person centred service planning and self- directed funding.

Increased attendance in secondary schooling have not necessarily increased participation for students with physical disability completing Year 12, attaining the HSC or completing a degree or diploma. Data from the Australian Bureau of Statistics (ABS) identifies that nearly half of all students without a disability complete the HSC, but only 30% of students with a physical disability complete the HSC, and 20% of students without a disability complete a degree or bachelor course, as opposed to 13% of students with a physical disability. ⁴

Data indicates there has been little progress in relation to improving the labour force outcomes for people with disabilities over the years from 1993 to 2009. The graph below shows that labour force participation rates have remained stagnant for all people with disabilities regardless of severity over the past twenty years.



(a) Persons aged 15–64 years and living in households.

Source: ABS Survey of Disability, Ageing and Carers, 1993, 1998, 2003, 2009 (cat. no. 4430.0)

5

The following obstacles may face a person with disability considering employment:

- Inadequate information and advice about how to gain employment and obtain ongoing support
- Excessive transport costs
- Inaccessible work places
- Inflexible working environment
- More limited opportunities for people with disabilities ⁶

³Pricewaterhouse Coopers (2011) Disability Expectations; Investing in a Better Life, a Stronger Australia

⁴Pricewaterhouse Coopers (2011) Disability Expectations; Investing in a Better Life, a Stronger Australia

⁵ Australian Bureau of Statistics 4446.0 Disability, Australia 2009

⁶ Australian Human Rights Commission (2006) National inquiry into Employment and Disability

For a person with a disability, information and advice that identifies how expenses associated with having a disability will impact on earnings can be difficult to locate as a number of different entitlements and concessions are available through different State and Commonwealth departments and programs. For a person with physical disability no longer receiving the pension but a wage, he or she will no longer be entitled to concessions on the following household costs;

- Travel expenses to the worksite with unsubsidised taxi travel as often the only option
- Full fare charges for personal care
- Costs of equipment, most commonly for mobility aids and incontinence supplies
- Pharmaceutical costs and
- Household modifications.

Often the worksite and the surrounds are not accessible creating additional barriers for employees with physical disability. If work site adjustments and adaptations to equipment located at the work site are unsatisfactory, this will impact on the employability of employees with a disability. Employers unwilling to modify work hours or who have rigid work structures that are unwilling to modify work duties may also present as obstacles to employees seeking employment.

Research conducted by PDCN into employment participation identified the most pressing concerns of people with disability as being;

1. Lack of access to the worksite and surrounds
2. Cost of travel and its impact on earnings
3. Availability of attendant care at the worksite
4. Potential loss of pensioner benefits once employed.⁷

Lack of access to the worksite, the worksite surrounds and/or to equipment located at the worksite all impact on the potential employability of people with physical disability. PDCN believes the Access to Premise standards would have been more effective at facilitating employment participation of people with physical disability had there not been a concession granted to lessees with a greater to provide access from the entrance through to the worksite, rather than just providing access to the immediate work area. PDCN understands that the effectiveness of the lessee concession in clauses 4.73- 4.75 of the Inquiry into the draft Disability (Access to Premises- Buildings) Standard which will be reviewed in 2016 with the possibility of amending this concession.⁸

Until public transport is completely accessible, people living in NSW with a physical disability will often need to rely on taxi travel to get to and from their place of employment, and subsequently need to spend a large amount of their wage on unsubsidised taxi fares. The significance of these needs to be highlighted as a large percentage of people with disabilities are employed in either lowly paid employment and/or in part- time employment. Data from

⁷ Survey Monkey - Participation in Employment <http://www.surveymonkey.net/MySurveys.aspx>

⁸ Parliament of Australia – House of Representatives (2009) House Standing Committee on Legal and Constitutional Affairs – Draft Disability (Access to Premises- Buildings) Standards

the ABS indicates that the median gross personal income per week for people aged 15 to 64 with reported disabilities was \$306, compared to \$614 for those with no reported disabilities.

In a survey recently conducted aimed at identifying the amount disproportionately paid on taxi transport costs, the findings identify the urgent need for either the Commonwealth and/ or State Governments to consider either of the following provisions for taxi travel for people with disability who are seeking employment:

1. A tax deduction, or
2. NDIS payment or
3. Increase in the TTSS subsidy

Findings of this survey identified that for 'people receiving the Disability Support Pension, almost half of recipients (47.5%) spent between 11 and 30% of their income on taxis. This percentage was slightly higher for recipients in part-time employment (50%) and slightly lower for those in full-time employment. (36.7%).'⁹

Discussion Points:

2.1: What are the practical and workable approaches to make a real improvement to employment outcomes and workplace equality for people with disability? How would they work?

2.2: Would introducing disability employment disclosure arrangements improve the employment of people with disability? What are the likely benefits of such arrangements? Should they be voluntary or mandatory?

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⁹ Consortium of Organisations including Social Development Council, NCOSS, Spinal Cord Injury Australia and the Physical Disability Council of NSW (2013) Briefing Paper – Taxi Transport Subsidy Scheme

PDCN acknowledges the views of Pricewaterhouse Coopers by saying;

'To promote social participation and minimise the impact of disability, Australian governments and the community need to work together to systematically facilitate access to these mainstream services for all people. In other words, **inclusion**.'¹⁰

The Department of Education, Employment and Workplace Relations (DEEWR) Discussion Paper: 'Improving the employment participation of people with disability in Australia', the following three suggestions have been identified to increase the number of people with disability in employment:

- Promotion and Support
- Disability employment reporting
- Quotas and Targets¹¹

PDCN favours government programs that promote a culture of diversity, rather more structured programs such as quotas and targets (either mandatory or voluntary) or disability employment reporting. Whilst it is acknowledged that government departments need accurate data to identify progress in social reforms, the discussion paper highlights concerns with the application of quotas and targets in an Australian setting, and problems with the accuracy and reliability of relying on employees volunteering personal information such as having a disability or not.

Programs that facilitate promotion and support, appreciate diversity within the Australian community. It has become common practice that both public and private enterprises recognise the value of employing a diverse selection of employees as one way of enhancing customer service. Programs that recognise diversity allow for individual differences and acknowledge that not all employees necessarily perform their best in a structured rigid work environment. Programs that promote diversity and facilitate the employment of people with disability may employ strategies that modify work conditions or redesign the job duties.

Data to measure social reform could be accessed through Centrelink, reports on government services through the Productivity Commission and information obtained by the Australian Bureau of Statistics. Government departments need to start including data on the needs of people with disability into mainstream surveys to ensure greater representation. These measures would reinforce a culture of inclusion.

PDCN is not in favour of mandatory notification where it is essential for all employees to disclose personal information, such as having a disability or not, as employers need to respect an individuals' right to privacy and confidentiality. Disclosing personal information particularly when the employee has only just been employed just adds a further strain to anyone just starting a new job.

¹⁰ Pricewaterhouse Coopers (2011) Disability Expectations; Investing in a Better Life, a Stronger Australia

¹¹ Australian Government- Department of Education, Employment and Workplace Relations (2012) Improving the employment participation of people with disability in Australia