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

# Submission No 303

**Name** Jobs Australia

**Submission made by**  
 Organisation

# Organisation or Government Agency Submission

### **About you**

**What is your role within your organisation?**

Owner

Manager

Human Resources Manager

Other

Jobs Australia is the national peak body for non-profit organisations that assist unemployed people to prepare for and find employment, including through the Commonwealth funded programs Disability Employment Services and jobactive.

**Are there any practices, attitudes or laws which discourage or prevent equal participation in employment of older Australians/Australians with disability?**

Yes

No

Not sure

**Please tell us more**

Recruitment

Recruitment practices may indirectly discriminate against people with a particular disability. Examples include online recruitment processes that are not accessible to people with visual impairment. In larger companies, recruitment processes may also be centralised and not support local management decisions to employ a person with a disability, often with support from their local Disability Employment Service (DES) provider.

Income Support System

Australia’s system of income supports, and the processes for determining eligibility, may discourage participation in employment for some people with disability. To qualify for the Disability Support Pension (DSP), people are required to demonstrate that they are not capable of working at least 15 hours each week. Compared to Newstart, DSP is a far more attractive option. It is paid at a higher rate and involves no participation requirements in most cases. Unemployed people with disability have an incentive to get on the DSP and stay on it, rather than Newstart. Some people on the DSP feel discouraged from participating in employment for fear that they may be eventually forced to live on the lower Newstart payment.

Overall, the deficits-based approach to eligibility and the more generous rate and concessions for DSP recipients, creates a perverse incentive for people to demonstrate a lower level of work capacity to be and remain eligible.

Eligibility for DES

People with the most severe disability have the highest rate of unemployment, but are least likely to get assistance. Under current arrangements, people with an assessed work capacity of 0-7 hours per week are not eligible for DES. Instead, all people who have disability as their main barrier to employment should be eligible for specialist disability employment services.

This situation is changing with the progressive rollout of the NDIS, as employment services support is an option for participants in the scheme. Access to existing disability employment services for people with lower levels of work capacity is also likely to be strengthened under the proposed new Framework for disability employment, which is seeking to apply the NDIS principles of choice and control in the employment services context. There are some complications with this approach, but if they can be negotiated then the new framework should see services evolve in a way that better meet the needs of participants, including those assessed as have 0-7 hours’ work capacity. Jobs Australia has proposed an alternative to the proposed model in the recent Disability Employment Discussion Paper, which accompanies this submission.

Other limitations on eligibility for DES include limited access to support for young people while still at school, and inflexible arrangements to access support in the workplace through Job in Jeopardy services.

Distinction between Supported and Open Employment Programmes

The current distinction between supported and open employment programmes can work for and against the choices and interests of people with disabilities.

Current DES guidelines do not recognise employment in supported employment or in “enclaves” of people with disabilities as an employment outcome. They are based on a view that people with disabilities should be supported to work in open employment, and that supported employment settings should only be a pathway towards open employment, not a destination. This means that people in DES are may have new opportunities, but also may be discouraged from employment in certain settings, which may limit their employment opportunities.

Currently Australian Disability Enterprises are funded to provide over 20,000 supported employment places, but the cap on funding limits opportunities. As ADEs continue to transition to the NDIS, participants in the scheme will be able to purchase a transportable ongoing support service, providing new employment opportunities in both “supported” and “open” settings. Blurring the distinction between supported and open employment, this development would be expected to be extended for all people in disability employment services through the implementation of the new Disability Employment Framework from 2018.

Of critical importance will be adequacy of funding, to support the creation of sustainable employment opportunities through ongoing support.

**What should be done to enhance workforce participation of older Australians/Australians with disability?**

Removing restriction on eligibility for employment services due to assessments of low work capacity would help to enhance workforce participation. Instead we need a strengths-based approach, allowing focus on career goals and aspirations, while taking into account work capacity and local labour market conditions. It should be noted that Department is considering how eligibility for employment services could be expanded in its consultations around a new Disability Employment Framework.

The proposed Framework includes an emphasis on the NDIS principles of choice and control through individualised funding. Though we have some issues with the particular proposals in the recent Discussion Paper on the Framework, Jobs Australia supports approaches that offer greater individual choice and control. We believe greater choice can empower individuals and tap into their intrinsic motivations to find a job. It may increase the appeal of participating in employment services and lift the rate of employment for those who do participate.

**What outcomes or recommendations would you like to see from this National Inquiry?**

An income support system that better rewards participation, in combination with workplaces that are more supportive and accommodating of the needs and capabilities of people with disability.

Broaden eligibility for disability employment services, particularly for those who have disability as their main barrier to employment.

Support awareness and confidence for people with disabilities and employers to make use of the services available through DES, JobAccess and the National Disability Recruitment Coordinator.

All levels of Government, particularly the Commonwealth, should lead by example and commit to achieving targets for employing people with disabilities in the public sector.

Establish a Centre for Excellence in Employing People with Disability, which shares information about successful interventions and the conditions needed to implement them.

An expanded business consultancy service that helps employers to identify employment opportunities for people with disabilities that would boost the productivity and profitability of their services.