

Hi

With reference to the application by - The Department of Families, Housing, Communities and Indigenous Affairs (FaHCSIA) to exempt all existing Australian Disability Enterprises (ADEs) from sections 15 and 24 of the DDA and the Commonwealth from section 29 of the DDA.

(found at <https://www.humanrights.gov.au/department-families-housing-communities-and-indigenous-affairs-fahcsia>)

I have been asked by a friend to make a submission, and without having much time to put into it – here it is.

Initially, when I saw the invitation – I thought – “nothing to do with me ... leave it be” ... but then I thought No –

- This is a FAIR AUSTRALIA (according to our national anthem)
- WE are ALL PEOPLE and
- WE are ALL entitled to a FAIR DAYS PAY for a FAIR DAYS WORK.

Even so -

Some of us are lazy and we still get paid.

Some of us contribute to society and the construction of systems and services and the provision of goods that are essential for daily living.

Some of us don't

Some of us can't

Some of us get paid subsidies because – without government subsidies – the businesses we run would simply not exist – or be viable.

That applies to MOST people in Australian industry today.

Ok – so how should we pay ALL people today.

The fact is we pay people – for being at work – and some we even pay to travel – from job to job –

No productive output at those times - I am afraid – only more green house gases – but we still pay them – by the hour.

Why ?

I would argue that the same rules should apply for people of all abilities.

Minimum wage should be minimum for all, unless you are doing piece work, contract work, or consultancy. In which case you can work harder or less – for a fee that you can negotiate. Piece work sucks – unless you have cornered a market, are making widgets that people just can resist buying, and no one else but you can make and deliver them more cheaply into the market than only you have access to ... A rare situation indeed.

Contract work – OK – you get that based on merit – skill – and efficiency. You get the job because only you, or a few people like you can do the job – at the cheapest price or best quality, timing or all three – best possible value.

Consultancy – basically charity again – we pay experts to tell us in a few words what we probably already knew – but were too distracted or too dumb to organise the information for ourselves. No – seriously – there is a place for consultants.

Back to paying people to simply turn up for work each day – whether or not the work they do is effective or profitable – what should we do – what do we do?

Well – I can say – in Australia - we choose to subsidise certain industries – because we value the fact that they exist and “employ” people. It keeps them “off the street”.

Not only that – it keeps them ready and available for when we do need them to provide specific outputs to maintain the things we need to live happily and at peace. The defence force is a good example of this. Not profitable – but necessary. Inefficient – yes – but getting better. Worthwhile – OK - some would argue no – but most people would agree and argue yes. Spend the money but spend it wisely.

So I would argue that same goes for people who don't have the ability to get through university and apply for a job in a manufacturing or mining facility... did I really say that ?

The fact is we need people to do all sorts of things – and what everyone needs is, at least, a basic wage to enable them to live, happy and secure.

Some would argue that “social security” the pension covers that need for those who cant get or hold down a “regular job”.

I would argue that there should be no special exemptions from the salary – just because a person has a disability – but – if they have a job – with real money – then for sure – the pension becomes redundant. The trick would be to make sure that “a fair days pay for a fair days work” remains more attractive than the pension on its own – and that moving from one to the other – in full or in part – is seamless (especially for those with limitations) - that is - easy and almost automatic – but with the latter – paid work always remaining more attractive – because of the financial and other benefits.

If I or my son was given the choice – live – on the pension – or go to work two days a week – to pick up sticks – or wash walls – or something else that in most people eyes is non-productive and non profitable – and the offer is to get paid more – AND enjoy the social and intellectual benefits of working with other people who are trained to support both me and the people around me – then what do you think I or my son would choose? To work - of course.

Now the question becomes – who pays?

The fact is that YOU PAY. Every Australian - including the people reading this submission – are paying – NOW – for thousands of people – employed – both casually and full time – professionals and with those with no real formal qualifications – in the so called – “profitable industries” – including mining, agricultural, education, healthcare and automotive. We all get subsidies – at some level and to some degree.

Therefore I would argue that with computer based transparency applied (as it is to other industries) to the so called Australian Disability Enterprises (ADEs) then they should pay at least the minimum wage –

BUT ...

...because of their recognizable inability to make a profit from the products they produce and the services they provide – and their equally recognisable benefit to society (and not just their employees) – they should – like the automotive and many other industries – receive subsidies that enable them to run efficiently, and effectively, providing goods and services, without the fear of imminent closure and cutbacks or short term funding.

As an aside - I am actually appalled by all too frequent news of ADEs reporting cash flow problems arising from DHS failure to make payments on time – not 7 or 14 days – but still not paying invoices for large accounts (of the order of \$50K and more) – within 90 days. How can anyone run a business on such flaky terms? Lets not penalise them or the people they support. Let's start paying the ADEs what they need to do their work well and remain profitable.

Now – of course – some will say – but what about the graft and inefficiencies – well I have an easy answer for that and that is –

transparency and good and effective management –

It is worth paying the big bucks for the benefits that good managers would provide by having them working for the ADEs. Sure they can get paid big bucks – as long as they can work alongside those of us who get paid a pittance for doing all the “leg work”. I would not begrudge a good manager good pay – that is - for higher responsibility and output.

Having said that I do not accept that just because a company is declared to be an ADE that it can get away with being inefficient and secretive in the way it operates. To make what i have suggested work – there has to be transparency – just as there is in other industries – proof that the money being provided as subsidies (used to enable the “reasonable adjustments” – including topped up salaries for base level workers – minimum or better wage – whether you achieve base output or not) is being used as it should – and good management – highly skilled – highly productive - and paid appropriately.

If I or my son should fall into that latter category – able and willing to work hard and do and achieve more – then so be it – we should be paid more – and of course we would then be doing it – without the need for subsidy – because our business an the benefits it brings to society and the financial rewards that would bring back to the company – would probably take care of itself. Even then, if the business still needed subsidies, and those subsidies were used to, directly or indirectly, to pay the salaries of its high flying executives – it would be no different to thousands of other so called “profitable” businesses around Australia – where such moneys amount to millions of dollars a month – but – where such moneys are also accounted for - cent by cent - and audited regularly - by various government agencies (who by the way - are also paid very well – by us - but without the same level of scrutiny).

I have probably said too much.

In summary – “fair work – fair pay” – and where a disability exists that inhibits ability to do as much as we would want to the - we as a society have agreed to make “reasonable adjustments”

Lets not give up on that right or that fair and reasonable principle – established in law – for good reason – and for the good of all.

Please – if you find my comments to be inappropriate for your target audience, disparaging, or even unhelpful to your work, then please do not publish them. I would however appreciate some feedback from you as to the relevance and value of this submission. I look forward to hearing of a positive outcome that benefits and is fair to all Australians.

Thank you for the opportunity to provide feedback and I wish you well.

regards

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