

The logo for Self Help Workplace features the words "Self Help" in a large, bold, black sans-serif font, with "Workplace" in a smaller, regular weight of the same font below it. To the left of the text are three horizontal, slightly curved bars in a golden-yellow color, stacked vertically.

# Self Help Workplace

28 October 2013

Legal Section  
Australian Human Rights Commission  
GPO Box 5218  
Sydney NSW 2001

By email: [legal@humanrights.gov.au](mailto:legal@humanrights.gov.au)

Dear Sir/Madam,

**Re: BSWAT- Application for exemption under the Disability Discrimination Act 1992**

The purpose of this letter is to support FaCHSIA's application for an exemption for all Australian Disability Enterprises (ADEs) from sections 15 and 24 of the Disability Discrimination Act and from section 29 to permit ADEs to continue to assess and pay wages to workers using the Business Services Wage Assessment Tool (BSWAT).

Self Help Workshop (trading as Self Help Workplace and Encore Clothing) is an Australian Disability Enterprise employing 52 adults with a disability at our manufacturing operations in Youngtown (a suburb of Launceston in northern Tasmania). Our enterprise has used the BSWAT tool to assess our supported employees' wages since its inception.

Self Help Workplace has been providing supported employment for 50 years. Our current operations encompass the following commercial activities:

- Production – manufacture of a range of wood products including pallets, survey pegs, garden stakes, produce boxes, customised packaging and docking
- Business Services – mail outs, print finishing, data entry, component assembly, and cleaning cloths
- Launceston's premier second hand clothing outlet (Encore Clothing)
- Conference facility and corporate catering

Self Help Workplace draws its income from the following sources: sale of commercial goods and services (55%), funding from the Commonwealth Government (35%), other (10%).

However, Self Help Workplace is much more than just a place of work. Over the years, Self Help Workplace has implemented a number of initiatives to support our employees to enjoy happy and independent lives outside of work. These activities include the book club, accredited training in transport and warehousing, cooking training, maintenance of a kitchen garden, education on personal and work hygiene and retirement preparation. All of these activities fall under the banner of our Life Skills Program.

The program is overseen by a Life Skills Coordinator who works with the employees to support them to learn these skills. Employees are encouraged to become involved in the program and discussions are held regularly with them as part of the annual development of an Individual Employment Plan.



## **Disability Service Standards**

Each year, Self Help Workplace is subject to an independent audit against the Disability Service Standards. The next scheduled audit will take place in February 2014. Standard 9 requires an ADE to "ensure that a pro-rata wage based on the applicable special SFWM, APCD, award, order or industrial agreement is paid [and that] this pro-rata wage must be determined through a transparent assessment tool or process". However, since the Commonwealth's suspension of the BSWAT in 2012, no independent wage assessments could or have been undertaken. This could result in a major non-conformance which might jeopardize Self Help Workplace's accreditation as an ADE. This would place the employment of 52 supported employees and 9 staff at risk.

## **Impact on supported employees**

Self Help Workplace is the largest employer of people with a disability in the greater Launceston area. The loss of any jobs for people with a disability would have a significant detrimental impact not only those people with a disability who might lose their job, but also on their support network of carers (family members and others). People with disabilities are amongst the most disadvantaged groups in Tasmanian society. Research by Tasmania's Social Inclusion Commissioner undertaken in 2009 found that people with a disability are "at an increased risk of disadvantage and social exclusion" ("A Social Inclusion Strategy for Tasmania", Professor David Adams, Social Inclusion Commissioner, at page A1.59). The Commissioner also found that people with disabilities "face difficulties accessing the support required for daily living and to participate in employment and educational opportunities" (A1.160). In addition, Tasmania has the highest rate of disability in Australia (almost 1 in four Tasmanians has a disability – Australian Bureau of Statistics "Survey of Disability, Ageing and Carers, 2009, cat.4430.0")

This needs to be viewed in the context that one in five Tasmanians currently live on or below the poverty line (Tasmanian Council of Social Services – remarks made at the launch of Ant-Poverty Week on 14 October 2013 reported in The Mercury at [www.themercury.com.au](http://www.themercury.com.au)).

Supported employment provided by Self Help Workplace addresses the economic and social disadvantage experienced by people with a disability and their carers and the high rate of unemployment in Tasmania (8.1%). Research has shown that, "work which is appropriate to an individual's knowledge, skills and circumstances, and undertaken in a safe, healthy and supportive work environment, promotes good physical and mental health, helps to prevent ill-health and can play an active part in helping people recover from illness. Good work also rewards the individual with a greater sense of self-worth and has beneficial effects on social functioning." (Healthcare Professional Consensus Statement, United Kingdom 2008).

## **Impact on the local economy**

Self Help Workplace is a significant supplier of goods and services to businesses throughout the state. Self Help Workplace's diversified operations provide an extensive range of goods and services for a variety of enterprises throughout Launceston and greater northern Tasmania. Enterprises that purchase our goods and services include, other manufacturing enterprises, such as Bradken (steel manufacturer), Ecka Granules, primary producers (such as vineyards, vegetable growers and poppy producers, including Tasmanian Alkaloids Pty Ltd and TPI Enterprises), freight companies,

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professional services (engineers, surveyors, training companies, local community organisations and disability service providers), retailers (such as nurseries, souvenir outlets and hardware stores) and the general public. Self Help Workplace currently has over 200 customers and 150 major suppliers on its books. All of these companies benefit from the products and services produced by Self Help Workplace.

Through the hard work and loyalty of our team of supported employees and staff we support local businesses and exporters to fulfil their responsibilities to customers. In an average year, our team will:

- Manufacture more than 35,000 pallets
- Cut approximately 70,000 garden/tree stakes and survey pegs
- Dock hundreds of metres of timber
- Assemble thousands of key rings and other components
- Sort and insert mail out material for many customers
- Recycle over 40,000 kilograms of second hand clothing
- Cook and serve more than 1000 meals and catering orders

Tasmania is experiencing very difficult economic conditions. "Tasmania's key economic indicators such as employment, investment and economic growth have deteriorated, relative to the national economy." ("Structural Changes in Tasmania's Economy", April 2013, Department of Economic Development, Tasmania). A summary of key economic indicators is set out in the table below:

Area of Interest	Tasmania	National
<b>(a) Social Indicators</b>		
Unemployment Rate	8.1%	5.7%
Long term unemployment rate (a)	1.7%	1.0%
Proportion of people living below the poverty line	13.7%	12.8%
Proportion of single parents	17%	15.9%
Median weekly income	\$948	\$1234
Reliance on Government income support payments	31%	23.4%
Proportion of people living in inner or outer regional locales	98% (the remaining 2% live in remote locations)	28.9%  0.2% remote 70.4% major cities
<b>(b) Economic indicators</b>		
Retail turnover (change from July to August 2013)	+1.5%	+2.5%

Any significant pause or cessation of activity due to the wage assessment tool, risks Self Help Workplace's reputation as a reliable provider of quality goods and services delivered in full and on time. Self Help Workplace operates in a highly competitive and difficult market. It may not be possible for Self Help Workplace to recover if it cannot continue to open its doors every day and meet its obligations to our workforce and our customers.

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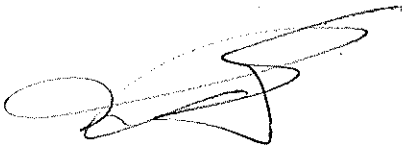
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Self Help Workplace urges the Commission to grant the exemption sought in FaHCSIA's application in a timely way.

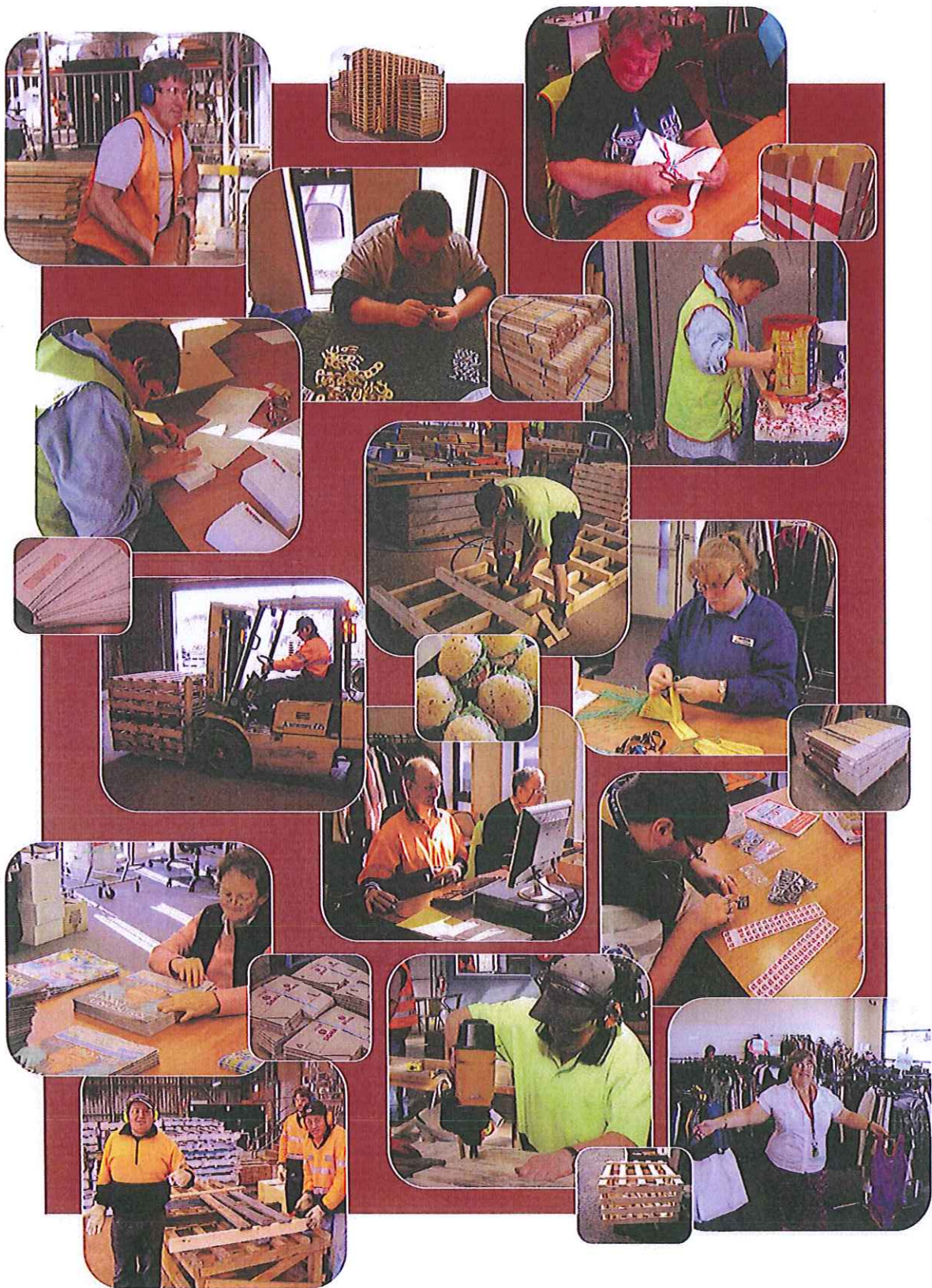
The exemption will give the Australian Disability Enterprises sector time to develop and implement a wage assessment tool that will preserve our worker's human and workplace rights while maintaining a viable supported employment sector that provides much needed and valued employment for people with a disability.

If the Commission has any questions about this submission or Self Help Workplace, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Donna Bain', with a large, sweeping flourish extending to the left.

**Donna Bain**  
**General Manager**



S/P