

**SUBMISSION - WILLING TO WORK: NATIONAL INQUIRY INTO EMPLOYMENT DISCRIMINATION
AGAINST OLDER AUSTRALIANS AND AUSTRALIANS WITH DISABILITY**

Introduction

IEUA-QNT welcomes the opportunity to provide input into the Australian Human Rights Commission's Inquiry into Employment Discrimination Against Older Australians and Australians with Disability.

IEUA-QNT is an industry union representing ~18,000 teachers, support staff and ancillary staff in non-government education institutions in Queensland and the Northern Territory. As an industry union, IEUA-QNT regularly participates in education and industrial debate through a system of committees comprised of members and union officers.

In general, IEUA-QNT responds to federal issues through its national body, The Independent Education Union of Australia. Issues pertaining to workplace discrimination are however, of fundamental significance to our membership and, as our branch keeps its own records relating to enquiries and requests for support, we believe a separate submission is warranted.

In developing this submission, we have drawn upon two primary sources of information:

1. Analysis of 22,014 calls from members seeking Industrial Advice/Support, made between 1st January 2010 and 31st September 2015.
2. An invitation to provide additional information, including personal experiences, extended to all members via our union's Professional Issues Newsletter and member journal (The Independent Voice).

Table 1 provides a summary of our membership composition by gender and age group. Note that both the high proportion of individuals aged 44-59, and the high proportion of females, are characteristic of the teaching population in general [1{Australian_Government_Productivity_Commission, 2012 #308, 2}] rather than our membership per se.

We do not ask members to provide information about whether they have a disability.

For this reason, the content of our submission relates primarily to issues of age discrimination, with some emphasis on female workers in particular. Our decision to focus on age and gender factors does not reflect a lack of interest in the experiences of those with disability.

As highlighted in our responses to the Discussion Questions below, our union is committed to the support and enactment of policies and practices that challenge counterproductive, and largely artificial, tensions that undermine broader, long-term goals such as social cohesion and equity in relation to the distribution of wealth, opportunity and privilege. A persistent theme in our work with members is the fact that policies and practices based on a platform of equity and social justice deliver substantial benefits for individuals from all social groups and cultural backgrounds.

Table 1: IEUA-QNT Membership Composition

Note that the high proportion of individuals aged 55-59 is characteristic of the teaching profession, as is the higher proportion of females than males.

Age Category	% of Total Membership	% Males	% Females	% Gender Unspec.
None recorded	3.77	32.00	67.82	0.18
18-24	3.17	16.88	83.02	0.11
25-29	5.09	23.16	76.84	0.00
30-34	5.91	25.88	74.01	0.11
35-39	6.27	26.58	73.36	0.05
40-44	9.11	23.59	76.19	0.22
45-49	6.36	23.06	76.73	0.21
50-54	9.50	22.62	77.24	0.14
55-59	44.35	23.69	76.18	0.13
60-64	4.92	28.85	70.94	0.20
65-69	1.14	32.46	67.54	0.00
70-74	0.30	46.07	53.93	0.00
75+	0.10	40.00	60.00	0.00

Contemporary political discourse around increasing workforce participation of older Australians and Australians with disability often refers to the economic imperative of participation in paid employment [3]. Our union would argue however, that discrimination persists, and to some extent proliferates, because a purely economic argument lacks both philosophical rigour and personal resonance.

Constructing a more effective discourse capable of driving genuine, long-term change requires deeper analysis of the social context within which discrimination occurs.

Current social psychological theory indicates that discriminatory practices are intimately linked to individuals' perceptions of self, and the way that this shapes their perception of others.

In its most basic sense, our perception of self consists of three dimensions [4]:

1. A relatively fixed set of traits that we see as our essential character (e.g. ambitious, lazy, dependable, conservative);
2. A suite of skills or competencies (e.g. "I am a good problem solver and an excellent golfer"); and
3. A framework of values in the form of our beliefs about desirable end states or behaviours (e.g. "it is important to be kind, but more important to be financially responsible").

Any given individual constructs their perception of self in terms of the extent to which they exhibit traits, display competencies and adhere to values. This perception of self is dynamic and changes in response to feedback received through outcomes achieved (task feedback) and the reactions of others (social feedback) [4].

The extent to which negative feedback, or conflict between different aspects of the self, leads to changes in traits, behaviours and values depends on a wide range of factors and viewing discriminatory behaviours and practices as a product of our own personal and

cumulative life experiences provides insight both into their cause, and the conditions required to bring about change.

Empirical studies indicate that generation and perpetuation of negative stereotypes is a complex social phenomenon that has its genesis in repeating cycles of personal invalidation: It is when we are, as individuals, made to feel less worthy that we are more likely to make ill-informed, and therefore inaccurate, judgements about the traits, competencies and values of others [5].

Engaging and retaining a more diverse workforce is not simply about social and economic benefits for individuals who might otherwise be dependent on welfare, it is about broadening the life experiences of those from all backgrounds and fostering a culture of inter and intrapersonal tolerance and understanding that translates into inclusive, rather than exclusionary, behaviours.

Following further exploration of this theme relative to each of the discussion questions, the significance of this point will be reiterated in our concluding statement.

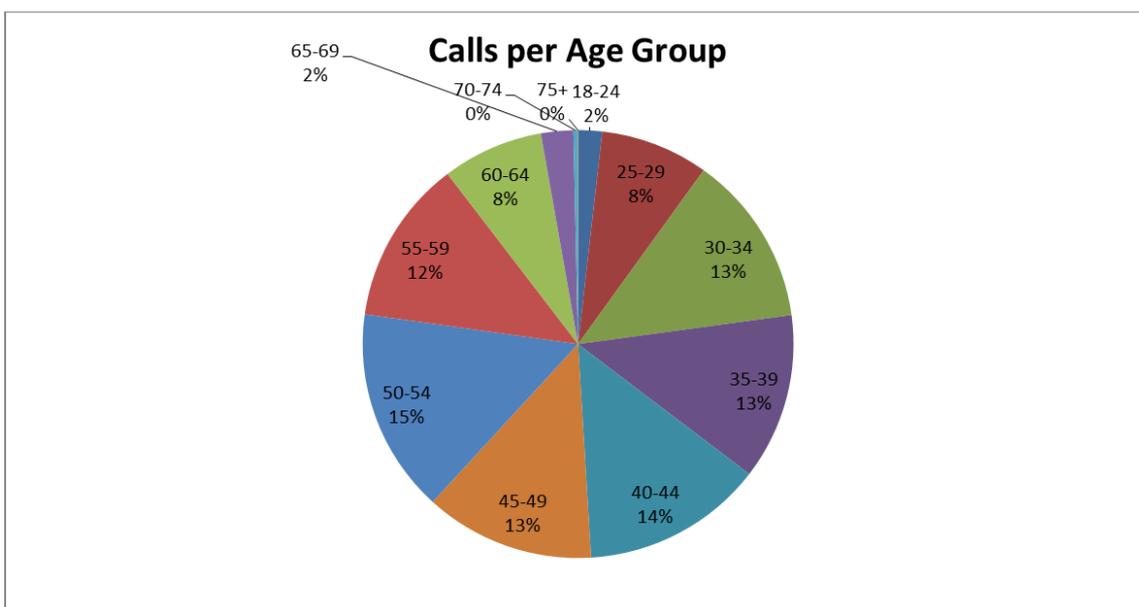


Figure 1: Calls from IEUA-QNT Members Seeking Industrial Support/Advice January 2010-September 2015

A total of 22,014 calls were received from members seeking industrial support/advice between January 2010 and September 2015. Percentages above refer to the age of the individual at the time the call was received.

1. What policies, workplace practices, programs or incentives assist with increasing participation of older workers and people with disability? How adequate are these policies, practices and incentives? What is the role of Government, peak business and employee groups and individual employers?

Any attempt to identify actions that can overcome discriminatory attitudes and practices requires an understanding of the highly personal reasons why some individuals, and the organisations that employ them, are more or less likely to form, and adhere to, negative perceptions of others.

A popular argument put forward in the media is that it is younger workers who are most likely to hold negative perceptions of older workers. This is supported by the Human Rights Commission's 2013 report, which indicates that younger Australians are more negative about the concept of ageing than those over the age of 40 [6].

A more considered view, based on empirical evidence, reveals this to be an overly simplistic view.

Dividing appraisals of older workers into the type of information used to support judgements about their competence does support the view that judgements about older workers' job performance are often less than objective. An analysis of forty published studies divided data into three categories based on whether appraisals were based on supervisor ratings, peer ratings or productivity. Appraisals that relied on measures of productivity appeared to be highest for older workers, while those based on supervisory ratings tended to be lower for older workers [7]. Meta-analysis of responses from over 1500 individuals working in a wide range of occupations also confirms that younger workers are more likely to rely on stereotypes when making assessments of performance than older individuals [7].

Even individuals with inherent prejudices however, make both positive and negative distinctions between workers of different ages. A compilation of published studies assigning ratings to workers of different ages, for example, indicates that younger workers are often rated more favourably than older workers in terms of their qualifications and potential for development, but older workers are often considered more stable [8]. Similarly, providing positive information about work history can lead younger workers to form more positive perceptions of older workers [8].

This is an important point because it highlights the importance of knowledge and experience in overcoming preconceived views.

As interest in the skills and abilities of older workers increases, so too does the body of evidence that perceptions of older workers as undergoing a decline in capacity and performance do not match reality.

A highly credible study of changes in various cognitive abilities across life span in 48,537 individuals shows that while some skills (e.g. the capacity to recall simple facts) peak in early adulthood, others (e.g. language and social reasoning skills) peak far later in life [9].

The significance of this is that negative perceptions of older workers, workers with disability, and others from non-dominant groups, are in fact, largely unrelated to any objective, universal assessment of their work performance.

Building workplaces that are able to attract and retain a diverse range of individuals, and benefit from the wide range of skills and abilities that they bring to their work requires greater attention to the inter and intrapersonal experiences of individual workers.

An empirical study of 59 young adults aged 17-20 years and 60 individuals aged 64-91 years) [10] shows that the experience of discrimination is more likely to harm psychological well-being of older individuals. This is because younger adults do not see their age as fixed (they can, and will, move into older age categories).

Any individual whose membership of a group perceived as having lower value is fixed (e.g. Aboriginal and Torres Strait Islander people, women, migrants, those with a particular religious or ethnic background) experiences a fundamental drive to form allegiances with others who share their traits, values and experiences [4].

In the long-term, such self-perpetuating sociocultural division benefits no one. Older workers become demotivated and depressed and younger workers entrench attitudes that limit their own opportunities to learn, grow, and transition successfully to, or work productively with, other groups.

It is also worth noting here that some industries/professions are clearly less susceptible to discrimination than others. A previous report from the AHRC [6] indicates that workers on higher incomes are less likely to experience age discrimination and Waldman et al. (1986) [7] have shown that perceptions and ratings of older workers tend to be higher in professional domains.

Ultimately, our union wishes to stress that organisational culture (and, in turn professional or industrial culture) is a product of individual perceptions and behaviours that are easily decoupled from legislation and/or policy.

In response to the question regarding the role of government and employers, our union would argue that those in positions of power and influence must act in the best interests of individuals in order to meet the broader needs of organisations and communities.

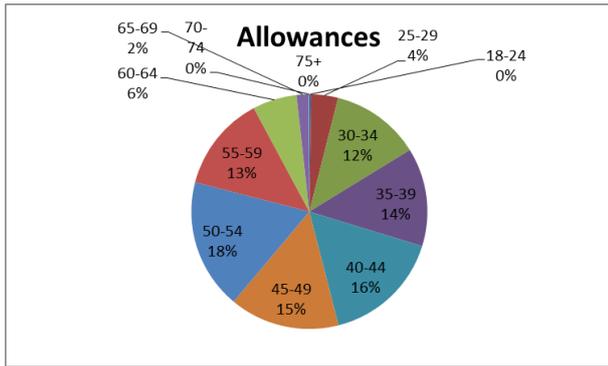
Providing incentives for employers to engage and retain older workers, and those with disability, is an important mechanism for ensuring that the experience of current and future generations of workers (of all ages) is one that normalises, and values, diversity. The articulation of clear, unambiguous expectations of employers is fundamental to establishment of standards and the role of professional and/or special interest groups is to work with government to ensure that expectations are adequate and, where necessary, enforced.

2. Are there distinct challenges faced by different sized businesses and organisations, sectors and industries in employing older workers and Australians with disability?

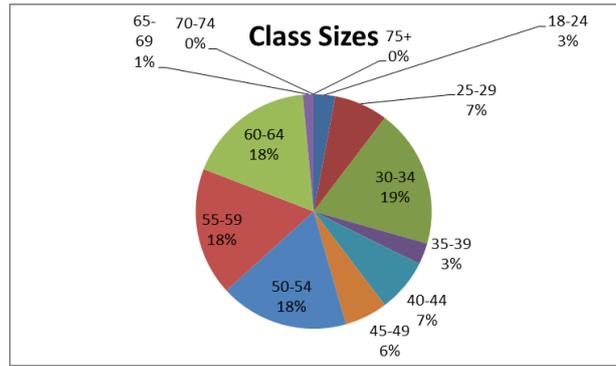
It is in the best interests of individuals, communities and the nation for government and stakeholders to work together to articulate expectations and standards in relation to the employment of older workers and Australians with a disability.

Implicit within this is a belief that businesses, organisations, sectors and industries will be provided with the support required to meet those expectations and standards, in terms of education around the benefits of inclusion, funding and material resources.

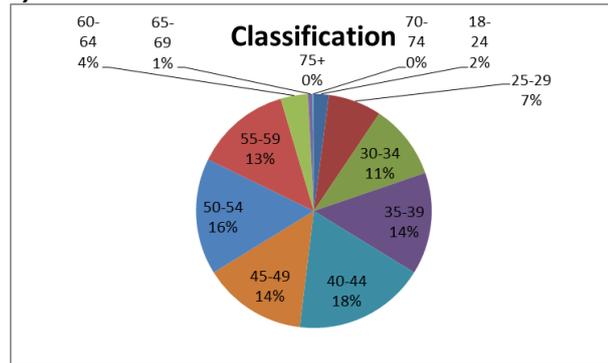
With specific reference to our own industry, calls from members indicate that the concerns of members aged 55 and older are not substantially different from those of younger members. Across all age categories, older and younger members were equally likely to seek advice or support in relation to core industrial and professional issues (Fig. 2).



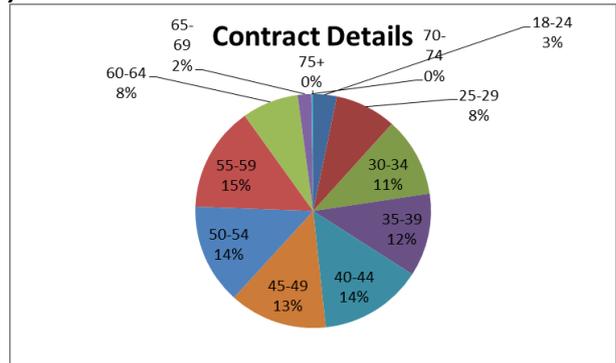
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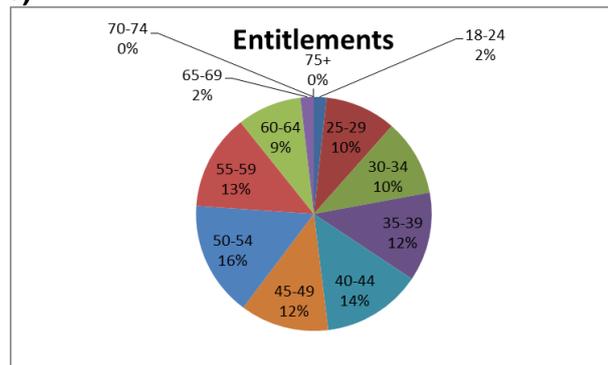
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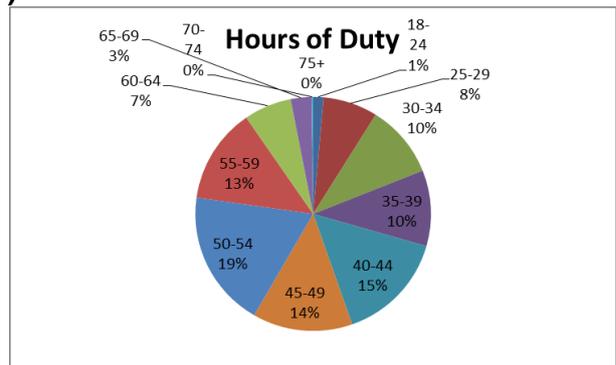
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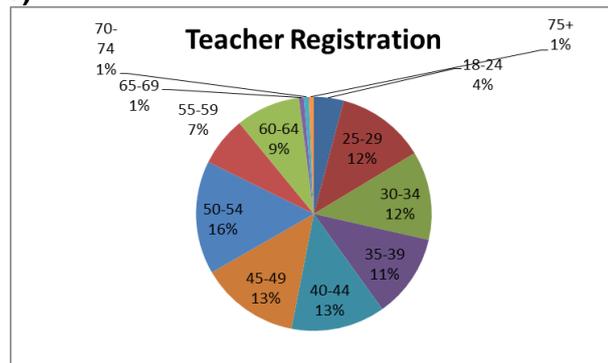
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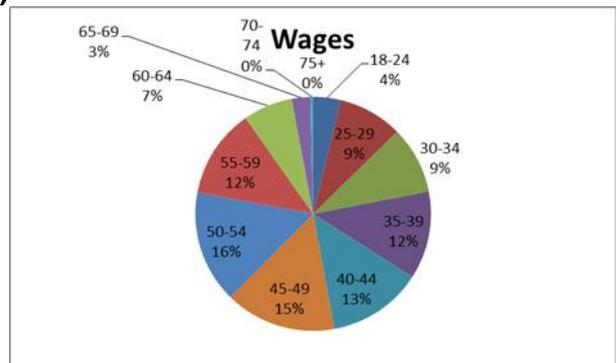
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Figure 2: Categories of Enquiry Showing Limited Differences Across Age Groups

Despite the higher number of members aged 40+, calls relating to core industrial and professional issues were evenly distributed across most age categories.

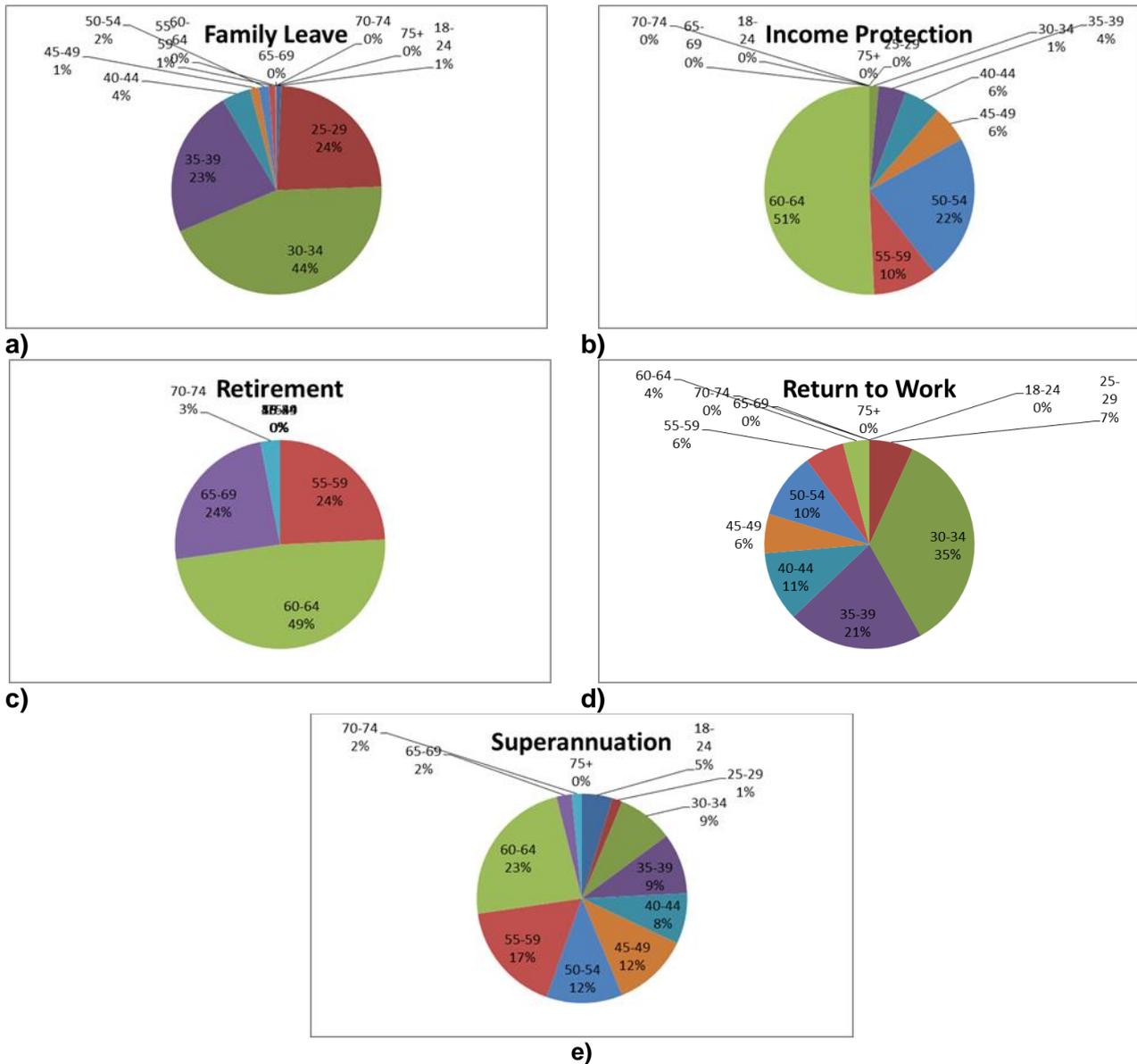


Figure 3: Categories of Enquiry Showing Differences Across Age Groups

Older workers were more likely to seek advice or support relating to financial issues (b, c, e), while younger workers were more likely to call about Family Leave entitlements (a) and return to work following periods of Parental Leave (d).

The most significant difference between older and younger workers was that older workers were more likely to enquire about financial issues (Income protection, Superannuation and Retirement), while younger workers were more likely to enquire about issues such as Family Leave entitlements and return to work following periods of Parental Leave (Fig. 3).

Anecdotal evidence from members also suggests that, despite their different life circumstances, the needs of younger and older workers can be complementary. An older (59 years) member for example, contacted our union to discuss her experience in trying to access flexible work arrangements during transition to retirement. The member was greatly frustrated when her application to establish a jobshare arrangement with a younger colleague (age 32) with small children was rejected by the employer. The member contacted us in response to a call for input into this submission to register the point that employer resistance to alternative modes and models of work is a topic of relevance and interest to workers in a wide range of demographic groups.

At this point, we would also draw attention to the fact that flexible work conditions are of increasing relevance to male workers. Although our office fields more enquiries about Family Leave from females, more than 40% of calls from males aged 30-34 relate to Paternity Leave (Fig. 4). Similarly, the overall proportion of calls regarding Carer's Leave are similar for both genders in the 50-64 age group (Fig. 4).

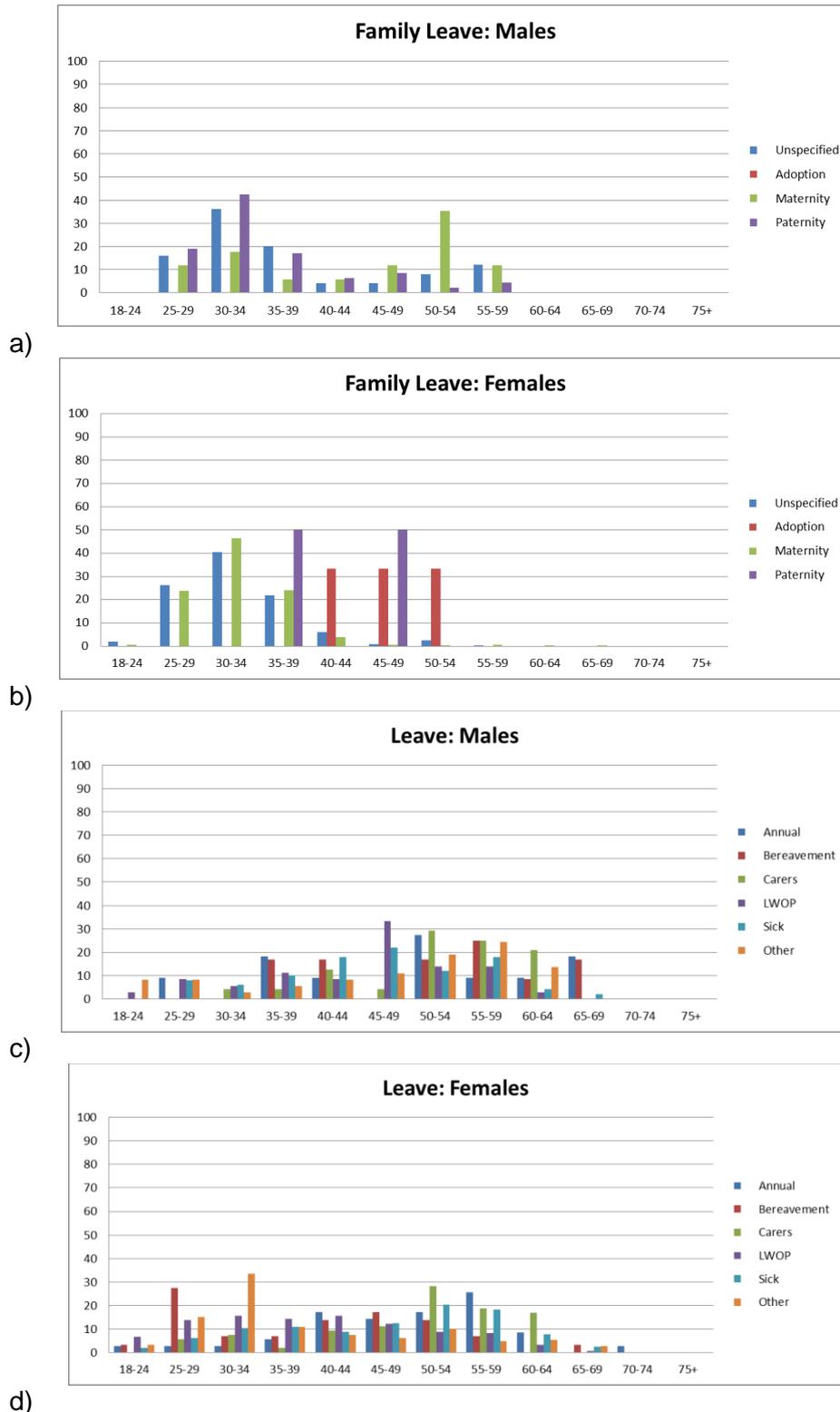


Figure 4: Sub-Categories of Leave and Family Leave Enquiries Across Age Groups

Enquiries related to Maternity Leave were received from both genders (a, b), but calls from males occurred across a wider range of age categories. Enquiries relating to Carer's Leave peak, for both males and females, between the ages of 50 and 64.

Our union is aware that reservations about the viability of flexible arrangements are common among employers generally [11] and the teaching profession in particular [12].

This is despite the fact that jobshare arrangements are an effective means of addressing the needs of teachers in terms of reducing Sick Leave and maintaining staff motivation [13-15], which also have a positive impact on cognitive and affective outcomes for students [13, 15].

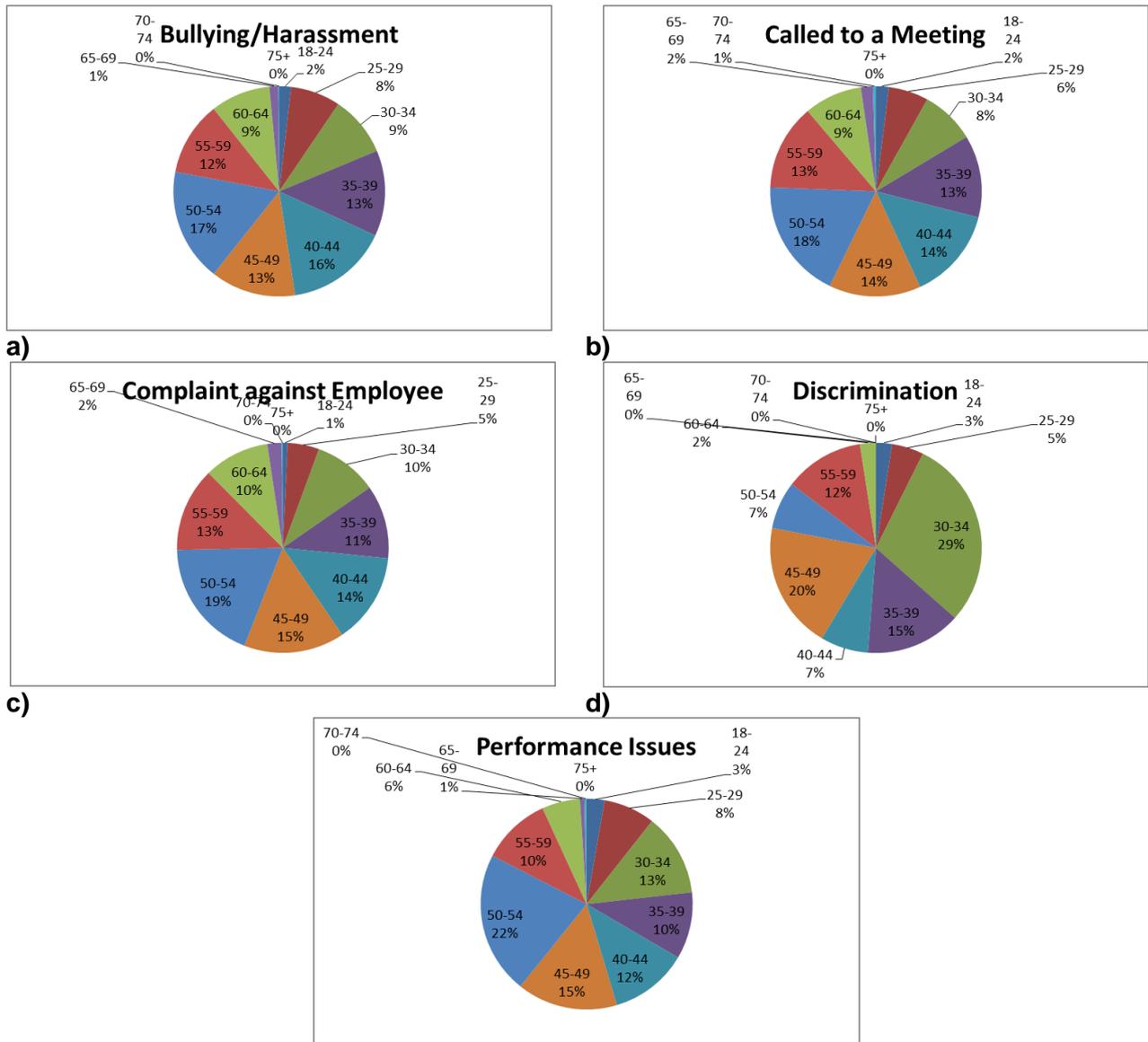


Figure 5: IEUA-QNT Member Enquiry Topics by Age Category

Of the five categories of enquiry relating most directly to unfair and/or prejudicial treatment, only two showed significantly higher incidence of calls from members of a specific age. Calls relating to discrimination clearly peak in the 30-34 age group and calls relating to Performance Issues are slightly higher in the 50-54 year age category than other groups. It is however, significant that ~10% of calls are received from workers over the age of 60, despite the fact that these individuals represent only ~5% of our membership.

3. What other data or information is available on employment discrimination against older Australians and those with disability?

In analysing calls from members, our goal was to determine whether there was any obvious evidence that older workers were more likely to be subjected to discriminatory treatment than their younger colleagues. Given that 70% of our members are currently aged between 40 and 59 years of age, and 54% between the ages of 50 and 59 (Table 1), calls from these members should be prevalent across all topics. The far lower number of members aged 60+ (Table 1) would suggest that calls from these individuals should be relatively uncommon.

Calls to our office from IEUA-QNT members are recorded in a database. At the time the call is taken, membership officers select from a range of 40 nominal topics, with some categories also having 2-10 sub-topics (Appendix 1).

Of these, nine could be interpreted as having overt relevance to unfair or prejudicial treatment (Bullying/Harassment, Called to a Meeting, Complaint against Employee, Discrimination and Performance Issues).

A further five (Professional Development, Redundancy, Resignation, Return to Work and Termination) could also be considered to show some relationship to individuals' experiences of discrimination in that: 1) Restricting access to professional development is often cited as a form of discrimination experienced by older workers; 2) Workers who have experienced discrimination may be more likely to require support on return to work after a period of absence and; 3) Workers experiencing discrimination or harassment are potentially more likely to exit the workforce through resignation, involuntary retirement or termination.

Analysis of calls from members between January 2010 and September 2015 indicate that members over 55 were among the age categories most likely to request support or advice in areas related to unfair treatment, but a number of categories (e.g. Discrimination) attracted greater attention in younger workers (Fig. 5).

A further point of interest here is that workers over 55 were more likely to raise issues related to casual employment than younger workers, but younger workers were slightly more likely to raise issues relating to contract employment (Fig. 6). Further analysis would however, be required to whether this reflects the prevalence of employment types in each group and what this means in an individual context. It is, for example, not possible to determine whether our data indicates that workers over the age of 40 are more likely to seek casual work, or whether they are less likely to be offered other forms of employment.

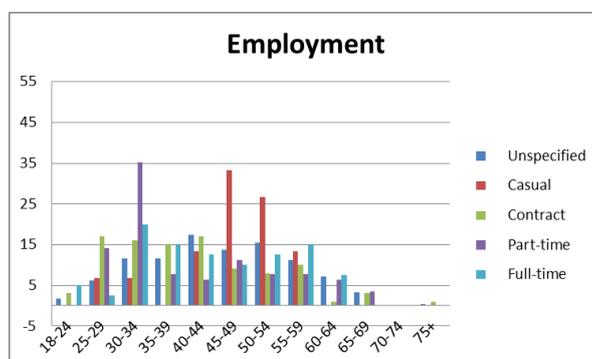


Figure 6: Member Enquiries Relating to Employment Status

Enquiries relating to employment type peak in the 40-59 age groups, but is unclear whether this is because workers in this age group have a preference for casual work, or are less likely to be offered longer term contracts or full-time employment.

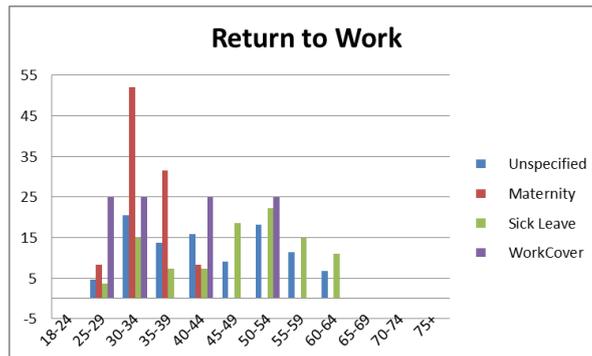


Figure 7: Member Enquiries Relating to Leave and Return to Work After a Period of Leave

Return to Work enquiries peak for females aged 25-45, who are requesting assistance or advice relating to Maternity Leave provisions. The incidence of enquiries relating to WorkCover are evenly spread across the 25-55 age categories.

Although only ~5% of our members are over the age of 60 (Table 1), the relatively high number of calls relating to Bullying/Harassment, Called to a Meeting, Performance Issues and Complaint against Employee does suggest some level of discriminatory treatment.

In relation to calls regarding return to work processes, our data indicates that, while some categories of leave are of greater relevance to older workers, others are of greater relevance to younger workers (Fig. 4c, 4d, Fig. 6).

The finding that workers over 50 are more likely to enquire about Carer’s Leave for example, supports observations that many individuals of this age take on responsibility for elderly parents, and that this is particularly true of women (Fig. 7). It is, however, important to interpret this finding in conjunction with the fact that the single most-utilised form of leave would appear to be Maternity Leave, which peaks in the 30-39 age categories.

Our data would suggest that older workers are more likely to enquire about Sick Leave than younger workers (Fig. 1, Fig. 7), but enquiries relating specifically to WorkCover are evenly distributed across all age groups (Fig. 7), which does not support the stereotype of the older worker being more prone to workplace accidents.

4. What lessons and leading practices can we learn from other countries to address employment discrimination and increase workforce participation of older Australians and those with disability?

The challenges of an ageing population are not unique to Australia. A recent United Nations report indicates that the proportion of individual aged 60 years or over rose from 9.2% in 1990 to 11.7% in 2013 and will reach 21.1% by 2050 [16]. This report also indicates that the risk of both health problems and poverty increase with age, but is ameliorated to some extent by the extent of social security provided [16].

If there is a single overarching lesson to be drawn from the global data, it is that there is a clear economic impetus to extend working life beyond the traditional western retirement age of 65, but there is also much to be gained from continuation of social security systems.

A first, and obvious, point highlighted in numerous government plans and policies is that extending the working life of individuals extends the tax base for provision of social security in the first instance [3].

The significance of workforce participation in protecting individuals from negative social and psychological problems associated with loss of identity and purpose has also been

noted in a range of contexts, including the Discussion Papers associated with this Inquiry [17, 18].

Our union agrees that these are compelling reasons to take action and believes that substantial progress has been made, through the efforts of numerous stakeholder groups, in identifying legislative and policy actions that are likely to increase awareness and initiate cultural change.

What matters now is that these are enacted.

5. How adequately do existing laws protect older Australians and those with disability from employment discrimination? How effective are the legal remedies for older workers and those with disability who have experienced discrimination? How could existing laws be amended or supplemented?

Challenges faced by older workers and workers with disability are of national significance and our union believes it is, therefore, appropriate that these are addressed through federal legislation.

Following an Australian Human Rights Commission investigation of policies and laws that limit older workers' access to the workforce [19], the Australian Law Reform Commission made thirty-five recommendations for change encompassing eight pieces of legislation [20]. A similar review of policies and practices relating to employment of Australians with disability made 30 recommendations aimed at increasing information and support available to individuals and employers [21] which have informed the design and implementation of the National Disability Insurance Scheme [22].

Our union supports the full implementation of these recommendations pertaining to older workers and workers with disability as prerequisites for long-term cultural change. The removal of compulsory retirement ages from legislation covering various sectors for example [20] is a simple and clear movement toward normalising perceptions of older workers.

We do, however, have reservations about recommendations which make artificial, and potentially divisive, provisions for older workers that are not also available to workers in other age and social groups.

Recommendation 4-7 of the Australian Law Reform Commission's report for example [20], suggests that employees over 45 years of age be entitled to an additional week's notice of termination of employment relative to younger workers. While we understand that the intention of this provision is to address the fact that older workers may face greater difficulties in gaining a new position, there is some question as to whether a clause of this nature will ameliorate or exacerbate the social tensions that underlie age discrimination.

The question is not that older workers should be protected, but whether it is constructive to dismiss equally valid arguments for younger workers to have access to the same provisions. A worker in their mid-30's for example, may be the sole income earner while one parent takes time off to care for small children. Any suggestion that either the older or younger worker has greater claim to job security is essentially untenable.

To illustrate this point, we draw the Commission's attention to data relating to the categories of leave accessed by workers in different age categories. As detailed in our response to Discussion Question 3, enquiries about leave show no evidence of an overwhelming need for more, or different forms of, leave for older workers. The overall distribution of calls across leave categories, interpreted in consideration of the age distribution of members generally, indicates that older workers are no more or less likely than younger workers to access leave in general (Fig. 3, Fig. 4, Fig. 7).

While there is some indication that different types of leave are more important to some age categories than others (e.g. Maternity Leave is most pertinent to women aged 25-45), the reality is that the vast majority of workers (of all genders) have reasons to access leave entitlements at any given point in their career. Providing different categories of leave is an important means of validating diversity of life circumstances, but the perception that some forms of leave are more or less meritorious than others is little more than a personal value judgement.

Our union would argue that any excessively vociferous focus on differences in preferences, tendencies and needs of workers of different ages has the potential to contribute to the cognitive dissonance that enhances, rather than diminishes, tensions between individuals from different age and social groupings.

An example can be found in the divisive public discourse that developed following former Treasurer Joe Hockey's insinuation that women receiving both employer and government funded Maternity Leave were committing a form of welfare fraud [23]. Any reading of the comments lodged under various on-line articles reporting the then Treasurer's comments shows that his flippant, ill-considered statement not only caused unnecessary guilt among working women, it provided a degree of legitimacy to outmoded and outdated perceptions that women must choose between family and a career.

In relation to age discrimination in particular, our union would note that our experience in advocating for older workers is that employers often find it more attractive to reach settlement than make adjustments to work arrangements. As long as this is the prevailing approach, workplace diversity will remain an unrealised ambition.

6. What difficulties are there for employers in understanding and complying with legal obligations?

On the issue of compliance with legal obligations, our union does not believe that any perceived cost or burden to employers outweighs the broader benefits to be gained through engagement and retention of a diverse workforce.

Prior inquiries, submissions and reports by various stakeholder groups have highlighted the importance of, where possible, streamlining and simplifying the processes by which employers access to information and support services relating to the employment of Australians with disability [22, 24, 25]. Our union believes that the ethical, social and economic imperatives for this are obvious and urges a bipartisan commitment to implementation.

In relation to support for employers of older Australians, we believe that long-term cultural change also requires a bipartisan commitment to the recommended legislative reform [20], but reiterates that emphasising the ways that older workers differ from their younger counterparts, rather than the ways that they are similar, is potentially counterproductive.

7. What are the distinct challenges faced by certain groups of older Australians and those 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?

In relation to the challenges faced by individuals from different social categories, our union firmly believes that it is essential to raise awareness through targeted policies and programs in the first instance.

In an ideal world, all workplaces would be populated by a diverse mix of individuals, reflecting the makeup of contemporary society and such diversity would be evident across various domains of operation.

It is of great concern to us that action around issues of equity and social justice are often met with accusations of preferential treatment or 'reverse discrimination' and we would like to urge the Commission, governments and employers to consider why this is so, why it matters that we work to reduce the individual and social tensions that perpetuate unfair and inequitable treatment of all non-dominant groups and how the ultimate goal of inclusion might be best achieved.

In this context, our union believes the only viable, long-term solution to the problems of inequity and injustice is to act on the recommendations of the various inquiries and reviews and sustain this action for an extended period in order to bring about the required sociocultural change.

This also requires governments, and government spokespersons, to challenge and re-educate those who perceive affirmative action as misguided.

Concluding Statement

Solutions to problems of inequity and injustice commence, in the first instance, with campaigns of education to increase public awareness and changes to legislation/policy, but these are rendered meaningless if they are not translated into long-term cultural change.

Increasing the social and economic participation of older Australians and Australians with disability has been a subject of debate and discussion for some time and our union believes that, while there is much yet to be done, the essential elements of legislative and policy frameworks are already in place.

While we strongly support continuation, and continued funding for, various programs and support organisations, we also believe the time has come to address many of the counterproductive, and largely artificial, tensions that undermine broader, long-term goals of social cohesion and equity in relation to the distribution of wealth, opportunity and privilege.

The economic and social benefits of a shift to broader, long-term goals is a growing feature of political dialogue in prosperous societies [26] and the Human Rights Commission's Inquiry into Employment Discrimination Against Older Australians and Australians with Disability indicates that Australia is also recognising a need to do more to increase workforce diversity.

In 2014, Australian non-government schools employed 123,407 female and 48,732 male teaching, specialist and other staff [27]. Eight out of ten primary teachers are female and, in secondary schools, numbers of males have been declining for several decades [2, 27]. Despite the over-representation of females in the profession however, males are more likely to attain positions of leadership and earn higher salaries [2]. As in other industries, part-time work peaks for females aged 35-44 with young children and claims for Carer's Leave peaks for those aged 50-64. This is directly linked to the fact the women are more likely to take on caring responsibilities [2, 28, 29]. Significant proportions of teachers are also aged 45 and over and [1{Australian_Government_Productivity_Commission, 2012 #308, 2}]. Further, it is education workers who are increasingly charged with the responsibility of accommodating needs and shaping perceptions of, future generations.

For these reasons, the teaching profession provides a unique ground for enacting policies and practices aimed at overcoming negative stereotypes and increasing diversity.

Our union would argue however, that:

1. Discrimination persists, and to some extent proliferates, because a purely economic argument lacks the personal resonance required to change individual behaviour.
2. Generation and perpetuation of negative stereotypes is a complex social phenomenon that has its genesis in repeated cycles of personal invalidation.
3. In this context, engaging and retaining a more diverse workforce is not simply about social and economic benefits for individuals who might otherwise be dependent on welfare, it is about broadening the life experiences of those from all backgrounds and fostering a culture of inter and intrapersonal tolerance and understanding that translates into genuinely inclusive behaviours.
4. Both direct input from members, and an analysis of the industrial issues on which they seek advice and support, indicates that the single greatest enabler of increased participation of non-dominant groups is flexibility, in terms of access to leave options and work arrangements.
5. The argument that some employers, or industries, are less able to offer these is insufficient in that, as far as possible, governments and employers should be legally compelled, and financially resourced, to accommodate the individual needs of qualified and competent workers in terms of physical environment, working hours etc.
6. Current Australian legislation, while not ideal, does provide a framework for more inclusive policies and practices. Translating this into long-term cultural change takes time and persistence and therefore, requires long-term, stable funding and resources.

Our union thanks the Australian Human Rights Commission for the opportunity to provide comment relating to its National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability. We would welcome the opportunity to engage in further consultation.



Terry Burke
Branch Secretary
Independent Education Union of Australia
Queensland and Northern Territory Branch

2nd December 2015

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