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

# Submission No 195

**Name** National Foundation for Australian Women (NFAW)

**Submission made by**

[x]  Organisation

# Organisation or Government Agency Submission

### **About you**

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

[ ]  Owner

[ ]  Manager

[ ]  Human Resources Manager

[x]  Other

**If other, please tell us your role within your organisation**

The National Foundation for Australian Women (NFAW) is dedicated to promoting and protecting the interests of Australian women, including intellectual, cultural, political, social, economic, legal, industrial and domestic spheres, and ensuring that the aims and ideals of the women’s movement and its collective wisdom are handed on to new generations of women.

NFAW is a feminist organisation, independent of party politics and working in partnership with other women’s organisations. These organisations include those committed to increasing support for women in Australia as well as those with a special interest in women's history.

The Social Policy Committee of NFAW is focused on the impact of Commonwealth government policies on the status and well-being of women and girls.

The Committee is strongly committed to evidence-based policy. Its members include women with extensive experience and expertise in government, business and academic circles. It initiates work, responds to Parliamentary enquiries, works collaboratively with a wide range of like-minded organisations, and manages NFAW affiliation with the Equality Rights Alliance and Economic Security for Women.

**What is your experience of providing work/services/advocacy for older Australians/Australians with disability?**

The Social Policy Committee of the National Foundation of Australian Women (NFAW) has a strong record of policy analysis and development for disadvantaged women including older women and women with a disability. The Social Policy Committee of the NFAW has a particular interest in action to facilitate economic security for Australian women.

The NFAW over recent years has done significant work on women and taxation and superannuation. This work has highlighted the poor economic outcomes for many women especially older women and women with disability. The NFAW has also worked on better understanding the considerable contribution of women through unpaid work.

**Do you have any case studies of the experience of older Australians/Australians with disability working or looking for work?**

The Social Policy Committee of the National Foundation for Australian Women (NFAW) has not developed such case studies. However, through our networks we hear many personal stories demonstrating the barriers to employment for these groups.

Anecdotal evidence indicates there are barriers related to:

Older women whose work has included physical labour such as commercial cleaning have limited opportunity to retrain. This is often the case if she has a low level of education.

The additional vulnerability projected onto women with disability can make them a target for sexual harassment and/or bullying.

Young workers sometimes are uncomfortable with older women in the workplace and respond inappropriately. For example commenting on an older women perfume and saying “My grandmother uses that perfume too” or making comments in meetings about an older women being flushed and hot.

Recent work by the Australian Human Rights Commission and other interested parties has highlighted the lack of material to explain for women explaining the relationship between superannuation and part time work and other employment options for older Australians.

For case studies, a good source is the report ‘Contributing our voices!: A summary of feedback from the Have Your Say! Forum with women with disabilities in the ACT prepared by Jenni Gough in September 2015 for Women with Disabilities ACT.

**What are the impacts of employment discrimination on older Australians/Australians with disability working or looking for work?**

The National Foundation for Australian Women considers that there are significant barriers facing women in employment. In addition to these barriers such as low participation rates and lower earnings, older women and women with disability often suffer additionally from barriers relating to negative stereotypes.

Women’s participation rate in Australia is lower than men’s participation rate and lower than for women in some comparative OECD countries. Women are less likely to be in paid employment at all ages than men. Women are more likely to be underutilised workers than men. (ABS Labour Force cat no 6202.0)

Australian women in general do not receive equal pay. Women do not get the same economic rewards for their work and have fewer resources for retirement. Women earn less than men in all age groups (see ABS Source: Mean weekly earnings in main job, By Age and Sex-Mean By age and sex in ABS cat No. 6333.0)

Life expectancy for Australian women is higher than for men so they may need to fund a longer retirement than men.

The impacts on these groups of women are complex and can lead to poverty, loss of independence and lower quality of life as they miss, or have reduced, economic and social benefits of work.

### **Barriers**

**Do you think older Australians/Australians with disability face barriers when they work or are in a job?**

[x] Yes

[ ] No

[ ] Not sure

**Please tell us more**

The Social Policy Committee of the National Foundation for Australian Women (NFAW) notes that recent work including the issues papers for Willing to Work has identified a number of barriers faced by older women and women with disability in seeking and retaining suitable work.

There are a number of employment areas and processes where older women and women with disability can face unfair treatment because of their age or disability.

Stereotypes about people with a disability and older Australians are a major factor behind discrimination in employment.

Older women and women with disability are not homogeneous groups. Some are tech savvy and can apply this in the workplace. In cases where their previous work or economic position has not exposed them to new devices and software training might be needed. Like men, women can learn about technology use if training is available.

Mature workers often face negative attitudes held by employers, their ability to cope with change and new ideas and assumptions about a ‘use by’ date for their skills.

People with disabilities face assumptions about what they cannot do, how they will fit the business and what extra costs the employer could incur. Though there have been programs and campaigns to address attitudes to people with a disability, a number of “urban myths” remain. For example that premises will have to be significantly altered when a simple ramp and a bathroom rail, at a modest cost, is all that might be needed.

**Is employment discrimination a barrier (please tick all that are relevant):**

[x] While working in a job

[x] While looking for work

[x] While dealing with recruitment companies

**Please tell us more**

While working in a job

Working women earn less and appear to receive less employer-provided training than other workers. This can mean they have to establish their abilities and rely on learning informally in the work place. It also means they are less able to move between jobs. Some of this follows their prevalence in low paid and women dominated industries e.g. hospitality and retail.

In some instances, women plateau early and find it difficult to increase their incomes. For example in the finance sector and the public sector women who have the role of personal assistant or secretary find it difficult to avoid being typecast as only suited to that role. As men age in the workplace they can take on the role of keeper of the corporate memory and/or wise mentor. This role does not seem to be as readily available to women. In some workplaces an older woman is given a motherly role i.e. being consulted on personal or work relationship issues.

Older women and women with a disability can be the target for bullying and sexual harassment. All laws, programs and remedies for dealing with harassment should be designed considering these groups to ensure they can access assistance if they experience such discriminatory behaviour.

Women are over represented as casual workers. Flexible workplaces can ensure that more of these women have access to permanent work, full time or part time.

While looking for work

There has been work on selection processes showing that perceptions can reduce the access to interviews and thus being selected. For example if the person doing the recruitment has had an experience where an older worker appeared reluctant to report to a younger person in one situation they should not act on a misguided perception that this will be the case for all older workers. There are lots of similar biases.

**What impact does employment discrimination have on older Australians/Australians with disability gaining and keeping employment?**

The outcomes are lower participation rates for these groups and a loss of potential workers. The older women and women with a disability have reduced incomes restricting their role as consumers and preventing or restricting preparation for retirement.

Economic security for women can only be achieved if all women have equality in employment. Access to housing, health services and quality of living all depend to a large extent on income.

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

[x] Yes

[ ] No

[ ] Not sure

**Please tell us more**

There are negative attitudes in the workplace and the community: amongst employers and workers. These are changing but the need for a fair and efficient labour market cannot wait for incremental change. Women now over 55 years experienced many more gender restrictions such as having to leave the workforce on marriage and not being given access to superannuation. Women now in full time education post school outnumber men and this will lead to changes in the labour market by the time they are older workers.

**What are the incentives and disincentives in employing older Australians/Australians with disability?**

**Incentives**

Organisations/businesses with a diverse skilled workforce can have productivity gains and additional social benefits for all, workers and customers.

Australia has an ageing population and increasing women’s labour force participation will contribute to increased GDP.

**Disincentives**

Lack of understanding of the abilities of older women and women with disability, means the business is missing out on potential workers.

### **Good practice**

**Are there examples of good practice in employing and retaining older Australians/ Australians with disability in work?**

[x] Yes

[ ] No

[ ] Not sure

**Please let us know about practices you are aware of.**

There is no systematic collection and promotion of innovation in human relations management. This means that the learning from any trials or adoption of practices is not shared quickly and appropriately. Working in partnership, business, government, trade unions and the community could improve the availability of innovation in human relations management for the Willing to Work target groups.

The Australian Public Service Commission has produced guides for best practice in employment that cover women with disability and older women. These will have application to some industries.

Nurses are an occupational group who are staying at work longer. Some analysis of this change could be useful for other personal and health care sectors.

The retail hardware sector have been recruiting older worker successfully for some time. Originally this was ex-tradies but an increasing number of women with experience in renovation and home maintenance are also being recruited.

Engineers Australia’s Women in Engineering National and Division Committees have been documenting and promoting material to assist improving the status of women in engineering. They have produced a range of practical guides like their Women in Engineering: Industry Blueprint of Successful in-house Professional Women’s Programs. This work could be very helpful in other technical areas and for the new technology frontiers such as robotics.

Women on Boards is making a significant contribution to improving the number of women on boards to the advantage of both organisations/businesses and women.

### **Solutions**

**What action should be taken to address employment discrimination against older Australians/Australians with disability?**

As innovation and new opportunities for Australians emerge it is essential we have a fair and efficient labour market to provide skilled workers for the adoption of new technology and developing industries. Australia’s current educational and training model is based on education and training investment upfront. To maintain and develop new skills there is a heavy reliance on employer provided training, mostly through on-the-job training and short courses. Australia needs to move to public policy and personal values that ensure a significant investment in formal education and training throughout a person’s working life.

 It is widely accepted that a person’s first job may not be in the industry of their long term career e.g. fast food or hospitality. There needs to be public debate on the pathways to retirement. Some people can step down to retirement. More options need to be created as aging workers are a very diverse group and it is not a process for which one-size-fits-all.

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

Currently career advice and counselling is available to students and to some workers facing redundancy or termination. Access to information about where demand for workers will be required and a better understanding of what specific industries can offer and how skills transfer is crucial if women with disability and older women are to succeed in work. Access to career guidance and career planning is a necessary part of the changes needed.

Because of the lag between industries developing and starting up the education and training system needs to attract and train skilled workers to meet emerging demands. The vocational education and training system has links with business but these need to be strengthened.

Retirement at age 55 is not a realistic option for most Australians. It will be less so for future cohorts. Health and longevity have improved and so the balance between the number of years working and the number in retirement needs to be adjusted. Some occupations have physical impacts though new aids are reducing some of the traditional physical pressures. However, we still have workers who have been exposed to occupational health and safety risks. Transitional arrangements will still be necessary for these workers including women’s traditional jobs such as nursing, farming and hairdressing.

The Turnbull Government has signalled a high priority on innovation and created portfolios of Industry, Innovation and Science and Cities and Built Environment. It is imperative that the work in these areas is inclusive especially of older women and women with disability. Ensuring policy and programs are fair and accessible will maximise their impact and success. Previous experience of retrofitting gender equality to policy, practices and programs has had limited effect.

NFAW is concerned that unless gender issues are addressed the development of new technologies, especially robotics, and their adoption by industry could unintentionally disadvantage older women and women with disability.

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

The National Foundation for Australian Women (NFAW) believes women’s employment is a crucial part of an ongoing strong Australian economy and labour market. Women’s economic independence is central to a fair society. Women need to have employment on an equal basis to men even if they are older or have a disability. In order to achieve this there has to be consensus and understanding of the diversity of women.

G20 Labour and Employment Ministers accordingly committed to take the steps needed to close gender gaps in opportunities and labour market outcomes, adopting the goal of reducing the gap in participation rates between men and women in G20 countries by 25 per cent by 2025. For Australia this means lifting women’s participation rate (including numbers of hours worked overall) by at least three percentage points.

Action to encourage the recognition of the potential of women with disability and older women is central to improve the current unfair situation. The Australian Human Rights Commission is well placed to provide leadership in the facilitation of informed public debate and action. The problems would also benefit from having separate Commissioners for Sex Discrimination, Disability discrimination and Age discrimination.

Businesses would be able to take up innovative interventions trialled by others if there are simple but comprehensive reporting of measures being taken by others. New communication channels have potential for self-reporting and advice from others. This National Inquiry should be able to bring together ideas from a cross section of Australians and set a direction for how best to promote new ways of working. This could also include incentives for business and individuals.

The key priority for action is to close the gender gap in pay. Equal remuneration should improve women’s participation rates, increase superannuation contributions and decrease EMTRs (effective marginal tax rates for those leaving welfare payments).

It is important to design any assistance for the Willing to Work target groups of women to match the different needs of cohorts. Women with disability finishing education and training with support of the National Disability Insurance Scheme should have assistance in the transition to work more tailored to their individual than previous cohorts. Similarly, in view of the social change over the past decades, women aged 45 to 55 will have different needs to those 56 to 65 and those over 66.

In the short term the National Enquiry should demand new interventions be developed to make labour market programmes/assistance more successful for older women and women with disability. These could be part of a new national programme for women re-entering the workforce.

Though there have been big changes in the delivery of labour market programmes through non-Government providers the actual interventions have remained largely unchanged. The suite of labour market interventions is narrow and incudes short term training, assistance with job search, wage subsidies and special placement (now often called reverse marketing). Recent reports have shown that the Restart Scheme, a wage subsidy scheme to get older workers back to work has failed to reach the target of 32,000 and only assisted 2,318 older job seekers. The Government is tinkering with the settings of increasing the size of the subsidy and changing the qualifying period. NFAW would prefer serious work to create more effective interventions suited to older women and women with disability.

The National Enquiry could look at a number of superannuation matters including;

* Reintroduce the Low Income Superannuation Contribution;
* Changing superannuation thresholds to increase access for more par- timer and casual workers;
* Develop measures for those on Carers Pension and PPL so that they can better plan for economic security in old age; and
* Look at any unintended consequences of stopping superannuation contributions.

In the medium term research into the value of unpaid work could document the benefits both national and to the individual. The rollout of the National Disability Insurance Scheme provides an opportunity to research pathways to employment.

An immediate and important outcome of this National Enquiry should be to inform older women and women with disability of their rights at work and their options if they experience discrimination. Similarly there should be an outcome that helps employers see beyond stereotypes and concentrate on what women can do.