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

# Submission No 302

**Name** National Stroke Foundation

**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**

Policy Officer

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

The National Stroke Foundation (NSF) advocates for stroke survivors and their

carers in the areas of health, social policy, discrimination and other areas as appropriate.

There are an estimated 440,000 stroke survivors living in Australia, of which two-thirds have sustained a disability.

Around one-third of stroke survivors are of working age (under 65) and we know through surveys of survivors that stroke can have a significant impact on work.

Stroke survivors and their carers (which are often a spouse or other family member) report challenges around employment including reduced ability to work; difficulties relating to workplace flexibility and understanding about stroke needs; challenges associated with return to work and often outright discrimination.

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

Yes. Many stroke survivors have provided NSF with examples of how impact from stroke has been a source for discrimination in either gaining employment or losing their ability to keep working in their current occupation. Common health impacts from stroke include physical things such as slurred speech, affected gait and other physical limitations. There are other common impacts that can often be hidden such as emotional and psychological impact, memory loss and fatigue.

One case study is Adrian, a horticulturist. Adrian worked for over 7 years as a well-respected and skilled horticulturist before his stroke. After his stroke, Adrian was unable to drive, however he was still able to walk and perform most of the duties a horticulturist would be required to perform. He continued to work in horticulture for 8 years post-stroke.

Being ambitious, Adrian applied for new jobs after his stroke and received positive feedback from some well-known organisations. Unfortunately for Adrian, however, was the fact that they all deemed a driver’s licence as an essential component of the job, even when the position was at a managerial level.

Adrian has had numerous conversations with these organisations and discussed the importance of a licence, particularly in light of the fact that many employees on site could convey him from one site to another with very little inconvenience to operations as crews move together. This was met with negativism with the perception being that organisations are risk averse and not prepared to make minor adjustments to operations.

Adrian has now been forced to work in an office job outside the horticulture industry because there was no chance of furthering his career.

Before he left the industry he applied for one last job and did not mention that he had any disabilities. He received a job offer within 15 minutes of emailing his application but was subsequently turned down when he mentioned he was disabled.

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

The impacts of employment discrimination can be severe. For the lucky ones, discrimination could mean some minor change of duties or a change in roles and responsibilities. For others it could mean leaving the employer/industry altogether and very often it can mean fulltime unemployment.

### **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**

A survey conducted by the National Stroke Foundation found that of the stroke survivors who were working prior to their stroke about three quarters reported a change in their work activities since their stroke. Over half (57%) reported that the change was moderate to extreme.

Of those that needed help returning to work, 60% reported that they did not receive any or enough help returning to work. Quite often, this was a result of employers not understanding that soon after stroke many people will suffer bouts of fatigue and assuming it would not improve.

**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**

**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**

Many employers stipulate ‘essential requirements’ for employment – such as a driver’s licence – which can impact on a stroke survivor’s eligibility for a role. In Adrian’s case, having a licence would be handy but probably not ‘essential’. If employers and managers could make some minor (and very reasonable) adjustments it would open the door to employment for so many stroke survivors and people with other minor disabilities.

Criteria in job descriptions prevent people with disabilities applying for jobs and when applicants ask if the potential employer can make reasonable adjustments for their disability so they can apply, as they are entitled to, often the answer is no.

If an employer deems criteria to be essential they do not have to make adjustments – effectively ruling out a person who does not meet the criteria because of a disability from applying.

Another problem recognised by stroke survivors is that they often apply for jobs with large organisations who pride themselves on being an Equal Opportunity Employer, indeed some include a knowledge of Equal Employment Opportunity principles as a prerequisite to employment. However when a disabled person asks that EEO principles apply to their case the employer fails to live up to their promise.

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

**Incentives**

Australians with disability are keen to work and contribute to society. They enhance the work environment by increasing diversity in the workplace to reflect that of society and thereby making work teams more balanced.

**Disincentives**

Employers are often not sure of what is required to employ a disabled person. There are perceptions that massive changes will be needed and that ultimately it is just ‘too hard’ to do.

### **Good practice**

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

[ ] Yes

[ ] No

[x] Not sure

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

### **Solutions**

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

One action could be to look at the cases where people with a disability have effectively been frozen out of employment due to essential/mandatory requirements such as having a driver’s licence, even when having to drive is not part of the job.

Another possible action could be to provide support and information for people who experience issues around discrimination or an absence of EEO principles from organisations purporting to provide them. While there are already avenues for appeal, these are often lengthy and intimidating for someone who ‘just wants to work’. Making this process quick and easy and ensuring appropriate information is available would assist many people with disabilities.

There is also potential for organisations, particularly larger organisations, to work with state and federal government organisations and departments such as the NDIS to review their workplace environment and receive basic training/information on how they can employ people with disability. Many organisations do not realise that it is a far simpler process than they envisage and what the benefits might be.

People with disability do not always require workplace modifications or reasonable adjustments. Where adjustments are required, they are often simple and inexpensive and can sometimes be subsidised or even fully paid for by government financial assistance.

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

With regards to stroke survivors who have a disability, there is a need to provide them information as soon as possible regarding disability and employment. This obviously applies to all people who suffer a life-changing illness or accident that leaves them permanently or temporarily disabled. Many stroke survivors leave hospital with very little, or no knowledge of what to expect and stroke related disability can make it to source and process information.

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

The NSF would like to see this inquiry come up with positive recommendations to improve the job searching experience for people with a disability. This inquiry should be seen as an opportunity to improve processes and procedures rather than identifying poor practices.

The inquiry should also look at how employers can be better informed about employment of people with disabilities including the support available to employers including information and training to enable them to ensure people with disabilities can have a long and satisfying career.