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

# Submission No 320

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**Submission made by**

[x]  Academic/social policy practitioner

# Submission regarding Older Australians / Australians with Disability / Both

### **Your experience**

**Have you (or the person you are submitting on behalf of) experienced employment discrimination?**

[ ]  Yes

[ ]  No

[x]  Not sure

**Did you take any action in relation to the employment discrimination you experienced?**

[ ]  Yes

[x]  No

**Please tell us more, for example, what action you took and how effective you felt it was; or why you chose not to take any action.**

Any discrimination I may have experienced was likely ‘unintentional’, rather than indicative of a Human Resource (Recruitment) Officer and (or) an employer being deliberately biased against me due to my ‘young’ age. Moreover, age-based undertones were implied based on the terminology used, despite sometimes appearing ‘neutral’ or ‘positive’ language – such as being ‘inexperienced’. This is referred to by National Seniors Australia as a ‘vocabulary of exclusion’. Conversely, some co-workers or supervisors would make ‘positive’ assumptions about me – and other ‘younger’ workers – as being technologically savvy (etc.), which sometimes placed undue pressure on us.

**Did your experience of employment discrimination impact on your participation in the workforce? (For example, did you have to stop work, change jobs or take sick leave?)**

[ ] Yes

[x] No

**Please tell us more**

I was seeking work for almost a year before finally becoming employed – despite my higher education qualifications and volunteer work experience. Although not explicitly stated (see above), there was an inference that this lack of ‘job search’ success may have been ‘age-related’.

### **Barriers**

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

[x] Yes

[ ] No

[ ] Not sure

**If yes, or not sure, what do you think these barriers might be?**

* Undervaluing the technical skills, qualifications, life experiences and networks held by mature cohorts – particularly contacts gained and non-traditional skills learned as parents or volunteers that may be transferable to the (paid) work context.
* Australian media and political discourse (arguably) focus on the negatives associated with ageing (disabilities), rather than promoting ‘success stories’.
* Exposure to age-related prejudice and stereotyping (whether intentional or not).
* Organisations generally comply with the ‘letter’ of the law, as opposed to the ‘spirit’ – only conforming to the minimum (required) legal standard of age-friendly/ethical workplace legislation or providing minimal support.
* Coupled with this is the unfortunate reality that ‘age discrimination’ can be difficult to prove and (or) processes of compensation are complex or compensation, largely inadequate.
* ‘Mature’ workers may (be perceived to) experience decreased physical, mental or emotional health (i.e. mobility issues, mental illness or stress-related concerns); this is linked to a dearth in suitable working conditions for mature workers (i.e. safe or ‘age friendly universal' designs).
* ‘Mature’ workers (job-seekers) may (be perceived to) lack up-to-date technical abilities or relevant transferable skills; their situations potentially compounded by a lack of training initiatives (higher education opportunities), job search assistance or career development pathways targeted specifically at ‘mature’ cohorts.
* The fact ‘younger’ workers or workers without a disability may be ‘cheaper’ or require less time/resources – in terms of wage, their need for training and assistance (i.e. ‘mature’ workers and workers with disabilities may require greater age friendly, flexible accommodations).
* Such perceptions are linked to the practices that encourage voluntary (or force) retrenchment/retirement among ‘mature’ workers (workers with disabilities), especially during times of economic down-turn and organisational downsizing.
* Favouring ‘younger’ workers as more malleable, better able to learn and perceiving them as potentially remaining with an organisation for a long time; whereas ‘mature’ workers are viewed to be intransigent, lacking in cognitive (physical) ability and just ‘hanging out’ for retirement. Such assumptions lead ‘mature’ cohorts to be ‘over looked’’ for job entry, professional development (career pathways) and can result in them becoming under-employed or being ‘pushed’ out of the job (i.e. forced to pass on corporate memory and withdraw).
* Job-search and applicant screening (Human Resources) processes as well as performance management criteria, may be biased against ‘mature’ cohorts (people with disabilities) – failing to account for differing levels of computer literacy or not recognising applicable skills/knowledge (i.e. recognition of [formal] prior learning) and lived experience. Furthermore, a lack of responses from prospective employers may not only be viewed as impolite, but be disheartening to mature age job-seekers and lead them to cease searching for (paid) employment.
* Financial barriers such as tax, private pension or welfare restrictions that may limit mature workers' capacity to work in full-time (or paid positions) without receiving a penalty from the Government.
* ‘Mature’ workers may require more workplace flexibility than other workers, especially those intending to continue working in paid employment but also desire to enter phased-retirement, adopt unpaid (volunteer) work or other personal (familial or educational) interests/responsibilities.
* Cases of ‘gendered-ageism’ experienced by mature age women are often related to this – particularly those with caring responsibilities. Leading them to be overlooked by (for) males in higher level positions, or unable to retain a job due poor work-life balance options. Assumptions are also made about women regarding how their physiological ‘changes’ affect them (i.e. an individual’s poor attitude being blamed on their menstrual cycle or having entered menopause).

**Does employment discrimination have an impact on gaining and keeping employment for older Australians/Australians with disability?**

[x] Yes

[ ] No

[ ] Not sure

**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**

* After having lost a job prior to pensionable age, due to persistent barriers for job entry many mature (disabled) job-seekers are forced into long-term unemployment or ‘hidden unemployment’ and eventually transition from *NewStart* (or analogous disability assistance schemes) to the *Age* Pension – without ever attaining new employment. Various academics, the Australian Council of Trade Unions, National Seniors Australia and last year’s ‘Blue Report’ (headed by Everald Compton and published by Per Capita) have consistently reported on the inadequacy of employment assistance (i.e. NewStart) and the Age Pension due to rising costs of living, suggesting that recipients may experience a decline in their quality of life without the added financial security of work (an income) or other private pensions (i.e. Superannuation/investments).
* Related financial barriers such as tax, private pension or welfare restrictions that may limit mature workers' capacity to work in full-time (or paid positions) without receiving a penalty from the Government because of ‘means-testing’ thresholds.
* There are also pervasive barriers related to Centrelink. The Government agency can appear inflexible and even unaware that their clients have diverse backgrounds and needs. Such issues can preclude (full) eligibility to various pensions; particularly where sporadic, seasonal (common mature workers or workers with disabilities) may be deemed ‘suspect’ and result in financial penalties. Centrelink services (personnel) may also be viewed to be lacking in sympathy; with service delivery compounded by a lack of user-friendly terminology or processes. Frustrated individuals may ‘give up’ on receiving support due to lengthy wait times and strict regulations, thus entrenching already ‘disadvantaged populations’ further.
* Superannuation laws constantly change in Australia, generally accompanied with shifts in Government. This fosters uncertainty among the public, this necessitates regular attendance to seminars (or reading of relevant materials) in order to keep up-to-date and may result in individuals failing to maximise their financial situations in later life.
* Gaps in access to training – reserved for younger workers – is also compounded by a lack of funding within organisations for professional development (overall) or governmental funding support for workplaces to implement such services; where a lack of targeted opportunities in workplaces instils resentment among mature workers (workers with disabilities).
* Recognition of (formal) prior learning Schemes (described below) have been criticised as being restricted to certain jobs (skills), often relying too heavily upon employers’ discretion.
* Volunteer work has long been recognised by the Australian Government as important to social sustainability; whilst also providing unemployed individuals with transferable skills (work experience) and sometimes acting as a ‘bridge’ towards paid employment. However, unpaid work is not necessarily perceived as being of equal value to paid employment by policy-makers. Volunteering (alone) does not meet welfare assistance criteria. This places undue pressure on disadvantaged individuals to find paid employment (sometimes in addition to unpaid work) in order to continue receiving government pensions.
* It has been suggested in in the ‘Blue Report’ (and by other academics) that volunteer job-seekers – those desiring unpaid work – may experience barriers to their engagement similar to paid employment. In particular, there is an apparent dearth in (insurance) protection and (or) training for volunteer workers, which further limits their capacity to (and options for) work.
* There is little public knowledge about many Australian employment assistance schemes, compounded by a lack of these targeted age (disability) services in certain States (such as DOME).

**What are the incentives and disincentives for older Australians/Australians with disability to work?**

**Incentives:**

* Increasing pension eligibility age, accompanied by other related policies – such as the Restart initiative (including Experience+ (Plus) or recognition of (formal) prior learning), work bonus or transition to retirement schemes which provide financial incentives and (or) support for employees/employers. Also important would be complementary education campaigns to increase awareness about the availability of such assistance to employees/employers, whilst simultaneously promoting the benefits of working (up to and beyond pensionable age) and the virtues of ‘mature’ workers/people with disabilities.
* In addition to working out of financial necessity (i.e. they cannot afford the daily cost of living), paid (unpaid) employment affords them the ability to remain socio-economically engaged and independent in later life.
* Some individuals may lack mental stimulation or social interaction (i.e. upon entering retirement some may become bored, miss work-related challenges and risk being inactive or experiencing isolation)
* Work can be important to their identity and provide people with purpose (i.e. make a meaningful contribution to the community). Therefore the opportunity to pass on corporate knowledge and personal wisdom to co-workers and employers can be an incentive – not purely for personal benefit (i.e. improving their sense of self-efficacy and value), but to improve institutional processes; ‘fix’ the mistakes of less experienced individuals; maintain the quality of service delivery in the future; and expose (younger) co-workers or employers to the ‘virtues’ of maturity/people with disabilities.
* An incentive for individuals to (re) enter work may be if they voluntarily exited the labour force, but are no-longer happy with their decision; similarly, some may have been forced to exit, but do not want to remain retired or out of work

**Disincentives:**

* Increasing pension eligibility age (including related financial penalties – such as increasing means testing) may foster resentment among mature cohorts that feel their autonomy of choice and quality of life may be truncated.
* Some choose to exit the labour force and remain happy with their decision; whilst other are sometimes forced to exit the labour force, but are subsequently ‘glad’ to have retired or be out of work.
* Some individuals simply want to retire, focus on non-work related interests or responsibilities (i.e. education, family or ‘hobbies’) or may be unhappy in their current workplace/field of employment.
* Some people may be physically, mentally or emotionally unable to enter/return to the workforce or feel unsupported due to poor universal design (i.e. barriers to access and inclusion resulting from a dearth of ramps or ergonomic accommodations).
* For others, working is not a financial necessity and (or) they do not lack mental stimulation or social interaction; similarly, work was not – or may no longer be –important to their identity or purpose in life and (or) they contribute to the community in other non-work related ways.

### **Good practice**

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

[x] Yes

[ ] No

[ ] Not sure

**Please tell us of examples of good practice in employing and retaining older Australians/ Australians with disability in work that you are aware of.**

* It is widely accepted that the ‘helping professions’ value and utilise mature cohorts’ (people with disabilities) skills more than in other sectors.
* Some organisations are using a wide range of attraction and recruitment methods. This may include a mix of traditional ads. (in newspapers etc.); online job advertising and submission options; and where employees/employers are approached informally (such as ‘door knocking’, head-hunting and professional networking – maintaining contact between current and former staff).
* Employers of choice are specifically targeting mature workers (job-seekers) and (or) retirees by providing (continuous) professional development for existing staff or re-training rehired retirees – whilst also encouraging them apply their new skills in the workplace.
* Of greatest worth are age-friendly accommodations and wellness initiatives aimed at maintaining physiological, cognitive and emotional wellbeing; as well as flexible work arrangements, such as reducing hours, offering decentralised workplaces – working from home – and enabling phased-retirement (accompanied by mentoring and succession planning opportunities that help workers transition to retirement and retain a sense of self-worth).
* Similarly, access to government (workplace) incentives such as higher pay (or related awards), extended leave options and transition to retirement; salary sacrifice; and work-bonus schemes, promote greater rates of retention.
* Some workplaces employ mature cohorts in specialty positions (i.e. as paid or unpaid consultants) and to transfer (record) corporate memory, thereby including individuals in decision-making processes and making them feel more ‘efficient’ (and valued) as workers.
* The promotion of workplace cohesion *via* mutually beneficial social and professional networking (team projects) or the transference of experiences, fostering an acknowledgment of the worth differently aged staff (workers with differing abilities) have for workplaces and the greater society.
* Employers that are employee-driven, rather than focused on the ‘bottom-line’; whereby mature workers (workers with disabilities) are treated with ‘respect’.

### **Solutions**

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

Given our (arguably) ‘youth-oriented’ society, attitudinal shifts need to occur at the individual level, before social change is possible. Individual level exposure (i.e. between members of society or co-workers belonging to younger/older generational cohorts) may also develop greater respect between – and appreciation of – differently aged individuals, people with (without) disabilities. Individuals have the ability to act as ‘agents of change’, not only conveying a ‘positive’ outlook – thereby changing negative stereotypes about ageing (disabled) individuals – but also being flexible themselves (i.e. matching their needs/abilities with workplaces) and thus maximising their potential output. Collaborating with Unions, policy-makers (politicians), stakeholders and other members of the community will also ensure their ‘voices’ are more widely heard; whilst simultaneously promoting the virtues of ‘mature’ workers (workers with disabilities).

However, national leadership is also of paramount importance in eliciting change. The media, stake-holders, governments (or peak bodies and academia) need to provide educational campaigns to employers (and in wider societal contexts, *vis-à-vis* the ‘success stories’ or positively framed advertisements) espousing the worth and contributions of mature cohorts (and people with disabilities) in general; as well as increasing knowledge regarding the benefits of attracting, recruiting and retaining ‘mature’ workers (workers with disabilities). Better promoting work incentives that foster institutional change will lead to organisations becoming ‘employers of choice’ that can then act as role models for other organisations. This combination of reactive and proactive policies – not only aimed at limiting ageism or enforcing punitive legislation (i.e. through anti-discrimination laws and penalties), but utilising education campaigns and better developing (implementing) social policy/practice – could form part of a greater, multi-tiered and contextualised ‘age management’ plan.

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

Primarily, workplace ‘flexibility’ and maintaining individuals’ ‘autonomy of choice’ will be key to enhancing active labour force participation in paid and volunteer work. However, options that enable flexible and autonomous decision-making, will improve experiences (leading up to and) in retirement or whilst unemployed – particularly for those transitioning in to or out of (non) traditional employment. Of salience will be promoting work-life balance, individualising (and expanding) training and development and increasing the scope of retirement (superannuation) planning or governmental support schemes /employment assistance available – enabling (personalised) options for continued ‘work’, rather than focusing solely on ‘winding down’ or the notion of exiting permanently and perpetuating societal norms of labour force inactivity in later life/among people that develop disabilities.

Politicians (regardless of their ideological perspectives) have long-agreed that mature workers and workers with disabilities are essential to Australia’s socio-economic sustainability. Individuals, policy-makers, community and business leaders/employers, academics, practitioners and stakeholders need to change their (others’) perceptions of such populations as a ‘problem’, to viewing them as a ‘solution’. Increased labour force participation rates may mitigate several concerns - particularly issues of skilled labour attraction/retention, corporate memory loss and fears surrounding the retirement of workers in our ageing society – especially the deleterious impact this may have on the quality (quantity) of essential services or maintaining individuals’ financial independence in later life. However, it will be important not to ‘force’ individuals to remain working (in paid employment) up to and beyond pensionable age, but rather increase their ‘choices’ to do so by reducing barriers; whilst simultaneously enhancing the perceived socio-economic value of unpaid private sphere (caring and domestic duties) and public (volunteer) work – potentially viewed as sources of alternative employment to individuals, society and (formally) acknowledged by Governments.

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

The following outcomes/recommendations have been adapted from my study[[1]](#footnote-1) completed at Edith Cowan University, which explored the benefits of attracting, recruiting and retaining mature workers. Although, the research mainly focused on Western Australia, I believe the findings/proposals may be transferable to the greater Australian context and thus applicable to this National Inquiry. Specifically, in order to improve employment prospects among disadvantaged populations and elicit attitudinal change the following outcomes/recommendations could be developed and (or) expanded upon –

1. Increased awareness about the heterogeneity of mature workers/workers with disabilities, their varied needs and the overall ‘virtues’ of maturity. This individualisation may be reflected in attraction, recruitment and retention strategies; but also across retirement (superannuation) planning and related support or pension schemes available to workers/retirees/job-seekers.
2. Formal recognition of the valuable life-skills held my ageing (disabled) workers and the worth of non-traditional forms of employment – including unpaid work.
3. To promote the individuation of performance management criteria in workplaces, thereby reflecting (and better utilising) ‘mature’ workers’/workers with disabilities’ valuable skills.
4. The introduction of frameworks that better protect disadvantaged worker populations during cycles of down-sizing – with ‘mature’ workers often targeted by employers for retrenchment; and an attempt to stabilise (personalise) existing financial systems (such as tax and superannuation laws), as well as improving welfare services/security.
5. Increased awareness and utilisation of flexible arrangements and age-friendly (Universal) designs throughout workplaces and society in general.
6. Wider provision of (targeted) personal/professional development and further educational opportunities that are ‘meaningful’ to workers – including greater options for re-employment within or between organisations, based on the skills of individuals and also the expectations of employees and employers, equally.

However, also of use to the Inquiry may be the multi-faceted and non-linear conceptual framework I developed, entitled the ‘Re-Model’. It was based on both existing methods of best practice in grey, popular and academic literature and also refined, using ‘new’ concepts identified as part of surveys, interviews and focus groups conducted as part of my research (for the full diagram, please see Georgiou, 2015, p. 336). The ‘Re-model’ was designed to act as and inform future ‘age management’ strategies, also serving as a simple guide for individuals, employers, practitioners and policy-makers as to how we might (more fully) conceptualise (mature age) employment and retirement, or deal with age-related issues.

1. Georgiou, J. (2015). Exploring the Benefits of Attracting, Recruiting and Retaining Mature Age Employees up to and beyond the Traditional Age of Retirement: Perspectives from Western Australia (Doctoral Thesis, Edith Cowan University, Perth, Western Australia). Perth, WA: Edith Cowan University. The complete dissertation can be accessed here - <http://ro.ecu.edu.au/theses/1632/> [↑](#footnote-ref-1)