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

# Submission No 82

**Name** Jeffrey Blackwell

**Submission made by**

[x]  Older Australian looking for work

[x]  Older Australian who would like to work

[x]  Australian with disability in work

[x]  Australian with disability looking for work

[x]  Australian with disability who would like to work

# Submission regarding Older Australians and Australians with Disability

### **Your experience**

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

[x]  Yes

[ ]  No

[ ]  Not sure

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

[x]  Yes

[ ]  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.**

I have taken action, by taking my case to the Human Rights Commission. This particular complaint is being handled by **[redacted]** and is still in process Whilst **[redacted]** has done his best to facilitate my complaint I feel he is working with his hands tired behind his back. I do not believe the out come of the action I have taken will be satisfactory, for a number of reasons:

1. The mining company I have take against seems to have the law on its side, it is very ownerious to try and prove ageism. They should have to prove it was not ageism and or disability.

2. If you are not satisfied with the arbitration process, then it start to become costly in the federal court system.

3. It has taken eight month to get this far. ( which means justice delayed is justice denied ! )

4.I'm starting to believe the process is farce, a valve just to let off steam.

If you wish to study a real case you have my permission to look at my case, just get in contact with**[redacted]**.

**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**

### **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?**

When looking for work I believe the insurance system is a problem, in so much as you get older you develop wear and tear injures that do not stop you from working, but insurers charge extra premiums. There is also the problem of companies and insurers requiring your age either overtly or subvertly.

**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**

1. Older people like myself who wish to do mature age apprenticeship are discriminated against

2. Mining companies discriminate against older worker all the time. Especially when it comes to recruiting and training green employees (unskilled new workers or people who have been out of the mining industry for a long time) both above ground and under ground.

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

**Incentives:**

There should be positive discrimination toward employing older workers, as there is with women, and aboriginals. It would seem that monitory encouragement does not seem to work buy its self.

**Disincentives:**

I believe I have covered them previously.

### **Good practice**

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

[ ] Yes

[ ] No

[x] 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.**

I have not come across them yet.

### **Solutions**

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

I believe employers should have to prove they are not discriminating.

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

less free trade and re-regulation would seem the answer.

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

I would like to see all my points investigated, and I would like to appear in person.