

## Employment and Education

7.1 This chapter considers the challenges that carers face in combining their caring role with employment or formal education. While the focus of this chapter is primarily on issues affecting carer participation in employment, many of the issues considered will also apply to carer participation in formal education. The chapter will:

- provide information on carer participation in paid employment;
- consider the influence of the income support system on carer participation in employment;
- examine the barriers to participation in paid employment including:
  - ⇒ the shortage of alternative, suitable and affordable care options;
  - ⇒ the lack of flexible employment opportunities;
  - ⇒ the lack or loss of skills following absence from the workforce; and
- consider the impact of caring on participation in education, particularly the impact on young carers.

### **Carer Participation in Paid Employment**

7.2 Caring has a significant impact on the capacity of carers to participate in paid employment or to partake in training or educational opportunities. Data from the 2003 Australian Bureau of Statistics (ABS) Survey of Disability, Aging and Carers (SDAC) found that carers of working age (i.e. 15-64 years) were less likely to be participating in paid work than non-carers, with approximately 63% of carers in paid employment compared with 73% of non-carers. The proportion of primary carers who are in paid

employment is only 48%, with the majority working part-time rather than full-time.<sup>1</sup>

- 7.3 Not surprisingly therefore, a considerable volume of evidence to the Inquiry emphasised the very real challenges experienced by carers attempting to balance their caring role with employment. As described by one group of working aged carers:

Our group agrees that the juggling act of work and caring is extremely difficult. Consequently some of us have decided not to work, while others work only part-time. This has meant a significant drop in income and not following the career paths we might have.<sup>2</sup>

- 7.4 Some carers have indicated that the demands and intensity of their caring responsibilities prevent them from participating in employment at any level.<sup>3</sup> As explained by Ms Nuriani Magnusson, who cares for her two adult daughters:

My time is fully occupied with either one or both of my children needing help – this restricts my getting a job.<sup>4</sup>

- 7.5 A number of carers also indicated that they had left employment specifically to commence caring<sup>5</sup>, while others noted that they needed to alter or reduce their hours of employment or take time off work as a consequence of their caring responsibilities.<sup>6</sup>

- 7.6 Ms Margaret Bartlett, who cares for her husband with multiple chronic medical conditions, described the effects commencing care had on her workforce participation as follows:

As an experienced qualified operating theatre sister, with double certificates, I expected to progress with my career when I returned to work, in 1969, after our 2 children started school. After my

---

1 Australian Bureau of Statistics (2008), *A Profile of Carers in Australia*, 4448.0, p 51.

2 Ms R Kyne et al, Submission No 873, p 3.

3 See for example: Mr N Faint, Submission No 20, p 2; Ms J Roze, Submission No 485, p 4; Mr T Stroud, Transcript of Evidence, 12 August 2008, p 54.

4 Ms N Magnusson, Submission No 269, p 1.

5 See for example: Ms M Huddleston, Submission No 37, p 1; Ms L Belsham, Submission No 96, p 1; Ms L McIver, Submission No 191, p 1; Ms E Interlici, Submission No 209, p 1; Ms C Wood, Submission No 350, p 1; Ms C Hill, Submission No 1117, p 1.

6 See for example: Ms L Kschenka, Submission No 33, p 3; Mr C Coleman, Transcript of Evidence, 12 August 2008, p 27; Ms J English, Transcript of Evidence, 12 August 2008, p 62; Mr G Moore, Transcript of Evidence, 12 August 2008, p 63.

husband's heart attack in 1976, I had to periodically resign from work to care full-time for my husband.

There was no Government support for anyone in my position at that time. When he was well enough I had no problem finding employment again, because of my reputation and references, but I naturally had not progressed in my career. I studied and worked full time in 1982 to gain my Midwifery qualifications, but was forced to retire permanently (aged 53years) in 1993 to care for my husband full-time.<sup>7</sup>

- 7.7 In addition to limiting the capacity for carers to participate in employment, research conducted by the Taskforce on Care Costs (TOCC) also found negative impacts on the careers of those carers who are in paid employment, noting:

... 34% of carers [in paid employment] are of the view that their career has suffered because of the competing demands of their caring responsibilities. ... Critically in terms of using the full skill base of working carers, two-thirds (67%) of carers indicated that they would refuse a job or promotion if it meant they could not fulfil their caring responsibilities. Further nearly half (44%) have already selected a role at work which is below their skill level because it gives them the flexibility they need to balance their work and caring responsibilities.<sup>8</sup>

- 7.8 Similarly, in its submission Carers ACT noted:

A significant number of carers are under-utilised and working at skill levels way below their capacity because their care needs force them into lower level jobs where their absenteeism is more easily covered by an employer. Stress is a big factor for many carers, and they choose lower pay or lower skilled jobs because they understand that they no longer have the capacity to maintain demanding career positions. Yet the wastage of their skills is of concern.<sup>9</sup>

- 7.9 Despite these challenges, carers emphasised the importance of having the choice to combine caring with participation in employment. In particular, evidence emphasised the potential benefits of participation in paid

---

7 Ms M Bartlett, Submission No 58, p 1.

8 Taskforce on Care Costs (2007), *Report: the hidden face of care: combining work and caring responsibilities for the aged and people with a disability*, pp 22-23. See also: Mr C Coleman, Transcript of Evidence, 12 August 2008, p 27.

9 Carers ACT, Submission No 702, p 16.

employment for carers, both in terms of improving financial security and to carer health and wellbeing.<sup>10</sup> Ms Deborah Edwards, who cares for her severely disabled son, described the benefits she gained by working, stating:

I have been working for the past 10 months, just 2 days a week. I have grown in self confidence and enjoy my life as someone other than a Carer. ... I desperately wanted to work full time, as I had been forced into my Caring role over 20 years ago, and had missed the financial benefits and mental stimulation that working had provided. I also wanted to be free of the continual and insulting personal probing that Carers are subjected to if they receive a payment from Centrelink.<sup>11</sup>

- 7.10 At the public hearing in Hobart, Ms Annette Wilson-Strum, who provides care for her husband with an acquired brain injury, explained the personal importance of being able to balance her caring role with work as follows:

Certainly there are lots of benefits personally for me to work. I am maintaining my own skills. I have got no outside interests. I do not do anything but work or look after Peter. Those are the two things that I do. Going to work is terribly important. It is my respite, if you like. I hope my employer does not misinterpret that.<sup>12</sup>

- 7.11 Additional information on the impact of caring on workforce participation is available from the Families Caring for a Person with a Disability Study (FCPDS) which was conducted in 2006 by the Australian Institute of Family Studies (AIFS).<sup>13</sup> In addition to key findings which indicate significant reduction in the capacity of carers to participate in paid employment, the survey also found that more than half of the carers who were not in paid employment want to work.<sup>14</sup> On the basis of this finding the AIFS concluded that:

The fact that a large number of not-employed carers of working age expressed a desire to be in paid employment suggests that

---

10 See for example: Ms B Fischer, Submission No 140, p 1; Ms J Lummas, Submission No 236, p 2; Carers Victoria, Submission No 652, p 15; Ms C Thomson, Transcript of Evidence, 6 August 2008, p 75; Ms A Wilson Sturm, Transcript of Evidence, 9 October 2008, p 39.

11 Ms D Edwards, Submission No 159, p 3.

12 Ms A Wilson Sturm, Transcript of Evidence, 9 October 2008, p 39.

13 Edwards *et al* (2008), Australian Institute of Family Studies, Research Report No 16, *The Nature and Impact of Caring for a Family Member with a Disability*, pp 105-106. [Note: Due to relatively small numbers of male carers included in the survey, analysis of data was restricted to female carers only].

14 Australian Institute of Family Studies, Submission No 744, p 11.

supporting such carers may be worthwhile and result in higher levels of social inclusion.<sup>15</sup>

## The Importance of Choice

7.12 The Committee recognises that in some cases the preferences of the carer and care receiver, coupled with the intensity and demands of caring, means that employment may neither be feasible nor sought. Therefore, in examining the issues associated with carer participation, the Committee is keen to emphasise there should be choice which will equally support those who need to provide care on a full time basis and those that wish to combine caring with employment.

## Barriers to Participation in Paid Employment for Carers

7.13 Data from the ABS SDAC indicates that 38% of primary carers who had left employment to care indicated that they had done so because alternative care was not available or was too expensive, or because they had been unable to change their working arrangements. The remaining 62% of primary carers who ceased paid employment to commence care reported leaving for reasons such as emotional obligation or the preference to care full-time.<sup>16</sup>

7.14 Similarly, AIFS analysis of FCPDS data on labour force participation reported the following barriers identified by carers who were not currently in the workforce, but would like to work:

- no alternative disability care arrangements available;
- too disruptive for the person with a disability;
- difficult to arrange working hours;
- loss of skills from being out of the workforce;
- age; and
- cost of paying for disability care while at work.<sup>17</sup>

---

15 Australian Institute of Family Studies, Submission No 744, p 11.

16 Australian Bureau of Statistics (2008), *A Profile of Carers in Australia*, 4448.0, p 51.

17 Edwards et al (2008), Australian Institute of Family Studies, Research Report No 16, *The Nature and Impact of Caring for a Family Member with a Disability*, pp 105-106.

7.15 Ms Valerie Simpson, a long term carer who has been providing care for over 35 years for three (now adult) children with differing care needs describes her difficulties in finding work as follows:

In 1998 I felt that I should try to return to the workforce. In so doing I further decided after being turned down for several positions, purportedly due to the fact I didn't have a degree, ... to go to University to obtain a Degree. This I did and graduated in 2004. In obtaining my degree I have also accrued a HELP debt greater than the national debt. Since that time I have applied for many positions and although it has not been said, body language is very clear and speaks volumes. I believe prospective employers find that I am too old and that my caring role would be a disincentive to anyone who would even think of employing me. I have applied to Advocacy Agencies as well as employment in a managerial and coordination positions as well as other positions within the Disability Sector. Thus far I have not been successful. My conclusion is that employers see me as being:-

- a) a Carer first - that is my role and position in life.
- b) too old - given that I have years of experience is of little value it would seem; and
- c) the perception, from the people I have seen thus far, I believe, see my caring role as one of inconvenience in relation to any work I may obtain.<sup>18</sup>

7.16 For many carers wishing to combine care with employment, the absence of alternative care arrangements and lack of flexible employment options both emerged as major barriers.<sup>19</sup> As summarised by Ms Jill Poat and Mr Will McGhie, who have been carers for over 20 years:

Caring for a person 24/7, unless there is family or external caring, results in no opportunity for work or social participation. In order for there to be any external participation from the home by the carer, there must be more than one carer. Just going out shopping is difficult or impossible without support. In short, employment is impossible and day to day living is near impossible without support.

---

18 Ms V Simpson, Submission No 260, p 4.

19 See for example: Mr J Halford, Submission No 250, pp 7-8; National Seniors Australia, Submission No 686, p 6; Australian Congress of Trade Unions, Submission No 725, p 1; Ms J Beattie, Submission No 1045, p 3; Mr R Sinclair, Transcript of Evidence, 13 August 2008, p 3.

Employment for carers would in most (all) cases require flexibility in the work hours. Employers would have to be encouraged to recognise the role of a carer and their limiting situation.

Employment, if undertaken by a carer for purely financial reasons, would have to be weighed against the cost of external care for the disabled person while the carer is working. Little point in working for little or no money.<sup>20</sup>

7.17 Also detailing her struggle to balance caring for her daughter with profound intellectual and physical disabilities with employment, Ms Narelle Hughes explained:

... until my daughter turned thirteen she was eligible to access after school care and school holiday care and I tried to maintain paid employment. Once after school care was not available I had to find a position on a part-time basis, and that was not necessarily easy. If you consider the details of my caring role as outlined earlier, you may be able to understand that, try as I might, and even with the most understanding employers, I would not be considered the most reliable employee. My daughter's needs had to be my priority. During my years as an employee it was necessary for me to drop everything and go to my daughter on a regular basis. Seizures at school meant hours for me in hospital emergency departments, sicknesses meant that I used all sick leave, parental leave and compassionate leave and school holidays meant annual leave plus more were taken.<sup>21</sup>

7.18 In view of the barriers identified above, the AIFS suggested:

Given that carers cited workplace flexibility as one of the barriers to paid employment, encouraging increased workplace flexibility may provide opportunities for carers to be involved in the workforce. The lack of suitable alternative care arrangements, the other major barrier to employment cited by carers in our study, implies that appropriate and routinely available care arrangements would also help facilitate increased employment rates among carers.<sup>22</sup>

---

20 Ms J Poat & Mr W McGhie, Submission No 24, p 2.

21 Ms N Hughes, Submission No 830, p 3.

22 Australian Institute of Family Studies, Submission No 744, p 11.

## Access to Alternative and Suitable Care

- 7.19 Access to alternative, suitable and affordable care for care receivers was identified as essential to enable those carers who wish to participate in employment to do so. As noted in chapter 6 of the report, a large volume of evidence to the Inquiry has highlighted the inadequacy of existing respite and alternative care services. In particular, evidence suggests that the demand for alternative care for care receivers, whether it be care provided in-home or in centre-based facilities far exceeds the supply.
- 7.20 The lack of disability supported long day care, out of hours care and school holiday care have emerged as a significant issues for carers in employment or for those wishing to enter employment.<sup>23</sup> In relation to the shortage of long day care, the National Carers Coalition suggested that:

The Federal Government ensure that service agreement negotiation with the states and territories foster the provision of long day care for older children and adults with dependent disability aged less than 65 years to facilitate paid work opportunity for carers and to relieve the burden of caring on stressed families.<sup>24</sup>

- 7.21 Describing her own experiences and the limitations associated with current care provisions for her adult daughter who is deaf, blind and severely disabled, Ms Jean Tops explained:

In fact, my 39-year-old daughter does attend an adult day program but that adult day program operates from 9 am to 3 pm. There is absolutely no way that a family member who has a young adult attending a day program could possibly access paid work with those hours of alternative care available to them. So those services definitely need to have the ability to extend their level of care to adults with dependent disabilities so that there is long day care available for families to actually have access to paid work.<sup>25</sup>

---

23 See for example: Ms A Rea, Submission No 14, p 1; Ms J Beardmore & Mr M Beardmore, Submission No 59, pp 1-2; Ms T A T Nguyen, Submission, No 79, pp 1-2; Mr I Morris, Submission No 162, pp 1-2; Ms S Mortimer, Submission No 332, pp 1-2; Mr M Aldred & Ms H Aldred, Submission No 336, p 1; Ms S Holmes, Submission No 357, p 1; ANGLICARE Sydney, Submission No 769, p 8; Ms J Parrott, Submission 916, p 1; Ms N Brown, Submission No 951, p 9; Ms F Anderson, Submission No 979, p 8; Alzheimer's Australia, Submission No 1002, p 13; Ms G Wilson-Burns, Submission No 1080, p 9; Ms T McLure, Submission No 1200, p 2; Ms M-L Carter, Submission No 1291, pp 10, 13; Ms G Pierce, Transcript of Evidence, 12 August 2008, p 39.

24 National Carers Coalition, Submission No 571, p 5.

25 Ms J Tops, Transcript of Evidence, 15 October 2008, p 9.



7.22 Another carer, Ms Patricia Chan explained the limitations of care available stating:

For a working carer there is nowhere that opens from 7.30am and going through to 6pm What is available opens around 10 am and finishes at 2pm a few days p[er] w[EEK].<sup>26</sup>

7.23 A number of carers also highlighted the need for alternative care options to be made available during school holidays.<sup>27</sup> Ms Cynthia Pereira, who cares for her 8 year old son with intellectual disability, severe autism, cerebral palsy, profound deafness and hydrocephalus, noted that she was unable to participate in paid employment:

... due [to] no after school care for my son at his special school (most special schools have no after school care or holiday care, which is a complete disgrace, as carers of children with disabilities even more than others need work as respite from their caring role and also the extra money a job would bring).<sup>28</sup>

7.24 Ms Sophie Menegatos also noted the difficulty in combining caring and paid employment in the absence of school holiday care for her son with Down's Syndrome, stating:

Finding employment that will fit in with my carer's role has been difficult, even with the most considerate of employers, the biggest issue being that there is no care available during the school holidays, there are no school holiday programs available and the respite facilities offer very little as they are placed under a huge demand. (there are 12 weeks of school holidays and most employers will not give that much time off).<sup>29</sup>

7.25 As Ms Maria Hart, who with her husband provides care for their 17 year old wheelchair bound son noted:

I currently work part time but am constantly faced with the hardship of finding 'care' for my disabled child in the school holidays. I sometimes wonder if the system is set up for me to be at home full time and not in the workplace where I can better contribute to society.<sup>30</sup>

---

26 Ms P Chan, Submission No 261, p 1.

27 See for example: Mr J Kelly, Submission No 1041, p 1; Ms S Gibb, Submission No 1135, p 3.

28 Ms C Pereira, Submission No 880, p 2.

29 Ms S Menegatos, Submission No 63, p 2.

30 Ms M Hart & Mr R Hart, Submission No 1174, p 1.

- 7.26 Ms Alison Bennett-Roberts, a parent of two children one of whom has a rare neurogenetic disorder and is severely disabled, describes her own experience of attempting to obtain out of work hours care for her son, and the impact of the shortage of paid support workers:

In order to maintain our work commitments, like most parents we need to utilise after school care. However, the school does not have an after school or vacation care facility. ... Due to his level of disability, we qualify for support for in home care however this is where the problems arise. To access a carer so that we can qualify for the childcare rebate, we must source a carer from a registered provider which is typically the home day care scheme organisations. Like all industries, they are experiencing a skills shortage and despite being on several organisation's waiting lists for over six months, the prospect of a carer becoming available is unlikely. ... Therefore we face the very real likelihood that one of us will need to either worked reduced hours or give up work completely if this isn't possible with our employers.<sup>31</sup>

- 7.27 While the shortage of alternative care options affects carers in diverse caring situations, these shortages may be particularly acute where the care needs of the care receiver are high or complex. Ms Louise Coyte, who cares for her teenage son who was born with multiple disabilities, describes her struggle to find appropriate child care. She notes that after 11 ½ years of seeking appropriate care:

... I was finally able to access regular respite with him and access some employment.<sup>32</sup>

### **Recommendation 38**

- 7.28 **That the Minister for Families, Housing, Community Services and Indigenous Affairs through the Health, Community and Disability Services Ministerial Council, encourage states and territories to provide additional funding for disability support workers in long day care, out of hours care and school holiday care to improve access for employed carers.**

31 Ms A Bennett Roberts, Submission No 1138, pp 1-2.

32 Ms L Coyte, Submission No 868, pp 1-2.

## Employed Carers Respite Initiative

- 7.29 The evidence clearly indicates that access to alternative, suitable and affordable care is essential to provide carers with a genuine choice in relation to combining caring with participation in paid employment and/or education. In chapter 6 of the report, the Committee recommended the need to assess community care services, including respite, and to increase the supply and flexibility of services to better meet the needs of carers, including employed carers, and their families.
- 7.30 In addition, the Committee notes evidence relating to the Employed Carers Respite Initiative funded by the Department of Health and Ageing (DoHA) under its National Respite for Carers Program. The Employed Carers Respite Initiative provided \$95.5 million over four years to increase respite services for carers of older Australians who wish to combine their caring role with work. The initiative has supported 96 Employed Carers Respite Projects which offer extended hours respite and 17 Employed Carer Innovative Pilots which have examined models of support for working carers such as brokerage and case management, working with employers, and pre-employment and training for carers. DoHA has commissioned a full evaluation of the Employed Carers Respite Initiative, which is due to be completed by 30 June 2009.<sup>33</sup>
- 7.31 The Committee looks forward to the outcomes of the evaluation and understands that its outcomes will be valuable in guiding the development and implementation of more innovative approaches to supporting working carers. Of concern to the Committee however, is the limitation of the program to providing support only for those employed carers that provide care for people aged 65 years or over. As noted by Ms Helen McDougall, a service provider based in Albury, while her experience of the program was positive the limitation 'obviously excludes many carers'.<sup>34</sup>
- 7.32 To address this limitation, the Committee recommends that any continuation of the initiative include expansion of the eligibility criteria to also provide extended respite and other support for working carers who are providing care for people with disabilities or mental illness that are under the age of 65 years.

---

33 Australian Government Departments (FaHCSIA, DoHA & DVA), Submission No 1109.1, p 7.

34 Ms H McDougall, Transcript of Evidence, 1 October 2008, p 3.

### Recommendation 39

- 7.33 **That the Minister for Health and Ageing and the Minister for Families, Housing, Community Services and Indigenous Affairs expand any continuation of the Employed Carers Respite Initiative to provide extended respite and support for all working carers, including those who provide care to people with disabilities or mental illness who are under the age of 65 years.**

### Tax Relief for Alternative Care

- 7.34 In addition to increasing the supply of alternative and suitable respite care, evidence also highlights the need for alternative care for the care receiver to be made more affordable for working carers. To address this issue, carers and organisations alike have suggested that the costs of alternative care that are incurred by working carers should be tax deductible or that tax rebates should be introduced.<sup>35</sup>
- 7.35 In its 2006 report, the TOCC suggested that the costs of alternative care for employed carers should be shared between more equitably between families and government as is the case with the current Child Care Tax Rebate which covers 50% of families' out-of-pocket expenses for approved childcare. TOCC recommended that:
- The Government introduce a 50% Care Cost Reimbursement for employees with caring responsibilities (for children, the elderly and people with a disability) to be capped at a net amount of \$10,000 of the out of pocket expense per household per annum.<sup>36</sup>
- 7.36 The Committee is keen for the Australian Government to consider options, including the TOCC recommendation, to assist working carers with the costs associated with alternative care for the care receiver.

### Flexible Work Arrangements

- 7.37 The business case for providing flexible carer friendly working arrangements is now well established and includes improved productivity and employee morale, reduced levels of absenteeism, greater employee

---

35 See for example: Mr L Wheaton & Ms J Wheaton, Submission No 190, p 1; Special Kidz Special Needs, Submission No 567, p 10; Carers Victoria, Submission No 652, p 25; Carers SA, Submission No 684, p 19; MS Australia, Submission No 692, p 22; Carers Australia, Submission No 699, pp 16-17; Ms J Tams, Submission No 908, p 8; Ms H Johnson, Submission No 1178, p 5.

36 Taskforce on Care Costs (2006), *Where to Now?* (Final Report), p 6.

attraction and retention, decreased turnover costs and improved corporate image.<sup>37</sup> In addition, while noting the challenges carers face in balancing care and paid employment, some carers have argued that carers make 'good employees' having acquired a whole range of skills as a result of caring (e.g. organisation, negotiation, dedication, research, interpretation, communication).<sup>38</sup> As Ms Evelyn Scott who cares for her adult daughter with Down's Syndrome observed:

Carers by their very nature are responsible, motivated and conscientious; I contend that these attributes make them very worthwhile and valuable employees.<sup>39</sup>

7.38 Although submissions from some carers in employment indicated that their employers had been willing to provide flexible working arrangements<sup>40</sup>, many others related experiences that suggest there is a generally poor understanding among employers and work colleagues of the demands associated with caring.<sup>41</sup> Ms Rosalind Papavasiliou, who provides care for her husband explained that many employers were reluctant to employ carers because of concerns regarding their caring responsibilities, noting:

Carers are not able to work every time the employer requests because of doctors appointments and caring duties. Carers are discriminated against in the workforce, I know it, I have personally experienced it and also was laid off one position because of it.<sup>42</sup>

7.39 Ms Caterina Bortolot, a working carer who also provides part-time care for her elderly father, explained that in her experience:

People are more sympathetic if you care for young child as opposed to elderly parents. Men or society find the single mother

---

37 See for example: Carers Victoria, Submission No 652, p 20; Human Rights and Equal Opportunities Commission, Submission No 999, p 14.

38 See for example: Ms E Scott, Submission No 839, p 5; Ms C Masolin, Submission No 1190, p 2; Ms W L Cheung, Transcript of Evidence, 12 August 2008, p 41.

39 Ms E Scott, Submission No 839, p 5.

40 See for example: Name withheld, Submission No 500, p 16; Ms K O'Dea, Submission No 556, p 5; Ms M Cochrane, Submission No 824, pp 1-2; Mr C Coleman, Transcript of Evidence, 12 August 2008, pp 26-27; Ms H Johnson, Transcript of Evidence, 12 August 2008, p 46.

41 See for example: Ms D Galt, Submission No 861, p 1; Name withheld, Submission No 883, p 3; Mr K Wood, Submission No 1007, p 2.

42 Ms R Papavasiliou, Submission No 1009, p 1.

far more attractive and engaging than a woman or man who is caring for their elderly parents.<sup>43</sup>

7.40 Mr Kevin Wood, a long-term carer for his son with disabilities explained:

I feel that my role was not considered by my employer. I have been treated the same as any other employee without responsibilities. It became too hard to compete in the workplace to keep up. It ended up I was forced to resign under the threat of termination.<sup>44</sup>

7.41 As a consequence, it was reported that some carers are reluctant to disclose their caring role as they fear that they would be seen as a liability by the employer.<sup>45</sup> Describing her own experience in seeking employment, a primary carer providing care for her mother with multiple sclerosis explained:

At every job interview I went to, I advised them that I was a primary carer for my mother and explained what that entailed. I believe that this was to my disadvantage to tell them as I am sure that I was rejected for many roles due to this commitment.<sup>46</sup>

7.42 Having eventually obtained paid employment, the same carer described her experiences in trying to balance her caring commitments with work and the lack of understanding displayed by her employer as follows:

When I finally did get a job, several months down the track a comment was made by my boss that 'when they took me on, they had to consider what impact my mother's health would have on my ability to perform'. I was made to feel that I should be so grateful for this position (this is a government funded position I would like to add).

My boss, although in the interview advised that they prescribe to a work life balance and flexibility, has not shown this to be the case. I have had to beg for everything and am often rejected when I require flexible working hours.<sup>47</sup>

---

43 Ms C Bortolot, Submission No 1124, p 2.

44 Mr K Wood, Submission No 1007, p 1.

45 See for example: Carers ACT, Submission No 702, p 16; Dr M Summers, Transcript of Evidence, 12 August 2008, p 87.

46 Name withheld, Submission No 367, p 3.

47 Name withheld, Submission No 367, p 4.

7.43 Many submissions suggested that employers ought to be encouraged to consider a range of innovative options that support workplace flexibility.<sup>48</sup> As Ms Snjezana Jalinski, a mother of two children with moderate disabilities, explained carers need access to:

More flexible work place practices which are 'carer and family friendly'. Workplace discrimination does exist in particular for female primary carers who are perceived as a risk or less reliable or productive because they may be called away from work more often because of their carer responsibilities. So there are less jobs available to those women particularly part time, job shares and working from home. Workplaces across the board need to think outside the square and provide more supportive, creative and flexible employment opportunities.<sup>49</sup>

7.44 In its submission, the Human Rights and Equal Opportunities Commission (HREOC) provided the following examples of carer-friendly initiatives that might be considered by employers:

Examples of carer-friendly initiatives include reduced working hours, flex time or working from home, specific policies that are useful for elder care include capacity to monitor throughout the day through support phone calls, extended lunch breaks to allow for meal preparation and access to carer's leave to accompany to appointments. In most cases these policies will pose negligible costs for employers.<sup>50</sup>

7.45 Another example of an innovative scheme which could assist carers to participate in paid employment is the sick leave bank which is available to employees of the Victorian Transport Accident Commission. The sick leave bank allows Commission employees to voluntarily donate excess unused sick leave to a 'pool'. The sick leave bank can then be drawn upon by employees who have exhausted all their available leave, but require additional leave either because they are ill themselves or because they are caring for a family member who is ill.<sup>51</sup> With regard to the sick leave bank

---

48 See for example: Ms B Kelly, Submission No 12, p 1; Mr I Morris, Submission No 162, p 2; Name withheld, Submission No 244, p 12; Ms S Jalanski, Submission No 446, p 3; Carers ACT, Submission No 702, p 15; Anglicare Canberra and Goulburn, Submission No 724, p 10; Australian Congress of Trade Unions, Submission No 725, p 6; Ms A-M Newbold, Submission No 1042, p 2; Families Australia, Submission No 1088, pp 15-16, 21.

49 Ms S Jalanski, Submission No 446, p 3.

50 Human Rights and Equal Opportunities Commission, Submission No 999, p 14.

51 Ms R Stuckey, Transcript of Evidence, 12 August 2008, pp 79-84.

concept, MS Australia explained the advantages to the employer and employee as follows:

[The sick leave bank] is a simple idea that is based on the fact that for the employer, sick leave is a liability on the balance sheet for the entire organisation, and it does not cost the organisation to draw down that liability in order to support those valued employees who would normally run out of leave and have to consider leaving work. Traditionally sick leave for employees is an individual entitlement, and when it is exhausted, it presents a major problem. Having a pool of leave it means that people with a genuine need for flexibility can be supported through periods of illness or crisis without suffering an unaffordable loss of income or losing their job altogether. As many employees never even go close to exhausting sick leave entitlements it comes at no additional cost to the employer, assuming they value the employee.<sup>52</sup>

## Flexible Work Arrangements and Legislation

7.46 To advance greater workplace flexibility a number of submissions to the Inquiry have suggested that there is a need to provide a legislative framework which extends carer rights in the workplace and reduces the potential for direct or indirect discrimination.<sup>53</sup>

7.47 In its submission, HREOC outlined the current protection against discrimination in the workplace afforded to carers under the current *Disability Discrimination Act 1992*, but also noted that the employer is provided with a defence to a claim of unlawful discrimination in circumstances where:

- a person is unable to carry out the inherent requirements of the particular employment; and
- unjustifiable hardship would be imposed upon an employer in order for them to avoid discriminating against the aggrieved person.<sup>54</sup>

7.48 A number of submissions have also raised issues with the National Employment Standards (NES) which were developed in 2008 to provide

---

52 MS Australia, Submission No 692, pp 20-21.

53 See for example: Australian Congress of Trade Unions, Submission No 725, p 3; Human Rights and Equal Opportunities Commission, Submission No 999, pp 11-13; Ms J Bourke, Transcript of Evidence, 6 August 2008, p 70.

54 Human Rights and Equal Opportunities Commission, Submission No 999, pp 10-11.



employees with a safety net of fair minimum legislated conditions. The ten NES are an integral part of the Fair Work Bill 2008 before Parliament as this report is being written, which if assented to will replace the *Workplace Relations Act 1996* in 2009.<sup>55</sup> The NES are:

- maximum weekly hours of work;
- request for flexible working arrangements;
- parental leave and related entitlements;
- annual leave;
- personal/Carer's leave and compassionate leave;
- community service leave;
- long service leave;
- public holidays;
- notice of termination and redundancy pay; and
- Fair Work Information Statement.<sup>56</sup>

7.49 The main limitations identified in evidence with the NES pertain to provisions for the right to request flexible working arrangements and for personal/carer's leave. Several submissions noted that main focus of these provisions relates to parents and carers of younger, under school-aged children to the exclusion of people with other caring responsibilities.<sup>57</sup>

7.50 Specifically, under the NES the right to request flexible work arrangements is only available to:

An employee who is a parent, or has the responsibility for the care, of a child under school age may request the employer for a change in working arrangements for the purpose of assisting the employee to care for the child.<sup>58</sup>

---

55 Amendments to the Fair Work Bill 2008 made during drafting of this report are of relevance to the Inquiry. Amendments to sections 65 'request for flexible work arrangements' are considered later in the chapter.

56 The Parliament of Australia, House of Representatives, *Fair Work Bill (2008)*, Section 61, p 72. See also: Australian Government National Employment Standards, viewed 2 March 2009 at [www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper\\_web.pdf](http://www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper_web.pdf).

57 See for example: Carers NSW, Submission No 661, p 10; Human Rights and Equal Opportunities Commission, Submission No 999, pp 14.

58 The Parliament of Australia, House of Representatives, *Fair Work Bill (2008)*, Section 65, pp 76-77. See also: Australian Government National Employment Standards, p 12, viewed 2

7.51 To address this limitation, the Australian Council of Trade Unions (ACTU) and others have recommended that:

Requests for flexible working arrangements should be extended to all carers, including those who care for school-aged children, disabled or elderly or chronically ill people.<sup>59</sup>

7.52 Through amending this provision, Carers NSW contends that:

This will increase the options for people who provide care to either continue to participate in paid work or to avoid a premature withdrawal from employment.<sup>60</sup>

7.53 Another limitation with the NES raised in evidence relates to the provision for personal/carer's leave'. As it currently stands the NES provides ten days paid leave for if the leave is taken:

(a) because the employee is unfit for work because of a personal illness, or personal injury, affecting the employee; or

(b) to provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of:

(i) a personal illness, or personal injury, affecting the member; or

(ii) an unexpected emergency affecting the member.<sup>61</sup>

7.54 An additional entitlement of periods of two days unpaid personal/carer's leave is also available once paid leave has been exhausted but is subject to the same criteria in relation to the purposes that the leave is taken. In its submission, the ACTU contends that the scope of the provision is too restrictive and that personal/carer's leave should apply to a wider range of carer responsibilities, stating that the provision:

... narrowly construes the range of situations for which employees with caring responsibilities need approved leave of absence. For example, routine medical appointments, general assistance such as

---

March 2009 at [www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper\\_web.pdf](http://www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper_web.pdf).

59 Australian Congress of Trade Unions, Submission No 725, p 4. See also: Carers Victoria, Submission No 652, p 21; Carers Australia, Submission No 699, p 16; Human Rights and Equal Opportunities Commission, Submission No 999, p 11.

60 Carers Victoria, Submission No 652, p 21.

61 The Parliament of Australia, House of Representatives, *Fair Work Bill (2008)*, Section 97, p 103. See also Australian Government, National Employment Standards, p 30, viewed 22 February 2009 at [www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper\\_web.pdf](http://www.workplace.gov.au/NR/rdonlyres/1955FD28-3178-44CD-9654-56A3D5391989/0/NationalDiscussionPaper_web.pdf).

shopping or travel, assistance with financial or legal arrangements and so on should be able to be counted as legitimate aspects of providing care and support to a family or household member.<sup>62</sup>

7.55 HREOC also argued for an increase in the amount of paid and unpaid personal/carer's leave available under the NES. In the case of paid personal/carer's leave, HREOC recommends an increase under the NES from an entitlement of 10 days per annum to 20 days per annum.<sup>63</sup> For unpaid personal/carer's leave, HREOC recommends the introduction of a new 12 month unpaid Carer's Leave Standard to be made available to employees who need to attend to the care of a seriously or terminally ill dependent.<sup>64</sup>

7.56 Another concern relating to the NES was raised by Carers Victoria which noted:

The [NES] provisions, however, are weak in relation to the duty of the employer. Requests [for flexible work arrangements] can only be refused on 'reasonable business grounds' and this has no clarity of definition. Importantly also there is no grievance procedure or process to provide redress if requests are unreasonably refused. The employer only has to provide reasons for refusal in writing.

7.57 To address these limitations, Carers Victoria recommended:

Incorporating policy guidelines concerning what constitutes 'reasonable grounds for refusal' of the 'right to request' in the National Employment Standards. ... Ensuring the development and inclusion in the National Employment Standards of a compliance regime and a grievance mechanism concerning the 'right to request' provisions. This will extend the grievance mechanisms that are in place for the other nine National Employment Standards to the 'right to request' standard. This would provide protection against unreasonable refusal of flexible work or leave and would safeguard employees against any unintended consequences of requesting flexible work, such as

---

62 Australian Congress of Trade Unions, Submission No 725, p 5.

63 Human Rights and Equal Opportunities Commission, Submission No 999, p 12. See also: Carers Australia, Submission No 699, p 16; Australian Council of Trade Unions, Submission No 725, pp 5-6.

64 Human Rights and Equal Opportunities Commission, Submission No 999, pp 12-13. See also: Carers Australia, Submission No 699, p 16; Australian Council of Trade Unions, Submission No 725, p 6.

poorer quality employment, pay reductions or intensified workloads.<sup>65</sup>

### Strengthening the National Employment Standards

- 7.58 The Committee notes the considerable volume of evidence describing the difficulties that many carers experience in finding flexible employment opportunities which enable them to balance their caring responsibilities with participation in the workforce. To address these challenges the Committee believes that the introduction of initiatives to advance workplace flexibility need to be complemented by others which assist carers to find suitable employment opportunities.
- 7.59 A robust legislative foundation which extends carers rights in the workplace is important. The NES provide a basis on which to do this, particularly as they relate to personal/carer's leave and compassionate leave. These are minimum standards and they have a degree of negotiability built into them to ensure that employers and employees can make flexible arrangements. Of course, the Committee encourages all employers to provide flexible working standards for their staff beyond the minimum standards.
- 7.60 The Committee notes amendments made to the Fair Work Bill 2008 during drafting of this report are of relevance to the Inquiry. Specifically, the right to request flexible working arrangements has been extended beyond carers of children under school age to also include carers of people with a disability up to the age of 18 years. Section 65 of the *Fair Work Act 2009* now reads:
- An employee who is a parent, or has responsibility for the care, of a child may request the employer for a change in working arrangements to assist the employee to care for the child if the child:
- (a) is under school age; or
- (b) is under 18 and has a disability.<sup>66</sup>
- 7.61 However, the Committee believes that this provision can be strengthened further in order to make it easier for carers to remain in the workforce.

---

65 Carers Victoria, Submission No 652, p 21.

66 Parliament of Australia website, viewed 20 March 2009 at: [www:parlinfo.aph.gov.au/parlInfo/download/legislation](http://www.parlinfo.aph.gov.au/parlInfo/download/legislation).

Particularly, the Committee believes that the right of employees to request flexible working arrangements should be extended to a wider range of carers beyond just parents of children under school age or carers for people with a disability aged up to 18 years.

### Recommendation 40

7.62 **That section 65(1) of the *Fair Work Act 2009* be amended to extend the right to request flexible working arrangements to all employees who have recognised care responsibilities, including to those who are caring for adults with disabilities, mental illness, chronic illness or who are frail aged.**

7.63 The Committee has also considered the various other proposals mentioned above to strengthen the NES and make it easier for carers to remain in employment. While the Committee supports the suggestions in principle, it is wary of supporting them by recommendation without a full analysis of their economic impact or practicality. Accordingly, the Committee urges the Minister for Education, Employment and Workplace Relations to evaluate the practicality of extending the NES covering employees' entitlements to personal/carer's leave and compassionate leave contained in the *Fair Work Act 2009* to:

- increase the minimum number of days of paid personal/carer leave to which an employee is entitled;
- provide an entitlement to a specified maximum amount of unpaid carer's leave to allow a carer to care for a seriously or terminally ill dependent; and
- broaden the eligibility circumstances for a carer's entitlement to paid and unpaid personal/carer's leave to include a wider range of circumstances that those with caring responsibilities may encounter, such as to accompany care recipients to routine medical appointments.

## Employment and Workplace Advisory Services

7.64 The potential benefits of a targeted information and awareness campaign to educate employers and others about the positive role that carers play in our community, and the advantages associated with employing carers and

providing a carer friendly workplace have been raised.<sup>67</sup> This issue of raising awareness of contribution of carers and promoting a better understanding of the needs of carers among employers has been addressed in chapter 3.

- 7.65 To further facilitate access to employment for carers, several submissions have called for the establishment of specialist employment services to provide ongoing assistance to carers seeking employment.<sup>68</sup> For example, ANGLICARE Sydney recommended that the Australian Government:

Establish an employment service specifically for carers, or provide for positions within employment centres for employment consultants who work specifically with carers. The service would provide upskilling programs and liaise with and educate employers, advocating for the needs of carers, especially the need for flexibility.<sup>69</sup>

- 7.66 In addition, others have suggested the establishment of a flexible workplace advisory service to assist businesses that ‘... want to support Carers within their employ but do not know how to go about it’.<sup>70</sup> For example, in its submission MS Australia suggested:

An advisory service for employers is required and would target job retention and support through mutually agreed flexible arrangements entered into by the employer and employee.

Employers need technical and legal advice about how to accommodate a worker needing additional flexibility; a worker needs that as well as links to specialist support and advice about managing their illness in relation to workplace issues. Currently no single agency holds all the necessary information for all parties concerned.<sup>71</sup>

- 7.67 The introduction of the Australian Government’s new employment services will address, at least in part, the arguments for having specialist employment services for carers and for having workplace advisory

67 See for example: Name withheld, Submission No 367, pp 4, 6; Carers Victoria, Submission No 652, p 22; Ms E Scott, Submission No 839, p 6; Ms R Quaipe, Submission No 1125, p 2; Ms P Webster, Transcript of Evidence, 28 November 2008, p 10.

68 See for example: Ms D Robins, Submission No 742, p 2; Families in Partnership Cooperative, Submission No 847, p 3; Mr K Wood, Submission No 1007, p 2; Ms C Masolin, Submission No 1190, p 2.

69 ANGLICARE Sydney, Submission No 769, pp 21-22.

70 Name withheld, Submission No 500, p 28. See also: Ms E Scott, Submission No 839, p 6.

71 MS Australia, Submission No 692, p 21.

services. The new employment services, administered by the Department of Education, Employment and Workplace Relations, are designed to increase employment participation, to address skills shortages and to assist individual job seekers, particularly disadvantaged job seekers, to obtain sustainable employment.<sup>72</sup>

- 7.68 Specifically, the Committee notes that the Australian Government has provided \$41 million to support Innovation Fund projects. Innovation Fund projects are intended to assist the most disadvantaged job seekers by funding projects to overcome the barriers to employment which they face. To provide Innovation Fund services, organisations must be on the Innovation Fund Panel. Following a competitive tender process, 198 Innovation Fund Panel Members were announced on 3 March 2009. Innovation Fund services are scheduled to commence on 1 July 2009.<sup>73</sup>
- 7.69 The Committee also notes that the Australian Government has provided \$6 million to fund Employer Broker activities. These help employers, including small businesses, to meet local labour market needs. They will also provide an element of skilling and training to job seekers in identified areas of skill shortage. To provide Employer Broker services, organisations must be a member of the Employer Broker Panel. Following a competitive tender processes, 56 Employment Broker Panel members were announced on 11 March 2009. Employment Brokers activities are scheduled to commence on 1 July 2009.<sup>74</sup>
- 7.70 The Committee supports these new employment services initiatives and anticipates that they will assist carers, as a disadvantaged group of job seekers, by providing specialist guidance and by encouraging and supporting employers to offer flexible work arrangements.

---

72 Australian Government, Department of Education, Employment and Workplace Relations website, viewed 23 March 2009 at <http://www.deewr.gov.au/Employment/NewEmployment/Pages/default.aspx>.

73 Australian Government Workplace Website, viewed 15 February 2009 at <http://www.workplace.gov.au/workplace/Publications/PolicyReviews/NewEmploymentServices/InnovationFund.htm>.

74 Australian Government, Department of Education, Employment and Workplace Relations website, viewed 23 March 2009 at [www.deewr.gov.au/Employment/NewEmployment/Pages/EmployerBrokers.aspx#members](http://www.deewr.gov.au/Employment/NewEmployment/Pages/EmployerBrokers.aspx#members).

## Recommendation 41

7.71 That the Minister for Education, Employment and Workplace Relations ensure that employment service providers:

- consider the specific needs of carers seeking suitable employment; and
- encourage and support employers to provide employment opportunities for carers.

7.72 Of course, carers seeking employment are eligible to access various other programs to assist them enter or return to the workforce. These services include those available through Job Services Australia<sup>75</sup> and others such as the Personal Support Program, which provides individual assistance to people to tackle the barriers that are preventing them from looking for work, getting a job or participating in the community.<sup>76</sup>

## Returning to the Paid Employment after a Period of Absence

7.73 The challenges facing carers trying to return to paid employment after a period of absence was a common theme raised in evidence.<sup>77</sup> As illustrated by the following excerpts from submissions, once carers have been out of the workforce for any length of time, they experience loss of skills and confidence, often making it difficult to return to the workforce.

**Ms Deborah Edwards – carer for over 20 years for her son with severe disability**

A Carer is often out of the workforce for decades, and may find it impossible to return to work if their caring role comes to an end. A

75 From 1 July 2009 the current Job Network and Disability Employment Network will be replaced by Job Services Australia. As with the Employment Broker and Innovation Fund, services providers will be selected following a competitive tender process. At the time of drafting the successful tender applicants have not been announced.

76 Australian Government website, viewed 3 March 2009 at [www.workplace.gov.au/workplace/Programmes/](http://www.workplace.gov.au/workplace/Programmes/).

77 See for example: Ms K Stephen, Submission No 115, p 2; Ms D Vella, Submission No 273, p 1; Ms S Harris, Submission No 811, p 1; Ms M King & Mr R King, Submission No 817, p 2; Ms J Piesse O’Sullivan, Submission No 945, pp 1-2; Ms R Huisman, Submission No 1144, p 4.



person with no skills, and who also has not had the chance to accumulate savings because they have been forced to live in poverty on 'welfare' will certainly not be in a position to transition gently out of their caring role.<sup>78</sup>

**Ms Clare Masolin - carer for her 13 year old son who has moderate cerebral palsy and associated medical complications**

When I became a carer 12 years ago, I was working as a professional, yet, in my caring day the ability to keep abreast of developments in that field has been lacking, hence my practical skills have lapsed - as has my confidence should I one day choose to return to work.<sup>79</sup>

**Ms Val Evans - left full-time employment three years ago to provide care for her husband with Parkinson's Disease**

While I would love to return to my previous career, I am fully aware that I have become somewhat deskilled, despite efforts to remain abreast of current research and technologies. I am also somewhat older (now 54) and am only too well aware that Government Departments (my past employer) consider this age past the use-by date with their constant restructures and downsizing.<sup>80</sup>

7.74 Many submissions have highlighted the need to provide practical assistance with job seeking and with retraining for carers wishing to re-enter the workforce after a period of absence.<sup>81</sup> In his submission to the Inquiry, Mr John Kelly recommended:

Retraining: Because carers usually have to withdraw from the permanent workforce and unless there is an opportunity to work from home, deskilling rapidly occurs. Financial help could be given to enable carers to set themselves up for work at home. Opportunities should be given for retraining and help in gaining employment when the need for care no longer exists.<sup>82</sup>

7.75 Similarly, Ms Fay Young, who has provided care for over eight years to her elderly mother suggested:

78 Ms D Edwards, Submission No 159, p 7.

79 Ms C Masolin, Submission No 1190, p 2.

80 Ms V Evans, Submission No 1201, p 1.

81 See for example: Committed about Securing Accommodation for People with Disabilities, Submission No 577, pp 4-6; Carers Support Network of South Australia, Submission No 675, p 3.

82 Mr J Kelly, Submission No 1041, p 1.

We also need help to find work when our caring role is over. We need to continue to be given an income while we retrain for work, and to be given training without having to pay for courses. And I don't mean those meaningless courses on how to write a resume, for example. Believe it or not but many of us are actually intelligent people! We need useful courses on updating computer skills, for example, or learning new ones, or depending on the carer's qualifications, given training for proper careers, perhaps within the government itself.<sup>83</sup>

- 7.76 For a significant number of carers, retraining and seeking to re-enter paid employment will also coincide with changes in their caring circumstances. For example, carers may seek to re-enter the workforce as a result of the care receiver moving into permanent residential care or following the death of the care receiver. Among suggestions to assist carers during these periods of transitions, was the gradual reduction of the Carers Allowance over time or the provision of other financial assistance to carers while they retrain or upgrade skills to re-enter the workforce.<sup>84</sup> Mr Terry Stroud, a long-term carer for his elderly mother explained:

I have not worked in the mainstream sense for so long, no allowance is made for Carers who have to re-enter the work force & many find this adjustment extremely difficult.

Centrelink need to have a Carer adjustment policy, to help people like myself to work mainstream, once they are ready to cope with normal working conditions!<sup>85</sup>

- 7.77 In its submission, the ACTU suggested the introduction of:

Models aimed at assisting long-term carers to re-train and re-enter the workforce such as those applied to mothers returning to work should be considered for other forms of care including for the chronically ill, disabled or elderly.<sup>86</sup>

- 7.78 The Parents Returning to Earning Program, a Victorian Government program to support parents wishing to retrain and re-enter the workforce after a period of absence, was presented by the ACTU to illustrate the features of a successful model.<sup>87</sup> The program provides a grant for:

---

83 Ms F Young, Submission No 181, p 4.

84 Mr J Wilkinson, Submission No 1035, p 8.

85 Mr T Stroud, Submission No 549, p 2.

86 Australian Council of Trade Unions, Submission No 725, p 7.

87 Australian Council of Trade Unions, Submission No 725, p 8.

- course fees;
- Payment of Higher Education Contribution Scheme fees for the first year of a university course;
- first year Higher Education student contribution;
- child care to cover the parent's attendance at training;
- broadband access where the participant is studying by remote access (distance learning);
- transport costs incurred to attend training where there is demonstrated need;
- course materials such as prescribed books and software required for the course or other prescribed tools and equipment required for the course; and
- uniforms required for specific training (e.g. hospitality uniform).<sup>88</sup>

7.79 The Committee acknowledges the difficulties that many carers face when seeking to re-enter the workforce after a period of absence. As noted earlier, supporting skills development and providing assistance to overcome barriers to employment for disadvantaged job seekers are integral components of the Australian Government's new employment services. The Committee is keen to ensure the skills development and training available through new employment services includes options to support carers, particularly those that have been absent from the workplace for a period of time, to update existing skills or to retrain.

#### **Recommendation 42**

7.80 **That the Minister for Education, Employment and Workplace Relations ensure that employment service providers consider the skills development and training needs of carers, particularly long-term carers, when developing plans to assist those wishing to enter or re-enter the workforce after a period of absence.**

---

88 Parents Returning to Earning website, viewed 11 March 2009 at [www.parentsreturntowork.net.au/parents/about.asp](http://www.parentsreturntowork.net.au/parents/about.asp).

## Carer Income Support and Participation in the Workforce and Education

7.81 Some evidence to the Inquiry indicated that the current system of income support for carers acts as a disincentive for carers to engage in employment or education.<sup>89</sup> With regard to the current system of carer income supports and benefits generally, Carers WA noted:

The loss of 'benefits' and associated supports through working can be a significant barrier to carers returning to work or accepting more hours as they become available. With the increases in rent, interest rates and petrol, financial issues are of great concern to those on low and limited incomes. Returning to work can actually be a backward step financially for some families.<sup>90</sup>

7.82 Carers Victoria noted that the Carer Payment policy reinforces the separation between caring and paid employment, stating:

Carer Payment reinforces the way in which the compatibility of paid work and caring is limited. This separation makes transitions between the two roles cumbersome and risky. Carer Payment cannot be divided between two or more people, meaning that the paid work and caring roles are commonly segregated. There is a disincentive for a single recipient of the Carer Payment to work more hours because it might mean loss of benefits.<sup>91</sup>

7.83 Evidence from many individual carers has highlighted two elements of Carer Payment policy which act as significant disincentives for carers who wish to combine work and/or education with their caring role. These are the:

- the income test which means that any income received over a certain threshold there is a reduction or loss of Carer Payment; and
- the '25 hour rule' which prevents Carer Payment recipients from working (including voluntary work) or studying for more than 25 hours per week (including travelling time).

---

89 See for example: Mr A Leach, Submission No 34, p 1; Ms M-J Galiazzi, Submission No 359, p 2; Ms L Krupjak, Submission No 365, p 1; Carers Victoria, Submission No 652, pp 14-15; Mr P Laughton, Submission No 770, pp 1-2.

90 Carers WA, Submission No 566, p 18.

91 Carers Victoria, Submission No 652, pp 14-15.

- 7.84 Mr Girts Ozols described his frustration in attempting to combine caring for his elderly mother with participation in part-time paid employment under existing Carer Payment policy, concluding:

In assessing the economic benefits of working on even a casual basis for the Commonwealth, juggling my working hours to suit both my mothers needs and COMCAR hours, under the limiting rules of the Carer Payment system, it became clear there was no economic benefit or incentive to keep working (even on a casual basis).<sup>92</sup>

- 7.85 Another Carer, Ms Julie Mann, a mother of two children one of whom has cerebral palsy stated:

As the sole income earner I find it difficult to accept the fact that on my paltry \$12 000 - 15 000 part time wage that I receive; I am not only forced to pay tax but the Wife Pension that I receive is slowly decreased in relation to my earnings. Essentially I lose part of the pension to go to work; add in fuel costs and costs to my health and the equation means that there is very little monetary incentive for me to work. Yet I know that work provides us as a family with much more than money and frankly I enjoy working. It sets a good role model for our family and it increases mental stimulation for all of us.<sup>93</sup>

- 7.86 Ms Linda Aspinall, a carer for her 16 year old son with cerebral palsy notes:

On the Carers' Pension [Payment] if I choose to work I am means tested and my working hours are restricted to 25hrs/week including travelling time and even any study hours! How can I possibly continue to meet all of Alex's needs on the pension under these restrictions or to advance in my career and/or work opportunities?<sup>94</sup>

### The Carer Payment Income Test

- 7.87 Many carers have commented on the effect of the income test applied to Carer Payment, noting that the reduction or loss of Carer Payment as a

---

92 Mr G Ozols, Submission No 18, p 1.

93 Ms J Mann, Submission No 192, p 1.

94 Ms L Aspinall, Submission No 1189, p 2.

consequence of earning income is a significant disincentive when it comes to combining caring with paid employment.<sup>95</sup>

- 7.88 In considering the complex interactions between the income test applied to Carer Payment, the income earned from paid employment, the taxation system and the costs of providing alternative care for the care receiver, Carers Victoria explains:

A further barrier to workforce participation created by the Carer Payment is the way in which it interacts with the taxation system. When a Carer Payment recipient accepts paid work, their payments begin reducing as soon as they earn \$132.00 a fortnight. The value of the payment reduces even further when income tax is deducted, and the additional costs associated with participating in paid work reduce this still further. It is clear that the financial benefits of commencing or increasing paid work can quickly be compromised.<sup>96</sup>

### The Twenty Five Hour Rule

- 7.89 Many carers have also commented on the restrictive '25 hour rule' and its impact on the capacity for carers to participate in paid employment or education.<sup>97</sup> As noted by the TOCC in its 2007 report, *The Hidden Face of Care*:

While the Carer Payment allows carers to work up to 25 hours per week (including work study, training or volunteer work) its structure works against maximising workforce participation. By establishing a maximum hours limit a carer can work before the Carer Payment reduces and without recognising potential increased cost for quality appropriate alternative care arrangements, the structure encourages carers to minimise labour force participation.<sup>98</sup>

---

95 See for example: Mr A Leach, Submission No 34, p 1; Ms M-J Galiazzi, Submission No 359, p 2; Ms L Krupjak, Submission No 365, p 1; Mr P Laughton, Submission No 770, pp 1-2.

96 Carers Victoria, Submission No 652, p 15.

97 See for example: Mr I Radford & Ms J Radford, Submission No 4, p 1; Gippsland Carers Association, Submission No 660, p 8; Ms A Geach-Bennell, Submission No 1022, p 2; Ms K Evans, Submission No 1305, p 1; Ms S Maxwell, Transcript of Evidence, 26 September 2008, p 28; Ms R Rycen, Transcript of Evidence, 9 October 2008, p 27.

98 Taskforce on Care Costs, Submission No 23 (Attachment 1), p 15.

7.90 At the public hearing in Sydney, Ms Nell Brown stated:

... the 25-hour rule is a preposterous rule. It is the most ridiculous rule. If a carer is actually working part time the travel time to and from the job is included in that 25-hour rule. If they are studying it is included in the 25-hour rule, so then they cannot work part time, even if the person that you are caring for is away at a day program or at school. It is a very silly rule and it causes a great deal of poverty.<sup>99</sup>

7.91 The inclusion of travel time in the 25 hours is particularly restrictive for people who might have to commute to work and to those living in rural locations. For example, Ms Rosalind Papavasiliou, a carer living in country Victoria noted:

Centrelink allow 25 hours a week that you can work. The problem is, is that this includes travelling time. This is very hard for me as I live in a rural area and had to travel a long way to work. I lost 3 hours a day in travel time thus lowering my allowed hours of work.<sup>100</sup>

7.92 The impact of the 25 hour rule on carer participation in education was also raised in evidence, including the likely impact of this rule on young carers whose capacity to participate in secondary and/or tertiary education may be compromised.<sup>101</sup> As noted by the NSW Youth Advisory Council:

The current Centrelink restrictions imposed on the maximum time (25 hours including travel time) that fulltime carers can be away from their caring responsibilities, in order to qualify for the full carer payment, greatly disadvantages and restricts the access young carers have to attend and stay fully engaged with school. .... Normal school attendance, not including travel time is estimated at approximately 30 hours, this is some 5 hours above the current restrictions imposed on young carers to access the full carer payment, before even taking into consideration the travel time associated with attending school.<sup>102</sup>

---

99 Ms N Brown, Transcript of Evidence, 6 August 2008, p 47.

100 Ms R Papavasiliou, Submission No 1009, p 1.

101 Ms K Szukalska, Transcript of Evidence, 26 September 2008, p 39.

102 NSW Youth Advisory Council, Submission No 789, p 2.

## Increasing the Compatibility of Carer Payment Policy with Participation in Work and Education

- 7.93 The Committee is concerned by evidence which suggests that certain aspects of the carer income support system, and in particular Carer Payment policy, are acting as disincentives for those carers who wish to combine caring with paid employment and/or education. With regard to raising the thresholds for means testing and reviewing taper rates for Carer Payment, the Committee has made its recommendation in chapter 5.
- 7.94 In addition, the Committee believes that the 25 hour rule appears to be arbitrary and unnecessarily restrictive. The Committee believes that the 25 hour rule is significantly counterproductive in terms of encouraging carers to combine caring with employment and/or education. Therefore, the Committee recommends restrictions on the number of hours that those on Carer Payment can work, volunteer or study should be eased.

### Recommendation 43

- 7.95 **That the Minister for Families, Housing, Community Services and Indigenous Affairs direct the Department of Families, Housing, Community Services and Indigenous Affairs to increase the number of hours of work, volunteering or study that those receiving Carer Payment can undertake.**

## Carers and Education

- 7.96 As with participation in paid employment, evidence to the Inquiry suggests that the intensity of the caring role and the absence of alternative care arrangements for care receivers restrict the opportunity for carers to partake in education. Although access to education is important for carers of all ages, for young carers<sup>103</sup> in particular, poor school retention rates will also impact in the longer term on employment opportunities.

---

103 Definitions of young carer vary. For example, the Australian Bureau of Statistics Survey of Disability, Ageing and Carers consider young carers to be carers aged 15-24 years. Carers NSW, Submission No 661, p 24 provides the following definition 'A young carer is a child or young person 25 years or under who provides support for a family member who has a long term disability, mental illness, other illness, drug or alcohol problem.'



7.97 While data from the 2003 ABS SDAC found that the percentage of carers aged between 15 and 18 years attending school was similar to non-carers (67% compared to 69%), it also reported that carers aged between 18 and 24 years were less likely to have completed year 12 than their non carer peers (66% compared to 73%).<sup>104</sup> However, a 2002 study conducted by Carers Australia reported that in 1999 only four per cent of primary young carers aged between 15 and 24 years were still in education, compared with 23% of other young people.<sup>105</sup>

7.98 Evidence to the Inquiry indicated that young carers often experience difficulty in attending school and completing homework due to the demands of their caring role.<sup>106</sup> As one 14 year old sibling carer explained:

When I'm at school, I am always exhausted and find it difficult to concentrate on my work. I never get any homework done because when I do have the time I am completely drained, mentally and physically. My assignments are often late or not to a standard I hope for. I often feel bitter about not being able to excel to my full potential because of my young caring duties that take up so much of my time, thought and energy. Then I feel guilty for thinking so.<sup>107</sup>

7.99 Mr William Wilton, who since he was 11 years old has been assisting with the care of his brother with Duchenne Muscular Dystrophy also described the challenges he has faced with school:

I have been struggling with school, because I look after my brother most of the time, because sometimes my mum collapses. I have missed out about half a term of year 12 through the whole year. I am a bit behind on my work because of it but the teachers understand, so I get extra time.<sup>108</sup>

---

104 Australian Bureau of Statistics (2008), *A Profile of Carers in Australia*, 4448.0, p 51.

105 Australian Government, Department of Families, Housing, Community Services and Indigenous Affairs website, *Young Carers Research Project: Final Report*, viewed 23 February 2009 at [http://www.facsia.gov.au/internet/facsinternet.nsf/disabilities/carers-young\\_carers\\_report.htm#exec](http://www.facsia.gov.au/internet/facsinternet.nsf/disabilities/carers-young_carers_report.htm#exec).

106 See for example: Rotary Club of Mount Eliza, Submission No 572, pp 1-4; Ms M Walsh, Submission No 752, p 3; Mr C Larkman, Submission No 1066, p 2; Mr W Wilton, Transcript of Evidence, 26 July 2008, pp 36-48; Ms R Foldesi, Transcript of Evidence, 26 July 2008, pp 36-48; Prof B Cass, Transcript of Evidence, 6 August 2008, p 73.

107 Name withheld, Submission No 875, p 2.

108 Mr W Wilton, Transcript of Evidence, 26 July 2008, p 37.

7.100 However, evidence from a number of young carers also indicated that their difficulties combining caring and education was not well understood by teachers. As with employers, a number of carers have commented on the need for educational institutions to demonstrate a greater understanding of the needs of carers and to be more flexible in their approach.<sup>109</sup> For example, in relation to young carers, Ms Jan Wallent observed:

We have many young carers that need to be [recognised] by the Education Department, and given better support; many children have done a days work at home before or after school, and sometimes are just plain worn out.<sup>110</sup>

7.101 Ms Patricia Berrutti, an adult carer with multiple caring responsibilities, emphasised the importance of flexible education policies noting:

When studying for my tertiary qualifications, I had to ask for one extension for an assignment, but I had to make sure I attended 90% of my classes. This is very difficult at times with a caring role, and I know other carers who have had to give up due to TAFE and other educational facilities not understanding the responsibilities.<sup>111</sup>

7.102 Similarly, in its submission the ACT Government noted:

The need for flexibility is also important in relation to education and training. Carers, including young carers who study, may benefit from the flexibility to complete education at home, have their caring skills recognised as part of their education, take periodic leave from study commitments, and have extended timeframes for completing courses.<sup>112</sup>

7.103 Ms Maggie Malak, a young carer who since the age of five has assisted in caring for her wheelchair bound mother, also described the financial difficulties facing some young carers explaining:

With school and studying I find it really hard. At one stage I found that I had to take time off school to be eligible for the carer's

---

109 See for example: Carers WA, Submission No 566, p 5; National Disability Services, Submission No 579, p 8; Prof B Cass, Transcript of Evidence, 6 August 2008, p 74; Ms R Warmington, Transcript of Evidence, 13 August 2008, p 16; Ms C Alliston, Transcript of Evidence, 13 August 2008, p 52.

110 Ms J Wallent, Submission No 834, p 2.

111 Ms P Berrutti, Submission No 429, p 1.

112 ACT Government, Submission No 1000, p 6.

payment, because you are not allowed to be away from the person you care for more than 30 hours a week.<sup>113</sup>

- 7.104 Drawing on his own experiences, Mr Jonathon Woodgate, a young carer who had been providing care for his mother and for his brother since the age of 16 years also explained:

For younger carers, tertiary education is an important desire, but an unattainable luxury. We want to go to TAFE/University with our friends. We want the same access to freedoms that our friends get. We cannot afford to pay for the courses we want to do, and we are very hard-pressed to find a tertiary education institution that will allow us the flexibility we need to accommodate our loved ones' care needs. One strategy would be to put pressure on secondary and tertiary institutions to work with students who identify as being carers, allow us the financial, social and educational flexibility we need to learn effectively and work with relevant state/territory and federal government departments to co-ordinate an effective plan for the student/carer to achieve his/her goals.<sup>114</sup>

- 7.105 Suggestions for increasing carer participation in education include the expansion of services to support young carers to finish secondary and tertiary education. As noted in chapter 2 of the report, the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) funds the Respite and Information Services for Young Carers. The Program has two components – the Supporting Young Carers Program and the Respite for Young Carers at Risk Program.
- 7.106 The Supporting Young Carers Program provides funding to the network of state and territory Carer Associations to provide direct support to young carers such as counselling and to Carers Australia for the establishment and operation of a national young carers website. The Respite for Young Carers at Risk Program targets young carers who are at risk of leaving education prematurely, and not completing secondary school or equivalent. The program allows access to up to five hours in home respite per week during the school term to attend education or training. It also provides one fortnight of respite each year to undertake activities such as study for exams, training or recreation.

---

113 Ms M Malak, Transcript of Evidence, 6 August 2008, pp 46-47.

114 Mr J Woodgate, Submission No 1126, p 2.

## Assisting Carers to Combine Caring with Education

- 7.107 The Committee recognises the difficulties experienced by many carers who wish to combine their caring responsibilities with education. Many of the same barriers that reduce opportunities for carers to participate in employment similarly impact on the opportunities for carers to undertake education. Therefore, the Committee believes that its earlier recommendations in this chapter, seek to address the shortages of affordable, alternative care for care receivers and to extend the number of hours that carers in receipt of the Carers Payment can work, volunteer or study will also support those carers wishing to combine their caring role with education.
- 7.108 Also in chapter 3 of the report, the Committee has recommended a campaign to raise awareness of the needs of carers participating in education, including the needs of young carers still at school. To complement increased recognition of carers in the education system, the Committee recommends that education policies should accommodate the needs of carers by incorporating flexibility in terms of attendance requirements, assignment deadlines and provision of out of school learning options.

### Recommendation 44

- 7.109 **That the Minister for Education, Employment and Workplace Relations direct the Department of Education, Employment and Workplace Relations, in association with state and territory education departments, to develop flexible policies to make it easier for students to combine education with caring.**
- 7.110 Specifically with regard to FaHCSIA's Respite for Young Carers at Risk Program, the Committee notes evidence which suggests uptake of the program has been disappointingly low, probably due to eligibility criteria which limits access to one young carer per family who identifies as the 'primary carer'.<sup>115</sup> Given that caring responsibilities are frequently shared by more than one young carer in a family unit, the Committee supports the suggestion made by Carers Australia for:

---

115 Australian Government Departments (FaHCSIA, DoHA & DVA), Submission No 1109, p 32.

... broadening of the eligibility criteria and greater flexibility in the use of respite which allows the program to focus more on the whole family situation and other young people sharing care.<sup>116</sup>

#### **Recommendation 45**

- 7.111 **That the Minister for Families, Housing, Community Services and Indigenous Affairs direct the Department of Families, Housing, Community Services and Indigenous Affairs to extend the eligibility criteria for its Respite for Young Carers at Risk Program to include assistance for more than one young carer in a family unit where the care responsibilities are shared.**

---

116 Carers Australia, Submission No 699, p 42.