



NATIONAL ETHNIC DISABILITY ALLIANCE



Inquiry into Employment: Increasing Participation in Paid Work

Joint submission from the:
National Ethnic Disability Alliance & the Physical Disability Council of
Australia

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INTRODUCTION

This submission contains information about the issues relating to the constituencies of the National Ethnic Disability Alliance (NEDA) and the Physical Disability Council of Australia (PDCA).

Both NEDA and PDCA would like to thank the Standing Committee on Employment & Workplace Relations for the opportunity to respond to the Inquiry into Increasing Participation in Paid Employment.

This submission will:

- outline the barriers to employment faced by people from a non-English speaking background (NESB) with disability and people with physical disabilities
- consider the related issues of income support and participation costs
- present a number of recommendations to government.

NEDA and PDCA provided comprehensive responses to the government's *Building a Simpler System to Help Jobless Families and Individuals* consultation paper. We recommend that the Committee also consider these documents.

It has been estimated that 19 per cent of the Australian population have a disability. NEDA represents the 25 per cent of people with disability who come from a NESB. NEDA is the peak body in Australia representing the rights and interests of people from a NESB with disability, their families and carers (see Attachment 1 for more information).

PDCA represents the majority of people with disability who have physical disabilities. PDCA is the peak body in Australia representing this group.

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SUMMARY OF RECOMMENDATIONS

- Recommendation** That government investigate the declining numbers of people with disability being employed by the Australian Public Service with a view to developing accessible and appropriate criteria in order to attract more people with disability.
- Recommendation** That government consult with its own funded disability peak agencies on issues relating to the employment of people with disability.
- Recommendation** That government acknowledge the many barriers to participation in paid work facing people with disability by recognising and valuing activities such as education, training, volunteering etc.
- Recommendation** That government ensure culturally competent and individually tailored employment assistance is provided so that people from a NESB with disability and people with physical disabilities are placed in real jobs and are paid appropriate award based wages
- Recommendation** That government recognise that the work capacity of people with disability is dependent on a number of factors and that training and incentives alone will not produce any real employment outcomes for people from a NESB with disability and people with physical disabilities.
- Recommendation** That funding for the Commonwealth Workplace Modifications Program be increased to cover part-time and casual positions and that this Program be better promoted to employers and employment service providers.
- Recommendation** That government work with employers to improve current attitudes towards people with disability.
- Recommendation** That government provide real incentives to employers to hire people with disability.
- Recommendation** That government strengthen the obligations regarding employment of people with disability under the *Commonwealth Disability Strategy* including an emphasis of obligations under the *Disability Discrimination Act (1992)*.
- Recommendation** That government investigate the level of resources available in pre-employment training for people with disability with a view to increasing the availability.
- Recommendation** That government Investigate and increase the resources available in vocational training for people with disability.

- Recommendation** That government work with NEDA to ensure that Commonwealth funded employment services are culturally competent and able to service the needs of people with all disability types and from all backgrounds.
- Recommendation** That government provide adequate income support for all people with disability.
- Recommendation** That government explore the interrelationship between disability, poverty, cost of disability and employment.
- Recommendation** That government support the initiatives for a Cost of Disability Allowance that helps to off-set the non-discretionary costs of participation regardless of a person's employment status.

BARRIERS TO PARTICIPATION IN PAID WORK

There are a number of barriers facing all people with disability in relation to employment. The specific issues relating to people from a NESB with disability and people with physical disabilities are outlined below.

It is interesting to note that the Australian Bureau of Statistics (ABS) have documented a 20 per cent decrease (since 1997) in the number of people with disability employed by the Australian Public Service. This is a disturbing decline in employment support for people with disability who are being encouraged to work by the Federal government, but are discouraged from working in the one place that purports to be an Equal Opportunity Employer (Source ABS 2003).

Recommendation

That government investigate the declining numbers of people with disability being employed by the Australian Public Service with a view to developing accessible and appropriate criteria in order to attract more people with disability.

Assumption vs. Reality

It is important to 'unpack' the various assumptions that are made when considering disability and employment.

Recommendation

That government consult with its own funded disability peak agencies on issues relating to the employment of people with disability.

Assumption I

That a person's worth and value is primarily recognised in their capacity to undertake paid work.

Reality I

Paid work should be sufficiently rewarded to those with the capacity to undertake it. However, for people without the opportunity or capacity for paid work they should not be financially or otherwise penalised. For people with disability, participation can mean a number of things: education, training, unpaid work in the community, participation in activities, volunteering, assisting peers etc.

For some people from a NESB with disability and people with physical disabilities, this can be a rewarding and valuable way to contribute to community and should be recognised by government in the same way that it now recognises the value of these activities for older Australians.

Recommendation

That government acknowledge the many barriers to participation in paid work facing people with disability by recognising and valuing activities such as education, training, volunteering etc.

Assumption II

That the best way to assist people from a NESB with disability and people with physical disabilities to gain employment is to 'help' them actively look for work or improve their skills so they can be ready to take advantage of job opportunities as they come up.

Reality II

The reality is that for people from a NESB with disability and people with physical disabilities, the incentive to work is not the primary issue. Both groups of people are already motivated to work in order to achieve a better standard of living.

The real issue here is the need for practical assistance from government to assist people from a NESB with disability and people with physical disabilities in a gaining employment. Types of assistance needed include:

- financial assistance to meet the costs of participation
- creating opportunities for people to gain work experience
- providing incentives for employers to hire people with disability
- providing re-training to people working in industries or positions that are declining
- technical / equipment assistance
- better education opportunities
- recognition of qualifications and experiences gained in other countries
- ensuring that employment support policies assist in keeping people who acquire a disability in employment
- providing culturally competent services to place people with disability in real jobs with meaningful outcomes and appropriate award based wages.

The particular type of employment assistance that a person from a NESB or with a physical disability needs will very much depend on their individual circumstances. For example: the extent of their impairment, ethnicity, age, gender, location, migration status, English literacy etc. Therefore the support provided needs to be tailored to the individual.

Recommendation

That government ensure culturally competent and individually tailored employment assistance is provided so that people from a NESB with disability and people with physical disabilities are placed in real jobs and are paid appropriate award based wages.

Assumption III

Every one with a disability that is not profound is capable of working. The work capacity of a person will only be restricted by their physical and intellectual ability to undertake paid work and the amount of time they are available for paid work. Improving capacity is a matter of increased training and incentives.

Reality III

The capacity of a person from a NESB with disability or physical disability to participate in their community, either through paid or voluntary work can not possibly be assessed without reference to their:

- cultural barriers
- structural barriers

- English literacy
- impact of factors such as age, gender, migration status etc
- opportunities to gain education and develop work skills.

The barriers can not be overcome by simply providing individual training and this assumption is particularly problematic because it reflects a lack of understanding about disability and ethnicity in Australia.

Some facts to consider:

1. An impairment is a medical condition – a disability results from the constraints that are imposed on people who have impairments by the discriminatory practices of society.
2. The participation capacity of a person with disability will be affected by many factors, including:
 - discrimination
 - negative employer attitudes and prejudices about people from a NESB with disability and their abilities
 - inaccessible [built] environment
 - the lack of specialised services etc.
3. People from a NESB with disability and people with physical disabilities who are isolated and excluded as a consequence of their disability are further disadvantaged in a labour market where few positions are advertised and most are filled by word of mouth.
4. Australian and international research has found that gender has a significant impact on the employment prospects of people with disability, with women having significantly lower rates of participation and employment.
5. Individual training can not overcome these barriers.
6. During times of high unemployment it is more difficult for people from a NESB with disability and people with physical disabilities to compete for work, particularly people who are older who also experience age discrimination.

The government needs to understand that the participation capacity of a person from a NESB with disability or a person with physical disability will depend on more than their innate abilities. It will result from the complex interaction of their impairment, personal characteristics such as their gender or age, structural barriers to participation and their access to the labour market.

This means that each person from a NESB with disability and each person with a physical disability will have a different level of capacity. It also means that participation capacity will not remain static, but will change as social conditions change or as a person's circumstances change.

Recommendation

That government recognise that the work capacity of people with disability is dependent on a number of factors and that training and incentives alone will not produce any real employment outcomes for people from a NESB with disability and people with physical disabilities.

Assumption IV

People with disability have access to an increasing number of part-time and casual work opportunities.

Reality IV

Whether people from a NESB with disability and people with physical disabilities can benefit from an increase in part-time and casual positions will depend on a number of factors, including the types of jobs being created, the support that is available to potential employees and employers and the attitude of employers to disability.

Where a job is suitable for a person from a NESB with disability or a person with physical disability, it is likely that some adjustment to the workplace will need to be made. In the case of full-time and part-time positions, the cost of such adjustments may be able to be met through the Commonwealth Workplace Modifications Program. However, the program is not well known by either employers or employment service providers.

Employers and Job Network service providers are not taking advantage of the Workplace Modifications Program. In 2002 it was reported that only 2 out of 196 Job Network Providers had utilised it. Moreover, funding is not available for casual positions, which can be a major disincentive to employers taking on people with disability.

The government needs to acknowledge that an increase in the number of part-time and casual positions will not lead to people from a NESB with disability and people with physical disabilities having greater access to employment opportunities without more being done to meet the cost of modifications and to address the attitudes of employers.

Recommendation

That funding for the Commonwealth Workplace Modifications Program be increased to cover part-time and casual positions and that this Program be better promoted to employers and employment service providers.

Discrimination & Employer Attitudes

People with disability are routinely marginalised, stigmatised and dehumanised. Discrimination occurs at both an individual and a systemic level. Due to the high level of social control experienced by people with disability, the discrimination faced is often institutional. Discrimination occurs on an individual and a systemic level. Due to the high level of social control experienced by people with disability, the discrimination faced is often institutional.

There are many barriers facing people from NESB with disability and people with physical disabilities including:

- lack of accessible information and knowledge about rights, essential services and supports
- lack of culturally appropriate services and supports
- myths, misconceptions and negative stereotypes about disability and ethnicity in both the NESB and Anglo-Australian communities
- prejudice against people with disability from both NESB and Anglo-Australian communities
- government's emphasis on 'mainstreaming' without acknowledgement of the inequities that exist

- NESB people often do not understand concepts used to describe their situation
- ethnic communities often do not have the capacity to advocate for their needs.

The negative attitudes by employers and their prejudices about people from a NESB with disability and people with physical disabilities about their lack of abilities is a significant barrier to employment.

Recommendation

That government work with employers to improve current attitudes towards people with disability.

Recommendation

That government provide real incentives to employers to hire people with disability.

Recommendation

That government strengthen the obligations regarding employment of people with disability under the *Commonwealth Disability Strategy* including an emphasis of obligations under the *Disability Discrimination Act (1992)*.

Workplace Barriers

The workplace itself can be a barrier to people with disability participation in paid work as a result of:

- an inaccessible work environment – lack of an accessible toilets, inappropriate work stations, inability to access kitchen and / or tea making facilities, inappropriate furniture or equipment to work with
- lack of attendant care to assist in the workplace with set up assisting with meal breaks, toileting etc
- lack of modified equipment – see ‘Reality IV’ for more details
- lack of accessible transport to and from a person’s place of work

Lack of Access to Education & Training Opportunities

Lack of access to education at all levels is a significant barrier to employment for people from a NESB with disability and people with physical disabilities.

People from a NESB with disability and people with physical disabilities have a right to appropriate initiatives and support programs to enable them to take advantage of employment opportunities and achieve equal participation in the labour market.

These include pre-employment training through TAFE, and other programmes, which assists people who are unemployed to gain employment through up-grading skills. This includes people with disability, who traditionally were large users of programmes such as Skillshare, Job Clubs, and other training opportunities offered in the community. Unfortunately these programmes no longer exist and many others that do exist are not accessible to people with disabilities.

Many vocational training centres have also ceased operation in the past two years due to Commonwealth funding cuts. Skillshare stands out particularly as a program where many people with disability were able to access training. Very few, if any vocational training centres exist with the experience or expertise for development and delivery of tailored training courses for people with disability.

Recommendation

That government investigate the level of resources available in pre-employment training for people with disability with a view to increasing the availability.

Recommendation

That government Investigate and increase the resources available in vocational training for people with disability.

Transport

For people with physical disabilities, access to transport is significant issue due to the inaccessibility of public transport.

People with physical disabilities who currently participate in paid employment are forced to travel by taxi to and from work. Even with a taxi subsidy, these costs incurred are significant with PDCA estimating an average of \$150+ per week. Coupled with the low wages traditionally paid to people with disability, the incentive to work (from a financial point of view) is removed.

The issue of transport for people with physical disabilities is a good example of the costs of participation that people with disability are expected to meet in the absence of adequate income support (please see below).

Access to Employment Services

The abolition of the Commonwealth Employment Service (CES) has resulted in many people with physical disabilities and people from a NESB with disability being unable to access structured employment assistance programs which previously provided funding for equipment and work place modifications. People with disability must now convince employers to fund such equipment and modifications or go through the rigorous system of applying for funding before hiring a person with a disability. This change, amongst others, entrench people with physical disabilities into an indefinite cycle of welfare dependency.

Many people with disability are also unable to obtain employment because there is no assistance provided for a minimal amount of personal care in the workplace.

In addition:

1. there are 7 to 8 applicants for each advertised job in Australia and if you are a person with a disability you will be last on this list
2. employers demonstrate prejudice and pre-conceived ideas when employing a person with a disability
3. there are no meaningful job creation programmes that encompass and embrace the real issues for people with disability
4. there are no longer any Job Search programmes that are utilized by people with disability.

People from a NESB with disability have limited access to Commonwealth funded employment services. In Australia, four out of five people who speak a language other than English (LOTE) at home and three out of four people from a NESB with disability miss out on receiving Commonwealth funded disability services. This is in addition to the current unmet need for people with disability in general.

This figure stands despite genuine efforts made by many to redress this situation. This figure points towards the need to seek systemic solutions to the whole disability services system, involving all stakeholders.

Many services seem unable to accommodate linguistic and cultural diversity because:

- Ethnic communities tend to be overlooked when considering the 'target group'.
- Staff need continual accredited, quality training in cultural difference, diversity and disability, and in particular, the nature and reality of the person's experiences.
- The disability services system has not adopted even the most basic mechanisms for people from NESB such as the use of interpreters or the publication of material in languages other than English. Poor language skills prevent carers from accessing services so they have less opportunity to develop their personal, social or professional capabilities.
- There are insufficient strategies and practices to ensure that people from NESB with disability and their families and carers participate in decision-making.
- The myth of extended family support is still subscribed to by both service providers and funding bodies resulting in fewer services for NESB communities.

The predominant issue for people from a NESB with disability regarding the Commonwealth has been the lack of access to services. People from a NESB with disability continue to be severely under-represented within Commonwealth funded services.

The 2000 Department of Family and Community Services Disability Services Census shows that:

- 94 per cent of consumers were born in English-speaking countries
- only 6 per cent of consumers were born in a country where languages other than English are spoken
- only 5 per cent of consumers spoke a language other than English (LOTE).

Recommendation

That government work with NEDA to ensure that Commonwealth funded employment services are culturally competent and able to service the needs of people with all disability types and from all backgrounds.

Although many people with disabilities have found suitable and rewarding employment positions through placement by a funded employment service for people with disabilities, many of these placements fail through lack of planning and work carried out before the person with disability is placed in the position. This sets the individual up with false expectations, which can result in loss of self esteem and the willingness to pursue the employment market again.

INCOME SUPPORT & PARTICIPATION COSTS

As mentioned earlier, both NEDA and PDCA provided comprehensive responses to the government's consultation paper on income support.

In our submissions, NEDA and PDCA highlighted the real need for adequate income support to be provided to people with disability who are in paid employment or looking to enter the workforce. NEDA and PDCA would like to refer the Committee to these documents.

Levels of income for people from a NESB with disability and people with physical disabilities are substantially lower than those of the general population due to a wide range of discriminatory factors as well as the inaccessible physical and social infrastructure that inhibits people with disability from gaining suitable employment.

Examples of additional costs of participation include:

1. Having to get a taxi to and from work, because of the inaccessible public transport system. Although this is changing with the introduction of a DDA Transport Standard, it falls short of providing an accessible transport system for people with disability to use with reliability.
2. The additional clothing needed through wear and tear of wheelchairs, crutches, calipers and walking sticks or frames.
3. The additional heating and cooling needed for health and comfort (many people with physical disabilities use their own fans or heaters for comfort in the workplace).
4. The lack of equipment ergonomically designed and available to people with disabilities in order to perform to their maximum potential.
5. Costs relating to interpreting and translating, particularly given that these services are predominantly adopting 'user pays' principles.
6. Costs relating to the fact that Australia does not recognise a number of overseas qualifications and experiences – there are numerous costs, including loss of income, for those needing to re-educate and re-train in their field.
7. Costs relating to the migration process.
8. Costs associated with the fact that people from a NESB with disability miss out so much on receiving publicly funded services at such a significant rate (see above) and at times need to purchase these services from the private sector.

As a result, many people from a NESB with disability and people with disabilities are forced to accept lower paid positions, are overlooked for promotion and paid below award wages often working in sheltered workshops or are reliant on the Disability Support Pension.

Recommendation

That government provide adequate income support for all people with disability.

Recommendation

That government explore the interrelationship between disability, poverty, cost of disability and employment.

Recommendation

That government support the initiatives for a Cost of Disability Allowance that helps to off-set the non-discretionary costs of participation regardless of a person's employment status.

The additional costs of participating in the workforce are a further major factor preventing people from a NESB with disability and people with physical disabilities from seeking employment. Thus:

NEDA and PDCA refer the Committee to PDCA's *Cost Benefit Analysis – Cost of Disability* document which has previously been supplied to the committee.

ATTACHMENT 1: NEDA & NESB-Disability Issues

NEDA

The National Ethnic Disability Alliance (NEDA) is the national consumer-based peak body for people from a non-English speaking background (NESB) with disability, their families and carers.

The overarching aim of NEDA is to advocate at a federal level, for the rights and interests of people from a NESB with disability, their families and carers

All activities undertaken by NEDA include strong consumer involvement and are based on the following Objectives:

1. Represent the rights and interests of people from NESB with disability, their families and carers.
2. Advocate on issues impacting on people from NESB with disability, their families and carers.
3. Work towards securing equitable outcomes for people from NESB with disability, their families and carers.
4. Co-ordinate policy advice to the Federal government and relevant peak bodies on the impact of policy and legislation on people from NESB with disability, their families and carers.

NEDA, because of its cross-sector role (disability and ethnicity) aims to collaborate with and work across a broad range of organisations to represent the interests of people from a NESB with disability

NEDA is governed by a Council, the majority of who are people from a NESB with disability. For more information, please log onto www.neda.org.au.

General Issues

People with disability are routinely marginalised, stigmatised and dehumanised. People with disability from a NESB have been further disadvantaged because discrimination is experienced on the basis of disability **and** ethnicity. It is NEDA's experience that discrimination relating to both ethnicity and disability is interdependent and does not follow any logical order of preference

Discrimination occurs at both an individual and a systemic level. Due to the high level of social control experienced by people with disability, the discrimination faced is often institutional. People from NESB, in particular those with a disability and recent migrants, experience highly regulated environments where much of the discrimination is systemic.

Discrimination occurs on an individual and a systemic level. Due to the high level of social control experienced by people with disability, the discrimination faced is often institutional.

People from NESB, in particular those with a disability and recent migrants, experience highly regulated environments where much of the discrimination is systemic.

There are many barriers facing people from NESB with disability including:

- lack of accessible information and knowledge about rights, essential services and supports
- lack of culturally appropriate services and supports

- myths, misconceptions and negative stereotypes about disability and ethnicity in both the NESB and Anglo-Australian communities
- prejudice against people with disability from both NESB and Anglo-Australian communities
- government's emphasis on 'mainstreaming' without acknowledgement of the inequities that exist in relation to ethnicity
- NESB people often do not understand concepts used to describe their situation
- ethnic communities often do not have the capacity to advocate for their needs.

Discrimination

It has been the experience of NEDA that discrimination relating to both ethnicity and disability is interdependent and does not follow any logical order of preference.

The prejudicial attitudes and misconceptions regarding disability that are present in mainstream society are equally evident in NESB communities. Whilst there are differences in the perception of disability amongst different ethnic groups, the relative degree of stigma attached to disability appear similar across NESB and English-speaking communities.

By and large, NESB communities have missed out on education campaigns about people with disability because those conducting these campaigns have failed to seek out or consult with NESB communities. At the same time there have been consultations with people from NESB with disabilities, but those consultations have not resulted in concrete strategies.

Discrimination on the basis of ethnicity is also a reality. If ethnicity did not play a role in the provision of services to people with disability, the figures of service usage in relation to ethnicity would be comparable to those in the general community. The fact that there are so many Anglo-Australians and so few people from NESB in services shows that ethnicity does matter.

Access to Services & Information

Objective 5 of the *Disability Services Act*, 1986 states that:

Programs and services should be designed and administered so as to meet the needs of people with disability who experience a double disadvantage as a result of their sex, ethnic origin, or Aboriginality.

However, in Australia, **three out of four** people from a NESB with disability miss out on receiving Commonwealth funded disability services. This is in addition to the current unmet need for people with disability in general (see NEDA website for more information).

This figure stands despite genuine efforts made by many to redress this situation. This figure points towards the need to seek systemic solutions to the whole disability services system, involving all stakeholders.

Access to information is often the first step towards people participating in the community. Access to information means, in effect, access to opportunities and therefore choices to participate in the community.

Like all people from NESB, people from NESB with disability and their families and carers experience increased difficulties in accessing services because of the lack of resources made available for interpreters and translations.

Services such as the Translation and Interpreting Service (TIS) have increasingly adopted the user pays principle, severely restricting the number of free or subsidised on-site and telephone interpreting sessions available to people and non-profit service providers.

The costs for language services are mostly unbudgeted, resulting in:

- a reduction in community services for people with disability from NESB
- the provision of inappropriate information
- the overall increase in the use of family members and other relatives as interpreters, in violation of standards such as confidentiality, dignity, privacy, etc.

Cost of Disability & Ethnicity

Throughout this submission, NEDA refers to a 'cost a disability'. When we talk about a cost of disability it refers to the non-optional or non-discretionary costs associated with having a disability. This is not about a person's primary and basic needs such as clothing, food or housing but rather the costs a person with a disability incurs in order to have a similar quality of life that most of the community enjoy. For example: if you use a wheelchair, having to pay to catch a taxi because the bus or train is not accessible.

It is also important to consider what the cost of disability and the 'cost of ethnicity' are for people from a NESB with disability. People from a NESB with disability share similar costs of disability with those who do not come from a NESB. People from a NESB with disability however incur additional costs 'associated with their ethnicity.

For example:

- costs relating to interpreting and translating, particularly given that these services are predominantly adopting 'user pays' principles
- costs relating to the fact that Australia does not recognise a number of overseas qualifications and experiences – there are numerous costs, including loss of income, for those needing to re-educate and re-train in their field
- costs relating to the migration process
- costs associated with the fact that people from a NESB with disability miss out so much on receiving publicly funded services at such a significant rate (see above) and at times need to purchase these services from the private sector.

Throughout this paper, NEDA argues not only for costs of disability to be better off-set via the proposed reforms but that people from a NESB with disability are also able to use their supplement to off-set the additional costs associated to their ethnicity.