

## **Standing Committee on Employment, Workplace Relations and Workplace Participation**

I am bringing this case to your attention for your consideration as it demonstrates the vulnerability of people on the Disability Support Pension in the workplace, when there are not sufficient safeguards to protect their rights. There must be many similar cases across Australia where people on the DSP are subjected to these sorts of practices.

Brief outline of case:

- client on DSP four years - has worked part-time as a cleaner since October 2004 - 20 hours per week - she rings Centrelink each fortnight and informs them of her income & they adjust her DSP accordingly - client appears to have a mild intellectual disability
- client worried not paying any tax as employer not taking any out - I rang cleaning agency & was informed that she is a sub-contractor with this agency & that she had agreed to all the terms and had signed a contract ( client said remembered signing some paperwork but not sure what it meant as she " is not good with forms" - she was clearly distressed & worried about losing her job). I subsequently cited this contract that my client signed but she had absolutely no idea of what it meant for her employment
- client says she likes her cleaning job and wants to keep it & doesn't understand the implications of being a sub contractor or know what it is even - she receives a weekly pay packet and does NOT invoice this agency - they ring her & offer her work each week - she does have regular customers that she cleans for- super,workers comp, insurance,holidays etc are all issues that obviously need clarification.....
- I rang Canberra Business Advisory Centre and was advised they are aware that some cleaning agencies are moving over to take on sub- contractors rather than employees - they do this in the hope of avoiding responsibilities in regard to workers comp, super, prorata long service and holiday pay
- my client rang me and advised when she spoke to the agency herself they advised her to ask Centrelink to take out the tax!! She was going to apply for an ABN and would I help her do the paperwork. I told her she needs to think through what this means for her and maybe she should look for work with an agency that will treat her as an employee and protect her rights.
- My client subsequently brought in the ABN application and when I asked her whether she understood the form at all - she became distressed and said it was too much for her to do. My service is currently working with this client to investigate options for other work and issues in regard to a possible tax debt.

Please contact me if you require further information.

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