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Community Affairs
Legislation Committee
Parliament House
Canberra Act 2600



**QUEENSLANDERS WITH
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NOTHING ABOUT US.....WITHOUT US

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Re Welfare to Work Legislation

I am writing to the Senate as the president of Queenslanders with Disability Network Inc. (QDN) to express the concerns people with disability in Queensland have about the Federal Government's changes to the Disability Support Pension as outlined in the **Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005**. This letter and the attached position paper forms QDN's submission to the Senate Community Affairs Legislation Committee. I would like to thank the Senate for the opportunity to offer our views on this important matter.

QDN is a network of over 700 people and organisations throughout Queensland who share a vision for people with disability, which includes the belief that people with disability have a right, a place and contribution to make to the community as empowered free citizens.

The Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005 when passed will amend various sections of the Social Security Act 1991. Of particular importance to people with disability is Section 94(5) which will greatly affect all people with a disability receiving a Disability Support Pension (DSP) on and after the 11 May 2005. A new Section 94A will also affect people transferring onto the DSP from another payment such as Newstart.

In brief it is understood that the effect of these changes will be to reduce the eligibility criteria for a pension from having a "capacity" to work 30 hours to 15 hours. Additionally, we understand that the proposed Comprehensive Work Capacity Assessments have a strong emphasis on a "positive 'work first' focus", which may mean people with a disability are forced into accepting menial low paid jobs which do not reflect their true employment potential or ambitions.

The existing test for the disability support pension takes account of the types of activities that may assist a person to increase his or her work capacity and currently only mainstream training is considered. However, the Government has decided that programs designed to take account of a person's disability can significantly improve a person's capacity to work. Recognising this, the Bill broadens the types of activities that the Comprehensive Work Capacity Assessments and Centrelink will take into account in determining a person's capacity. These activities specifically include "programs and activities designed for people with physical, intellectual or psychiatric impairments."

QDN is unclear as to what types of services this definition of *training activity* will encompass.

Depending on the practical implementation of this definition, it may mean that people with disability will be forced to accept available positions in training activities that do little to prepare people for the type of work they wish to undertake. QDN is concerned that this new provision will shift the focus of people with disability working in mainstream employment to a focus on the segregation of people with disability into disability specific training activities, and subsequently, disability specific employment. As the Welfare to Work measures are implemented, a growing number of people with disability looking and training for work will create a pressure to develop segregated employment options specifically for people with disability.

Whilst the new legislation allows for additional mobility allowance to be paid, limited retention of allowances and benefits and some flexibility around what is determined unreasonable travel and employment requirements, we still believe that these changes will greatly disadvantage people with disability forcing them into further hardship and poverty.

Furthermore, the proposed legislation does nothing to address or even acknowledge the inaccessibility of workplaces and public transport, discrimination against people with disability in the workforce, the decline of employment of people with disability in the public sector and the insufficient funding for personal support to enable people to look for and undertake work.

Whilst it could be argued that such things fall outside the scope of this legislation, QDN believes that these issues are root causes for the high unemployment rate of people with disability and should be central to a focus of moving people from welfare to work.

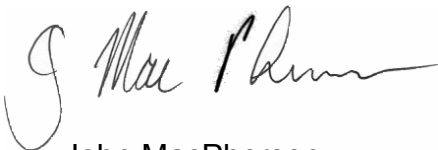
However, what we see in the *Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005*, is an insensitive policy of “*work is better than welfare*”, which blindly looks at the capacity of a person to work, giving little regard to the barriers that this person faces. Therefore, people with disability are set up to fail as they are forced to find jobs that they cannot access or do not match their ability.

Consequently, I respectfully ask the Senate to consider this legislation carefully, giving full consideration to the issues I have raised above and urge the Senate to vote against it.

I have also attached the QDN position paper on this matter. Whist released in July, it covers the very real issues facing people with disability in seeking employment.

I thank you for your consideration of this important issue.

Yours sincerely



John MacPherson
President
Queenslanders with Disability Network Inc.

Welfare to Work

The Move Towards Social Division

Queenslanders with Disability Network's response to proposed social, welfare and employment changes aimed at people with disability.

June 2005



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Contents

<u><i>Executive Summary</i></u>	<u>2</u>
<u><i>Introduction</i></u>	<u>4</u>
<u><i>Who is QDN</i></u>	<u>5</u>
<u><i>Purpose of the Paper – Why QDN is involved</i></u>	<u>6</u>
<u><i>Brief summary of the background to Welfare Reform and the current Welfare to Work Process</i></u>	<u>8</u>
<u><i>What do these “Welfare to Work” Reform Changes Mean for People With Disability in Queensland</i></u>	<u>10</u>
<u><i>Personal Stories</i></u>	<u>18</u>
<u><i>Impact on the Queensland Government</i></u>	<u>30</u>
<u><i>Closing Comment on Welfare to Work</i></u>	<u>31</u>
<u><i>Conclusion</i></u>	<u>32</u>
<u><i>References</i></u>	<u>33</u>

Executive Summary

In this Position Paper on Welfare to Work, Queenslanders with Disability Network Inc (QDN) has reviewed the history of the Welfare Reform process from when it was first mooted by Senator Jocelyn Newman's speech to the National Press Club on 29 September 1999, to the announcements made in the 2005-2006 Budget of the Australian Government. Newman's speech pre-empted the McClure Report which looked at all aspects of welfare funding for people with disability and found that there was a need for system changes – beyond the sphere of welfare – to enable people with disability to achieve a valued and equitable status in society.

- The proposed Welfare to Work changes, of transferring people with disability from the Disability Support Pension to Newstart (or what is referred to as Enhanced Newstart), are not in keeping with the recommendations of the McClure Report.
- The changes outlined in Welfare to Work processes are nothing more than a way of segregating people with disability into classes that are divided by an arbitrarily date of when they acquired their disability and the extent of this disability.
- One of the most extensive changes proposed by these is the number of hours people with disability are deemed capable of working before being forced to transfer from the Disability Support Pension to Newstart. By changing the number of hours people with disability are required to work from 30 hours to 15 hours, the Australian Government may be coercing people with disability to accept menial jobs which do not match their employment or educational aspirations or attributes just to make ends meet.
- The proposed Welfare to Work processes, rather than assisting people with disability to seek and attain employment – thereby becoming economically independent, and enjoying their position as citizens of Australia – will force them into further hardship and poverty.
- The rate of employment of people with disability, amongst the Australian Public Service, has fallen in recent years. This evidence is further influenced by the fact that the current labour market is competitive and based upon productivity, out-comes and reducing costs of employing staff. Without changes, both in Government leadership by employing more people with disability, and without incentives to employers to employ people with disability, the proposed Welfare to Work processes are flawed.
- Forcing people with disability for seek work will impact upon the Commonwealth State and Territories Disability Agreement (CSTDA), raising the costs to the States of Transport, Disability Support, Housing and other State funded arenas. Evidence for this is gathered from the post-Budget speeches of Members of Parliaments, Peak Bodies within the field of disability and allied groups.

- The Work Capacity Assessment processes, are currently still in their trial phase and will not be officially offered for tender before July 2008. As the whole process, of determining how many hours people with disability can work in a week hinges on the Work Capacity Assessment, QDN contends that the Government is acting in a policy vacuum and cannot implement the proposed changes before this issue has been resolved.
- If the Australian Government implements this process, it will not be implementing Welfare Reform, it will be forcing vulnerable people with disability to compete in an individualistic, economically driven and socially irresponsible society.
- Welfare Reform must involve economic shifts and financial support that recognise the costs of living with a disability. This includes covering the additional costs of transport, accessible housing, mobility equipment and other necessities for day to day life with disability.

QDN calls upon the Australian Government to introduce true Welfare Reform and not add to the pressure applied to people with disability by forcing them to seek work and meet “Mutual Obligations” in an employment market where they face continual rejection and the erosion of their self-esteem and citizenship.

QDN believes true Welfare Reform involves:

- **Economically supporting people with disability at levels that are equitable to the minimum wage**
- **Ensuring adequate availability of support, housing and access to transport, and other public services, and**
- **Supporting vulnerable people to be participating citizens in a socially responsible democracy.**

Introduction

In this, QDN's Position Paper on Welfare to Work, the right to education, training, and, subsequent, employment is of greatest importance. Whilst this is a Position Paper, focussing on employment, in response to the Welfare to Work process currently being undertaken by the Australian Government, it will also address QDN's position on people's rights to:

- Citizenship
- Work – paid employment, or volunteering
- Involvement in family groups and society
- Having a valued place in communities of their choosing

Welfare to Work – Welfare Reform

If the Australian Government is intent upon getting people with disability into the workforce (following school or discharge from rehabilitation programs, and/or following the acquirement of disability), back into the workforce, or maintaining employment for people with disability, then provisions need to be made to make this possible.

Research, by Women with Disabilities Australia, has shown that people with disabilities want to work and find that barriers to work, and subsequent economic independence, are constructed within the realms of:

- Employer and societal attitudes.
- Adequate support to source employment.
- Access to premises.
- Transport to and from work, and movement between worksites,
- Financial support in the acquisition of technological equipment necessary to participate in the workforce.
- Technical support to integrate specialist software and hardware, required by the person, with the software and hardware of the workplace.
- Personal and physical support whilst at work.
- Flexibility of personal support to enable people with disabilities to respond to the demands of a working environment, including increased flexibility required by many employers who require workers to respond, and be available, to meet flexible working conditions.

(WWDA: 2005)

These are just some of the many circumstances that impact upon people with disability participation in the workforce. QDN's position on Welfare to Work will look at these issues, as well as policy initiatives and economic impacts in forming an analysis of the 2005-2006 Budget Welfare-to-Work initiative.

Who is QDN

QDN is a network of people with disability which:

- Undertakes its activities with a spirit and culture of interdependence, shared experiences, shared values, mutual respect, openness, conviviality, hospitality and fellowship;
- Is here for the long term; encourages participation, and harnesses the energy and potential for influence (experience and wisdom) of people with disability.

QDN is committed to ensuring that the Network will include all people with disability including:

- People living in isolated, rural and remote and regional parts of Queensland.
- People who experience profound disability.
- The diverse range of disability experiences across the State.
- People from indigenous and non-English speaking backgrounds.

QDN welcomes and enjoys the support of family members and allies of people with disability.

Accompanying QDN's beliefs are principles of Social Justice, which include the fact that

- People with disability are entitled to full citizenship in which we can exercise our rights and entitlements, in a fair and socially responsive society.
- People with disability have a right to
 - Employment of their choice
 - That is congruent with their economic needs and abilities.
 - Choose how they live their lives,
 - Including where they live and with whom
 - Education and training that matches their aspirations and needs

In terms of Welfare to Work, QDN's vision is informed by its beliefs in the inclusion of people with disability in all aspects of life:

- Ordinary communities that are welcoming and accepting of diversity
- Economic means to enable people to participate as valued members in the community and economy
- Access to equitable, accessible and affordable housing

Purpose of the Paper – Why QDN is involved

QDN has taken an interest in this issue because it affects all people with disability in Queensland. People with disability are already an extremely vulnerable group of people and QDN believes that Welfare Reform, as out-lined by Welfare to Work 2005-2006 Budget announcements, will increase their vulnerability.

QDN believes that all people with disability should have access to equitable entitlements from the Australian and Queensland Governments. In relation to employment and/or income support, and as a response to the Australian Government's Welfare to Work initiatives, as outlined in the 2005-2006 budget, QDN's vision, in the context of Employment for people with disability is that all people with disability have a right to employment, and economic participation, that affirms their rights within, and desire to contribute to, an inclusive society.

QDN's Vision on Employment

We strive to attain and sustain employment opportunities that satisfy our aspirations and goals throughout our lives.

Employment strengthens our abilities to make a valuable contribution within the communities in which we live.

In Lieu of Employment

If people with disability cannot gain suitable employment, QDN believes that they should have equitable access to an income which is, at least, at the level of the minimum wage (recently increased by the Industrial Relations Commission to \$494 dollars per week). QDN also believes there should also be financial provision for the fact that having "disability costs" more because people require mobility and lifestyle aids just to exist.

The disability support pension, if it is the only source of income for people with disability, should enable people with a disability to have a decent standard of living. QDN's position is that this entitlement should enable people with disability to be citizens participating economically and socially in varied and diverse communities across Australia.

In countries such as Sweden, where there are high levels of welfare support it is evidenced by Kumlin and Rothstein's "Making and Breaking Social Capital: The Impact of Welfare-State Institutions" (2005):

This report demonstrated that people, in Sweden, who receive levels of welfare, in the form of economic support of approximately 75% of the basic wage, feel valued and willingly participate in job search activities. Tax Payers, supporting this level of commitment to maintaining 'Social Capital' are also more responsive to the needs of the under privileged (Kumlin & Rothstein: 2005).

It is QDN's argument that the Australian Government should be investing in people with disability, who are in need of support and encouraging social compassion and cooperation, as other OECD countries do – rather than introducing further punitive measures that highlight social difference.

Brief summary of the background to Welfare Reform and the current Welfare to Work Process

The Welfare to Work process dates back to 1999 and started with Senator Jocelyn Newman's speech to the National Press Club on 29 September 1999, announcing a review of the welfare system.

The announcements of Newman's speech were greeted by a chorus of "farewell welfare" and "the end of welfarism" in the media and a degree of caution and concern in the community generally as well as among disability groups and the community welfare sector.

In order to conduct the review of the welfare system, needed to restructure the system and bring about the reform the Australian Government intended, Newman commissioned the report that was known as the "Participation Support for an Equitable Society Report" or, more commonly, "The McClure Report".

This process encouraged submissions that were widely and enthusiastically prepared. These submissions were accompanied by consultations at least with key community welfare and disability groups. Following this process, an interim report was prepared and demonstrated that the ground had moved significantly from a preoccupation with "welfare dependency" in itself to open up the notions of "social and economic" participation as the goals.

The Interim Report recognised:

- The need for adequate income support as a fundamental;
- The value of participation in many forms;
- The existence of poverty traps/disincentives; and
- The need for greater investment to provide support and opportunities.

However, the Final Report was short on detail, avoided the issue of the additional resources necessary to achieve the desired reform, and failed to draw necessary distinctions between economic and social participation and what might be required as a condition of payment.

The Report provided a largely positive policy framework for reform. It completed a significant shift in emphasis from the Government's starting point of threatening to aggressively clamp down on "welfare dependency" to a prescription of positive support for people with disability, and less punishment for non-compliance, to achieve increased social and economic participation.

In particular, the McClure Report incorporated some key recommendations from the sector in relation to people with a disability. Although by no means were all of the concerns of the sectors addressed, the need to meet the costs of disability was recognised, better assessment, and early intervention and employment services for people with a disability were recommended. However, McClure stopped short of proposing compulsory participation requirements for people with a disability (Raper: 2005).

In the 2005-2006 budget, the Australian Government is trying to implement some of the recommendations of the McClure Report. Yet, this is being done in a policy vacuum without due reference to the full recommendations of the report which included the need to acknowledge that many people with disability live below the poverty line and further cuts to welfare, without expenditure in other areas, will increase the economic distress of people with disability.

What do these “Welfare to Work” Reform Changes Mean for People With Disability in Queensland

For people with disability, the new “Welfare-to-Work” reforms will mean:

- Losing access to the Disability Support Pension
 - Being transferred onto Newstart
 - Subsequent economic hardship
- Being forced to seek work in an employment and labour market that is not responsive to the needs of people with disability seeking work
 - Erosion of self-esteem, self-confidence and position in society
- A threat to their income support entitlements in an increasing self-funded/employment focussed society.

Reforms are cloaked in the language of “participatory rewards” when the realities are harsh, conformist requirements to secure reduce income. As new recipients of support from May 11 people with disability will be offered less income from “Enhanced Newstart” and more income from increased mobility allowance to look for work. This will create an economic conflict, as there will be an incentive to accept the larger mobility allowance, forgo the Disability Support Pension and move to Newstart. People with disability who do this will then need to meet the mutual obligation criteria of the Newstart program.

With limited accessible public transport infrastructure, people with disability are forced to use taxis and the Taxi Subsidy System, funded by State Governments, will be placed under further stress.

Green Senator for New South Wales, Kerry Nettle, encapsulates the transport and building access issue for people with disability, seeking work by saying:

Many people receiving the disability support pension would like to work but they face barriers like discrimination, lack of access to public transport and difficulties with access to buildings, none of which have been addressed in the budget.

(Nettle: 2005)

Nettle’s remarks clearly demonstrate a dearth of social, political and economic policies that should underpin such changes.

People with Disability Want to Work

There is a perception created by Welfare Reform that the Australian Government thinks people with disability, who are capable of working 15 to 29 hours a week, are not looking for work and are therefore, abusing the welfare system.

QDN strongly opposes this notion and contends that a more accurate reading of the willingness of people with disability’s participation in the workforce is framed as:

People with disability want to work, and are capable of working. Yet the “Productivity-driven Market”, encouraged by the Australian Government means that companies ignore job seekers with disabilities because they see them as less productive.

If the Australian Government conducted research into whether people with disability would rather be employed or receive the Disability Support Pension, as Women With Disability Australia has, it would be revealed that people with disability want to work, however face huge obstacles in achieving this vision.

The WWDA submission to the 2005 HREOC inquiry quotes HREOC figures and states that:

Australians with a disability are much less likely to be employed than people without a disability. They have a comparatively lower labour force participation rate (53.2% compared to 80.1%) and a higher unemployment rate (8.6% compared to 5%) than those without a disability (HREOC 2005). (Women With Disabilities Australia (WWDA), 2005)

Once people with disability start recording the number of jobs they apply for, for which they are fully qualified and capable of being productive in, the Australian Government will see that Welfare Reform is not what is needed. In this situation, unemployment will sky-rocket as the job seekers move from DSP to Newstart and the “true figure” for ‘employment’ will be revealed.

Self-image

It has been demonstrated that longer-term unemployment leads to a lack of self-esteem and a degree in people’s “Job Readiness”. For people with disability this is compounded by the fact that they often apply for hundreds, even thousands, of jobs before gaining employment.

Under the new system, without significant incentives to employers, leadership by Government and support to gain employment, people with disability are going to have their self-esteem further eroded as they become the non-Disability Support Pension Recipients barely surviving on Newstart Allowance.

This is not a policy from a socially responsible Government, rather an effort to cut costs, and award tax cuts, by further marginalising the already marginalised, economically, socially and, now politically, excluded.

Discrimination

Another impact of Welfare to Work will be exposing people with disability to further discrimination. The greatest employment barrier to people with disability working is discrimination

People with disability face systemic and attitudinal discrimination every day. Since 1995, employment of people with disability in the federal public service has declined from 5.8% to 3.8%

The changes announced in the 2005/06 Federal Budget will leave many people with a disability significantly worse off while doing little to improve their employment opportunities.

An estimated 60,000 people with disability over the next three years will be \$20 - \$40 a week worse off under new DSP rules. People with chronic and degenerative conditions like HIV/AIDS, Multiple Sclerosis or mental illness will be particularly adversely affected.
(AFDO: 2005)

The proposed changes will mean an increase in the discrimination faced by people with disability as they are forced to undertake job search requirements under Mutual Obligation.

Putting Mutuality into Mutual Obligation

In reviewing the McClure Report, Michael Raper from the National Welfare Rights Network comments on Mutual obligations and writes that the report:

- Significantly recast the notion of “mutual obligation” by first stressing, and setting out, the obligations of the Government, business and the community and then placing the obligations of individual income support recipients in this context;
- Recognised that people with caring responsibilities or “significant and permanent impairment” are “already fulfilling their obligations”;
- Stressed that participation is best achieved voluntarily and that sanctions (breaches and penalties)
- Suspension caused by a system review, should be reasonable and used only as “a last resort”,
- Nevertheless, proposed the introduction of participation requirements for mature age unemployed people and people on Parenting Payment (especially those with a child aged 13 to 16).
(Raper: 2005)

QDN believes that the mutuality of “Mutual Obligation” can only be achieved when people with disability, who seek work can be proven to have successfully attained it, or have their eligibility for Enhanced Newstart Benefits transferred back to the Disability Support Pension because their disability impacts upon their ability to gain paid employment.

Although this would re-establish their income to a level equivalent to that before Welfare Reform, it does not however, address the endemic poverty cycle into which many people with disability are cast. Only when governments address this, by raising

the Disability Support Pension to the level of the minimum wage will people with disability be viewed as equal members of a civil society.

Incentives and Disincentives

One cannot discuss the Welfare to Work reforms of the 2005-2006 budget without reference to the incentives and disincentives of the package. In the form of incentives, it could be argued that people with disability will be perceived as being employable and the Australian Government is investing millions of dollars in this imagery make-over in the form of job subsidies for employers taking on an employee with a disability.

However, a major disadvantage and divisive process, for people with disability is that they will now be divided into two separate categories, according to the number of hours they can work per week and their ability to perform in a competitive labour market.

As ACOSS commented on some of the disincentives and incentives on 11 May 2005, by calling the 2005-2006 Budget a budget of “snakes and ladders”:

This Budget puts jobless Australians into a dangerous game of snakes and ladders. Some people get extra services which give them a push up the ladder into work, while many sole parents, their children and people with disability get payment cuts and harsher penalties which will slide them deeper into poverty... many people with disability will lose \$40 a week in payments. We are disappointed that people who are already struggling on payments of just \$200-240 a week will be on even lower payments under this Budget package...Changes to eligibility criteria for DSP means that around 70,000 people with disability over the next 3 years will be deemed ineligible for DSP and lose \$40 a week.

[One of the few] Ladders in this year's Budget [is the creation of] 68,000 places in employment [job placement] programs for people with disability. (ACOSS: 11 May 2005)

This statement is indicative of the complex mix of incentives and disincentives that accompany the Welfare-to-Work Reforms. The experiences of some people interviewed in compiling this paper, around the so-called “Ladders” ACOSS identifies, is that these program often fail to match people with academic qualifications and physical disabilities with jobs. Such failures lead to economic hardship and disenfranchisement from the labour market.

From reading budget briefings, speeches and media releases, it appears that the Australian Government is attempting to implement ‘reform’ in a policy vacuum. This is evident in the roll out time-frame for the Welfare-to-Work reforms where there are clear discrepancies between the budget statements and the policies underpinning the reform.

Dividing to Conquer – Welfare Delivered in an Economically Segregational Model

The first of these discrepancies becomes apparent when examining the policies behind the changes to eligibility to the Disability Support Pension. Here, there seems to be an intent to decrease the access of people with disability to equitable income support from the Government. This is because people with disability currently on income support, in the form of the Disability Support Pension, will be exempt from the new rules. This creates a tiered system where people with disability already on DSP are pitied against those who might be eligible after 11 May 2005.

These tiered distinctions are:

Tier One

Those people with disability on the Disability Support Pension before 11 May 2005 will be least affected by the changes. This is because nothing will change for them as long as they remain on the Disability Support Pension. Under these rules, these people may work and go off the Disability Support Pension for less than 2 years and still have the opportunity of going back onto support with their original entitlements.

Those already receiving the Disability Support Pension before 11 May 2005 will have their eligibility and work capacity assessed on the capacity to work 30 hours per week.

Tier Two

People with disability who commence between 12 May 2005 and 30 June 2006, will be eligible for Disability Support Pension and will be assessed for a work capacity between 15 to 29 hours.

However, there will be an 'easing in period' where the eligibility of these people with disability, for Disability Support Pension, may be reviewed and they might be offered a transfer to Newstart Allowance and will have to fulfil job seeking requirements.

Tier Three

Those people with disability who might be eligible for income support after 01 July 2006 will be assessed on a capacity to work 15 hours per week or less, 16 to 29 hours per week or 30 or more hours per week.

The people who can work less than 15 hours per week will receive the Disability Support Pension.

People with disability who are assessed as having a work capacity of 15 to 29 hours per week will be placed on Newstart Allowance and have to meet all associated requirements.

This will create great division among people with disability and will lead to great unfairness. The new regime of income support will also create economic divisions among different people with disability of different age groups and/or diagnosis dates.

The impact on these for people with disability will be:

- Reduction in income of \$77 per fortnight,
 - Having to attend interviews and meet activity reporting requirements
 - Having to expend income on travel to these interviews and meetings
 - Reduced support from Job Networks
 - Further poverty
- (ACROD: 2005)

Lack of Incentives for Employers

The Australian Federation of Disability Organisations said of the budget:

Without concrete proposals to encourage employers to employ people with a disability, the budget proposals will do nothing to increase employment of people with disability.
(Nettle: 2005)

Although the 2005-2006 Budget allocated funds for incentives for employers to hire people with disability, there is no policy direction to indicate the allocation of such funding or how it will lead to systemic changes in the labour market. This requires leadership on the part of the Australian Government.

Statistics show there are declining numbers of people with disability working within Government Departments. These are referred to when Kerry Nettle states:

The government could start leading by example and reverse the fall in the number of people with a disability employed in the Australian public service.
(Nettle: 2005)

In the late 1980s and 1990s there were targets set by Equal Employment Opportunity Legislation to enhance the participation of people with disability in the workforce. Yet, Government and business are either not meeting these participation rates or are doing so by employing people with minimal levels of disability. This was not the intention of the EEO Legislation and has left many people with disability on a fruitless circle of job applications.

Work Capacity Assessments

Currently the Australian Government is undertaking trials using different models to develop the work capacity assessments in various locations across Australia. Results from these trials and decisions taken as a result will not be released by the government until some period in July 2005. At the consultations around Australia in May 2005 (post budget), bureaucrats declared they would have further consultations with stakeholders.

At this stage it is unknown what the work capacity assessments will look like except to say we are aware that when the assessment process is complete, that assessment will remain valid for 2 years.

QDN consequently seeks clarification from the Australian Government, Centrelink, Job Networks, and Disability Open Employment Agencies the processes involved in Work Capacity Assessments. This includes policy outlines on the following scenarios and processes of assessment and appeal.

- If person with a disability is going to be assessed as working any number of hours per week, this should be completed by someone who has knowledge of the long-term effects of their disability.
- Work Capacity Assessments must match the person's
 - Employment preferences
 - Educational background and qualifications¹
 - Reflect their capacity as valued members and participants in the open labour market
- People with disability must be able to:
 - Appeal their Work Capacity Assessment if they feel it is not congruent with their current circumstances
 - Request a review of their Work Capacity Assessments if their condition changes due to their ability.

Further alarm is caused by Joint Press Release from Peter Dutton and Joe Hockey, on Tuesday, 17 April 2005 in which it was stated that:

When a customer applies for income support, Centrelink will determine the appropriate payment after an assessor's recommendation on work capacity.

Assessment services will be brokered, overseen and monitored through a network supported by the Department of Human Services...

The Australian Government intends to tender for all elements of Comprehensive Work Capacity Assessments no later than July 2008. (Dutton & Hockey: 2005)

The last paragraph, stating a timeline for Work Capacity Assessment tenders as July 2008 is of great concern for people with disability. QDN wonders what processes will be followed in the next three years and where are the policies underpinning the implementation of these changes?

¹ Many people with disability have tertiary qualification and cannot find work in any field.

The Need for Societal Change

For people with disability to gain employment there needs to be a societal change so that employers have confidence in the abilities of people with disability to do the job.

Kerry Nettle, New South Wales Senator for the Australian Greens accurately names the reasons why people with disability are not fully participating in the workforce, stating

There are lots of reasons people can't find work - lack of education and training, no recent work experience, mental illness, expensive equipment and transport expenses, discrimination, lack of affordable childcare, inflexible working hours, no jobs in their area...

Nettle continues and argues that

There is a case for Welfare to Work- but that is not what the government has delivered in this budget. Since the rate of Newstart is below the poverty line, the government's welfare changes will push more people into poverty.

The McClure Report on Welfare to Work proposed simplifying the welfare payments system but this budget makes the system more complex by adding more layers of payments with different rules.

In a credible and much-needed analysis of the term Welfare to Work, Nettle states

Genuine Welfare to Work requires a serious investment in people and services to help them. ACOSS estimates \$2 billion a year is needed. The government did not get halfway near that in the budget.
(Nettle, Australian Greens Senator for NSW: 2005)

QDN believes that the Government's Welfare to Work reforms are not guided by a vision to assist people with a disability to gain and maintain employment. These changes are about cost cutting and reducing the total welfare spending.

What is needed therefore, is leadership that is willing to understand the issues facing people with disability seeking employment and acknowledge the massive barriers people face. In a market driven economy people with disability need legislation, funding and resources to force a level playing field, where people with disability can participate equally in the work force. Similarly, accessible workplaces, public transport and support are required to connect people to work.

Above all we need leadership this is willing to honour and respect the great value and contribution people with disability make to our society as citizens, as they do to employment as workers.

Get Me a Job – Nigel’s Story

...- I'll front up to any interview, no problem, any process. I've done them all, so I reckon I can take on any challenge. Give me a job. You know, anybody who thinks I'm a bludger, I challenge them to come and do a week in my shoes and we'll see how many hours they want off when they're finished. I don't get an RDO. You know, disability is 24/7. My willingness to work is as much as anybody else, if not more so. I'm competitive, I comply. I mean, you know, I meet most regular employment standards, Give me a job. Yeah, you can quote me on that.²

Nigel finished Senior at Corinda State High School in 1989. Since then he has spent the last fifteen years studying, looking for work, working full time, part-time and casually – all the different work options available to people. He would now like a permanent full time job. Nigel’s medical diagnosis Cerebral Palsy Spastic Quadriplegia – a mobility impairment. Over his career to date Nigel has experienced many of the difficulties people with a disability face in finding and retaining employment. He has also demonstrated his commitment to work.

Trains, taxis, technology and timetabling

Employment for people with a disability can be more than getting a job. Many difficulties and dilemmas relate to other issues such as transport, lifestyle support, access to technical aids and the time and energy required in dealing with government departments.

Getting to work has been a major employment issue for Nigel . Early in his career Nigel worked evenings as a part time telemarketer with a company called Supreme Clean. No accessible public transport existed. Taxi’s were the only option, an often unreliable and expensive way of getting to work. Even with a 50% taxi subsidy Nigel paid \$40 to get to and from work everyday. This expenditure is not considered when declaring gross earnings to Centrelink. Working was not really financially viable costing \$160 per week just to get to work. Yet Nigel was determined to have a work history and experience. Later when working part time at McDonalds, Goodna Nigel encountered similar difficulties.

I was able to use the public transport system, as long as I willing to travel for four hours a day to do five hours work. I left my house at 8.30 every morning. So that was particularly arduous because I had to get a train from Altandi station to Roma Street and then back out from Roma Street to Wacol then get a local taxi from Wacol to Goodna. At that time the Goodna railway station was not wheelchair friendly. So I minimised the expense but had two years of very interesting discussions with Queensland Rail and the Department of Transport.

Two years into his employment at Macdonalds Nigel’s complaint to anti-discrimination commission was successful. The train station nearest his workplace was made accessible. He no longer had the taxi expenditure because he could now walk to work from the station.

Nigel has often studied while working part time. Coordinating employment and study is difficult for anyone. For Nigel, as for many people with disabilities, it is logistical nightmare. Nigel not only has to organise himself but also he must manage and supervise his staff, and all the associated accountability requirements, which can demand several hours a week work. On a daily basis he needs staff to assist him out of bed and do his personal care routine. He may also need learning support such as note takers and IT support whilst studying. He needs

² Interview with Jennifer Barrkman April 26. All subsequent quotes are taken from this interview.

assistance around meal times. Transport needs to be coordinated.

If your technology doesn't work, your wheelchair doesn't work, your taxi or your support staff don't turn up, you don't go anywhere, so all of those relationships need to be coordinated. That's a real challenge for some of this welfare reform ... acknowledging this bigger picture for people.

Nigel's experience with the DSP has presented another level of complexity to his working life. Many of the compliance requirements for obtaining the DSP are generic and pose difficulties, particularly when casual income fluctuates as it did while Nigel worked at McDonalds. At that time he would be required to report weekly to the Goodna Centrelink office, and his DSP would be altered regularly.

The system would generate over the next five or six days three, four, five letters each telling me everyday what amount I was likely to receive as a result of what seemed to be a daily assessment. I managed to convince the department after some time that I should do this every 12 weeks and have an average income, so I had a consistent payment coming to me because the payment would change significantly depending on the hours I worked.

Often when changes occur or an enquiry made, Nigel is required to resubmit the same information he has given the department since he was sixteen. This involves cost, time and energy not only for Nigel but also his doctor and Centrelink.

My GP often used to tell me that he did not go to medical school to prove that I had a disability, but he generally photocopied my last medical certificate, changed the date on it and resubmitted it. He did very well out of the compliance requirements of Centrelink He would do that more than every quarter, sometimes monthly. If my working environment changed, all that was reinstated.

If I'm sitting on the phone listening to Greensleeves for five hours and being told that somebody will get to me eventually. I just feel so frustrated. I've been there since 1987, on the DSP, it's now 2005. Not much around my diagnosis will change.

Nigel accepts that people's disabilities can change and that they should declare this. However he suggests a simpler system is needed.

Nigel's wheelchair is another critical ingredient to being able to work. Nigel has frequently entered discussions with government departments around equipment subsidies. Often demarcations exist as to whether people can use their equipment for work purposes. Without his chair he can't work. Subsidies and loans for chairs, and other services such as Home and Community Care, are often linked to the DSP.

The chair that I'm presently sitting in now cost me and my family a total cost in excess of \$10,000, some of which was subsidised and the balance I had to acquire - I had to prove that I was on the DSP to qualify for the initial loan and then acquire the money within a 12 month period.

Work places

In Nigel's experience the interview and selection process is where a lot of indirect or direct discrimination occurs for people with disabilities. Usually Nigel declares he has mobility impairment on his initial application and then, when he gets to the workplace, finds the interview environment is not physically accessible.

I can present to an interview with better qualifications than most people for the type of employment that I'm seeking and for a range of reasons I'm not offered the opportunity

I'm happy to go through a reasonable process and participate equally, but often most people with disabilities, in my experience, are not even afforded that opportunity of a level playing field, so that's huge concern for me.

Sometime Nigel asks a query during the interview like 'where the toilet is in the building?' The employer will discover it's not accessible and more often than not Nigel is not given the work opportunity. Employers are often embarrassed or uncomfortable. One strategy Nigel has undertaken is working voluntarily to show potential employers his capacities.

Well, it's one of the social burdens and strategies for gaining employment. Sometimes it's about just shifting that attitude and saying, "Yeah, Nigel can spell. Nigel can use the keyboard just like anybody else. Nigel can pick up a telephone and answer inquiries like anybody else. Okay, now that we've seen Nigel can do that, then we'll give him a try" - it might only be for a day. It depends on what sort of things you can negotiate with your employer.

Once obtaining work Nigel needs has developed some confidence in raising issues and initiating conversations around his needs. Many employers are ignorant or do not take the initiative to investigate how to make work environments more inclusive. Some have benefited from taking the time to work with Nigel.

McDonalds Goodna built me a ramp from my work station and modified toilet facilities. They talked to my job development officer and myself extensively. There was benefits for everybody, I was very rarely unwell, I attended my rosters. Because I was travelling so much, they were willing to give me regular hours, which they often didn't do for most of their roster. But because I was able to maintain customer satisfaction they wanted me there. You know, "You can have as many shifts as you want, Nigel."

However most employers have not developed or worked toward inclusive work practices or have stereotypical perceptions about what someone with a disability can do. More focus on individual's needs and capabilities is needed.

Some people just say, "Here's your work station. You go to it and you adapt as best you can," which can limit your ability to perform, as it would for anything, regardless of disability.

I got told by my immediate superior that I was the only one in the organisation under her command that could actually spell. That was the most complimentary thing she said to me for the entire, probably, two months I was under her control. You know, she had some exposure to disability that was negative and really - you know, I was literally in the mailing room, tearing stamps off envelopes because they collected the stamps for, I think, Rotary - menial tasks.

This lack of supervisory skills and consideration of diversity affects all employees, not just people with a disability. Other incidents are more obviously directly related to his disability.

I've had objections from employees where they've modified their only facilities for a particular gender and the men may object to having grab rails and things like that in the facility. You know, and they've asked for, in some cases, separate facility. They don't want disability accessible facilities, so that can be rather hurtful. Because, I mean, I don't even need to sit on most of the toilets.

Yeah, you know, because of the equipment you might be rolling down the corridor to go from one work station to another and you can be called - maybe in a joking way sometimes, but sometimes not - you know, like a road hog because you're in the middle of the corridor. Yeah, just because you're trying to navigate a narrow rabbit warren or a narrow walkway.

Permanent work is hard to find

Nigel's full time work experience has been limited. During the first half of the nineties Nigel participated in many labour market programs, moving from one short term job to the next.

I've had a pretty diverse cross-range of employers. I've often been in a lot of labour market programs - they might only have a 13 week duration, where the employers been fully subsidised by wage for that period. The subsidy runs out and all of a sudden I get a separation certificate.

He gave up his part time McDonald's job after three years due to the option of working full time with an industrial abrasives company. Again, he needed to use a taxi to get to and from work. Working as debt management officer, he was told initially the job was for eighteen months. However, being the last one on he was the first one off, when the business needed to retrench staff six months later in late 2000. Obviously this was disappointing for Nigel as he gave away a longer term opportunity at McDonalds. Yet it was a liberating experience as he was not dependent on the DSP for the first time in his working career.

Nigel is again working in casual employment. Whilst working full time he had been appointed to the newly formed State Disability Services Council. Once Nigel's full time work finished, this casual work continued until he resigned from the State Council to take a place on the National Disability Advisory Council. In 2004 Nigel has also been appointed to the Occupational Therapists Board in Queensland. During this time Nigel has again been studying again, this time a Diploma of Justice Administration.

This qualification will join all the other diplomas and training activities Nigel has undertaken to assist in his employment options. Training is often suggested as the remedy for people with a disability to find work. Whilst not against the need for training, Nigel gets angry given the number of training and education activities in which he has participated, many of which have been held at inaccessible locations! These courses include Diploma of General Business Administration, Diploma of Business Marketing, Diploma of Justice Administration and Justice of the Peace. He has also done consumer technical expert training for the employment services, audit training service, user training for Disability Service Quality System, and a number of other short-term training courses, conferences...

Yeah, it is. I make several applications to do various things and often retreat into training. You know, I think I'll be one of the most overqualified, unemployed people I know by the time I die.

Throughout all this time Nigel has also worked voluntarily undertaking roles in various community organisations. Many of his voluntary roles require him to use a variety of managerial and organisational skills. These have rarely been reflected in the paid work Nigel undertakes and, at times, he is frustrated by this.

There are lots of people who will not gain full-time competitive open employment opportunities, so how does the system support and encourage people to do things that are not life wasting activities and can actually make a meaningful social contribution.

And voluntary work is very much part of the Australian psyche any number of ladies auxiliaries, life saving associations, any number of voluntary associations across the country, and people with disabilities actively engage in them. I've been doing most of that for most of my working life as well. It often supplements a lack of real work opportunities for people

Nigel is concerned about changes to the DSP, particularly if it involves any loss to concessions. The cost of Nigel's disability would outweigh any economic advantage he may earn. There are significant costs related to disability, various medical procedures, all sorts of investigations that are not subsidised. Given Nigel's experiences and the difficulties in obtaining full time employment, the DSP has been his only reliable source of income.

I wouldn't risk losing that safety net, it's not worth it. The long-term benefit to me being attached to that concession card outweighs significantly the few dollars I might earn-----

There's also an increased reliance in the workforce on contract and casual work which poses some challenges for the welfare system. Nigel does not want to be seen as a burden to the community on the basis of his disability. He is contributing to his community – socially, voluntarily and economically. Many people are directly and indirectly employed by Nigel.

I'm actually contributing because everywhere I go, there are five humans that work for me. So they're tax paying people, they're contributing economically and socially to the community simply by assisting me ...

Nigel wants to work. He sees people with a disability being labelled bludgers and accused of rorting the system. For a small number this may be true. Yet in his experience most people are wanting to work and deal with a myriad obstacles to do so.

I have exhausted myself dotting the Is, crossing the Ts, engaging in the system. I'm still continuing to do it. I have an interview for a free training opportunity tomorrow for a six week course in retail operations ... I will have opportunities to find immediate work and more likely casual work in the retail industry, so I want to take up the training opportunity.... so it's again having to negotiate all that stuff and convincing the community, employers and the system that you can make a contribution, rather than you know, sitting at home and waiting for Human Services

People like me want to work – Jodi's Story

Jodi's story highlights the need for the DSP to enable flexible work hours and the discrimination people with disability face in obtaining employment.

*There's just a lack of understanding, a lack of flexibility by employers as far as getting people into their workplace who are disabled. They couldn't be bothered.*³

Jodi is an environmental scientist who decided she wanted to be a librarian. Whilst undertaking postgraduate study for her new career, she was also employed in two part time contract jobs, one at QUT library in Lending Services and one with Queensland State Archives as an indexer. She was enthusiastic, busy and committed. Then she noticed at work she was having difficulty moving, her legs felt wooden and were unable to support her properly. Her back hurt and gradually over the next two weeks Jodi found that she couldn't walk properly. A CAT scan revealed no problems but something was definitely wrong.

I was staggering around the house, to the point of being on my knees, really, crawling.

Admitted to hospital Jodi was diagnosed with multiple sclerosis. This was in 2001, four years ago.

This was absolutely devastating to me. My first thought was, I'm going to be in a wheelchair for the rest of my life. Fortunately my walking got better so I realised that it wasn't as bad, I went back to work at the two work places a couple of weeks later.

She openly discussed her condition with both her employers. Queensland Archives, was supportive. The manager didn't put her off when she discovered Jodi had MS. Later, when her contract was up for renewal Jodi was rehired as in previous years. She continued working there until June 2002 when they no longer needed as many indexers. However the other employer, at QUT, reacted differently. For the first time Jodi experienced what many people with disabilities face, discrimination and a lack of understanding.

Jodi was still in pain, not knowing her full capabilities. Open to negotiating her role, Jodi went to her supervisor who had previously been quite supportive. Unbeknown to Jodi she had a history of being unsympathetic to staff where health issues were involved. Jodi showed her information from the MS Society about employment, what was required and the things an employer could expect. In previous years Jodi was regarded as a competent, conscientious worker and she had been offered contract renewal. This year she wasn't. Not being on contract staff also meant Jodi did not receive email access to other suitable jobs advertised internally.

I was devastated and I couldn't understand it. I was studying to be a librarian. There were other sections, technical sections, where I could do processing of books. They could have taken me up to the technical section and actually said, "Do you have anything available?", If there was nothing available, then I would accept that. But they didn't make any sort of arrangements, no effort whatsoever, basically they just decided, we don't need her anymore, we'll just hire somebody else.

Jodi was very angry over this incident. QUT lost a valuable employee when, with a little support, Jodi could have continued contributing to the organisation. Jodi became wary, less prepared to discuss or disclose her disability with any prospective employers. Hiding a

³ Interview with Jen Barrkman on April 21st 2005. All subsequent quotes are taken from this interview.

disability, if you can, is sometimes the only way people feel they will be able to obtain and retain employment. Legislation does not always assist particularly in a casual, contract workforce.

I acknowledge I have limitations, but I feel that I have been discriminated against and I'm angry about it. This is a society which has the Disability Discrimination Act, this legislation which does absolutely nothing. It has no teeth.

After losing her work at QUT, and needing a regular income, Jodi applied for the Disability Support Pension (DSP). Jodi wants to work. She has always worked. Over the last few years Jodi worked in several casual and contract jobs keeping her diagnosis hidden. This created stress yet she wanted to work and feared no-one would employ her if she disclosed her disability.

I would not tell them because of my experience with discrimination. To be honest, it was quite stressful not to be able to actually disclose that in fact because it does rule my life. I have to go and have massages. I have to go to see an osteopath. I have to see my neurologist. I have to do this and I have to do that. It affects my whole life, so it's very difficult to be in a working situation with people who have no idea about what's happening with you because they don't understand. They know there's something going on, but they don't know what it is and I'm not going to tell them.

Eighteen months ago Jodi worked with Griffith University assisting on the reference desk for a few hours a fortnight. After finishing she remained on Griffith Uni's books. Griffith Uni then rang saying, "We really need you." Jodi was very happy to take a contract casual basis, depending on the work that's there. Initially, as with other employers she didn't disclose her illness, but after her last attack, it became too stressful not to tell her supervisor.

I figured that if it came to the point where I would have to come to work with a stick or something like that, I wanted my manager to know before anybody else. Fortunately she has been very supportive and she has told me that there is another person with MS on the staff. I don't know who it is, but there's somebody else on her team. So that makes me feel so much better. She is hiring me regardless because she knows I can damn-well do the job and, you know, that's important. It's a huge relief.

Jodi is concerned about any changes to the DSP. During the semester she may do more than 15 hours work a week and, when she can, she wants to work as much as possible. The DSP provides only a base income, insufficient to meet Jodi's needs. Having a part time income assists Jodi to meet some the expenses associated with her disability. At this stage she needs a car as she is unable to use public transport mainly because of the distances she often has to walk. She pays more for special parking close to her workplace. She has additional medical expenses, natural supplements and alternative therapies such as massage which assist reduce the effects of her illness and hopefully reduce its severity. Apart from financial considerations Jodi also just wants to work despite the difficulties her illness creates.

People like me want to work. We want to work because we want to be independent. Now, my condition is progressive, so I know that there will come a point where I can't work, but whilst I am able to work I will. So it's not as if I'm saying to the government, "Give me money", you know, because I'm not.

However sometimes Jodi has episodes when she can't work as much as she would like and is more reliant on the DSP. The DSP provides a safety net and gives her some concessions such as car registration which alleviate the financial and medical costs. If she needed to reapply for the DSP each time she worked more than a certain number of hours she would

become increasingly stressed and her health would be affected. This would also negatively impact the amount of work she could do. Alternatively Jodi cannot afford to live only on her part time income without the DSP and pension concessions. Reducing the work hours for eligibility for the DSP would greatly affect the flexibility Jodi has established around her work hours. She believes it would be a disincentive to work.

Now, probably what it would mean is I would have to say to my employer, "I can't work any more than 15 hours." Now, that may or may not be acceptable to her, I don't know. I would have to do that because the fact is I would have more money by working just 15 hours and getting the top-up from DSP, than it would for me working 20 hours.

I will never work full-time again, that's just a fact. Anybody who thinks that I will is just kidding themselves. But I will work to my capacity and that happens to be more than 15 hours.

Put the basics in place first – Tanya’s Story

Well, just to be able to live in the community is my primary goal at the moment because I'm faced with a life in a nursing home. Both my parents won't be able to support me forever, so that's my main goal at the moment - is trying to, yeah, get things in place so that people can live in the community, for starters, because you can't put the cart before the horse. Yeah, and that's been the problem, there's all these other obstacles in the way first before you can, yeah, work.⁴

Tanya sustained her spinal injury in December '91 at the age of 17 and shortly after that went on the Disability Support Pension. From the time she was discharged from hospital, Tanya and her family have fought to get the basic supports in place. She lives in Roma, six hours from Brisbane.

For the first five years Tanya essentially spent all her time at home. Tanya was brought up to work, to be outside, not to look at four walls but Surat, where she lived at the time, had no accessible transport. Work wasn't an option. She had no funding for support workers and no transport. She was totally reliant on her parents. By the mid nineties Tanya managed to get two hours support a day.

Fat lot of good that was because all you're doing is living around couple of hours a day. So you can't plan anything or do anything because you've got to be there, waiting for the person to come in, or whatever.

Without transport support hours weren't much use. Accessible taxis or buses were non-existent and, even now, only one accessible taxi exists in Roma after a successful lobbying campaign by Tanya and others. Visiting other towns was a near impossibility and even attending local events was limited.

A lack of accessible transport services, makes getting to and from work virtually impossible. Ten years after her accident, when she was finally granted a lifestyle support package, Tanya lobbied the Minister to put some of this money toward an accessible van.

Having her own transport and some support hours enabled Tanya to start thinking about employment. The DSP alone is insufficient.

As it is I can't survive on the pension on my own, with living costs and rego bills to pay and just general living costs and stuff, and the extra cost of disability, even though you get the cab money and stuff and equipment, you still got to pay a contribution and there's always extra, so it's still - I've still got to, yeah, rely on family financial support to pay for that.

Tanya supports the government's encouragement for people with disability to work. Yet she maintains it's much more than employment alone. People need to be supported to live in the community, not in nursing homes. They need to be able to keep their mobility allowance and concession card so that they can go to work and don't have to worry about where the money's going to come from when they need a wheelchair or medical equipment.

That's the thing. I mean, you know, I was brought up on a property, brought up a worker. You don't, yeah, sit around staring at four walls, you'd go nuts and, yeah, they're just shoving people away in nursing homes and it's just such a waste. Everyone has something that they're talented at. Everyone has a skill or can learn

⁴ Tanya interviewed by Jennifer Barrkman, April 26 2005. All quotes are taken from this interview.

things, you know,

Tanya decided administrative work would best suit her capabilities. She had previously done some accounting and economics subjects while living at Surat and is now studying Certificate 3 in Business Administration. She started working voluntarily on management committee of a supported employment service that assist people with a disability find employment. She became aware of the attitudes some employers have when employing people with a disability. They see they are “doing something for charity” rather than appreciating the skills and abilities of the people. Tanya has seen people totally transformed by their work experience and employment. More work needs to be focussed on employers attitudes and skills rather than people with a disability

there's no funding for workplace modifications for work experience, so people can't even get their foot in the door sometimes, yeah. Yeah, it's a matter of making it a neutral playing ground for people with disabilities because if they think it will cost them (employers), they're going to be, yeah, not willing to give people a go.

Tanya also experienced discrimination in finding employment.

I applied for a job at the school and it was an admin type job and the woman rang me up to ask me for an interview and as soon as she found out that I had a disability it was a big change in attitude and she straightaway went, "Well, how do you think you're going to do this job?", you know, totally prejudged before she met me and found out what abilities I did have, so yeah, a total change in attitude and then didn't want to ask me in for an interview anymore. So, yeah, I've already experienced that.

Her first paid job was working casually as the representative of the Regional Disability Council. However she spends nearly as much time doing the paperwork and sitting on the phone fulfilling reporting requirements for the DSP as she does working! Then when Centrelink makes a mistake, as they did recently with calculations to her mobility allowance, the time taken to rectify it can be considerable.

You know, that's time that people could be out there doing applications, applying for jobs and whatnot, instead of jumping through hoops for Centrelink, yeah.

She has just recently been told she has been successful in obtaining her first part time 20 hour position doing administration at the supported service she previously volunteered in. Provided her work station is organised beforehand, Tanya only needs minimal assistance such as refilling water bottles, being shifted in her chair. A supportive work environment and colleagues is all many people need in order to do their work. Tanya needs to be able to keep the part pension and concessions to meet additional costs, such as equipment, which in turn ensure her employment can continue. She is concerned of changes to the DSP.

If they bring that 15 hour - that will effect me because, well, I'll just have to quit my job because I'm not going to be able to afford mobility equipment and medical equipment on a part-time wage, so I'll just have to quit my job so I can keep the concession card because there's no way I'll be able to afford that stuff on, yeah, a part-time wage. So it'll effect a lot of people that are in the same situation, where they need that concession card, because they'll just have to reduce their hours, not work a dot over 15 or quit their jobs. Simple as that, yeah. And that's how it's going to effect me. And I'll be going to the politicians and telling them why I quit.

Tanya recently had the opportunity to speak with Peter Costello, the Treasurer about some of these concerns. She sees some major flaws in his policies.

I had a chat with him (Costello) off-camera after the filming, yeah, and he's just got no idea. He just doesn't have a clue how the changing are going to effect people and I don't think he cares. All he cares about is reducing the stats, that's all he cares about. So, yeah, I've got grave concern for us all.

And for a man that's sprouting economic responsibility, I mean, he's got no idea - like, when I told him about, you know, people that are in nursing homes - we don't want to live in nursing homes, rotting away doing nothing. We'd rather be out in the community working. So for the \$800 a day that they spend keeping people in nursing homes, doing nothing, they could spend that money, have them out in the community and they would either be studying or working, one of the two or both. Because I'm doing both at the moment now, I'm studying and I've got a job, you know. If they got people out of those gaols, as I like to call them, and put that money that they're spending - because it's just dead money. It's just a complete waste of taxpayers money, as far as I'm concerned and if they put that money into supporting them in the community, they would be working or studying or both. So doesn't that make more economic sense, you know, have people out there studying and paying tax? So he's not a very smart man, no.

For Tanya and many others employment can only occur when the basics are in place – transport, daily lifestyle support and a secure home.

Yep, put the basics in place first and then, yeah, worry about employment because it'll just come naturally once you put the basics in place, yeah. It's just the next natural step, yeah.

Impact on the Queensland Government

The Welfare to Work strategy will have a number of impacts across Queensland State Government departments relevant to people with disability who do and will receive income support payments. Some of these impacts will become better known and much more obvious when the Australian government declares how the Work Capacity Assessments are to be completed and by whom are they going to be done.

Some key issues will include:

- **Disability Services Queensland (DSQ)** - This department claims a “whole of government” responsibility for people with disability, their families and carers, and funds and provides services to and for many who will be subject to any mutual obligation and compliance requirements for income support. There is likely to be a marked increase on the demands for and within allocated Adult Lifestyle Support Packages (ALSP) for those who are of working age. If you don't receive fundamental supports to simply get out of bed currently, then DSQ and Disability Employment Agencies have some way to go before people can comply with workforce participation.
- **Queensland Transport** has responsibility for a variety of transport modes. Most people of working age use privately owned motor vehicles to commute to, from and during their working activities. Many people with disability don't own or use private vehicles so rely on the public transport systems. Much of the infrastructure within these public systems is either not yet accessible or where it may be, not always functional to most with a disability, particularly those with mobility impairments.

The taxi subsidy scheme is currently capped at a maximum of \$25.00 per trip and pays not more than half of any fare. The department controls the fare increases and the amount of any of any subsidy it offers. There has been no increase in the taxi subsidy cap since the introduction of the Goods and Services Tax (GST) in 2000, yet there has been several taxi fare increases. This means people with disability actually travel less distance or less often. Commuting to and from may be more costly than the disposable income actually earned by the person working. There will be an increased demand for subsidy equity and/or reform on a variety of travel concessions particularly in remote and regional centres.

- **Queensland Health** is one avenue for the supply and use of a variety of equipment that is absolutely vital to people with disability including the supply of oxygen. To attend Job Network appointments and/or meet Mutual Obligation requirements in attending interviews or training appointments, many people with disability require mobility aids. These include power-wheelchairs, manual wheelchairs, walking aids to orthotics or prescription footwear.

Currently, power-wheelchairs and manual wheelchairs are subsidised by State Health Departments, all within different funding regimes and subsidies. Such subsidies depend upon the applicant having a Disability Support Pension card.

This begs the question of how Newstart will impact upon such concessions.

A further complication for Queenslanders with disability arises when we utilise mobility aids subsidised by the Queensland Government. This is because the Queensland Health Department's Medical Aids Subsidy Scheme (MASS) policies state that people who receive equipment through this scheme are not to use the equipment for use external to our dwelling.

This means people with disability cannot legally use MASS equipment to leave our homes to seek employment. This impact of the Welfare to Work reform, forcing people with disability to meet mutual obligations or not receive benefits, has a further impact upon the CSTDA in the form of modifying policies around the use of mobility aids subsidised by MASS.

- **Queensland Housing** - More than 60% of Queenslanders with disability reside in the south-east corner of Queensland typically so they may get better access to and a variety of much needed support services either supplied by government or non-government services. If people are compelled to work for their income support then they will want to be located nearer to their employers. There are few dwelling or accommodation options for people with disability other than "social" or public housing. Within these structures one might be eligible for a loan to modify a private or family dwelling but these could be means tested. More work needs doing to offer greater housing options for people with disability. E.g.
 - A major capital cost injection and much more investment in the Commonwealth State Housing Agreement (CSHA) for people with disability and by those who purport to support them.
 - A serious commitment by governments and communities must be given to the Universal Design concepts, as many of its features benefit all in an aging population.

- **Education Queensland/Department of Employment, Education & Training.** There are in excess of 12 000 students with disability in Queensland schools currently, costing more than \$300 million per year to educate and support during their developing years. What post-compulsory schooling options do we have to get these young adults ready for their working lives? Business Services, TAFE, University or Open Employment. Even if a person chooses one or more of these options to better their employment prospects some may still at the same time, have to satisfy any mutual obligation placed on them by any Work Capacity Assessment. This outcome will act as a major disincentive for people with disability wanting to better themselves and be given the opportunities to do so.

Closing Comment on Welfare to Work

The Australian Labour Leader, Kim Beazley, in his response to the 2005 Australian Budget's Welfare to Work section in the budget, outline the argument that the processes outlined in the budget go against the purpose of "Welfare-to-Work". Beazley states:

This Budget's welfare changes were touted as a significant reform that would raise workforce participation rates and assist people to transfer from welfare to work. But the Government's approach to Welfare to Work does little to increase welfare recipients' capacity to work, and nothing to encourage employers to take them on.

...It shifts them from one welfare payment to another. [These... are...] people who, typically, live with poor vision or hearing; possibly suffer from episodic mental illness or endure chronic physical pain.

These are some of the most disadvantaged Australians. They are not a breed apart, a separate species. They are our neighbours, our sisters, our parents and our friends. A genuine effort to help get them into paid work involves taking practical steps to make it easier for employers to hire people with disability. Welfare recipients often require training, and are not job ready.

In practical terms, the main impact of the package is to shift disability support pensioners and sole parents onto the dole, where the Government will save up to \$77.00 per fortnight. Once again, the Government has taken the low road, the easy path.
(Beazley: 2005)

Conclusion

As has been demonstrated through out this Position Paper, the Welfare to Work, disguised as Welfare Reform, changes in the 2005-2006 budget are not true Welfare Reform. These changes are punitive measures that will cause hardship for people with disability, including:

- Discrimination by segregating people with disability payments according to when they became eligible for the Disability Support Pension
- Forcing people with disability onto the reduced financial support of Newstart and therefore introducing Mutual Obligation and Job Search requirements

It has also been proven that these changes will force people with disability further into poverty, as their income is reduced and they are forced to expend money on transport to look for work. This increased poverty will have a financial impact upon the States as the short-falls, that people with disability cannot meet will have to be met by the States. This will be particularly evident in terms of demand for services and support, and associated financial stresses upon the states.

These increased demands on the States' revenues will have a subsequent flow-on effect on the CSTDA as the States lobby the Australian Government for more funding.

Therefore, the Welfare Reform processes, highlighted in the suggested Welfare to Work budget briefing, are not truly Welfare Reform. These, so-called, "Reforms" will result in:

- Shifting the numbers of people with disability from the Disability Support Pension to Newstart
- An increase in unemployment figures, and
- A reduction in the social esteem with which people with disability are viewed, as well as
- A negative impact on the self-esteem of people with disability.

This is not Welfare Reform by a socially responsible Government, it is a punitive measure to marginalise, exclude and segregate people with disability to a position where they will be labelled as "bludgers" who do not seek work and are not deserving of financial support.

The Welfare to Work process also has little relevance to increasing the number of people with disability who work because it fails to address the fact that people with disability who do want to work cannot compete in an increasingly productivity, individualised workforce system.

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