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

# Submission No 32

**Name** Jane Margaret Scott

**Submission made by**

Australian with disability in work

Australian with disability looking for work

Australian with disability who would like to work

# Submission regarding Australians with Disability

### **Your experience**

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

Yes

No

Not sure

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

Yes

No

*Supplementary information provided [Attachment A]:* My experience is of seeing by the look on an employers face when they see my crutches that I won't get a job.  I can't prove that it's why I missed out and how good will it be working for someone so small minded anyway?

**Please tell us more, for example, what action you took and how effective you felt it was; or why you chose not to take any action.**

**Did your experience of employment discrimination impact on your participation in the workforce? (For example, did you have to stop work, change jobs or take sick leave?)**

Yes

No

**Please tell us more**

*Supplementary information provided [Attachment A]:* it makes it much harder to get a job when people assume I can't do it or just don't consider giving me a chance because they feel confronted or whatever but won't actually talk about it with me.

### **Barriers**

**Do you think older Australians/Australians with disability face barriers when they look for work or are in a job?**

Yes

No

Not sure

*Supplementary information provided [Attachment A]:* I am quite certain that's the case.  I live in a world where people still stop me in the street to tell me how fabulous I am just for doing something as ordinary as catching a bus.  These are not people who consider it normal for someone with a disability to do things like work.  If it's not considered normal for us to work, neither is it normal for us to get the job.

**If yes, or not sure, what do you think these barriers might be?**

Other people's low expectations and lack of willingness to think creatively to solve problems. Inaccessible buildings. Unreliable access to accessible public transport. Having a disability means there are some things I can't do so I have fewer options than my peers. The focus of our system is on fitting a person to a job rather than the other way around.

**Does employment discrimination have an impact on gaining and keeping employment for older Australians/Australians with disability?**

Yes

No

Not sure

*Supplementary information provided [Attachment A]:* See above plus does it count as employment discrimination that I can't even consider some jobs because the building is inaccessible or that the location is too far from public transport for me to walk.

**Are there any practices, attitudes or laws which discourage or prevent equal participation in employment of older Australians/Australians with disability?**

Yes

No

Not sure

**Please tell us more**

Government ministers describing people with disabilities as "leaners". People's readiness to assume that those who have disabilities "can't" do things,without bothering to ask. A lifetime of disability comes with increased costs - not just the obvious costs of things like medicine but things like having to pay higher rent because you really need to be close to the bus stop, replacing shoes more frequently than other people because of your walking problem,paying extra at a cafe where you can eat in and have table service because walking on crutches means you can't carry a tray or buy takeaway. Having to pay more for these kinds of things limits participation, especially when your disability means you're not able to work as many hours as somebody else might, so you can't earn as much.

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

**Incentives:**

social interaction, higher standard of living, a place in the community, a means of contributing, better mental health

**Disincentives:**

A negative impact on health would be a disincentive.That is the only one I can think of for actually working. However, the limited number of opportunities, negative attitude of some employers and limited usefulness of some employment providers can be significant disincentives to look for work. If you feel like you're bashing your head against a brick wall,it's pretty depressing.

### **Good practice**

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

Yes

No

Not sure

**Please tell us of examples of good practice in employing and retaining older Australians/ Australians with disability in work that you are aware of.**

Employers who talk to employees about how to accommodate their limitations.

### **Solutions**

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

The government needs to employ more people with disabilities and so to lead by example.

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

Don't give employers short-term subsidies,give them tax concessions for as long as they keep us on. It's still a lot cheaper than the direct and indirect costs of having people on welfare and/or in relative poverty. Provide people with permanent disability that affects their everyday function with a concession card similar to the seniors card.This will boost participation and make disability more normal in terms of acceptance. Provide universally accessible public transport.Require more accessibility in new buildings and do more to urge old buildings to be adapted where possible.People with disabilities should Have more opportunity to assess employment providers to choose the most appropriate one for them.

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

More acceptance and opportunity for workers with disability.

Attachment A

Low expectations

Employers are not only limited by a lack of knowledge (Issues Paper: Employment discrimination against Australians with disability p13), they are limited by their assumptions. People (including employers) assume that people with disabilities “can’t” – and I mean “can’t” in general, not in reference to a specific task. It’s probably because they’ve never faced such challenges themselves, because they find disability confronting, because they’ve never known anyone with a disability. I walk on crutches and sometimes I can tell by the look on the interviewer’s face when I walk in that I won’t be getting the job. Even when I invite them to talk with me about the physical aspect of the job, they usually don’t. Their attitude is not that surprising given the people I randomly meet on the street or at bus stops who tell me they pity me, or that I’m amazing simply because I’m doing something as ordinary as catching a bus or going to work. Even people who know me sometimes still make assumptions that I can’t do things without bothering to ask. People with disabilities who “can” are often held up as heroes rather than just normal people getting on with life despite its challenges – but not everyone is a hero, so it works against general acceptance and contributes to people focussing on the perceived (rather than actual) problems of ordinary people with disabilities. When I have problem related to my disability, I looked for a way to deal with it. A lot of people who don't have my experience get stopped by the problem.

The role of Government

Government needs to employ more people with disabilities. They ought to be leading by example. They should also give businesses who employ us tax concessions – rather than the short term subsidies that they can use to boost cash flow and fire us once the subsidy is over. The flow on benefits to society of keeping people with disabilities engaged, receiving less welfare and in better mental health via working would have to be worthwhile. When I was working as an ESL teacher, I looked into working at TAFE. Two things made that all but impossible. The jobs started as occasional casual and were for an area – across many different premises. When I look for a job, I need to ensure I am able to travel there from home in the available time and that the building is accessible. If I’m looking at occasional casual it’s even more important to know where I have to travel to because it’s got to fit alongside the needs of another workplace. The way they had set up the TAFE jobs made that quite impractical.

All people with a disability that affects their everyday functioning should be eligible for a pensioner concession card similar to the present Seniors’ card. Living with a disability presents all kinds of extra expenses and even when people with disabilities find employment, they are less likely than their nondisabled peers to get something that pays well. Having a disability is likely to mean living on a lower than average income across your lifespan. A disability concession card similar to the Seniors’ card, would help recognise this and boost participation. It would also play a part in normalising disability. The more government does to enable us to participate, the more we will become a normal rather than exceptional part of the community. When that happens, people will be less inclined to assume that we can't do things and more likely to talk with us about what we can do.

The government also has a responsibility to speak respectfully about people with disabilities and to back up their comments with facts. Labelling disabled people as “leaners” and telling people to “ get a well paying job” if they want secure accommodation does nothing to forward the cause of people with disabilities who are working very hard to stand on their own 2 feet (literally or metaphorically).

Following an injury related to my disability, I had to stop work for a few months. I applied for the Disability Support Pension but despite having cerebral palsy and walking with crutches all my life, I wasn't judged disabled enough to receive it (not that it's much to live on if you are). I was put on Newstart and told that I didn't need to look for work for a while. This was supposed to give me time to see how much my health might improve. Moving from working to Newstart meant my income reduced significantly, even more than it would have if I'd been put on the DSP. Also, due to the means testing of Newstart, what savings I had had to go down before I even received assistance. (On the DSP that wouldn't have happened as you are allowed more income and assets before the means test kicks in). My husband and I rent in the private market. We pay $430 a week for a studio - the cheapest reasonably accessible accommodation we could find. I either had to find a way to work again or look forward to a life of poverty. The government said they were giving me breathing space but I felt extremely pressured to get back to work (which is one of the arguments I’ve heard for keeping Newstart low). I also felt quite depressed because I wasn't sure whether or not I would be able to work again. I'd already had one specialist who told me that I wouldn't. Even if I am eventually able to go back to full-time work, the fact that I have a disability greatly reduces the percentage of available jobs that I can reasonably apply for. I need to find a job I can do that can accommodate my disability and is in accessible premises either very close to a bus stop or a place I can travel to and from using a power wheelchair. This combined with the aforementioned difficulty with low expectations from many employers means I am likely to spend a fair bit longer on Newstart than my nondisabled peers. Receiving a pension card as an adjunct to Newstart doesn't improve things all that much.

I am currently working two days a week (in a job I found myself) and receiving a part Newstart payment. Once it seemed likely that I might be able to work more if I had a physically appropriate job, I requested access to an employment provider. Since I had spent many years previously in employment and had a fairly good idea of what sort of support I thought I needed, I tried to ring around my local disability employment support services to get an idea of who was best able to help me, so that I could ask Centrelink to connect me to the most appropriate service. None of the local providers would respond to or return my phone calls. When I spoke to someone, all they wanted to tell me was, “you have to go through Centrelink”. They were unwilling to provide me with any information at all about their services. Perhaps they also have low expectations of me and don't believe I am capable of identifying my own needs. When I wrote to Kevin Andrews, who was the minister at the time, his office assured me that the employment services concerned had been told that they should have answered my queries. That was the extent of his response. I don't know whether the providers would talk to me if I rang them now. In the meantime, having got nowhere with local providers, I had requested to be supported by an employment provider that specialises in my disability. It's not a convenient choice as their offices are in Chatswood while I live in Chippendale and don't drive.

Public transport and building access are improving but there's still a long way to go. I will soon be receiving a power wheelchair. In my chair, I can use some buses, but not all of them. I can use some train stations but not all of them. Buses that are brought in to replace train when there is a problem are often old and not wheelchair accessible. Many buildings are still not wheelchair accessible. Even when I am using crutches, some have stairs that are too steep, too slippery or lack a railing. I can't live or work in those kind of premises. Limits on where I can live and work have an impact on my options for employment. Last time my husband and I needed to find new accommodation it took about two months to find something that was accessible enough and affordable enough. The lack of suitable rental accommodation also has an impact on my employment -moving for the sake of a job is not an easy option and I need to get a well enough to paying job to cover expenses. That also limits my options as to what I can take.

Employment Support

My employment support person encouraged me that my applications were good and she helped me with a particular one. I found myself some volunteer work that was relevant to the area I wanted to move into. After being connected to the employment provider for a few months and getting no interviews in response to the many applications I sent out, I decided that my applications obviously weren't good enough, despite what the consultant was saying. Having succeeded in getting interviews in the past, I decided it was probably my lack of suitable qualifications for the jobs I was applying for that was holding me back and found a suitable course to address the problem. I didn't bother discussing it with my employment person because she was telling me my applications were good. She wasn't looking at why I wasn't getting interviews and what could be done about it. This doesn't seem to be unusual in her industry. I've dealt with a few different people. They make sure the paperwork is done and that I satisfy the government's requirements. There's less emphasis on identifying the specific, individual things that are holding me back in terms of finding a job and addressing them. I am well-educated with a Masters degree in TESOL a BA and a Certificate IV in Training and Assessment. I have found most of my jobs without the assistance of an employment provider. If I'm going to work with an employment provider I'd like them to focus more on what will get me a job rather than just ticking the government's boxes. I am about to start actively looking for a new job with more hours. I have yet to see how that will play out with my employment provider. So far, I've had a few conversations with someone from the marketing department which haven’t inspired confidence because in follow-up conversations it is clear that he is misremembering things I've told him earlier. I get the impression that he hasn't really listened to what I'm saying and is more interested in ticking the box than finding a suitable job for me as an individual. I’m not sure he will prove to be much help.