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

# Submission No 330

**Name** Phil Lipshut

**Submission made by**

Older Australian in work

# Submission regarding Older Australians / Australians with Disability / Both

### **Your experience**

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

Yes

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

Yes

**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.**

I considered that I experienced age discrimination when applying for a role at [**redacted**]. I formally complained to the HR Manager, who rejected my complaint without discussing my complaint with me. I had been subjected to questioning at interview which mirrored an example of age discrimination in recruitment which was identified on the HR Commission website.

I also considered that I experienced age discrimination when applying for various jobs at [**redacted**]. I formally complained to the HR department and, again, my complaint was rejected without discussing my complaint with me. My request to meet to discuss my complaint was also rejected.

I would be pleased to provide you with the relevant documentation relating to these complaints.

**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

**Please tell us more**

I am an experienced Disability Employment Consultant with more than 7 years’ experience. I also have many years of experience in human resources management and recruitment

In July 2011, I was made redundant from a role of Disability Employment Consultant.

Since then, I have applied for more than 100 roles to which I was well suited. I was invited for many interviews, usually being interviewed by people in their 30s or 40s, or younger. All of my applications have been unsuccessful. On many occasions, the role for which I was unsuccessful was later re-advertised.

There is a considerable amount of staff turnover in the field of disability employment services, as the work is challenging and not well renumerated. Even more reason to employ an experienced, motivated candidate.

Notwithstanding that I have years of relevant experience, and that I am highly motivated to assist people with a disability, as I am a parent of a young-adult son with a disability and am active, on a voluntary basis, in various disability support organisations, I have been unable to obtain employment in my chosen field.

I have been forced to undertake low paid casual work, in order to survive.

I have suffered years of professional frustration, low income and low self-esteem, which have all impacted on my functioning as an individual

It is ironic that disability employment providers, which are funded by the Australian Government to assist people with a disability to find work in a jobs market which is perceived by government to be discriminatory, have discriminated against me on the basis of my age.

### **Barriers**

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

Yes

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

Sadly, many employers are unwilling to employ people with a disability or older Australians. They are perceived as being less productive. In the case of people with disability, I believe many employers are spooked by disability

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

Yes

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

Yes

No

**Please tell us more**

I am not aware of any legal impediments. As mentioned previously, there are attitudes which are unfavourable to participation in employment of this group.

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

**Incentives:**

Improved self esteem

Greater income

Being a participant in the workforce

Social interaction

**Disincentives:**

A perception that Government benefits will be lost.

Fear of failure

All too hard

Unfavourable attitudes in the workplace

### **Good practice**

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

Yes

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

Some organisations employ older Australians/ Australians with disability very successfully. To be successful, there needs to be a supportive culture in the workplace.

### **Solutions**

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

There needs to be ongoing public education.

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

Older Australians and Australians with a disability need to be case-managed in order to gain suitable employment. They need to be coached in job-seeking skills and assisted to find suitable work. Generally, older Australians/Australians with a disability do not want to be case managed by relatively young employment consultants, with a limited knowledge and life experience, who comprise the bulk of the workforce in Employment Services and Disability Employment Services.

Sadly, the current funding model for Government-funded Employment Services and Disability Employment Services gives excess weight to successful outcomes. Consequently, agencies give priority to more job-ready jobseekers and virtually abandon jobseekers, who are likely to require more assistance to find suitable work.

Employers should be given a financial incentive to employ these people. The workers and employers would also need to be supported through any workplace issues which may arise on the job.

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

The community needs to be confronted with facts relating to discrimination against older Australians and Australians with disability.

Starting with Government, there should be quotas for employing older Australians/ Australians with disability.

Whilst many organisations have non-discriminatory employment policies, they are not rigorously enforced in the recruitment process. Recruitment decisions are typically taken at the supervisor level of the vacancy, with little or no oversight from HR or senior management.

The HR Commission should investigate how organisations with non-discriminatory recruitment policies implement their policies.