



**DISABILITY EMPLOYMENT IN AUSTRALIA
RESEARCH PAPER**

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Employment (ADDE) Inc.**

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Overview

Australians for Disability and Diversity Employment (ADDE) is an organization with a vision to increase employment opportunities in Australia for people with disabilities and from diverse backgrounds. (Appendix 3) ADDE specializes in systemic advocacy on employment issues for people with disability. ADDE is working in partnership with Australian Federation of Disability Organisations (AFDO) on employment issues for people with disability. AFDO is the primary national voice to Government that fully represents the interests of all people with disability across Australia.

In 2005 the HREOC National Human Rights Inquiry into Employment and Disability¹ made 30 recommendations which HREOC suggested should be implemented *postea* haste. This massive document laid out a plan on how to proceed on increasing disability employment in Australia but is not worth the paper it is written on unless coordinated action has taken place. The question is, have any of the recommendations been implemented? Some have but many have not. Government should revisit the findings of the inquiry and undertake to implement as many of the recommendations as possible as a matter of urgency as the following excerpt from a recent article in Whitehorse Leader press by Peter Rickards, ADDE president and winner of the 2012 Victorian Disability Sector Emerging Leader award, states: “Despite Australia’s economy performing so well in world terms, we are now 27 out of 27 OECD countries for people with disability living in poverty. Imagine the public outcry if we had dropped to 27th in the medal count at the Olympics. Politicians would soon get the message that something needed to be done to turn this around.”²

Recommendations

The following recommendations which arise from this paper, are succinct and to the point and if implemented are highly likely to be effective in increasing employment of people with disability. They need to be addressed urgently in order to change the worsening employment situation for people with disability. :

1. Workforce measurement

- Measurement – you can’t manage what you don’t measure. There is no point putting in place policies and strategies if you don’t measure that these are making a difference.
- To measure employees with disability in the workplace, it is important that resources be allocated to develop a consistent and easy to use measurement tool that can be applied across all industry sectors, starting with all levels of Government and the not-for profit sector.

¹ http://www.hreoc.gov.au/disability_rights/employment_inquiry/docs/Workability%20II%20-%20Solutions%202005.pdf

² Whitehorse Leader Press, 16/5/12, pg 19

- The first step is to mandate, as part of funding conditions, that organizations collect base line data around disability employment.
- The measurement tool, independent advice and monitoring could be provided on a fee for service basis. (See Appendix 4)

2. Setting Disability employment targets

- No targets lead to tokenism, and no real commitment.
- Australia should follow the leadership of many European models for disability employment where targets are mandatory and penalties apply if not met.
- The UK “Two Tick” voluntary sign up approach is a step in the right direction.
- After two years of workforce measurement, each organization should set a reasonable target say 7% to be achieved over 4 to 5 years in two 3.5% steps.
- At this stage Governments should start to link funding for organisations, including not for profits, directly to disability employment targets/outcomes.
- All job applicants with disability should be encouraged to apply and interviewed.
- Once the not-for-profits and Government are “Leading from the front”, the next step should be implementing disability employment targets into for profit businesses. Tax incentives and penalties, such as those implemented in the OECD countries should be used.
- Targets and quotas are recommended for many diversity groups. If it is good enough for the Australian Human Rights Commission to recommend in 2010 ‘...mandatory gender diversity **quota** of a minimum of 40% of both genders within a specified timeframe, failing which penalties will be imposed.’³ then it is good enough for the same expectation to be met by government and not for profits for employment of people with disability in their workforce.

3. Social procurement

- In order to promote self employment opportunities for people with disability, a proactive approach should be taken by engaging people with disabilities to undertake consultancy services.
- All levels of Government should consider introducing EFT (Effective Full Time) exemption for people with a disability to be employed on contract. This provides employment experience for people with a disability and enables Government to deliver outcomes with reduced staff ceilings.
- Government tendering processes should stipulate: “Submissions from people with disabilities are encouraged” and organizations which employ people with disabilities to undertake work will be developed as preferred suppliers.
- Suppliers of goods and services meeting these criteria must be audited regularly to ensure that they are doing what they claim

4. Training on or about Disability

- Disability training should be delivered by people with disability.
- Attitude change needs to start from the top of organizations, so senior management and Board members should be involved.

³ See appendix 5

- Research such as that done by Dr. Kevin Murfitt⁴ describes why negative attitudes still remain a major barrier to employment for many people with disabilities, and highlights the need to have people with disability working alongside able bodied people, in all areas of the economy. His thesis found experience of disability or interaction with people who have a disability leads to more positive attitudes and acceptance.
- People with disabilities should deliver this training.
- The first step is to have conditions attached to training budgets of Governments and not-for-profits to require compliance to phase in disability training progressively to be delivered by people with a disability over a 2 to 3 year period.
- Universities, TAFE, consultancies and private organizations deliver disability training courses; however most, if not all of the training, is carried out by able bodied trainers when there are many suitably qualified people with disabilities who could provide higher quality training through personal experiences.
- Further research to quantify the real situation in this area is recommended.

5. Politicians Leading

- Politicians should lead from the front by employing people with disability in their electoral offices. They cannot expect all sectors of the economy to support employment of people with a disability unless they show leadership themselves.

So, what is the real unemployment situation (for people with disability)?

“A 5.3 per cent (as of May 2012, 4.9%) unemployment rate is still the envy of many developed countries worldwide,” said City Index chief market analyst Peter Esho. (The Australian, 8/12/11). Australia’s unemployment rate is admirable compared to most other countries. Unfortunately, the statistics do not show the real unemployment situation for people with disability, which, as Graeme Innes described recently, is “Shameful”.⁵

For some types of disability including vision impaired and mental illness, research shows that the unemployment rate is more than 60%. (Appendix 1) There is no evidence to suggest that other areas of disability would differ significantly from this.

ABS data shows there are more than 1.3 million persons with a disability of working age not in the workforce.

The statistics below show the unemployment rate for able bodied workers in Australia

⁴ Attitude change in Employment of People who have a Disability, Kevin Francis Murfitt, Doctor of Philosophy, Deakin University, Australia 2006

⁵ Graeme Innes, HREOC, Disability Discrimination Commissioner, ADDE Best Practice Forum, October 2011

in May 2012 to be 4.9%, and for people with disability it is 60%.

These statistics speak for themselves:

Able Bodied workforce (ABS statistics Oct 2011)

Employed persons	11,453,000
Unemployed persons	639,500
Unemployment rate	5.30%

People with a disability

Number of working age	1,300,000
unemployed	780,000
unemployment rate	60.00%

If the unemployment rate for people with disability was the same unemployment rate as able bodied workforce the statistics would look like this:

Number of working age	1,300,000
Theoretical unemployed	68,900
Reported unemployment rate	5.30%

Australia ranks 21st out of 29 OECD countries in employment participation rates for those with a disability (Disability Expectations, Investing in a better life a stronger Australia, Price Waterhouse Coopers, Nov. 2011)

ADDE 'Leading from the Front' research on disability employment in the Victorian not for profit sector showed that this sector, including local, state and federal government is not leading from the front. The key findings of the research are⁶:

Poor data collection, Lack of sector wide strategy, Low level of work readiness, Lack of policy or strategy, Lack of funding, Lack of high level representation, Lack of proactive marketing and recruitment practices, Poor understanding of "value".

Employment of people with a disability in the federal public service has dropped 50% over the last 11 years.

⁶ <http://www.adde.org.au/publications.html>

Most nominations for National Diversity at Work inclusion and employment awards are small and medium for profit companies. Where are the large companies and not-for-profit organizations and government? Why aren't they being nominated for and winning awards? If they have a good story to tell surely awards such as these would show them as being in the forefront of disability employment. It seems, however that there is a real lack of progress in disability employment at all levels of Government and large not-for-profit organizations.

The Economic Benefit of Employing People with Disability

The cost of exclusion

We hear a lot about the **costs of inclusion** of people with disabilities - pensions, subsidies, services, access etc - but hardly anything about the **costs of exclusion**.

The following report estimates the costs of exclusion of people with disability from the world of work as between 3-5% of GDP:

See: <http://sebastian.buckup.de/4.html>

While this study looks at ten low to middle income countries, the percentage is probably higher for countries like Australia.

The current GDP of Australia is just on 1 trillion dollars (\$1,000,000,000) so using the (probably low) 3-5% estimate of this report gives the cost of exclusion in Australia as between \$30 and \$50 billion - per annum!!! That's right; it costs the Australian economy between 30 and 50 billion dollars every year to sustain the exclusion and discrimination that is the day-to-day reality of many people with disabilities.

Now imagine if \$30-\$50 billion was available - every year - to INCLUDE people with disabilities in the world of work in Australia.

The above figures scream out to us that there are massive benefits to the economy by employing people with disability, but in case more evidence is needed let's take a further look at why it is good for the economy to hire people with disability? Untapped labour force

Untapped labour force

People with disabilities represent a large source of untapped and underemployed labour. According to the ILO, approximately 386 million of the world's working-age population have a disability. (<http://www.ilo.org/skills/areas/inclusion-of-persons-with-disabilities/lang--en/index.htm>)

In Australia the employment rate of people with disability has reduced since the 1990's and, shamefully, we are now 21st out of 29 OECD countries with an

employment rate of 39.8% for people with a disability compared to 79.4% for people without a disability. Furthermore, people with a disability in Australia are only half as likely to be employed compared with people without a disability. In comparison:

- For the OECD the relativity is 60%
- Considering the top eight OECD countries, the relativity is closer to 70%.⁷

These statistics indicate that people with disabilities are often overlooked and underrated as qualified workers. This is in spite of countless research indicating that there are many organizational and economic benefits to be gained from employing persons with disabilities.

Population growth, advancements in medicine and the aging process are expanding the disabled population. With this in mind and the fact that a substantial number of the working age group will consist of persons with disabilities, how can jobs now and in the future be filled if the disabled population are continuously excluded from participating in the labour force?

Employing people with disability is an investment in economic growth

The National Disability Insurance Scheme currently being planned for implementation before the next federal election has, as one of its key platforms:

“The economic imperative – people with disability need to be supported and encouraged to contribute through workforce participation”⁸ Like all investments, by putting money into employing people with disability, the community would expect a return; not only financially but also in a social and health context. We know that unemployment, under-employment and stressful working conditions have adverse impacts on a person’s health.⁹ Nevertheless, approximately 800,000 people with disabilities in Australia are in receipt of the DSP (Disability Support Pension) as their primary source of income.¹⁰ By creating employment for many of these people the reduction in welfare and Medicare payments will not only help the economy financially but will have flow on effects such as the improvement of the social/emotional/ physical health of those employed, thus further enhancing the economic benefits.

The Productivity Commission estimates that the NDIS and DSP reforms will lead to an additional 320,000 people with a disability employed in 2050. However, if

⁷ Disability Expectations: Investing in a better life, a stronger Australia, PriceWaterhouseCooper, November, 2011. Pg 26

⁸ Disability Expectations: Investing in a better life, a stronger Australia, PriceWaterhouseCooper, November, 2011. Pg 18

⁹ WHO. (2008). Closing the Gap in a Generation: Health Equity through Action on the Social Determinants of Health. Final Report of the Commission on Social Determinants of Health, Geneva.

¹⁰ PC. (2011). Disability Care and Support. Productivity Commission Inquiry Report. No. 54, 31 July 2011.

Australia realised employment ratios comparable to the top eight OECD countries, this could be higher – an additional 370,000. Australia could achieve additional GDP of almost \$50 billion (a further 1.4% contribution to GDP) in 2050 if Australia moved into the top eight OECD countries in employing people with disability.¹¹ A goal worth working for indeed!

Economic benefits to business

The high cost of employee turnover and insufficient number of qualified workers present a risk to business' competitive edge. Employing new staff is expensive. Time and lost productivity cost a business each day that a position is not filled, not to mention the additional operating expenses it takes to search for, recruit and train new employees. It makes good business sense to keep competent workers instead of having to replace them all the time. Hiring people with disabilities is a good solution for high turnover rates. Countless documentations about employing people with disabilities show that they are reliable, motivated workers with a lower turnover rate.

In addition, employees with disabilities can match or exceed non-disabled employees' attendance records.¹² Disability is not the same as sickness; a person with a developmental disability, physical disability, deafness, or blindness may be physically fit and healthy.

Of course, non-disabled workers can also be reliable and spend years in a company before leaving. But consider someone with disability, someone who has the same hopes and dreams as anyone else but has had scarce opportunity to find gainful employment. That person might just be a little more motivated to keep the job and would think twice before leaving it. People from diverse backgrounds (including those with disability) have been shown to work hard to prove to their employees and to other people that they can carry out their responsibilities just like everyone else.

By having people with disability on staff, businesses will enhance the work capability of all staff due to the positive vibe of the workplace and also, the impact of good work practice that this strategy encourages.

Reliability and longevity equals better productivity. And better productivity means greater profitability and economic gains. More robust businesses produce employment and more products and services, measured by the Gross Domestic Product (GDP).

International Study shows people with disability have much to contribute to the labour force.

¹¹ Disability Expectations: Investing in a better life, a stronger Australia, PriceWaterhouseCooper, November, 2011. Pg 10

¹² Noble, J. (1999) Entrepreneurial Research Project, Telstra Australia.

The following study, titled Exploring the Bottom Line: A Study of the Costs and Benefits of Workers with Disabilities, October, 2007, shows some interesting and enlightening results which can be extrapolated to our situation in Australia:

<http://www.disabilityworks.org/downloads/disabilityworksDePaulStudyComprehensiveResults.pdf>

- Disability employment agencies and disability advocates were a critical link in recruiting and hiring workers with disabilities.
- Managers were viewed as having biases against workers with disabilities and concerns with the cost of accommodations.
- Promotion opportunities were limited for workers with disabilities with many identified as holding and remaining in entry-level positions.
- Costs associated with workers with disabilities were minimal and worth the expense.
- Benefits associated with workers with disabilities included having dedicated and reliable employees and a more diverse workforce.
- Participants with disabilities from the retail and hospitality sectors stayed on the job longer than participants without disabilities.
- Across all sectors, participants with disabilities had fewer scheduled absences than those without disabilities.
- Retail participants with disabilities had fewer days of unscheduled absences than those without disabilities.
- Regardless of sector, participants with and without disabilities had nearly identical job performance ratings.
- Across all sectors, the difference in amount of supervision required ratings were relatively minor among participants with and without disabilities.
- The number of worker's compensation claims of retail participants with and without disabilities were equivalent.

Government in Australia recognizes economic benefits of disability employment

As stated in the website www.jobaccess.gov.au Australian and international studies show that people with disability build strong relationships with customers, boost staff morale and loyalty and boost team development by helping create a diverse workforce. Being a disability friendly organisation is also a good way to promote business in a positive way. In short, employing people with disability makes good business sense.

The Australian Government, Department Of Education, Employment and Workplace Relations (DEEWR) expounds on these benefits in the following guide: "An Employers Guide to Employing Someone with Disability". The following summarises the information on business benefits:

There are significant business benefits when employing someone with disability. These advantages have been confirmed in both Australian and international studies.

Overall, employees with disability rate better than other workers on reliability factors. They have lower levels of absenteeism and take less sick leave than their colleagues without disability. The costs to business of absenteeism and sick leave for employees with disability can be as low as 34 per cent of the cost incurred by their colleagues.

Other benefits of employing people with disability include low employee turnover and low incidence of workplace injury.

On average staff with disability show productivity rates comparable to other employees and they demonstrate high levels of loyalty through excellent retention rates. Employing people with disability has been shown to lift staff morale and teamwork with such organisations often being regarded by their employees to be good employers. They help raise management awareness of workplace practices and conditions for all employees and increase customer and staff loyalty to the organisation.

This is excellent material for the cause of employing people with disability. The question is why isn't the government acting on its own recommendations? Why has the number of people with disability in the Australian Public Service halved over the last decade?

A country's strength lies in its people

It is good economic practice to include as many people in the workforce as possible. People with disabilities are also people who have abilities. People with disability can develop their skills and potential through gainful employment. By having more people participate and contribute to the economy, the more productivity gains and economic returns we can expect for the community.

What we need to do now is let the world of work know about the benefits of employment to the people with disability, governments, business and the community and to have a whole of government approach to setting up the conditions whereby this knowledge can be transformed into action. As in all efforts to make our workforce as diverse as the community it serves, positive discrimination will be needed to redress the current "shameful"¹³ statistics in Australia of disability employment.

Australian Disability Employment within the OECD countries

People with disability in Australia are more likely to be unemployed or underemployed than those without disability. Since 1992 participation rates for people with disability in the workforce have fallen whilst participation rates for people without disability have risen.

¹³ Graeme Innes, HREOC, Disability Discrimination Commissioner, ADDE Best Practice Forum, October 2011

People with disability also face difficulties in retaining employment due to the lack of flexibility offered by some employers in relation to work times, job conditions and myths and stereotypes associated with their employment.

Furthermore the employment rate for people with disability in the Australian public sector is also disproportionately low compared to persons without disability. More recently the Australian Public Service Commission found that employees with disability were 60 percent more likely than other staff to be retrenched.¹⁴

In addition the Australian government does not require companies and organisations it contracts for the supply of goods and services to have or implement action plans for the employment of people with disability. There is also a lack of research into the reasons for the low engagement rate of people with disability in pre-employment training and “on the job” training programs.

Although transition to Work and Community Participation programs assist younger people with disability to develop the skills required to secure paid employment, there is a lack of collaborative pathways to employment across schools and open employment agencies. In March 2010 the Australian Government introduced the Disability Employment Services (DES) program, ending the long-standing limitation on the places available in open employment services for people with disability. However the DES program will cost \$1.7 billion over 2010-2012 and has to date resulted in only one in four program participants being placed in a job and in only 14 per cent of participants sustaining employment or training for 13 weeks after placement.¹⁵

A recent report released by Price Waterhouse Coopers highlighted some very disturbing facts relating to people with disability in Australia. Two of the most telling and challenging statistics are, firstly, that Australia ranks 21st out of 29 OECD countries in employment participation rates for those with a disability. Secondly (and this statistic is most frightening), around 45% of those with a disability in Australia are living either near or below the poverty line.¹⁶ Imagine the uproar in the community if Australia was last in the medal count at the Olympics. Governments would be shamed into redressing such a poor result by putting in funding for programs to change this very quickly. Most recent statistics from ACOSS (Australian Council of Social Services) show that 11% (approx. 2,2 million) of Australians live at or below the poverty line.¹⁷ If 45% of people with disability live near or below the poverty line, which represents just under 2 million people, then it follows that the highest proportion of the poor in Australia are people with disability.

The data in the table below were derived from various surveys. In Australia's case, disability is defined as the sum of the profound, severe, moderate and mild groups, but the definitions vary for other countries. For example, for most European

¹⁴ Employing People with disability in the APS, Aug. 2006, <http://www.apsc.gov.au/mac/disability6.htm>

¹⁵ Work and Employment, Article 27 Australian Federation of Disability Organisations, AFDO

¹⁶ Disability-in-Australia. Price Waterhouse Coopers 2011

¹⁷ ACOSS 2008, Poverty in Australia report, update

countries, disability is defined as having a chronic health problem for at least six months that limits daily activities. In Norway, disability is defined as having 'a long-standing health problem or disability'. Other, roughly similar definitions apply to other countries listed. The variations in definitions mean that care should be taken in comparisons between employment rates by country.

Employment performance for selected OECD countries

	People with disabilities	People without disabilities	Performance
	%	%	Rank
Sweden	62.3	83.9	1
Iceland	61.3	86.4	2
Estonia	55.8	82.2	3
Mexico	55.4	66.8	4
Switzerland	54.9	85.5	5
Denmark	52.3	81.6	6
Luxembourg	50.4	71.3	7
Germany	50.4	73.7	8
Portugal	47.9	75.4	9
Canada	46.9	79	10
France	45.8	71.8	11
United Kingdom	45.3	81.4	12
Korea	44.7	70.3	13
Norway	44.7	83.4	14
Netherlands	44.5	80.5	15
Austria	43.9	70.8	16
Finland	43.5	76.8	17
Slovenia	41.3	69.7	18
Slovak Republic	41.1	74	19
Italy	40.7	63.7	20
Australia	39.8	79.4	21
United States	38.5	83.9	22
Belgium	36.3	71.5	23
Spain	35.7	71.1	24
Czech Republic	35	73.1	25
Greece	34.2	67	26
Ireland	32.9	72.7	27
Hungary	31.7	71.3	28
Poland	17.6	62.1	29

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¹⁸ Disability Care And Support, Australian Productivity Commission 2011

The inclusion rate of Australian non disabled workers of 79.4% ranks it as 10th of the 29 countries. This also highlights the discrepancy between able bodied and people with disability and the need for change.

Employers who hire workers in Sweden, with reduced working capacity are eligible for the wage subsidy scheme funded by the Public Employment Services. This also applies to currently employed workers who acquire a disability. The subsidy amounts to a set percentage based on the full salary and are subjected to a time limit of four years. In special cases the duration may be extended to support the employer into retaining the disabled employee.

As part of the Technical Aid and Adaptation scheme, the employer receives a grant to adjust the workplace while the disabled employee receives funding to acquire personal technical aids. The scheme is made available to newly hired disabled employees as part of the wage subsidy scheme by the Public Employment Services and to existing employees who acquire a disability by the Public Insurance Office.

Employers who hire disabled employees who require assistance are supported through one of 2 Personal Assistance schemes. The first scheme offers the funds to cover the appointment of an existing employee to assist the disabled worker. The second option concerns disabled workers who require assistance in both their personal and professional lives: they are eligible for a specific allowance to cover the hire of a personal assistant who will provide them with the necessary support in both their private and job related tasks.¹⁹

In the United Kingdom²⁰, currently ranked twelve for employment inclusion companies can commit to having a positive employment policy for employing people with disability.



The disability symbol is made up of two ticks and the words 'positive about disabled people'. You will see the symbol displayed on job adverts and application forms.

If an employer uses this symbol, it means they are positive about employing disabled people and will be keen to know about your abilities.

¹⁹ Work and Employment, Article 27, Sweden 2011

²⁰ http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/LookingForWork/DG_4000314

The symbol is awarded by Jobcentre Plus to employers who have made commitments to employ, keep and develop the abilities of disabled staff.

Employers who use the disability symbol make five commitments regarding recruitment, training, retention, consultation and disability awareness. These commitments are:

- to interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities
- to discuss with disabled employees, at any time but at least once a year, what both parties can do to make sure disabled employees can develop and use their abilities
- to make every effort when employees become disabled to make sure they stay in employment
- to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- to review these commitments each year and assess what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans

Comparison between the increase in employment of women and people with disability

ADDE has a commitment to increasing employment for people with disability in the Australian workforce and, as part of our systemic advocacy, we aim to show the example of how a concerted effort on the part of the community brought about increased employment for a group of disadvantaged people in Australia – namely women and ask why we can't seem to do the same for another disadvantaged group – namely people with disability. By looking at how and why the rise of employment for women was achieved we believe the Australian community can implement the same effort for the 46%²¹ of Australians with disability of working age who are not in the labour force. This paper looks at and compares the record of events and the similarities of the benefits and barriers of employment for women in Australia and people with disability.

Recent statistics show that one in five Australians has a disability²². This represents 4 million people in an overall population of 22,329,000, or just under 20%. There are 2.2 million Australians with disability of working age (15 – 64), which represents just over half of all Australians with disability and 1.3 million of these are not in paid work. By comparison just over one in every 2 Australians are female, or just over 50%. To be more exact there are 11,212,000 females in Australia - 95,000 more females than males.²³ Furthermore, at 30 June 2010, the sex ratio of the total population for Australia was 99.2 males per 100 females. For women of working age (15 – 64 yrs) their participation in the labour force in August 2011 was 59%, almost double that of

²¹ <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features40March+Quarter+2012>

²² Australian Bureau Statistics (ABS), Media Release, 2/5/11, "One in five Australians with a disability."

²³ ABS, Australian Social Trends, Population, Table 1, National Summary 1998 – 2010, Published 29/ 6/11

August 1961 (34%). 72% of men participated in the Australian workforce in August 2011, compared to 82% in 1961²⁴. Labour force participation for people with disability of working age remains low at 54%, compared to 83% for people without disabilities.²⁵ Why are these statistics important? If we can, as a community, increase employment participation of a huge number of people (in this case women) over a number of decades then we should be able to do the same for a smaller number of people (namely those with disability) over a smaller number of years.

The story of employment of women in Australia:

It is true to say that historians over the last two to three decades demonstrate unequivocally that women's labour, both paid and unpaid, while largely unacknowledged, has contributed immeasurably to the national economy and to Australian social and cultural life.²⁶

Let's take a look at the rise of women's employment since the late 19th century to the present.

- Female labour was supplied to the colonies in the early days of colonial settlement with female factories housing and supplying women where and when needed. To further increase the number of women in the colony, free immigration schemes for women were introduced resulting in women working on the land on family farms, in pastoralism and agriculture.
- The hidden economy has existed since early colonial times in Australia (and still does to this day to a much lesser degree), with many women being largely confined to the domestic sphere. While most of this is unpaid work around their homes it also includes paid work done by women for other women in their homes as paid cleaners, ironers and child carers. Furthermore with the decrease in non-Aboriginal women working as domestics in the first half of the twentieth century, Aboriginal women were recruited in increasing numbers to work in non-Aboriginal women's houses.²⁷ It is interesting to note that it was predominantly women's unpaid labour that provided the social services now considered essential responsibilities of government such as health care, child care and family support.²⁸
- Homes were turned into workplaces with women taking in boarders, outsourcing tailoring and other clothing and textile work. Outworking has long been a source of income for working class women with home-based responsibilities such as childcare. With the growth of manufacturing, outworking, also known as 'sweating', illustrated the place of women within the capitalist economy as a cheap labour force.
- In many ways, the suffrage movement was implicitly about women's labour. On the one hand, the granting of the vote was recognition of the value of

²⁴ ABS article 4102.0 - Australian Social Trends, Dec 2011

²⁵ Australian Bureau Statistics (ABS), Media Release, 2/5/11, "One in five Australians with a disability."

²⁶ Womens Employment and Professionalism in Australia, pg 5 See Link:

<http://www.environment.gov.au/heritage/ahc/publications/commission/books/pubs/womens-employment-and-professionalism.pdf>

²⁷ Womens Employment and Professionalism in Australia, Maria Nugent, Australian Heritage Commission, 2002,

pg 10

²⁸ Ibid. Pg 14

women's labour to colonial society. On the other hand, the demand for the vote reflected the gradually changing role of women in public life. This changing role included increased access to and participation in paid work outside the home.

- From the late nineteenth century, opportunities for women to enter the 'professions', such as teaching, nursing, science, architecture, medicine and pharmacy increased, especially as women began to be admitted (in small numbers) into universities and other forms of tertiary education, even though the desire of women to gain access to medical faculties met with considerable resistance.²⁹
- Women's entry into university education provided many women with new choices, and contributed to changing perceptions about the role of women in Australian society. It is interesting to note that Women's colleges were not only places of residence for women students, but also places of employment for women graduates.³⁰
- The Queen Victoria Hospital in Melbourne was founded by women for women. Its establishment was also the effect of the discrimination experienced by early women doctors attempting to gain employment as Residents in the large general hospitals, including the Melbourne Hospital.³¹
- In the first decades of the twentieth century, women — especially young women — moved into offices and shops in huge numbers, transforming these jobs into predominantly female occupations.³²
- A study of women in the Victorian Post Office noted that, 'the department began employing women as postmistresses and telegraph operators in 1870 because they were prepared to work for less pay than postmasters and male telegraph operators'.³³ It also notes that the work was considered suitable for middle class women, without the support of a husband.
- Women have been employed within the public service, at both the federal and state level throughout the twentieth century, but in restricted ways. Until relatively recently, discrimination against women within the Public Service was enshrined in statutes and administrative rules.³⁴
- While most public service areas were dominated by men, women's groups lobbied for women to be employed in areas 'where the clients were female'. Among other areas, the infant health movement in the early part of the twentieth century 'provided opportunities for women doctors to move into senior positions in the Commonwealth and State Departments of Health'.³⁵
- The Second World War was a turning point for women's employment in the Public Service. During and after the war, restrictions on women's access to clerical and administrative offices were lifted. Women increasingly occupied more diverse and senior roles.³⁶

²⁹ Ibid. Pg 21

³⁰ Ibid. Pg 18

³¹ Marjorie Theobald, *Knowing women: origins of women's education in nineteenth-century Australia*, Cambridge University Press, Melbourne, 1996.

³² Womens Employment and Professionalism in Australia, Maria Nugent, Australian Heritage Commission, 2002, pg 30

³³ Ibid. pg 31

³⁴ Ibid. Pg 31 For example, a bar against married women's full time permanent employment in the public service was vigorously maintained until the 1960s. Initially, women were not permitted to take the entrance exam for the Clerical Division in the Commonwealth Service. They were overwhelmingly employed as typists and telephonists.

³⁵ Ibid. Pg 31

³⁶ Ibid. Pg 32

- In the post Second World War period some industries were dominated by women, such as the textile and clothing industry and the 'manufacture of food and drink'. For example, biscuit factories had a high proportion of female staff. For the great many working class girls the factory provided a temporary escape from domestic chores to a state of economic semi-independence.³⁷
- Women's move into manufacturing was evidence more of the expansion of capitalism than new employment opportunities. The entry of women into areas of work that had long been defined as 'male' raised questions about pay rates. The Women's Employment Board (WEB) was established in 1942 with the aim to set rates for 'pay for women not covered by awards because they were replacing male workers, doing 'men's work', while the men were at war or were performing work created by war'. The 'WEB generally set rates of women's pay at between 80 and 100 per cent of the male basic wage'. In the post war period, 'the process [of women entering manufacturing] continued with the growth of secondary industry in the wake of the Second World War, drawing in huge numbers of migrant women to factory work'.³⁸
- There has been significant growth in employment, and increased participation in the labour force over the last 50 years, particularly for women.³⁹ Changing social attitudes, the availability of safe contraception and planned parenting, as well as adequate child care facilities have all helped to allow women to continue their careers. The growth in availability of part-time work has helped too. More recently the paid maternity leave introduced by the Gillard Government has boosted women's chances of equality of opportunity in their working lives as it means women do not have to leave their jobs forever to have children. In August 1966, labour force participation for women reduced dramatically during the prime child raising years (20-24 and 25-34 year age groups), with the majority of women never to return to the labour force. In August 2011, the 'nappy valley' was no longer evident and labour force participation was a lot higher for women than it had been in 1966.⁴⁰
- The drawn out campaign to secure equal pay for women workers, from the 1930's when the first consistent and widespread organisation of an equal pay lobby began, to 1972 with the National Wage case, is reflective of the nature of women's participation in the world of work, and the relationship between the private and public spheres of production. While women have consistently engaged in paid employment in a range of occupations and industries in Australia from the late eighteenth century until the present, their contribution to the national economy and to the making of the nation has been obscured and obstructed by the ways in which 'work' has traditionally been defined as primarily the preserve of men.
- In more recent years progress for women's working conditions has occurred with many initiatives showing the way for other disadvantaged groups to emulate. An example of the use of targets in improving employment opportunities for women is when, in 1994, the ALP National Conference passed an Affirmative Action Rule requiring women be preselected in 35 per cent of winnable seats at all elections by 2002. In 1996, when EMILY's List was first launched, there were only 46 women in Federal Parliament and only

³⁷ Ibid. Pg 32

³⁸ Ibid. Pg 33

³⁹ See Appendix 1

⁴⁰ ABS article 4102.0 – Changing Role of Women, Australian Social Trends, Dec 2011

two Cabinet Ministers. (By 2010), that number has increased by 67% to 68 women, with 5 Cabinet Ministers responsible for the important portfolios of Deputy Prime Minister, Education and Employment, Health, Housing, Climate Change and Families.⁴¹ Other examples include paid parental leave scheme, enacting payroll tax exemptions from organisations providing paid maternity leave (Victoria) and the latest percentage of women on ASX 200 boards is 14.2% (10 May 2012).

The story of disability employment in Australia:

- Until World War II, a charitable approach to disability dominated. People with disability were portrayed as dependent and deserving of pity.⁴² Education in specialised institutions was the norm and not until World War I disabled veterans returned from war did employment quota schemes develop.⁴³ The belief that people with disabilities needed to be hidden from society prevailed.⁴⁴ A prominent example of this attitude was the refusal of the American media and public to admit their President, Franklin D. Roosevelt, had a disability.⁴⁵

*Similarly the charity model was in use for women especially in regards to provision of childcare. With the entry of women, including married women with children, into paid work particularly during the war, childcare became a crucial issue. A Department of Labour and National Service survey of civil and munitions factories concluded that the difficulty of women coping with various domestic and employment demands was responsible for almost one-third of female absenteeism. Prior to the war, child care services were primarily perceived as a type of charity for women forced to work because of the absence of a male breadwinner.*⁴⁶

- The medical model dominated the 1950s as technological improvements resulted in a greater capacity to prevent disability and rehabilitate those with impairments. The latter were portrayed as “sick”; requiring treatment by trained professionals. Exclusion was seen as unavoidable due to the limitations impairment imposed and solutions were based on attempts to cure or ‘normalise’ those with disabilities.⁴⁷
- The disability movement, led by people with disabilities including Vietnam veterans and young human rights activists, began in the 1960s and 1970s in North America and Europe. Its core platform was that people with disabilities should have equal rights and opportunities as others. This was exemplified in

⁴¹ <http://www.emilyslist.org.au/about-us/what-we-do>

⁴² Disabled People and Development, report by Lorna Jean Edmonds, Poverty Reduction and Social Development Division, Regional and Sustainable Development Department, Asian Development Bank, June 2005. Pg 11

⁴³ Disability Issues, Trends and Recommendations for the World Bank, Metts, pg 12.

⁴⁴ Disabled People and Development, pg 11

⁴⁵ Doris Zames Fleischer and Frieda Zames, The Disability Rights Movement: From Charity to Confrontation (Philadelphia: Temple University Press, 2001),pg 2

⁴⁶ Womens Employment and Professionalism in Australia, Maria Nugent, Australian Heritage Commission, 2002, pg 34

⁴⁷ Disability in Development: the Case for Inclusion, Sharon Tanner, Oct. 2007, pg 12

its slogan: “nothing about us without us”. This led to the social model of disability.⁴⁸

- Models of inclusion appear to have been selectively 'forgotten' from Western disability history. For example, among the Maori in Aotearoa where it is suggested that disability is accepted as being normal. Disability activists are now facing the task of re-creating a culture which celebrates and embraces difference.⁴⁹ Furthermore, in many Aboriginal and Torres Strait Islander communities, disability is understood in a vastly different way to Western perceptions. The Western Australian government found that:
*“...Having a disability did not separate people from the rest of their community. For example, the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara people had no general word for disability that separated people with impairments from the rest of the community. The consultations found that Aboriginal people are, in general, less familiar with the term ‘disability’ and the way in which it is understood in Western culture.”*⁵⁰
- The UN has implemented many initiatives aimed at promoting the disability agenda. Firstly, 1982 was declared International Year of Disabled Persons. Its outcome was the World Programme of Action concerning Disabled Persons, adopted by the General Assembly in December 1982, followed by the International Decade of Disabled Persons. The UN General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in 1993. In December 2006 the UN adopted the Convention on the Rights of Persons with Disabilities. Disability is therefore part of the international human rights agenda.⁵¹ Australia signed up to the Convention on the Rights of Persons with Disabilities in March 2007.
- Rights-based discourse, although employed as a political strategy, has also become a way of constructing disability by locking people with disability into an identity which is based upon membership of a minority group. Entitlements thus become contingent upon being able to define oneself as a person with disability. And the conceptual barrier between 'normal' and 'abnormal' goes unchallenged, so that while one may have entitlements legislatively guaranteed, 'community' which cannot be legislated for, remains elusive. The history of disability has been a history of seeking to construct hierarchical difference out of an essential reality of oneness. The challenge is to create the reverse.⁵²
- While there are collectable statistics that can be used there are also many factors which are unseen and hard to measure (or not measured) and by comparison with women's progress on boards, ‘... people with disability are often left off consultative committees and boards, as in the case of the Social Inclusion Board.’⁵³
- One example of progress for employment of people with disability is the Payroll tax Rebate Scheme (Disability)Employment) introduced by the NSW

⁴⁸Ibid., pg 12

⁴⁹<http://www.ru.org/human-rights/the-history-of-disability-a-history-of-otherness.html>

⁵⁰“How Is Australia Fairing”: Social Inclusion and People with Disability. AFDO, Aug. 2010, Pg 36

⁵¹Ibid. Pg 13

⁵²<http://www.ru.org/human-rights/the-history-of-disability-a-history-of-otherness.html>

⁵³“How is Australia Faring”: Social Inclusion and People with Disability, AFDO, Aug. 2010 pg 36

government in 2008, which gives businesses a payroll tax rebate for hiring a person with a disability. It is an initiative as part of Stronger Together 2.⁵⁴

- Looking ahead, the Australian Government, through the National Disability Agreement, provides support to people with disability who wish to enter employment. Under the National Disability Strategy 2010-2020, federal, and state and territory governments are making a concerted effort to improve and increase employment services for people with disability. In addition, planned reforms to the Australian welfare support system, including the National Disability Insurance Scheme, aim to create increased opportunities for people with disability to enter and maintain employment.
- Education and success (or otherwise) in gaining employment, seem to go hand in hand. Recent statistics show that Year 12 attainment was around 25% for people with disabilities, compared to just over 50% for people without disabilities.⁵⁵ It is interesting to note that the Council of Australian Governments' [National Education Agreement \(2009\)](#) aims to lift the Year 12 or equivalent attainment rate for 20-24 year olds to 90% by 2015.⁵⁶

By comparison, over the past decade young women (aged 20-24 years) have been consistently more likely than young men to have attained Year 12, although both have experienced increases at much the same rate. In 2001, around two-thirds of young men (67%) and three-quarters of young women (74%) had attained Year 12. By 2010, this had increased to 73% of young men and 83% of young women.⁵⁷

- The Transition to work program in NSW, started in 2008 as a precursor to the introduction of the payroll rebate for employers who employ people with disability from Jan 2012. The idea being that by completing the 2yr course after finishing yr 12, people with disability (moderate to high needs) would be trained and ready to move to open or supported employment at the completion of their program. It aims to provide satisfying and meaningful work, consistent with employment goals, develop skills and qualifications necessary for the transition to sustainable employment, sustain work and training commitments and have fair access to support.
- In 1987 Female students outnumbered male students in University.⁵⁸ In 2010 there were 845,002 students in Higher Education. In 2010 more than half of all students enrolled were female (55.6 per cent).⁵⁹ By comparison less than 5% of all students enrolled in 2010 had disability.⁶⁰

Benefits of employing women and people with disability

There are many benefits for employing women and people with disability. The following quotes show that employing both of these diversity groups can bring many benefits; these are just a few:

⁵⁴ <http://www.osr.nsw.gov.au/taxes/payroll/faqs/disability/>

⁵⁵ ABS Media Release , Sept. 2011

⁵⁶ <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features40Mar+2011>

⁵⁷ <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features40Mar+2011>

⁵⁸ See Appendix 1

⁵⁹ DEEWR, 'Students: Selected Higher Education Statistics', 2011

⁶⁰ Ibid

What's really important for organisations to realise... is that women are also customers and clients, and that is something that is going to hit the bottom line and impact profitability quite significantly.....Maureen Frank, Managing Director, Emberin PTY LTD

A diverse workplace can increase customer loyalty and satisfaction. One in five Australians has a disability: this includes your clients and customers. Having employees with disability can help you understand the needs of clients with disability, and give you a competitive edge.⁶¹

Companies and nations which don't close the gender gap are running the risk, in the end, of not being competitive in the South African economy and also in the global economy, because, among other reasons, they are losing the opportunity to tap into other ideas from people who had previously been left out of their workforces. So it is something you cannot afford to do if you hope to succeed....Thalid Jali, Executive Chairman, PricewaterhouseCoopers South Africa⁶²

...employers believe that people with disabilities are more innovative when faced with problems⁶³

We looked at teams that were just men, and teams that were just women, and teams that were 50% women and 50% men. And the question we asked was which are more innovative? We found actually the 50% mix was the most innovative and the all-male teams were the least innovative. So there's a huge set of very strong reasons to allow and enable women in your organisation to get to the top.....Professor Lynda Gratton, London Business School⁶⁴

Statistics at a glance⁶⁵:

- *90% of employers of people with disability said they'd be happy to continue to do so*
- *The average recruitment cost of a person with disability is 13% of that of a person without a disability*
- *Employees with disability average only 16 % of the recorded OH&S incidents of those without disability*
- *90% of employees with disability have average or superior productivity rates*
- *98% have average or superior safety records*
- *86% have average or superior attendance records*

Taking action to explore and promote these pathways should not be seen as another burden on an already overcrowded corporate to-do list. As the private sector has

⁶¹ Graffam, Shinkfield, Smith and Polzin. "Employer Benefits and Costs of Employing a Person with a Disability." Journal of Vocational Rehabilitation 17 (2002): 251-63.

⁶² PricewaterhouseCoopers, "Emerging markets: the gender agenda", 2007. Pg 13

⁶³ www.hreoc.gov.au/disability_rights/employment.../issues3.htm

⁶⁴ PricewaterhouseCoopers, "Emerging markets: the gender agenda", 2007. Pg 13

⁶⁵ Graffam, Shinkfield, Smith and Polzin. "Employer Benefits and Costs of Employing a Person with a Disability." Journal of Vocational Rehabilitation 17 (2002): 251-63.

*long known, women's empowerment is crucial to ensuring there is a dependable and bountiful supply of the best talent possible*⁶⁶

*Many nations, particularly fast-growing ones, are experiencing shortages of labour. Women in these nations represent a great potential source of additional talent. Whether because of access to education, cultural norms, or access to credit, women continue to be excluded from participation in the business community at precisely a time when they are most needed. The sustainability perspective is one more reason for corporate leaders to increase the opportunities for women, whether through internal programmes aimed at increasing employment, retaining women, and developing female leaders, or through external engagement with policymakers and communities around improving gender equity to benefit the private sector and society as a whole.*⁶⁷

*Our goal is to become a super regional bank across the Asia Pacific region and crucial to our success is building a workforce that reflects the diversity of the communities in which we operate. This means creating a work environment where employee differences such as gender, age, culture, disability and lifestyle choice are valued. We view diversity as a strategic asset, and believe that the perspectives, experiences and contributions of our people are the source of ANZ's creativity, innovation and business success.*⁶⁸

Summary of comparison:

So, what are the links between the rise of women's employment and the lack of progress in employment of people with disability? The struggles are the same, the benefits are the same, but what are the solutions? Women were involved in the hidden economy by working from home, on the family farm, working for other women in their homes, working alongside but one step behind the men in their lives. When they did work in the open economy it was as a cheap source of labour or as a stop gap measure during war time when the male labour force was depleted.

People with disability were hidden away in institutions or within their family homes. Sheltered Workshops provided subsidised work activity with very low wages. The word, 'Sheltered', conjures up images of being hidden away from the community. Meanings of the word 'sheltered' in the thesaurus include 'protected', 'wrapped in cotton wool', 'cozy', 'cushy', 'privileged' and 'secluded'. No wonder the word was recently changed to 'Australian Disability Enterprises'!

Women struggled to be recognised as equals from the early days of the suffragettes and battled to achieve the right to work of equal value with equal pay. Key supports were then provided by government such as childcare, family support and health care, which meant that women were able to manage combining work with family to a greater degree.

⁶⁶ PricewaterhouseCoopers, "Emerging markets: the gender agenda", 2007. Pg 13

⁶⁷ Ref. Link <http://www.pwc.com.au/about-us/corporate-responsibility/assets/Empowering-Women-Oct08.pdf>

⁶⁸ <http://www.anz.com/about-us/corporate-responsibility/employees/valuing-diversity-respect/diversity/>

People with disability took the issue of equality with their able peers into their own hands and the disability rights movement came into being and boosted the presence of people with disability in the community, which opened up the possibility of employment in the open market. Accessibility issues came to the fore and governments realised that barriers to employment needed to be addressed.

Women were customers and innovative employers realised that employing women was advantageous to their business.

People with disability proclaimed 'nothing about us without us'. Those who were successful in gaining work showed that business success was more likely if employers had an inclusive approach to employment.

Women overtook men in their educational outcomes and showed that economic progress could not be achieved without them. Women rose up the corporate ladder but mainly in the more traditional, 'feminised' roles.

People with disability were more able to be included in mainstream education but this is where the parallels between the progress of women's employment and employment of people with disability diverge.

The question is where to from here? The glass ceiling that has precluded women from breaking into the executive and board levels of the wider corporate world is yet to be broken.⁶⁹ As the Governor General, Quentin Bryce states, '...in certain circumstances quotas are a valid measure.'⁷⁰ Furthermore, 'Senior Labor and Liberal figures backed her view. Shadow treasurer **Joe Hockey** said the failure of big business to appoint women directors had reached the point where Parliament should consider "punitive measures" to force change. Mr Hockey suggested a quota of 30 per cent would be reasonable.'⁷¹ Interestingly, women have progressed so much educationally, especially in the traditional 'female' areas of study (ie. Humanities, arts, human resources, teaching, nursing etc), that they are now referred to, by the ABS as: 'Women (in non traditional areas)'. In other words, the cause for women now is to increase their numbers in these non traditional areas (ie. science, engineering, commerce etc). Such progress can only be dreamed of by people with disability.

People with disability are currently in the news with the most recent announcement by the Gillard government that they plan to fund the National Disability Insurance Scheme in the budget. The establishment of a Medicare-style nationwide network of offices to allow those who qualify to apply for financial support and access services should improve the quality of life for disabled Australians. An easing of domestic

⁶⁹ See article on ADDE website which highlights the issue of lack of women on boards in Australia. In 2010 women made up just 3 per cent of chief executives of the top 200 companies listed on the Australian Securities Exchange, and 8.4 per cent of board members. More than 100 of the top 200 companies had no women on their boards. http://www.adde.org.au/articles_quota.html

⁷⁰ Ibid.

⁷¹ Ibid.

pressure should also help many people with disability and their carers join or rejoin the workforce.⁷²

The NDIS proposal is a sign that Australia is desirous of a good outcome for people with disability. What people with disability want is the same as what able bodied people want – a good education, development of life skills, social inclusion, good training and a good job. While the NDIS will cost more in early intervention it will save costs in the long term and ultimately there will be a lifetime cost benefit. People with disability will become more forthright due to the reclaiming of control over their lives and by achieving self determination they will become more employable. The NDIS is not the main game for increasing employment for people with disability but a proactive policy with action must run parallel to this with cultural change around attitudes to occur for progress to be achieved.

All of this sounds great but the issue is that employment of people with disability has slowed and, in the case of certain sectors of the disability community (ie. mental health disability) the employment statistics have gone down! Amongst OECD countries, Australia has gone down from 19th to 21st in employment participation of people with disability. Added to this statistic is the fact that of 27 OECD countries Australia is 27th for poverty levels of people with disability. Where is the public outcry from such damning statistics? As Joe Hockey said (in relation to women) a quota for number of staff (with disability) should be introduced by government to force change. Some excellent examples exist of where quotas have helped increase disability employment, such as Brisbane City Council and the ACT government.⁷³ An excellent example of the power of even the suggestion of the introduction of quotas can be seen when, in 2010, the ASX Corporate Governance Council put in place a diversity policy to be effective from 2011, requiring all publically listed companies in Australia to set gender diversity targets and to report on their targets and provide explanations if they are not in place. By the end of 2010, women comprised 27% of all new board appointments, compared with 5% in 2009 – a 600% increase!⁷⁴ If only such a powerful response from the threat of mandatory targets could have the same effect on the employment of people with disability!

Appendix 1

<http://employmentfirst.org.au/>

⁷² <http://everyaustraliancounts.com.au/category/national/>

⁷³ See ADDE website events page for transcripts of talk by Jane Morgan, Brisbane city council and Justin Le Couteur ACT Govt. <http://www.adde.org.au/events.html>

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http://www.google.com.au/url?sa=t&rct=j&q=vision%20australia%20disability%20employment%20statistics&source=web&cd=1&ved=0CCAQFjAA&url=http%3A%2F%2Fwww.visionaustralia.org.au%2Fdocs%2Fnews_events%2FEmployment_Overview.doc&ei=zmnVTtDCHJGPiAeQsaGHDw&usq=AFQjCNFCftnCQyfvFfx_A52tXjJWc18wuQ&cad=rja

Appendix 2

Legal obligation to employ workers with disabilities in France

The 2005 Disability Act ("Loi numero 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées") and the 1987 Disability Employment Act ("Loi numero 87-517 du 10 juillet 1987 en faveur de l'emploi des travailleurs handicapés") are the main legislations' regarding this matter in France.

Both private companies and public offices with a work force of more than 20 employees must hire 6 % of disabled workers. Employers are provided with 3 options to meet this target:

- hiring disabled workers as employees (direct hire)
- subcontracting workers from the sheltered sector (indirect hire)
- paying a contribution fee to a specific organisation which then uses the funds to further professional inclusion in both the private and public sectors

Private companies pay their contribution fee to the AGEFIPH (Association de gestion du fonds pour l'insertion professionnelle des personnes handicapées or Fund for the professional inclusion of disabled people). In turn, public offices pay their fee to the FIPHFP (Fonds pour l'insertion des personnes handicapées dans la fonction publique or Fund for the professional inclusion of disabled people in the public sector).

The contribution amounts to up to 600 times the French hourly minimal wage (8,71€ in 2008) for each missing disabled employee. After 3 years, if no effort were made, the compensation fee can go up to 1500 times the minimal wage. These particular provisions are fairly recent as they entered into force in January 2006.

Legal obligation to employ workers with disabilities in Germany

In Germany there is a special Law as part of the social legislation dealing with persons with disabilities. This law designates that all companies employing more than 20 employees have to assign 5 % of these jobs to disabled persons. Especially persons with severe disabilities, to which blind and partially sighted individuals also belong, are to be considered in particular. Employers are obliged to report vacant positions to the Employment Offices and have to pay at present an amount between 105 and 260 Euros - depending on the number of available jobs in their enterprise -

for each job not being filled by a disabled jobseeker, if they do not follow this legal obligation.

A further legal stipulation is the supplementary vacation of normally five days annually in addition to the general holidays; this is intended to be a compensation for the additional expenditure of time and energy that a disabled person has to suffer due to his/her disability.

Companies with more than five impaired employees have a representative of employees with disabilities in order to look after the special interests of these employees. It is the job of these Representatives to safeguard the interests of the employees with disabilities starting with the application for a job up to the notice of its termination. They are elected by the respective employees of an enterprise

Legal obligation to employ workers with disabilities in Italy

The Law on the employment of disabled people (Law no. 68 of 12 March 1999: "Regulations on the right to employment for persons with disabilities") is the main legislation concerning the legal obligation to employ disabled workers in Italy.

Public and private employers are required to hire persons with disabilities belonging to the following categories:

- Persons of working age with physical, sensory , mental or cognitive disabilities whose working ability is reduced by more than 45%
- persons with a visual or hearing disability
- military and civilian war-disabled persons, work-disabled persons (public sector).
- work-disabled persons with an invalidity percentage of more than 33% (private sector)

Based on the size of their workforce, both private and public sector employers are required to hire a certain percentage of disabled workers:

- Employers with more than 50 employees must meet a 7% disability employment quota;
- At least 2 disabled workers must be hired in workplaces of 36 to 50 employees;
- Workplaces of 15 to 35 employees must hire at least 1 disabled worker if they operate new intake

Disabled workers hired on temporary contracts for a period of less than 9 months cannot be included in the percentage, in other words employers must hire disabled workers for longer periods to meet the legal requirement.

Employers in unfavourable economic situations may be exempted from meeting the target or paying the compensation fee until their situation improves. Otherwise, employers who do not meet the disability employment target must pay a compensation fee to a specific fund. This fund is managed at regional level and works on furthering the integration of disabled people in the labour market.

In addition to this general legislation, various legal acts govern target disability employment in specific branches.

Law no. 113 of 29 March 1985 regulated the employment of visually impaired switchboard operators and comprehensively addresses vocational training, job placement, contracting and retirement schemes. All public offices and private companies with a switchboard of at least 5 telephone lines must hire one visually impaired telephone switchboard operator. Public offices with switchboards comprising more than one operator position must reserve no less than 51% of all positions to visually impaired people.

Law no. 29 of 11 January 1994 governs the employment of visually impaired rehabilitation therapists. Private nursing homes and public hospitals must hire at least one and up to 5% of visually impaired therapists.

In the public sector a certain percentage of posts are reserved for disabled people both in competitive entry examination and direct recruitment procedures. For example, under Law no. 270 of 1982, 2% of the teaching posts are reserved for visually impaired candidates.

Legal obligation to employ workers with disabilities in Greece

The most important Greek law on the field of Employment is the Law 2643/98 “Provision for the employment of special social groups and other clauses”(Official Journal of the Hellenic Republic 220/A), which defines the quota scheme for the private and the public sector.

This law forecasts the obligatory placement of individuals from protected social groups to companies of private sector, public enterprises and organizations, but also in public services and local-government bodies, via objective criteria of placement based on age, familial & economic conditions, formal qualifications and percentage of disability. (Note: The “disability percentage” is an official tool intended to represent the extent of disability which also corresponds to different disability entitlements. The percentage is decided by statutory commissions within social security bodies on the basis of medical information for each individual case.)

According to this law, in the Greek private sector the enterprises which have more than 50 employees are obliged to cover 8% of their staff with employees with disabilities and other socially sensitive groups. In the public sector, the corresponding percentage is 5%.

Legal obligation to employ workers with disabilities in Portugal

The Decree Law 29/2001, of February 3 (Employment Quota System) defines positive measures to promote the employment of people with disabilities in central

and local public administration. There is a 5% quota for people with disabilities (motor, visual, hearing, mental or cerebral palsy) with a degree of incapacity greater than or equal to 60%.

Legal obligation to employ workers with disabilities in Slovakia

The Employment Service Act (5/2004) and the Labour Law (Codex 311/2001) are the main pieces of legislation governing employment in Slovakia.

Both private companies and public offices with a workforce of more than 20 employees must hire 3.2% of disabled workers. Employers are provided with 3 options to meet this target:

- Hiring disabled workers as employees (direct hire)
- Subcontracting workers from the sheltered sector, self-employed disabled workers or outsourcing goods or services from a company that hires disabled employees (indirect hire)
- Paying a contribution fee. The contribution fee goes to a public fund which finances technical adjustments and renovation in the supported and sheltered work areas.

The contribution fee is set at 0.9% of labour costs based on the Slovak average salary. In 2008, it amounted to 23.300 SKK (approximately 776 Euros) for each missing employee.

Law no. 38/2004, dated 18 August defines the general bases of the legal system for prevention, habilitation, rehabilitation and participation. Article 28 states that 'according to their size, companies should contract people with disability by means of a work contract or other forms of employment for a maximum quota of 2% of their workforce.

Legal obligation to employ workers with disabilities in Spain

The 1982 Social Integration for Disabled People Act (Law 13/1982), as extended by the 2003 Non Discrimination Act (Law 51/2003), the 2007 Equal Opportunities Act (Law 49/2007) and the Royal Decree on Non Discrimination in State services (Decree 366/2007) are the main legislations regarding disability employment in Spain.

Both private companies and public offices must meet a 2 % disability employment target, irrespective of the volume of their workforce.

Employers who do not directly hire 2% of disabled workers are provided with the following "alternative options" to make up for the employment target:

- subcontracting self-employed disabled workers
- subcontracting workers from the sheltered sector
- creating a so-called Work Enclave, where sheltered workers temporarily join the company

These options must represent at least 3 times the public indicator per worker and per year for each missing directly hired disabled worker.

Another alternative option is the payment of a contribution through donation or

sponsoring of organisations, services or foundation bodies that are engaged with disability employment or vocational training. The amount must represent at least 1.5 times the public indicator per worker and per year for each missing directly hired disabled worker.

Employers may apply for an exemption if they can demonstrate

- that there are no available candidates;
- that the incorporation of available workers would outweigh the company's resources.

A sanction system has recently been introduced to strengthen the existing legislation.

Legal obligation to employ workers with disabilities in the United Kingdom

There is no legal obligation to employ disabled people in the UK.

The Employers' Forum on Disabilities (EFD) has developed a disability employment benchmark standard for their members, involving an online assessment tool. The Department of Work and Pensions offers a '2 tick' accreditation towards a disability employment standard.

Employers who use the '2 tick' disability symbol make five commitments regarding recruitment, training, retention, consultation and disability awareness. These commitments are:

1. to interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities
2. to discuss with disabled employees, at any time but at least once a year, what both parties can do to make sure disabled employees can develop and use their abilities
3. to make every effort when employees become disabled to make sure they stay in employment
4. to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
5. to review these commitments each year and assess what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus (Disability Employment Services (DESS) are the equivalent in Australia) know about progress and future plans.

The '2 tick' award is important for demonstrating an organisation's commitment to becoming a disability confident organisation. Shell UK, for example, has been through the accreditation process. Although some are sceptical that the award will reflect genuine commitment to disability employment, it is an important first step in convincing employees and customers of the need for inclusivity. Furthermore, the process of gaining the accreditation provides the organisation with considerable knowledge and this empowers them to move towards more inclusive hiring and more flexible staff management practices.

Appendix 3:

What can ADDE do for your organization?

Attitude change workshops

Baseline data measurement tool

Guest speaker service

Help us continue our advocacy with tax deductible donations

Website www.adde.org.au

Appendix 4:

You can't manage what you don't measure...

Unless you have measurable data and employment targets which reflect the community you serve, your efforts to employ people with disability will be tokenistic. You can implement policies and strategies around disability employment but unless you start with some baseline data and measure the changes over time then you will have no way of knowing whether the actions you take are effective. Research undertaken by ADDE shows that the government and not for profit sectors are generally not leading from the front in employing people with disability in their workforce. Furthermore, the statistics show that there are too many people with disability of working age unemployed in all areas of Australian working life. To redress this situation the first action your organisation should undertake is to measure the number and percentage of your workforce with disability currently employed as staff and consultants. To be able to collect baseline data so that it is a true and accurate reflection of the profile of your employees, and to encourage disclosure, the process needs to be truly anonymous and private. To get the best results an independent third party should collect the data. ADDE has developed a measurement tool to assist with this process. Contact Geoff Crawford at the ADDE office to discuss further. Ph. 9662 3324 Email: geoff.crawford@adde.org.au

Appendix 5:

See: http://www.hreoc.gov.au/sex_discrimination/programs/women_leadership.html

Commissioner Broderick aims to address both gender inequality in the work force and the underrepresentation of women in leadership roles, particularly in Australian business.

In the [2010 Gender Equality Blueprint](#), Commissioner Broderick put forward recommendations on how these outcomes could be achieved.

Recommendation 7

To strengthen the representation of women at decision-making levels:

- a minimum **target** of 40% representation of each gender on all Australian Government Boards within three years should be set, publicly announced and progress should be reported annually

- a minimum gender equality **target** in the Senior Executive Service in the Australian Public Service should be set, publicly announced and progress should be reported annually
- all publicly listed companies providing goods or services to the Australian Government should be certified by the Equal Opportunity in the Workplace Agency
- a **target** of 40% representation of each gender on all publically listed Boards in Australia, to be achieved over five years should be promoted. If progress is not made, the Australian Government should consider legislating to require publicly listed companies and other large employers to achieve a mandatory gender diversity **quota** of a minimum of 40% of both genders within a specified timeframe, failing which penalties will be imposed.