



“Shaping the Future Together”

www.adde.org.au

Summer 2012

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QUOTE OF THE SEASON:

The Gonski Schools report released Monday 20th Feb 2012, has provided a number of quotes from the various political leaders including: “School funding must be sustainable...” (Prime Minister Gillard), “Get on with schools funding...” (Brown, The Greens), “We will stay with the Howard funding model...” (Pyne, Federal Opposition Education spokesman). These comments are all rather predictable: Labor – be mindful of budget and surplus; Liberal – ignore the inequalities and stick with the past; Greens – action NOW. However, the following statistics indicate that changes to funding must occur if improvements to outcomes are to be gained: “Four in five, or 79%, of the students in (Australia’s) lowest socio-economic disadvantage are in Government schools. Compared with 15% in catholic schools and 6 % in (private) schools. Government schools also educate 85% of indigenous children and 78% of students with disability.” The Age, 19/2/12, pg 5.

We cannot stick our head in the sand and just be accepting of disadvantage. In researching all the data and facts on disability employment one of the clearest findings is that people with disability are not employed in the numbers that they should be, let alone in positions of leadership in the numbers that they should be and that education is the way forward.

Perhaps this final quote from Federal Education Minister, Garrett, highlights the need for action: “It should be of real concern...by the time they finished school, some disadvantaged kids were 2 to 3 years behind the learning level of children of similar capacity with more affluence or advantage...No child living in Australia in 2012 ought not to be able to achieve their full potential simply because of the way the schooling system operates...Education is a passport out of poverty.”

For a brief outline of the report copy and paste the following link:

<http://www.sbs.com.au/news/article/1627997/Factbox--The-findings-of-the-Gonski-report>

A WORD FROM THE EDITOR:

Too much information! Not enough space to use it! This is the editor's dilemma. Disability in Australia has been getting a most needed increase in profile since our last newsletter. Read on to find out about the upcoming ADDE presentation on disability graduate recruitment in the UK, a report on the state of disability in Australia from Price Waterhouse Coopers, Victorian Disability Sector awards ask for nominations and changes to disability support pension work hours rules. Read about disability issues, where we ask: So, What is the real unemployment situation? Find out about what some of the other OECD countries are doing with regard to the legislation of targets and quotas for disability employment. Enjoy your read and I look forward to catching up with you at the ADDE Annual General meeting on the 8th March.

Editor, Kathy Leitch

NEWS:

- **STOP PRESS! Hear Churchill Fellow, Mark Glascodine talk on disability graduate recruitment and employment** at ADDE 2012 Annual General Meeting, The Hayden Ray Smith meeting room, Ross House, 4th Floor, 247 Flinders Lane, Melbourne VIC 3000, at 1.30pm on Thursday March 8th 2012. Keynote speaker Mr Mark Glascodine, recent Churchill Fellow will be presenting the findings of his Churchill fellowship on disability graduate employment and recruitment in the UK.

Graduates with disabilities (potential future leaders) are poorly represented in the world of government and business. Australia lags behind other developed countries in its support of students with disabilities. Australians with disabilities experience disadvantage in the areas of education and employment; Australia is now ranked 21st out of 29 OECD countries (2010, OECD). Mark Glascodine is a careers advisor based in Melbourne, who specialises in working with people with disabilities. With the support of the Churchill Trust, over a five-week period during September and October 2011, Mark researched a range of programs to enable employability and to enhance outcomes for disabled UK university students.

Agenda

- Welcome – Peter Rickards
- Receipt of audited annual report including audited financial statements
- Election of committee of Management to the board
- Guest speaker introduction by Leah Hobson, AFDO National Policy Officer
- Key note speaker – Mark Glascodine, recent Churchill Fellow

Light refreshments provided. RSVP Monday March 5th 2012,
geoff.crawford@adde.org.au

- **National disgrace: poor quality of life for Australians with disabilities**
By ABC's Stella Young Posted December 05, 2011 07:51:16
On Wednesday morning people around Australia woke to some news that surprised them. A [report](#) released by PricewaterhouseCoopers told us that people with disabilities living in Australia have the poorest quality of life

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among people with disabilities anywhere in the developed world. We rank 27th out of the 27 OECD countries.

That sounds like a bit of an abstract concept, so let me tell you what those countries are; Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, the United States and us, Australia. So, in terms of the quality of life of people with disabilities, we're last on that list. Dead last. To read the rest of this article, copy and paste the following link:

<http://www.abc.net.au/news/2011-12-05/young-national-disgrace-disability-support/3711926>

- **Victorian Disability Sector Awards 2012.** ADDE believe that the disability sector needs as many good stories as possible and awards such as these enhance the cause for inclusion of people with disability in society. Involvement in the nomination process is worthwhile in itself as it offers an opportunity for reflection on one's own efforts and experiences in this area. The awards celebrate and acknowledge those who demonstrate excellence, passion, vision and commitment to assisting people with a disability achieve their life goals. Members of the public can nominate an individual, team or organisation making a significant contribution to improving the lives of people with a disability – Nominations now open – get your nomination in by 7/3/12.

www.dhs.vic.gov.au/disabilityawards

- **Changes to Disability Support Pensioners Working Hours Introduced into Parliament.** Anecdotal evidence from ADDE members shows the problem of moving from the Disability Support Pension (DSP) to paid work is a major issue. We are pleased to see this being tackled by the Gillard government. The latest Bill introduces more generous rules to allow DSP recipients to work up to 30 hours a week and continue to receive a part-pension, subject to income and assets testing. Copy and paste the following link into your browser for more information:
http://www.jennymacklin.fahcsia.gov.au/mediareleases/2012/pages/jm_jmc_supporting_pwd_s_15february2012.aspx

DISABILITY EMPLOYMENT: THE ISSUES

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

“A 5.3 per cent 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”.

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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.

Able Bodied workforce (ABS statistics Oct 2011)

Employed persons	11453000
Unemployed persons	639500
Unemployment rate	5.30%

People with a disability

Number of working age	1300000
Unemployed	780000
Unemployment rate	60.00%

If stats for people with disabilities was the same unemployment rate as able bodied workforce

Number of working age	1300000
theoretical unemployed	68900
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 local, state and federal government are not leading from the front. The key findings of the research:

- 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.

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

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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.

Where to from here?

We need to follow the leads of some of the European models for disability employment where targets are mandatory and penalties apply if not met. Eg. Top OECD countries (See Appendix 2)

Set employment targets and link them to some form of reward such as a tax benefit for commercial companies.

Not for Profits should have their funding linked to employment targets.

Measurement – you can't manage what you don't measure and no targets leads to tokenism, and no real commitment.

Government should link funding for organisations directly to disability employment targets/outcomes. Disability Discrimination Commissioner, Graeme Innes, describes the percentage of public servants with disability (3.1%), as “shameful... We are so far behind employing people with disability that the only way we are going to redress the balance is to set some quotas or targets... governments should match the ACT commitment to double the number of public servants with disability over the next 4 years... there should be incentives and measures to make managers accountable for driving change. Targets should be linked to performance bonuses or KPI's... it is a problem of changing employers attitudes.”

Social procurement. Organizations can have a significant impact by tendering proactively to disadvantaged groups including people with disabilities. Large suppliers of goods and services to government should be required to have proactive employment policies for disadvantaged people. These requirements would be seen as giving preferred supplier status along with price and quality. Suppliers must be audited regularly to ensure that they are doing what they say.

In order to promote self employment opportunities for people with a disability, it is important that a proactive approach is taken by engaging people with disabilities to undertake these consultancy services. The government tendering process should stipulate:”submissions from people with disabilities are encouraged” and organizations which employ people with disabilities to undertake work should be preferred tenderers.

Disability training – should be delivered by people with disability. Universities, TAFE, consultancies and private organizations deliver 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. We need to carry out research to quantify the real situation in this area.

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

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employment of people with a disability unless they show leadership themselves. Research such as Dr. Kevin Murfitt's PhD which describes why negative attitudes still remain a major barrier to inclusion for many disadvantaged people, highlights the need to have people with disability working alongside able bodied people, in all areas of the economy. "The most theoretically relevant variables in the context of this thesis found experience of disability or interaction with people who have a disability leads to more positive attitudes towards and acceptance of people who have a disability."

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 1

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

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&usg=AFQjCNFCftnCQvfvrFx_A52tXjJWc18wuQ&cad=rja

Appendix 2

Legal obligation to employ workers with disabilities in France.

The 2005 Disability Act and the 1987 Disability Employment Act 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 (Fund for the professional inclusion of disabled people). In turn, public offices pay their fee to the FIPHFP (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.

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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

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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%.

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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

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- that there are no available candidates;
- that the incorporation of available workers would out weight 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.