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Response to issues paper on employment

Dear Commissioners,

Thank you for providing the opportunity to make a submission on the topic of **employment** to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

In 2015-16, I was part of a team from UNSW Sydney and Southern Cross University who conducted research into the comparative experiences of people with intellectual disability in open employment, supported employment in Australian Disability Enterprises (ADEs) and in social enterprises. The research was funded by the Australian Government Department of Social Services (Disability and Employment Sector Reform Branch). We spoke to 51 people with intellectual disability living in Sydney and the Northern Rivers regions of NSW about their employment experiences and were able to compare their reflections across the three employment types.

A report (Meltzer et al., [2016](#)) and two journal publications (Meltzer et al., [2018](#) and [2019](#)) are available with a full account of our research findings, however I have summarised below how some of the main findings relate to the Royal Commission's questions on employment:

What barriers exist to people with disability in finding a job?

- People with intellectual disability spoke about barriers to finding an open employment job. Based on their comments, our findings were that both the specialist services designed to help them find work and employers themselves often had narrow, dismissive and discouraging attitudes to what was involved in helping them to successfully seek and secure a job. Notably, people with intellectual disability particularly commented that assistance to find work in open employment should not only involve literally finding job advertisements to apply for, but also needs to involve assistance with the education, professional development and skill building they need to be competitive in their applications.
- Where people with intellectual disability sought work in social enterprises, one of the key barriers to finding a job was that social enterprise roles were in higher demand than what was available. At the time of our research, social enterprises were a newer and quite attractive option for many people with intellectual disability, but the businesses themselves were not yet developed to a point where numerous paid roles were available. Some people with intellectual disability took up training or work experience positions in the hope of being lined up to secure the next paid role when it became available.

What barriers exist to people with disability in keeping a job?

- In our research, people with intellectual disability who worked in open employment experienced the most barriers to keeping their job. The barriers covered a spectrum of experiences from feeling under-valued at work (for example, working in an under-valued role or not being involved in 'the life of the workplace' with colleagues) to both subtle and overt experiences of discrimination.
- While direct experiences of discrimination are often easier notice and act on, the subtle experiences of discrimination risk being masked by the conditions that people with intellectual disability frequently find themselves working in. Many of the jobs available to people with intellectual disability in open employment are at the entry-level of the labour market and/or in low-skilled positions. This is a sector of the job market that is very often subject to tumultuous conditions, including lack of job stability, high turnover of staff and roles, casualised work, lack of contracts and lack of clear pathways into continuing work. In this context, many people with intellectual disability reported that they were first to lose their jobs when there was an economic downturn or when their employer needed to reduce their staff. They also commented on being passed over for the few full-time roles that came up, even though they had been reliable and effective employees. Very often, these experiences also involved a lack of respect, where people with intellectual disability were not given adequate explanations of why their role was not continuing or why they had not been considered for a full-time role. These experiences represent a subtle form of discrimination, set against precarity and broader difficult economic conditions. This form of discrimination is particularly worrying in light of the current unemployment crisis related to COVID-19.

Are the current employment programs and supports for people with disability effective?

- In comparing open employment, supported employment in ADEs and social enterprise employment, our research found that each of these employment types had different benefits and drawbacks, and that each were effective in some areas but not in others (see Table 1 below). This is a notable finding, as it means that there is no employment type that delivers everything a person with intellectual disability might want and therefore people with intellectual disability must trade-off between which employment outcomes they prioritise most highly:
 - Open employment offers better conditions with regard to pay and having mainstream community connections than supported employment, but it is harder to find a job in than supported employment, has less job stability and people with intellectual disability are more likely to face discrimination in open employment;
 - Sheltered employment in ADEs offers less pay and less mainstream community connections than open employment, but more support (i.e. encouragement, understanding and accommodation of people with intellectual disability's needs) and more job stability;
 - Social enterprises are perceived as both supportive and connected to the mainstream community, but, at the time of our research, there were sometimes problems with enough paid positions being available, as (as noted earlier in this submission) these were in higher demand than what was available. Simultaneously, social enterprises are perceived as providing other possible benefits, such as a focus on skill development.

Table 1: Comparison of employment types available to people with intellectual disability

	Open employment	Supported employment in ADEs	Social enterprise employment
Choosing, finding, maintaining a job	↓	↑	→
Changing and progressing in roles	↓	↑	–
Community connections and inclusivity	↑	↓	↑
Support (encouragement, understanding and accommodation of needs)	↓	↑	↑
Skill development	–	–	↑
Remuneration (rate and critiques)	→	↓	→
Rights, respect and equity and/or self-determination	↑	–	–

Key:

- ↑ Good comparative performance
- ↓ Poorer comparative performance
- Good and poorer aspects to the comparative performance
- Not mentioned in this employment type

(Source: Meltzer et al., 2018)

What could be done to prevent, or respond to, discrimination, violence, abuse, neglect and exploitation against people with disability in the workplace?

- Our research found a basis for several strategies to improve the experience of people with intellectual disability in employment and the workplace, including:
 - There is a need for further education to assist in improving the attitudes of a range of actors that people with intellectual disability encounter across their employment ecosystem, including those with roles in specialist employment services, employers, and potential managers and colleagues. Without systematic and interlocking work across the whole employment ecosystem, any isolated interventions are unlikely to be effective.
 - It is important that industrial relations materials are made and distributed in ways that are accessible to people with intellectual disability. This should, for example, include Easy Read and other accessible information on how to make a complaint against an employer and how to contact a relevant union. Thought should be given to the most appropriate strategies and avenues for distributing this information effectively, ensuring that people with intellectual disability can access it through agencies they already have a relationship with and trust (e.g. disability advocacy and self-advocacy organisations) as well as the outlets that would have the usual responsibility of distributing similar information to the rest of the population without disability (e.g. Fair Work Australia). Other relevant information that could be made more accessible includes an easier format for pay slips and pay information.
 - Given that social enterprises appear to be a popular choice of work for many people with intellectual disability but the businesses themselves may not always be able to keep up with the demand for paid roles, it is important to consider how government may be able to stimulate more of this type of work. Policy levers, including social procurement and seed funding to appropriate social enterprises, could have an effective role in

creating and growing more social enterprises with paid work available for people with intellectual disability.

As noted at the outset of this submission, more detail on the research findings is available in the publications from the original research (Meltzer et al, 2016, 2018, 2019). The complete references to these publications are included below.

I wish the Royal Commission the best of luck in its work and I look forward to seeing, as one of the outcomes, improvement in the employment experiences of people with intellectual disability in the future.

Best regards,

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References:

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