# CYDA's submission to the Senate Select Committee on Job Security

Young people with disability and job insecurity

Children and Young People with Disability Australia
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#### Recommendations

To address and mitigate the consequences of high rates of job insecurity and precarious employment experienced by young people with disability:

- 1. The Australian Government should develop and implement a targeted National Youth Disability Employment Strategy to address the high rates of job insecurity experienced by young people with disability in the workforce. This strategy must be designed with the meaningful inclusion of young people.
- 2. The Australian Government should review and amend the social security system to ensure that young people with disability who experience job insecurity are not living in poverty and are adequately supported to find and maintain meaningful employment. This includes:
  - Increasing the rate of payments to a dignified standard of living that factor in the extra living costs that are associated with living with disability
  - Reviewing and amending the eligibility requirements for the Disability Support Pension to ensure different groups and disability types are not disadvantaged
  - Amending the Disability Support Pension requirements to support recipients to engage in paid employment
  - Ensuring timely and appropriate information and support is available for young people to assist them to secure income support payments.
- 3. The Australian Government should publicly evaluate the effectiveness of the Supported Wage System in achieving its objective of enabling people with disability to obtain employment in a manner that is consistent with human rights practice and international obligations.<sup>1</sup>
- 4. The Australian Government must commit to and act on the elimination of segregated employment to meet its State obligations under the CRPD. This requires the development of a national, time-bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Australian Human Rights Commission. (2020). *People with disability and employment: Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*. Available at <a href="https://humanrights.gov.au/sites/default/files/ahrc\_drc\_employment\_submission2020.pdf">https://humanrights.gov.au/sites/default/files/ahrc\_drc\_employment\_submission2020.pdf</a>, p. 31

<sup>&</sup>lt;sup>2</sup> Disabled People's Organisations Australia. (2020). *Segregation of people with disability is discrimination and must end.* Available at <u>Segregation-of-People-with-Disability\_Position-Paper.pdf</u> (dpoa.org.au)

#### Introduction

Children and Young People with Disability Australia (CYDA) is the national representative organisation for children and young people with disability aged 0 to 25 years. CYDA has an extensive national membership of more than 5,000 young people with disability, families and caregivers of children with disability, and advocacy and community organisations.

Our vision is that children and young people with disability are valued and living empowered lives with equality of opportunity; and our purpose is to ensure governments, communities, and families, are empowering children and young people with disability to fully exercise their rights and aspirations. We do this by:

- Driving inclusion
- Creating equitable life pathways and opportunities
- Leading change in community attitudes and aspirations
- Supporting young people to take control
- Calling out discrimination, abuse, and neglect.

CYDA welcomes the opportunity to contribute to the Senate inquiry on job security and highlight the aspirations and experiences of young people with disability in the workforce.

Young people with disability are hungry and excited to gain meaningful employment. Like anyone, young people have shared with CYDA how having a job helps them build their skills, meet new people, share their talents and contribute to the community. Many young people we have worked with have expressed how wages and paid employment support them to enjoy life transitions like moving out of home and being independent.

However, many young people have also shared with us the barriers they experience – both as a young person and a person with disability – to gain and maintain meaningful, sufficiently paid (if at all paid) and reliable employment. These barriers can have negative and enduring impacts on young people's ability to enjoy life as a full member of the community.

CYDA's submission details what secure employment means to young people (as per their perspective), the experiences of young people in the workforce, the extent of insecure employment for the group, and how COVID-19 has both exposed risks and exacerbated the prevalence of precarious employment.

This submission also outlines how despite the known barriers experienced by young people with disability in the workforce, there are no concerted efforts to address the cohort's high rates of workforce underutilisation and job insecurity – both pre and post COVID – and that current social security policy and programming fail to adequately support young people who are experiencing job insecurity. Lastly, this submission also details how the Supported Wage System and segregated employment amplify the experiences of job and wage insecurity experienced by people with disability and deny them equal rights as an employee and citizen.

## What secure employment means to young people with disability

In late 2020, CYDA convened the inaugural National Youth Disability Summit (Summit), a five-day conference designed by and for young people with disability. Over 250 young people attended. As part of the Summit, four consultation workshops were held with the purpose to understand young people's perspectives on varying topics: one being employment.

Young participants shared what finding and keeping a job means to them and how it was linked to their identity. Some young people commented on how having quality employment "gives them purpose" and can be "life changing", allowing them to develop skills, find their passions and meet likeminded people that "understand all parts of you".

Many young people also expressed how having a job is an important part of becoming an adult and *"being an equal citizen"*. Young people value being able to be independent, earn their own money, move out of home if they would like to, and not having to *"rely on an unreliable government system"*.

"[Having a job] gives me the independence to start my life. That's huge! That's freedom."
- Young participant at the 2020 National Youth Disability Summit

## The experiences of young people with disability in the workforce

Young people with disability are one of the most disadvantaged cohorts in the labour market. They experience the intersectionality of systemic disadvantage and oppression of both being a person with disability and a young person – with this disadvantage being even further amplified by other demographic factors, such as socio-economic status, ethnicity, gender or sexual diversity, or living in a regional or rural area.

Young people with disability are not disadvantaged because of their disability, but because of the systemic discrimination they face from employers and the employment environment, and the lack of reasonable adjustments that enable the cohort to participate on an equal basis to their non-disabled peers.

Young people generally face increased barriers in securing employment. For those who do have jobs, they are at heightened risk of experiencing employment precarity and being in low paying roles or roles that do not utilise their skillsets. This section details the extent of job insecurity experienced specifically by young people with disability.

#### Unemployment and underemployment of young people with disability

Young people with disability experience high rates of unemployment. Data collected by the Australian Bureau of Statistics prior to the COVID-19 economic downturn demonstrated that one quarter of young Australians with disability in the workforce were unemployed. The cohort are more than twice as likely to be unemployed compared to their peers without disability and older people with disability.<sup>3</sup>

For those who do find employment, many are not getting the hours they want or need, or and are available to work. A further 23 per cent of young people are underemployed; meaning half of all

<sup>&</sup>lt;sup>1</sup> AIHW. (2020). *People with disability in Australia*. Available at <u>People with disability in Australia</u>, <u>Employment - Australian Institute of Health and Welfare (aihw.gov.au)</u>

young people with disability in the workforce are underutilised.<sup>4,5</sup> The underemployment rate of young people with disability is also higher than young people without disability, and nearly three times than older people with disability.

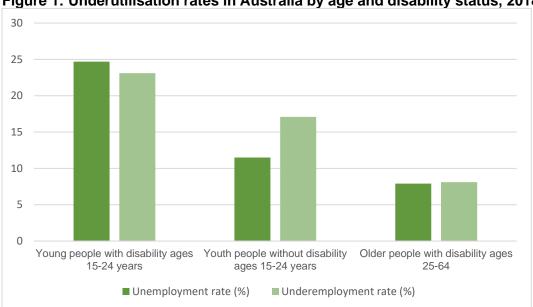


Figure 1: Underutilisation rates in Australia by age and disability status, 2018

Source: Australian Institute of Health and Welfare (2020)

#### Top occupations employing young people with disability

Like their peers without disability, young people with disability are more likely to be hired in roles that commonly offer fewer hours, precarious and seasonal employment, and reduced economic security. For instance, nearly one quarter of young employees with disability are sales workers. This includes occupations such as general sales assistants and check out operators. Of all occupation groups, sales workers have the lowest average hourly total cash earnings (\$28.50) and the second lowest weekly hours (25.6 hours).

The occupation group which offers the lowest average weekly total hours paid is community and personal service workers<sup>8</sup> – the third most common occupation for young people with disability.<sup>9</sup> This work is often characterised by irregular hours and increased precarity.

As a person with disability, young people with disability are more likely to be over-educated for their roles – where their education level is above the norm for employees in the same occupation. As a young person entering the workforce, because of the changing nature of the labour market and increased competition, young people with disability are more likely to take jobs that do not fully use

<sup>&</sup>lt;sup>4</sup> Combined rates of unemployment and underemployment

<sup>&</sup>lt;sup>5</sup> ibid.

<sup>&</sup>lt;sup>6</sup> ibid.

<sup>&</sup>lt;sup>7</sup> Australian Bureau of Statistics. (2019). Employee Earnings and Hours, Australia. Available at Employee Earnings and Hours, Australia, May 2018 | Australian Bureau of Statistics (abs.gov.au)

<sup>9</sup> AIHW. (2020).

<sup>&</sup>lt;sup>10</sup> Jones, M., Mavromaras, K., Sloane, P., & Wei, Z. (2014). Disability, job mismatch, earnings and job satisfaction in Australia. *Cambridge Journal of Economics*, *38*(5), 1221-1246.

their skills. Research indicates that young people who take these 'low quality' jobs have higher chances of longer-term unemployment and reduced future wage growth.<sup>11</sup>

#### The impact of COVID-19 on job security for young people with disability

Young people are more likely to bear the brunt of economic downturn, with employers more reluctant to hire or retain younger workers due to their limited experience and lower skills during periods of cyclical weakness. <sup>12</sup> This is evident in the COVID-19 economic crisis, with young workers being disproportionately impacted. <sup>13</sup> According to the Productivity Commission <sup>14</sup>, people who experience negative shocks in the labour market go on to have 'scarring' effects on their longer-term employment and earnings prospects.

While we do not currently have data to understand the impact of the COVID-19 economic crisis on young people with disability, it is widely acknowledged that the cohort faces increased systemic and structural disadvantage in the labour market compared to young people without disability.<sup>15</sup>

It is also difficult to determine how impactful COVID-19 has been on the job security of young people with disability because the crisis is still ongoing. With the JobKeeper government initiative supporting employers to retain staff coming to an end, more jobs are likely be lost. Because employers may be forced to think in terms of 'last in, first out' of which employees stay and go, CYDA is concerned that the full extent of the COVID-19 pandemic on young workers with disability is yet to be felt.

So far what we do know is that the three occupation groups employing the highest numbers of young people with disability – sales workers, labourers and community and personal services – are also the three hardest hit occupation groups during COVID-19 in terms of jobs losses. While some occupations have bounced back after the initial economic shock of COVID-19, as at November 2020, these three groups – which are already characterised as having lower earnings and greater precarity – employment levels were still suffering 4 to 8 per cent below pre-pandemic levels. 17

Despite COVID-19 exposing the vulnerable and inequitable characteristics of employment for young and low-earning workers, the rate of insecure employment continues to surge. Researchers at the

CYDA's submission to the inquiry into job security

<sup>&</sup>lt;sup>11</sup> de Fontenay, C., Lampe, B., Nugent, J. and Jomini, P. (2020). *Climbing the jobs ladder slower: Young people in a weak labour market*. Available at <a href="https://www.pc.gov.au/research/supporting/jobs-ladder/jobs-ladder.pdf">https://www.pc.gov.au/research/supporting/jobs-ladder.pdf</a>

<sup>&</sup>lt;sup>12</sup> Dhillon, Z., & Cassidy, N. (2018). *Labour market outcomes for younger people*. Available at https://www.rba.gov.au/publications/bulletin/2018/jun/labour-market-outcomes-for-youngerpeople.html <sup>13</sup> Youth Affairs Council Victoria. (2020). *A COVID-19 recovery plan for young people*. Available at https://www.yacvic.org.au/advocacy/covid-19-recovery/#TOC-1

<sup>&</sup>lt;sup>14</sup> de Fontenay, C., Lampe, B., Nugent, J. and Jomini, P. (2020). *Climbing the jobs ladder slower: Young people in a weak labour market*. Available at <a href="https://www.pc.gov.au/research/supporting/jobs-ladder/jobs-ladder.pdf">https://www.pc.gov.au/research/supporting/jobs-ladder.pdf</a>

<sup>&</sup>lt;sup>15</sup> Yu, P. (2010). Disability and disadvantage: a study of a cohort of Australian youth. Australian Journal of Labour Economics, 13(3), 265–286; Orygen Youth Health Research Centre. (2014). *Tell them they're dreaming: Work, education and young people with mental illness in Australia*. Available at <a href="https://www.orygen.org.au/Policy">https://www.orygen.org.au/Policy</a>; Social Ventures Australia. (2016). *Fundamental principles for youth employment*. Available at

https://www.socialventures.com.au/assets/Fundamental-principles-for-youth-employment-report-FINAL.pdf

<sup>&</sup>lt;sup>16</sup> Nahum, D., & Stanford, J. (2020). 2020 Year-End Labour Market Review: Insecure Work and the Covid-19 Pandemic. Available at <a href="mailto:apo-nid310244.pdf">apo-nid310244.pdf</a>

<sup>&</sup>lt;sup>17</sup> ibid.

Centre for Future Work<sup>18</sup> analysed the changes in the labour market between May 2020 and November 2020, and found that since May 2020:

- 60 per cent of all waged jobs created were casual jobs (the biggest and fastest expansion in casual employment in Australia's history)
- Part-time work accounted for almost three-quarters of all new jobs
- Very insecure positions, including own-account contractors and 'gigs', accounted for all of the rebound in self-employment.

The researchers concluded that the growing rate of insecure employment without stable hours, incomes and leave entitlements will ensure that future fluctuations and shocks will continue to impose severe and unequal consequences.

# Deliver targeted responses to underemployment and unemployment for young people with disability

#### Develop targeted employment programs and strategies for young people with disability

#### **Recommendation 1**

The Australian Government should develop and implement a targeted National Youth Disability Employment Strategy to address the high rates of job insecurity experienced by young people with disability in the workforce. This strategy must be designed with the meaningful inclusion of young people.

Currently there is no national response to the employment needs specifically for young people with disability or the barriers they face in the labour market - before or after the COVID-19 economic downturn. While the 2020-2021 Federal Budget acknowledged young people were disproportionately impacted by COVID-19 and invested in the JobMaker program and wage subsidies for young jobseekers, it did not consider additional barriers or initiatives for young people with disability. To be effective, policy changes or youth employment programs must also address the barriers young people experience as being a person with disability, such as the discrimination they experience because of the misinformed and sometimes overtly prejudiced attitudes held by employers.19

To ensure employment strategies and policies are designed to address the distinct causes of unemployment and underemployment of young people with disability, particularly during the current economic period where they face increased vulnerability, the development of a targeted, fit-for purpose National Youth Disability Employment Strategy is required. As the disadvantage experienced by young people with disability in the labour market is so complex and distinct from other cohorts, a generalised employment strategy for people with disability, which is not co-designed with young people, will not be effective.

<sup>&</sup>lt;sup>19</sup> We discuss this in more detail in our recent paper on employment to the Disability Royal Commission, available here: https://www.cyda.org.au/resources/details/214/disability-royal-commission-response-to-employment-issues-paper.

The strategy should also include targeted approaches for young people within the disability community that risk experiencing increased marginalisation in the workforce, such as young Aboriginal and Torres Strait Islander peoples, gender diverse young people, people with complex communication needs, and different disability groups.

#### Provide adequate income support for young people experiencing job insecurity and unemployment

#### **Recommendation 2**

The Australian Government should review and amend the social security system to ensure that young people with disability experience job insecurity are not living in poverty and are adequately supported to find and maintain meaningful employment. This includes:

- increasing the rate of payments to a dignified standard of living that factor in the extra living costs that are associated with living with disability
- reviewing and amending the eligibility requirements for the DSP to ensure different groups and disability types are not disadvantaged
- amending the DSP requirements to support recipients to engage in paid employment
- ensuring that there is timely and appropriate information and support available for young people to assist them to secure income support payments.

The social sector<sup>20</sup> has long advocated for an increase in income support payments, with current payments being so inadequate that many people who rely on them live below the poverty line.<sup>21</sup> Because of the barriers young people with disability experience in gaining secure employment, the group are forced to live on these inadequate payments at a disproportionate rate. Nearly half of young people with disability aged 15 to 24 years (49 per cent) rely on income support payments as their main source of income compared to 14 per cent of those without disability.<sup>22</sup>

While many young people with disability rely on income support, the type of payments they receive has shifted considerably in the last decade. From 2012, policy reforms have been introduced to restrict the growth of Disability Support Pension (DSP) payments, payments for working age people with medical conditions and disability that bring restricted capacity to work.<sup>23</sup> These reforms include most applicants needing to demonstrate they have actively participated in job searching activities for 18 months prior to applying, as well as meeting stringent eligibility requirements against impairment tables.

The complexities of the application process have created additional administrative burden for individuals and in turn, created inequitable impacts for those receiving the payments. People who

<sup>&</sup>lt;sup>20</sup> Raise the Rate. (2020). Raise the Rate: Campaign supporters. Available at https://raisetherate.org.au/campaign-

<sup>&</sup>lt;sup>21</sup> ACOSS. (2019). Surviving, not living: the (in)adequacy of Newstart and related payments. Available at https://www.acoss.org.au/wp-content/uploads/2019/11/SurvivingNotLiving.pdf

<sup>&</sup>lt;sup>22</sup> AIHW. (2019). People with disability in Australia: In brief. Available at People with disability in Australia 2019: in brief (Full publication;21Aug2019Edition)(AIHW)

<sup>23</sup> Collie, A., Sheehan, L. R., & Lane, T. J. (2021). Changes in access to Australian disability support benefits during a

period of social welfare reform, Journal of Social Policy, 1-23. doi:10.1017/S0047279420000732

have less 'human capital', such as an education, money, psychological resources or social networks, are less likely to access resources that may help them overcome the administrative burden.<sup>24</sup> Research has also demonstrated that applicants who receive support to complete their DSP form are more likely to have their claim granted than those who do not have assistance.<sup>25</sup>

The change in DSP eligibility and work capacity requirements has subsequently driven many young people to instead access the JobSeeker or Youth Allowances Payments which provide significantly lower rates of pay than the DSP. <sup>26,27,28</sup> Data obtained by CYDA from the Department of Social Services shows that:

- The number of Jobseeker (known as Newstart prior to 2020) recipients aged between 20 and 25 years with partial capacity to work has increased by 372.8 per cent in the decade from 2009, growing from 5,308 in 2009 to 25,096 in 2020
- The number of Youth Allowance recipients under 19 years old with partial capacity to work has increased by 174.9 per cent, from 2,299 in 2009 to 6,319 in 2020
- The number of Youth Allowance recipients aged between 20 and 25 years with partial capacity to work has increased by 970.3 per cent, from 936 in 2009 to 10,018 in 2020
- The number of DSP recipients under 19 years old has decreased by 20.4 per cent, from 18,414 in 2009 to 14,662 in 2020
- The number of DSP recipients aged between 20 and 25 years has increased by 12.6 per cent, from 36,128 in 2009 compared to 40,690 in 2020.

<sup>&</sup>lt;sup>24</sup> ibid.

<sup>&</sup>lt;sup>25</sup> ihid

<sup>&</sup>lt;sup>26</sup> Services Australia. (2021). *Jobseeker Payments: How much you can get*.

https://www.servicesaustralia.gov.au/individuals/services/centrelink/jobseeker-payment/how-much-you-can-get

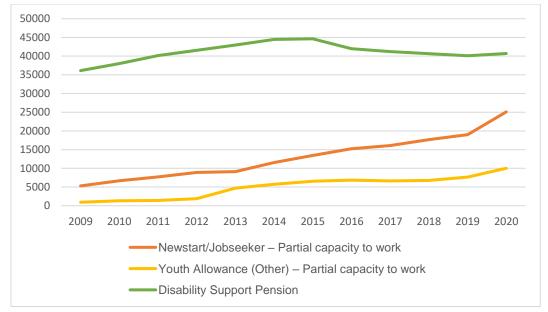
<sup>&</sup>lt;sup>27</sup> Services Australia. (2021) Youth Allowance payments for job seeker: How much you can get.

https://www.servicesaustralia.gov.au/individuals/services/centrelink/youth-allowance-job-seekers/how-much-you-can-get

<sup>&</sup>lt;sup>28</sup> Services Australia. (2020). *Payment rates*. Available at

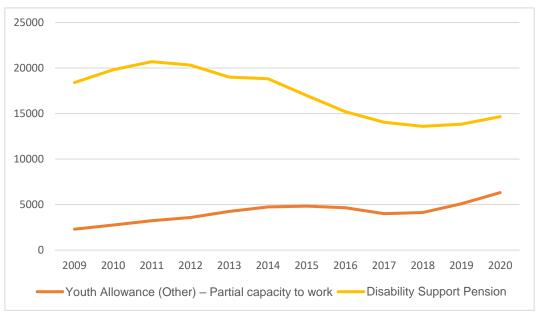
https://www.servicesaustralia.gov.au/individuals/services/centrelink/disability-support-pension/how-much-you-canget/payment-rates

Figure 2: Trends from 2009 to 2020 of Newstart/Jobseeker Allowance, Youth Allowance with partial capacity to work and Disability Support Pension recipients aged 20 to 25 years



Source: Department of Social Services data provided to CYDA

Figure 3: Trends from 2009 to 2020 of Youth Allowance with partial capacity to work and Disability Support Pension recipients aged 19 years and under



Source: Department of Social Services data provided to CYDA

For the young people who have successfully gained access to the DSP, the strict eligibility requirements have also created increased barriers to gaining employment, with rates of DSP recipients receiving earnings dropping by 1.7 percentage points between 2009 and 2018 (from

9.3 per cent to 7.6 per cent).<sup>29</sup> CYDA has heard from our membership that young people are reluctant to obtain paid employment as the risk of losing their access to the DSP, which is ultimately their safety net. This is a particular concern of young people with episodic or fluctuating disability.

A review and amendment of the social security system to ensure that young people with disability are not living in poverty and are adequately supported to find and maintain reliable and sufficient employment is urgently required. This should include:

- Increasing the rate of payments to a dignified standard of living that factor in the extra living costs that are associated with living with disability
- Reviewing and amending the eligibility requirements for the DSP to ensure different groups and disability types are not disadvantaged
- Amending the DSP requirements to support recipients to engage in paid employment
- Ensuring that there is timely and appropriate information and support available for young people to assist them to secure income support payments.

# Address the workplace rights inequities experienced by people with disability

#### **Recommendation 3**

The Australian Government should publicly evaluate the effectiveness of the Supported Wage System in achieving its objective of enabling people with disability to obtain employment in a manner that is consistent with human rights practice and international obligations.<sup>30</sup>

#### **Recommendation 4**

The Australian Government must commit to and take action on the elimination of segregated employment to ensure its meeting its State obligations under the CRPD. This requires the development of a national, time bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.<sup>31</sup>

People with disability are currently not entitled to the same minimum wage protections as other Australian employees. Under the Supported Wage System (SWS), employees with disability in open employment<sup>32</sup> can be paid a proportion of minimum wage based on their ability to work at 'full productive capacity'. So if an individual is assessed at being 70 per cent productive capacity, their

<sup>&</sup>lt;sup>29</sup> Anti-poverty week. (2019). *Fast facts: Poverty and disability.* Available at <a href="https://antipovertyweek.org.au/wp-content/uploads/2019/10/Poverty-Disability-APW-2019.pdf">https://antipovertyweek.org.au/wp-content/uploads/2019/10/Poverty-Disability-APW-2019.pdf</a>

<sup>&</sup>lt;sup>30</sup> Australian Human Rights Commission. (2020). *People with disability and employment: Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*. Available at <a href="https://humanrights.gov.au/sites/default/files/ahrc\_drc\_employment\_submission2020.pdf">https://humanrights.gov.au/sites/default/files/ahrc\_drc\_employment\_submission2020.pdf</a>, p. 31

<sup>&</sup>lt;sup>31</sup> Disabled People's Organisations Australia. (2020). Segregation of people with disability is discrimination and must end. Available at Segregation-of-People-with-Disability Position-Paper.pdf (dpoa.org.au)

<sup>32</sup> Employment not of a segregated nature

employer can pay them 70 per cent pro rata of the minimum wage as per the relevant industrial award or agreement.<sup>33</sup>

The SWS is also used as a wage assessment tool in the *Supported Employment Services Award 2020*, an industrial instrument used to set minimum wages and conditions of employees of Australian Disability Enterprises (ADEs). The SWS allows employers to pay employees with disability as little as \$89 per week (\$2.34 per hour for full-time employees), or 12.5 per cent of the minimum wage for those employees in ADEs covered by the *Supported Employment Services Award 2020*.<sup>34</sup>

In its submission to the Disability Royal Commission, the Australian Human Rights Commission outlined concerns that the pro-rata assessment tool is discriminatory and contravenes several human rights under the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities (CRPD). Namely, Australia's obligations to ensure fair wages, equal remuneration for work of equal value, and that people with disability can fully and effectively participate in society.

The Australian Human Rights Commission also detailed concerns about the limited data and oversight of the SWS. This includes:

- The number of people under the system
- Their average wage
- · How the SWS impacts the standard of living of people with disability
- The proportion of employees who transition from receiving a pro-rate age to a full wage.

While data about the use of SWS in general is unclear, there is some data available to gauge the conditions of employees in ADEs, otherwise known as 'sheltered' employment. This type of employment segregates people with disability from the open labour market. CYDA hears from our community that this segregated employment is often presented to young people as the best or only option for them, particularly for those who were educated through the special school system. In 2017, the hourly rate paid to employees in sheltered workshops was \$5.61 an hour.<sup>35</sup>

The type of employment and roles in ADEs generally do not offer people with disability the ability to develop transferable skills that could lead to open employment or a full wage.<sup>36</sup> In 2014, less than one per cent of people with disability in ADEs moved into open employment.<sup>37</sup>

Inclusion Australia has done important work to highlight the experiences of employees of ADEs in their evidence provided to the Disability Royal Commission in 2020.<sup>38</sup> In the submission self-advocates described their perspective on ADEs and sheltered employment, how they want more

35 Women with Disabilities Australia. (2020). WWDA response to employment issues paper. Available at https://wwda.org.au/wp-content/uploads/2020/08/WWDA-Response-to-Employment-Issues-Paper-Final1.pdf

<sup>&</sup>lt;sup>33</sup> Australian Human Rights Commission. (2020).

<sup>&</sup>lt;sup>34</sup> ihid

<sup>&</sup>lt;sup>36</sup> Smith, P., Rhodes, P., Pavlidis, L., Alexander, J., & McVilly, K. R. (2019). Transitioning Australian Disability Enterprises to open employment community hubs using the Australian legislative framework. *Journal of Vocational Rehabilitation*, *50*(3), 263–271. https://doi.org/10.3233/JVR-191006

<sup>&</sup>lt;sup>37</sup> Australian Human Rights Commission. (2016). *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability.* Available at <a href="https://humanrights.gov.au/our-work/disability-rights/publications/willing-work-national-inquiry-employment-discrimination">https://humanrights.gov.au/our-work/disability-rights/publications/willing-work-national-inquiry-employment-discrimination</a>

<sup>&</sup>lt;sup>38</sup> Relevant sections of Inclusion Australia's Omnibus Submission to the Disability Royal Commission are available here: EXHIBIT 9-004.06 - EXP.0058.0001.0019 - Inclusion Australia, Omnibus Submission (Compilation of sections relevant to Employment Issues Paper) | Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

opportunities to break into open employment, and more support to move to other jobs once they gained open employment.

Regardless of how many hours they may be employed or if their employment is ongoing, if wages are below minimum wage, people with disability do not have equal rights or secure employment, and they will not be able to experience financial security. This is especially apparent when the types of roles offered under ADEs almost never lead to full time wages – this ultimately entrenches the person in less than minimum wages for their working life.

CYDA echoes the calls of the Australian Human Rights Commission for the Australian Government to publicly evaluate the effectiveness of the SWS to support people with disability to obtain employment in a manner that is consistent with human right obligations.

CYDA also calls for the Australian Government, per its obligations under the CRPD and other international human rights treaties, to commit to and take action on the elimination of segregated employment. This entails the development of a national, time bound strategy aimed at the transition of workers with disability from segregated employment to open, inclusive and accessible forms of employment and that ensures equal remuneration for work of equal value.<sup>39</sup>

<sup>&</sup>lt;sup>39</sup> Disabled People's Organisations Australia. (2020). *Segregation of people with disability is discrimination and must end.* Available at <u>Segregation-of-People-with-Disability Position-Paper.pdf (dpoa.org.au)</u>