

INQUIRY INTO IMPACT OF COMMONWEALTH WORKCHOICES LEGISLATION

Organisation: NSW Disability Discrimination Legal Centre
Name: Mr Ben Fogarty
Position: Principal Solicitor
Telephone:
Date Received: 7/04/2006

Theme:

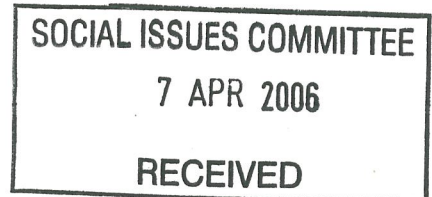
Summary



Phone 02 9310 7722
Freecall 1800 800 708
Fax 02 9310 7788
TTY 02 9310 4320
TTY freecall 1800 644 419
Web www.ddlcnsw.org.au
Email info@ddlcnsw.org.au
PO Box 989
Strawberry Hills NSW 2012
ABN 15 992 360 253

5 April 2006

Legislative Council Standing Committee on Social Issues
Rachel Simpson
NSW Parliament
Macquarie St
Sydney NSW 2000
socialissues@parliament.nsw.gov.au



Dear Ms Simpson,

We write with regard to the examination to be conducted by the Legislative Council Standing Committee on Social Issues on the impact of the Commonwealth's WorkChoices legislation on vulnerable communities in New South Wales.

We commend the Committee's commitment to the social development and welfare of all people in New South Wales and their efforts to identify vulnerable groups in the community who are likely to be most affected by this legislation. However, we note and we are concerned that people with disability have not been identified as a vulnerable group that requires specific examination. This is despite people with disability being an extremely vulnerable sector of the community especially in terms of employment. We attach a copy of "Issue Paper 1: Employment and Disability: The Statistics" from the Human Rights and Equal Opportunities Commission 2005/2006 National Inquiry into Employment and Disability to alert the Committee to the statistics affirming the vulnerability of people with disability in employment.

It is undeniable that the erosion (and in some cases, abolition) of protections for workers by the new WorkChoices legislation will have acute detrimental effects on people with disability in New South Wales. We therefore request that the Legislative Council Standing Committee on Social Issues include a review of the impact of the WorkChoices legislation on people with disability as a part of their investigation and report.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Ben Fogarty'.

Ben Fogarty
Principal Solicitor
NSW Disability Discrimination Legal Centre

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Disability Rights

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National Inquiry into Employment and Disability

Issues Paper 1: Employment and Disability – The Statistics

What does the data say about the impact of disability on equality of opportunity in employment for people with disabilities?

- You can also download this document in [Word\(158K\)](#) or [PDF\(51K\)](#) format.

Last updated 4: March 2005.

This Issues Paper sets out the context for the National Inquiry into Employment and Disability. It includes some of the recently available statistics regarding the employment of people with disabilities in Australia.

Most of the statistics in this paper are drawn from Australian Bureau of Statistics (ABS) data from 2003.^[1] The ABS definition of disability includes anyone who has experienced a 'limitation, restriction or impairment, which has lasted, or is likely to last, for at least six months and restricts everyday activities'.

Another purpose of this Issues Paper is to seek feedback about:

- what other relevant data is available, and
- what other data should be collected to better assess the successes and failures of measures designed to improve the opportunities for people with disabilities in the open workplace.

1. How many people with disabilities live in Australia?

Almost 20 per cent of Australians have a disability (3.96 million people). This proportion is increasing, particularly as the population ages.^[2] 19.8 per cent of all males and 20.1 per cent of all females report having a disability.^[3]

Of those people with a disability, 86 per cent experience limitations in core activities (such as self care, mobility or communication), or restrictions in schooling or employment.^[4] 6.3 per cent of people in Australia have a profound or severe core-activity limitation.^[5]

Most people with a disability have physical conditions (83.9%). 11.3 per cent of people with disabilities have mental and behavioural disorders and 4.8 per cent have intellectual and developmental disorders.

People with mental or behavioural conditions are more likely to have profound or severe limitation to their core activities than those with a physical condition (46% compared to 29%). Over half (56%) of those with psychoses or mood affective disorders, such as dementia and depression, have profound or severe limitations to their core activities.^[6]

2. What are the participation and unemployment rates for people with disabilities?

Fewer people with disabilities participate in the workforce than those without disabilities. More people with disabilities are unemployed than those without disabilities.

In 2003, 53.2 per cent of people with disabilities participated in the labour force as compared to 80.6 per cent of those without a disability. Since 1993, the labour force participation rate of people with disabilities has fallen, while the rate for people without disabilities has risen.^[7]

Table 1: Labour force participation and unemployment rates of people with and without disabilities

	People with disabilities			People without disabilities		
	1993	1998	2003	1993	1998	2003
Labour force participation rate	54.9%	53.2%	53.2%	76.9%	80.1%	80.6%
Unemployment rate	17.8%	11.5%	8.6%	12.0%	7.8%	5.0%

Source: ABS, 2003, p26; Productivity Commission, Volume 2: Appendices, pA.2. Persons aged 15-64 years living in households.

The result of a lower labour force participation rate, when combined with a higher unemployment rate, is that people with disabilities are less likely to be employed than others. In 1993 a person with a disability was 23 per cent less likely than a person without a disability to be in employment, and in 1998 they were 26 per cent less likely to be employed.^[8]

The severity of the disability that a person has, affects both the level of labour force participation and the unemployment rate.

Table 2: Labour force participation and unemployment rates of people with disabilities, by type of restriction

Restriction	Labour force participation rate			Unemployment rate		
	1993	1998	2003	1993	1998	2003
Core activity restriction						
Profound	19.9%	18.9%	15.2%	20.9%	7.4%	13.9%
Severe	39.9%	40.2%	35.8%	22.2%	11.6%	9.5%

Moderate	42.9%	46.3%	47.9%	18.0%	13.1%	7.6%
Mild	51.3%	56.5%	50.6%	18.5%	9.3%	7.7%
Schooling or employment restriction	56.2%	46.4%	44.9%	27.6%	12.9%	11.5%
All persons with restrictions	46.5%	49.3%	47.7%	21.0%	11.7%	9.9%

Source: ABS, 2003, p26; Productivity Commission, Volume 2: Appendices, pA.6. Persons aged 15-64 years living in households.

Participation in the workforce also varies according to the nature of the disability. The workplace participation rate for people with a psychiatric disability receiving disability support payments is only 29%.^[9]

Women with disabilities are less likely to be in the workforce than men with disabilities. In addition, the unemployment rate of women with disabilities has increased in the last five years while that for women without disabilities has decreased significantly.

Table 3: Labour force participation and unemployment rates of males and females with and without disabilities, 1998 and 2003

	Labour force participation		Unemployment rates	
	1998	2003	1998	2003
Females				
With a disability	45.5%	46.9%	8.6%	8.3%
Without a disability	71.0%	72.2%	8.0%	5.3%
Males				
With a disability	60.3%	59.3%	13.5%	8.8%
Without a disability	89.2%	88.9%	7.7%	4.8%

Source: ABS, 2003, p26; ABS, 1998, p35. Persons aged 15-64 years living in households.

In 2003 people with disabilities were more likely to work part-time (37%) than those who did not have a disability (29%).^[10]

3. How much do people with a disability earn when they are employed?

When employed, people with disabilities earn lower wages, on average, than workers without disabilities. Having a disability reduced the average gross weekly wages of females by \$110 (24 per cent) and males by \$105 (17 per cent) in 1998, compared with people without disabilities.^[11]

The overall levels of income earned by people with disabilities are also lower than those without

disabilities. In 2003, the median gross personal income per week of people of working age with a disability was \$255, compared to \$501 for those without a disability.^[12]

Income varies according to the type of disability. For example, the income of people with sensory and mobility disabilities is higher than that of people with psychiatric disabilities.^[13]

4. How does Australia compare to the rest of the world?

Australia has the seventh lowest employment rate for people with disabilities in the Organisation for Economic Cooperation and Development (OECD). In 2003, nearly two thirds of the OECD countries measured had better employment rates than Australia for people with disabilities.^[14]

Recent OECD research found that Australia has the lowest average personal income for people with disabilities, at 44 per cent of the income of people without a disability.^[15]

5. Where are people with disabilities employed?

In 2003, people with disabilities were employed in the following occupations and industries.

Table 4: Occupation type of people with disabilities

Occupation	People with a disability	People without a disability
Managers and administrators	8.4%	8.1%
Professionals	18.4%	19.2%
Associate professionals	9.6%	13.4%
Tradespersons and related workers	11.9%	12.8%
Advanced clerical and service workers	4.4%	4.0%
Intermediate clerical, sales and service workers	16.3%	17.1%
Intermediate production and transport workers	10.6%	7.7%
Elementary clerical, sales and service workers	9.5%	9.8%
Labourers and related workers	10.9%	7.9%
Total	100%	100%
Industry	People with a disability	People without a disability
Agriculture, forestry and fishing	5.3%	3.6%
Mining	1.4%	0.9%

Manufacturing	11.4%	11.3%
Electricity, gas and water supply	0.6%	0.8%
Construction	9.0%	8.4%
Wholesale trade	4.2%	4.7%
Retail trade	12.0%	14.6%
Accommodation, cafes and restaurants	3.8%	5.3%
Transport and storage	5.1%	4.1%
Communication services	1.4%	1.9%
Finance and insurance	2.3%	3.9%
Property and business services	10.4%	12.1%
Government, administration and defence	5.8%	5.1%
Education	8.7%	7.1%
Health and community services	10.7%	9.6%
Cultural and recreational services	2.3%	2.4%
Personal and other services	5.3%	4.0%
Total	99.7%	99.8%

Source: ABS, 2003, p27. Persons aged 15-64 years, living in households. This table represents the percentage of the total number of people with a disability who hold positions in each category, compared to the percentage of the total number of people without a disability who hold positions in each category.

6. How many people with disabilities are employed by government?

The number of people with disabilities employed by the Commonwealth government has declined significantly over the last ten years.

In 2003-2004, people with disabilities made up 3.8 per cent of ongoing Australian Public Service (APS) employees, down from 5.8 per cent ten years ago. The Australian Public Service Commission (APSC) suggests that the decline in absolute numbers may be partly explained by a decline in lower level positions where people with a disability have historically made up a greater percentage of employees. However, the APSC notes that there has been a decline in the numbers of employees with a disability in all classifications.^[16]

Some State governments have higher rates of employment of people with a disability than the Commonwealth. For example, people with disabilities make up an estimated 6 per cent of the NSW public sector. Employees who had a disability that required an adjustment at work made up an estimated 1.7 per cent of the public sector workforce in NSW in 2002.^[17]

7. Your feedback

(a) What other statistics should be collected to better identify the issues affecting people with disabilities and employment?

(b) What other relevant data are you aware of?

8. How do you make a submission?

Further information about the Inquiry can be found at:

www.humanrights.gov.au/disability_rights/employment_inquiry/index.htm

Submissions are due by 15 April 2005.

You can email your submission to: employmentinquiry@humanrights.gov.au.

Submissions may also be sent in hard copy, audiotape or videotape, to:

Employment Inquiry
Disability Rights Unit
Human Rights and Equal Opportunity Commission
GPO Box 5218
Sydney NSW 2001

Questions can be directed to:

Kate Temby
Policy Officer
Disability Rights Unit
Phone: 02 9284 9767

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1. Australian Bureau of Statistics, *Disability, Ageing and Carers: Summary of Findings*, 2003, 4430.0.
 2. ABS, 2003, pp3-4. Another 20 per cent of Australians (4.15 million) have a long-term health condition that does not restrict their everyday activities.
 3. ABS, 2003, p3.
 4. ABS, 2003, p4
 5. ABS, 2003, p3.
 6. ABS, 2003, p6.
 7. Labour force participation refers to people who are in work or actively looking for work.
 8. Productivity Commission, *Review of the Disability Discrimination Act 1992, Volume 2: Appendices*, pA.4.
 9. Mental Health Council of Australia, *Investing in Australia's future: the personal, social and economic benefits of good mental health*, September 2004, p6.
 10. ABS, 2003, p5.
 11. Productivity Commission, Volume 2: Appendices, pA.12.
 12. ABS 2003, p3. Persons aged 15-64 years living in households
 13. Productivity Commission, Volume 2: Appendices, pA.10.
 14. OECD, *Employment Outlook: Towards more and better jobs*, 2003, p141.
 15. OECD, *Transforming Disability into Ability, Policies to Promote Work and Income Security for Disabled People*, 2003, p29.
 16. Australian Public Service Commission, *State of the Service Report 2003-04*.
 17. Director of Equal Opportunity in Public Employment, <http://www.eeo.nsw.gov.au/aboutus/ar2003.htm>.

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