



**Australian  
Human Rights  
Commission**

# **WILLING TO WORK**

**National Inquiry into Employment  
Discrimination Against Older Australians  
and Australians with Disability**

**Easy Read version**



## How to use this document



This information is written in an easy to read way.  
We use pictures to explain some ideas.



This document has been written by the Australian Human Rights Commission (the Commission).

When you see the words 'we' or 'us', it means the Commission.



Some words are written in **bold**. We explain what these words mean. There is a list of these words on page 38.



This Easy Read document is a summary of another document.



You can find the other document on our website at <http://www.humanrights.gov.au/our-work/disability-rights/publications/willing-work-national-inquiry-employment-discrimination>



You can ask for help to read this document.  
A friend, family member or support person may be able to help you.

## What's in this document?

Discrimination in Australia	4
The National Inquiry	6
Important data about older Australians	9
Important data about Australians with disability	11
What we found out	12
Changes that should be made	18
1. Things the government should do	19
2. Ways to make the things the government already does better	25
3. What businesses and employers can do	33
Word list	38
Contact us	38

## Discrimination in Australia



In 2015, the Attorney-General asked us to look into the ways older people and people with disability in Australia experience **discrimination**.



Discrimination means being treated unfairly because you are different.



Everyone should have the right to work without discrimination.



Too many older people and people with disability are denied this right.

They don't get to enjoy the benefits that work can offer, including:



- independence



- pride and self-respect



- a sense of purpose and meaning.

Australia is committed to:



- stopping discrimination



- protecting the right to work.



We have signed the *United Nations Convention on the Rights of Persons with Disabilities*.



It explains the rights of people with disability, including the right to work.

In Australia we also have laws for stopping discrimination:



- *Age Discrimination Act 2004*



- *Disability Discrimination Act 1992*



- *Fair Work Act 2009.*

# The National Inquiry



Our Inquiry was called *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*.



We had to look at the things that stop older people and people with disability from taking part in the **workforce**.



The workforce includes:

- everyone who has a job
- everyone who is looking for work.

We looked at:



- the ways things are done



- what people think and believe



- Commonwealth laws.



We talked to people all over Australia.

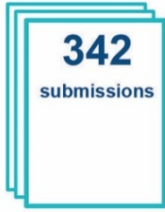


We held 120 public meetings.

We met with over 1,100 people, including:



- older Australians
- Australians with disability
- carers
- advocates
- community organisations
- employers and businesses
- trade unions
- peak bodies
- academics.



We received 342 **submissions** – people either spoke to us or wrote to us and told us what they think.



We also collected information about complaints people have made about discrimination.

And we looked at information from:



- a survey done by the Australian Bureau of Statistics about disability, ageing and carers



- surveys about age discrimination in the workplace



- public service workforces about the experience of working for the government.



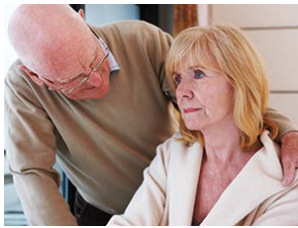
We learned a lot about:



- the kinds of discrimination that have happened



- how often discrimination happens



- the effect discrimination can have on a person.

## Important data about older Australians



About 83% of Australian people of working age – 18–64 years – have jobs and are part of the workforce.



About 25% of Australia's people are aged 55 years or older.



Only 16% of older people are part of the workforce.



It takes older people longer to find jobs – about 68 weeks.



We did a survey in 2015 that told us 27% of people older than 50 have faced discrimination in the workplace.



A lot of them said this happened while they were applying for a new job.



Many of them gave up looking for work.



We have received lots of enquiries and complaints from older people about discrimination in the workplace.



It is one of the most common reasons older people make a complaint.

## Important data about Australians with disability



Around 50% or half of Australians with disability are part of the workforce.



This number hasn't changed much over the last 20 years.



People with disability are more likely to be unemployed than people without disability.



27% of people with disability who work have full-time jobs.



People with disability who don't have jobs spend more time looking for work than people who don't have disability.



About 8% of people with disability said they have been discriminated against or treated unfairly because of their disability.



We have received lots of enquiries and complaints from people with disability about discrimination in the workplace.



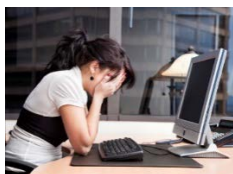
This is happening all over Australia.

## What we found out

Having a job is important for:



- your personal wellbeing
- having enough money
- paying for things yourself
- your mental health
- your physical health
- connecting with other people.



People who have been treated badly or unfairly can suffer from stress.



Their mental and physical health can be affected.



They can lose their self-confidence and self-esteem.



They might not want to be part of the workforce anymore.

## Older Australians

Older Australians can feel like they:



- don't get the same opportunities
  - for new jobs
  - for growing in the job they have



- are chosen as the first to go when the organisation needs to make changes.



There are people in the workforce who think and believe negative things about older Australians so they treat them differently.

## People with disability



People with disability face this problem too.

There are some problems that keep happening for people with disability who want to join the workforce:



- lack of access:
  - problems getting into buildings or the part of the building they need to work in
  - problems getting information they need



- being excluded.



Some people are unsure whether they should tell their employer about their disability.



They can face barriers getting changes made to help them in:

- their job
- their workplace.



They don't get the same opportunities to grow in their role as other people.

Many people in the workforce and in the community think that people with disability:



- can't do a good job



- are a bigger risk when it comes to health and safety.

### What about employers?

Lots of employers don't know how to:



- make their workplace inclusive



- give good jobs to
  - older people
  - people with disability



- keep up with what the law tells them to do.



They might not know that they can get help from the government.



Some government programs aren't doing what they're supposed to do either.



Getting older people and people with disability into the workforce would be good for:

- business
- the economy.

Good things happen when businesses give older people and people with disability jobs:



- the businesses get better results



- their staff have a wider range of skills and experiences that can be used



- they have a better reputation.



It would be good for the economy because:



- more people would have more money to spend



- less money would be spent on welfare.

Things need to be done to:



- stop people being treated badly or unfairly



- get older people and people with disability into the workforce.

## Changes that should be made



There are things we think need to change.

There are ways we think this should happen.



We have written some **recommendations**.

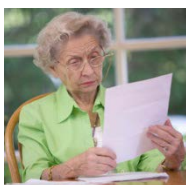
Recommendations are ideas about things that could be done.

We have put our recommendations into three groups:



1. Things the government should do to help more older people and people with disability to:

- get work
- stay in work



2. Ways to make the things the government already does better for:

- older people who want to work longer
- people with disability who want to work.



3. What employers and businesses can do.



## 1. Things the government should do

### Minister for Longevity



The government should take better care of older Australians by appointing a Cabinet Minister for Longevity.

The Minister would:



- work out how living and working longer helps the economy



- promote the inclusion of older Australians in the workforce



- watch over the way our recommendations are carried out.

### National plans



The government should develop national plans to help older Australians and people with disability join the workforce.

They should include:



- targets
- actions
- measurements
- timeframes.



The government should employ people to work with employers and businesses and help make these things happen.

### **Expanded national agency**



At the moment we have a Workplace Gender Equality Agency (WGEA).



We think this should be expanded to become the Workplace Gender Equality and Diversity Agency.

They would:



- collect data



- write reports about how well things are going



- work with employers and businesses to:
  - reduce discrimination
  - employ more people with disability
  - employ more older people.

### **National community education campaign**



The government should educate the community about discrimination in a clear, simple way.

Their messages should be in everything they tell Australians about:



- work and jobs
- training
- business support
- improving the economy.

They need to do this in order to:



- change the way people think and what they believe about what older people and people with disability can do



- let people know about the benefits of giving older people and people with disability jobs



- promote supports, information and schemes



- let people know what discrimination looks like



- teach people about their:
  - rights to be treated fairly
  - responsibilities to avoid discriminating against older people and people with disability who work for them



- share the good things that people are doing.

To do this well, the government should help us to work together with different:



- businesses



- unions



- community organisations.

## Buying goods and using services

The government already:



- buys goods from Australian producers and manufacturers



- uses services offered by Australian companies.



The government should buy goods and use services from companies that have older people and people with disability in their workforce.



They should ask suppliers to show them how diverse their workforce is.

The government also needs to make sure that:



- technology they buy is accessible



- products and software they use are accessible.

## Government as an employer



Lots of people work for the government.

The government should:



- tell the people who work for them that older people and people with disability should be part of the workforce



- set goals to work towards and report on how things are going



- train managers and people who hire new staff about:
  - discrimination and their responsibilities as managers
  - why it is good for older people and people with disability to work for the government
  - flexible ways of doing things
  - where to get information and support.



- work with universities, TAFEs and training organisations to add diversity and inclusion training into their courses for people who are learning about becoming managers.



## 2. Ways to make the things the government already does better



These recommendations look at the ways laws and policies are stopping older people and people with disability from joining the workforce.



The government needs to think about making changes to:

- discrimination laws
- the Fair Work Act.



## For older Australians

### Skills training



People who work often need to do extra training so they can keep doing their job.



If there isn't enough work, people might need to change:

- their job
- the industry they work in.



As they get older, people don't always get the extra training they need.



This means they might:

- lose their job
- develop health problems.

The Department of Employment needs to look at:



- what is being done to help people when the industry they work in gets smaller and make sure they keep trying to do those things better
- ways workers can move from one industry to another when things change

The Australian Government should also look at:



- ways to increase people's skills



- apprenticeships for older people



- a program to train and support older people who want to develop their own business.

### **Helping people have longer, healthier working lives**



There is a strong link between being healthy and working longer.

There are many ways employers can support people to:



- stay at work



- continue to do a good job.

The Australian Government should:



- develop a plan for teaching people how to stay healthy and keep working as they get older



- find ways to encourage businesses to help their staff try to be healthy



- tell people about programs that are good for helping people be healthy at work



- increase the Employment Assistance Fund (EAF) to support more people.

## Laws and government policies



There are laws and government policies that need to be looked at because they stop older people from taking part in the workforce.

The Australian Government should:



- put a group together to look at problems with different types of insurance that make it hard for older people



- think about how much tax people have to pay if they are older than 65 and lose their job



- work with the states and territories to look at age-based rules for workers compensation schemes



- take away the requirement that somebody should be on benefits for 6 months before they can get Restart payments



- tell older people about the jobactive employment services they can use.

## For Australians with disability

### Laws and government policies



There are laws and government policies that need to be looked at because they make it harder for people with disability to take part in the workforce.



Centrelink needs to tell people what their rights and responsibilities are so they can make better choices about their disability support pension.

The Australian Government should:



- think about how long people can still use concession cards once they find a job



- collect data and information about what happens to students with disability once they leave school



- let students with disability in their last year of high school use support from employment services



- provide money for education departments across Australia to help students with disability join the workforce when they leave school



- look at good ideas from the National Disability Insurance Scheme (NDIS) and try them out in disability employment services



- tell employers about support they can get through –
  - Disability Employment Services
  - JobAccess
  - the Employment Assistance Fund
  - the National Disability Recruitment Coordinator



- work with states and territories to look at the best ways to –
  - stop people getting injured
  - get people back to work after they have been injured



- make it easier to get money and support from the government so workplaces can make changes and be more suitable for people with disability.



## Discrimination laws and the Fair Work Act



We looked at all the laws that relate to older people and people with disability taking part in the workforce.

The Australian Government needs to think about:



- who can make complaints



- who can ask courts to decide if something is discrimination



- changing the law to make it easier to decide if something is discrimination



- who should pay the costs for the courts to decide about discrimination



- making sure the law matches what is in the *United Nations Conventions on the rights of Persons with Disabilities*



- talking to more people about whether there should be disability standards for employment.



There are also changes that should be made to the *Fair Work Act*.

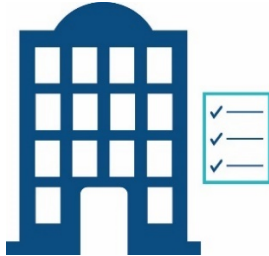


The Fair Work Commission needs to look at whether the Act is working well for people with disability.



### 3. What businesses and employers can do

There is not one perfect way to fix all the problems that employers face.



Some ways are good for big businesses to use.



Other ways are better for smaller businesses.



Our full report has many good ideas and practices that people can try in their workplace. Here is a summary of some of those ideas.

#### **What managers can do**

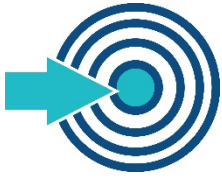
Managers and leaders need to:



- commit to giving jobs to older people and people with disability



- make sure staff know that is how things should be done



- set targets for how many older people and people with disability they will employ and ways to reach them



- collect information about what is happening in their workplace to reach the targets



- build connections amongst their staff and with other organisations so they can support each other



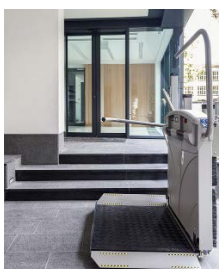
- make connections with experts and organisations that can support them



- make people with disability feel ok about sharing information about their disability



- provide accessible technology



- find ways to make their workplaces easier for people with disability to work in.

## Hiring and keeping staff

Managers and leaders need to look at:



- the ways they find new people to work for them and make sure those ways do not unfairly discriminate



- the ways they give people chances to grow in their job and make sure those ways do not unfairly discriminate.

Workplaces need to:



- make sure that older people or people with disability could work there without too many changes having to be made



- help the people who work for them but whose jobs are finishing to change to other jobs



- let carers take time away from work when they need it



- support older people or people with disability to know and understand:
  - what they can expect
  - what is expected of them
  - policies and ways of doing things
  - their options for taking time off
  - who can support them



- make sure everybody understands what discrimination is and the effect it can have



- support their staff to make positive changes by giving them the information they need.

### **What groups of employers and managers can do**

Groups and organisations that help employers and managers need to think about:



- creating networks employers and managers can use to communicate and talk about their experiences



- telling people about the good things that have happened and things that are being done well



- making connections to build a skilled workforce with:
  - agencies that find people jobs
  - schools, TAFEs and universities
  - training programs
  - organisations that try to help the community



- making connections between different industries to work out ways to keep people working



- giving people the information they need

Standards	
1	_____
2	_____
3	_____
4	_____
5	_____

- developing a set of standards for everybody to work towards achieving.

## Word list



### **Discrimination**

Discrimination means being treated unfairly because you are different.



### **Recommendations.**

Recommendations are ideas about things that could be done.



### **Submissions**

Submissions are made when somebody tells us what they think. People either spoke to us or wrote to us.



### **Workforce**

The workforce is everyone who has a job and everyone who is looking for work.

## Contact us



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