

# **Workers with Disability**

## **Background Paper**

***ACTU CONGRESS 2003***

### **Quick Fact:**

According to the ABS, there are 2,066,700 persons with a disability aged 15 to 64 living in households. The level of labour force participation of these people is 53.2% (compared to 80.1% for people with no disability).

### **Congress 1991**

1. The existing ACTU policy on workers with disability dates back to the Social Justice Policy from the 1991 Congress.
2. This policy recognised that *“specific measures may need to be taken and maintained to ensure that people with disabilities have the opportunity to work in an environment which is adapted to their needs”*.
3. The policy sought to address the needs of workers with disability who were integrated into the workforce as well as those operating in workplaces exclusively for workers with disability.
4. The policy noted that *“in some circumstances people with disabilities may choose to work in supported employment, and this right must be guaranteed.”*
5. Finally, the policy reiterated the right of workers with disability to be represented by unions and be covered by award conditions.

### **Developments Since Congress 2000**

6. The Supported Wage System has developed significantly since the Congress in 1991.
7. Similarly there has been a marked shift in attitudes about when it is appropriate for workers with disability to be in “open” employment or employed in “business services”.
8. These changes have left the ACTU’s position in relation to workers with disability out of date.

9. Since Congress 2000, the ACTU has conducted a Workers with Disability Conference. The draft policy is based on the “Union Charter” and “Vocational Education and Training” sections of the Outcomes from the Conference.

### **Issues For Policy At Congress 2003**

10. The most recent Australian Bureau of Statistics data comes from the 1998 Survey “*Disability, Ageing and Carers*”. ABS figures that 3.6 million people or 19% of Australians have a disability.

11. According to the ABS, there are 2,066,700 persons with a disability aged 15 to 64 living in households. The level of labour force participation of these people is 53.2% (compared to 80.1% for people with no disability).

12. Workers with disability include:

- people with disability employed in mainstream or “open” employment;
- people with disability employed in supported employment or “Business Services”; or
- people who acquire a disability during their working life.

13. The current situation in relation to wages for workers with disability encompasses:

- employees paid at full award wages;
- employees in mainstream or “open” employment paid a productivity based wage under the Supported Wage System;
- employees working in supported employment or “Business Services” paid a productivity based wage under the Supported Wage System; and
- employees working in supported employment or “Business Services” paid a wage based on some other form of determination.

14. The Department of Family and Community Services (FACS) Disability Services Census of 2001 shows that in 2000/2001 60,352 people with disability were assisted by Commonwealth funded employment services. Of the 33,297 employed people assisted by those services:

- 13,227 received a full award wage,
- 8,617 received a wage not based on an award,
- 3,979 received a wage set by an enterprise or certified agreement,
- 2,746 received an SWS productivity based wage,
- 3,351 received an ‘other pro-rata’ based wage, and
- 1,377 received a wage set by an individual workplace agreement.

15. According to the Disability Services Census 2001, there were 17,191 employees employed in Business Services (supported employment).

16. In 2000, students in Vocational Education and Training who reported a disability accounted for 4.5% of all students.

17. Many people with disability face systemic discrimination in education and training. It is unacceptable that individual workers are not offered the opportunity to develop their full potential through education, vocational training and ongoing career development programs.

18. The objective of a policy arising from Congress 2003 must be to outline ways in which unions can assist workers with disability achieve equity in the workplace.