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Employment Inquiry
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INQUIRY INTO EQUAL EMPLOYMENT OPPORTUNITY AND PARTICIPATION FOR PEOPLE WITH DISABILITIES

The Australian Federation of Deaf Societies (AFDS) is pleased to provide the attached comments for the consideration of the Inquiry into equal employment opportunity and participation for people with disabilities.

AFDS is the peak body representing the interests of organisations providing services to the Australian Deaf community. Consisting of the state Deaf Societies of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia, the Federation was formed in 1966 with the principle objective of improving Commonwealth and State government awareness of issues relating to the sector. As Deaf Societies provide a broad range of services to the Deaf community including employment, welfare and sign language interpreting, Deaf Societies are well placed to provide advice on issues relating to the delivery of services in the sector.

Deaf Societies also work closely with other service providers in the sector, including the ACT Deafness Resource Centre, and in particular with the Australian Association of the Deaf and the Australian Sign Language Interpreters Association.

As will be seen in the attached submission, AFDS believes that the key barriers to employment for people who are Deaf and use Auslan is the cost of providing interpreting in the workplace as well as the attitude of employers and fellow workers towards people with a disability in general. Our key recommendation is that the Commonwealth reviews the Workplace Modifications Scheme, to bring the Scheme in line with similar, more effective models in the United Kingdom and New Zealand.

We would be pleased to provide the Inquiry with any further information or to expand on our submission in a hearing in due course.

Yours sincerely

Rebecca Ladd
Secretary/Treasurer
20 April 2005

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

While current disability figures are useful in mapping overall trends, it should be kept in mind that the needs of a person who has a hearing loss and uses English to communicate (through speech and lipreading, with or without the use of hearing amplification) will be significantly different to the needs of a person who is Deaf and uses Auslan. The broad categories usually used in collecting disability figures are therefore inadequate.

Furthermore, Census data on the use of Auslan is currently not reliable. Auslan is not included on the Census form as a community language and not all Auslan users would be aware that they could include Auslan in the space provided on the form. (This is especially the case with older Auslan users who were born at a time when signed languages around the world were denigrated and considered little more than ungrammatical gesture.)

The question on language use in the census is also problematic as it refers to the languages “spoken in the home”. Auslan is not spoken and a person who uses Auslan in some settings may not do so, for a variety of reasons, with other members of their household.

AFDS therefore believes that:

- disability data collection should differentiate between people with a hearing loss who use English and people who primarily use Auslan to communicate
- Auslan should be included as a listed language in future Censuses.

b) What other relevant data are you aware of?

In January 2004 the Australian Government Department of Family and Community Services (FACS) released a report on the *Supply and Demand for Auslan Interpreting across Australia*. The report was based on a range of data sources including a national survey of Deaf Auslan users. As will be mentioned in other sections of our response to this inquiry, the study found that people who are Deaf were more likely to:

- have lower levels of educational attainment
- be over-represented in lower income ranges
- be under-represented in higher income ranges
- be unemployed or not be in the labour force
- be employed in the public sector, if they were in employment.

The above findings are therefore consistent with the overall figures provided in the discussion paper about participation in employment and the earning capacity of people with a disability.

The report may be downloaded from:

www.facs.gov.au/disability/publications/auslan_report/downloads.htm

Issues Paper 2: Issues Facing People with Disabilities

1. **What are some of the barriers faced by people with a disability who might seek employment?**
 - a) **What are the most pressing concerns of people with disabilities who might want to seek employment?**

AFDS believes that the attitude of employers and work colleagues is the most pressing concern for a person with a disability. It is not uncommon for employers and work colleagues to assume that a person with a disability will be unable or unwilling to work as effectively as other employees. Such assumptions will have an impact on interpersonal interaction as well as the level of adjustment that will be provided to an individual with a disability in the workplace. It is our experience that inaccurate assumptions about people with a disability are often the result of a lack of prior contact with a person with disability and the effect of outdated attitudes towards people with a disability in our society in general.

Case study 1: an employment caseworker accompanied a Deaf client to meet with a number of potential employers during a 'cold canvassing' activity. Although most responses were generally positive and supportive, one employer they met made it clear that he believed a person with a disability should stay at home on a pension rather than taking employment opportunities from 'other people'.

Such negative attitudes will obviously have an impact on the motivation of a person with a disability. It is also not uncommon for people with a disability to tailor their job seeking to avoid the organisations or sectors in which they feel they are less likely to receive fair treatment.

- b) **Are there any factors in addition to the ones listed above that might make people with disabilities reluctant to seek or stay in employment?**

Repeated negative experiences as outlined under Q 1.a) may lead to an individual becoming disillusioned and questioning their suitability or right to employment. Similarly, as mentioned in Issues Paper 2, participating in employment does have a number of implications which an individual must consider. In spite of these obstacles, it is our view that people who are Deaf and use Auslan generally want to find employment and to stay in employment.

- c) **What are some individual examples of how these factors have affected the decision to seek or stay in employment?**

Case study 2: as a result of illness, a professionally qualified employee working in a publicly funded organisation lost his hearing. In a meeting with HR staff to discuss reasonable adjustment, it became apparent that he was expected to retire on medical grounds as it was assumed he would not be able to continue in his previous capacity. The employee challenged the assumption and remained in his position, communicating with clients and fellow workers using a combination of speech and lipreading, email, SMS and the National Relay Service voice over services. The worker also began learning Auslan so that he could use an Auslan interpreter. Although the employee's workload increased, as he booked and briefed interpreters personally, his determination paid off. One year after his return to work, the employee received one of the highest ratings in a client feedback survey.

d) What are the particular problems that face people with specific physical, intellectual and psychiatric disabilities when seeking or staying in employment?

As mentioned under Q 1.a), the attitude of employers and work colleagues to disability will be a major issue for any person with a disability. A person who is Deaf and uses Auslan will be particularly concerned whether the employer will be able and willing to provide an Auslan interpreter for those situations where clear communication will be required - job interviews, on the job training, performance reviews and staff meetings/conferences. Although a generalisation, it is our experience that larger, public sector organisations are more willing and better equipped to meet the costs associated with Auslan interpreting than private sector employers, especially those businesses that would be classified as small to medium in size.

Case Study 3: A small business contacted a state Deaf Society to request an Auslan interpreter in order to interview a young Deaf woman for a position. On being advised of the interpreting fee, the person making the booking stated that the organisation could not afford such a cost and they would interview the person by email.

Being denied the services of an Auslan interpreter clearly compromises the ability of a Deaf job seeker to obtain employment, as shown in the case study above, as well as the ability of someone in employment to be fully involved in their workplace and to maintain or improve work related skills. Not having equal access to information relating to first aid, evacuation procedures or other OH&S related training could also have serious work safety consequences for the Deaf employee and potential legal consequences for the employer.

Even where appropriate accommodation is made, and where organisations have developed and implemented policies favourable to reasonable adjustment, employers or fellow workers may not value the importance of such adjustments. This may especially be the case where reasonable adjustment costs are not borne centrally by the organisation but are partially or fully allocated to the work unit in which a person with a disability is employed. The employee may therefore be seen to be a cost to the organisation and the local work unit and may thus be stigmatised as a result.

Case Study 4: A large publicly funded organisation agrees to provide Auslan interpreters for a deaf senior member of staff for workplace appointments. The HR section regularly sends the Deaf employee and her manager a report on the adjustments implemented and the costs allocated to the division under the organisation's internal cost allocation arrangements. The Deaf employee is concerned that the reasonable adjustments provided are seen only as a cost to the organisation and to her local work unit, overshadowing her contribution to the organisation.

Unfortunately, given the lack of government funding for sign language interpreting for job seeking, a Deaf employee may be perceived to be a cost to the organisation from the very outset of the employment contract.

Case Study 5: An administrator in a large government department called a state Deaf Society to book an Auslan interpreter to interview an external job applicant. On being told the fee, the administrator advised that she would not be able to approve the cost and would refer the matter to a manager for authorization. The manager was also concerned about the cost, but agreed once the Deaf Society booking officer reminded her of the organisation's obligation to applicants with a disability.

Although the interpreter was provided in the above instance, this unfortunately demonstrates the negative financial associations that are made with a Deaf applicant before an interview has even been conducted. Similarly, due to the shortage of Auslan interpreters, booking agencies usually require up to 2 weeks notice. Current HR practices, where as little as one day's notice may be given for a job interview, therefore makes interviewing a Deaf applicant much more difficult. This again creates frustration and may leave a lasting negative impression.

The attitude of colleagues and supervisors will also be important in assisting a person who is Deaf and uses Auslan to integrate into the workplace. A person who is Deaf does not need an Auslan interpreter to be present in the workplace throughout the working day. Basic Auslan skills can be learned if work colleagues are motivated. The use of lip reading and speech may also be possible depending on the skills of the Deaf individual concerned. Furthermore, in addition to writing notes, most work environments already have a range of technologies that can also be utilised, including email and SMS. Nevertheless employers and work colleagues must be willing to explore such options in the first place.

Case study 6: A large university employs a staff member who is Deaf. An Auslan interpreter is booked regularly for staff meetings, training courses, performance reviews and other events as they arise. A number of staff have learned basic Auslan from an in-house training course and can communicate with the Deaf employee on a day-to-day basis in Auslan or with the use of written notes. It is apparent to any visitor to the workplace that the employee is a part of a team and their contribution is valued.

The increasing use of external recruitment agencies by public and private sector organisations creates an additional barrier for job seekers. Such agencies will obviously vary in their policies and attitudes towards people with a disability and these will not necessarily reflect the views of the client for whom they act.

Case study 7: A Deaf job seeker contacts a recruitment agency about an advertised position. The job seeker is told not to bother applying for the position as the organisation does not employ people with a disability. In fact, the organisation is widely known as a workplace that does employ people with a disability and has a disability contact officer and a number of other disability friendly strategies in place to support staff.

2. What assistance is currently available to support people with disabilities to enter and remain in employment?

a) What are some of the existing initiatives designed to assist people with disabilities to enter and remain in the open workplace? For example:

- **Commonwealth government initiatives (see also Issues Paper 4)**
- **State government initiatives**
- **private sector initiatives**
- **community sector initiatives.**

For people who are Deaf, the government initiatives of most relevance are the:

- Job Network and Open Employment agencies funded by the Department of Employment and Work Relations, and in particular the specialist employment agencies which focus on the needs of Deaf job seekers.
- Commonwealth Rehabilitation Service
- Workplace Modifications Scheme
- Wage Subsidy Scheme
- New Apprenticeship Access Program

A number of community sector initiatives have also been made in relation to employment and these include:

- the provision of Auslan interpreting services at no fee or at reduced fee by state Deaf Societies (refer to Q 3.a) below)
- Deafness Awareness Training provided by state Deaf Societies and other organisations
- information booklets, DVDs and other resources aimed at raising awareness of the employment potential of Deaf job seekers produced by community organisations including state Deaf Societies and the Deaf Education Network in NSW.

b) What cross-sector initiatives exist to assist people with disabilities to enter and remain in the open workplace? For example:

- **Commonwealth-State government initiatives**
- **Commonwealth and/or State government-private sector initiatives**
- **Commonwealth and/or State government-community sector initiatives**
- **private sector-community sector initiatives.**

The National Relay Service, managed by the Department of Communications, Information Technology and the Arts and funded by the telecommunications industry is one cross-sector initiative of note. Although not specifically directed at employment, the service provides people who are deaf, hearing impaired or speech impaired with access to the telecommunications network. The service is therefore crucial to Deaf people during job seeking activities as well as employees in making telephone calls relating to their work.

3. Solutions

(a) What additional steps could governments take to support people with disabilities to enter and remain in open employment?

i) Improved funding of interpreting services

As already mentioned, the crucial issue for Auslan users is access to interpreting services. The level of funding and hence level of access varies

significantly depending on the situation requiring interpreting, and on the funding available. The current funding of services includes:

- **Full or partial fee for service.** All Deaf Societies and private interpreting agencies charge a fee where a service provider or employer accepts responsibility for the provision of an Auslan interpreter.
- **State government interpreting services.** All state governments have accepted responsibility for the provision of Auslan interpreters for Deaf people using public hospitals, clinics and community health services as well as for police and court matters. In many cases these services are then provided by state bodies, along with other community languages (as is the case with the NSW Community Relations Commission), while in other states services may be subcontracted to an Auslan interpreting agency.
- **State government funding for Auslan interpreting service providers.** The governments of the Australian Capital Territory, South Australia, Tasmania and Western Australia provided funding for Auslan interpreting services in 2004-05 to supplement the cost of interpreting appointments where a fee for service could not be charged by that agency. This includes those employment situations where an employer was unable or unwilling to meet the fee for service. In most cases agencies were still required to meet a significant portion of the cost of these services from their own resources. No such funding was provided by the governments of the Northern Territory, New South Wales, Queensland or Victoria. The reasons cited for the lack of funding include the view that employment was a Commonwealth responsibility.
- **Commonwealth funded interpreting services.** The Department of Family and Community Services recently commenced funding of the National Auslan Booking and Payment Service (NABS) which provides Auslan interpreters for private medical consultations.

As outlined above, the funding of Auslan interpreting is therefore complex and does not fit neatly within any one portfolio. A whole of government approach across all portfolios and jurisdictions is therefore required and would allow for economies of scale and simplicity for all parties requiring a service.

ii) Funding and obligations of employment services

AFDS believes that the obligations of employment agencies funded by the Department of Employment and Work Relations must be tightened. Deaf Societies and other Deaf-specific employment agencies have repeated experience of specialist disability employment agencies and Job Network services refusing to pay for Auslan interpreters for Deaf clients. In some cases, communication is severely limited with caseworkers and clients relying on written notes. This is clearly inadequate. In some cases, even job interviews are jeopardised.

Case Study 8: An employment service refused to pay for an interpreter for a job interview for a Deaf client despite the clear requirement for an Auslan interpreter. Being unaware of her rights, the Deaf client did not press the issue and instead the client's mother was used as a notetaker during the job interview.

Such potential breaches of the Disability Discrimination Act result from the fact that case based and block funding for employment agencies fails to adequately account for the interpreting costs associated with Deaf clients.

Table 1 below demonstrates the number of hours of interpreting that would be required if ten workplaces were contacted before an outcome was achieved.

Table 1: Employment agency Auslan interpreting requirements

Activity	Hrs
Pre-application discussion with employment agency	20
Job interview	20
Subtotal	40

With most booking agencies charging \$165 for a minimum two hour appointment, the above recruitment activities would cost an employment agency \$3,300. As a result, employment agencies are reluctant to provide Auslan interpreters and clients are often either referred to Deaf Societies by the agency or the client initiates the change themselves.

Whilst this may seem a suitable arrangement, it unfortunately leaves Deaf Societies burdened with costs for which they have also not been adequately funded. This situation also limits the options available to Deaf job seekers and there is little incentive for other employment agencies to become more accessible to Deaf clients.

iii) Workplace Modifications Scheme

As will be outlined in more detail under Issues Paper 3, Q 3. a) the Workplace Modifications Scheme funded by DEWR does not provide financial assistance for the costs associated with an Auslan interpreter in the workplace. Similar schemes in the United Kingdom and in New Zealand do meet such costs. It is our view that addressing this oversight will provide a strong incentive for job seekers by alleviating many of the barriers outlined above.

iv) Disability awareness

A positive attitude by employers, fellow workers and recruitment agencies is crucial if Deaf people are to be given equal access to employment opportunities. Unfortunately communication with a Deaf or hearing impaired employee is generally perceived to be difficult or problematic. The fact that a Deaf person may not be able to use a telephone, for example, would generally result in the rejection of a job application as the applicant will be perceived to be unable to meet the communication criteria unnecessarily required of many positions. In reality, Deaf people are able to use a range of strategies for communicating with fellow workers and clients and this can be greatly assisted if all parties are aware of the options available.

Case Study 9: IBM employs a number of Deaf staff in their Sydney and Melbourne offices. Auslan interpreters are booked on a casual basis for meetings, training courses and other workplace activities as required. A Deaf manager was also provided with an interpreter one day each week due to the high level of communication required of her senior position in the company. IBM is also examining technologies to facilitate communication in the workplace for Deaf employees including Video Remote Interpreting and a variety of in-house text communication options.

Although the above example relates to an organisation with access to a range of technological opportunities, most reasonable adjustments can be made without great expense. This includes the free service provided by the NRS as well as email, fax and SMS. Employers may even be able to apply for financial assistance under the Workplace Modifications Scheme in some instances. However the lack of awareness of these options is the biggest obstacle. Although most Deaf Societies provide Deafness awareness training and Auslan classes for the workplace, the general lack of any funding for such programs means that they are only able to do so on a fee for service basis. As a result, those workplaces most in need of such training are least likely to take up the opportunity.

The government of the Australian Capital Territory has recognised this issue by providing the ACT Deafness Resource Centre (ACTDRC) with \$9,000 in annual funding specifically for the purpose of providing deafness awareness training to organisations with Deaf employees. Although ACTDRC has reported positive results from employers using this program, this remains the only example of such funding in Australia.

(b) What additional measures should be taken to make it easier for people with disabilities to enter and remain in open employment?

i) Access to education and training

Deaf people are accessing education and training opportunities in increasing numbers, this participation having been greatly assisted by the various measures introduced to support students with a disability. For students who are Deaf, support includes the provision of notetakers and Auslan interpreters. However, over zealous cost saving strategies by universities and Colleges of TAFE are resulting in the reduction of such services, to the detriment of many students.

Even when an Auslan interpreter or a notetaker is provided, it is rare for a student to be provided with both services in spite of the fact that it is simply impossible to watch an interpreter and take notes simultaneously. Students are therefore forced into choosing between participation in class activities with an Auslan interpreter, or receiving a written summary of discussions from a notetaker at the end of the class. They are thus disadvantaged in comparison to their hearing peers and as a result, they are less well equipped to compete for employment.

ii) Accessibility of information in plain English and in Auslan.

Many people who are Deaf are fluent users of written English and Auslan. It is also true that some Deaf people have English literacy levels below those of the general community, due largely to inadequate practices in the teaching of English to people who are unable to speak or hear the language. This situation therefore has implications for information produced for job seekers. Ideally much of this material would be interpreted into Auslan and available on DVD or accessible from appropriate websites.

iii) Review of recruitment practices that over-emphasise unnecessary skills.

Selection criteria for many positions include the requirement for oral and written communication skills even when the position requires little communication that cannot be achieved through other means. A person who is Deaf can use a variety of strategies for day to day communication in the workplace including the

use of written notes, email, SMS, short messaging services and NRS as well as speech and lipreading in some circumstances. In many cases these strategies require little or no further financial investment. The Commonwealth Public Service and state/territory governments could lead the way by reviewing and reflecting the actual skills required of positions.

Issues Paper 3: Issues for Employers

1. Why might employers be reluctant to recruit, hire and retain people with disabilities?

(a) What are the most pressing concerns that employers have regarding recruiting, hiring and retaining people with disabilities?

For most employers the greatest concern will be the costs associated with a reasonable adjustment and unfortunately the cost of Auslan interpreting can be considerable.

Although it is obviously difficult to generalise across all workplaces, Table 2 provides an indication of the hours of interpreting that would be required for the recruitment of a Deaf employee.

Table 2: Auslan interpreting required for recruitment.

Activity	Hrs
Pre-application discussion with Contact Officer	2
Job interview	2
Offer of employment meeting	2
On the job orientation and induction (1 day x 2 interpreters)	16
Review of employment at 3 months	2
Subtotal	24

It should be noted that current OH&S guidelines for Auslan interpreters require that two Auslan interpreters are employed for full day activities such as training courses, thus doubling the associated cost. Furthermore, although a pre-employment discussion with the Contact Officer for a position may take less than 30 minutes, an interpreting booking agency or freelance interpreter would usually require a minimum two hour booking given that the interpreter's travel to and from the appointment must also be considered.

With most booking agencies charging \$165 for the minimum two-hour appointment, the above recruitment exercise would therefore cost an employer \$1,980. Even if the Deaf applicant was not the successful candidate, and required no pre-application discussion with a contact officer, an employer would still be required to meet the cost of the job interview (approximately \$165).

While financial assistance may be available in a small number of cases, in general, there is no funding to assist employers with the costs associated with Auslan interpreting.

The interpreting costs associated with the employment of a Deaf person on an ongoing basis are shown in Table 3.

Table 3: Annual Auslan interpreting required for a typical employee.

Activity	Hrs
Monthly staff meetings	24
Performance reviews (6 and 12 months)	4
OH&S training (1 day x two interpreters)	16
Other training & development (2 days x 2 interpreters)	32
Subtotal	76

It must again be stressed that the number of hours of interpreting will vary with the nature of the workplace and the position but as an indication, the above 76 hours of interpreting would represent a minimum cost to the employer of \$6,270 per annum. These costs could increase depending on the number, nature and length of the training required for the position.

Although minor in comparison, it would also be expected that an employer will make a one-off purchase of a TTY for a Deaf employee at an approximate cost of \$1000. This would allow a Deaf employee to use the free NRS and contact other workers or clients by telephone. Ironically no financial assistance is available to an employer for this one-off cost where government funded employment agencies have not been used.

Case study 10: A private sector company advertised and interviewed a Deaf applicant for a position. Before offering the position to the Deaf applicant, the employer contacted a specialist employment service to see what assistance was available for workplace modifications such as a TTY and Auslan interpreting. The employment agency is unable to provide any assistance as the recruitment process was carried out without the assistance of an employment agency.

(b) Are there any additional factors that might make an employer reluctant to recruit, hire or retain people with disabilities?

Issues relating to occupational health and safety are also commonly raised by employers who may be genuinely concerned about managing risk in the workplace. This concern is misguided however, as people with a disability do not increase the level of risk in the workplace. Furthermore, there is no adverse impact on insurance premiums, another concern commonly raised by employers.

Case study 11: A deaf employee in a private company applies for a transfer to another division within the organisation. The division is concerned about safety and how they would alert the worker about an emergency. An assessment is carried out and workplace modifications funded under the Workplace Modifications Scheme are proposed by the specialist employment service. The division head decides against the transfer, saying that modifications are not acceptable, denying the worker an opportunity for career progression within the company.

(c) What are some individual examples of how these factors have affected an employer's decision to recruit, hire and retain people with disabilities?

Please refer to case studies 3, 4, 5, 10 and 11. In addition, as already mentioned, the government of the Australian Capital Territory government has recognised the need for assistance to employers by providing the ACT Deafness Resource Centre with \$9,000 in annual funding specifically for the purpose of providing deafness awareness training to organisations employing Deaf workers. A limited number of employment related appointments are also interpreted at no cost in order to demonstrate the value of providing such access for Deaf employees in the workplace. The response to the program has

been positive and most employers continue to obtain Auslan interpreting services on a fee for service basis as a result.

Other initiatives used by employment agencies include the Wage Subsidy Scheme and the Disability New Apprenticeship Scheme, both of which provide financial assistance to an employer to defray some of the costs associated with Auslan interpreting in particular. The Deaf Society of NSW, for example, reports that both schemes have been effective when employers are already considering employing a person who is Deaf but they are hesitant because of the costs involved in providing the employee with an Auslan interpreter.

(e) Which of these barriers are real and which are the result of stigma, a lack of information and/or education?

With an Auslan interpreter potentially costing an employer \$6,000 per annum, AFDS believes that the cost of reasonable adjustment as outlined above are real barriers to employment and therefore a significant issue for any organisation. Employers readily admit this to be the case. The attitudinal issues also mentioned throughout this submission are often, we believe, based on a lack of awareness, a situation which is evident in society in general.

2. What are some of the incentives for employers to recruit, hire and retain people with disabilities?

(a) Which incentives have the most impact on an employer's decision to recruit, hire and retain people with disabilities?

AFDS believes that the cost of reasonable adjustment is the major disincentive for employers. Initiatives that will assist an employer with costs associated with reasonable adjustment will therefore have the greatest impact on employment for people with a disability. For people who are Deaf and use Auslan, financial assistance with the cost of providing an Auslan interpreter is the key requirement. There are no current incentives which adequately address this issue.

(d) What are some individual examples of how these, or any other, incentives have affected an employer's decision to recruit, hire or retain people with disabilities?

Please refer to the response under Q 1. c) above.

(e) How might incentives need to be tailored to take account of different types of disabilities, for example, whether a person's disability is physical, intellectual or psychiatric?

It is our view that any assistance or incentive must be tailored to the needs of the individual and the organisation in which the person is employed. AFDS also believes that services are currently focused on full time employment which may not be a realistic objective in all cases. Greater flexibility is therefore required to meet the needs of the individual and their circumstances.

Initiatives

- (a) **What are some of the current initiatives that encourage employers to recruit, hire and retain people with disabilities? For example:**
- Commonwealth government initiatives (see also Issues Paper 4)
 - State government initiatives
 - private sector initiatives
 - community sector initiatives.

Please refer to our response under Issues Paper 2, Q 2. a).

- (b) **What cross-sector initiatives are there to encourage employers to recruit, hire and retain people with disabilities? For example:**
- Commonwealth-State government initiatives
 - Commonwealth and/or State government-private sector initiatives
 - Commonwealth and/or State government-community sector initiatives
 - private sector-community sector initiatives.

Please refer to our response under Issues Paper 2, Q 2. b).

3. Solutions

- (a) **What additional steps could the government take to support employers to recruit, hire and retain people with disabilities in open employment?**

AFDS recommends, in addition to the continuation of services mentioned in this submission, that the Workplace Modifications Scheme be reviewed in order to improve its effectiveness. As already foreshadowed, the Workplace Modifications Scheme does not provide financial assistance to meet the needs of Auslan interpreting in the workplace. In fact, Auslan interpreting is specifically excluded in the guidelines:

“5. Purposes for which Assistance is NOT available

- 5.1 Workplace Modification Assistance is not available for:
- 5.1.1. non-disability specific modifications or equipment
 - 5.1.2. educating co-workers (e.g. interpreters to facilitate communication between a worker and other staff); or
 - 5.1.3 domestic modifications.”

(The Workplace Modifications Scheme, Department of Employment and Workplace Relations)

Although confusingly referred to as ‘educating co-workers’ in the guidelines, discussion with the Workplace Modification Unit has confirmed that assistance with Auslan interpreting is not within the scope of the Scheme in its current form.

The Workplace Modifications Scheme is also currently limited to new workers who have received support from a DEWR funded employment service. People who have not used the services of a DEWR funded employment service are ineligible. (Refer to Case Study 10.)

As an alternative, the New Zealand government's Job Support program provides financial assistance for people with disabilities to help them to gain or retain open employment by removing the financial barriers incurred because of their disability. The program is administered on behalf of the Ministry by Workbridge, a national network of employment agencies. A grant of up to \$NZ16,900 per year is available to an approved client. Once the level of anticipated support is determined, this amount is held by Workbridge which then receives and pays invoices for approved support services as they are provided. Sign language interpreting for job interviews, staff meetings and training and development activities in the workplace is one of the many approved support services allowable under the scheme. A similar scheme operates in the United Kingdom.

AFDS sees this program as having many benefits:

- The program specifically addresses the needs of people who are Deaf and use sign language by including the provision of interpreting within the scope of the program. The Workplace Modifications Scheme currently does not allow the costs associated with Auslan interpreting to be reimbursed.
- The focus is on the individual and their specific needs in the workplace. The funds are therefore flexible, tailored to provide an assessed range of services that will help a job seeker to gain and maintain employment.
- Eligibility is open to any person with a disability, including people in the open employment market. As mentioned above, small to medium sized employers are particularly unable or unwilling to fulfil their obligations under the Disability Discrimination Act and such financial incentives are therefore vital if this situation is to improve.
- Eligibility is not limited to new workers. Unlike the one-off costs associated with physical modifications or the purchase of adaptive equipment, costs associated with Auslan interpreting are ongoing and arise whenever good, clear communication is required in the workplace.
- Employers incur no additional financial or administrative costs with invoices being directed to Workbridge for payment. For smaller organisations, the reimbursement of costs already incurred (as is required under the Workplace Modifications Scheme) may again act as a disincentive.

Issues Paper 4: Commonwealth Government Assistance

1. What government support is provided to people with disabilities to assist them in seeking, obtaining and retaining open employment?

(a) What are the strengths and weaknesses of the Commonwealth government services listed above?

i) Commonwealth Rehabilitation Service.

Although primarily focusing on the rehabilitation of injured workers, CRS have expertise in deafness related issues and the network of centres throughout the community make CRS easily accessible by clients.

ii) Job Network and Disability Open Employment Services.

While many services are very effective and tailored to meet the needs of their clients, AFDS members are concerned about the number of services who do not provide Auslan interpreters to support Deaf clients. Please refer to our response under Issues Paper 2, Q 3. a) ii).

(b) What other Commonwealth government services are available to assist people with disabilities who are seeking employment or in employment?

The National Relay Service is an additional service managed by the Department of Communications, Information Technology and the Arts and funded by the telecommunications industry. This service provides people who are deaf, hearing impaired or speech impaired with access to the telecommunications network. In an employment context, it is therefore crucial in allowing a Deaf person in job seeking activities as well as employees in making telephone calls relating to their work.

(c) What additional supports and services do people with disabilities need from the Commonwealth government to seek and obtain employment in employment?

Please refer to our response under Issues Paper 2, Q 3. a).

2. What financial incentives are provided to employers by the Commonwealth government in order to encourage employment of people with disabilities?

(a) What are the strengths and weaknesses of the initiatives listed above?

As mentioned under Issues Paper 3, Q 1 a) and c), the major issue for employers is the cost of Auslan interpreting. While the WSS, NAAP and WMS may assist in some cases (i.e. where a government-funded employment service has been used), recruitment carried out independently of a government-funded employment agency attracts no such financial incentive. AFDS therefore believes that the review of the WMS, in line with similar schemes in New Zealand and the United Kingdom would be the ideal solution and would have a significant impact on the employment of all people with a disability.

- 3. What do the Commonwealth government's own reviews say about the services available to encourage equality of opportunity for open employment of people with disabilities?**
- b) Which of these recommendations are most important for improving equality of opportunity in employment for people with disabilities?**

Of the many recommendations referred to, it is our view that the key issue for people who are Deaf and use Auslan is access to interpreting for employment related activities. As mentioned under Issues Paper 3, Q 1 a), the review of the Workplace Modifications Scheme is therefore vital in assisting employers to meet their obligations under the DDA. Similar schemes now exist in the United Kingdom and in New Zealand and it is our view that a more comprehensive and inclusive WMS would alleviate many of the issues highlighted in this submission.