

27 November 2020

Ms Philippa Brown  
Acting Division Head  
JobKeeper Division  
Treasury  
Langton Crescent  
PARKES ACT 2600

Via email: [JobMakerHiringCredit@treasury.gov.au](mailto:JobMakerHiringCredit@treasury.gov.au)

Dear Ms Brown

**Re: Eligibility of people with disability to participate in the JobMaker Hiring Credit Scheme**

We welcome the opportunity to comment on the Exposure Draft of the JobMaker Hiring Credit Rules (the Rules). We present this joint submission to the consultation on the Rules as a collective of organisations that represent all people with disability, the disability advocacy sector, the Disability Employment Services (DES) provider sector, the disability services sector, the not-for-profit and for-profit employment services provider sector, and the community services sector.

For the purposes of this submission, the use of the term “people with disability” refers to all people with disability. However, we particularly would like to highlight in this submission the experiences of autistic people and people with intellectual and psychosocial disability, as well as women with disability and people from First Nations and culturally and linguistically diverse backgrounds, noting the particularly poor employment outcomes of these population groups.

Collectively, the below signatories are united in ensuring the JobMaker Hiring Credit Scheme benefits all, and speaks on behalf of:

- The 1 in 5 Australians with a disability, including the 680,300 people who currently receive the Disability Support Pension (DSP) from First Nations and culturally and linguistically diverse backgrounds, women with disability and young people with disability, who have the capacity to work
- 80 disability advocacy organisations that provide independent advocacy support to people with disability navigating employment
- 78 DES providers who support close to 80% of the 305, 515 people with disability currently employed by a DES provider<sup>1</sup>
- Over 1000 non-government disability service providers
- The not-for-profit and for-profit providers who deliver the full breadth of Australian employment services, and;
- Community service providers who support people affected by poverty and inequality all across Australia.

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<sup>1</sup> Department of Social Services, *DES Monitoring Report* (8 November 2020).

## **The JobMaker Hiring Credit must be an economic stimulus measure for all**

We note the JobMaker Hiring Credit Scheme (the Scheme) announced in the Federal Budget on 6 October 2020 represents an important opportunity to stimulate the Australian economy. We support the goals of the Scheme to help young people to find and secure ongoing work following the impacts of the COVID-19 pandemic.

We also acknowledge that young people may face additional barriers to securing work in a challenging labour market brought about by the economic downturn caused by the COVID-19 public health restrictions. We welcome the concrete steps the Government has taken to introduce a clear incentive for employers to hire young people.

However, we are concerned that the Scheme, as it is currently drafted, explicitly excludes young people with disability who are currently on the DSP, particularly the young people on the DSP who have partial capacity to work and have mutual obligations under the DSP.

We also believe that the exclusion of young people with disability from the Scheme will place further barriers for young people with disability applying, obtaining and retaining sustainable employment.

### **JobMaker is an opportunity to address the high rates of unemployment of people with disability**

People with disability experience unacceptably high rates of unemployment. According to the Australian Bureau of Statistics, people with disability are twice as likely as those without disability to be unemployed,<sup>2</sup> with Australia ranking 21 out of 29 OECD countries for labour force participation of people with disability.<sup>3</sup> For young people with disability (those aged 15-24 years), the likelihood of being unemployed is even higher, with more than 25% experiencing unemployment.<sup>4</sup>

Therefore, people with disability are at a high risk of being caught in the long tail of disadvantage following the pandemic crisis. We are deeply concerned to see the current draft Rules excludes young people who are entitled to the DSP from being eligible for the Scheme.

Improving employment outcomes for people with disability, including young people, is integral to full participation in the community. People with disability should be allowed access to the Scheme on an equal basis as others, in line with Australia's obligations under the *Convention of the Rights of Persons with Disabilities*, as well as the spirit of the Government's forthcoming National Disability Employment Strategy (the Strategy).

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<sup>2</sup> Australian Institute of Health and Welfare 2020, *People with Disability in Australia 2020: In Brief*. Cat. no. DIS 7, Canberra: AIHW.

<sup>3</sup> National Disability Insurance Agency (2018). COAG Disability Reform Council Quarterly Report, 31 December 2018 (2018 Q2 Report). Canberra: p.18.

<sup>4</sup> Australian Bureau of Statistics 2019, *Microdata: disability, ageing and carers, Australia, 2018*. ABS cat. no. 4430.0.30.002. Canberra: ABS.

If the stimulus measures included in the 2020 Federal Budget fail to include people with disability, they will further entrench existing barriers to employment, and risk unintentionally reversing hard-won gains in key quality of life outcomes for people with disability.

## **The Scheme can and should be designed to incentivise employers to take on young people with disability**

We also note Minister Ruston's Disability Employment Advisory Committee has carriage of the development of the Strategy and the Committee has identified lifting employer engagement, capability and demand to hire people with disability, and changing community attitudes and expectations for hiring people with disability, as two out of five key priority areas for the Strategy.

Additionally, the National Disability Insurance Agency's (NDIA) *2019-2022 Participant Employment Strategy* has highlighted five key focus areas, with two key focus areas on improving the confidence of employers to employ NDIS participants, and to promote market developments that improve the path to paid work and support the career development of NDIS participants.

Extending eligibility to DSP recipients in the Scheme will address these two very important priority areas in the Government's forthcoming National Disability Employment Strategy, as well as the above two NDIA focus areas of the *2019-2022 Participant Employment Strategy*, while maintaining the aims of the Scheme overall.

In drafting the Rules, there is a very clear opportunity for the Government to ensure that young people with disability are included as part of the solution, and that existing labour market barriers are addressed, rather than entrenched.

To achieve this aim, we recommend that the meaning of "eligible additional employee" at section 28(3)(c) of the Rules be expanded to include people who receive the DSP during the formal qualification period.

It is our strong collective belief that an expansion of the eligibility criteria will have an immediate, meaningful and positive impact on young people with disability, by ensuring young people with disability benefit from the JobMaker Scheme. This change will also drive meaningful engagement of, and improve the confidence of employers with young jobseekers with disability.

## **Contacts**

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For all media enquiries, contact Catherine McAlpine, CEO of Inclusion Australia, on 0419 530 524 or [catherine.mcalpine@inclusionaustralia.org.au](mailto:catherine.mcalpine@inclusionaustralia.org.au).

## Signatories



First Peoples  
Disability Network  
Australia



WOMEN  
WITH  
DISABILITIES  
AUSTRALIA  
(WWDA)



PEOPLE WITH DISABILITY  
AUSTRALIA



Inclusion Australia



AUSTRALIAN  
Autism Alliance



DANA

Disability Advocacy  
Network Australia



Children and Young People  
with Disability Australia



Australian Federation of  
Disability Organisations





Signatories to this joint submission include:

1. First Peoples Disability Network (FPDN)
2. Women with Disabilities Australia (WWDA)
3. National Ethnic Disability Network (NEDA)
4. People with Disability Australia (PWDA)
5. Inclusion Australia
6. Australian Autism Alliance
7. Disability Advocacy Network Australia (DANA)
8. Disability Employment Australia (DEA)
9. Children and Young People with Disability Australia (CYDA)
10. Australian Federation of Disability Organisations (AFDO)
11. Australian Council of Social Service (ACOSS)
12. National Disability Services (NDS)
13. Jobs Australia, and;
14. National Employment Services Association (NESA).

## **Endorsements**

The following organisations also individually endorse this joint submission:

1. ADACAS Advocacy
2. Advocacy for Inclusion (AFI)
3. Advocacy Law Alliance Inc.
4. AED Legal Centre
5. All Means All
6. Aspergers Victoria
7. Association for Children with Disability (Victoria)
8. Australian Centre for Disability Law (ACDL)
9. Australian Network on Disability (AND)
10. Autism Aspergers Advocacy Australia
11. Autism NT
12. Blind Citizens Australia
13. Blue Knot Foundation
14. Brain Injury Australia
15. Citizen Advocacy Perth West Inc.
16. CREATE Foundation
17. Deaf Australia
18. Deafblind Australia (DBA)
19. Deafness Forum of Australia
20. Developmental Disability WA

21. Disability Advocacy and Complaints Service of South Australia (DACSSA)
22. Disability Justice Australia
23. Disability Law Queensland (DLQ)
24. Disability Resources Centre
25. Down Syndrome Australia
26. Economic Justice Australia (EJA)
27. Enhanced Lifestyles
28. Forrest Personnel
29. Gippsland Disability Advocacy
30. Give a Care
31. Intellectual Disability Rights Service (IDRS)
32. Leadership Plus
33. Multicultural Disability Advocacy Association (MDAA)
34. National Mental Health Consumer and Carer Forum (NMHCCF)
35. National Organisation for Fetal Alcohol Spectrum Disorder (NOFASD)
36. NSW Council for Intellectual Disability (CID)
37. Parent to Parent Queensland
38. People with Disabilities ACT
39. People with Disability WA
40. Physical Disability Australia
41. Physical Disability Council of NSW (PDCN)
42. Polio Australia
43. Queenslanders with Disability Network (QDN)
44. Self Advocacy Resource Unit (SARU)
45. Self Advocacy Sydney Inc.
46. Sexual Assault Services Victoria (formerly CASA Forum)
47. South Australian Council of Social Service (SACOSS)
48. Speak Out Advocacy
49. Spinal Cord Injuries Australia (SCIA)
50. Sussex Street Community Law Service
51. TASC National Ltd
52. Victorian Council of Social Service (VCOSS)
53. VMIAC (Victorian Mental Illness Awareness Council)
54. WA Association for Mental Health
55. Women with Disabilities ACT
56. Women with Disabilities Victoria
57. Youth Disability Advocacy Service (YDAS)