

Position Paper on Employment

Plain English version

About Down Syndrome Australia

Down Syndrome Australia (DSA) is the national organisation for people with Down syndrome in Australia. We work together with the state and territory Down syndrome associations and with people with Down syndrome. Together we speak out for people's rights and fight for changes that are needed to make Australia a country where people with Down syndrome are valued and respected. We want people with Down syndrome to have the chance to live their best lives by being fully included in all parts of Australian society.

What is this paper about?

This paper is a Plain English summary of DSA's position on employment for people with Down syndrome.

There are two other versions of the paper you can choose to read:

- The original, longer position paper. This has more detail and also tells you how to find more information and research.
- An Easy Read version with the main information using less writing and with pictures.

You can find all versions of the position statement here:

https://www.downsyndrome.org.au/position_statements.html

DSA will use the information in the position paper to tell government that they need to make changes to the employment system. The paper explains why the current employment system needs to be changed. It has a list of things the government should do to change the employment system so that people with disability can be fully included in open employment.

Background

Human rights and the law

DSA says that people with disability have the right to work in open employment like other Australians.

The UN Convention on the Rights of Persons with Disabilities (UNCRPD), says that people with disability have the right to choose to work in open employment settings.

The UNCRPD says that governments must remove barriers that stop people with disability from working in open employment. It also says that employers must make any changes and provide the support employees need to do their job and participate fully in the workplace. The *Commonwealth Disability Discrimination Act 1992* says that workplaces must not discriminate because of disability.

Employment in Australia

In Australia, people with intellectual disability take part in the workforce in different ways. This includes:

- Open employment. This is a job in the community where people with disability and people who don't have a disability work together.
- Micro-enterprise. This is a very small business, usually run by one person.
- Social enterprises. These are businesses that work to help people and communities.
- Australian Disability Enterprises (ADEs). These are separate workplaces for people with disabilities, also sometimes known as supported employment or sheltered workshops.
- Volunteer roles. This is doing unpaid work.
- People sometimes have a mix of different jobs.

Most people with intellectual disability who have jobs work in ADEs. People are often told this is their only choice. Around 20,000 people work in ADEs. 75% of these are people with intellectual disability.

Some people say that working in an ADE is a good way to learn skills and get support to move into open employment. But less than one in a hundred people each year move from ADE to open employment. Most people working in ADEs stay there all their working lives.

Also, it costs the government a lot of money to run ADEs. It works out to an average of \$11,800 each year to support a person to work in an ADE. The government says it is spending \$1.3 billion on ADEs over five years from 2015 to 2020. DSA says the government should think about using some of this money to help people with intellectual disability to work in open employment instead.

Families often say that ADEs are important because it gives their son or daughter a place to go so that parents can keep working or have a break. They worry about what people with intellectual disability will do if there are no ADEs and they can't get a job in open employment. They also say their family member enjoys the social contact at their workplace. People with Down syndrome say they are proud of having a

job, whether it is in an ADE or in open employment. But having separate workplaces is not the way to give people social contact or to support their families. In countries where they have less sheltered employment, they have found that people with intellectual disabilities now have more social contact in their communities.

People with intellectual disability can work in open employment

With the right support, people with intellectual disability can do well in open employment. A disability employment service (DES) in NSW and Victoria called Job Support provides specialist support to people with moderate intellectual disability. They have had very good success in supporting people in open employment. Most of the people using their service get a job and most of these keep it for at least a year. This is much better than other DES services, and shows that specialist support is an important part of finding and keeping a job.

The benefits of open employment

Researchers in Australia and overseas have shown that people with intellectual disability can work in open employment and it is better for them and their families.

In the US, they have found that people with intellectual disability who work in open employment work more hours and get more pay than people in sheltered workshops. They also stay in their jobs longer. In states such as Vermont, where they have closed their sheltered workshops, more than half of people with intellectual disability now work in open employment. Others are going to education programs in universities to help them get ready for employment. Some people are doing other things like volunteer work, spending time on their hobbies, being active in community groups and spending time with family or friends.

In the UK, they have found that people with intellectual disability working in open employment said they had better health and mental health than people working in sheltered employment or in separate day programs for people with disability.

In Australia, researchers found that families where the person with Down syndrome was in open employment said the family had a better quality of life than families of people working in sheltered employment. Also, people with disability who used to work in an ADE, told researchers they preferred their job in open employment.

DSA Position

DSA says that people with disability have the right to work in open employment like other Australians.

Australian governments have a responsibility under the UNCRPD and the *Disability Discrimination Act 1992* (DDA) to ensure people get the chance to work in open employment with the help they need.

Some other countries have already moved away from separate workplaces for people with disability and found that people had better employment and other life outcomes. But in Australia, most people with intellectual disability work in segregated employment.

DSA is an advocacy organisation, working for the rights of people with Down syndrome. So, we advocate for people with Down syndrome to choose where they work, including in open employment.

This position paper isn't about telling individuals where they should work. There are many barriers to open employment and not enough support available. People may choose sheltered employment for different reasons. Sometimes it appears to be the only choice they have.

DSA says the employment system needs to change, especially for people with intellectual disabilities. The changes need to be based on human rights and inclusion in employment and life generally.

DSA says that the NDIS is a chance to try out new and different ways of supporting people to be employed. This includes helping communities to employ people in the areas where they live.

DSA does not believe that ADEs are the best choice for people with disability, but we are not saying in this paper that ADEs should close. Instead, we believe that it should be easier for people to work in open employment and get the information and support they need to do this. We believe that this will help more and more people to choose open employment. If NDIS planners helped people get jobs in mainstream employment and the community, this would help everyone move away from segregated and sheltered employment without having to suddenly close all the ADEs.

What needs to change?

DSA says that these changes need to happen:

1. **'Open employment first'**. NDIS should see support for open employment as the first choice in people's plans. NDIS should help people to build the skills they need to find and keep work in open employment. They should only give people money to support them to work in an ADE when they have looked carefully at all the other choices such as mainstream employment, further education and training, and volunteering.
2. **Better support to move from school to open employment.** Schools often place students with intellectual disability in ADEs for work experience. This means they don't get the chance to try out different opportunities or develop their skills. Students with intellectual disability must get the same chance as other students to do work experience in open employment. This should start in Year 10. NDIS School Leavers Employment Supports (SLES) is important to help students find work, but it should not be used to move them into ADEs.

3. **Make it easier to use DES providers.** DES providers help people with disability to find work in open employment. But only 4% of people who use DES supports have an intellectual disability. One of the main reasons for this is that people with disability have to do an assessment to see if they can work at least eight hours a week. If the assessment says the person can't do eight hours, then they can't get DES support for open employment. We know that people with intellectual disability do much better at work when they get training and support in the workplace, but the job assessments are done before people get the chance to show this. DSA says that if a person wants to work in open employment, and wants to learn the skills they need, they should be able to get DES support.
4. **Better support from DES.** DES providers should get more money from government to help people who need support over a longer time to do their job. There needs to be more DES providers that specialise in supporting people with intellectual disability. DES providers should also get money from government to support people with intellectual disability who go to them and want to use their service.
5. **Better further education for people with intellectual disability.** There are a few places in Australia that have education programs for people with intellectual disability when they have left school. But there aren't many. In most places, people can't do the TAFE courses that would help them get the job they want. Sometimes this is because they are designed for people with better reading and writing skills, or the exams are only in writing. Sometimes TAFEs and other training organisations don't offer the courses people with intellectual disability need.