

23 June 2023

Mr Mike Rowe
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Chamber of Commerce
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Dear Mr Rowe

Reforming WA's disability legislation

The Chamber of Commerce and Industry of Western Australia (CCIWA) is the peak body advancing trade and commerce in Western Australia. We are fundamentally committed to using our insights to develop and advocate for public policies that will help realise our vision to make WA the best place to live and do business.

We also have a strong focus on diversity and inclusion and recognise the importance of having a diverse and inclusive workforce to drive WA's economy. We are especially aware of the tremendous value that people with disability bring to the workplace, and therefore thank you for the opportunity to provide comment on the development of the new disability legislation in WA.

We support the government's commitment to ensure WA's disability legislation comprises contemporary, achievable policy objectives that meet the needs and expectations of people with disability, their families, service providers and the broader community.

Notwithstanding the importance of the other important areas identified within the consultation paper, our submission focuses on the promotion of inclusion and social participation of people with disability as it pertains to employment. We consider that increasing the workforce participation and employment of under-represented cohorts, such as people living with disability, is more important than ever. This delivers, after all, a benefit to not just people with disability and their families, but the broader community and economy as well.

Background and Context

The consultation paper is seeking feedback on what should be included in WA's disability legislation to promote inclusion and social participation of people with disability, including improving employment outcomes. It also seeks to determine whether one of the objectives related to inclusion, namely that, "programmes and services are to focus on achieving positive outcomes for people with disability, such as increased independence, employment opportunities and inclusion and participation

within the community” is sufficient and appropriate, and also, what role should the WA Government and Communities play in the disability sector.

There are considerable barriers that exist for people with disability in gaining employment, and there is a clear and pressing need to better understand these challenges – both from the perspective of the employer and employee – and the opportunities for addressing them. CCIWA is currently dedicating some of its policy resources to this issue, and will be in a better position to provide government with further policy insight in due course.

There is a clear role for government leadership in this space. As a principle however, it is important to avoid overly prescriptive and mandated measures within legislation to address the barriers that exist and to drive meaningful change.

Barriers exist for people with disability in accessing employment opportunities

As noted within the State Disability Strategy, there are employment barriers that exist for people with disability. The unemployment rate for people with disability in WA is more than double the rate of people without disability, and the labour force participation rate of people with disability is significantly lower than people without.

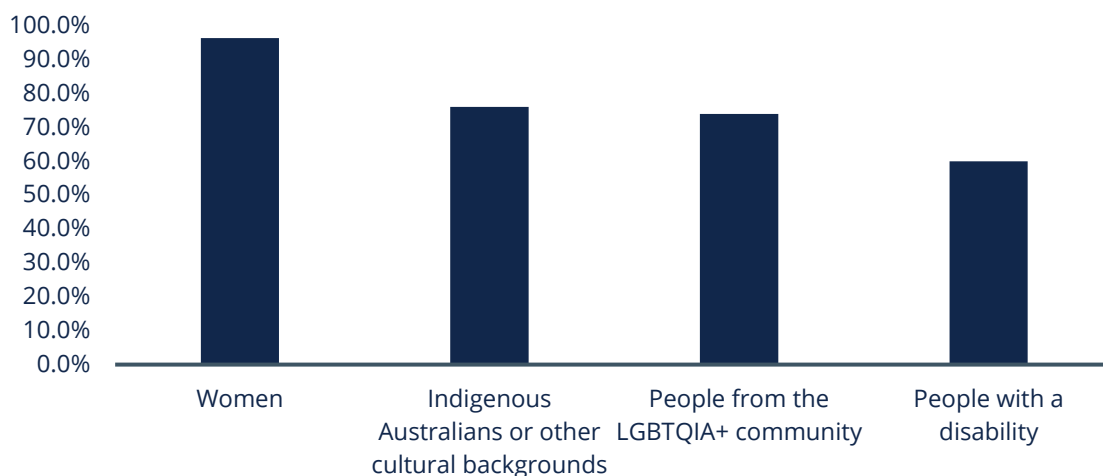
This trend exists nationally as well, where the unemployment rate for people with disability across Australia is also double the rate as compared to that of working age of people without disability (9.1% compared to 4.5%), and if you are a person with an intellectual disability, the unemployment rate is even higher, at 20%. Further to this, just 53.4% of people with disability are in the labour force, compared with 84.1% of those without disability. This gap of over 30 percentage points has remained largely unchanged since 2003.

This translates into considerable missed social and economic opportunity – with more than 114,000 people with disability currently unemployed and approximately one million Australians with disability of working age currently not in the workforce - along with their families and carers - that could potentially be engaged in meaningful employment.

To better understand the barriers that exist, in December 2022, CCIWA surveyed WA businesses to establish baseline data about their approach to diversity and inclusion. The survey focused on four underrepresented groups in the workforce: women, people with a disability, people from the LGBTQIA+ community, and Indigenous Australians or people from other cultural backgrounds. We received 378 responses, across various sectors and business sizes.

Our survey findings reaffirmed the trends identified within the ABS employment data with only 60% of survey respondents stating that they currently employ someone with a disability. This was the lowest proportion among the four underrepresented groups: 96.4% currently employ women, 76.1% currently employ Indigenous Australians or people from other cultural backgrounds and 74% currently employ people from the LGBTQIA+ community.

Proportion of respondents that currently employ someone from the following communities



Furthermore, a majority of respondents indicated that they had made limited-to-no progress when it came to attracting and retaining people with a disability. Our survey results mirror the trends identified by the ABS employment data, which reaffirms that considerable challenges exist – and underscores the importance of both business and government working in alignment to address these barriers to improve workforce participation of people with a disability.

Strategies to create a more inclusive workforce

There are multitude benefits from hiring people with a disability. Various research studies have identified that employees with disability generally take fewer days off, have a lower turnover rate and are equally as productive as their peers without disability.^{1, 2, 3} Furthermore, by doing so, organisations can tap into a wider pool of talent, better connect with their consumer base and foster a more diverse and inclusive workplace.

We contend there are opportunities to embed meaningful change within the business and broader community by addressing gaps in people’s understanding of the benefits that diversity and inclusion brings, as well as the barriers to communication that hamper employees and employers from connecting with one another.

To this end, instead of overly prescriptive and mandated measures being introduced into this new disability legislation, we encourage the Government to elevate its focus on inclusion, particularly employment, and support initiatives like the following to create meaningful change within the community:

¹ Department of Employment and Workplace Relations (2007) *Are people with disability at risk at work? A review of the evidence.*

² Graffam J, Shinkfield A, Smith K & Polzin, U (2002) *Are Workers with Disability Less Productive? An Empirical Challenge to a Suspect Axiom.*

³ Centre for Inclusive Design (2019) *The Benefits of Designing for Everyone.*

- Awareness-raising campaigns which showcase the diverse skills and achievements of people living and working with a disability and which use actual business case studies to promote the value diversity and inclusion delivers for workplaces.
- Enabling and celebrating leadership skills within underrepresented cohorts.
- Educational programs about the legal context as it relates to recruitment, promotion and evaluation, including the creation of “how-to” guides to align policies and processes.
- Affordable access for SMEs to consultants who specialise in advising on diversity and inclusion policies and strategies.
- Partnerships with specialist employment service providers (e.g. Disability Employment Services); and
- The Disability Enterprises employment initiative.

Not only does increasing the participation of people with disability increase the pool of workers that organisations, including the government, have access to, it frees up time for carers, who are then also able to participate more in the workforce, creating a double dividend.

Should you wish to discuss the content of this submission further, please do not hesitate to contact Aaron Morey via email at aaron.morey@cciwa.com.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CR', with a horizontal line extending from the end of the signature.

Chris Rodwell
Chief Executive Officer