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Response to Issues Paper: Employment

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# 1. Introduction

## 1.1 About Blind Citizens Australia

Blind Citizens Australia (BCA) is the national representative organisation of people who are blind or vision impaired. Our mission is to inform, connect, and empower Australians who are blind or vision impaired and the broader community.

We provide peer support and individual advocacy to people who are blind, or vision impaired across Australia. Through our campaign work, we address systemic barriers limiting the full and equal participation of people who are blind or vision impaired. Through our policy work, we provide advice to community and government on issues of importance to people who are blind or vision impaired.

As a consumer-based organisation, our work is directly informed by lived experience of blindness and vision impairment. Our members, our Directors and a majority of our staff are blind or vision impaired.

## 1.2 About Australians who are Blind or Vision Impaired

There are currently more than 453,000 people who are blind or vision impaired in Australia[[1]](#endnote-1) with estimates that this will rise to 564,000 by 2030.[[2]](#endnote-2) According to Vision Initiative, around 80% of vision loss in Australia is caused by conditions that become more common as people age.[[3]](#endnote-3)

Australians who are blind or vision impaired can live rich and active lives and make meaningful contributions to their communities: working, volunteering, raising families and engaging in sports and other recreational activities. The extent to which people are able to actively and independently participate in community life does, however, rely on facilities, services and systems that are available to the public being designed in a way that makes them inclusive of the needs of all citizens – including those who are blind or vision impaired.

# 2. Response to Issues Paper: Employment

Blind Citizens Australia (BCA) is making a submission responding to the Issues Paper: Employment.

According to the Australian Bureau of Statistics (ABS), over 4.4 million Australians have some form of disability. This roughly equates to 1 in every 5 Australians having a disability. [[4]](#endnote-4)

In considering how many of these Australians with disability are participating in employment, the figures are startling. Data from 2019 indicates that 48% of working-age (aged 15–64) people with disability are employed, compared with 79% without disability.[[5]](#endnote-5) In other words, 52% of Australians with disability of working-age are unemployed.

In terms of data for people who are blind or vision impaired, the World Blind Union (WBU) conducted an employment survey which had nearly 3,000 respondents. Approximately 30% of respondents resided in Oceania, including Australia. Statistics indicated similar trends to Australian data from 2019. The employment percentages for respondents to the WBU survey were 62.39% currently employed, 14.32% not currently employed but employed within two years, and 31.67% unemployed long-term (not currently employed nor employed within two years). The respondents indicated that with their current level of vision or blindness they had the following amount of work experience; 42.79% had more than ten years, 22.39% six to ten years, 19.64% less than two years, and 15.27% two to five years.[[6]](#endnote-6)

Why are the unemployment figures this high? The barriers consistently faced by people with disability in receiving prerequisite education, finding, and maintaining employment have previously been documented. The Willing to Work report produced in 2016 identified that the major barriers are negative assumptions and attitudes held by employers and the wider community. This includes misconceptions about the productivity and capability of people with disability, and that they present a higher risk for workplace health and safety.[[7]](#endnote-7)

This submission will highlight the barriers to employment faced by people who are blind or vision impaired, which reflect these negative assumptions and attitudes identified in the Willing to Work report. Specifically, it will address the questions raised in the Disability Royal Commission (DRC) Issues Paper on Employment and will provide evidence through procured case studies to answer the questions pertaining to people who are blind or vision impaired seeking or participating in employment.

# 3. Submission context

This submission is based on existing legislation and frameworks, noting gaps in the fulfilment of requirements laid out in existing documentation.

The pertinent acts and legislation are:

* The Disability Discrimination Act 1992 (Cth) (Austl.)
* The Disability Services Act 1986 (Cth) (Austl.)
* United Nations Convention on the Rights of Persons with Disabilities (CRPD) 2006, especially Article 27, Work, and employment
* National Disability Strategy 2010-2020 (this strategy coordinates the implementation of the UNCRPD)
* National Disability Agreement – Council of Australian Governments

# 4. Issues

## 4.1 Experience of violence, neglect and / or exploitation in employment settings

*Question 1: How do people with disability experience violence, abuse, neglect and/or exploitation in employment settings?*

BCA has received numerous case studies from members which demonstrate that people who are blind or vision impaired have been neglected in workplace settings, either by failing to gain employment in the first instance, or finding the workplace environment inaccessible when in employment. The terms bullying and discriminatory were consistently used to describe employment experiences. Negative workplace attitudes and assumptions lead to poor outcomes.

Indirect discrimination occurred for members in being publicly identified as having a disability, being asked impertinent questions about their disability, including NDIS access, and being precluded from access to workplace training and upskilling.

Members described being singled out within their teams due to their disability. This experience was depicted as being demeaning and embarrassing. A member reported that they were told *“one of our applicants for the new role has a vision impairment and it's already hard enough having you and another blind staff member on the team.”*

It was frequently stated that people who are blind or vision impaired are being employed in positions below their capacity or capability. BCA received reports that despite a person having post-graduate qualifications, they were consistently employed in unskilled work. It was also reported that employers continually failed to support worker’s advancement through training or development of skills, limiting prospects for promotion within the workplace. *“I did not have many opportunities to be trained in any other skills to perform other duties. Training was not available to me to progress my skills, learn new competencies or further my career.”*

Overt experiences of discrimination were described, with members reporting failure to comply with *the Disability Discrimination Act 1992* (DDA). Information received indicates that employers are unaware of or do not comply with the requirements for dog guide access in the workplace.

*“I have experienced discrimination in various forms. Personal and disability discrimination but also discrimination regarding my guide dog and being able to access facilities.*

*In a specific incident, to further develop my employability and skills, I was a volunteer at an aged care facility. During this time, I experienced discrimination because I’m blind and a perceived risk. In addition, the workplace said my guide dog was unable to access the facility.”*

Section 9 of the DDA specifically stipulates that dog guides, with the appropriate accreditation, are permitted access to all public areas.[[8]](#endnote-8)

## 4.2 Barriers to finding and keeping a job

*Question 2: What barriers exist for people with disability in finding and keeping a job? What helps people with disability find and keep a job in an environment free of violence, abuse, neglect, and exploitation? What opportunities are there for career progression for people with disability in Australian workplaces?*

### Finding a job

BCA received numerous reports of people’s inability to find and maintain employment. This appears to be particularly related to a lack of willingness on the part of employers, to hire a person who is blind or vision impaired.

Many individuals report not getting beyond the interview stage of the recruitment process. In most instances people report that they are not provided with adequate feedback as to why they have been unsuccessful.

“*As a worker or a job candidate, If I am not provided with feedback, I don’t know what to think. Is it direct or indirect discrimination? It’s often unclear if discrimination has occurred.”*

A blind or vision impaired person may not wish to disclose the fact that they have a disability prior to being selected for an interview. When they attend with a dog guide or another mobility aid, it becomes apparent that the candidate has a disability. This causes significant confusion as to whether the reason the person has not progressed is due to their disability.

*“After completing university, it took me 5 years before I could gain employment. I was able to get the interviews but unable to secure employment as a Social Worker. None of my sighted peers struggled for 5 years to gain employment.”*

The methods used for the recruitment process may be inaccessible, effectively prohibiting people who are blind, or vision impaired from equitable participation.

*“I completed several steps and then got to a psychometric test that was visual. I wrote to the person or company behind the application process and they told me I would be passed on to the next round due to the accessibility trouble. Then I received an email saying I had been unsuccessful. There was no warning or other step after this accessibility obstacle, but I was just out.”*

Online systems that are used in recruitment need to be compatible with screen-readers and voice navigation, to ensure equity of access. Selection methods must likewise be accessible and equitable. This includes ensuring disability awareness training for people involved in the selection process.

Research conducted jointly by the Royal National Institute of Blind People (RNIB, UK), the Blind Foundation of New Zealand and Vision Australia in 2018 found that Australia had the lowest rates of employment for people who are blind or vision impaired, out of the participants surveyed, with only 24% of Australian respondents in full-time employment. This compares with Canada at 28%, and the UK at 32% of blind or vision impaired people in full-time employment.

The National Disability Agreement (NDA), outlines several performance indicators, including the number of people with a disability participating in the labour force. While these figures are published regularly, the current data indicates that the targets are not being met.

The latest Productivity Commission review (2019) indicates that between 2009-2015 there was a 0.9% decrease in workforce participation by people with a disability. The NDA outlined an expected 5% increase by 2018. [[9]](#endnote-9)

### Keeping a job

People who are blind or vision impaired who are employed, often have issues in keeping their job, due to lack of flexible and accessible work and/or IT systems. This is despite Australia having adopted the Accessible Information and Communications Technology (ICT) Procurement Standards in 2016. This standard is meant to ensure that all Australian ICT systems will meet accessibility standards. It also provides a benchmark for private enterprise to ensure that the systems they are procuring comply with a standard of accessibility, that ensures that people with a disability can utilise them. [[10]](#endnote-10)

*“They said that I should have told them that I had a disability when I applied for the job. When I said that I was not obliged to do so, under the law, nor did I think it was necessary to inform them, as it was a work from home position, they stated that the access issues were my own fault for not telling them I had a disability. They subsequently terminated my employment, stating that I was unable to fulfil the inherent requirements of the position.”*

This case was presented before an anti-discrimination commission, where there was ultimately no penalty placed upon the employer for their failure to make appropriate workplace accommodations and the wrongful termination of employment.

“*I was told that the cost/benefit of pursuing the case in the federal court, would not be worthwhile. The conciliator consistently tried to dissuade me from pushing for a better outcome, focusing on how much it would cost me to continue with the action. I was also told that the tribunal would not give a very big settlement, because they never did*”

In a similar case, a member reported that *“when I worked at [workplace name redacted], my team leader told me that my accessibility needs weren’t part of her job description. She saw making my workplace accessible, a necessity for me to do my job, as an inconvenience and felt that someone else should be in the position. She suggested that I was responsible for overcoming the challenges presented within the workplace, and the solutions should have come with me to the role.”*

The onus should not be placed upon the employee to make their own accommodations. This is up to the employer.

Another person reported that they were placed under significant pressure by their employers to resign from their job, after they had vision testing conducted at the discretion of the employer. The testing identified that the person was legally blind.

*“I refused to resign. I was then told I would be placed on sick leave pending an investigation, into what I still don’t know. I completed the sick leave form with the section for Illness stating, ‘Asked to leave the premises by shift manager, as I have been declared legally blind’. The Shift Manager initially refused to sign or give me a copy of the form but relented. I commenced sick and annual leave for the next 8 months as this is what I had accumulated over my employment.*

*I provided information on alternative roles I could perform, with little if any reasonable adjustment. They refused on the grounds they were cutting back staff in these alternative roles and could not give me one, when others were being asked to leave.”*

After this experience, the individual asked for an independent review of their eye testing, with a private specialist. This review verified that they were legally blind. Assistance from their union was also sought, but the union did not engage. Ultimately, they retained a lawyer to assist with the situation.

*“My employer brought senior HR managers from Sydney, who again directed me to resign, and I again refused. I ensured I had a support person with me at every meeting I was summoned to. My employer heard from the lawyer I had engaged and rapidly offered me a Total Permanent Disabled Benefit, from the superannuation scheme. I accepted.”*

Finally, one person concluded aptly, *“I feel that there are so many times when its easiest for an employer to end a contract, or for things to get so bad that the blind person will resign from a job.”*

## 4.3 Intersectional experiences in employment

*Question 3: What are the experiences of First Nations people with disability participating in employment? How does this vary across different life stages?*

*Question 4: What are the experiences of women with disability, culturally and linguistically diverse people (including migrants) with disability, and LGBTIQ people with disability in looking for, finding, and keeping a job?*

The intersectional experience of people who are blind or vision impaired, who may also belong to, any, or all of other groups of First Nations people, culturally and linguistically diverse (CALD), identifying as LGBTIQ or women, is important to reflect upon in terms of employment participation.

BCA receives some intersectional responses when seeking understanding of people’s experience of pursuing and gaining employment. Equity measures to ensure quotas of employment, do not necessarily equate to people who are part of multiple minority groups.

*“Last year in 2019, an organisation advertised for 200 NDIS Local Area coordinator (LAC) positions. The job advertisement stated that ‘If you are a woman, person with disability, or from an Aboriginal or Torres Strait Islander background, or, from a culturally and linguistically diverse (CALD) background, you are strongly encouraged to apply for these positions.’ I am a woman with a disability from a CALD background, with many years of work experience, working with refugees, migrants, and people with disability, in various positions. I believe five or six other people who were blind had also applied for the positions, but none of us were employed.”*

The same person was not granted an interview after informing the employer that they were blind.

*“When I told the person who was arranging my interview time on the phone that I was blind, she cancelled my interview, without even meeting me.”*

Another woman stated that, in her experience, employers seem to believe that they have a right to have a person’s disability disclosed, even if it will not impact the inherent requirements of the position. A woman employed to assess Disability Employment Service (DES) providers reported that once her disability was disclosed, she was no longer given contracts.

*“I was employed as a contractor to conduct audits of Disability Employment Services (DES) organisations. As the company funded to provide the staff to conduct these assessments was in Sydney and I was in another town, I had my interview over the phone. My vision was never mentioned, as I did not see that it should impact my ability to perform the requirements of the position. After conducting several assessments without any problems, I attended an appointment at a DES provider. The manager became quite obstructive when she saw that I had a dog guide. She contacted my employer to complain that a blind woman had been sent to conduct the review. My employer rang me and berated me for a period of 15 minutes, saying that I had no right to apply for the position without declaring that I was blind. From that time, the number of assessments I was allocated, dropped to nothing, so I was compelled to resign the position, as I needed to earn an income to support my family.”*

Finally, one of our members reflected that, *“when talking about employment for Aboriginal and Torres Strait Islander people, you need to look at the intersecting issues. Things like health, education, access to services all play a role. It is really hard for an Aboriginal person to get a full-time job. Take me for example; I have been working in the same job for 26 years. I’m still a casual.”*

## 4.4 Prevention and response to discrimination, violence, abuse, neglect, and exploitation of people with disabilities in the workplace

*Question 5: What could be done to prevent, or respond to, discrimination, violence, abuse, neglect, and exploitation against people with disability in the workplace? This could include better systems for support or making a complaint.*

### Strengthening the Disability Discrimination Act (1992)

At present, the Disability Discrimination Act (1992) (DDA), does not appear to be robust enough to provide adequate protections for people who are blind or vision impaired, in the workplace. Litigation claims about disability discrimination in the workplace are financially and emotionally costly, and many people will not have the resources to fight such a claim.

According to the Australian Institute of Health and Welfare, “Reasonable adjustment is implicit in the requirement to avoid indirect discrimination under section 6 of the DDA.

If a person with disability needs some form of workplace adjustment to be able to work, or to be able to participate equally in some aspect of working life, and that adjustment could reasonably have been provided, but was not, then a finding of indirect discrimination could follow.”[[11]](#endnote-11)

Clearly, many of the experiences described in this paper are a breach of this requirement. In the case where an employee was fired due to not being able to meet the inherent requirements of their job, due to inaccessible IT systems, the case was taken before an anti-discrimination commission.

*“This case went before an anti-discrimination commission, but the corporation concerned had virtually no penalty applied. If employers can pretend to comply with the law, instead of actually being penalised for breaching the act, discrimination will grow and thrive in the Australian community.”*

Our member reflected on what the experience meant, considering the DDA. *“This experience has brought home to me the need to tighten the Disability Discrimination Act, in order to prevent organisations simply being able to tick boxes, to demonstrate that they have done everything possible to make the working environment accessible, when in fact, they have done nothing at all.”*

In considering whether the DDA has made a significant impact upon eradicating discrimination in employment for people who are blind or vision impaired, Chris Sidoti, the former Human Rights Discrimination Commissioner directly corroborates the experiences of those who contributed their experiences to BCA.

*“But in my view there are few instances apparent of settlement of or decision in employment complaint cases under the DDA which have actually had broad and significant impact in achieving the elimination of discrimination (the major object of the DDA) rather than simply providing an individual remedy (which while important does not appear among the objects of the DDA in its own right).”*[[12]](#endnote-12)

Strengthening the DDA is required to make this shift, to enable the act to have a legislative consequence, that would cause employers to take seriously their responsibilities, in removing systemic barriers to employment for people who are blind or vision impaired and thus, removing disability discrimination, through measurable changes.

## 4.5 Employment programs and policies

*Question 6: Are the current employment programs and supports for people with disability effective? If not, why not? What changes should be made to these programs?*

Three employment services or schemes will be discussed in this section, Disability Employment Services (DES), Sheltered Workshops and Job Access.

### Sheltered Workshops and Australian Disability Enterprises (ADEs)

Some BCA members reported having directly experienced being employed in Sheltered Workshops. Historically, Sheltered Workshops provided employment for people with disabilities. Many of these workshops were redesigned to operate in the form of business services, after the development of the Disability Services Act in 1986. The Disability Services Act (1986) governs the operation of Disability Services within Australia. It encourages the employment of people with disability in mainstream employment and business services, now renamed as Australian Disability Enterprises (ADEs).[[13]](#endnote-13)

One individual reported that they were employed in a Sheltered Workshop after leaving secondary education in 1987, stating *“I was appalled that I was employed at a sheltered workshop, because I had attended a mainstream secondary school. there have been other legally blind adults with a vision impairment in Victoria who attended a mainstream primary school and a mainstream secondary school, just as I did and these legally blind adults with a vision impairment certainly did not end up in a sheltered workshop employment.”*

Sheltered workshop models still exist in some places. The major point to note here is the overarching experience of employment below one’s capability, which has been a consistent theme in feedback received. No matter how an individual is employed, it is important that opportunities are evenly matched with experience and expertise.

## Disability Employment Services

Disability Employment Services (DES) are services which assist people with disability in preparing for, finding, and keeping a job. Two services exist within DES, a Disability Management Service and Employment Support Service. The Disability Management Service assists people to find a job and provides occasional assistance in the workplace, to assist an individual to keep a job. The Employment Support Service is for people with permanent disability, who require ongoing assistance in the workplace, to keep a job.

Extensive feedback has been received regarding people’s experiences with DES. A major concern was high turnover of staff, and frequent changes of employment consultants. *“[I was] allocated a consultant to assist in finding employment. I was moved through several consultants due to the high staff turnover and restructures.”* This posed issues, which another member pointed out, *“high turnover… means people can’t connect and get what they need, and you have to start telling your story again and again.”* This was corroborated elsewhere, *“It seems there are always changes and reforms and renaming and recontracting and changes to the way services are delivered. It’s so confusing and the staff turnover is huge, and the ongoing challenges are for those of us that really want to work.”*

An additional issue was being offered opportunities below a person’s capability, or one which was incompatible with their career goals. *“Too much focus [was placed] on them finding me ‘something’ and not enough on what I was skilled at and wanted to do… [The] consultants would tell me that they had a particular type of work and workplace instead of me having choice and control of my career plans.”* Another remark was that *“support needs to be more hands on, tailored to the individual.”*

The difficulty with inadequate support is that it can lead to people becoming incredibly disenfranchised, causing them to opt out of receiving support to get a job, instead deciding to do it on their own. *“I went through several job agencies, which claimed to assist long term unemployed and disabled people find work. I used three different services, before giving up and deciding to do it myself.”*

Further, a significant issue for people who are blind or vision impaired is that only one DES organisation exists in Australia that is blindness or vision impaired specific. The organisation is a DES as well as providing support services to people who are blind or vision impaired. *“Because most blind people are moved towards [this blindness service provider as] a DES if they are blind or vision impaired… I feel I wasn’t given choice and didn’t have a great experience and would have preferred another service.”* This issue is entrenched due to other DES not having a thorough understanding of blindness, with a member remarking that *“the DES programs don’t seem to really have the understanding on disability or blindness.”*

Seeking employment when unemployed over the age of 65 is a particularly problematic situation in relation to accessing DES. People over 65 are not eligible to access DES. Someone who is over 65 however who was accessing DES prior to 65 articulated the predicament for people who are unemployed and over 65. *“As I am now over the age of 65, I am no longer eligible to join a DES. I am also not eligible for employment support through the National Disability Insurance Scheme due to my age…. One of my main concerns is that if for some reason Job Access ceased to exist or if I was inadvertently removed from my DES provider then I would have zero employment support available to me.”*

A final factor raised was about the Job in Jeopardy program within DES, which provides immediate support for people who have disability, illness or injury and are at risk of losing their job. It is felt that there could be assistance to provide changes at work, rather than support at the point that a job is at risk. *“There is only capacity for Job in Jeopardy. There’s no opportunity that fosters changes at work.”* If changes were able to be made prior to a job position being at jeopardy, perhaps it would eliminate the need to be placed within this program.

### Job Access

Job Access is a scheme through the Department of Social Services (DSS) that provides the financial assistance to make accessibility adjustments in the workplace to enable people with disabilities to participate equitably in workplace activities. The adjustments might include physical accessibility changes or assistive technology.

Reports to BCA appear to indicate that Job Access is primarily used to obtain assistive technology, to meet workplace requirements. There have been mixed reports on the quality of service received from Job Access.

The success of Job Access appears to be highly dependent upon the relationship between the DES provider and Job Access. One person remarked that. *“The Job Access scheme, while it is very good, is not very well known. Some blind and vision impaired people don’t know the assistance is available. Employers don’t understand it or even know about it. I recommend better marketing of Job Access.*” Corroborating this evidence, another member explained their experience. *“Unfortunately, there are times when the DES wouldn’t provide the information needed so that Job Access could provide the necessary information to get the support. Since this time, my consultant at the DES has changed and I now have a consultant who has created a relationship with Job Access, and she has made big inroads.”*

There appears to be confusion with respect to the role of Job Access. If the problem is a technological one, employers seem to think that the issue will always be able to be solved by the right adaptive technology. They do not seem to understand that, sometimes the issue is with their own IT systems and not the adaptive technology. There is also a problem with Job Access not recognising the need to upgrade or replace adaptive technology, due to constantly changing technology. This has been a continuing point of frustration for BCA members.

*“I have many instances where I link up with Job Access, where it has taken 3 months to get the assistive tech that I needed in the role. When organisations change or upgrade [their systems], the tech isn’t accessible.”*

The issue of procuring assistive technology is substantial. If someone has utilised Job Access previously to obtain assistive technology, if an update is needed to be compatible with IT systems, people have run into issues procuring the updated technology.

*“I needed a braille display so I could work in our database, I had acquired one in a previous role through Job Access. As a result, they would not fund a new braille display. But because it was 5 years old it wasn’t compatible with Windows 10, didn’t update, wouldn’t connect to the computer.*

*I went to Human Ware to see if they could provide a solution. They couldn’t and so I wrote to the CEO and they contacted me with in the day and I had the product manager in Canada call me. The Australian Human Ware provided me with a new system. But Job Access still wouldn’t provide any support or product update.*

*I had a product expert from overseas that called me and provided some training and support with me over the phone. There was no training and support from Australia. When they did send someone out, I had someone who didn’t know braille display. They told me that if I paid privately for the product (and didn’t use Job Access) I would get the product and training earlier. This is not supporting a person to be empowered in employment.”*

Job Access is an ideal scheme to assist people with procuring assistive technology and making adaptations to workplaces for accessibility. However, there needs to be an effort from workplaces to ensure that compatibility with their IT systems is considered in arranging the assistive technology. It is also necessary to ensure that any upgrades are considered critical and urgent to enable an individual to appropriately undertake their work.

## 4.6 Employers’ experience of workers with disability

*Question 7: What are employers’ experiences of hiring and retaining workers with disability? What benefits and challenges have employers encountered? What supports have helped, or would help?*

In 2016, Vision Australia conducted research into the experiences of employers who have employees who are blind or vision impaired, to understand employer attitudes towards employing them.

Employers were recruited through staff contacts and the networks of the Australian Network on Disability. It must be therefore noted that employers generally already were predisposed to hold positive attitudes to employing people with disabilities.

41 respondents representing 21 businesses completed the survey. Out of these, 56% were large organisations employing over 500 people. 90% of all respondents indicated that someone with disability worked at their workplace.

Nevertheless, employers surveyed identified the barriers that would preclude employment of people who are blind or vision impaired.

“When asked which of the below reasons would they see as the biggest barrier to employing someone who is blind or who has low vision, respondents said:

* 20.60%: Adjustments and technology needed to employ a person with severe vision loss may be too expensive.
* 14.7%: The person may require adjustments to our building or computer systems which are disruptive.
* 11.8%: The person may be less efficient than other staff members.
* 14.7 %: The job requires vision.”[[14]](#endnote-14)

The results of this research reflect the experiences of people who are blind or vision impaired when they reflect on their employment experiences. A major theme identified in case studies was an issue with incompatibility between IT systems and assistive technology needed for people who are blind or vision impaired to effectively undertake their job.

Corroborating evidence of employers’ attitudes comes from a literature review of 34 studies from 1987 through to 2012. It found that employers hold “relatively positive attitudes” about people with disabilities. Negative attitudes, however, manifested in not hiring and not retaining employees with disabilities.

In terms of positive employer attitudes, 13 studies found that employers had positive attitudes towards people with disabilities. This includes highly rating employees with disabilities, comparative to employees without disabilities, for desirable traits for their workplace, e.g., dependability, stability, and potential for success. Further, employers who had already employed people with disabilities, held positive attitudes about employing others with disabilities.

These positive attitudes did not translate into hiring and retention of people with disabilities in workplaces. Research indicated that employers are inclined to hire a candidate without disabilities, comparative to a candidate with disabilities, when both candidates have identical experience and qualifications. Further, respondents to studies indicated that employers have major concerns about work performance, including concerns about work completion, fear of litigation and associated costs, perceived safety risks for employees and co-employees, and perceived greater absences from work.[[15]](#endnote-15)

## 4.7 Improving employment participation for people with disabilities

*Question 8: Do you have any ideas for improving employment participation for people with disability? Do you have examples of good practice?*

BCA members reported positive experiences in the workplace, which represent best practice in making a workplace both accommodating and welcoming.

A frequent theme that emerged was supported teams and management. *“I worked with team members who were open to working to our strengths and dividing work activities, to ensure I did not have to do activities which were challenging due to my vision impairment.”* This was strongly corroborated by others. *“[The] most important thing in a workplace is having the support of somebody in the workplace. In my experience, if my team leader or manager is awesome, the role has been great. If that support isn’t there, the challenges can become insurmountable. The small things can become bigger and the ability to challenge inaccessibility is almost impossible.”*

Feedback contrasted the experience of having a supportive manager to have a manager who was not at all approachable, or who was inflexible.

*“The first 2 years working within this organisation was great. The manager I had at the time was extremely supportive and understanding especially when it came to implementing new systems within my role… Things started to go downhill with the new management.”*

*“Three years into my job and the Team Leader that had been appointed came to me and told me that I'm not doing my job at a reasonable standard. She would constantly threaten with verbal warnings if certain tasks weren't achieved. The problem was that I hadn't been provided with the tools to complete some of them.”*

A supportive work environment

Workplaces need to proactively work to ensure that management and team members effectively support employees who are blind or vision impaired in their workplace. Enabling a person who is blind or vision impaired to keep a job and have a successful employment experience, is largely reliant on the company making appropriate workplace accommodations, and being supportive about accessibility needs. This will aid the employee to achieve their work goals.

Employment Preparation Programs

Preparation programs for employment function to equip people with disability to develop appropriate skills, tailored toward achieving their goals. This has been seen to be a positive experience in helping people gain appropriate experience and skills.

*“When I was in a DES, they put me in contact with [a program]. [It’s] important to note that this agency is no longer funded, and I am unable to use them in the future).*

*The inclusive program… took time to engage me, talk about skills, motivators, what I wanted out of it, what I had to offer, I found them helpful and they had my back. They got me experiences that were linked to my passion (e.g. musical performance gigs), transcription work, I wasn’t limited to what they thought was attainable but what was of interest and importance to me.”*

Equipping people prior to entry into a workplace is a process which could help to foster positive experiences within the workplace, once an employee who is blind or vision impaired gains work in their chosen field.

Disability Awareness Training

Disability awareness training programs that focus on employing or working with a person with a disability are essential. Most disability awareness training packages focus mainly on providing service to customers who have a disability, rather than providing sound information and strategies on how to employ and retain an employee with a disability.

Through funding provided to Blind Citizens Australia (BCA) as part of the National Disability Insurance Agency’s (NDIA’s) Information, Linkages and Capacity Building (ILC) Grant, BCA created ‘An Eye to the Future’; a program that recognises the potential of people who are blind or vision impaired as reliable, dedicated employees in multiple sectors and with many varied skill sets.

This project comprises 4 components:

* A series of videos which highlights some of the careers and workplace successes of people who are blind or vision impaired.
* A website that provides resources to those who are seeking to develop their employability, career planning or applying and interviewing for jobs.
* Resources that support employers, HR teams, recruiters, and managers to ensure accessibility throughout the recruitment, hiring and employment stages.
* We established paid internships with partner organisations to really ensure that we were changing the perceptions of employers while supporting the intern and employer through the process.

Finally, we are creating a media campaign to promote and share the website and its resources, the video of employment success stories, we plan to work with HR Consultants and Human Resource groups and teams to share the resources and encourage accessible, inclusive and diverse workforces. By providing this information, and supporting resources and documentation, we believe each employer will have the best toolkit to ensure people who are blind or vision impaired are included in the recruitment and hiring process.

## 4.8 Other issues

*Question 9: Is there anything else we should know?*

### Work experience for employees who are blind or vision impaired

Work experience is generally a part of secondary education in upper grade levels, or post-secondary internship programs.

Historically, work experience opportunities were less readily available to people who are blind or vision impaired. Those who did not experience this opportunity felt that it would have been beneficial to them at secondary school.

*“Work experience isn’t always readily available and is not even offered throughout school. It… can be confusing because young people don’t often know what they want to do at school age and should have access to work experience and casual work.”*

*“Work experience is an absolute must. People who are blind don’t get access to work experience that is valuable to build social skills, understand workplaces and practices. Often, we don’t get the chance to do paid work through school like our peers (think retail or fast food) which means we miss out on developing some very important life and work skills.”*

A point was also raised about the benefit of peer mentoring programs, whereby people who are blind or vision impaired in employment act in the role of mentor to people who are blind, or vision impaired seeking similar employment.

*“If I were studying at a mainstream secondary school today, I would want a choice of a Peer Mentoring Employment Program or a Work Experience Program. I would have chosen a Peer Mentoring Employment Program to a Work Experience Program because with a Peer Mentoring Employment Program I would have gained the support of a Peer Mentor and I could have asked the Peer Mentor questions and learned a lot from the Peer Mentor. Whereas, with a Work Experience Program I would have been left totally alone and on my own without the support of a Peer Mentor.”*

It is important that work experience opportunities are available to people who are blind or vision impaired to prepare for future employment, in addition to having appropriate mentors in a peer mentoring program, who can provide expert advice about how to cope with accessibility and other issues, that may arise in the workplace.

### Pre-employment and workplace training for employees who are blind or vision impaired

Appropriate training that accommodates the needs of people who are blind or vision impaired is essential prior to employment, and after gaining employment. In terms of pre-employment training, a person needs to be equipped with the skills that will enable success in the workplace.

Prior to entering employment, members reported seeking orientation and mobility training (O&M) from blindness service providers, to gain skills to commute to a new workplace and navigate the way around it. Additionally, members reported that they have undertaken IT training at blindness service providers in screen-readers and voice navigation software, to prepare for employment. Dedicated pre-employment programs for people who are blind or vision impaired that cover O&M and IT upskilling are essential.

*“Training must be provided to the user in their assistive tech beyond the basics. I don’t think there is any formal training that goes beyond the basics. The training should educate the person on how to help themselves to learn the technology and how to do research. The user must be empowered to self-educate due to the pace of technology. Just learning the basics or bare minimum of assistive technology and computers is no longer enough.”*

After gaining employment, workplace training needs to consider best practice for accessibility; therefore, it is ideal that training is delivered by peers or external trainers who are blind or vision impaired.

*“There is a lack of training in the workplace. For example, when learning my job tasks someone who isn’t blind is training me. If I’m learning a new system or process on a computer they say things like ‘double click the icon on the computer’, I can’t see the icon, and I don’t use a mouse I use screen-readers (NVDA and JAWS) that use key strokes. So, having training from someone who is blind or understands the use of screen-readers would be much more beneficial.”*

Additionally, this training would ideally achieve upskilling of the employee. Unfortunately, members have reported that they have not received any additional skills training in their workplaces.

*“While I worked there, I did not have many opportunities to be trained in any other skills to perform other duties. Training was not available to me to progress my skills, learn new competencies or further my career.”*

### Leadership by people who are blind or vision impaired

People who are blind or vision impaired should be able to have appropriate level opportunities for career progression. BCA has consistently received feedback that people who are blind or vision impaired have been offered job opportunities that are below their skill level and their capacity, after engaging with DES providers.

At present, quotas for employment generally exist for entry level positions, however these do not extend to middle and upper management roles. The promotion of people with disabilities into leadership positions is important in developing a culture of accessibility and diversity in a workplace. Research conducted in 2019 by People with Disability, Western Australia (PWDWA), involving over 90 organisations across WA, revealed low levels of representation of people with disability on boards and at management levels. Leadership representation, recognition and development is important in workplaces, for people with disabilities.[[16]](#endnote-16)

# 5. Recommendations

BCA strongly recommends the following actions be implemented:

1). Extensive workplace training, including expert advice from people with disabilities and disability advocacy organisations should be provided to all employers, to combat negative attitudes toward people with a disability within the workplace. This includes understanding indirect and overt discrimination and understanding the workplace’s responsibilities under the Disability Discrimination Act (DDA) (1992). This includes a workplace’s responsibility to accommodate dog guides under Section 9 of the DDA.

2). Workplace disability awareness training for employees who are involved in recruitment processes is critical. People with disability and disability advocacy organisations can deliver training to assist recruiters understand the intricacies involved in employing people with disabilities. Further, people with disabilities who are employed should speak to recruiters in such training, to explain their experience of being employed, with a focus on best practices in the workplace.

3). Workplace training and implementation of interview processes that are accessible, are fundamental in ensuring that all candidates can equitably participate in the interview process and have the same opportunity that is given to other candidates. This includes making sure that IT components of interview processes are compatible with screen-readers and voice navigation software. Additionally, online components of interview processes should meet Website Content Accessibility Guidelines (WCAG) 2.0.

4). Anti-discrimination cases need to result in significant consequences for workplaces who clearly breach the DDA. It is critical that appropriate penalties are issued, to dissuade workplaces from breaching the DDA, in the first instance.

5). The onus should not be placed upon employees to make their own accessibility accommodations in the workplace. Employers can contact Job Access to make the appropriate accommodations in their workplaces.

6). If issues are occurring within a workplace, solutions should be sought first, rather than taking the action to terminate employment. Training for the employee or other staff, bringing in accessible technology, or making other appropriate accommodations should all be considered, in discussion with the employee. If the problem persists, pressure should not be placed upon the employee to resign, but appropriate external disability organisations and disability advocates should be called in to assist in finding an appropriate solution.

7). An employee should be able to bring an advocate into all meetings where there are issues occurring with their ongoing employment. They should be able to engage any support, including legal support, in these situations.

8). It is important that in undertaking diversity and inclusion training, and introducing diversity and inclusion measures into workplaces, that intersectionality is considered. This includes measures which appropriately support First Nations people, people with disabilities, people identifying as LGBTIQ, people from culturally and linguistically diverse (CALD) backgrounds, and women. These measures can be advised upon by organisations representing, and people who are part of these communities.

9). BCA supports the strengthening of the DDA to ensure that people with disabilities are protected in the workplace, by ensuring a legislative requirement to remove systemic discrimination, rather than existing simply to cover specific cases that are brought before disability anti-discrimination commissions. Workplaces need to be held to greater account through the DDA being strengthened to contain consequences for workplaces failing to meet DDA compliance.

10). There is an inherent discrepancy between an employer and a person who is lodging a complaint of discrimination. The employer holds a great deal of power, economically, with the amount of representation available, and in access to resources. For this reason, we urge that the onus be placed upon the employer, to demonstrate that discrimination has not occurred. The employer should be required to demonstrate what they did to ensure that an employee who has a disability, has not endured discrimination in the workplace, rather than placing the burden of proof upon the employee.

11). Cases proceeding to post-conciliation levels in state based Equal Employment Opportunity (EEO) or national Human Rights and Equal Opportunities Commission (HREOC) commissions, should be low or no-cost. The cost of pursuing an action at federal court level, if conciliation fails, is prohibitive to most people who are blind or vision impaired. Additionally, the cost often outweighs any benefit gained from pursuing federal court action.

12). People with disabilities should be employed at the appropriate level. Qualifications, employment history, and capability, should be appropriately matched by Disability Employment Service (DES) providers when they are seeking employment opportunities for clients. Employers need to make decisions based on these factors and not solely decide upon not offering an individual an employment opportunity, based upon their disability alone.

13). In light of high turnover of staff in DES providers, it is essential that all client information is handed over to new consultants without people with disability having to re-introduce themselves, explain their employment history, and their goals for employment.

14). There is a significant issue for people who are blind or vision impaired, seeking employment in Australia. Only one organisation exists in this jurisdiction, and that organisation covers both blindness service provision and is also a DES provider. It is critical that more DES providers are trained in working appropriately with clients who are blind or vision impaired. This will enable choice and control for people accessing employment services.

15). It is essential that there are disability employment support services for people who are blind or vision impaired, who are over 65. Although people over 65 cannot access DES providers, nevertheless it is important they are catered for in the employment service market.

16). It is vitally important, that prior to a person with disability being placed in the Job at Jeopardy scheme by a DES provider, that all other options are exhausted for workplace accommodations and supports, that could enable the person to perform their job. This would include interviewing the employee about their needs, why things have not been working, and working with their direct management to ensure that appropriate accommodations have been put into place.

17). Workplaces need to make use of the Job Access scheme to ensure the procurement of appropriate assistive technology and other workplace modifications are undertaken to allow people with disabilities to do their jobs effectively.

18). Workplaces should be responsible for ensuring that any assistive technology procured through Job Access is compatible with their IT systems. If any upgrades are required for compatibility, it is the responsibility of the workplace to ensure it happens, and that it is treated as an urgent task, to enable an individual to appropriately undertake their work.

19). Workplace preparation programs for people who are blind or vision impaired would be ideal. These programs would include orientation and mobility (O&M) training, IT training, job seeking and interviewing skills and other employment readiness skills.

20). We recommend the introduction of an employment mentoring program. This program would pair people who are blind or vision impaired, who are either seeking employment, or newly employed, with a person who is blind or vision impaired, who is currently working. The mentor would be matched based on their expertise and their compatibility with the needs of the trainee.

21). Many people who are blind or vision impaired have a better experience in the workplace, when they have a support person. It is important that workplaces endeavour to ensure that people who are blind or vision impaired entering employment, have a key person they can connect with, to ensure a smooth transition and an ongoing positive experience. Workplace training in how to appropriately support people who are blind, or vision impaired in the workplace, is a major facet of this recommendation.

22). It is important that work experience opportunities are available and appropriate for people who are blind or vision impaired, during secondary education. Schools could work with disability groups to ensure that appropriate opportunities are available. Some organisations may also have internship opportunities available, following completion of secondary education. It is important that schools are made aware of these opportunities, in order that students may be able to apply for them.

23). Employment quotas generally target entry level positions. However, it is critical that people with disabilities are offered opportunities at all levels of employment, including management. At present, there is a distinct lack of representation of people with disabilities in higher leadership positions and on boards of organisations.

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