

Moving The Dial: Employing People with Disabilities

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Abstract

Despite increased education, technology, and legal protections, the labour force participation rate for people with disabilities in Australia remains much lower than the general rate and has been stagnant for many years. Ron McCallum reflects on why this is so, his own disability, the sheltered workshops of the past, and the impact of technological and legal changes on the employment of people with disabilities. He discusses the National Disability Insurance Scheme and the Royal Commission's recommendations for bridging the persistent employment gap.

Key words

Disability, employment, discrimination, technology, UN Convention on Rights of Persons with Disabilities, social attitudes and inclusion, sheltered workshops

Introduction

In 2018 (which is the latest year for which we have figures), the labour force participation rate of we persons with disabilities was 53%, while the rate for Australia was 78%. The labour force participation rate measures the percentage of persons who are in work and who are aged from 16 to 64 years. It might be thought that, given the increases in education and technology, the labour force participation rate for persons with disabilities must have risen over the last few years. Nothing could be further from the truth. The dial has not moved for thirty years. We people with disabilities have been stuck on a 53% participation rate since 1993. How can this be so?

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My Contact with Sheltered Workshops

My journey concerning the employment of people with disabilities goes back seven decades. In 1953, I commenced my schooling at the Royal Victorian Institute for the Blind School in Melbourne. In those days, pretty much my only option was to learn in a segregated education setting. When I walked across our playground, I came to a wire fence. We children all knew that it marked the boundary between our school and the factory which was a sheltered workshop. We heard its hooter at knock-off time every afternoon. The factory employed blind and vision impaired persons who made baskets and brooms. In those days before the ubiquitous plastic bags, it was a badge of honour for a housewife (to use an old fashioned term) to carry groceries in a basket or place her baby in a bassinet made by the blind.

In my teenage years, I played blind cricket with some friends who were working in the factory. They were decent men who were unable to find work in the open labour market.²

What about Technology?

Changes in technology have assisted we persons with disabilities. For example, synthetic speech programs enable me to key in this article on my computer.³ Electric wheelchairs give mobility to my sisters and brothers who are unable to walk. However, technology is a two-edged sword. Technological advances, and especially the emergence of artificial intelligence, have already made a number of jobs redundant which has impacted most harshly on my colleagues with cognitive disabilities. Public sector efficiency dividends are taking away jobs like photocopying, which many of us were able to perform with aplomb.

² Ron McCallum, *Born At The Right Time: A Memoir* (Sydney, Allen and Unwin, 2019).

³ For the variety of ways in which technology assists we persons with disabilities, go, for example, to 'Accessibility' in the Settings App of the iPhone.

Surely Legal Changes have assisted us?

In 1992, the Disability Discrimination Act⁴ came into force. Now, Federal, State and Territory discrimination laws prohibit discrimination on the grounds of disability. While there have been some small successes, in the area of disability discrimination, individual complaints-based mechanisms have made little difference to our lives and have not moved the employment dial one centimetre.

In 2008, the United Nations Convention on the Rights of Persons with Disabilities (CRPD) came into force.⁵ Article 27 requires ratifying countries like Australia to

...[R]ecognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities.

Yet the CRPD has not been able to move the dial.

The National Disability Insurance Scheme (NDIS) has aided we persons with disabilities, but ironically since its inception sheltered workshops which are now called Australian Disability Enterprises have increased in number.

The Recent Royal Commission

Last September, The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, handed its lengthy report to the Governor-General.⁶ It found that a number of people with disabilities had been discriminated against or bullied at work. In relation to increasing employment of we persons with disabilities, the Royal Commission made a number of recommendations.⁷ The Australian, State and Territory governments should establish specific and disaggregated targets to

⁴ Disability Discrimination Act 1992 (Cth).

⁵ United Nations General Assembly, Convention on the Rights of Persons with Disabilities, opened for signature 30 March 2007, United Nations, Treaty Series vol.999 p.3 (entered into force 3 May 2008).

⁶ From 2019 to 2021, I was a senior advisor to the Royal Commission.

⁷ *Final Report*, Volume 7, Inclusive education, employment and housing, part B: Inclusive employment.

increase the proportion of persons with disabilities in the public sector.⁸ Government procurement policies should favour businesses and units which employ people with disabilities.⁹ Finally, the NDIS should adopt ‘an open employment first’ approach in its new participant employment strategy.¹⁰

We also need our friends in the private sector to come to the party and establish further programs to recruit and to employ persons with disabilities.

A Closing Remark

Throughout my seventy-five years, the lives of Australians with disabilities have improved, and social attitudes towards us are now more enlightened. Yet, for so many of us, open employment is still an elusive aspiration.

Occasionally I am asked, “What is the most significant thing you have done in your life?” My answer is, “Apart from Mary and the children, the most significant thing I have done has been to teach law students for half a century. After a semester or two in my classroom, I hope they will think differently about people with disabilities”.

Declaration of interests

Ron McCallum is the Patron of the Australian Institute of Employment Rights.

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⁸ *Final Report*, Volume 1, Recommendation 7.19.

⁹ Recommendation 7.23.

¹⁰ Recommendation 7.29.