



**Submission from Women With Disabilities Australia
(WWDA) to the Parliamentary Inquiry into pay equity and
associated issues related to increasing female
participation in the workforce**

August 2008



Winner Australian Human Rights Award 2001

Winner National Violence Prevention Award 1999

Nominee, French Republics Human Rights Prize 2003

Nominee, UN Millennium Peace Prize for Women 2000

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Labor is committed to achieving full employment, meaning that anyone who wants a job can find one within a reasonable time. Employment security is the key to personal and social well-being, to stable relationships and family life.

Australian Labor Party (ALP) National Platform and Constitution 2007 (p11)

1. Introduction

On Thursday 26 June 2008 the Acting Minister for Employment and Workplace Relations, The Hon Brendan O'Connor MP, asked the *House of Representatives Standing Committee on Employment and Workplace Relations* to inquire into and report on pay equity and associated issues related to increasing female participation in the workforce.

This Submission is Women With Disabilities Australia's (WWDA) ¹ response to the Inquiry.

Women's right to the same employment opportunities as men is internationally fostered under the United Nation's Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW). However the inequities and barriers which exist for women in the workplace are significantly exacerbated for women with disabilities. This Submission provides a snapshot of the position of women with disabilities in Australia. It looks at the intersection of gender, disability and employment and highlights the obvious marginalisation and exclusion of women with disabilities in the Australian labour market – a situation that has remained unchanged for over a decade.

Like all members of the community, women with disabilities have a fundamental right to employment. This right is enshrined in a number of international conventions and declarations to which Australia is a party. This Submission gives a brief overview of a rights based approach to employment, recognising that equal treatment, equal opportunity, and non-discrimination provide for inclusive opportunities for women with disabilities in mainstream society. The Submission examines a range of barriers which prevent women with disabilities from securing and maintaining paid employment, including for example: discriminatory attitudes; poverty; non-optional costs of disability; inflexible work arrangements; inaccessible environments; experience of and vulnerability to violence; issues relating to transport, child care, attendant care; insecure housing; and more. A number of strategies to address the barriers are discussed including the need for data collection and disaggregation; research; targeted gender-specific measures to promote inclusion; and importantly, the need for capacity building of women with disabilities organisations, groups and networks in efforts to promote the social inclusion of women with disabilities.

WWDA shares the Australian Government's vision of a society where people with disabilities are not excluded; where they can fully participate as citizens in the economic, social and cultural life of the nation; where anyone who 'wants a job can find one'. However, for many women with disabilities simply 'wanting' a job does not equate to 'getting' one. In order for women with disabilities to seek and retain employment, they need the elimination of discrimination and negative stereotypes from both a gender and disability perspective which compound their exclusion from support services, social and economic opportunities and participation in community life.

¹ Women With Disabilities Australia (WWDA) is the peak organisation for women with all types of disabilities in Australia. WWDA is run by women with disabilities, for women with disabilities. It is the only organisation of its kind in Australia and one of only a very small number internationally in that it operates as a national disability organisation; a national women's organisation; and a national human rights organisation. WWDA represents more than 2 million disabled women in Australia. WWDA is inclusive and does not discriminate against any disability. The aim of WWDA is to be a national voice for the needs and rights of women with disabilities and a national force to improve the lives and life chances of women with disabilities. WWDA addresses disability within a social model, which identifies the barriers and restrictions facing women with disabilities as the focus for reform. More information about WWDA can be found at the organisation's extensive website at: www.wwda.org.au

2. Key Recommendations

In order to address the marginalisation and exclusion of women with disabilities from the labour market, Women With Disabilities Australia (WWDA) recommends the following key strategies:

- 2.1. In keeping with Article 6 of the Convention on the Rights of Persons with Disabilities (CRPD), national policies, agreements and frameworks developed and/or re-developed as part of the Australian Government's broad social inclusion agenda must, where relevant, make explicit recognition of the impact of multiple discriminations caused by the intersection of gender and disability, and include focused, gender-specific measures to ensure that disabled women experience full and effective enjoyment of their human rights and fundamental freedoms and full participation on the basis of equality.
- 2.2. Social inclusion targets and benchmarks must be established for people with disabilities as a population group and include gender specific targets. These targets should include recognised elements of social inclusion, such as: employment participation; education; income; access to services; and civic participation. Targets must be built into key performance indicators of relevant government departments and agencies.
- 2.3. Information on women with disabilities should be provided in relevant human rights treaties periodic reports and NGO shadow reports, as a matter of course. This would include information on the situation of women with disabilities (eg employment) under each right, including their current de-facto and de-jure situation, measures taken to enhance their status, progress made and difficulties and obstacles encountered.
- 2.4. Research (encompassing qualitative and quantitative methodologies) must be conducted into the issue of women with disabilities and employment in order to:
 - ascertain the current employment situation for women with disabilities in Australia;
 - identify what problems exist and what problems need to be overcome;
 - identify priority areas for action and resource requirements.Of paramount importance, is the need for all aspects of research to include women with disabilities.
- 2.5. The need for employment and education data to be disaggregated according to factors such as gender, disability, age, Indigenous status and ethnicity must be urgently addressed and should be routinely collected, analysed and published.
- 2.6. The non-optional costs of disability must be recognised as a significant barrier to the social inclusion of women with disabilities. Disability-related supports and services should be de-linked from income support programs in order to make the supports required by disabled women available to those who could not afford to enter the paid labour market otherwise. The Australian Government must acknowledge that the setting of income support payment rates for people with disabilities has failed to take account of the non-optional, extra costs associated with disability. There is an urgent need to review the adequacy of income support arrangements for those with a disability across all household types.
- 2.7. The Australian Government must recognise and support the role of women with disabilities NGO's in efforts to promote the social inclusion of women with disabilities. This includes the need to create an environment conducive to the effective functioning of such NGO's, including adequate and sustained resourcing. Inherent in this, is the need for financial and political support to enable the establishment of women with disabilities organisations, groups and networks in each State and Territory.

- 2.8. The obvious disparity in the proportion of men and women with disabilities who are being assisted by Commonwealth Government funded open employment services must be addressed, and the funding of open employment services should be linked to equity in access.
- 2.9. The Australian Government implement the recommendations from the Human Rights and Equal Opportunity Commission (HREOC) 2005 National Inquiry into Employment and Disability².

² See the report *WORKability 2: SOLUTIONS. Final report of the National Inquiry into Employment and Disability*. Available online at: www.hreoc.gov.au/disability_rights/employment_inquiry/index.htm

3. Gender & Disability

There are 4 million people in Australia with a disability, making up 20% of the total population. Just over fifty per cent (50.5%) of people with disabilities in Australia are women.

Women with disabilities are one of the most excluded, neglected and isolated groups in society. They suffer manifold discrimination - female, poor and disabled - compounded further by intersections of race and culture. Women with disabilities remain largely invisible and voiceless, ignored by national policies and laws, even though they face multiple forms of discrimination, structural poverty and social exclusion (UNFPA 2005, UN 2002). Their issues and needs are often overlooked within services and programs. They remain marginal to social movements designed to advance the position of women, and the position of people with disabilities. Negative stereotypes from both a gender and disability perspective compound the exclusion of women with disabilities from support services, social and economic opportunities and participation in community life (Meekosha 2000; Frohmader 2002). This deep-rooted exclusion experienced by women with disabilities is further neglected because little information is available on its extent or impact.

Women with disabilities are less likely to be in paid work than other women, men with disabilities or the population as a whole. They are less likely than their male counterparts to receive vocational rehabilitation or entry to labour market programs, and are less likely to receive a senior secondary and/or tertiary education. Women with disabilities earn less than disabled men, are in the lowest income earning bracket, yet pay the highest level of their gross income on housing, and spend more of their income on medical care and health related expenses.

Women with disabilities are substantially over represented in public housing, are more likely to be institutionalised than their male counterparts and are often forced to live in situations in which they experience, or are at risk of experiencing, violence, abuse and neglect. Women with disabilities are less likely than non-disabled women to receive appropriate health services. They have a consistently higher level of unmet need than their male counterparts across all disability levels and types, yet are less likely to receive appropriate services than men with equivalent needs or other women. Girls and women with disabilities are more likely to be unlawfully sterilised than their male counterparts. Women with disabilities are assaulted, raped and abused at a rate of at least two times greater than non-disabled women.

Despite the fact that the *Universal Declaration of Human Rights* affirms that '*all human beings are born free and equal in dignity and rights*', there is no doubt that there are widespread and serious violations of the human rights of women with disabilities, as well as failures to promote and fulfil their rights (Byrnes 2003).

4. Gender, Disability & Employment

Freely chosen work remains an essential part of being human. The right to work is fundamental to the enjoyment of certain subsistence and livelihood rights such as food, clothing, and housing. Moreover, one's working status may easily affect the enjoyment of other rights relating to health and education. The right to work is increasingly important as Governments the world over continue to withdraw from the provision of basic services, leaving these to market forces and non-governmental actors (OCHCR 2008).

Australians with a disability are much less likely to be employed than people without a disability. They have a comparatively lower labour force participation rate (53.2% compared to 80.1%) and a higher unemployment rate (8.6% compared to 5%) than those without a disability (HREOC 2005). Compared to their non-disabled counterparts, Australians with a disability are less likely to be employed full time, are over-represented among the long-term unemployed, earn less when they *are* employed full time, are more likely to be living in poverty, and achieve poorer employment and income level outcomes after they participate in vocational education and training (Powers 2008).

Paid employment is a critical component in enabling women with disabilities to support themselves financially and to build self-esteem and achieve social recognition. Although men and women with disabilities are subject to work discrimination because of their disabilities, women with disabilities are at a further disadvantage because of the combined discrimination based on gender and discrimination based on disability. While there is no doubt that men with disabilities have serious employment problems, it is abundantly clear that women with disabilities are significantly worse off, and this seems to be true for all types and levels of disabilities (WWDA 2005, ILO 2008).

The labour force participation rates in Australia indicate that there are many fewer women with disabilities than men with disabilities either employed or looking for work. In 1998, the labour force participation rate of women with disabilities was 45.5%, compared to 60.3% for men with disabilities. In 2003, the rate increased marginally for women with disabilities to 46.9%, and decreased slightly for men with disabilities to 59.3%. However, a stark contrast can be seen in the unemployment rates for the same period. In 1998, 8.6% of women with disabilities were unemployed, compared to 13.5% of men with disabilities. In 2003, the unemployment rate for disabled men dropped significantly to 8.8%, whilst the unemployment rate for disabled women remained virtually the same at 8.3%. The picture becomes even clearer when we consider the unemployment rates for non-disabled men and women over the same period. In 1998, the unemployment rate of non-disabled women was 8.0% compared to 7.7% for non-disabled men. In 2003, the rate dropped significantly for both non-disabled women (5.3%) and men (4.8%) (HREOC 2005; ABS 2003).

Data for Australian Government funded open employment services could indicate why the unemployment rate for disabled men has dropped, while the labour force participation rate and unemployment rate for disabled women has remained virtually unchanged. In 1997-98 Commonwealth Government funded open employment services assisted over 31,000 people with disabilities in their efforts to find and maintain jobs on the open labour market. 66.6% of those assisted were men with disabilities. Little appears to have changed. From 1 January to 30 June 2003, Commonwealth Government funded open employment services assisted over 35,000 people with disabilities in their efforts to find and maintain jobs on the open labour market. 65% of those assisted were men with disabilities (AIHW 1999; WWDA 2004).

Overall, 71% of women with disabilities are now completing Year 10 or higher in secondary education, compared to 68% of men with disabilities and 87% of able-bodied students. Similarly their completion rates of post secondary education are now comparable to those of men with disabilities (ABS 2004, DEST 2002). However, the success of women with disabilities in education is clearly not reflected in improved employment prospects, and their participation and remuneration rates are lower than for men with disabilities and for their able-bodied counterparts. Women with disabilities report that they often feel they have been 'parked' in yet another training course (WWDA 2003).

5. The Human Rights Context

All human rights are universal and therefore unreservedly include women with disabilities. Every person is born equal and has the same rights to life and welfare, education and work, living independently and active participation in all aspects of society. Any direct or indirect discrimination against a woman with a disability is a violation of her rights (ILO 2008).

The social exclusion and discrimination faced by people with disabilities has increasingly been recognised as a human rights issue. A paradigm shift, from a medical and charity based welfare model of disability, to today's rights based model, acknowledges the movement to link disability issues to a full range of civil, political, economic, social and cultural rights (ILO 2007). The human rights framework recognises people with disabilities as having the same rights as people without disabilities. A rights based approach also recognises that equal treatment, equal opportunity, and non-discrimination provide for inclusive opportunities for women and men with disabilities in mainstream society.

Like all members of the community, people with disabilities have a fundamental right to employment. This is enshrined in the International Declaration on the Rights of Disabled Persons (1975), the Universal Declaration on Human Rights (1948), and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993). The International Covenant on Economic, Social and Cultural Rights makes explicit recognition of the right to work (Article 6.1), as does the Convention on the Elimination of Discrimination Against Women (CEDAW)(Article 11.1) which articulates women's right to work on the basis of equality.

The human rights principles of equal treatment, equal opportunity, non-discrimination and full inclusion in mainstream society have also been integrated in the International Labour Organization (ILO) Standards for some years, namely Convention No. 159 concerning the Vocational Rehabilitation and Employment (Disabled Persons) which identifies the purpose of vocational rehabilitation as being to enable a disabled person to secure, retain and advance in suitable employment.

Most recently, the UN Convention on the Rights of Persons with Disabilities (CRPD), adopted by the General Assembly in 2006 and ratified by Australia on July 18, 2008, explicitly outlines disability issues within a human rights framework, and calls upon governments to adapt already adopted laws and policies, and to develop new ones in alignment with the Convention and the human rights framework (ILO 2007).

The right to employment is clearly articulated in the CRPD (Article 27). This article requires States to recognise the right of people with disabilities to work in freely chosen or accepted employment in a labour market and work environment that is open, accessible and inclusive. It requires States to safeguard and promote realisation of this right by measures such as prohibiting discrimination on the ground of disability in all aspects of employment; ensuring access to general technical and vocational education; providing assistance with job seeking, career development, and business development; and, by employing people with disabilities in the public sector (HREOC 2007, ILO 2008).

In recognition of the manifold discrimination experienced by women with disabilities throughout the world, the CRPD requires States to explicitly recognise that women and girls with disabilities are subject to multiple and aggravated forms of human rights violations. It further requires States to take specific, positive measures to ensure that the human rights and fundamental freedoms of women and girls with disabilities are realised (Article 6). These obligations apply to all other human rights and fundamental freedoms recognised by the Convention.

Despite the fact that Australia has affirmed its commitment to the right to employment through ratification of these various international human rights conventions, there remains a vast disparity between the standards set in these Conventions and the situation of women with disabilities with regard to their access to, and retention of employment.

6. The Barriers to Employment for Women with Disabilities

A number of barriers stand in the way of women with disabilities increasing independence, capacity building, taking up and maintaining paid employment. These barriers include:

6.1. Lack of understanding of the complexity and nature of disability

Some disabilities are episodic and/or fluctuating in nature, and this can contribute to unstable work patterns for disabled women. On the one hand, income support programs assume that disabilities are permanent and stable, when this is clearly not the case. On the other hand, one only needs to look at the number of times women with a disability are reviewed, re-assessed, asked to fill in more forms and get certificates of proof of disability from their doctors, for a range of benefits, services and support, to see that bureaucracies are confused by the complexity. Disability can be permanent, temporary, episodic, intermittent, and perceived. Many women with disabilities, especially those with chronic illnesses may be unable to work every day and cannot always predict when they might have energy and/or fitness to work and when not. Instead of pushing themselves, they need to be incredibly attuned to their bodies and decide hour by hour what they need to do to care for themselves that day. However society, as reflected in the workplace, is not currently structured to accommodate fluctuating capacities to participate. It continues to demand that we either perform or produce in order to be recognized as contributing economically. For the majority of women with disabilities, the time and energy taken to get ready for and travel to work far exceeds that of their non-disabled counterparts and need this to be understood.

6.2. Negative social attitudes & discrimination including employers' and co-workers' attitudes

Negative social attitudes are a major barrier for women with disabilities seeking and securing employment. Much of the discrimination experienced by women with disabilities is based on an implicit notion that they are not the same as other women and so cannot be expected to share the same rights and aspirations. Although men and women with disabilities are subject to employment discrimination because of their disabilities, women with disabilities are at a further disadvantage because discrimination based on gender is combined with that based on disability. Disabled women who are from a non English speaking background or who are Aboriginal or Torres Strait Islanders, are often subject to a triple disadvantage. Women with disabilities have to deal with abuse, neglect and being deprived of their entitlements. They are often given marginal jobs far below their capacity. They are denied opportunities for further training and job advancement. They are often poorly paid; have few occupational and health standards; and are often unable to enforce industrial rights. Women with disabilities have reported being typically treated like children and not given credit when they had performed well on the job because attitudes in their workplace were such that no one believed that they could have actually done the job on their own (Fawcett 2000).

6.3. Poverty

Women with disabilities are among the poorest of all groups in society. Employment is the best defence against poverty, yet poverty is a fact of life for many women with disabilities in Australia. The impact of poverty on the health status and quality of life experienced by women with disabilities is undeniable. It constitutes a major barrier to their being able to be 'work ready'.

6.4. Lack of access to education and training

Women with disabilities have expressed their frustration at their lack of access to education and training programs, voicing a feeling of segregation from the education system (WWDA 2004). Rising education fees coupled with cuts to disability programs, and lack of means to meet disability-related education costs such as specialised transport and carer support, serve to further exclude them from study (NCOSS and WRANA 2004). The disparity between government funding of private education and funding of disability programs

in education is also a critical issue for women with disabilities (NSW Department for Women 2004). Skills development is a central factor in enabling people with disabilities to take part in the labour force. However training people with disabilities is not in itself a guarantee of employment and enhanced productivity (Powers 2008). For example, graduating from Vocational Education and Training (VET) courses in 2000 did not appear to have much effect on employment outcomes for those who reported a disability. 57.4% of disabled students were unemployed before the training and 56.6% were unemployed 6 months after the training. By comparison, in the case of non-disabled students these figures were 31.9% and 24% (Powers 2008).

6.5. Lack of self confidence, assertiveness, and low self-esteem

Shown from birth, either through neglect or through over-protection, that they have little value or are unable to do much, girls with disabilities grow up with the burden of that stigma and expect little of themselves. This is exacerbated by families and educators having few expectations of girls and women with disabilities. Even a woman who becomes disabled later in life will have her own sense of self-worth eroded by the prevailing attitude that she has become a 'useless dependant'. Isolation and confinement based on culture and traditions, attitudes and prejudices often affect women with disabilities more than their male counterparts.

6.6. Poor job design and inflexible work arrangements

Flexible work conditions and environments are critical for women with disabilities. The capacity to vary and/or share hours is vital in gaining and retaining a job. Our current system rewards people who work full-time and penalizes people who work part-time. The more money the disabled woman earns, the more money she loses in income support. Instead of being rewarded for the accomplishment of working when she can, the disabled woman is punished for not working hard enough. Lack of creativity and inflexibility on the part of most employers and an inability to explore beyond the conventional has resulted in a restricted or closed working environment for many women with disabilities (Hanson 2002).

6.7. Lack of attendant care

Attendant care is virtually non-existent in the workplace. This prevents those women with disabilities who require attendant care at their place of work from even seeking employment. Additionally, research undertaken by WWDA (2001) has shown that many women with disabilities are unable to get the level of attendant care services they require to meet their most basic needs (toileting, showering, dressing, eating).

6.8. Inadequate or expensive transport

For many women with disabilities, access to transport may mean the difference between paid work or staying at home. Many women with disabilities need assistance to use public transport or cannot use it at all. Taxis or private cars are therefore the only alternative. These are very expensive forms of transport, and beyond the reach of many women with disabilities. The high costs of transport varies across the nation with some states providing greater levels of financial assistance. The high costs of transport also erodes the economic gains made through having a job. The unreliability of disability transport in remote, rural, and regional Australia as well as in capital cities further adds to the need for flexibility in workplace arrangements.

6.9. Lack of, inaccessible & inflexible childcare

Women with disabilities who have children face an added dimension in seeking employment or getting to work – getting the children to child care. For women with disabilities, the need for accessible, available, affordable and convenient child care is as great, if not greater, than for women without disabilities. Inaccessible child care sites can further complicate this situation, particularly for single mothers with disabilities and mothers reliant on public or disability transport. Mothers with disabilities require child care

that can respond flexibly to diverse patterns of working, and other forms of participation (including evenings, nights and weekends). Women with disabilities may also have children with disabilities who require access to mainstream childcare.

6.10. Responsibility for domestic and parenting duties

Women with disabilities experience the demands of family responsibilities and child care along with their disability. The often fatiguing nature of disability, coupled with child care, can result in women with disabilities being even less likely than women without disabilities to work for pay while their children are very young (Fawcett 2000). Women with disabilities are clearly more likely than any other group to spend more time on unpaid household tasks, regardless of their living arrangements, leaving them with less time and energy to pursue paid employment. Those who try to do both increase their risk of becoming ill, which may result in their needing time off work or even losing their job entirely. Research has shown that men living with disabilities are more likely to ask for help for basic activities (eg: cooking, cleaning, bathing etc) whereas women are expected to take care of themselves (and often others as well). Women with disabilities are expected to keep up the regular demands of women's unpaid work despite their disability (UNPAC).

6.11. Experience of abuse, violence and harassment

Violence against women with disabilities has been identified as not only more extensive than amongst the general population but also more diverse in nature than for women in general. Often, women with disabilities are reluctant to report being abused and/or sexually harassed, either because they are unaware that it is illegal or are afraid of the consequences if they do report it, such as allegedly making a difficult situation worse, or being branded a 'troublemaker'. Women with disabilities who are abused and/or sexually harassed in the workplace may not have adequate information about their right to a safe and secure workplace and may be seen by other workers or the employer as 'an easy target' and therefore perceived as less likely to report being harassed. Some women with disabilities may feel that their job security would be threatened if they were to take action. Women with disabilities who do take action and report being sexually abused and harassed are often not believed, and can be sacked for making complaints while the offender goes unpunished. Women with disabilities are also at greater risk of all forms of domestic violence. The ramifications of this are that self esteem is lowered and disability conditions exacerbated, along with increased incidence of mental and physical ill health. Lack of a supportive domestic environment diminishes their ability to enter the workforce.

6.12. Inaccessible and unresponsive employment services

Overall, women with disabilities face a barrier of lack of information about employment services available to them and their right to use these services. Data shows that Commonwealth Government funded open employment services are more likely to assist men with disabilities (than women with disabilities) in finding employment, and the percentage of women with disabilities being assisted by these services continues to decline. Research has also shown that the outcomes for women with disabilities assisted through employment services are different to the outcomes for men with disabilities – women with disabilities are steered towards the traditional areas of female employment, such as clerical and keyboarding positions. Employment services are often unskilled and lacking awareness about the many and complex issues relating to employment for women with disabilities e.g. how to assist a person using a wheelchair, how to guide a person with vision loss/blindness; knowing what information technologies might be beneficial to women with disability moving into the workforce.

6.13. Restricted access to information & communication technologies

New technology is changing the nature of the workplace and work itself (Roulstone 1998). Employers may hold the misinformed view that expensive technology effectively eliminates impairment whereas simple adaptation or assistance may be far more useful (French 1994). Technology should not be introduced in

order to avoid addressing many other basic workplace culture and attitude issues. Many women with disabilities are restricted in their access to information and communication technologies (ICT) due to cost, poor design and lack of connectivity of ICT equipment, lack of responsibility in addressing disability issues on the part of telecommunications service providers, and lack of appropriate information about telecommunications equipment and services (WWDA 1999, 2004).

6.14. Insecure housing & accommodation

Housing situations are precarious for many women with disabilities. In fact, women with disabilities who are not able to maintain stable housing independently and who need supportive services and accommodations to meet their needs - are considered to be of the highest risk for homelessness. Access to decent accommodation is at crisis point for many women with disabilities. Secure and appropriate accommodation is critical to being able to focus on job seeking. There is a shortage of appropriate housing stock for women with physical disabilities in state based housing, in the private rental market and in real estate. Stability and lease longevity is needed so that work can be found in a logistically feasible location.

6.15. Lack of awareness about rights

The ability to assert one's right to say no to unreasonable requests or to demand access to relevant information is an essential component of the job seeking process. It empowers those who are seeking education, training or employment opportunities both to make informed choices and to act on those choices. Women with disabilities face the double disadvantage of contending with service providers and others in the community who see women with disabilities as incapable of self-determination. This problem is compounded if these women are dependent on others for personal care, accommodation or economic security. Learning how to be assertive (and develop a positive self-image) is a crucial prerequisite for women with disabilities to become economically independent.

6.16. Cost of equipment & assistive devices

Many women with disabilities require equipment to enable them to live independently. Mobility aids such as wheelchairs and crutches, as well as specialised computer equipment are needed to enable women with disabilities to obtain jobs or undertake education or training courses. The government subsidies which are available are usually not adequate to meet the needs of many women with disabilities, who therefore must pay for this equipment themselves. Some disabled women require specialised or expensive equipment to enable them to do the housework or care for children. Some 'labour-saving' devices such as microwaves, automatic washing machines and dryers can be essential items for women with disabilities yet they are expensive because they are considered to be luxury goods and are heavily taxed. This equipment is consequently beyond the reach of many women with disabilities.

6.17. Inaccessible built environment

The built environment remains inaccessible to many people with disabilities. Many workplaces, businesses, community gathering places, and service providing organisations are inaccessible to people with disabilities, making this an obvious barrier to women with disabilities increasing independence, capacity building and taking up paid employment. This can obviously narrow the choice of workplaces available to them. The majority of workplaces do not have accessible sanitary facilities or staff/meal areas, resulting in longer trips to the toilet at break times, and requiring assistance from colleagues/co-workers e.g. with getting a cup of coffee.

6.18. Cost of disability

Women with disabilities face a multitude of costs relating to their disability. In order to be truly self-sufficient, both women and men with disabilities know that they need to earn a premium above what others earn in order to meet the costs of their disability. These costs include for example: transport/travel;

personal care; medical & health costs; consumables; housing related costs; home tasks (including domestic cleaning and maintenance); aids & equipment; and so on. The prohibitive costs of disability can make it virtually impossible for some women with disabilities to take up employment and/or to remain in employment. For example, women with disabilities who take up paid employment lose eligibility for entitlements (such as Health Care Card, Pharmaceutical Benefits etc) after one year. For many women with disabilities, remaining on income support is the most rational response to the reality of their situation.

6.19. Lack of portability of state funded programs

Disabled people who require support through funded programs (such as home help; personal care) can be severely restricted in terms of being able to move from State to State due to the fact that the funded programs may not be portable between the various States and Territories. A person with a disability moving from one State to another could receive a significant decrease in service unrelated to needs but simply because of that particular State's eligibility criteria or resource constraints. Whilst the States and Territories have agreed to allow individuals to register their demand for service *prior* to any planned move interstate, there is no guarantee of service availability and/or provision due to 'high demand for disability specialist services' in Australia (NDA 2008).

7. Strategies to Address the Barriers

For women with disabilities, barriers to employment can take on unique characteristics as they interact with daily life. Among these are factors such as their greater tendency to live alone or as a lone parent; their surprisingly high degree of financial responsibility; their more limited opportunities for stable and high-paying jobs; much more limited opportunities for assistance with household tasks; the non-optional costs associated with their disability; and prevailing negative social attitudes toward disabled women (Fawcett 2000, WWDA 2004).

Clearly, when looking at the barriers facing women with disabilities in seeking, finding and maintaining employment, there are a number of strategies which need to be considered.

7.1. Discriminations caused by the intersection of gender and disability

It is unlikely that the un/employment and labour force participation rates for women with disabilities will ever change unless there is explicit recognition of the impact of multiple discriminations caused by the intersection of gender and disability, particularly in relation to employment. Clearly, before we can 'identify the reasons for the disadvantages faced by people with disabilities in the open workplace' and 'work towards practical, achievable solutions' (HREOC 2005), we must recognise, acknowledge and name the problem, and that is: in relation to employment, women and girls with disabilities suffer particular disadvantages compared to men with disabilities and their able bodied counterparts.

7.2. Targeted, focused, gender-specific measures

It is clear from the Government's own statistics that women with disabilities continue to be marginalised and excluded from the labour market. There has been virtually no improvement in the unemployment rate and/or labour participation rate of women with disabilities since 1997, in stark contrast to the improvements made for disabled men, non-disabled men and non-disabled women in the same period. If the situation for disabled women is ever to change, the Australian Government must employ focused, gender-specific measures to ensure that disabled women experience full participation in the labour market on the basis of equality. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention on the Rights of Persons with Disabilities (CRPD) both go a long way in affirming the rights and dignity of women with disabilities and are potentially powerful tools in addressing violations of their human rights. These treaties afford the opportunity to serve as a potent framework to inform and guide domestic legislation, policy, programs and services that impact on women with disabilities.

7.3. Research

There is an overwhelming and obvious need for research into the issue of women with disabilities and employment. We know, for example, that 71% of women with disabilities are now completing Year 10 or higher in secondary education and their completion rates of post secondary education are now comparable to those of men with disabilities. However, the success of women with disabilities in education is clearly not reflected in improved employment prospects, and their participation and remuneration rates are lower than for men with disabilities and for their able-bodied counterparts. There is an obvious need for research into why this is the case and development of pro-active remedies to address it.

7.4. Data collection & disaggregation

Data relating to women with disabilities and employment is difficult to access, and in many cases is not routinely collected. Obtaining disaggregated data through the ABS on women with disabilities and employment (where it exists) attracts a fee, and these charges can be prohibitive. It will be difficult to begin addressing the issues relating to women with disabilities and employment unless there is specific, appropriate and accessible data on which to draw. There is a need for employment and education data to

be disaggregated according to factors such as gender, disability, age, Indigenous status and ethnicity. This data should be routinely collected, analysed and published.

7.5. Commonwealth Government funded open employment services

There is a consistent difference in the proportion of men and women with disabilities who are being assisted by Commonwealth Government funded open employment services. Despite the fact that the unemployment rate for disabled men has dropped (down from 13.5% in 1997 to 8.8% in 2003), Commonwealth Government funded open employment services continue to assist significantly more men with disabilities than women with disabilities. This inequity in access must be addressed. One of the principle goals of funding open employment services should be to increase the level of equity in access to the services they provide.

7.6. Separation of income support programs and disability-related supports and services

Disability-related supports and services must be de-linked from income support programs in order to make the supports required by disabled women available to those who could not afford to enter the paid labour market otherwise. The importance of this strategy cannot be stressed enough. As long as women with disabilities are required to pay for their own supports when they leave the relative safety of income support, the reality of their lives will create a huge barrier to labour force participation. Because of their greater likelihood of living alone or as a lone parent with almost total financial responsibility for themselves and their children, as well as their much lower likelihood of earning a high wage if they were to find a job, women with disabilities are often those most adversely affected by the present system of linked disability-related supports and income support. In addition, supports must be adequate to meet the real life needs of women with disabilities. Disabled women have long highlighted the fact that disability-related supports and services are not adequate to meet their needs (Fawcett 2000; WWDA 2004).

7.7. Moving between paid employment and income support

Policies and programs in the area of income support must create a 'safe' environment for women with disabilities in order to allow them to move easily from income support into the labour market and back again without any disruption in cash flow or services. It is important that trial periods in the labour market are long enough to reflect the changes that can occur in the state of cyclical, fluctuating and/or degenerative disabilities but which do not always occur within a short period of time. As well, labour market instability for disabled women might be tied to more global economic factors that bring about change only very slowly. The labour market instability experienced by people with disabilities – particularly women – coupled with the fluctuating and/or cyclical nature of some disabilities must be recognised and provided for by income support programs in order to reduce the risk involved in leaving the 'stable poverty' of an income support program (Fawcett 2000).

7.8. Improving opportunities for better-paying jobs

There is a need for policies and programs that help women with disabilities compete more successfully for the kinds of jobs that could provide the relative stability and income level required to survive with a disability in the paid labour market. Women with disabilities need access to good jobs. This means breaking down some of the stereotypes about the abilities of persons with disabilities and the proper role for women. It also means improving accessibility on the job and to and from the job. Research suggests that women with disabilities who are employed are overrepresented in poorly paid jobs; are steered towards traditional areas of female employment (such as clerical and keyboarding positions); are given marginal jobs far below their capacity; and are denied opportunities for further training and job advancement (WWDA 2004, Fawcett 2000).

7.9. Extending the definition of employment supports and accommodations to the domestic sphere (including childcare)

Whilst there is an obvious need for supports and accommodations for disabled women at the job site, what happens at home is just as important. For many women with disabilities, household tasks often require more time and effort – leaving less time and energy for work, sleep and health care. In an effort to perform all these necessary functions and still find time to work, many women with disabilities rob themselves of sleep and health care, which often results in a worsening health condition and more severe disability. Research has shown that men with disabilities have more options available to secure assistance with these tasks. Research has also shown that women with disabilities spend more time on domestic tasks and have higher levels of stress than any other group (Fawcett 2000).

Most employment related policies and programs, however, are predicated on the assumption that an individual can join the work force and continue to perform all household tasks. For many women with disabilities this is not the case and the latter can absorb all available energy. Supports at home in the form of labour saving devices and paid domestic assistance may be needed to ensure that women with disabilities have the time and energy to participate in the labour market. Programs and policies therefore, must extend the definition of employment supports to include the domestic sphere (Fawcett 2000).

Closely related to domestic tasks is the issue of child care options. Women with disabilities who have young children often face unique barriers in obtaining child care. While it must be said that improved child care options increase the employability of any woman in our society, it has an even more profound affect on the employability of women with disabilities. For women with disabilities, child care options are often more limited by the lack of accessible child care sites, and inadequate transportation between home, child care sites and work. This is further complicated by the much lower levels of earnings obtained by working women with disabilities.

7.10. Portability of disability-related supports and services

Women with disabilities who require support through funded programs (such as home help; personal care) can be severely restricted in terms of being able to move from State to State due to the fact that the funded programs may not be portable between the various States and Territories. This can also be the case even within a State/Territory, where the eligibility for service support can differ between local regions. There is therefore a need for portability of programs and service support both within and between jurisdictions and States.

7.11. Capacity building of women with disabilities organisations, groups and networks

Research from overseas has found that forums for information exchange and support groups provide a valuable resource for women with disabilities trying to enter the labour market. Disabled women have cited the difficulties they encounter in finding information about opportunities for training, the availability of various employment-related programs, and job opportunities (Canadian Council on Social Development 2000). Having a forum for discussion of these opportunities and the exchange of information has been found to be a valuable resource. Disabled women have also identified the importance of being able to get together with other disabled women for support – this support is seen by disabled women as an important element in helping to build their self-esteem which is fundamental to obtaining and keeping a job.

The empowerment of women with disabilities is vital in any framework to improve their access to employment. There is recognition that the empowerment of women with disabilities is achieved principally through women with disabilities coming together to share their experiences, gaining strength from one another and providing positive role models. Clearly then, organisations and groups of women with disabilities play an important role in this context, and their establishment and development must be supported by Governments.

8. Conclusion

Paid employment is a critical component in enabling women with disabilities to support themselves financially and to build self-esteem and achieve social recognition. Employment is the best defence against poverty, and it is well recognised that women with disabilities are among the poorest of all groups in society.

Although men and women with disabilities are subject to employment discrimination because of their disabilities, women with disabilities are at a further disadvantage because discrimination based on gender is combined with that based on disability. This is yet further exacerbated for disabled women who are from a non English speaking background or who are Aboriginal or Torres Strait Islanders.

WWDA shares the government's vision of a society where people with disabilities are not excluded, and where they can fully participate as citizens in the economic, social and cultural life of the nation. Thus any strategies which aim to promote the employment of people with disabilities, require a clear sense of the reality of the situations that women with disabilities face, and a commitment to addressing the barriers that stand in the way of them participating in the labour market on an equal basis with others.

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Appendix 1:

Convention on the Rights of Persons with Disabilities

Ratified by the Australian Government on 18 July 2008

Article 6

Women with disabilities

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

Article 27

Work and employment

1. States Parties recognize 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. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

- (a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- (b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- (c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
- (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- (e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- (f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- (g) Employ persons with disabilities in the public sector;
- (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- (i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- (j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
- (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.