



## JOINT STANDING COMMITTEE ON THE NATIONAL DISABILITY INSURANCE SCHEME

### Questions on notice

#### *COVID-19*

- **This inquiry was launched before the COVID pandemic was declared. But considering the experiences of the workforce since February with COVID, what lessons are there that we need to learn about supporting the workforce into the future?**

#### *ASU Response*

COVID19 has shone a light and highlighted the issues the NDIS workforce faces. First, we have seen the critical importance of secure jobs in the sector – so that workers are not having to work several jobs just to make ends meet.

The most important issues the workforce is facing includes: the need for secure jobs, the need for urgent investment in skills and training, and the need for decent pay and conditions.

Casualised and permanent part-time jobs in this industry are a huge weakness in our defence against COVID-19.

Further, we need urgent investment to grow the workforce so we can meet the projected demand. We just don't have enough workers to fill the support needs we know exist and will exist in the future, and this is exacerbated in a crisis.

Finally, we need investment in training. We need a training entitlement for the workforce that is portable, and allows workers to develop specialisations. We also need the capacity to respond quickly to circumstances and have resources and funding available for urgent training that may be required – such as, in this case, infection control training.

- **Would paid pandemic leave be useful/relevant in the disability sector?**

#### *ASU Response*

Paid pandemic leave is essential in the disability sector.



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The resilience of the disability support system and the health of people with a disability is threatened where workers continue to work when (and do not disclose that) they are displaying symptoms of COVID-19 or are in other circumstances which would create an obligation to self-isolate or quarantine. Ensuring economic security for self-isolating disability support workers should form part of the public health response to COVID-19. If the disability support workforce is granted paid pandemic leave, they will be less likely to violate self-isolation requirements due to economic hardship and comply with public health best practice.

The disability support workforce is characterised by low pay, insecure work and irregular hours. The evidence from Professor Kavanagh highlights the level of financial distress experienced by disability support workers at the present time and its flow-on effects. The economic risk is that the employees will be required to self-isolate for periods of 14 days at a time, with no income to support them as their work places them at risk of infecting other vulnerable persons.

The disability support workforce faces a level of economic risk which is different to that faced by employees in other occupations and industries. The economic risk for disability supporters is particularly elevated by two circumstances, both of which are related to the nature of the work performed.

- a) Firstly, the employees are performing work that may be described as 'essential', in the sense that it has been permitted to continue to be performed notwithstanding the progressive introduction of social and business restrictions from mid-March.
- b) Secondly, the employees are performing work that, by its very nature, carries with it a heightened risk of transmission of the virus (either to the employee, to their co-workers or to their clients or patients) and a heightened risk of exposure to the virus.

Thus, disability support workers are more likely than most other workers to need to self-isolate *and* are more likely to suffer economic hardship if they do.

The risk is that employees may continue to work even though public health best practice would require them to self-isolate due to economic need. This could form the basis of a cluster of infections amongst support workers and people with a disability. If a sufficient number of support workers fall ill (or are required to isolate) this may threaten the functioning of the disability support system, which is already struggling to retain sufficient numbers of skilled workers. The Fair Work Commission has already accepted that financial detriment from not working can be a driver of such decisions.<sup>1</sup>

Paid pandemic leave would remove any financial incentive that may drive a person to work while they are infected or may be infected with COVID-19. However, paid pandemic leave is only one of several measures necessary to support the workforce during the pandemic. The disability

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<sup>1</sup> [2020] FWCFB 3561 at [123]



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support workforce requires personal protective equipment and additional cleaning services, ongoing infection control training, and wages increases to attract the skilled and dedicated workforce that the sector needs.

### *Attracting and retaining workers in the NDIS*

- **What measures could be taken by the Commonwealth Government to better attract workers to the NDIS and keep workers in the NDIS?**

### *ASU Response*

We believe NDIS prices incentivise fragmented working hours, casual jobs, unpaid work, underemployment and under classification in the sector.

Under the current pricing, it's almost impossible to provide decent jobs and so we have seen the proliferation of insecure jobs, unfairly paid jobs, and jobs without adequate support for training, qualifications and career progression.

The pricing also doesn't recognise the level of skill in the work or the time required to properly provide quality disability support. We need to attract and retain skilled workers, and we can only do that by creating good jobs that deliver quality services.

The gendered undervaluation of disability support work has been a longstanding problem, with this type of work traditionally been seen as “women’s work” and wages have been restricted as a result. By increasing the low hourly rate for supports funded by the NDIS and creating a fair income will send a clear signal to the disability workforce that they are valued and will go some way in helping to retain and attract workers to the sector.

In addition we believe the Government should establish a portable training and leave entitlements scheme for disability workers. This is a scheme that would allow workers in the industry to get the training that they need and this training would be recognised, accredited and portable. Most importantly, the worker owns the training and it assists them to build their own specialisation in the industry. We think that it's of critical importance right now that we have accredited transferable training for workers in the industry.