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POLICY PAPER

# CREATING OPPORTUNITY OPENING DOORS TO EMPLOYMENT FOR PEOPLE WITH DISABILITIES

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## The paper in summary...

People with disabilities are overlooked in the national conversation on poverty and overrepresented in New Zealand's poverty statistics. They face lower incomes, increased likelihood of reliance on government assistance, and a significant gap in the employment rate of people with disabilities in contrast to people without disabilities. Employment is, sadly, failing to provide the key pathway out of poverty for people with disabilities that it should.

Building on the work of our previous discussion paper *Acknowledging Ability: Overcoming the barriers to employment for people with disabilities*, this policy paper is a tool for those seeking to see more people with disabilities—the majority of whom want to work—in sustainable employment. There are significant benefits for employers, as people with disabilities often rate higher in job performance than employees without disabilities, and the costs involved are often much smaller than one might expect.

Employers and people with disabilities both face **barriers to improve employment outcomes** for people with disabilities. These include financial, productivity, and skills costs to employers, as well as a perceived cost to employers due to lack of experience and limited understanding. People with disabilities face raised everyday costs and the financial disincentive of the social security system, managing inaccessible workplaces, limited in-work supports, and fear of the consequences of disclosing their disability.

Despite the efforts of many conscientious New Zealanders using these strategies, barriers remain. Strengthening the promising aspects and addressing the weaknesses of these strategies is the key to making a difference. The **six key strategies** that attempt to overcome these barriers to employment and our responses are:

**Supported employment** provides different practical supports for people with disabilities to work within open employment. These supports need to be strengthened to better reach and support a wider group of people with disabilities and employers for longer periods of time.

**Education campaigns** hope to educate the public on the realities of employing people with disabilities. They need to increase in scale and effectiveness to reach a much wider audience.

**Financial support** aims to reduce the financial costs of having a disability. This funding must become much more flexible to meet the different needs of people with disabilities and their employers.

**Sheltered employment** describes workplaces where majority of employees have disabilities and supports are built into the structure of the workplace. These arrangements need to actively encourage transition into open employment for those who are able.

**Antidiscrimination legislation** hopes to protect people with disabilities from discrimination in the workplace. It is unlikely to reduce barriers to entering employment, however, and should not be a focus.

**Employment quotas** present employers with an obligation to employ a minimum number or proportion of people with disabilities. New Zealand doesn't have employment quotas and research suggests that neither employers nor people with disabilities strongly support their introduction.

We recommend that government and employers implement our **specific recommendations**. Some of the highest priority recommendations are:

### **For Government:**

- *Establish a thorough employment and disability strategy with targets, deadlines and an ability to measure progress.*  
A cohesive strategy focused on employment that goes beyond the 2016-2026 Disability Strategy with specific and realistic targets and deadlines holding Government to account is necessary for real change.
- *Consider implementing evaluation best practice to measure the effectiveness of policies in supporting people with disabilities into employment.*  
We need to understand and evaluate what works and what doesn't so that we can determine where we are effective and where we need to improve.
- *Create a one-stop-shop with easily accessible information on supports for employers looking to employ people with disabilities.*  
Employers need to know where and how to access good supports for potential employees with disabilities. This could include a comprehensive website, a telephone advice service, a tool for practical solutions to workplace modifications, and an online process for support claims.
- *Carry out a large-scale, long-term educational disability campaign to inform and change attitudes of the public and employers towards the employment of people with disabilities.*  
With perception proving to be a major barrier to increased employment of people with disabilities, we need large-scale education to correct misperceptions and encourage action.

### **For employers:**

- *Provide training, support, and information for Human Resources staff, employers and managers on what to expect, what supports are available, and how best to integrate people with disabilities into their team.*  
Training for staff to answer questions on the costs and benefits of employing people with disabilities and the supports available would serve to increase the confidence of employers and staff.
- *Increase collaboration between education and employment sectors in supporting people with disabilities into employment.*  
A successful transition between education and employment is a key determinant of later career success. Support for this needs to come from both the education and employment sectors working together.
- *Promote awareness amongst Human Resource staff about the accommodations available for employees with disabilities.*  
Human Resource staff need to know the supports available to both the organisation and any employees with disabilities. This could be achieved through human resource focused professional development and training.

Too many people with disabilities don't have the opportunity to participate in work. This needs to change. Employers around New Zealand are already trying to make this change but struggling to make progress, and many more are sympathetic but just don't know where to begin. We hope that this paper and its recommendations will assist employers make changes and encourage government to ensure that employers have the support they need. We have to move from simply acknowledging the abilities of New Zealanders living with disabilities to creating opportunities that open the doors to sustainable, valuable work.

## 1. INTRODUCTION

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In the midst of a national conversation on poverty it is a sad fact that people with disabilities have largely been forgotten. Making matters worse, people with disabilities are over-represented in poverty statistics. The desire to improve the situation of our most vulnerable New Zealanders is good and important, however, overlooking people with disabilities in this discussion has meant that employment—a key pathway out of poverty—has received very little attention. But because of significant barriers facing people with disabilities, work just isn't as effective a pathway as it should be.

For many people with disabilities, “going to work” is not as simple as getting dressed and complaining about traffic on the commute to the office every morning. Someone using a wheelchair would need to confirm accessible transport was available, others manage medications in the hope that energy levels will best fit inflexible work hours, and some may have to begin the day at 4am to allow enough time to get ready for work. Having a job can also mean someone with a sight impairment may need to ensure funding for up-to-date screen reading technology. On top of this, while working hard might result in a pay rise from an employer, abatement rates for those receiving support from the social security system can mean that extra income doesn't make a bottom-line difference to their bank account; sometimes resulting in an overall loss in income. And that's all after being accepted for the job. To simply get in the door, people with disabilities often need to overcome inaccurate perceptions of employers regarding the costs, supports available, and benefits of employing someone with disabilities. In fact, Statistics NZ report that 74 percent of people with disabilities not currently employed want to be working.<sup>1</sup> As a result, much more work needs to be done to break down these barriers and ensure that employment offers a pathway out of poverty for all New Zealanders.

People with disabilities are not the only ones missing out. Both employers and wider society would benefit from having more people with disabilities in work. In people with disabilities, employers will likely find loyal and committed employees with higher levels of reliability.<sup>2</sup> And while there can be costs to employing people with disabilities, employers will also find that these are usually covered by government subsidies, one-off, and much smaller than most assume.<sup>3</sup> Research also suggests

that wider society will benefit, with one study modelling how reducing the unemployment rate of people with disabilities to the national average could save the government approximately \$270 million each year due to the reduced costs of benefit support.<sup>4</sup>

Over the past six years, Maxim Institute has been contributing to the wider conversation on reducing poverty in New Zealand through a series of research and policy papers. We began with our *Heart of Poverty* series, which asked what poverty is and how we define it; with our final paper concluding that education and employment are the two key pathways out of poverty.<sup>5</sup> We then turned to consider the impact of poverty on people with disabilities in our paper *Acknowledging Ability: Overcoming the barriers to employment for people with disabilities*.<sup>6</sup>

In this paper, we hope to build on the work of *Acknowledging Ability* by making clear and specific policy recommendations for Government, employers, Disabled Persons Organisations (DPOs), the disability sector, and the general public that will both reduce the risk of poverty and improve employment outcomes for people with disabilities. We will start by revisiting the barriers to employment people with disabilities face, as well as some of the current strategies to overcoming these and where they fall short. We will then build on the broad recommendations outlined in *Acknowledging Ability* by offering more specific steps in the following areas: introducing a cohesive strategy, upscaling wrap-around support, bridging the public and employer perception divide, and reworking the funding structure.

With this policy paper we hope to provide a useful tool for those seeking to increase the employment of people with disabilities in New Zealand. However, change will only occur when an employer offers someone with disabilities a job, and as such, we hope that this paper will also inspire employers into action. While we recognise that people with disabilities, like people without disabilities, have a diverse range of interests and abilities, and not all roles or places of employment will be suitable for all people with disabilities, our hope is that government and employers, and to some degree the general public, use this paper and the policies recommended within it, to ameliorate and overcome the many barriers to employment that people with disabilities face.

*What we mean by:*

### **Disability**

When referring to people with disabilities we use the definition outlined by the United Nations Convention on the Rights of People with Disabilities (UNCRPD): “persons with disabilities include those who have long term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”<sup>8</sup> We will also use the terminology outlined in the UNCRPD and refer to “people with disabilities.”<sup>9</sup>

### **Poverty**

While defining poverty is complex, our research in this area found that “most definitions articulate a dynamic relationship between material resources and minimal needs.”<sup>10</sup> More precisely, we defined poverty as: “a situation where a person or family lacks the material resources for a minimal acceptable standard of living to participate in society as recognised by most New Zealanders.”<sup>11</sup> With higher needs and fewer resources on average, people with disabilities are particularly vulnerable to poverty.

### **Employment**

We recognise that work can look very different for different people, and can include voluntary work, internships, and work experience. While these types of work are sometimes paid or can lead to paid employment, this paper will focus primarily on paid employment as a pathway out of poverty.<sup>12</sup> Ideally this work will be meaningful and sustainable, which will look different for different people, especially for people with disabilities. For one person, this could be gardening or building, for another, a full-time position in an office, or flexible hours in a professional or managerial position.<sup>13</sup> Sometimes meaning is more about who you work with than what you’re doing. As we were told, sometimes a key feature of meaningful employment is:

*“Good people that you work with. That’s why I love coming here, if you’re having a down day people can support one another. At my old job I didn’t find that.”*

We come to this work with a belief in the value and dignity of every person, that every New Zealander should have the opportunity to belong and be able to participate in society. Society more generally is upholding this belief by calling for increased diversity in workplaces, and yet we have been slow to include people with disabilities in this call.<sup>7</sup> One way this dignity can be realised, which is the focus of this paper, is to give people with disabilities the opportunity to participate in the workforce where possible, creating a pathway out of poverty for many.

Recognising the wisdom and passion of those in the disability sector, we continued the listening, collaborative approach we began in *Acknowledging Ability*. Building on the collaboration begun through meetings and a series of roundtable conversations with these voices woven through our previous work, we continued to meet with and listen to people with lived experience, representatives from a range of disability organisations, employers, policy and decision makers, as well as other leaders in this field. This has allowed us to draw on their experience to inform and guide our recommendations.

## 2. THE OVERALL PROBLEM

Our previous work, *Acknowledging Ability*, discussed the relationship between poverty and disability, the role of unemployment in increasing the relationship between poverty and disability, and the barriers people with disabilities face when seeking employment. In fact, a key finding of *Acknowledging Ability* was that people with disabilities are overrepresented in New Zealand’s poverty statistics. According to the June 2018 Statistics New Zealand report on the *Labour Market Measures for Disabled People*, the individual median weekly income of people with disabilities is about half the individual median weekly income of people without disabilities,<sup>14</sup> as is seen in Figure 1 below.

This overrepresentation of people with disabilities in our poverty figures is primarily due to the combined pressures of higher living costs and lower incomes. As Michael Palmer of Australian National University puts it:<sup>15</sup>

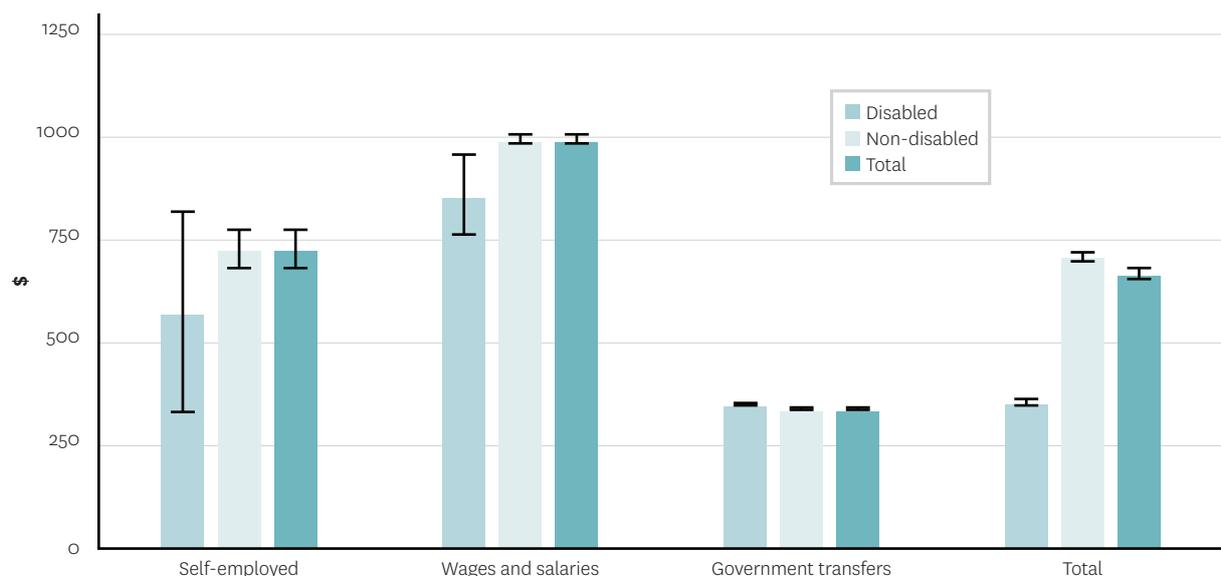
**People with disabilities are prone to economic deprivation for three main reasons. First, people with disabilities have lower earning capacity. Second, expenses attributable to disability create an extra drain on resources. [...] Third, assistance and caring by other family members can detract from the available household labour.**

This increased likelihood of low incomes for people with disabilities was highlighted during our roundtable conversations:

*“The link between poverty and disability starts with education and there’s a flow through effect where the end result is that people with disabilities don’t earn nearly as much as people without disabilities. The average is about 1-2 income brackets below people without disabilities. Not to mention the labour market gaps are abysmal... The more support needs someone has, the more likely they are not to be in the workforce at all.”*

Earnings are obviously related to employment, and people with disabilities are more likely to work part-time, earn less, and have an increased reliance on government assistance.<sup>16</sup> In 2018, the median income of people with disabilities per week was \$358 — nearly half the \$712 median weekly income of people without disabilities.<sup>17</sup> A higher percentage of people with disabilities than people without disabilities work part-time, while a lower percentage have full time work.<sup>18</sup> Moreover, the gap between the employment rates of working-age people with disabilities and people without disabilities is 39.5 percentage points: the employment rate for people without disabilities’ was 78.5 percent compared with 39 percent for people with disabilities.<sup>19</sup> To increase their income, people with disabilities need paid employment.

Figure 1: Median weekly income by disability status, June 2018 quarter



Note: Error bars show sampling errors. These are larger for disabled people due to a smaller population.

Source: Statistics New Zealand

While these numbers show the nature and extent of the problem for people with disabilities, they don't say anything about the lost opportunity for employers. Studies have found, for example, that employees with disabilities are less likely than employees without disabilities to take sick leave and also tend to rate higher in job performance.<sup>20</sup> Employees with disabilities have also been associated with improving greater accessibility, flexibility, and accommodations for wider staff culture and management practice.<sup>21</sup> By highlighting where sub-optimal conditions exist, increasing morale and understanding of customers with disabilities, people with disabilities can “raise expectations and standards for performance of all employees.”<sup>22</sup>

There are benefits for everyone to overcoming barriers to employment for people with disabilities, and they're not as expensive as one might assume. The US Department of Labour, for example, found that 57 percent of accommodations come at no cost, and those with an associated cost averaged around US\$500. Another study found that “the most frequently cited accommodation was changes to the work schedule.”<sup>23</sup> As we consider the barriers to employment for people with disabilities, we also need to recognise the true costs and benefits involved.

## 2.1 Barriers to employment

Getting a job is a two-way street, and our research showed that many people with disabilities and their potential employers faced roadblocks. The key barriers people with disabilities can face are the difficulty of accessing workplace supports, and the cost of employment,<sup>24</sup> and for employers, the actual cost of supports, productivity and skills, as well as the perceived cost and misunderstanding of what employing people with disabilities is like.<sup>25</sup> These barriers, discussed more fully in our previous work, are summarised in Table 1 on page 5.

It is important to note that the abilities of people with disabilities can vary significantly—employment is not a possibility for everyone. While one person in a wheelchair might be capable of a job involving a great deal of travel, another person using a wheelchair might struggle with the daily tasks of cooking and cleaning. Thus, for many people with disabilities, Matthew Oakley, Senior Researcher at the Social Market Foundation, notes, “it should be recognised both that work is not always the appropriate objective to be targeting and that, where this is the case, a different approach to supporting these people, that focuses on improving health and wider outcomes, will need to be adopted.”<sup>26</sup> Taking this into account, we need to provide the best possible supports to those people for whom employment is a possibility.

Table 1: An overview of the barriers to employment for employers and people with disabilities

BARRIERS TO EMPLOYMENT		BRIEF EXPLANATION	
Barriers for employers	Actual cost	<b>Financial cost</b>	Providing for the specific support needs of an employee with disabilities, for example, wide doorways, sign language interpreters, and screen reading technology can come at an additional financial cost.
		<b>Productivity cost</b>	People with disabilities are generally less productive than people without disabilities, particularly in speed and accuracy. <sup>27</sup> This can discourage employers from hiring people with disabilities. <sup>28</sup>
		<b>Skills cost</b>	People with disabilities tend to have fewer qualifications, which has been linked with their lower rates of labour force participation, and can add an increased upskilling cost to employing people with disabilities. <sup>29</sup>
	Perceived cost	<b>Lack of experience</b>	When an employer has previous experience with disability through a friend or family member their likelihood of employing someone with disabilities is increased. <sup>30</sup> Employers are also more likely to make workplace adjustments to retain an existing employee that becomes disabled than pay for adjustments so that they can hire a new employee with disabilities. <sup>31</sup>
		<b>Limited successful examples</b>	As one consultant told us, employers just want to hear that people with disabilities have been employed successfully, and how they can replicate that. Without these positive examples they will be suspicious that it is possible and beneficial to employ people with disabilities.
		<b>Limited understanding</b>	Incorrect employer perception of the costs and benefits of employing people with disabilities often leads to overlooking potential employees with disabilities, even if they have the requisite skills, training, and qualifications.
Barriers for people with disabilities	Difficulty of employment	<b>Inaccessibility of the workplace</b>	While ramps, wheelchair parking and bathrooms are essential for physical accessibility, it is important to remember that inaccessibility can also be found in software, technology, transport, and processes limiting the ability of people with disabilities to participate in the workplace.
		<b>Limited in-work supports for employers and employees</b>	Both employers and employees with disabilities continue to require wrap-around supports that apply “to the needs of the individual, [are] flexible to the changing nature of those needs, and [are] on a long-term basis.” <sup>32</sup>
		<b>Fear of disclosure</b>	The fear that revealing disability to a potential employer will hinder their chances of getting the job remains for many people with disabilities. <sup>33</sup>
	Cost of employment	<b>Raised mainstream costs</b>	Mainstream costs such as assistance at home generally continue and sometimes increase when a person with disabilities enters employment, and yet income means that financial support is likely to diminish. <sup>34</sup>
		<b>Financial disincentive of the social security system</b>	The impact of abatement rates on an individual’s current supports mean that people with disabilities can be discouraged from increased employment for fear of losing their benefits. <sup>35</sup>

## 3. THE CURRENT STRATEGIES

A number of initiatives in New Zealand are working to overcome the barriers to employment for people with disabilities. We have categorised these into six overarching strategies:

**Supported employment:** Provides support for people with disabilities to work within open employment.

**Education campaigns:** Hopes to educate the public on the realities of employing people with disabilities.

**Financial support:** Provides supports that hope to reduce the financial costs of having a disability.

**Sheltered employment:** Majority of employees have disabilities and supports are built into the structure of the workplace.

**Antidiscrimination legislation:** Legislation which hopes to protect people with disabilities from discrimination in the workplace.

**Employment quotas:** Employers have an obligation to employ a minimum number or proportion of people with disabilities.<sup>36</sup> These have not yet been used in New Zealand.

To recognise where New Zealand needs to improve, as well as where further policy recommendations would be most beneficial, it is essential to understand these strategies. Therefore, we will now briefly outline each of the strategies, any significant or appropriate New Zealand examples, and assess their strengths, weaknesses, and effectiveness.

### 3.1. Supported employment

**Overview:** Supported employment is designed to “allow people, often with severe disabilities, to work successfully alongside non-disabled colleagues.”<sup>37</sup> In the Netherlands, it is defined as “the totality of activities, means and facilities that provides support for employees with disabilities to participate in the labour process and/or maintain their job.”<sup>38</sup> The employment specialist or case worker will assist and work alongside the person with disabilities to provide some combination of the following processes:<sup>39</sup>

1. Investigate the job seekers’ personal preferences and competencies;
2. Search for job opportunities;
3. Analyse employer’s needs and job tasks;
4. Determine if there is a potential “match” between the job requirements and the candidate’s skills and preferences, keeping in mind that support is available; and
5. On the job training and support.

**New Zealand examples:** In New Zealand the largest supplier of supported employment is specialist employment service Workbridge.<sup>40</sup> As the five-step process above suggests, Workbridge interacts with people with disabilities and employers, using their connections and networks to “link the right people to the right jobs,” and then supports the new employee after they have been placed in a job for a minimum of twelve months.<sup>41</sup>

**Strengths:** The key strength of supported employment is its ability to provide supports in an individualised nature that meets the particular needs of the employer and employee. In fact, “international evidence suggests that supported employment programmes are more effective than vocational rehabilitation and training,” and in the United States, “on average 58% of participants in supported employment programmes with severe mental health problems obtained a job in the regular labour market compared with only 21% of those in traditional vocational rehabilitation measures.”<sup>42</sup>

**Weaknesses:** A weakness of supported employment is the narrow group of employers and people with disabilities that it is often able to reach. This is primarily due to limited scope and scale, rather than a flaw in the policy solution itself, however, but it is still worth considering. As we were told during conversations with representatives from disability organisations, supported employment programmes have generally focused on providing employment for people with disabilities in manual roles, rather than in positions and organisations that require a higher level of education or skills.<sup>43</sup> This is echoed in the book *Achievements and Challenges in Employment Services for People with Disabilities: The Longitudinal Impact of Workplace Supports* which found:<sup>44</sup>

Concerns have been raised that individuals with cognitive disabilities are frequently unable to retain their jobs for extended periods of time after initial placement, individuals are often placed into low-paying jobs that do not allow them to achieve economic self-sufficiency, and the program fails to effectively meet the needs of individuals with the most significant and ongoing support needs.

Supported employment agencies are beginning to recognise that to match the range of strengths and interests of people with disabilities, as well as the staffing needs of employers, it is essential that their networks and connections with different industries are wide-ranging.

**Overall:** Despite these weaknesses, supported employment is widely recognised as an effective tool for improving the employment of people with disabilities. This is highlighted in a study from Holgar Hoffmann and colleagues from the University of Bern, who found that “approximately twice as many participants in supported employment obtained competitive work over the 5-year period than in the traditional rehabilitation program.”<sup>45</sup> They continue “participants in supported employment,” moreover “remained in their longest competitive job approximately three times longer than those in traditional vocational rehabilitation, and they worked more hours and earned more wages from competitive employment over the 5 years.”<sup>46</sup> Therefore, when successful, supported employment is an important and effective strategy for overcoming the barriers to employment for people with disabilities.

### 3.2. Education campaigns

**Overview:** Education campaigns are important tools for ensuring public perception meets reality. As Whitney Randolph and K. Viswanath of the National Cancer Institute in Maryland, United States point out, “large amounts of money, time, and effort are poured into mass media campaigns both local and national in scope, each year in various attempts to get the public to eat healthy, get moving, stop smoking, and practice safer sex.”<sup>47</sup> They claim that a successful campaign will not only increase public information or awareness on a topic, but will also “redefine or frame the issue as a public health problem to make it salient, attract the attention of the target audience, and suggest a solution to resolve that problem.”<sup>48</sup>

**New Zealand examples:** The LEAD toolkit is the most recent New Zealand example of an education campaign promoting the employment of people with disabilities in recent years. This toolkit was designed by the former Minister of Disability Issues to provide accurate information, guidance, and support for public sector employers on the employment of people with disabilities.<sup>49</sup> Another New Zealand example is the Think Differently campaign, which, for five years, supported a series of local and community projects around New Zealand that aimed to change public attitudes toward people with disabilities.<sup>50</sup> While this campaign was focused on attitudes toward disability more broadly, some of the projects, such as Works for Me, did focus specifically on employment.<sup>51</sup> In the United States, a much larger scale example is found in the “What can YOU do” campaign. Through a series of public service announcements and coordinating media products the campaign is working to encourage “businesses and others to recognise the value that individuals with disabilities bring to the workplace, and the benefits that come with full inclusion.”<sup>52</sup>

**Strengths:** The main strength of education campaigns is that they can become a powerful method for overcoming the often-incorrect perceptions of the cost and difficulty associated with employing people with disabilities. That is, in the employment of people with disabilities, a successful campaign plays an important role in shifting cultural attitudes and changing attitudes of employers toward people with disabilities. This was highlighted in our roundtable conversations:

*“Attitudes and accessibility and awareness occur in every aspect of one’s life. It’s important that these attitudes are changed in ways that make them amenable to better lives. And that’s the case of people we call disabled, and all people.”*

**Weaknesses:** The biggest weakness of education campaigns, however, is that they promote cultural, not legislative change, and thus, the impact of this improved understanding can be limited if not reinforced by relevant policy. Rather, the effectiveness of education campaigns are ultimately determined by the audience’s willingness to change their own behaviour.<sup>53</sup> As a result, the effectiveness of education campaigns directly relates to the reach and impact of the campaign. Too often the audience of education campaigns around disability and employment are too small (often by design) to have any

significant impact.<sup>54</sup> This is what we have seen in New Zealand, where information through the Lead Toolkit, has focused on and targeted state sector employers, leaving out many private sector employers.<sup>55</sup> While some private sector employers have received and used the toolkit, greater emphasis on targeting education campaigns toward this group is needed.

**Overall:** Effective education campaigns hold the potential to educate the public and encourage societal shifts toward the acceptance of people with disabilities, particularly in the workplace. As Noelle Denny-Brown of Mathematica Policy Research together with Bonnie O’Day and Stephanie McLeod explain, “a well-funded employer education campaign that would inform employers of the low costs of accommodating and the benefits of hiring workers with disabilities might encourage some employers to hire, retain, and accommodate workers with disabilities.”<sup>56</sup>

### 3.3. Financial support

**Overview:** As outlined in *Acknowledging Ability*, disability often comes with a hefty price tag attached. Table 1 highlights how this cost of disability can become a significant barrier to employment, both through raised mainstream costs of employment, and through the financial disincentives of the social security system.<sup>57</sup> The result is that financial support continues to be a key strategy to overcoming the barriers to employment for people with disabilities.

**New Zealand examples:** Currently, New Zealanders with disabilities and their employers can receive financial support through a range of avenues. These can be largely broken down into three categories:

- First, employer subsidies, where an employer is given subsidies or financial support for employing people with disabilities. Examples include Ministry of Social Development’s Mainstream Employment Programme or Workbridge’s Job Support Fund (which includes workplace modifications) distributed on behalf of the Ministry of Social Development.<sup>58</sup>
- Second, support services for people with disabilities, such as the Ministry of Health Disability Support Services, and ACC.<sup>59</sup>

- Third, government transfers and income support to people with disabilities, as seen in the Disability Allowance, a weekly benefit for the ongoing costs of disability such as doctor visits and medicine.<sup>60</sup>

Over the past few years the Ministry of Health has been developing a “transformation to the disability support system,” with the first trial of the transformation started in Mid-Central New Zealand in October 2018.<sup>61</sup> This expansion and shift in financial support services the success of the individualised funding initiative Enabling Good Lives in Christchurch and Waikato, and aims to build on their principles and grant people with disabilities and their whānau greater control and flexibility over their supports so that they are best suited to their individual goals and needs.

Another notable example of financial support is the minimum wage exemption. This controversial exemption allows employers with a specific permit to pay employees with disabilities below minimum wage, and as we will discuss, have been most common among sheltered employment workplaces. Conditions for the permit include: that the person’s “disability really stops them from earning the minimum wage;” that “the wage rate relates to the employee’s ability to do the work;” and that “the employee agrees with the rate.”<sup>62</sup>

**Strengths:** The strength of financial support is found in its ability to assist both employers and people with disabilities as they negotiate the barriers to employment. For example, financial supports can ensure workplaces are accessible, provide a support person or sign language interpreter, and cover the costs of specialised equipment. In fact, for potential employers the promise of financial support can play an important role in either removing or mitigating the financial burden of employing someone with disabilities, and as a result increase interest in employing that person.

**Weaknesses:** Any weaknesses of financial support are largely due to the structure of that support. That is, prior to the current transformation to the disability support system highlighted above, feedback was that the structure of financial support was insufficient, and inflexible. This was emphasised in our own roundtable conversations:

*“If it were an employment strategy and looked at what employers need, employers actually need flexible funding packages that they can use in whatever way actually makes it easier for them.”*

The minimum wage exemption must also be included in the weaknesses of financial support. The exemption, which allows some people with disabilities to be paid less than five dollars an hour for their work, was raised as a concern by the United Nations monitoring committee on the Convention on the Rights of Persons with Disabilities. The Committee recommended that Government “examine alternatives to minimum wage exemption permits in the employment of persons with disabilities.”<sup>63</sup> This imperative was echoed in the Disability Action Plan, which included a goal of “identifying better alternatives” to exemption permits.<sup>64</sup> In February, the Minister for Disability Issues announced that the Ministry of Social Development, together with the Ministry of Business, Innovation and Employment, will be conducting “targeted consultation with the disability sector on a proposal to replace the Minimum Wage Exemption scheme with a wage supplement.”<sup>65</sup>

**Overall:** We look forward to seeing the results of the support system transformation and hope that it adequately responds to these concerns, particularly in relation to the employment of people with disabilities. Financial supports that allow for the wide ranging, individualised, and often changeable nature of support needs will ensure that both people with disabilities and their employers are best able to overcome a series of financial barriers to increased employment of people with disabilities.

### 3.4. Sheltered employment

**Overview:** Sheltered employment, also known as Business Enterprises or sheltered workshops, are workplaces “reserved to disabled people who cannot gain access to the open labour market.”<sup>66</sup> These are workplaces—often factory or assembly line work—where majority of the employees have disabilities and as a result, the workplace is designed to have supports built into the structure of the workplace.<sup>67</sup>

**New Zealand examples:** While these are intended as social enterprises, the two key examples of sheltered employment in New Zealand are Kilmarnock Enterprises and Altus Enterprises.<sup>68</sup> Like many other

sheltered employment organisations, both Kilmarnock and Altus Enterprises focus on assembly line work and packaging.

**Strengths:** As we will outline below, sheltered employment as a strategy for employing people with disabilities is contentious. Despite this, sheltered employment is important for some people with disabilities hoping to enter employment as it provides opportunities for people with severe disabilities who might not be able to work in open employment. As we outlined in *Acknowledging Abilities*, sheltered employment models allow these employees to “find purpose, social interaction, and some economic benefits in work that otherwise would not exist.”<sup>69</sup>

**Weaknesses:** The controversy, and a real weakness of sheltered employment, however, is outlined in a report from the OCED:<sup>70</sup>

*In the past 15 years, there has been an expansion of initiatives to help people integrate into the regular labour market. The strong focus on sheltered employment that many countries had taken was perceived as perpetuating the segregation of people with disability and hindering their integration into the regular labour market.*

This controversy is exacerbated by the potentially exploitative nature of sheltered employment. That is, due to mentioned minimum wage exemptions, the pay rates of employees in sheltered workshops are generally much lower than those of open employment – sometimes as low as a few dollars an hour.<sup>71</sup> The argument for this reduced pay rate is that “increased pay rates would bring the downfall of the workshops, claiming it is more important for people who work in sheltered workshops to have a sense of participation, social inclusion, and purpose than a larger pay packet.”<sup>72</sup> As we were told:

*“What is meaningful work for the individual? It can be just getting out of the house every day or every other day. It’s about being socially connected. It’s not always about the money.”*

The minimum wage exemptions replaced the Disabled Persons Employment Promotion in 2007, resulting in exemptions being granted to individual employees rather than complete sheltered workshops, and ensuring people with exemptions were still granted employment rights including holiday pay and sick leave.<sup>73</sup> The exemptions,

however, continue to allow people with disabilities to be paid under the minimum wage, therefore increasing the likelihood of in-work poverty.

**Overall:** And yet, international examples suggest effective sheltered employment is possible. In Norway, for example, sheltered workshops have become “a temporary solution with the objective of eventually transferring participants into the open labour market.”<sup>74</sup> In fact, researchers have found “that sheltered work would be more successful in integrating participants into ordinary jobs if the working conditions were more similar to those in the regular labour market.”<sup>75</sup> While removing sheltered employment completely would be detrimental to people with disabilities unable to work in open employment, it is important to prioritise models of sheltered employment that encourage transition into the open workplace where possible.

### 3.5. Antidiscrimination legislation

**Overview:** Antidiscrimination legislation such as the Americans with Disabilities Act 1990 (ADA) and the United Kingdom’s Disability Discrimination Act 1995 (DDA) focuses on removing discrimination against people with disabilities particularly in the areas of employment, education, and transport. They require employers to provide “reasonable accommodations necessary for persons with disabilities to fully perform their jobs.”<sup>76</sup> Under the DDA, people with disabilities who feel that they have been discriminated against in the workplace, or who have not been provided with reasonable accommodations, can bring their employer to an employment tribunal where, if their complaint is “well-founded,” the employer will be asked to pay compensation to the complainant.<sup>77</sup>

**New Zealand examples:**<sup>78</sup> While New Zealand does not currently have a piece of antidiscrimination legislation that is specifically targeted for people with disabilities, as in the United States or United Kingdom, we have instead followed the route of nations like Sweden, Norway, and Germany by “incorporat[ing] language prohibiting discrimination against people with disabilities into more general legislation.”<sup>79</sup> These can be found in the Humans Rights Act 1993, the Employment Relations Act 2000, and the New Zealand Bill of Rights Act.<sup>80</sup> Under this legislation, New Zealanders with disabilities have many of the same protections, as well as the opportunity to bring any complaints to the Human Rights Commission for a hearing.

**Strengths:** While studies have been sceptical about the effectiveness of antidiscrimination legislation, Michelle Moroto of the University of Alberta and David Pettinicchio of the University of Toronto found that “the creation of legislation has positively affected employment outcomes.”<sup>81</sup> In states with a longer history of antidiscrimination legislation, they found a positive relationship between employers and people with disabilities was more likely, and “when properly enforced, antidiscrimination policies can help to change behaviours on the part of employers so as to increase employment and economic well-being.”<sup>82</sup>

**Weaknesses:** While this positive relationship suggests antidiscrimination legislation is reaching its intended goals “to change attitudes and curb behaviours that can lead to unequal outcomes in the workplace and beyond,” the actual success of the legislation has been limited.<sup>83</sup> One reason for this is the fear it can instil in employers of the cost of adhering to such legislation. Research on the influence of the ADA on employers and employment discrimination court cases highlighted this, finding that while lower-level courts that uphold federal antidiscrimination laws “positively impact disabled workers,” Supreme Court cases “hurt employment among people with disabilities” as they “create concerns for the business community that can limit the employment and earnings of people with disabilities.”<sup>84</sup>

Antidiscrimination legislation is also difficult to enforce. That is, vague terminology that allows for wide interpretation is common in these pieces of legislation and can cause confusion about what people are required to do.<sup>85</sup> The requirement for employers to provide “reasonable accommodations,” for example, could be interpreted to include everything from “workplace accommodations, special equipment or adjustments to duties.”<sup>86</sup> Increasing the difficulty of enforcement, antidiscrimination legislation generally requires self-reporting, from the person being discriminated against, of any discrimination or failure to comply.<sup>87</sup> This requires the individual’s awareness of their rights under the legislation, as well as a willingness to file a complaint despite the risk of possible repercussions.

**Overall:** While antidiscrimination legislation has become increasingly popular in OECD countries as a pathway to improving employment for people with disabilities, and is a useful tool for ensuring employment is sustainable for people with disabilities, its effectiveness at reducing

barriers to employment is contentious.<sup>88</sup> Clare Bamba and Daniel Pope from the Centre for Public Policy and Health at Durham University found that despite the presence of the Disability Discrimination Act in the United Kingdom, “the disparity in employment rates between disabled and non-disabled people has actually seemed to increase.”<sup>89</sup> They go on to say that “antidiscrimination legislation, at least in the UK context, may not be the most effective way of overcoming the social consequences of ill health and disability, nor a particularly useful policy tool in terms of reducing inequalities.”<sup>90</sup> Meanwhile, Maroto and Pettinicchio suggest that “limited enforcement and judicial interpretations of disability antidiscrimination legislation have led to disparate outcomes.”<sup>91</sup> While it is both useful and important that New Zealand has antidiscrimination legislation for people with disabilities in employment, this is unlikely to reduce barriers to employment.

### 3.6. Employment quotas

**Overview:** Employment quotas are “an obligation to employ a specific number or proportion of persons of a particular group.”<sup>92</sup> In the employment of people with disabilities, quotas are used “to entice employers to retain and hire people with disability or, alternatively in some of the existing regulations, subcontract with companies with a significant share of workers with disability.”<sup>93</sup> They also come in a variety of forms:

- Flat rate quotas are universal for all large employers.<sup>94</sup>
- Varied quotas are determined by the size or sector of the employer.<sup>95</sup>
- Quota-levy systems allow the employer to “opt out” of employing people with disabilities and instead pay a fine or levy which is generally used to support people with disabilities into employment.<sup>96</sup>
- Affirmative action to short-list and interview job applicants with disabilities could also be considered as a form of quota.

**New Zealand examples:** Quotas have been used by a number of European and Asian countries in an attempt to increase the number of people with disabilities in employment. For example, seven percent of the workforce in Italy, six percent in France, four percent in Austria, and two percent in South Korea must meet the

criteria for disability.<sup>97</sup> New Zealand, however, has never included disability employment quotas.<sup>98</sup> In fact, a 2013 report commissioned by Health Workforce New Zealand and the Ministry of Health’s Disability Support Services Group found that, generally, neither employers or people with disabilities strongly supported the introduction of quota systems in New Zealand.<sup>99</sup> Despite the prevalence and continued interest in quota systems in Europe, New Zealand’s disability policy has instead focused on “individual rights, the use of financial incentives, the marketisation of service provision, voluntarism and fiscal restraint.”<sup>100</sup>

**Strengths:** International examples suggest that while employment quotas have not been especially successful they do have some short-term benefits. In Austria, for example, “there is evidence that quotas did improve the retention of disabled staff within firms via greater employment protection, and that an increase in the fine did drive a noticeable jump upwards in the disability employment rate.”<sup>101</sup> And yet, it is important to note that while employment quotas can be helpful for people with disabilities who want to remain in employment, they can also become barriers to employment for people with disabilities not currently employed.<sup>102</sup>

**Weaknesses:** There are several key weaknesses to employment quota. First, it encourages what Laura Gardiner and Declan Gaffney have termed “‘cream-skimming,’ where employers fulfilled the requirements by offering jobs to disabled people with only the least severe impairments and fewest barriers to employment.”<sup>103</sup> The result is that people with disabilities who were most likely to attain employment prior to the employment quota are the same people most likely to benefit from the quota, while people with more significant barriers continue to struggle to find employment.

Second, quotas ignore the need for sufficient applicants with the relevant expertise to fill quotas. In Austria, rather than hiring people with disabilities not in work, this has led to employers “poaching disabled people who are in work from firms who are not subject to [the quota], therefore having little impact on the out-of-work disabled group.”<sup>104</sup> As Michael Sargeant and colleagues point out, “quota systems are concerned with numbers and do not necessarily reflect either the employer’s needs for certain skills, or the disabled workers’ true abilities.”<sup>105</sup>

Third, employment quotas are often criticised for further encouraging the stigmatisation of people with disabilities in the workplace. Quotas, it has been argued, encourage “the belief that without some form of legislative intervention, [people with disabilities] would not be able to get a job in the open labour market.”<sup>106</sup> In an attempt to reduce the barriers to employment for people with disabilities and providing an incentive to hire them, employment quotas have instead reinforced the idea that without these incentives or legislation people with disabilities would be unemployable.

**Overall:** Research findings suggest that employment quotas are difficult to implement and have not sufficiently reduced barriers to employment for people with disabilities. This is particularly clear when comparing the employment rates of people with disabilities in jurisdictions that have employment quotas to jurisdictions without them. The employment gap between people with disabilities and people without disabilities in Italy and the United Kingdom are 39 percent and 30 percent respectively.<sup>107</sup> This shows “that countries with a quota system [like Italy] do not necessarily perform better in employment rates than countries without a quota system [like the United Kingdom].”<sup>108</sup>

In fact, as Laura Gardiner, senior researcher and policy analyst for the Resolution Foundation and independent policy consultant Declan Gaffney state, “overall, while there are some examples of quotas having some positive impacts, it is not clear that they always achieve desired ends, and appear difficult to implement effectively.”<sup>109</sup> This may be due to a low level of compliance from employers who generally perceive “the quota system as acting against good economic sense and, as a result, are disposed to resenting and circumventing it in a variety of ways.”<sup>110</sup>

### 3.7. Summary

The strategies above outline the many efforts happening around New Zealand to overcome the barriers to employment for people with disabilities, and yet, barriers remain. Government, employers, and wider society need to re-imagine these strategies—strengthening the promising aspects and addressing the weaknesses—to really make a difference. To achieve this:

- Supported employment must be strengthened to better reach and support a wider group of people with disabilities and employers for longer periods of time;
- Education campaigns need to increase in scale and effectiveness to reach a much wider audience;
- Financial support must become much more flexible to the different needs of people with disabilities and their employers;
- Sheltered employment must allow for training and actively encourage transition into open employment; and
- Antidiscrimination legislation and employment quotas are unlikely to be effective at overcoming barriers to employment, and so should not be adopted.\*

\* As noted above, our analysis of antidiscrimination legislation suggests that while New Zealand has some legislation there is no need to create a local version of the ADA or DDA as seen in the United States or United Kingdom. The introduction of such legislation is likely to result in a negative impact on the perception of employers toward employment of people with disabilities, while the current legislation is able to protect the rights of workers with disabilities. Similarly, our analysis of employment quotas suggests that their implementation in New Zealand would lead to a negative impact on the perception of employers, and would not necessarily lead to an increase in the employment of people with disabilities.

## 4. RECOMMENDATIONS FOR NEW ZEALAND

In *Acknowledging Ability*, we outlined a series of **broad recommendations** for overcoming the barriers to work: introducing an overarching cohesive strategy, upscaling wrap-around support, bridging the public and employer perception divide, and reworking the funding structure.<sup>111</sup> Following this work, we now offer **more specific policy recommendations**. Removing and overcoming the barriers to employment for people with disabilities depends on government, employers, and the wider public to play their different roles. As a result, our recommendations are directed toward these different groups. Building on our previous work, these recommendations outline the importance of:

- a *cohesive strategy* to promote more frequent conversations, as well as tracking and evaluating the strengths, weaknesses, and effectiveness of the recommendation;
- *upscaling the wrap-around support* through increased training and information, an increased emphasis on supports for students transitioning into employment, improving supported and sheltered employment, increasing the accessibility of supports, as well as the focus on flexible work;
- *bridging the public and employer perception divide* to alter inaccurate perceptions around the cost and difficulty of employing people with disabilities through Human Resource practices and strengthened public awareness campaigns; and
- *reworking the funding structure* to improve the flexibility of current financial supports.

These recommendations, and how they respond to these key barriers to employment, can be seen in Table 2 on page 14.

### 4.1. Introduce a cohesive strategy

We need a cohesive strategy to bring together different groups working in the disability sector to ensure that our policies are working together to bring about positive change, that each group is working to their strengths, and that we are identifying and addressing any gaps in current policies. This also requires tracking and evaluating the effectiveness of the different strategies

in place. While interactions amongst the disability sector do take place, and the sector is often consulted by government departments when designing policy initiatives, there is currently no official overarching strategy or forum in place which regularly brings together these two groups to discuss how they could best support one another. As was proven possible through the recent Support System Transformation prototype in Mid-Central New Zealand, people with disabilities also need to be involved and partnered with in the different stages of policy development to ensure their voices are heard and listened to in the process.<sup>112</sup> In the following policy recommendations we hope to begin addressing this gap by ensuring that disability is a consistent voice in government discussions, regularly bringing together the different groups to discuss policies and strategies surrounding the employment of people with disabilities, and improving our methods of tracking and evaluating the progress of these policies.

#### 4.1.1. Cohesive strategy

**Recommendation:** *Establish a parliamentary cross-party working group on disability*

Cross-party working groups offer politicians from both sides of the aisle the opportunity to come together over an issue and discuss it in a bipartisan space. In 2017, a working group of this sort was established in Scotland “to act as a channel of communication between the Scottish Parliament, disabled people and organisations working or supporting disabled people, to provide opportunities for Members of the Scottish Parliament to learn about needs of disabled people and the barriers individuals face excluding them from performing an active role within society, to increase awareness and raise the profile of rights for disabled people, [and] to put disability on the agenda of the Scottish Parliament.”<sup>113</sup> A similar government-established cross-party group here in New Zealand could be an important tool for further emphasising the voice of people with disabilities in parliament.

**Recommendation:** *Establish a thorough employment and disability strategy with targets, deadlines and an ability to measure progress.*

“Employment and economic security” is the second outcome of the 2016-2026 Disability Strategy.<sup>114</sup> Despite this, discussion in the strategy around the employment of

Table 2: An overview of how our recommendations respond to the key barriers to employment\*

		Barriers for employers		Barriers for people with disabilities			
		Actual cost	Perceived cost	Difficulty of employment	Cost of employment		
Recommendations	Upscale wraparound support	Training and information	Provide training, support, and information for Human Resource staff, employers and managers on what to expect, what supports are available, and how best to integrate people with disabilities into their team.		X		
			Provide basic training and support for all staff in organisations that employ people with disabilities.		X		
		Transition into employment	Increase collaboration between education and employment sectors in supporting people with disabilities into employment.	X		X	
			Enable financial and technological supports to follow students through education and into employment to ensure a smooth transition.	X			X
			Build and increase opportunities for work experience – either through apprenticeships, internships, or traineeships – for students with disabilities.		X	X	
		Employment supports	Continue to increase the availability and quality of supported employment in New Zealand through increased funding capacity for long-term supports, and an increased range and number of both employers and people with disabilities interacting with supported employment agencies.		X	X	
			Expand sheltered employment and Business Enterprises to include training and transition support for those employees able and willing to move into open employment.			X	
		Accessibility of supports	Create a one-stop-shop with easily accessible information on supports for employers looking to employ people with disabilities.	X	X	X	X
		Flexible work	Allow for increased flexible schedules and work practices as well as increased part time employment models for employees with disabilities.			X	
		Bridge the public and employer perception divide	Public Awareness campaigns	Carry out a large-scale, long-term educational disability campaign using media and social media in particular, designed to inform and change attitudes of the public and employers toward the employment of people with disabilities.		X	
	Share success stories of people with disabilities in employment with employers.				X		
	Government departments must lead by example and prioritise the hiring of people with disabilities through active recruitment, ensuring supports are available, and providing training and support for wider departmental staff (particularly managers and Human Resource staff).				X		
	Human Resources practices		Where appropriate, ensure job applications have language, terminology, and questions that are inclusive of people with disabilities.			X	
			Explicitly include disability in diversity policies.		X		
			Actively recruit people with disabilities.		X		
	Rework the funding structure	Human Resources practices	Employers should take a demand-side approach to employing hard-to-place people with disabilities.		X		
			Promote awareness amongst Human Resource staff about the accommodations available for employees with disabilities.		X		
			Extend the new flexible disability Support System Transformation include support for people with disabilities in, or entering, employment.	X			X
			Introduce an “employment support passport” for people with disabilities so that they can carry their supports with them from one place of employment to another.	X			X
			Review abatement rates in disability supports like the Supported Living Payment to minimise the potential disincentive to employment				X
		Provide wage subsidies for employers and employees with Minimum Wage Exemption permits so that all people with disabilities in employment are paid the minimum wage.	X			X	

\* The table doesn't include our first set of recommendations about introducing a cohesive strategy, as this is an overarching strategy and applies to all of the barriers

people with disabilities is brief and must be strengthened if it is to have any real impact. In a 2017 Green Paper, the British government set a goal to halve the disability employment gap in the United Kingdom, and outlined a series of actions that will need to be taken to achieve this.<sup>115</sup> If our government is serious about improving the employment of people with disabilities, a specific and more detailed disability strategy is essential. This could draw on UK experience, and create specific and realistic targets and deadlines that hold the government to account in making these improvements.

It's worth noting that the Office of Disability Issues is currently renewing the Disability Action Plan for 2019-2022.<sup>116</sup> We recommend the Office recognise the key role the Action Plan should play in bolstering the Disability Strategy with specific and realistic targets and deadlines.

**Recommendation:** *Extend the Disability Employment Forum to regularly bring representatives from Government departments and the employment and education sectors together with the disability community to discuss and promote the employment of people with disabilities.*

Improving employment outcomes for people with disabilities needs to be an ongoing conversation, led and sustained by government but including the voices of people with disabilities. Currently, the "Disability Employment Forum is about disabled people, Disabled People's Organisations, disability organisations, and employers being proactive in exploring options, finding solutions and developing collaboratively the way forward for disabled people in employment."<sup>117</sup> To facilitate strategic and effective conversation the brief of this group should be extended to include representatives from government and government departments, meeting regularly to discuss and prioritise strategies for increasing the accessibility of employment for people with disabilities. This kind of forum has been well-modelled in the discussion around transforming the disability support system.<sup>118</sup>

#### 4.1.2. Tracking and evaluating progress

**Recommendation:** *Include questions that measure the perception of both the public and employers toward the employment of people with disabilities over time in the General Social Survey.*

As we have identified, one of the key barriers to employment that people with disabilities face is perception that it is too difficult and too expensive. UK disability charity Scope, for example, found that "large sections of the population hold negative attitudes towards disabled people and these attitudes are underpinned by a general lack of understanding about disability and disabled people's needs."<sup>119</sup> We will later recommend a series of strategies that attempt to alter this perception, however, the government must also measure whether strategies like public awareness campaigns are effective at changing hearts and minds. Rather than introducing an entire survey, questions about shifting attitudes could be included in the General Social Survey (GSS).

**Recommendation:** *Continue frequent and consistent data collection of disability in New Zealand through statistics surveys such as the Household Labour Force Survey, the New Zealand General Social Survey, and the New Zealand Disability Survey.*

To provide useful data for understanding and tracking any changes to the employment data of people with disabilities over time, this data collection must be frequent, consistent, and robust. The OECD have highlighted that "a major challenge across the OECD is the lack of data on the outcomes of active labour market policies for people with health problems or disability." "With the shift towards a more employment-focused disability policy," they continue, "the need for better and more comparable data based on jointly-agreed standards is becoming ever more evident."<sup>120</sup>

Statistics New Zealand have recognised and responded to this need for an increase in disability data by including disability status in the Household Labour Force Survey and New Zealand General Social Survey.<sup>121</sup> We applaud Statistics New Zealand for acting on the need for data "to inform planning and funding for programmes,"<sup>122</sup> and including disability in these surveys as well as the 2018 Census with questions based on the internationally comparable Washington Group Short Set (WGSS).<sup>\*</sup> However, we also note that the Disability Survey has been shifted to a ten-year cycle with the next survey taking

\* The 2018 Census included questions on disability based on the Washington Group Short Set (WGSS), although, Statistics NZ have acknowledged they expect "the population identified as disabled using the WGSS will likely be considerably smaller than the population identified by past and future disability-specific surveys." (Statistics NZ, 2017)

place in 2023.<sup>123</sup> With this survey now produced less frequently it's important for government to remember the relationship between data collection, funding, and policy, and ensure that disability data must remain a priority—not lessening this frequency any further.

**Recommendation:** *Consider implementing evaluation best practice to measure the effectiveness of policies in supporting people with disabilities into employment*

Best practice in policy-making requires understanding and evaluating what works and what doesn't, allowing us to determine where we are effective and where we need to improve. While we recognise some of these may already be in practice, there are no publicly accessible evaluation guidelines. Where not already in place we recommend the Government consider and implement guidelines for best practice in monitoring and evaluation like those outlined by the OECD:<sup>124</sup>

- Understand pathways into and through the system;
- Understand conditions for and factors behind off-flow from benefits;
- Differences in inflow and outflow dynamics depending on a number of determinants such as the [nature of the disability];
- Long-term employment and earnings patterns of both of those coming into the benefit system and those moving out of it;
- The impact on off-benefit transitions and employment uptake of particular employment and vocational rehabilitation programmes;
- How this impact varies for different risk or target groups; and
- The impact of particular policy components such as temporary benefit payment or entitlement reassessment.

**Recommendation:** *Share evidence with other countries to identify good practice*

New Zealand policy-makers need to work harder at learning from the experiences of others, as well as sharing our own experiences in creating and evaluating policies. “[I]t will be important to share evidence across countries and identify good practices,” states a report from the OECD, “as all OECD countries face much of the same problems, despite using different schemes and approaches, there is much to learn from what is done

elsewhere.”<sup>125</sup> This could be achieved through existing reporting mechanisms, such as reports to the UNCRPD, or through more intensive options like the Office for Disability Issues hosting an international conference to share experiences and learn about alternative strategies.

Learning and sharing our experience should also take the form of further New Zealand-based research. Conducting the research for this paper, as well as our previous work in this area, has shown how little New Zealand-based research on disability and poverty, or disability and employment, currently exists. New Zealand academics and universities, therefore, should recognise their role in this discussion and expand on the academic literature in this area.

## 4.2. Upscale wrap-around support

A variable combination of long-term, wrap-around, and flexible support structures are key to improving the employment of people with disabilities. While many of the current initiatives prioritise this kind of support, there is a need to scale up wrap-around supports so that it can reach a wider group of people and be more effective in its approach. We need to:

- improve supports, information, and training for the employers and colleagues of people with disabilities;
- improve the transition process from education into employment;
- recognise and bolster the strength of supported and sheltered employment;
- increase the accessibility of supports; and
- embrace the changing nature of work, and more specifically flexible work.

The policy recommendations below address each of these in turn.

### 4.2.1. Training and information

**Recommendation:** *Provide training, support, and information for Human Resource staff, employers, and managers on what to expect, what supports are available, and how best to integrate people with disabilities into their team.*

To increase the employment of people with disabilities employers, managers, and Human Resource (HR)

staff must understand what they are agreeing to. They require training and support. In fact, a study on strategies to “improve hiring and retention of workers with disabilities” found organisations ranked “more or better training” as the most helpful tool to improve employment outcomes.<sup>126</sup> As disabilities differ from one person to another, the staff member with the most direct contact with the employee with disabilities needs to know how to find and make use of the most appropriate supports for that individual. Darlene Unger, research associate with Virginia Commonwealth University’s Rehabilitation Research and Training Centre on Workplace Supports, states that “senior management and human resource professionals play a pivotal role in developing and implementing business policies and practices directed toward integrating persons with disabilities into the workforce.”<sup>127</sup>

A large-scale training course that answers questions regarding the costs and benefits of employing people with disabilities, the realities of what is necessary, and the supports available, would serve to increase the confidence of employers looking to hire people with disabilities. Courses like the “Employers Forum: Disability in the Workforce” run by the EMA with Workbridge in late 2018, could achieve this.<sup>128</sup> To do this well, however, they must be widely publicised, and increase in scale so that more people can attend. Ongoing support, information, and training from traditional HR training institutions could also be included in professional development hours and would ensure managers know how to approach their staff, further increasing their effectiveness and confidence in managing staff with disabilities.

**Recommendation:** *Provide basic training and support for all staff in organisations that employ people with disabilities.*

Beyond employers, managers, and HR staff, successful employment of people with disabilities will also require a sense of inclusion from colleagues. Research suggests that “employees who perceive that their workplace has an inclusive climate feel higher levels of psychological empowerment on the job and higher levels of organisational support.”<sup>129</sup> For this to occur, however, existing employees need to be confident that colleagues with disabilities won’t be a distraction from their own work, will have the necessary accommodations and

supports, and need to know how they will be required to respond to different accommodation needs. For employees with unrealistic perceptions about the costs and difficulties of a colleague with disabilities, knowledge is likely to reduce fears.<sup>130</sup> Employers who have struggled with sustainable employment of people with disabilities then, should assist their staff through basic information, training, and support for their staff. This could be folded into existing organisation-wide professional development.

#### 4.2.2. *Transition into employment*

**Recommendation:** *Increase collaboration between education and employment sectors in supporting people with disabilities into employment.*

A successful transition between education and employment is a key determinant of later career success for young people with disabilities.<sup>131</sup> Research from the UK found that support is often limited in scope as, “support for students with a disability was available in the universities but tended, in the case of our participants, to be related to academic issues or practical supports (e.g. use of assistive technology) rather than advice regarding future employment.”<sup>132</sup> Disability Support Services at Victoria University of Wellington have also recognised this and seen the need to focus on the transition from education into employment for their students with disabilities and so, together with Workbridge, are supporting students into employment.<sup>133</sup> Support that assists students with disabilities into employment needs to come from both the education sector and the employment sector, working together for the most successful outcome.<sup>134</sup> This could be achieved in a structured internship program which connects employers with schools and universities through existing employment support specialists like Workbridge, who could provide support and disability confidence training, so that this transition phase is as smooth as possible for every student with disabilities.

**Recommendation:** *Enable financial and technological supports to follow students through education and into employment to ensure a smooth transition.*

Assistive Technology plays an important role as a support tool for many people with disabilities.<sup>135</sup> Ensuring the accessibility and use of technological supports can “often offset or compensate for functional limitations,” and are

generally seen as more liberating than support through a personal assistant “because the person maintains greater control over devices than people.”<sup>136</sup> The accessibility of technological supports that were available throughout education, however, often do not remain available after school and as the individual transitions from education into employment.<sup>137</sup> If government support services were to ensure students with disabilities could take supports with them into employment, employers could be assured of the supports available as well as allowing the individual to work with supports that they already understand and can use to their best advantage.

**Recommendation:** *Build and increase opportunities for work experience — either through apprenticeships, internships, or traineeships — for students with disabilities.*

Work experience opportunities are a powerful way of getting people with disabilities “a foot in the door” of the workforce and a way for employers to “give someone a go.”<sup>138</sup> This is also an important opportunity for people with disabilities “to gain confidence and develop a sense of purpose.”<sup>139</sup> As Richard Lueking from the Department of Counselling at the University of Maryland, states:<sup>140</sup>

**The most consistent predictors of post school employment success has been community-based work experience while young people are still in high school, particularly paid jobs – where students are integrated into authentic work places alongside co-workers without disabilities.**

Providing work experience opportunities are also important for employers. It can be a chance to explore whether the young person would be a good addition to the workforce on a permanent basis, to explore the benefits of employing people with disabilities generally, and to trial the business case for employing people with disabilities.<sup>141</sup> In fact, a review of the Australian education-employment transition initiative Ticket to Work found that after offering work experience, apprenticeships, and traineeships to students with disabilities 93.75 percent of respondents said they would recommend that other employers offer similar opportunities.<sup>142</sup> Based on this Australian example, Workbridge and Z Energy have pulled together a similar internship programme for students with disabilities, providing a twelve week internship as well as the opportunity to gain NZQA Level Two qualifications.<sup>143</sup>

We applaud the success of this programme over the past two years and anticipate its expansion to include more schools and cities around New Zealand. Moreover, we recommend that employers and supported employment agencies, like Workbridge, expand on this and work together with schools and universities to increase work experience opportunities for students with disabilities.

#### 4.2.3. *Employment supports*

**Recommendation:** *Continue to increase the availability and quality of supported employment in New Zealand through increased funding capacity for long-term supports, and an increased range and number of both employers and people with disabilities interacting with supported employment agencies.*

People with disabilities have a range of interests, abilities, and career goals, and as a result are looking for employment in a range of occupations. This could include positions in garden centres, building companies, teaching positions, sales, the legal profession, business, banking, and management positions. Supported employment has proven to be an effective support for many people with disabilities looking to enter, and remain in employment. Therefore, ensuring supported employment is available to as many employers as possible will make a significant difference to employment opportunities for people with disabilities.<sup>144</sup> Moreover, as physical and sensory impairments are the most common types of impairment, broadening the range of employers and industries beyond manual labour to non-manual labour may be a better response to people’s abilities.<sup>145</sup>

The longevity of supported employment is also key to building a relationship with the employment specialist or case worker, ensuring they understand the individual’s strengths and weaknesses, and are able to provide the most appropriate support for the individual and their employer. As we were told:

*“Employment support is highly relational and so success relies on the relationship between the service providers involved, the service provider and the individual, the service provider and the employer, and the employer and the individual and the workplace.”*

Supported employment is currently carried out by a number of disability organisations in New Zealand, with Workbridge in particular known for its work in

this space. These organisations, with assistance from government, need to increase their funding capacity for long-term supports, as well as broaden the range of business sectors they work with to ensure that they are able to respond to the range of career goals people with disabilities have.

**Recommendation:** *Expand sheltered employment and Business Enterprises to include training and transition support for those employees able and willing to move into open employment.*

As we discussed earlier, sheltered employment has been a controversial tool to assist people with disabilities into employment, with critics arguing that they encourage the employer perception that people with disabilities cannot work in open employment. Despite this, sheltered employment can be beneficial for a subset of people with disabilities who may not be able to work in open employment, even with supports.

Sheltered employment, however, can become an employment dead-end for people with disabilities, with minimal pathways or assistance into open employment. It is important for support and training to enable transition from sheltered employment into open employment to wherever possible. Employers may also need incentives to assist people with disabilities to move into open employment. Without this, people with disabilities could get unnecessarily “stuck” in sheltered workshops, incorrectly suggesting to employers and the public that people with disabilities are unable to work in open employment. This training could follow the example of Norway’s three-phase sheltered workshop programme:

<sup>146</sup>

Phase 1 tests the participants’ work ability; Phase 2 covers increased practical and formal skills through adapted training and work experience; and Phase 3 offers permanently adapted work for those with very limited chances of getting a job in the regular labour market. Whereas Phase 1 may last up to eight weeks, Phase 2 can last up to two years... There is no time limitation in Phase 3; however, the possibilities of obtaining an ordinary job should be considered regularly.

This approach to sheltered employment ensures that people with disabilities who are unable to work in open employment have somewhere to work, while also ensuring that those capable of moving into open employment receive the skills and support to do so.

Norway’s initiative shows promising results, as “37% of those who left Phase 2 [in the first half of 2005] got a job [and] 60% left with an active solution, i.e. including training or education.”<sup>147</sup> Increasing the focus on training and transition in sheltered employment in New Zealand could provide a solid pathway to open employment for people with disabilities.

#### 4.2.4. Accessibility of supports

**Recommendation:** *Create a one-stop-shop with easily accessible information on supports for employers looking to employ people with disabilities.*

Employers need to know where and how to access good supports for potential employees with disabilities.<sup>148</sup> Without good information, even with the best intentions it can be difficult for employers to know where to begin. In fact, Theeraphong Bualar of the Silpakorn University in Thailand points out “it seems that employers are always held responsible for employment deprivation among disabled people... Not every employer has purposely failed to hire the disabled.”<sup>149</sup> *Employment New Zealand* has attempted to provide employers with the necessary information through a web page which lists “Useful Websites” employers can access when seeking support,<sup>150</sup> but a simple, outdated, webpage won’t give employers clarity and ease of access to supports. In contrast, the OECD names the Australian initiative *JobAccess* as “a good practice example” of free and easy access to information on supporting people with disabilities into employment.<sup>151</sup> The initiative is described as:<sup>152</sup>

a one-stop information shop for all matters relating to employment and the retention of people with disability, and addresses employers but also jobseekers with disability, co-workers and employment service providers. It includes a comprehensive website, a free telephone advice service (handled by trained JobAccess advisors), an online workplace adjustment tool giving a range of practical ideas and solutions for workplace modifications and adjustments, and an online claims process for the payment of workplace modifications.

Government should heed this advice and implement a New Zealand-based version of the JobAccess initiative, a powerful tool for educating and supporting employers and potential employers of people with disabilities.

#### 4.2.5. Flexible work

**Recommendation:** *Allow for increased flexible schedules and work practices as well as increased part-time employment models for employees with disabilities.*

For many people with disabilities inflexible work hours and locations can be a deterrent from employment. Work schedules and practices in the modern workplace are increasingly flexible and could open up potential opportunities for people with disabilities, as they allow for flexibility to manage energy levels, decreased mobility, increased travel and preparation time, and other health needs.<sup>153</sup> Studies show that simple adjustments to work environments and practices “are instrumental in enabling disabled people to either maintain or obtain jobs.”<sup>154</sup> As one participant of our roundtable conversations said:

*“What we’re seeing is that there’s actually a whole lot of emerging ways of working that are being driven by technology and by the ability to think about and use other ways of working. But they’re not being looked at yet, or considered necessarily.”*

Flexible work includes part-time work. People with disabilities in employment are often employed on a part time basis. The June 2018 Labour Market Statistics (Disability) show that 36.9 percent of people with disabilities in employment work part-time, or less than 30 hours per week,<sup>155</sup> compared with 20.6 percent of non-disabled people.<sup>156</sup> It’s worth noting that for some people with disabilities, fewer hours of employment can also be important for managing energy levels, mobility, travel and preparation time.

Flexible practices and hours, however, are not a solution for every person with disabilities, role, or employer. People with disabilities working from home, for example, “can be low paid and socially isolat[ed],” while for employers, many types of employment or roles are not conducive to flexible work, or can simply be incredibly frustrating when trying to meet deadlines.<sup>157</sup> As one roundtable participant explained:

*“I’m full time so I think I’ll schedule a meeting at 10:00am on Tuesday. Oh that’s right, such and such doesn’t work on Tuesday. So I’ll try 9:00am, oh that’s right – they’re never in before 10:00am.”*

It’s important to remember that the key benefit of flexible work is that it is flexible—by definition it can, and should, be adapted to suit the strengths and weaknesses of the individual, the employer, and their particular circumstances. In some cases, this means that flexible work won’t be the solution. Where it is, however, employers should increase opportunities for people with disabilities to access it.

### 4.3. Bridge the public and employer perception divide

In *Acknowledging Ability*, we found that inaccurate perceptions of the cost and difficulty of employing people with disabilities is a key barrier to employment for this group.<sup>158</sup> And yet, education campaigns in New Zealand have failed to significantly improve the perception of employers and the general public toward the employment of people with disabilities. But if used and designed effectively, education campaigns can be incredibly powerful for changing these perceptions, and as a result, increase the willingness of employers to hire people with disabilities.<sup>159</sup> Therefore, the recommendations below outline how we might achieve more effective public awareness campaigns as well as making a series of recommendations for HR staff aimed at removing and overcoming inaccurate perceptions within the workplace.

#### 4.3.1. Public awareness campaigns

**Recommendation:** *Carry out a large-scale, long-term educational disability campaign using media and social media in particular, designed to inform and change attitudes of the public and employers toward the employment of people with disabilities.*

Education campaigns hold the potential to be incredibly effective at changing hearts and minds. In fact, “mass media campaigns, because of their wide reach, appeal, and cost-effectiveness, have been major tools in health promotion and disease prevention,” argue researchers Whitney Randolph and K. Viswanath, “they are uniformly considered to be powerful tools capable of promoting healthy social change.”<sup>160</sup> Numerous research reports recommend education campaigns as a powerful tool for improving perception and reducing “unfounded concerns” toward the employment of people with disabilities.<sup>161</sup> Researchers from both the UK and Australia, for

example, promote disability positive campaigns, or awareness campaigns as “powerful catalysts,” arguing that “there should be a greater effort to support and incentivise employers to employ persons with disabilities through.”<sup>162</sup>

Of course, there are numerous examples of unsuccessful public awareness campaigns, and even then it can be difficult to measure their effectiveness.<sup>163</sup> Randolph and Viswanath suggest, however, that the success of these campaigns depends on learning from previous examples and adhering to campaign messages that are simple, straightforward, and framed to redefine the issue, as well as being strategic to find various strategies and venues to amplify the message.<sup>164</sup> Government and DPOs then, should utilise their position to bring attention to the barriers and supports to employing people with disabilities with large-scale campaigns using clear and strong messaging that reaches a wide audience. This could follow the example of former All Black Sir John Kirwan’s Depression.org campaign, which has been very effective at bringing attention to the issues around mental health, and specifically depression, in New Zealand.<sup>165</sup> An education campaign should also make use of social media as a tool for spreading the message and educating both the public and employers about the realities of employing people with disabilities.

**Recommendation:** *Share success stories of people with disabilities in employment with employers.*

Success stories are powerful. As we were told, employers want to know that other employers have successfully employed people with disabilities, and they want to know how they can repeat it. It’s one thing to be told that it’s important and beneficial to employ people with disabilities, it’s much more persuasive to be told this by an employer who has successfully done so. As one roundtable participant said:

*“For intellectual disabilities there’s not really technologies that can change that. You can’t make things more accessible by creating an app. It’s very much about changing attitudes and getting people to be more accepting and respectful and seeing people’s strengths rather than disabilities.”*

Of course, employment of people with disabilities is not always successful. These stories should also be shared, so employers can learn from what went wrong. Government

and disability groups, then, need to work together to share and use these stories as a resource to encourage greater employment of people with disabilities. This could be in the form of a short video series similar to the *Think Differently* campaign—although more widely promoted—run by the Ministry of Social Development until mid-2015, or part of a much larger advertising campaign.<sup>166</sup> To be most effective, it must be engaging, widely promoted, and cover stories from employers and employees from a range of occupations and areas of work. Much like education campaigns, it is essential that these stories reach as wide an audience as possible so that employers who had not previously considered the employment of people with disabilities have the opportunity to see what it can look like in practice.

**Recommendation:** *Government departments must lead by example and prioritise the hiring of people with disabilities through active recruitment, ensuring supports are available, and providing training and support for wider departmental staff (particularly managers and HR).*

The 2014-2018 Disability Action Plan requires “Government to take a lead in employing disabled people and providing paid internships.”<sup>167</sup> Government should do more in its leadership role. This was highlighted by some in the disability sector in our roundtable conversations:

*“Less than fifty of [employers who gave people with disabilities jobs last year] were from the state sector. Is the state sector leading the way in terms of employment of people with disabilities? No.”*

Over the past ten years the Australian Government has recognised their leadership role in the employment of people with disabilities and have produced a series of reports and strategies for improving disability employment within the public service.<sup>168</sup> If the New Zealand Government is going to lead by example in this area, they should follow the Australian example and devise some more specific strategies to achieve this, reporting methods to measure success, and share with public sector employers what this looks like. This will ensure increasing their own employment of people with disabilities becomes a priority.

### 4.3.2. Human Resource practices

**Recommendation:** *Ensure job applications have language, terminology, and questions that are inclusive of people with disabilities where appropriate.*

Perception is a significant barrier to employment for people with disabilities. Employers often have misperceptions about how expensive or difficult it will be to employ someone with disabilities. As a result, people with disabilities are often wary of disclosing their disability or applying for jobs that ask for details on accessibility needs in case it “result[s] in lowered expectations, lack of respect, isolation from co-workers, a decrease in job responsibility, being passed over for promotion, or increased likelihood of termination.”<sup>169</sup> Failure to disclose a disability, however, can limit accessibility to important benefits when in employment, for employers as well as people with disabilities. This includes “the ability to make accommodations, to improve the workplace climate for individuals with disabilities, and to measure disability in order to comply with federal initiatives.”<sup>170</sup> Failure to disclose can also impact the employer in other ways, like for example, in their health and safety obligations.

Research by Mukta Kulkarni, from the Indian Institute of Management, found that language and terminology in HR practices are especially important when hoping to overcome the barriers to employment for people with disabilities.<sup>171</sup> This was echoed by people with disabilities and representatives of disability organisations in our conversations. We were told that when applying for a job the language that is used in an application form on disability and accessibility needs will determine whether they complete the application form, or simply stop there. The language and terminology that is used sends a message as to whether the organisation is willing to employ people with disabilities. Simple adjustments can reduce the fear of disclosing a disability. For example, Westpac note in their Accessibility Action Plan that “all job advertisements clearly state that the Westpac Group is an equal opportunity employer and that all roles can be done flexibly through [their] All in Flex approach.”<sup>172</sup> Employers and HR managers, then, should ensure that the language of their application processes do not preclude anyone with disabilities. The Office for Disability Issues together with DPOs should also ensure that clear examples of both helpful and unhelpful language are easily accessible for employers—perhaps as part of the one-stop-shop outlined earlier.

**Recommendation:** *Explicitly include disability in diversity policies.*

Organisational diversity policies are important for “attracting a diverse workforce, [and] companies recognis[ing] the benefit of promoting tolerance in the workplace.”<sup>173</sup> Furthermore, diversity policies can have a positive impact in reaching out to their local communities when promoting employment of traditionally underrepresented groups.<sup>174</sup> Despite this, diversity policies do not always explicitly include people with disabilities, and in companies that do so, “do not always support their policies with actions that actively promote the inclusion of people with disabilities in the workplace and initiatives to work with diverse suppliers.”<sup>175</sup> Adjusting diversity policies to be more explicit about including people with disabilities would be a good place for employers looking to be more active in their employment of people with disabilities.

**Recommendation:** *Actively recruit people with disabilities.*

Employers wanting to make a positive move toward increasing the number of people with disabilities they employ should go further than just accepting job applications by people with disabilities to actively recruiting people with disabilities. This will include steps like setting “a clear and elevating goal” as Randy Lewis, former senior vice president of Walgreens did, pushing the company to identify barriers, make changes, and actively seek out people with disabilities to employ.<sup>176</sup> Other possible steps include ensuring the disability community is aware the employer is seeking people with disabilities, working with supported employment agencies like Workbridge to connect with people with disabilities looking for employment, or even advertising positions specifically for people with disabilities.

**Recommendation:** *Employers should take a demand-side approach to employing hard-to-place people with disabilities.*

People with disabilities have a range of abilities, and for some people with more severe disabilities employment can be even more difficult to find. For this group—the “hard-to-place”—some employers may be interested in creating tailored roles that both fit the person’s skills and contribute to increasing the

overall efficiency of the organisation.\* For example, an attendee at one of our roundtable conversations spoke about asking employers for jobs that people struggle to get done—like general paperwork, gardening, or organising paperwork—and then creating a position of employment out of these. This allows for “identifying ways to add value to employers’ operations [which] will often create hidden, customized job opportunities for individuals not able to easily apply for ‘off-the-shelf’ jobs.”<sup>177</sup> Done well, it can “meet mutual need,” as “ultimately, the success of linking job-seekers with work is as much about meeting employers needs as it is about serving job seekers.”<sup>178</sup>

**Recommendation:** *Promote awareness amongst HR staff about accommodations available for employees with disabilities.*

As repeatedly stated in the literature, one of the key barriers to employment for people with disabilities is the perception of employers. Lack of awareness can lead to “reliance on stereotypes of people with disabilities as poor job performers, an erroneous belief that people with disabilities are often absent from work, and general social discomfort around workers and job applicants with disabilities.”<sup>179</sup> In fact, a study by H. Stephen Kaye, Lita Jans, and Erica Jones found:<sup>180</sup>

**The three top-ranked reasons [for not retaining workers with disabilities] have about 80% or greater agreement, and the reasons are similar to those for hiring: lack of awareness as to how to handle the worker’s needs; concern that workers acquiring disabilities will become liabilities, whether legal or financial; and concern over the cost of accommodations.**

Awareness of the accommodations available, on the other hand, can reassure employers of the benefits of employing people with disabilities, and the supports available to reduce costs or difficulties. Employers need to be aware of the supports available to both them and any employees with disabilities. This message needs to reach HR staff especially, as they are generally involved in hiring and firing, and could be achieved through HR focused professional development and training.

\* While employers could take this approach to employing people unable to work in open employment, it is important to note that such a pathway is not appropriate for all people with disabilities, and that many people with disabilities are very capable of open employment.

## 4.4. Rework the funding structure

Funding is an important support for people with disabilities seeking employment. Having recognised the importance of this, the government has been working to transform the “disability support system based on the Enabling Good Lives approach,”<sup>181</sup> providing people with disabilities and their whānau with a connector/kaitūhono who help them find “the supports [they] need to live the life [they] want.”<sup>182</sup> As mentioned above, this new system has been rolled out in Mid-Central New Zealand, with hopes to introduce it to other areas of the country in due course.<sup>183</sup> While this is a positive step toward providing people with disabilities with increasingly flexible and individualised funding, we note that it is important to increase some of the specific focus of this funding on employment and the employer. This is outlined in the recommendations below.

**Recommendation:** *Extend the new flexible disability support System Transformation to include support for people with disabilities in, or entering, employment.*

Negotiating the support system to find the best, or most appropriate, supports can be incredibly difficult. The Enabling Good Lives initiative was set up to combat this. In this initiative, as well as the resulting System Transformation, a Connector works with the person with disabilities and their whānau and assists them in finding the most appropriate supports to reach their goals and “enable a good life.” This affords people with disabilities and their families “greater choice and control over the supports they receive, so that they can plan for the lives they want.”<sup>184</sup> As one roundtable participant explained:

*“Sometimes simple solutions work. In the Enabling Good Lives demonstration in Christchurch one of the things that worked for one family was that they were able to install a spa pool for their son who had autism, which meant that he was going to sleep at night. And because he was able to sleep at night the family were able to function more and the mum was able to get back into some sort of employment. But they had to fight so much to get that considered as a valid and okay support.”*

While Enabling Good Lives is an extremely positive and innovative approach to support, this new initiative does not focus on supporting people with disabilities in the workplace. This flexible, personalised approach that recognises the diversity and changing support need of

people with disabilities, however, is extremely applicable to the style of funding supports necessary when in, or attempting to enter, the workplace, and as a result should be extended to do so more explicitly.

**Recommendation:** *Introduce an “employment support passport” for people with disabilities so that they can carry their supports with them from one place of employment to another.*

As we have established, the potential financial cost of employing people with disabilities is a significant barrier for employers and people with disabilities. This barrier, however, could be overcome by reassuring employers that when looking to hire a person with disabilities they are able to receive financial supports. People with disabilities should also be reassured that any supports they have previously held in employment can be carried over to a new position or place of employment. In fact, James Scales of the Centre for Social Justice in the United Kingdom suggests that “once employed, individuals who have secured [previous employment support funding] should be able to take this support with them to other jobs.”<sup>185</sup> This “would enable people to move more fluidly in the labour market,”—a freedom that has so far been rare for people with disabilities—as well as ensuring that they will have financial supports when entering into a new place of employment.<sup>186</sup> Government support services, then, should ensure that people with disabilities can present potential employers with the supports that they would receive once in employment through an “employment support passport.” This would be based on previous financial supports from a place of employment, or a provisional, time-limited assessment for people entering employment.

**Recommendation:** *Review abatement rates in disability supports like the Supported Living Payment to minimise the potential disincentive to employment.*

Abatement rates, which determine benefit payments in relation to income, can discourage people with disabilities to seek work, or even promotions, that will result in a pay raise. For people with disabilities receiving the Supported Living Payment, for example, their support is heavily reduced as soon as they begin to earn anything over \$5,200 (before tax) annually.<sup>187</sup> Abatement rates fail to recognise that while a person with disabilities might be in employment, their cost of living and need for financial support will still continue. This was highlighted in our

conversations with people with disabilities, employers, and representatives from disability organisations:

*“There’s this big gap between what people are getting from benefits versus if they’re getting minimum wage they lose huge amounts. It becomes really difficult for us when we’re really wanting to improve people’s wages and get them out of poverty, but by taking those steps we’re actually putting them back down.”*

*“There are so many disincentives in place... Trying to improve people’s wages and people saying; No, can you just leave me where I am because I’m going to lose entitlement to my support or eligibility which means I’m not going to be able to access social services.”*

The Minister for Social Development and Disability Issues has announced that the government recognises the impact of abatement rates on employment and will consider lifting these.<sup>188</sup> We recommend the Government thoroughly review New Zealand’s abatement rates with the aim of reducing the disincentive to work, acknowledging the complex interaction between abatement rates and the wider ramifications of changing these rates on the wider social security system.

**Recommendation:** *Introduce wage subsidies for employers and employees with Minimum Wage Exemption permits so that all people with disabilities in employment are paid the minimum wage.*

Minimum Wage Exemption permits mean that around 900 New Zealanders with disabilities are currently paid below minimum wage.<sup>189</sup> In fact, Auckland Disability Law found that 54 percent of people with minimum wage exemptions earned less than three dollars an hour.<sup>190</sup> The government is currently considering providing a wage supplement to affected employers, which would “top up” current pay packets to the minimum wage.<sup>191</sup>

While this will come at significant cost to the Government, especially if the minimum wage is raised and abatement rates are adjusted, it will also respond appropriately to UNCRPD recommendations to “examine alternatives to minimum wage exemption permits,” as well as the Disability Action Plan priority to “develop better alternatives to replace the minimum wage exemption.”<sup>192</sup> Moreover, as a response to in-work poverty, this solution strikes a good balance between making sure people with disabilities receiving an exemption will not risk losing

their job, and at the same time ensuring they are paid more.<sup>193</sup> A wage subsidy scheme will have limitations—in particular, the costs to government, and the lack of incentive for employers to increase the pay packet of employees who receive a wage supplement—but we believe that this is a step in the right direction.

## 5. CONCLUSION

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Valuing every New Zealander means that we must also value the vulnerable and marginalised. While we are an inclusive nation in many regards, we are failing to value people with disabilities and improve their ability to participate in society. This needs to change—particularly in our discussions on poverty in New Zealand. Currently, people with disabilities are more likely to live in poverty and less likely to be employed than people without disabilities.<sup>194</sup> As a result, for people with disabilities, employment isn't as good a pathway out of poverty as it could be. We need to overcome the barriers to employment people with disabilities face so that they too can access this important pathway out of poverty.

Government, the disability sector, and employers are attempting to respond to these barriers through supported employment, education campaigns, financial support, and sheltered employment. Currently these strategies are failing to have a significant and sustained impact. We need to bolster and improve these strategies. This should include coming together to build a more cohesive strategy that measures and evaluates the progress of the strategies. We need to scale up wraparound support that provides training and information for employers and colleagues, assists people with disabilities transitioning into employment, realises the role of supported and sheltered employment, and utilises flexible work practices. This work should also focus on bridging the public and employer perception divide to understand the distinction between actual and perceived costs of employing people with disabilities, as well as the benefits to employers. Finally, there is a need to rework the financial supports so that they are flexible and better able to respond to the wide range of needs of both people with disabilities and their employers.

Transforming these recommendations into action would make a real difference to people with disabilities. Imagine the same person mentioned at the beginning of this paper. They had been working to manage their medication and maintain enough energy for work, but under these recommendations could make use of flexible working arrangements to manage their energy productively. A personalised funding structure would allow for their variable and sometimes complex financial needs to be met. Moreover, looking for employment would no longer be quite so intimidating as public awareness campaigns, together with greater training and information for employers and colleagues, would assist both them and their potential employer as they negotiate these supports and better understand what employing people with disabilities might look like.

While important for outlining research findings and making recommendations, policy papers like this one are limited in what they are able to do. Real change happens every time a person with disabilities gets and holds a job. Employers around New Zealand are already doing great work to make this change, and many more are sympathetic but just don't know where to begin. With this paper and its recommendations, we hope to assist employers in this endeavour and encourage government to ensure employers have the supports they need. Government, employers, and the New Zealand public need to come together to recognise the value of every New Zealander by improving employment outcomes for people with disabilities.

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