



JOINT SUBMISSION TO PRODUCTIVITY COMMISSION INQUIRY

AUSTRALIAN SERVICES UNION (ASU) & DISABLED PEOPLE'S ORGANISATIONS AUSTRALIA (DPOA)

RE: MIGRANT WORKERS AND THE NDIS

Background

The ASU represents disability sector workers across many jurisdictions in both the NGO and Government sectors across the country. ASU members work in frontline disability support work; case management and coordination; Local Area Coordination; and team leader through to senior management and CEOs in disability providers. ASU members value secure, well remunerated jobs and clear career paths and progression as ways of retaining and attracting a qualified workforce for the NDIS to be a success.

DPOA is an alliance of national peak bodies constituted and led by people with disability - People with Disability Australia (PWDA), First Peoples Disability Network Australia (FPDNA), Women With Disabilities Australia (WWDA), and National Ethnic Disability Alliance (NEDA). It was established to promote, protect and advance the human rights and freedoms of people with disability in Australia by working collaboratively on areas of shared interests, purposes and strategic priorities and opportunities. DPOA supports the promise of greater choice and control for people with disability that is the aim of the NDIS. This includes continuity of high quality, person-centred supports from a valued disability support workforce.

This joint statement is made on behalf of both organisations and relates to the question in the Productivity Commission's Issues Paper on NDIS Pricing about the "advantages and disadvantages of making greater use of skilled migration to meet workforce targets." (Issues Paper, pg. 24)

Why a 457-style NDIS migrant worker scheme would pose significant risks to the success of the NDIS

We do not support a 457-style special NDIS worker visa to address workforce shortages that may arise as a result of the roll out of the NDIS. Such visa schemes have been used in other industries to meet workforce shortages and there is a breadth of information in the public domain about the risks of such short-term fixes. It would be of detriment to the long term needs of people with a disability and the success of the NDIS:

- A 457-style NDIS worker visa would be a precarious form of employment for workers coming to Australia, and a precarious form of support for people with disability. There are well documented examples of the risk of exploitation of workers in other industries where such schemes exist. People with disability value continuity of supports from experienced support

workers that cannot be provided by a short-term workforce where employment arrangements are insecure.

- Such schemes are often exploitative of workers, as employers can threaten cancellation of visas if workers do not comply with unreasonable demands that may also breach industrial obligations, or if they speak out about conditions at work. The person-centred human rights approach at the core of the NDIS should not be undermined by an exploitative migrant worker scheme.
- There are also high risks to safeguarding frameworks for the protection of people with disability if migrant workers are exploited in this way, and therefore not inclined to speak out if they suspect violence, abuse or poor practices within their service provider. In addition, it may be difficult in some instances to secure appropriate documentation regarding migrant workers to ensure compliance with safeguard frameworks in Australia.
- Australia is a world leader in its human rights approach to disability support - epitomised by the choice and control framework underpinning the NDIS. There are risks that a migrant workforce brought in on 457-style visa scheme to meet demand may not have had access to appropriate training to adapt to the cultural context of the Australian human rights based approach to disability support.

What we do support

Any migrant worker scheme for the NDIS should provide **permanent** migration and only be considered after there has been local labour market testing. The NDIS provides a significant opportunity to address high levels of unemployment for many people, including people with disability.

While we do not support a precarious, exploitative 457-style visa scheme for NDIS workers, we do support the development of a comprehensive workforce plan to retain and attract new workers locally. This plan should be developed in partnership with people with disability and workforce representatives. Such a plan must include:

- Provisions to support a well remunerated disability sector workforce with secure work that is valued by people with disability and the broader community, and
- establishment of career paths and opportunities in the sector so that support workers stay in the sector and see a long-term future working in the NDIS.
- Encouragement of local workers from diverse backgrounds to enter the NDIS workforce to suit the varied needs of people with disability. In particular, there should be a focus on recruitment of people from culturally and linguistically diverse backgrounds (CALD); people with disability and lived experience of disability; Aboriginal and Torres Strait Islander people; LGBTIQ people; and young people in areas of high youth unemployment to take up the job opportunities provided by the NDIS.
- Comprehensive and subsidised training and development packages established and funded to support local workers entering the NDIS workforce so that they have the skills relevant to and valued by people with disability and so they can develop a long term and sustainable career in the NDIS.

Linda White
Assistant National Secretary
Australian Services Union

Therese Sands
Director
Disabled People's Organisations Australia