



Contents

- ▶ [Disability No Barrier at Police](#)
- ▶ [Spotlight on Youth](#)
- ▶ [Director's Comment](#)
- ▶ [Family Responsibilities and Flexible Work Times](#)

▲ [TOP](#)

The Key is published four times per year

Produced By:

Office of Equal Employment
Opportunity

26th Floor AMP Building
140 St Georges Terrace
Perth WA 6000

Phone: 9214 6600

Fax: 9214 6611

Email:

deope@opssc.wa.gov.au

Website: www.oeeo.wa.gov.au

Editorial enquiries:

Sue Thomson
thomsons@opssc.wa.gov.au

Mailing list enquiries:

Janine Clissa
clissaj@opssc.wa.gov.au

▲ [TOP](#)

Disability no barrier at Police Department

The Western Australia Police Service is leading the way in tapping into a part of the workforce not always recognised as a potential employment source. All too often, people with disabilities must first overcome the barrier of limitations imposed upon them by potential employers.

"But what can they do?" is the question asked – and the answer is "Almost anything". Modern technological advances have opened up a range of career and employment opportunities including law, journalism, computer programming and police work.

There are several employment agencies that provide free services to employers to help them link to suitable job-seekers with disabilities. Most will match clients to appropriate jobs, assess the workplace, provide adaptive tools and support, and assist in accessing the range of available wage subsidies.

Two employees at the Western Australia Police Service, both with vision impairment, demonstrate their abilities very well. Marcia Truman works in the Internal Investigations Unit, transcribing case interviews from tapes. James Ford works in Communications, where he began as a switchboard operator and now undertakes a wide range of office duties including managing mobile phone accounts.

Superintendent Ron Carey, the Officer in Charge of Internal Investigations, says employing Marcia is part of the Police Service's philosophy of providing diverse flexible work options and offering equal employment opportunity.

"We are delighted to have been able to employ Marcia" said Superintendent Carey. "She fits into the team beautifully and her skills are of a very high standard. We have recently renewed her part-time contract and I am looking for more opportunities for Marcia if she wants to extend her working week from the current two full days per week."

Marcia uses a guide dog to assist her independence, and according to her supervisor, Nick di Pietro, no modifications to the workplace were necessary. "We follow standard health and safety procedures, as we do for all employees, and just make sure we don't leave boxes in corridors or create other temporary hazards," he said.

"**The technology Marcia uses is amazing**" added Nick. She listens to the audio tapes with one ear, and receives converted audio input from her computer with her other ear. This allows her to transcribe the tapes with a very high standard of accuracy, speed and formatting.

Marcia works as part of a team of about ten people. She was provided with specialist software and audio equipment by Choice Program (a not-for-profit service of Pep Employment Services Inc.) established as a free service to link employers to job seekers with disabilities.

▼ [NEXT PAGE](#)

Disability no barrier at Police Department (cont'd)

Kary Macliver, from Choice Program, initially approached the Police Service seeking work experience for James Ford.

“Jamie has a vision impairment and therefore wasn’t able to fulfil his dream of becoming a police officer,” she said. “However, I knew there was no reason why he couldn’t work in other parts of the Police Service.”

According to Jamie’s supervisor, Carol Dinwoodie, he has needed little workplace modification. “Choice provided us initially with a large computer monitor for Jamie, but now he uses one of our own wide screen monitors,” she said. “Jamie impressed us so much with his skills while on work experience that we asked him to come back on a contract basis, and recently we’ve been fortunate to have him made permanent.”

Superintendent Wayne Gregson and A/Inspector Lysle Cabbage, from Police Communications, agree on the benefits of employing Jamie and consider there to be no negative points.

“Having Jamie on board is terrific. The technical know-how he picked up while on work experience made him a logical choice when we needed more help”, they said.

Superintendent Gregson added, “Jamie is not the first person with a disability we have employed. Previously the Communications section had employed another person with vision impairment, who left to pursue full-time study for a degree at the University of WA and now works in the private sector.”

Statistics from the Office of Equal Employment Opportunity show that people with a disability requiring adjustments in the workplace represent approximately 2.0% of the total workforce. Because this data relies on self-nomination, it may be an under-estimate. People with disabilities are also more likely to be permanent than other employees.

▲ [TOP](#)

Director’s Comment

Our quarterly Diversity Forum was held on 7th May and was a great success with over 50 attendees. Session 1 was a panel of five speakers representing different specialist and generalist disability employment agencies. A broad and interesting discussion ensued around the field of contemporary disability recruitment and career development. The session highlighted the support that is available to public sector agencies to recruit increased numbers of people with disabilities.

Session 2 was a dynamic presentation by guest speaker Cliff Gillam from CALM who spoke on their Indigenous employment strategy. This talk generated a lot of discussion and provides an excellent example of ways of increasing the employment and retention of Indigenous people.

This will be my last *Director’s Comment* due to my recent appointment to the position of Commissioner for Public Sector Standards. I look forward to working with you in my new role and wish the new Director every success.

Maxine Murray
Director of Equal Opportunity in Public Employment

▲ [TOP](#)

Sector Puts Spotlight on The Young Ones

The proportion of young people in the public sector is falling.

The proportion of young people (<25 years of age) in permanent full-time positions fell from 18% in 1988 to less than 5% in 2001. Furthermore, the number of young people in temporary arrangements is currently double that of other staff.

CEO Diversity Forum takes Action

The Western Australian Government recognised the need to address youth issues as a package in its policy platform. In relation to employment, the government is committed to 800 new traineeships over and above the traineeships already in place. Five hundred of these traineeships will be in the Western Australian public sector. One third of the traineeships will be in regional areas.

Additionally, the Premier has now set objectives for youth employment in the Government's Equity and Diversity Plan 2001–2005.

The CEO Diversity Forum recently discussed the subject of youth employment in the Western Australian public sector. They received a presentation on a three part research and discussion paper series entitled "*The Young Ones*". The paper series is soon to be published by the Department of the Premier and Cabinet.

The Forum agreed to establish a youth employment sub-group. The sub-group, chaired by Mr Alastair Bryant, Director-General of the Department of Culture and the Arts, will use the papers as the basis for developing an action plan to meet sector youth employment objectives.

Valuing Our Young People

It has been said that the mark of a civilised society is in the way it treats its least advantaged and least empowered. In general, our young people, by virtue of their low economic and experience base, make up one of the least empowered groups in society, particularly when it comes to employment.

In a recent "Working Visions" Conference¹ held in Perth, the author and social critic Susan Maushart noted that our young are the reason why we must retain our optimism in the face of somewhat overwhelming global change and difficulties.

If the young are our future, then addressing the issues that disadvantage them now and threaten to harm their future assumes the greatest importance. These issues include access to knowledge and skills and access to work.

The State public sector, as this State's single largest employer, is uniquely positioned to promote youth pathways to employment. Given the impending three fold increase in retirement rates, it is also an imperative that young people are attracted to and retained in the sector.

▼ [NEXT PAGE](#)

Sector Puts Spotlight on The Young Ones (cont'd)

What Can We Look Forward To?

Paper one of the research paper series, *Employing for the Future*, looks at the history and success of Western Australia's public sector youth employment programmes over the past decade.

Paper two is based on collaborative research between ODEOPE and the Department of the Premier and Cabinet. In *Youth Speaks on Work and the Public Sector*, 93 young people share their views on their aspirations and expectations of work and on the public sector as a potential employer.

Paper three, *Youth Trends: A Study of The Role And Future of Youth Employment in the Western Australian Public Sector* investigates how and where young people are being employed. It also discusses what we know from elsewhere about employment futures and the pathways young people tread to employment.

For further information on the Research and Discussion Paper series contact Nicci Whitehouse at nwhitehouse@dpc.wa.gov.au

Public Sector: Youth and Mature Worker Composition - June 01

Based on data reported on 71% of public sector employees, 4.9% of employees are less than 25 years of age and 44.7% are over 45 years. The proportion varies for other EEO groups as shown below.

	Youth	Mature
Total staff	4.9%	44.7%
Women	5.8%	42.3%
Men	3.7%	46.5%
Culturally Diverse	3.9%	43.4%
Indigenous Australians	8.1%	23.5%
People with Disabilities	3.6%	34.6%

These figures show women and Indigenous employees as having a higher proportion of young people while for people from culturally diverse backgrounds, people with disabilities and men, there is a lower proportion of young people.

▲ [TOP](#)

Family Responsibilities and Flexible Work Times

Song v Ainsworth Game Technology

The Federal Magistrates Court of Australia has found that Ainsworth Game Technology discriminated against an employee on the ground of family responsibilities when it changed her working hours from full-time to part-time without her consent because she was leaving work for 20 minutes each afternoon to transfer her son from school to a carer.

The complainant, Ms Song, had been employed by the company for over twelve months. During that time, she or her husband, who had also been working for the company, had been leaving work for a short period each day to transfer their son between kindergarten and child care. These arrangements had not formed part of her formal work contract but were known to supervisors and were consistent with flexible arrangements for other employees who had flexible start and finish times and could take smoking or coffee breaks provided they made up the time.

▼ [NEXT PAGE](#)

Family Responsibilities & Flexible Work (cont'd)

After Ms Song's husband left the company, Ms Song became solely responsible for transferring her son each day. She advised her supervisor that she would need to leave work between 3:00pm and 3:15pm each day to transfer her son and would make up her hours. She was told that there had not been an agreement from her previous supervisor or the Human Resources Manager for her to leave work at this time and that if she wanted to do so she may have to change her employment from full-time to part-time.

A series of discussions and emails with the HR Manager ensued. He was concerned that Ms Song would be in breach of the award provisions and that she would not be covered by workers' compensation insurance. He offered her the option of working fixed hours nominated by the organisation to meet award conditions or working part-time.

In lodging her complaint, Ms Song contended that she had been treated less favourably than other employees, who were able to work start and finish times suited to their needs and take breaks from work during the day so long as they made up the time.

The Federal Magistrates Court found that there had been an informal arrangement (with the previous supervisor) for Ms Song or her partner to transfer their child. However, this was not known to the HR Manager. When he became involved there was a breakdown in communication between him and Ms Song for a number of reasons. One of these reasons was Ms Song's limited command of the English language.

The Court accepted that the HR Manager had tried to accommodate Ms Song but found that the way he had gone about it was more likely to cause confusion than provide a solution. He had not explained clearly enough to Ms Song the importance of the effect of being considered an award employee, had failed to provide her with a copy of the award and, when he did, had omitted an important section. He had also been incorrect in his interpretation of the award and the provisions of the Workers Compensation Act.

The Court found that the company had discriminated against Ms Song by changing her hours to part-time without her consent and awarded her \$10,000 damages as well as back pay for loss of earnings. They ordered that her contract of employment be varied to allow her to take her lunch break at 2:55pm each day in order to transfer her son to childcare.

Implications for Employers

This decision highlights the need to be flexible in negotiating arrangements with employees to enable them to meet their family responsibilities. In doing this it is important to ensure that employees clearly understand the options available to them, particularly where English is not their first language. In these cases extra care may be needed to ensure people understand any legal constraints facing the employer. This decision also emphasises the importance of revisiting interpretations of awards and other legislation that have been used in the past. Employers cannot assume modifications to work practices to meet family responsibilities are not possible because they have not been accommodated before.