

PO Box A147  
Sydney South  
NSW 1235  
DX 585 Sydney  
[alhr@alhr.asn.au](mailto:alhr@alhr.asn.au)  
[www.alhr.asn.au](http://www.alhr.asn.au)



**For Immediate Release 2 May 2018**

## **Human rights lawyers welcome new shift to support employees with disabilities**

Australian Lawyers for Human Rights (ALHR) applauds the recent decision of the Fair Work Commission to restructure the existing framework for paying supported employees to ensure they are paid more fairly. The FWC's decision will see a shift from the current award where Australian Disability Enterprises determine wage rates for supported employees using the Supported Wage System tool. It is ALHR's strong view that this tool fails to take into account the full range of the value of work provided by supported employees with disabilities.

Susan Peukert, Chair of ALHR's Disability Rights Sub-committee said, "ALHR has been a strong advocate of the phasing out of tools that unfairly assess the remuneration of supported employees and as such we welcome the Fair Work Commission's proposed replacement structure."

"However, while this decision is a step in the right direction of recognising the value of the work of persons with disabilities, there is still more reform needed. The Convention on the Rights of Persons with Disabilities obliges Australia to ensure that individuals with disabilities have the right to work on an equal basis with all others. This means that employers must provide equality of opportunity and provide equal remuneration for equal work, that any employment must be freely chosen, and that the work environment must be open, inclusive and accessible."

"In ALHR's view, open employment is preferable to supported employment as it allows individuals with disabilities to exercise the ability to build their capacity to work and to engage in the workforce in an equal manner."

"Australia must move on from the 'sheltered workshop' type of employment of individuals with disabilities to a model that ensures that all people who aspire to work are supported to do so in open employment. This should include the removal of the various societal barriers that prevent the participation of individuals with disabilities in the open labour market on an equal basis with others."

"Individuals with disabilities and the entire Australian community gain social and economic benefit from full and equal participation in employment. To realise this benefit, the employment gap between individuals with disabilities and those without must be addressed and closed," said Peukert.

**Media Contact: Matt Mitchell M: 0431 980 365 E: [media@alhr.org.au](mailto:media@alhr.org.au)**

In February 2018 ALHR provided a response to the Department of Social Services in relation to the discussion paper "*Ensuring a strong future for supported employment*." [Available here.](#)

*ALHR was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist thematic committees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.*