May 2022

To Education and Workforce Committee

Please find below DPA’s submission on the Fair Pay Agreements Bill and parliamentary paper G.46C.

## Disabled Persons Assembly NZ

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# Introducing Disabled Persons Assembly NZ

The Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person’s organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* celebrating innovation and good practice

# United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

## **Government obligations:**

The UNCRPD[[1]](#endnote-2) places an obligation on Government to ensure and promote the full realisation of all human rights and fundamental freedoms for all disabled people without discrimination of any kind on the basis of disability.

## **UNCRPD is the minimum standard:**

DPA upholds the UNCRPD as the minimum standard for our participation in society.

## **Partnership with DPOs (Article 4.3):**

The implementation of the UNCRPD depends on a partnership between DPOs and the Government. This is highlighted in Article 4.3 which says governments shall consult closely with and actively involve disabled people, including disabled children, through their representative organisations. This partnership goes beyond just consulting with disabled people. It mandates governments to actively involve disabled people and our organisations in everything that affects us.

Other key Articles of the UNCRPD relevant to this submission are:

## **Article 5 - Equality and Non-Discrimination**

## **Article 6 - Women with Disabilities**

## **Article 24 – Work and Employment**

# The New Zealand Disability Strategy (2016-2026)

The New Zealand Disability Strategy[[2]](#endnote-3), which is the Government’s primary vehicle for implementing the UNCRPD, has the following outcome relevant to this Bill:

## **Outcome 2 – Employment and Economic Security**

# The Submission

DPA supports this draft Bill as we believe that it will reduce the pay gap between disabled and non-disabled workers; and might also improve pay and conditions of staff in the disability support sector.

The Explanatory Note to the Draft Fair Pay Agreements Bill says:

*“While New Zealand’s labour market has some strengths, it also has systemic weaknesses. These include a significant prevalence of jobs with inadequate working conditions, low wages, and low labour productivity. For example, Māori, Pacific peoples, young people, and people with disabilities are over-represented in jobs where low pay, job security, health and safety, and upskilling are significant issues. Barriers to good labour market outcomes are particularly prevalent for people who fall within more than 1 of those groups. The Bill will help address these issues.”* [[3]](#endnote-4)

DPA believes that the framework for industry wide bargaining set out in the Draft Fair Pay Agreements Bill is a significant step to begin to remedy such issues.

# The Disability Pay Gap

Disabled people have higher rates of unemployment and underemployment and are paid less on an hourly basis. All of which contributes to a significant pay equity gap for disabled people, particularly for disabled women.

 *“In the June 2021 quarter the median weekly income from wages and salaries for people age 15 years and over: was $957 for disabled people and $1,098 for non-disabled people, with a gap of $141. For those aged 15–64 years: it was $962 for disabled people and $1,106 non-disabled people, with a gap of $144.”* [[4]](#endnote-5)

*“The median hourly earnings for disabled people was $25, which is $2.40 less than the hourly median for non-disabled people, reflecting a further 10 percent pay equity gap, affecting disabled workers.”* [[5]](#endnote-6)

The pay equity figures for disabled women are even worse. The Ministry for Women states:

*“Disabled women have a pay gap of 16.1 percent when compared to disabled men, and a pay gap of 19.0 percent when compared to all men.”* [[6]](#endnote-7)

# Workers in the Disability Support Services Sector

While the 2017 pay equity settlement for care and support workers[[7]](#endnote-8) went some way to raise the pay of disability support staff, the sector still has significant issues in retaining workers. Years of underfunding of the sector and recent pay equity settlements for nurses and other District Health Board staff have resulted in staff leaving the disability support sector for jobs in the public health sector.[[8]](#endnote-9) DPA is hopeful that the ratification of a Fair Pay Agreement for the disability support sector could significantly improve wages and conditions in the sector, thus making it easier to retain quality staff and pay them fairly for the valuable work they do.

# Monitoring

DPA would like to see Government monitor the effects of Fair Pay Agreements on the pay and conditions of disabled workers and other marginalised demographics. It may be necessary to implement additional measures to close the pay equity gap between the earnings of disabled and non-disabled workers should Fair Pay Agreements not rectify this gap

1. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html> [↑](#endnote-ref-2)
2. <https://www.odi.govt.nz/nz-disability-strategy/> [↑](#endnote-ref-3)
3. <https://www.legislation.govt.nz/bill/government/2022/0115/46.0/d13078186e2.html> [↑](#endnote-ref-4)
4. <https://www.stats.govt.nz/information-releases/labour-market-statistics-disability-june-2021-quarter> [↑](#endnote-ref-5)
5. <https://diversityworksnz.org.nz/news-resources/news/disabled-people-fare-worse-in-work-and-wellbeing/> [↑](#endnote-ref-6)
6. <https://women.govt.nz/gpg/disability> [↑](#endnote-ref-7)
7. <https://www.health.govt.nz/new-zealand-health-system/pay-equity-settlements/care-and-support-workers-pay-equity-settlement/pay-equity-settlement-information-employees> [↑](#endnote-ref-8)
8. <https://business.scoop.co.nz/2022/04/09/disability-providers-need-funding-to-match-care-assistants-pay-boost/> [↑](#endnote-ref-9)