

Disability Employment Services

If you are receiving an income support payment through Centrelink and have job search activity requirements you will be required to register with an Employment Service Provider and this Fact Sheet will advise what you can expect.

If you have a disability of any type you may want to consider a Disability Employment Service (DES) as they offer services dedicated to supporting people with disabilities back into the workforce.

You can also use Disability Employment Services if you are on a Disability Support Pension and want to find work even though you are not required to look for work. Basic Rights Queensland (BRQ) refers to people in these circumstances as voluntary clients.

How do I access a DES service?

When you register for income support with Centrelink they will ask you a series of questions to assess your individual circumstances and the impact this might have on your ability to find employment. These questions are called the Job Seeker Capacity Instrument (JSCI) and include questions about your education level, disability and work experience. If the JSCI indicates that you have barriers to employment you will be referred to a Job Capacity Assessment who will undertake a more thorough assessment. For more information on Job Capacity Assessments please see Fact Sheet, *Job Capacity Assessments*.

You may then be referred to one of the programs within Disability Employment Services. Not all people with a disability will be referred to DES. If a person has a disability but does not require on the job support and is "work ready"

they may be referred to a mainstream Job Services Australia provider.

You can choose your provider. Centrelink should ask you whether there is a service you would prefer to be referred to. Centrelink can also assist you to select a provider or nominate one for you. Information on providers in your area is available at: <http://jobsearch.gov.au/>

Please see the BRQ Fact Sheet *Selecting an Employment Service Provider* for more information.

What services do Disability Employment Services offer you?

The role of the Disability Employment Services is to provide specialist assistance to people with disabilities to prepare them for work, and help them to maintain employment. Disability Employment Services can assist with employment preparation, job search, promoting skills to employers, negotiating with employers and on-the-job or off-site employment support.

Disability Employment Services consists of two programs. One for people with a disability, injury or health condition who require the assistance of a disability employment service but are not expected to need long-term support in the workplace. The other is for people with a permanent disability with an assessed need for more long-term ongoing support in the workplace.

Regardless of which program you are in, you will:

- be entitled to fortnightly face-to-face meetings with your case manager;
- gain new skills and qualifications;
- access work experience opportunities;

- receive help to manage your disability and other medical or health interventions; and
- be assisted to overcome and manage other barriers to employment.

In your initial interview with your provider they should:

- outline what services they will provide to you;
- explain and give you a copy of their Service Guarantee and Code of Practice;
- explain your rights and obligations and prepare an Employment Pathway Plan (see below) which outlines the activities and interventions you and your provider will do to assist you to get work;
- discuss your health condition, injury or disability and how it affects your ability to look for and retain employment and how you can be supported to reduce this impact;
- explain the use of Jobsearch Facilities and where they are available;
- provide an initial list of appropriate job vacancies;
- provide advice about the best ways to look for and find work and discuss local employment opportunities;
- provide information about skill shortage areas.

What is an Employment Pathway Plan?

An Employment Pathway Plan (EPP) lists your obligations to the Disability Employment Service Provider and Centrelink and the provider's obligations to you. This used to be called an Activity Agreement. You will be required to sign the Employment Pathway Plan to say that you agree to these obligations. If you fail to complete the activities listed in the EPP you may face financial penalties through Centrelink.

You can suggest what activities you would like

included in the agreement, but the ultimate decision rests with Centrelink or the Disability Employment Service provider. EPPs can be changed at any time and should be updated any time your situation changes. If you are unhappy with your EPP and believe it is unfair you can appeal it. Please see Review and Appeal Rights below.

When deciding the terms of an EPP, the Employment Service Provider must have regard to your capacity to comply with the proposed terms, and your needs.

If you are a voluntary client (one that does not have a requirement to look for work) you will still have an EPP that outlines expected activities but you will not be penalised for not completing them.

What support can I expect?

On-the-job support

Disability Employment Service Providers provide an extended period of assistance and ongoing on-the-job support once you have secured employment. Job Services Australia does not provide extended on the job support for job seekers.

On-the-job support can be supplied for up to 26 weeks and means that you have a case manager who will help make sure any necessary workplace modifications are organised. Your case manager may accompany you when you are first employed to assist you to settle in to your role. You can also turn to your case manager if you are having any difficulty with your employment down the track. The amount of support you receive will depend on your needs.

Additional support

The Federal Government has a couple of programs for employers to assist them to support workers with a disability. These include the Employer Assistance Fund which funds workplace modifications (such as computer

software upgrades and communication technology) and the Wages Subsidy Scheme which subsidises employment of people with disabilities. Your Disability Employment Service will be knowledgeable about these programs and encourage and assist employers to access them. You might like to discuss with your service provider how these might be used to assist you.

Review and appeal rights

You have the right to appeal any of the decisions your service provider makes that appear to be unjustified and/or do not take into account your circumstances.

Disability Employment Services must comply with the Disability Service Standards and can be held accountable against them. The Consumer Resolution and Referral Service (CRRS) is an independent service that helps sort out complaints about any service funded under the Commonwealth Disability Services Act. This means that if you are accessing a Disability Employment Service you can complain to the CRRS. They hold services accountable to the 12 Disability Service Standards which include individual need, privacy dignity and confidentiality and service access. For information on these standards please go to: <http://www.crrs.net.au/about-us/disability-service-standards/>

There are other ways to appeal. For more information please see the BRQ Fact Sheet *Complaining is OK*.

Referral and non-vocational supports

Your employment service may refer you to a rehabilitation program and non-vocational support to assist you to become more ready for employment.

If you are seeking compensation for the health condition, injury or disability that you are experiencing, the Employment Service Provider may recover the costs of any rehabilitation program they have referred you to. It is a good idea to discuss this with your provider as soon as possible.

Please Note:

This Fact Sheet contains general information only. It does not constitute legal advice. If you need legal advice please contact Basic Rights Qld on **3421 2510** or if outside of Brisbane on **1800 358 511**.

Basic Rights Qld is a community legal centre, which provides specialist advocacy and legal services in Social Security and Disability Discrimination in employment law, administration and policy.

We are independent of Centrelink and all assistance is free.

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www.brq.org.au