Discussion Paper: Remote Employment and Participation

Response of the Indigenous Remote Communications Association

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1 About the Indigenous Remote Communications Association

The Indigenous Remote Communications Association (IRCA) is the peak body for Indigenous media and communications. It was founded in 2001 as the peak body for remote Indigenous media and communications. In late 2016 it transitioned to the national peak body for Aboriginal and Torres Strait Islander broadcasting, media and communications.

Up to 105 Remote Indigenous Broadcasting Services (RIBS), 33 additional licensed retransmission sites across Australia, 8 Remote Indigenous Media Organisations (RIMOs) and 28 urban and regional Aboriginal and Torres Strait Islander radio services are eligible for representation by IRCA.

2 About the Aboriginal and Torres Strait Islander broadcasting and media sector

Aboriginal and Torres Strait Islander broadcasters are not-for-profit community organisations providing a primary and essential service to their communities. They reach nearly 50% of the Australian Aboriginal and Torres Strait Islander population, but are prevented from providing a primary radio service to all Aboriginal and Torres Strait Islander peoples due to a lack of funding.

Aboriginal and Torres Strait Islander broadcasters and media producers also connect non-Indigenous communities with Aboriginal and Torres Strait Islander people and culture, developing greater understanding and building stronger relationships.

The sector:

- Comprises:
    - Radio services able to reach around 320,000 Aboriginal and Torres Strait Islander persons, including around 100,000 very hard to reach people in remote Indigenous communities, or approximately 47% of the Australian Aboriginal and Torres Strait Islander population.

    - A regional satellite TV service reaching 240,000 remote households and a free to air national TV service.
    - Over 230 radio broadcast sites across Australia.
- Is a multimillion dollar industry with over 35 Aboriginal and Torres Strait Islander community owned and managed not for profit media organisations.
- Holds the capacity to be a preferred supplier for all government messaging to our communities.
- Is the most relevant and appropriate service with the highest listenership, community engagement and local ownership of all media services.
- Is delivered in the first language of many remote peoples.
- In remote communities, is the most reliable and ubiquitous radio and media services.

3 Disclaimer

This submission is made by the Indigenous Remote Communications Association (IRCA) in its own right. It is expected that some radio services. RIBS and RIMOs will make individual submissions in which case the IRCA Submission should not be taken to displace those submissions.

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4 Submission

4.1 Introductory remarks

The Indigenous Remote Communications Association (IRCA) welcomes the opportunity to respond to the Discussion Paper on Remote Employment and Participation. The Discussion Paper has high relevance to the First Nations broadcasting sector and we appreciate the overall intent to respond to the significant issues that have beleaguered the Community Development Program and its participants to date. Our specific responses to the the proposals are presented below but we make some introductory remarks here.

IRCA broadly supports the spirit behind the proposed objectives of a new approach as set out on page 4 of the Discussion paper, namely:

- growing the remote labour market by creating real subsidised jobs;
- providing incentives for job seekers to participate in their communities and move off welfare and into work, including through 'top-up' as an incentive;
- ensuring there is greater community control, with a focus on local decision making and less reliance on the national welfare system; and
- recognising that remote job seekers have varying capabilities and need support while they move along the pathway to work.

In order to achieve those objectives any jobs placement program must be clearly an employment program rather than a welfare program implemented with significant penalties. The management of the Community Development Program (CDP) has trapped people within a welfare framework, impoverished many, and created a situation where job activity requirements have worked against any concept of "real" jobs.

IRCA has direct experience of the barriers built directly into the CDP that have blocked the ability of an IRCA managed ICT project, funded by Telstra, to place CDP participants into meaningful Digital Mentor jobs that incorporate training into community based jobs. Key barriers have included:

- Inability to pay top up for skilled jobs without significant impact on Centrelink benefits sufficient to create a disincentive to take on additional work or more highly skilled work with higher top-up remuneration.
- Inability of Jobs Provider to outsource specialised training to employers and consequent inability of workers to move into skilled roles.
- Inability of CDP participants to complete all mutual obligation hours with the one employer creating issues for the employer in continuity and issues for the participant in not being able to build skills through ongoing connection in a workplace.
- Disallowance of job descriptions for a given role.
- Variability in the implementation of CDP between CDP providers.

IRCA's concerns also relate to the discriminatory implementation of the CDP with:

- Its higher requirements of 25 hours per week for mutual obligation hours for remote participants compared to 20 hours for participants in other areas.
- Below minimum wage remuneration rates even for jobs that would otherwise attract award rates, and the double disadvantage of top up effectively being a disadvantage.
- The displacement of real jobs, with award rates, by low paid CDP positions.

The punitive implementation of the CDP with its harsh penalties is another concern, with participants having to survive without any payments for up to 8 weeks as a result a breach. Inge Kral in her May 2017 submission[1] clearly sets out the impact of the CDP as:

> *" … further entrenching poverty for Aboriginal people just on already inadequate income support payments."(page 8)*

Her submission incisively notes (pages 8-9) the detrimental impact of the CDP in relation to:

- Food security
- Housing
- Fines enforcement

[1] Kral, Inge. Submission to the Inquiry into the appropriateness and effectiveness of the objectives, design, implementation and evaluation of the Community Development Program (CDP). 2017 https://www.aph.gov.au/DocumentStore.ashx?id=b530d805-6b11-4255-830a-1bbde0179421&subId=511601

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Consequently, it is pleasing to see that the government is seeking a new model, and it is IRCA's submission that the government must learn from the poor and punitive design of the CDP in order to build a jobs program that:

- **Truly provides real, properly paid, equitable and meaningful jobs.**
- **Provides effective transition to work pathways, including training for job seekers.**

IRCA sees significant potential in a newly designed program connecting with the many First Nations broadcasters and media producers in remote communities. Those organisations are well placed to provide meaningful cultural work, accompanied by employer provided on-the-job training and supported accredited training through RTOs.

This is in line with Recommendation 16 of the Australian Senate Finance and Public Administration References Committee's Report on the *Appropriateness and effectiveness of the objectives, design, implementation and evaluation of the Community Development Program (CDP[2])* published in December 2017, namely:

The committee recommends that the definition of work activities under the revised CDP program should be expanded to include cultural transmission activities that are prioritised by the local community in their local jobs plans.

4.2 Wage-based Model

4.2.1 Starting points

IRCA considers that the only option that has merit in the Discussion Paper is the Wages-Based Model. IRCA notes that the nature of the labour market in remote communities is "thin" and that capacity of local employers to self-fund a jobs increase is very limited. Hence the subsidised jobs model is considered appropriate.

[2] https://www.aph.gov.au/~/media/Committees/fapa_ctte/CDP/report.pdf?la=en, pxiii

In saying that, IRCA notes that any implementation of a Wages Based Model must be non-discriminatory and non-punitive in terms of:

- Managing the envisaged Tier 3 within an employment framework and not a welfare framework.
- Reducing the required number of hours per week to be equitable with non-remote areas.
- Bringing the payments up to the minimum wage and allowing for top-up as self-funded by the employer.
- Managing funding on an annual wages basis (inc on-costs – superannuation, leave entitlements, workers compensation insurance), on an annual basis, not an hourly basis, and enabling employers to provide job descriptions, work agreements, manage, attendance and leave, and be treated as the employer for all legal purposes.
- Enabling employers to directly manage the jobs funding, employment arrangements and monitoring, and the training provision for participants placed into CDP positions at the envisaged Tier 3 level. It is acknowledged that accountability measures need to be in place with the local job placement program, and that unspent funding would be returned at the end of a financial year or alternatively rolled over into the next financial year.

4.2.2 Specific responses

Q: The option of a 'three tiered' approach in a new model is designed to stream job seekers according to work capacity – will streaming assist in better servicing the caseload and moving people along a pathway to employment?

A three tiered model is appropriate, conditional on Tier 2 being managed through **local** job placement providers and aimed at building capacity of job seekers for workplace roles relevant to local areas.

Devolving the envisaged Tier 2 to local, Indigenous organisations, with job placement, job seeker and job readiness training, complemented by the capacity to work effectively with local employers is vital.

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Tier 3 needs to be treated separately as a contractual arrangement between job providers and local employers with employment and management of CDP participants, under a part-time work arrangement, carried out by approved employers. Annual funding for the approved number of CDP placement needs to be provided to employers, and set at the minimum wage plus on-costs as note above.

There needs to be an incentive to move into active work. Providing Tier 3 as a "real" part-time job attached to an engaged employer, along with a top-up capacity, will provide that incentive. Tier 3 participants would report earnings fortnightly, in the normal way other Australian citizens do, to Centrelink to determine entitlements to any part payments under Newstart or other benefits a for which a participant is eligible.

Q: Is there merit in moving elements of a new model outside the national income support and compliance system to ensure a simpler and more accessible system for job seekers? If so, which elements?

IRCA considers there is merit, as indicated in our response to the question above to move the envisaged Tier 3 into an employment program similar to the National Jobs Program as part-time subsidised jobs. Tier 3 placements should conform with National Employment Standards including superannuation.

Q: How could we improve the job seeker assessment process to ensure job seekers are streamed appropriately, their strengths and aspirations are taken into account and their hours match their capacity to work?

This can best be achieved by devolving service provision to Indigenous organisations with the relevant skills and experience, plus strong local knowledges and effective relationships with community employers.

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Q: How many (maximum) hours of required activity would be appropriate in each of the tiers? How should hours be structured (e.g. daily or monthly? Flexibility to schedule outside of business hours)?

The hours should be consistent with the hours required for non-remote equivalent programs.

Q: Should subsidised jobs only be available to Indigenous job seekers or all job seekers in remote Australia?

Only for Indigenous job seekers.

Q: The new model is based on a job seeker only being paid for the hours they turn up when engaging in more 'work-like activities (a 'show pay' system') – will this provide an adequate incentive for a job seeker to engage? What does a more incentives-based model look like? How should a model deal with persistent non-compliance (people who are able but unwilling)?

As we have noted above, Tier 3 placements should be treated as part-time workers managed by employers who deal with approved and, as appropriate, non-approved leave. Unexpended funds would be returned at the end of the year for community purposes or rolled over to the employer for the following year's utilisation.

Tier 2 participants should be engaged in a mix of training and job placements, with the job placements eligible for top-up as appropriate to the skills of the participant and the capacity of the employer to provide top up. Payments should be equivalent to Newstart, with obligations as per the Newstart program. Incentives should be provided through linking participants to an employer with top-up encouraged as the incentive.

Persistent non-compliance should be treated as per the government arrangements that are in place at any given time for the relevant benefit that the participant is receiving.

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4.3 The potential of the remote First Nations broadcasting and media sector to provide meaningful work through a revamped community jobs program

First Nations broadcasters provide a first level of service to remote audiences, particularly for those who speak a First Nations language as their first language. They provide culturally meaningful employment based in local communities.

First Nations broadcasting is vitally important to remote audiences. Data from the 2016 Remote Indigenous Communications and Media Survey indicates the sector's importance and special position:

- 80% of community members aged 18 and over are weekly listeners; 91% are monthly listeners
- 77% of people listen for the positive First Nations stories
- 67% listen to hear about their own people and community
- 56% listen for the First Nations focus in programs and news
- 56% listen to hear people broadcasters present in language
- 51% listen due to the employment opportunities provided by First Nations broadcasting for local people
- 51% listen for the pride that arises from First Nations broadcasting services

As such, remote First Nations broadcasting and media are considered desirable places to work that affirm and value the cultural knowledge that local people bring to the workplace.

The Australian Government has already rolled National Jobs Program jobs into operational funding for remote First Nations broadcasters and organisations under the Indigenous Advancement Strategy (IAS). Employment through that funding is managed directly by the media organisations and is provided as part-time and full-time employment with leave and superannuation entitlements.

That funding is inadequate for the extent of employment needed to fully realise the potential of remote First Nations media to increases its reach and content production.

Complementing the IAS funding with a targeted media component of the CDP, would have the advantage of bringing job seekers into contact with First Nations workers already engaged in meaningful jobs. There is a potential for mentoring relationships to be developed so as to enhance retention.

IRCA is keen to discuss a specific First Nations remote media employment plan with the Department to support jobs providers identify media job opportunities in remote communities.

Conclusion

Thank you again for the opportunity to respond to the Discussion Paper. We look forward to significant reform of the CDP to enable remote First Nations peoples to build their skills and capacity to undertake and engage in meaningful work that builds pride and a strong sense of identity.

Daniel Featherstone
General Manager
Indigenous Remote Communications Association

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