

Disabled Persons Assembly NZ



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Please find attached DPA's feedback on the NZ Income Insurance Scheme (NZIIS) Proposal.

Disabled Persons Assembly NZ

Contact:

Mojo Mathers

Kairuruku Kaupapa Here | Policy Coordinator

policy@dpa.org.nz

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

DPA Feedback

Please note that the brief feedback below on the NZIIS proposal is to supplement the feedback DPA has provided previously at a meeting with MBIE staff.

DPA notes that an income insurance scheme to cover a short period of up to six months following job loss is consistent with the recommendations from the Welfare Expert Advisory Group [report](#).

Any NZIIS must complement well-funded and equitable social welfare.

Any NZIIS must be designed to complement a well-funded, mana enhancing and equitable social welfare scheme so that all people have sufficient income to live with dignity and must be designed to support people to transition either back to employment or onto longer term benefits in a way that is appropriate for their situation and maintains peoples dignity throughout.

Disabled people must have equitable access to any NZIIS.

A key element for disabled people is equity - in particular social and economic equity. Economic exclusion has a huge impact on disabled people's ability to build social connections and on wellbeing outcomes.

For these reasons it is critical that there is equity of access for disabled employees to any income insurance scheme. As a minimum the scheme must cover (as is proposed) both acquired and pre-existing health and disability conditions to ensure that disabled employees are not excluded at any point from accessing the scheme.

Proposed 50% threshold is too high

DPA has previously provided feedback that the 50% threshold is too high and difficult to assess in practice. We note that many disabled people with progressive health conditions seek to negotiate reductions in hours so that they can remain in employment for longer.

DPA would like to see a lower threshold adopted to better reflect common practice. In our view 40% would be a fairer threshold and also one that is more practical to assess and implement. For a standard 5 day /40 hour working week, 40% equates to a reduction of two days from full time to working 3 days a week.

Reasonable accommodation

For many disabled people, being able to negotiate reasonable accommodation such as working from home and flexible hours is essential to be able to obtain or keep employment. Historically many employers have been resistant to making such accommodations, although the COVID pandemic has shown that such accommodations are both possible and practical for many areas of employment with flexible arrangements are becoming more common, although not at the levels we need to see.

For any NZIIS to be implemented in a way that is equitable and fair for disabled employees it is essential that there is good guidance given to employers around reasonable accommodation to support an employee with a health and disability condition to continue working. The NZIIS must include an explicit requirement to engage in good faith negotiations.

DPA is also very conscious that disabled people already face significant barriers to employment, with underemployment a major issue for many disabled people. We have concerns that the NZIIS may entrench this inequity further if the scheme

inadvertently creates disincentives for employers to employ someone with a health condition or disability due to perceived costs.

Currently the Human Rights Commissions process is very clunky, complex and stressful for disabled people to negotiate. Hence it is vital that the NZIIS consider how it can assist any negotiations process around reasonable accommodation to run more smoothly without having to go through the HRC. This could be in the form of an independent workers advocate to support negotiations or similar.

Further clarity needed around implementation

There are a large number of elements that need to be clear in the design of the NZIIS. For example, at what point does the scheme date a reduction in income from? There are a number of scenarios that disabled people face where they seek to reduce hours (hence income) progressively over time due to a slowly deteriorating health condition such as MS or MD. They may negotiate reduced hours in stages over several years. For example an employee may start a job on a full-time basis. After three years they may reduce their hours by 30% then six months later reduce by another 20%. It is not clear to us if under the proposed NZIIS whether they would be eligible for the income top up or not?

DPA is aware that disabled people often need longer timeframes to complete training /rehabilitation courses since they may not be able to study full time due to their health or disability condition, or there may be only a limited range of courses that are accessible for them, difficulty finding inclusive training. Hence it essential that the NZIIS builds in some kind of simple process to apply for an extension.

Disability representation on governance of NZIIS essential

Governance of the NZIIS will have to navigate multiple entrenched systemic issues at play for disabled people including accessing employment, job support, training. It is essential that disabled people have equitable access to any NZIIS that is implemented.

We know that at present ACC processes are complex and inaccessible, challenging to navigate and discriminatory for disabled people as per their own reporting¹ .

DPA wants to see steps taken from the onset to ensure that these discriminatory processes are not replicated in the delivery of the new NZIIS. We want to see concrete change in culture and processes and assurances that these processes won't be replicated

Because of this history, DPA believes that the governance board of the NZIIS must be separate to that of ACC and that it must also include disability representation to ensure a voice for those with health and disability conditions in any policy decisions that are made by the board.

Both these elements (separate board to ACC and disability representation) are essential to build confidence that disabled people will be treated equitably/ have equitable access to the proposed NZIIS.

DPA would like to be consulted with this to help ensure the right person is appointed to that role.

¹ [ACC law biased against those disabled before injury, agency's analysis reveals | RNZ News.](#)