

Making employment policy work for social inclusion

**A submission to Government on the
Employment section of the Irish
National Reform Programme, 2005-2008**

**Based on the discussions at a national seminar and three regional
seminars for anti-poverty groups in September 2005
funded by the Combat Poverty Agency**



**European Anti-Poverty Network Ireland
and
Community Platform**





COMMUNITY PLATFORM

CHALLENGING POVERTY & INEQUALITY

The Community Platform is made up of national networks and organisations within the community and) voluntary sector which are engaged in combating poverty and social exclusion and promoting equality and justice.

The members of the Community Platform are:

Age Action Ireland	Migrant Rights Centre, Ireland
CAIRDE	National Adult Literacy Agency
Community Action Network	National Network of Women's Refuges and Support Services
Community Workers Co-operative	National Traveller Women's Forum
European Anti Poverty Network (EAPN) Ireland	National Women's Council of Ireland
Forum of People with Disabilities	One Parent Exchange & Network
Gay and Lesbian Equality Network	Pavee Point Travellers' Centre
Irish Association of Older People	Rape Crisis Network Ireland
Irish National Organisation of the Unemployed	Simon Communities of Ireland
Irish Penal Reform Trust	Society of St. Vincent de Paul
Irish Refugee Council	Threshold
Irish Rural Link	Voluntary Drug Treatment Network
Irish Traveller Movement	Vincentian Partnership for Justice
	Women's Aid

Secretariat c/o Community Workers Co-operative, 1st Floor, Unit 4, Tuam Road Centre, Galway



EAPN Ireland is a made up of organisations and individuals in Ireland fighting against poverty and social exclusion. It is the Irish national network of the European Anti Poverty Network (EAPN).

The process leading to this submission has been led by the EAPN Ireland working group on Employment, made up of representatives from:

- Irish National Organisation of the Unemployed (INOUE)
- Dublin Employment Pact
- Pavee Point Traveller Centre
- National Women's Council of Ireland
- Migrant Rights Centre Ireland
- EAPN Ireland

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Summary of Main Proposals

The following proposals are included in boxes in the body of the submission with greater detail and background information. There are also other important proposals and issues raised throughout the submission which are not included in this summary section. The proposals focus on Priorities one and three of the **Employment Guidelines of the EU *Integrated Guidelines for Growth and Jobs***.

Priority 1: Attract and retain More People in Employment, Increase labour Supply and Modernise Social Protection Systems

Female Participation

Early Childhood Care and Education

1. Care Provisions for Children aged 0 – 12 months:
 - a. Paid maternity leave to increase to 26 weeks
 - b. 10 days paid paternity leave
 - c. 26 weeks paid parental leave
2. Universal ECCE for all 3 and 4 year olds not attending primary school
3. Subsidised Childcare for 1 and 2 year olds and extended care for outside of school and ECCE programmes.

Gender Pay Gap

Remove those on the minimum wage from the tax net and index the minimum wage rate to increases in average industrial earnings.

Active and Preventive Labour Market Measures

1. **Community Employment** should be changed to make it a more focused and vibrant active measure to progress unemployed people in greater numbers to the open labour market. This should include:
 - Employment Services personnel engaging with potential CE participants before they join a CE project and during their time on the project;
 - the inclusion of a full time option in the third year on CE; and,
 - more training and education for CE participants.
2. The **JI programme** should be maintained and it should continue to provide a form of 'supported employment' as it does at present.
3. We call for the **Social Economy** programme to be given a new lease of life. .

Integration of those most removed from the labour market

1. Establish a '*Working Group on Entrepreneurship for All*'.
2. Establish Regional Employment Fora focusing of the employment of people with disabilities that are effectively informed and include representative disabled people.
3. Acknowledge the reality of discrimination and to pro-actively seek employment opportunities for Travellers in the private, public and community sector elements of the labour market.
4. Grant the right to work to asylum seekers in Ireland in cases when their asylum application has not been processed through all stages in six months.
5. Introduce a 'bridging visa' for migrant workers who can demonstrate that they have been exploited.

Priority 3: Increase Investment in Human Capital Through Better Education and Skills

Life-Long Learning

1. Elimination of financial and non-financial barriers to participation in lifelong learning, including the areas of access, transfer and progression.
2. 'One step up' initiative which has been launched by FAS needs to ensure that people with low levels of qualification and people in low-level occupations are targeted by this initiative.
3. Implement 'personal learning accounts' (three way commitment of resources to increase levels of lifelong learning from Government, employers and employees/learners) including supports for people currently distant from the labour market and or in low-level occupations by way of sliding scale contributions from employees/learners linked to ability to pay.

Introduction

This submission is designed to inform the development of the employment section of Ireland's first National Reform Programme 2005-2008.

It reflects the views and input of a broad range of local and national community and voluntary organisations working with communities experiencing poverty, exclusion and inequality. Representatives from over fifty organisations and groups engaged participated in four workshops organised by the EAPN Employment Working Group in Dublin (mostly for national organisations), Waterford, Limerick and Galway. Many groups submitted detailed papers and many more commented on drafts of this paper. A full list of participants at the seminars and those who commented on the submission is in the Annex.

Achievements

The increase in overall employment and the ending of mass unemployment is the most important success story of the 'Celtic tiger'. On the other hand, the assumption that an increase in overall employment will automatically end poverty has proved unfounded. The numbers of 'working poor' are growing, not just in Ireland but across the EU, and some measures designed to increase employment levels are actually undermining living and working conditions.

Challenges

The challenges for Ireland now are to ensure that:

- The barriers to employment for people who are marginalised, discriminated against and furthest from the labour market are removed and everyone has an opportunity to take up appropriate and quality work
- Conditions of work are protected and improved so that increased employment enhances life opportunities
- Employment and welfare policy work together to achieve the twin goals identified in the EU Joint Report on Social Inclusion (European Council, December 2003):
 1. *"Promoting investment in and tailoring of active labour market measures to meet the needs of those who have the greatest difficulties in accessing employment;*
 2. *"Ensuring that social protection schemes are adequate and accessible for all and that they provide effective work incentives for those who can work"*¹

The Community Platform and European Anti-Poverty Network (EAPN), in Ireland and across Europe, are acutely aware of the challenges still to be met and the dangers of inappropriate policy, or lack of employment policy responses to poverty.

Commitments

For this reason, we welcome the commitment in the re-launched Lisbon Strategy, the "European Strategy for Jobs and Growth", that the National Reform Programmes will prioritise the European Social Inclusion Objectives. We also welcome the statements by the Taoiseach² and the Oireachtas Committee on European Affairs³ of the central importance of fighting poverty as one of the three inter-dependent pillars of the Lisbon Strategy.

The Community Platform and EAPN Ireland have a long track record of engaging with the National Employment Action Plan (NEAP) process and have made submissions on the NEAP since 1999, drawing on a wide range of views from groups concerned with poverty and inequality. This

¹ http://europa.eu.int/comm/employment_social/soc-prot/soc-incl/final_joint_inclusion_report_2003_en.pdf

² <http://www.eapn.ie/policy/51>

³ <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/Committees29thDail/EuropeanAffairsReports/Lisbon2Rep.doc>

work has been reflected at European level through the work of EAPN Europe in tracking and influencing the European Employment Strategy and the *Integrated Guidelines for Growth and Jobs*.

We also welcome a number of important indications by Government in recent months of policy initiatives, and hope that they will be more fully spelt out in this plan. These include recognition of the need for a comprehensive approach to the issues of early childhood care and education, moves from a work permit to a work visa system, and new labour market initiatives. In all of these areas, decisions about how they will be taken forward will have a vital impact on the lives of people experiencing poverty into the future.

Focus of this submission

This submission makes some specific proposals for change in employment policy in Ireland to address issues of poverty and social exclusion. It does not claim to be comprehensive, given the wide range of policies impacting on the lives of people in poverty, but it concentrates on **Priorities one and three of the Employment Guidelines of the *Integrated Guidelines for Growth and Jobs***, and in particular:

- i. **Policies in the areas covered by the recommendations to Ireland in the Joint Employment Report** in 2003, which were not addressed satisfactorily and were repeated in 2004. These still need to be addressed in the context of the National Reform Programme:
 - a. *Increase access to active labour market measures for a larger share of the unemployed and inactive population*
 - b. *strengthen incentives to make work pay*
 - c. *Increase the supply and affordability of childcare facilities*
 - d. *take urgent action to tackle the causes of the gender pay gap*
 - e. *Implement a coherent lifelong learning strategy to reduce early school leaving*
 - f. *increase participation in training, especially for the low-skilled and for older workers.*
- ii. **Employment policy issues in relation to minority communities and groups experiencing discrimination.** These are issues which the Council of the European Union, in adopting the Integrated Guidelines, highlights as essential for progress.

The need for debate

While we recognise that the timescale agreed by the Governments at the June Council only allowed themselves four months to draw up the National Reform Programme, we are disappointed that the Irish Plan did not involve the broad consultation and public debate called for by the European Council when it re-launched the Lisbon Strategy:

“The Lisbon partnership requires a long-term communication strategy that not only keeps our citizens informed, but engages them in the process. The main thrust of our communication efforts must be at national, regional and local levels. This is why there must be close and continual coordination with national governments, parliaments, regions, cities and civil society. This will provide the democratic legitimisation of the strategy itself and the basis for it to succeed.”

The Programme will set out Irish economic and employment policy priorities for a three-year period and will have a great impact on the lives of people and communities experiencing poverty and social exclusion. It would therefore have been very important to give sufficient time for some meaningful consultation and input from organisations representing these communities.

It is vital that the process of refining and implementing this Programme involves widespread public ownership. In particular, mechanisms must be put in place to ensure that the interests of those furthest from the labour market, suffering poverty or discrimination and facing job insecurity are central to the strategy.

We look forward to an opportunity to discuss these proposals in detail

EAPN Ireland and Community Platform, October 2005

Priority 1 (Employment Guidelines)

Attract and Retain More People in Employment, Increase Labour Supply and Modernise Social Protection Systems

1. Female Participation

The participation of women in the labour market should be viewed not just in terms of the opportunities for industry and services from increased labour supply, but in terms of the opportunities for women, particularly women in poverty, to improve their lives.

This is affected by a range of issues, including:

- Increase the supply of affordable and quality childcare
- Income levels of those on low pay
- Work life balance and sharing of caring work between men and women
- Recognition of care work must be recognised and valued as work

There is also a need to take into account the particular difficulties faced by lone parents, the vast majority of whom are women, in participating in the labour market.

The proposals below concentrate on two of these areas which are specifically named in recommendations for Ireland in the Joint Employment Report, i.e. childcare and the gender-pay gap.

We also make a number of general comments in relation to issues impacting on the area of work-life balance. It should also be noted however that the gender dimension and the needs of women should be considered in all government employment policy. This includes the social protection system, active labour market programmes and life-long learning.

i. Early Childhood Care and Education (ECCE)

1. Care Provisions for Children aged 0 – 12 months:

- a. Paid maternity leave to increase to 26 weeks
- b. 10 days paid paternity leave
- c. 26 weeks paid parental leave

The benefits to children from being with their parents in their first year of life has been noted in research on childcare, (e.g. OECD 2004, NESF 2005). The proposal to provide paid parental leave is intended to give all parents choice to look after their children at home for their first year. It is critical that parental leave be paid so that all parents and particularly parents on low incomes can access leave entitlements.

2. Universal ECCE for all 3 and 4 year olds not attending primary school

The introduction of a free universal place for children aged three and four before they enter primary school is critical for their development and is a fundamental component of a quality childcare infrastructure.

3. Subsidised Childcare for 1 and 2 year olds and extended care for outside of school and ECCE programmes.

This should be paid directly to childcare providers.

The introduction of subsidised extended care is the start of the state supporting investment in quality childcare provision that will also reduce the costs for parents who are in education, training or employment. The level of subsidisation would significantly benefit all parents to 50% of childcare costs and up to 100% for those on minimum wage earnings or less.

The national drive to make childcare profitable, and progress schemes from being subsidised to being non-subsidised, is making it unaffordable for those on low incomes. This needs to be addressed by a more comprehensive scheme. In the meantime, the level of subsidy childcare should graduate according to needs and there needs to be a link between decisions on childcare and flexible working hours.

ii. Gender Pay Gap

There are a large number of measures required to address the Gender Pay Gap, including action on childcare and work-life balance. One proposal which would have a major impact, however, would be:

Remove those on the minimum wage from the tax net and index the minimum wage rate to increases in average industrial earnings.

Studies on the national Minimum Wage have shown that women workers would disproportionately benefit from increases in the minimum wage because of their over representation among the low paid.

This proposal would mean that the date for minimum wage increases is linked to changes in the tax system. Many women returners are entering low skilled and low status employment which is contributing to the differential between women and men's pay in Ireland.

Participants at the regional meetings also expressed concern that employers should not be allowed to deduct the cost of training from pay as is currently the case, which they feel is being abused.

iii. Work-Life Balance

While employers are encouraged to offer work-life opportunities to all employees work-life balance options are taken up disproportionately by women in order for them to take up caring duties in relation to children, eldercare etc. Work-life balance is also of particular importance for lone-parents. While work-life balance measures should continue to be encouraged among employers, through social partnership and other mechanisms, there are a number of points that should be taken into account some of which have a clear implication for policy in this area.

- Women returning to work after leaving for caring purposes often have to return to work at a lower level than they left. It also impacts on their potential to access to lifelong learning opportunities. There should therefore be a recognition of the caring role which could be reflected in terms of tax credits.
- There is generally a need to raise the status of part-time work (job sharing) and other flexible options (annualised hours, term-time working etc) so as not to lower the status of the position or the person taking the option.
- The reduced income for people taking flexible work options, who are mainly women, impact directly on the level women's pensions when they retire leading to a lower quality of life.

2. Active and Preventive Labour Market Measures (Guideline 19 of the Integrated Guidelines)

The 'activation strategy' is often seen as the key innovation of the National Employment Action Plan

The experience of the EAPN across Europe, and of our members and colleagues on the ground in Ireland, is that activation strategies, if properly planned and implemented, can greatly enhance the opportunities of the unemployed or low-paid. However, if they are implemented in the wrong

way, they can actually make people's situation worse. This is particularly true if it involves the threat of withdrawal of benefits to force people into inappropriate and poor quality employment.

To avoid this, **some general principles** which must be applied to all labour market activation and prevention measures include:

- Initiatives and schemes need to provide suitable choices to unemployed people. At a European level it has been recognised that choice needs to underpin any activation strategy
- Throughout the implementation of activation and prevention strategies, nobody should be coerced into inappropriate work / training.
- Activation and prevention strategies need a commitment of sufficient resources.
- In order to increase participation of those currently inactive, more extensive targeted and outreach measures should be put in place for specific groups. These groups include people with disabilities, older people, women, rural unemployed, lone parents and Travellers. This outreach and targeting should be undertaken if the Government is serious about reaching the NAPS target of 'reducing the level of unemployment experienced by vulnerable groups towards the national average by 2007'.
- People experiencing distance from the labour market, including people from the groups named above, should have a say in the services that are shaped for them.
- Given the multi-disadvantages which some people continue to experience, it is vital that we provide a continuum of support between unemployment and work (i.e. the support shouldn't end when someone is placed in employment).
- It is important to take account of the needs of women and children in terms of planning of schemes and progression.
- Local learning needs to feed into national policy making so that: i. Good practice can be mainstreamed; ii. Structural inequalities and other problems can be identified and addressed.

We welcome a number of decisions by Government including:

- Assurances that numbers on ALMP's (in total) would not reduce below current levels, providing an element of stability for organisations to plan.
- Greater recognition to the 'local services' component of these programmes through changing the conditions on CE for some participants, mainly those over 55.
- Further consultations on the future of the Social Economy Programme. However, some decisions need to be made regarding the revitalisation of the Programme.

However, there are still a number of areas which need to be addressed.

Participants at the regional seminars stressed, however, that the continual changes in ALMPs, and the lack of consultation, created an air of uncertainty which has undermined their effectiveness.

They also felt strongly that the Back to Work Allowances qualification criteria should be changed back to the initial levels and that there is a need to look at more successful Jobs Initiative and Community Employment schemes to highlight models of good practice.

Participants stressed the importance of developing individual learning paths, through unemployment, schemes and 'open market' employment.

We would like to make three very specific proposals in relation to three current labour market measures.

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| <p>1. Community Employment should be changed to make it a more focused and vibrant active measure to progress unemployed people in greater numbers to the open labour market. This should include</p> <ul style="list-style-type: none">i. Employment Services personnel engaging with potential CE participants before they join a CE project and during their time on the project, |
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- ii. the inclusion of a full time option in the third year on CE; and,
- iii. more training and education for CE participants. This could include increased IT training, in view of the Lisbon aim to create a knowledge-based economy.

2. The **JI programme** should be maintained and it should continue to provide a form of 'supported employment' as it does at present.

The JI programme should maintain its ALMP essence. However, in the need to achieve a balance between progression-led programmes and the wider 'social provision' dimension, debate should take place on its rightful long-term place in the continuum of ALMP's.

3. We call for the **Social Economy** programme to be given a new lease of life. With a fresh start, it can aspire to achieve the ideals of the Social Economy which were to provide sustainable jobs for long term unemployed in providing needed social services in disadvantaged communities.

While Community Employment Schemes are labour market interventions it is clear that they also play a key role in the provision of services to mainly disadvantaged communities. This role needs to be recognised. Future changes to the Community Employment Schemes need to take account of the need for a balance between the preparation of participants for progression to employment and the nature of the schemes in providing services and supports to communities.

Participants at the regional seminars felt that the role of the community and voluntary sector in providing key services and supporting progression of people on CE schemes is not recognised and resourced, so if CE places are lost this service suffers. The community work carried out by those on schemes e.g. in the area of disability, or for men in rural areas, is not fully recognised.

It was also noted that, for many, just to participate in CE schemes was a significant progression. Schemes need to be more flexible to reflect this.

In some areas, there is 'over-training' of participants, for example in childcare, with no real option for work in this area outside the schemes.

The age criteria should be reduced to below 25.

The long-term death of the **Jobs Initiative** means there are no opportunities on a full-time programme for the very long-term unemployed. The JI programme provides supported employment to a very vulnerable group i.e. those over 35 who have been unemployed for more than 5 years. This support must continue. It should also continue to be ring-fenced for its present participants. It should be maintained at its current number of places while there are people in this category to take up the places available. It should also maintain a training component that would be used to provide participants with the necessary labour market skills.

3. “Making Work Pay”

Financial disincentives still discourage taking up employment. These include:

- Failure to remove all minimum wage earners from the tax net.
- The unrealistically low threshold of €317 for the retention of secondary benefits, leading to severe poverty traps.
- Fear of losing the medical card, especially for Travellers, lone parents and people with disabilities
- Lack of awareness of eligibility for supports such as Family Income Supplement.

Having a job is not, of itself, a guarantee that one can escape poverty, and in fact the fastest-growing group of people in poverty across the EU are 'working poor'.

Research carried out by Eurostat in 2005⁴ highlighted that in Ireland 7% of the employed population live in households whose equivalent income is below the national poverty line.

Therefore there is a need to focus on a living wage rather than a minimum wage – a wage that is adequate and reflects the costs of living. The take up of employment should guarantee an increase in the household income and be sufficient to avoid poverty.

The **National Minimum Wage Act** must be enforced and monitored while the age restrictions and conditions within the act must be abolished as it discriminates against young workers.

Those working within the **work permit system** are frequently being offered just the national minimum wage regardless of the work undertaken. Therefore work permit applications should be assessed for the appropriateness of the payment levels in light of the work to be done. Input from community groups also highlights that some employers are deducting a training cost from employees in a manner which lacks clear transparency and seriously impacts on the income of those on a minimum wage. Again the need to remove those on the minimum wage from the tax net needs to be highlighted. Reducing the tax burden on the low-paid is specifically named as an issue on Guideline 22 of the Integrated Guidelines. The minimum wage also needs to be index linked to average industrial earnings.

The changes in the eligibility criteria for the **Back to Work Allowance/Enterprise Allowance** and the **Back to Education** (3rd level option) allowance in 2003 adversely affect those trying to move from welfare. The schemes were designed to assist peoples move into employment or education, however, the changes will keep people dependent on welfare for longer. The qualification criteria should be revised back to those originally set for these allowances.

4. Integration of those most removed from the labour market

In relation to the integration of those most removed from the labour market the Integrated Guidelines for Growth and Jobs highlight that *‘combating discrimination, promoting access to employment for disabled people and integrating immigrants and minorities are particularly essential.’*

The issue of economic migration is also highlighted separately in the guideline.

This section of the submission focuses therefore on proposals for people with disabilities and immigrant and minority communities including Travellers with a specific proposal followed by some general issues which should impact on the formulation of employment policy. There are also specific proposals in relation to ex-offenders and lone-parents. The section begins with a proposal on entrepreneurship which as an option is of particular important to those who face greater barriers in accessing employment.

i. Entrepreneurship

Establish a *‘Working Group on Entrepreneurship for All’*.

The remit of this Working Group would include reviewing practices and policies in the area of enterprise supports and related policies impinging on the development of an equitable business creation process so that in effect self-employment as a response to the unemployment for vulnerable groups is actively pursued. This in particular relates to women, ethnic minority groups including Travellers, people with disabilities, ex-offenders etc. This proposal has arisen as a recommendation from the three projects funded as part of the Entrepreneurship Theme under Round 1 of the EQUAL Community Initiative in Ireland.

⁴ Bardone, L., and Guio, A.C., (2005), In-Work Poverty: New Commonly Agreed Indicators at EU Level. European Communities, Brussels.

Marginalised groups and communities experience difficulties in accessing employment and entrepreneurship offers an important option. However there are also a range of barriers for these communities in this area also including of a lack of access to finance and insurance, information gaps, lack of access to mainstream business networks and support services, difficulties in combining work and family responsibilities, the challenge of moving from the informal to the formal economy, fears about a loss of income or benefits and uncertainty about potential income from the emerging business and the reality and impact of both direct and indirect discrimination on the target groups engaged in the projects.

There are also other wider systematic issues which are a lack of an equality dimension to the work of the County Enterprise Boards, the limited role of FAS in this aspect of employment creation, the gendered nature of the social welfare system and its links to employment and related training supports and inadequate data within the system which results in the system not seeing these issues as they are not emerging through their own monitoring and evaluation mechanisms as they should given the centrality of social inclusion as a policy goal.

Some specific proposals which would support the access to entrepreneurship for marginalised groups are as follows:

- self-employment / entrepreneurship should be given a greater standing within the development of programmes to address unemployment, lack of development and employment opportunities in disadvantaged local economies and the under-representation in the business creation process of groups of people experiencing marginalisation;
- good quality data is needed to inform the development and monitoring of this type of employment creation;
- practices and policies in the area of entrepreneurship need to incorporate social inclusion and equality goals into their development and implementation at national and local levels;
- there is a need for agencies charged with enterprise development to pro-actively engage with and develop the enterprises of atypical entrepreneurs (e.g., by including the development of mentoring and networking supports); and,
- in relation to small scale enterprises the package of supports developed for atypical entrepreneurs should consider including a realistic mixture of social welfare and tax supports.

ii. **People with Disabilities**

Establish Regional Employment Fora focusing of the employment of people with disabilities that are effectively informed and include representative disabled people.

It is important that the terms of reference for the Regional Employment Fora include the resourcing of service providers and reflect transparent comprehensive consultation mechanisms that can be improved and developed to ensure that disabled people are the central influencers of national and local policy relating to employment. Representative organisations are those that have a remit to represent people with disabilities as opposed to organisations providing services for people with disabilities.

Unemployment is a cause of considerable concern for disabled people, as it has been shown that there is a clear relationship between unemployment, poverty and disability.

Disabled people should not become subject either to institutional or organisational related priorities, which may differ from those of disabled people themselves. The Regional Employment Fora which are being developed by National Advisory Committee on Disability (NACD) are a positive move.

These Fora need to promote a central role for disabled people. It is absolutely essential that disabled people are not just canvassed and consulted on their opinion but actively included in the design of programmes and initiatives to provide effective access to employment and training.

The aim of 'Fora' should be, as a 'clearinghouses' for local issues about employment and training barriers for disabled people and such discussions should reflect a social model approach.

A number of other issues for people with disabilities highlighted in the seminars include:

- the need to move to from current sheltered initiatives to community based mainstreaming initiatives. The focus of these initiatives should be on employment as opposed to charity or care;
- the need for mainstream services for people with disabilities and not specialist services;
- the need for a code of practice for people working in sheltered workshops. People in sheltered workshops are not paid directly and are not on a minimum wage.

iii. Travellers

Acknowledge the reality of discrimination and to pro-actively seek employment opportunities for Travellers in the private, public and community sector elements of the labour market.

72% of Traveller men are unemployed (2002 Census) and there is a heavy dependence on Labour Marker Programmes by Travellers.

In 2000 Pavee Point commissioned research into Traveller access to the mainstream labour market. This piece of research, entitled '*Jobs Vacancies...Vacant Jobs, Travellers Inclusion in the Mainstream Labour Market*', identified four key issues:

1. Travellers' were interested in successfully accessing employment – which ran contrary to popular myth;
2. the reality of discrimination in the labour market is a major barrier for Travellers;
3. the acknowledgement that legislation alone will not resolve the issue of discrimination and that pro-active measures are required; and,
4. the implications of the lack of recognition for existing skills and the low levels of education amongst Travellers for access to sustainable employment.

The following are a number of specific proposals for addressing the barriers experienced by Travellers.

- Pro-active work is required to address not only access for Travellers to the labour market but also issues of progression and retention within the labour market. This will require the State taking on a pro-active role of in creating sustainable employment for Travellers.
- A large number of Travellers are employed in the community sector, many through CE and Jobs Initiative. There is a need for enhanced funding for community based organisations to maintain and develop employment opportunities for Travellers.
- In recognition that Traveller low health status Travellers should be able to maintain their medical card for 5 years after accessing employment.
- There is a need for the committed engagement from the private sector to create a wider range of employment options for Travellers
- Travellers should be targeted for specific opportunities in the public sector, including the Gardai, with particular training and literacy supports.
- Self-employment and the Traveller economy as a potential option for Travellers requires increased supports as outlined in the sub-section 4.i. on entrepreneurship.

iv. **Asylum Seekers and Refugees**

Grant the right to work to asylum seekers in Ireland in cases when their asylum application has not been processed through all stages in six months.

Ireland and Denmark are regrettably the only EU countries not to sign the EU asylum 'Reception Directive' which came into force on 6th February 2005 and lays down minimum standards for the reception of asylum seekers in the EU. The directive proposed that asylum seekers have access to employment at some stage in the asylum process. Not signing the Directive now means that, of the 25 EU countries, Ireland (and Denmark) has one of the most restrictive policies on access to employment for asylum seekers in the EU.

A once-off, conditional decision in July 1999 allowed over 3,000 then asylum seekers the right to work. Since August 1999, new asylum seekers have not been entitled to work in Ireland, pending a successful decision on their application. Some, resident – legally – in the State, are now into their 6th year of enforced unemployment. A 2001 policy position of the Irish Refugee Council called for the right to work for asylum seekers whose case wasn't processed within 6 months. Key employment-related organisations including IBEC, ICTU and the Irish National Organisation for the Unemployed, supported the policy.

Other key proposals which need to be addressed are:

- the National Qualifications Framework must not remain Eurocentric in the recognition of qualifications.
- there is no legal barrier to asylum seekers accessing Third Level education in Ireland but they have to pay full non-EU resident fees even if in state three years and have completed Leaving Certificate.

v. **Migrant Workers**

Introduce a 'bridging visa' for migrant workers who can demonstrate that they have been exploited.

There are a growing number of undocumented migrant workers and this proposal would help deal with some of the issues they experience. This proposal allows the worker to remain documented, in a position to make an official complaint and seek new employment within a defined period. This is the practice of immigration officials at present and would be codifying it in primary legislation.

This is one way in which the Government could provide for a pathway back to legal status, at least for migrants who entered Ireland legally but whose status has since become irregular. It also provides an escape route out of the current work permit system for the migrant worker when employers are exploitative. The Department of Enterprise Trade and Employment has indicated that there are no future plans for the ownership of the work permit to be transferred to the employee.

Therefore a 'Bridging visa' is especially relevant in light of the inflexible nature of the system and the degree to which migrant workers are vulnerable to becoming undocumented. It involves the need for a joined up approach between the Department of Justice Equality and Law Reform and the Department of Enterprise Trade and Employment on permits/passports. Currently migrant workers can get three-month tourist visas if out of work so that they can find an employer but this does not officially give them a right to work so employers are reluctant to hire them. What is required is a three-month stamp which employers recognise.

Other areas impacting on poverty among migrant workers also need to be addressed:

- The Habitual Residence Condition (HRC) excludes migrant workers from all welfare supports for two years and leads to a high risk of poverty. Currently the HRC is causing hardship for migrant workers and their families, in particular to persons arriving in Ireland for the first time.
- Ownership of work permit is still a major issue which leaves migrant workers open to exploitation by employers. The green card is for high skills workers only.
- Barriers to family re-unification are another major problem for migrant workers. An individual must be on € 410 per week before they qualify. Migrant workers on work permits are mainly on the minimum wage and cannot earn enough to qualify for family reunification. This barrier should be removed and greater transparency introduced generally in terms of family reunification.
- There is a need for greater flexibility between schemes covering migrant workers and between different immigrant statuses. This would allow for a person on a low-skilled category to have the possibility of transferring to a high skilled category once he or she has undergone the necessary recognition of qualifications or has passed the equivalent standards tests that are required to work in that sector.
- Enforcement of the rights of workers is still an ongoing issue which needs to be addressed.

vi. Older People

A large number of older people would like to remain in the labour market but are prevented from doing so because of a number of barriers. A survey carried out by Public and Corporate Economic Consultants (PACEC) in 2000 found that about 25% of those over 55 who are retired or engaged in home duties are interested in participating in the labour force, provided certain barriers to their participation are overcome (McGivern 2001:18-19).

In keeping with government policy, **older people** should be encouraged, where they so wish, to extend their working lives without financial penalty such as a reduction in pensions income and benefits and in conditions that suit their personal lifestyle wishes. As a prerequisite for this, age discrimination in the workplace needs to be tackled and the participation of older workers encouraged. We therefore recommend:

- The abolition of the upper age limit in the Employment Equality Act, 1998.
- The introduction of active ageing policies to include phased retirement and greater work life balance arrangements for older workers.
- Full PRSI credits to apply to periods spent in full time caring roles.

vii. Lone Parents

Families headed by lone-parents are three and a half times more likely to live in poverty in Ireland than any other group.

There is a need to provide a comprehensive and integrated range of supports to offer lone parents meaningful choices to combine caring, enhancement of educational qualifications and skills, as well as access to part time or full-time employment as part of a co-ordinated strategy to assist one-parent families to move out of poverty.

Given that work is the Government's preferred route out of poverty, there is an urgent need to tackle the broad range of continuing barriers to the participation of lone parents in the labour market. Some of these barriers are addressed earlier in this submission, however, it should be noted that half of lone parents lack a formal education qualification, thus limiting the choices available to move away from welfare dependency into well-paid employment.

Specifically there is a need to:

- ensure that a comprehensive range of part-time and full-time education and training and related options are in place for lone-parents of all ages wishing to return to the labour market and or progress, including support for childcare costs;
- review eligibility criteria and benefits effects of participation in all education and training programmes, with regard to financial compensation, secondary benefit retention, and childcare provision in order to remove any particular barriers experienced by lone-parents in progressing on to more skill based education and training programmes;
- expand provision of after school supports particularly for one-parent families and for other low-income families.

viii. Ex-Offenders

Currently ex-offenders are not named under the Employment Equality Act 1998 or the Equality Act 2004. This issue needs to be addressed to give ex-offenders protection against the discrimination which they currently experience in attempting to access employment.

More pro-active and targeted measures are required to address the exclusion of ex-offenders from the labour market.

ix. General proposals for groups experiencing exclusion

In order to support the access to employment of those distant from the labour market generally including those groups experiencing discrimination the following three areas need to be highlighted.

- In order to support the access of Travellers and other excluded groups from employment the use competency based recruitment as opposed to academic qualifications needs to be further developed and promoted in all sectors.
- There is a need to find ways of increasing the commitment from the private sector to engage in breaking down the barriers that exist.
- There is a need to look at strengthening the rights of those in non-unionised employment.

Priority 3 (Employment Guidelines)

Increase Investment in Human Capital Through Better Education and Skills.

5. Life Long Learning

The issue of lifelong learning and education are key to all disadvantaged groups and the proposals under Priority 3 focus on this area. It is clear that lifelong learning has become a greater priority for Government over the past number of years and that there have been improvements particularly in areas such as the recognition of prior learning and the development of FETAC. However, in order to make lifelong learning a reality for those who are unemployed or have benefited little from the formal education system a number of changes are recommended.

- 1.** Elimination of financial and non-financial barriers to participation in lifelong learning, including the areas of access, transfer and progression.

In the context of the above proposal the transfer of certification and how can we carry certification from one area to another is important. This involves a recognition of the currency of certification indifferent contexts. The development of the FETAC system is of great importance in addressing this issue

Note: Enterprise Strategy Group report section 4.4.

- 2.** ‘One step up’ initiative which has been launched by FAS needs to ensure that people with low levels of qualification and people in low-level occupations are targeted by this initiative.
- 3.** Implement ‘personal learning accounts’ (three way commitment of resources to increase levels of lifelong learning from Government, employers and employees/learners) including supports for people currently distant from the labour market and or in low-level occupations by way of sliding scale contributions from employees/learners linked to ability to pay.

The management and focus of personal learning accounts is key to their success to ensure that they effectively benefit those who most need them. They must also be linked to personal development context and not employer led demand.

Note: Report of the Forum on the Workplace of the Future

While the guidelines look at lifelong learning in the context of the labour market, it is important that an individual’s personal development is also prioritised and sufficiently resourced. In the flexible, knowledge-based labour market envisaged by the Lisbon Strategy, the division between ‘work-related’ and personal’ learning is less clear than in the past.

Apart from the above proposals, there are a range of other key issues which are key in the context of lifelong learning some of which need to be addressed:

- Low literacy and numeracy levels are still low in many communities despite participation in primary and often at pre-school level.
- Strengthening the assessment capacity of prior learning and experience in an agreed and effective manner.
- Those who have not progressed to third level should be able to avail of a bond e.g. they should be entitled to the same state resources as those who have gone to third level in order

to access training and education. It should not be linked solely to the labour market but to the individual's development.

- Because of the link between lifelong learning and the labour market, those who are not perceived as being able to contribute to the labour market are cut off from access to lifelong learning e.g. older people.
- There are issues of eligibility for lifelong learning e.g. migrant workers on work permits are not eligible.
- Participation in the labour market must include supporting participation in education and training and therefore any welfare to work changes must support such participation. To put it simply Making Work Pay should include making the route to work pay as well. Currently for example lone parents seeking to enter/re-enter education and training can't be on BTEA and Rent Supplement at the same time.
- Employer investment in lifelong learning should be about linking to that specific employer but to employment generally.
- Greater access to guidance is needed.
- Some training programmes are not relevant to the needs of learners. Programmes need to be more geared to the needs of the participants as opposed to providing pre-prepared programmes.
- The evaluation and monitoring process for lifelong learning supports and programmes is important.

Attendance at Regional Seminars

On the employment section of the National Reform Programme

(Note: the views in this submission are not necessarily shared by all groups who were represented at the seminars)

Dublin (mostly national)

David Stratton	Age Action
Mary Mallen	Dublin City CDB
Philip O'Connor	Dublin Employment Pact
Peter Herrmann	ESAN
Peter Kearns	Forum of People With Disabilities
Kathleen McCann	ICTU
Robert Lynch	INOUE
Eric Conroy	INOUE
Viriri Itayi	Irish Refugee Council
Lorne Patterson	Longford Women's Link
Helen Lowry	Migrants Rights Centre Ireland
Orla O'Connor	National Women's Council of Ireland
Therese Murphy	National Women's Council of Ireland
Candy Murphy	One Family
Naomi Feely	OPEN
Sinead Smith	Pavee Point
Jennifer Murphy	Tallaght Partnership
Anna Lee	Tallaght Partnership
Paul Ginnell	EAPN Ireland
Robin Hanan	EAPN Ireland

Galway

Patricia Kelly	Galway Rural Development
Triona Nic Giolla Choille	Galway Refugee Support Group
	Galway People's Resource
Rose McPartlan	Centre
	Galway People's Resource
Sandra Hayden	Centre
	Galway People's Resource
John Lynskey	Centre
	Galway People's Resource
Jimmy Tomey	Centre
Andy Bourne	Galway Simon Community
Gillian Barden	Galway Refugee Support Group
Charlie Currie	Galway City Partnership
Patsy Sweeney	Galway City Partnership
Anne Maria Kennedy	An Siol CDP
	Clann Resource Centre,
Kerry Larkin	Oughterard,
Hugh Farrell	Irish Wheelchair Assoc
Anne Coffey	Presentation Centre
	Galway Travellers Support
Tom Sherlock	Group

Waterford

Teresa Wright	Dungarvan CDP
Sue McMahon	Wolftone Womens Group
	KWCD Local Employment
Dave Flynn	Service
Sarah Beth Watkins	Templeshannon CDP
Pauline Ennis	Access 2000
Denise Byrne	Access 2000
	CANDO Community
Pat Cullinane	Partnership
Claire McNamara	HSE Waterford
Thelma Blehein	HSE Wexford
	LES – Wexford Area
Ann Dempsey	Partnership
Michael Power	Waterford Leader Partnership
Paul Crinion	KWCD Partnership
Clare Ryan	Wexford Area Partnership

Limerick

Sharon Kennedy	South West Wexford CDP
Ann Gill	Local Employment Service
Tom Clancy	LES
Pat Holland	South Tipperary County Council
Brendan Kenny	LES – Paul Partnership
Mary McGrath	Hospital Family Resource Centre
Nuala Rennison	Southhill CDP
	Women's Support Worker, Southill
Wendy Goggin	Domestic Abuse Project
Elaine Dalton	Clare Women's Network
Aimee Morrissey	Mary Immaculate College, Limerick
Anne O'Riordan	South Kerry Dev. Partnership
Ger McNamara	LES - Paul Partnership

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