

29 November 2012

The Executive Director
Australian Law Reform Commission
GPO Box 3708
SYDNEY NSW 2001

Age Barriers to Mature Age Persons Participating in the Workforce Supplementary Submission

Thank you for the invitation to make a supplementary submission to the Inquiry with respect to a number of proposals as set out below.

This is a supplement to AHRI's original submission of 27 November 2012.

The Proposals

Proposal 2-1 The Fair Work Ombudsman should undertake a national recruitment industry campaign to educate and assess the compliance of recruitment agencies with workplace laws, specifically with respect to practices affecting mature age job seekers and workers.

AHRI would applaud that initiative and add that AHRI members would also gain by exposure to an education campaign conducted by the Fair Work Ombudsman along the lines as set out in the proposal.

Our survey results on workplace perceptions, as reflected on in AHRI's original submission, indicates that some organisations could be more conscious of their legal obligations in the area of workplace age discrimination.

Proposal 2-2 In 2013, the Recruitment and Consulting Services Association of Australia and New Zealand is conducting a review of its Code of Conduct. The review should consider ways in which the Code can emphasise:

- (a) the importance of client diversity, including mature age job seekers;
- (b) constructive engagement with mature age job seekers; and
- (c) obligations under age-related anti-discrimination and industrial relations legislation.

While this proposal is specifically directed at the RCSA, AHRI's contribution in the area of workplace diversity has been considerable in recent years, with a designated National Diversity Awards program and a National Diversity and Inclusion Conference, both now being included on our annual schedule.

Each of these programs include coverage of material on mature-age employment, as from time to time do our monthly member magazine, *HRmonthly*, and our refereed journal, *Asia Pacific Journal of Human Resources*.

I should add that in-house HR practitioners (as distinct from recruitment agency personnel) also undertake a significant amount of recruitment. Accordingly, there could be some value for AHRI to undertake an equivalent code-of-conduct review or a survey on the matter with our members, and we will look at the matter.

Proposal 2–3 In order to assist recruitment agencies and consultants to engage constructively with, and recruit, mature age job seekers, the Australian Human Resources Institute and the Recruitment and Consulting Services Association of Australia and New Zealand should:

- (a) develop and provide regular, consistent and targeted education and training for recruitment consultants; and
- (b) develop a range of guidance material.

AHRI has developed a workshop program on 'Unconscious Bias' that is marketed to organisations and individual practitioners and which takes up issues related to bias in recruitment, retention and promotion practices with respect to various sub-groups in the community such as those that relate to employment and ethnicity, religion, gender, disability, sexual preference and age.

In the past AHRI developed intellectual property in association with the (then) federal Department of Employment and Workplace Relations, in particular a workshop on 'Older Workers and Younger Managers'. The program was developed in response to feedback that younger managers were variously dismissive of or intimidated by older workers and that was reflected in workplace decisions on recruitment, retention and promotion of older workers.

AHRI would be open to developing other relevant intellectual property that could be used for training purposes in mature-age employment, mindful that people often do not see this as a compliance area of HR practice despite the prevalence of anti-discrimination laws, and so getting engagement that amounts to course enrolments can be difficult. The proposed education campaign by the Fair Work Ombudsman would assist in that regard.

Press coverage of our survey results in this area is also an education exercise in the broader sense.

Proposal 2–4 The Australian Human Resources Institute and the Recruitment and Consulting Services Association of Australia and New Zealand should promote and recognise best practice in the recruitment of mature age workers, for example through their annual workplace awards.

See response to Proposal 2.2.

If your office wishes to contact AHRI further, please do so in the first instance through the National Manager, Government and Media Relations, Paul Begley, on 03 9918 9232 or 0402 897 884 or email paul.begley@ahri.com.au



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