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ASIAM Submission to the Department of Social Protection on Proposals to Introduce Pay-Related Jobseekers' Payments

About ASIAM

ASIAM is Ireland's National Autism Charity. We are working to create a society in which every Autistic person is empowered to reach their own personal potential and fully participate in society. We believe that by developing the capacity of the autism community and addressing the societal barriers to inclusion we can make Ireland the world's most autism-friendly country.

Introduction

ASIAM welcomes the opportunity to engage with the Department of Social Protection on their review of Jobseeker's benefits and their intention to introduce a Pay-Related Jobseekers' Payment. Many Autistic people who are experiencing unemployment receive payments such as the Jobseekers' Benefit and Jobseekers' Allowance, and the situations they find themselves can cause a great deal of anxiety and distress. This review is an opportunity to ensure that the most marginalised cohorts in society, such as disabled people and Autistic family carers, are not disadvantaged by changes made to the system. Equality-proofing and disability-proofing is a key part of this process to ensure that pitfalls which can potentially cause further hardship to the most marginalised are avoided, and that people do not sink deeper into poverty, isolation and exclusion.

Under the Department's proposals, the Benefit, if proceeded under the Strawman proposal, would be linked to the person's earnings and their PRSI contributions, subject to a maximum payment or 'cap,' of up to €450 per week, for up to a 6-month period. Once the period set out by the Department has passed, the person would be entitled to claim a Jobseeker's rate, such as the Jobseekers' Allowance or Jobseekers' Benefit, which would be paid at the typical rate the Department pays to other people looking for work. The Department of Social Protection has highlighted a few key and legitimate reasons why they intend to redesign future Jobseeker Payments to link these payments to a person's salary in their previous job.

First, the Department's rationale for introducing a Pay-Related Benefits Scheme for a certain period is that they wish to offer better protection for people against the initial shock of losing a significant portion of their income when they lose their job. The current payment levels of social protection set at €220 per week they would see as offering little protection to those who must meet several financial commitments such as household bills, childcare or mortgage payments. The Department also takes the view that linking payments to a person's previous salary and contributions would bring about in their words "an increased sense of social solidarity" in that it would offer employees a more tangible benefit – in principle, the more you pay in, the more you get out, and that this would bring us into line with other European countries who have similar types of social insurance and social protection systems. This could also potentially operate similarly to how the State protected workers through the COVID-19 Pandemic with the Pandemic Unemployment Payment.

What is AsIAM's Position regarding the Introduction of a Pay-Related Jobseekers' Payment?

AsIAM broadly welcomes the idea of introducing a Pay-Related Jobseekers Payment in line with PRSI contributions and agrees in principle with introducing such a system. However, we do think that the plan under its current guise can disproportionately impact those who are most at risk of poverty and social exclusion.

These include the following issues:

- the types of work entitles people to qualify for PRSI credits are narrowly conceived, and often favours paid work over important types of work, such as caring responsibilities, etc;
- how access to the labour market can often be more restricted to disabled people and other marginalised communities;
- how people can contribute to PRSI means that different forms of unpaid work, as well as periods where people may experience illness or burnout, are not factored;
- more frequent income shocks often occur to seasonal workers and casual workers, such as those who are working in retail or hospitality, labourers, taxi drivers, etc.

The current proposal set out by the Department seems to particularly benefit employees who are working continuously and would pose the risk of disproportionately impacting marginalised sections of the population who have fewer opportunities to secure salaried employment or have interruptions to their working or education histories. These sections include Autistic people and family carers, lone parents, among others, who may typically rely on the State as a key source of their income or who face greater barriers to accessing the workforce.

The fitness to work criteria and the medicalised approach the Department takes to accessing disability also affects how these payments could be delivered in practice which could potentially reinforce poverty and social exclusion among marginalised communities whose social safety net may be less secure. Indeed, as Social Justice Ireland highlight in its 'Poverty Focus Report', Ireland's social protection system masks significant differences in experiences that different segments of the population have, particularly for people who are out of work due to illness or disability.¹ Given that many in the autism community, as well as other cohorts of disabled people are particularly likely to feel the sharpest consequences of poverty and to be exposed to existing gaps within the system, the State needs to take the impact of future proposals on these communities into account to ensure that this

¹ Social Justice Ireland, 'Poverty Focus Report 2022', p. 3, <https://www.socialjustice.ie/system/files/file-uploads/2022-10/2022-10-05%20SJI%20Poverty%20Focus%20October%202022%20PDF.pdf> accessed 05 Feb 2022

system caters for the breadth of working experiences across society, that making changes to payment do not entrench inequality and exclusion, and avoids punishing people and families that fall outside these criteria or who risk falling into poverty traps.

We would like to use the rest of our submission, to highlight some of these issues:

Barriers to Employment within the Autism Community

In the first instance, Autistic people, like many cohorts of disabled people and other marginalised communities, are already experiencing the highest risk of poverty in Ireland and are particularly underserved and excluded from the Irish labour market.² As highlighted in our “Same Chance Report,” we know that over 80% of Autistic people are unemployed or underemployed.³ This means that as a result of this exclusion, Autistic people and other marginalised groups have fewer opportunities to accrue PRSI credits within this system. This highlights the need for addressing structural and attitudinal barriers to be built into these payments and social protection policy across the board as often the longer you experience barriers to employment, such as with the recruitment process, with navigating job interviews or applications, or with having to explain any gaps in your employment or education history, the more difficult it is to find work. This was highlighted in our [‘Same Chance Toolkit.’](#) EUROSTAT statistics showed that just 37% of people with disabilities were in employment in 2022, when compared to the EU average (50%).⁴

In our **Autism in the Workplace Report**, we highlighted that 77% of respondents believed that there were barriers to getting the job they would want or to starting a business.⁵ Additionally, other concerns raised related to the lack of understanding of autism in the workplace and that employer attitudes have not caught up with those

² Social Justice Ireland, ‘Poverty Focus Report 2022’, p. 3, <https://www.socialjustice.ie/system/files/file-uploads/2022-10/2022-10-05%20SJI%20Poverty%20Focus%20October%202022%20PDF.pdf> accessed 05 Feb 2022

³ AsIAM, ‘Same Chance Report’, p. 15, <https://asiam.ie/same-chance-id-card-report-2022/#:~:text=The%20Same%20Chance%20Report%20is,over%20the%20age%20of%2018>. Accessed 20 Feb 2022.

⁴ European Commission ‘2022 European Semester Country Report - Ireland’, p. 16 https://commission.europa.eu/system/files/2022-06/2022-european-semester-country-report-ireland_en.pdf accessed 21 Feb 2022

⁵ AsIAM, ‘Autism in the Workplace’, p. 6. https://asiam.ie/wp-content/uploads/2021/04/Autism-in-the-Workplace-Report-AsIAM-IrishJobs-April-2021_FINAL.pdf accessed 21 Feb 2022

among the Autistic community, resulting in an understandable reluctance among many Autistic people to disclose an autism diagnosis or to self-identify as Autistic. Among the barriers that many Autistic people experience is that they feel the need to “mask” at work and the wider sense among the community that people do not feel comfortable to be their autistic selves at work. Many Autistic people are also more likely to experience both workplace burnout and Autistic burnout⁶ after taking up work, as often the pressures and expectations of working full-time may not necessarily always align with how Autistic people engage with the world or with wellbeing, and this may take a greater physical, mental and physical toll, particularly if they do not have access to accommodations or supports or do not receive the supports they need to fulfil their roles.

These are just some of the barriers to accessing the labour market that Autistic people and the wider disability community experience. Even when Autistic people do find work, they face other barriers to employment which make it more difficult to escape the impact of in-work poverty, such as patchier work or education histories, negative working experiences, increased exposure to experiencing mistreatment, harassment or discrimination, fewer opportunities to accessing employment supports, the expectation to be ‘always on’ and constantly productive even outside of work hours and precarity and insecurity within the labour market more generally. These are all issues which a Pay-Related Benefits system would need to address to ensure that it remains equitable and consistent with the redistributive principles of the Social Protection system and for the system to adequately meet the needs of Autistic people and other marginalised communities and support these communities to find work that matches their skills, qualifications, or interests.

Disproportionate Focus on "Incentives to Work" Risk Worsening Hardship for People & Families

⁶ UK National Autistic Society, ‘Understanding Autistic burnout’, <https://www.autism.org.uk/advice-and-guidance/professional-practice/autistic-burnout#:~:text=Autistic%20burnout%20is%20a%20syndrome,and%20reduced%20tolerance%20to%20stimulus.> Accessed 28 Feb 2023

On a more substantive note, for our community, this also could potentially cause issues with the payments already processed by the Department, which already are not enough to meet the needs of disabled people and families. This is particularly concerning given how entrenched poverty and social exclusion is within the autism and disability communities, and the often-interconnected relationship between poverty and disability. In our work in engaging with the autism community, we know the extent of the pressures facing Autistic people and families that can come with having to deal with barriers with accessing services within the public system, with dealing with sharp rises in living expenses or with making ends meet. Social Justice Ireland highlight that disabled people, including those who are not in a position to work due to illness or disability, are among those who face the highest risk of poverty. The Disability Federation of Ireland note that there are over 150,000 disabled people living in consistent poverty, which brings into sharp focus that social protection payments often do not keep pace with the costs of living or with wage growth in the economy, particularly when inflationary periods cause sharp rises in the costs of everyday expenses. They also often do not fully reflect the additional costs of disability on the ground. Rather than motivating people to find jobs within their local community or which fit their skills or interests, restricting social protection payments on the grounds that more equitable or targeted social protection payments may act as a “disincentive to work” can cause many people and families to experience greater hardship on the ground.

Adding to these concerns is that many people, including those on lower incomes, have fewer opportunities to pay into this system and to potentially gain full benefit from a Pay-Related Benefit System. This is because people may have caring responsibilities from raising an Autistic person or they may have to take measures such as reducing working hours, taking career breaks, or leaving their roles and disengaging from the labour market to support their families, often at great financial cost to themselves and their families. In our work supporting the autism community, we know all too well that having a job is not always a guarantee of that people will leave poverty, isolation, or social exclusion behind - many in our community are on low incomes or facing precarious working conditions, and often find themselves struggling to make ends meet. Because of all these additional costs, the Department

needs to address these issues when designing a pay-related benefits system. We also believe that other more targeted income supports, such as introducing a Cost of Disability payment are needed to address the additional costs of being disabled in Irish society. As the Indecon Cost of Disability Report highlights: *“there is a need for the state to provide supports for individuals with disabilities via a range of supports including income supplements, needs assessed grants and direct service provision.”* This will help to address the particularly high rates of poverty and social exclusion experienced by disabled people, including Autistic people and families.

Attitudes to Social Protection

A key challenge for the Department in ensuring that people can access the Pay-Related Jobseekers' Benefit is that it should address some of the negative stereotypes that often come with receiving social protection payments, and wider public attitudes on the role of social protection has in providing a 'social safety net'. Many Autistic people who are not in employment but are deemed 'fit to work' and do not qualify for Disability Allowance, and are in receipt of Jobseekers payments, but experience significant structural barriers when engaging with employment services. For example, some people may feel pressured to take work or access courses to remain on their payment, and many people also find the process in applying for supports arduous and difficult to navigate. We highlighted in [our submission on the Reasonable Accommodation Fund](#) that the assessment process is out-of-step with a rights-based, neuro-affirmative approach set out by Articles 5 and 28 of the United Nations Convention on the Rights of Persons with Disabilities, and the rigidity of this system leaves many people who wish to work with little or no access to support. We believe that the Department of Social Protection should take a neuro-affirmative approach to disability assessment and to take the diversity of needs within the Autistic community when making decisions around access to payments and supports.

Key recommendations

The following are AsIAM's recommendations for the Department of Social Protection for introducing a Pay-Related Jobseekers Benefit and for Social Protection policies related to this benefit:

- Provide additional support to those on social protection payments to ensure that policies are in place which can adequately address the ever-increasing cost-of-living pressures for people and families.
- Take a holistic approach to equality-proofing and disability-proofing proposals for new payments so that changes to payments do not disproportionately impact marginalised groups in Irish society and deepen poverty and social exclusion, such as Autistic people, family carers, lone parents, etc.
- Expand the types of work covered within the Pay-Related System so that people who conduct unpaid work can access this benefit;
- Ensure that the Pay-Related Jobseeker Benefit factors in wider issues relating to employment that people experience, such as in-work poverty, insecurity, enforced absences due to illness and wider structural barriers that Autistic people and disabled people experience in accessing the labour market;
- Design the Pay-Related payments in such a way to ensure that people can access other social protection payments if needed, such as the proposed Cost of Disability Payment, Domiciliary Care Allowance or Child Benefit, etc;
- The Department of Social Protection should take a neuro-affirmative approach to disability assessment and to take the diversity of needs within the Autistic community when making decisions around access to payments and supports.
- Index future Social Protection increases to the cost-of-living, inflation and wage growth in the economy to ensure that
- Implement AsIAM's recommendations set out in our Submission on the [Reasonable Accommodation Fund](#), [Autism Innovation Strategy](#) and in our [Pre-Budget Submission for Budget 2023](#).