



**VIETNAM VETERANS  
ASSOCIATION OF AUSTRALIA**

**SUBMISSION TO THE REVIEW COMMITTEE OF THE  
VETERANS' ENTITLEMENT ACT**

**Part 10  
VOCATIONAL REHABILITATION SCHEME  
FOR VETERANS**

28 April 2002

# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## Introduction

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<b>Inception of the scheme</b>	After a number of years of intense lobbying by the VVAA the Government in November 1997 introduced legislation under the, Veterans' Entitlements Act 1986, (VEA), Instrument No 5 of 1997 where the Repatriation Commission established the "Veterans' Vocational Rehabilitation Scheme under ss115B(1) of the VEA 1986.
<b>Objectives</b>	<p>The objectives of the scheme are to assist veterans to find, or continue in suitable paid employment with particular emphasis on;</p> <ul style="list-style-type: none"><li>• facilitating the transition from service in the Australian Defence Force to suitable paid employment.</li><li>• assisting those veterans whose jobs are in jeopardy to retain suitable paid employment, and</li><li>• in conjunction with Part V1A of the Act, providing an income safety net for certain veterans in receipt of pensions under S23 or S24 of the Act, or invalidity Service Pension, who wish to engage in suitable paid employment.</li></ul>
<b>Principles</b>	The scheme lays down a number of principles that stipulate that the scheme is voluntary. A rehabilitation plan is approved only if the veteran has undergone assessment of rehabilitation capability and approved by a suitably qualified person. A number of other principles apply.
<b>Extend and amend</b>	As the major proponents of the current scheme, the Association recommends to the committee that the scheme be extended and amended. This paper examines the proposal in more detail.

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## Outline

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### **Two tiered system proposed**

The VVAA proposes that the scheme become a two tiered system, the first tier covering veterans between the ages of 19 and 50 years of age and the current scheme modified to cater for veterans 51 years and over forming the second tier.

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### **Administered by the DVA**

It is our submission that full vocational and rehabilitation case management of the scheme be placed under the Department of Veteran Affairs and no other government department or instrumentality be used unless special circumstances apply.

Veterans are able to form a rapport with the Department that does not exist in interactions with other departments, and a level of trust can be developed that will assist the rehabilitation of the veteran. Schemes administered by Centrelink and other agencies carry the stigma of unemployment that veterans will do almost anything to avoid.

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### **Eligibility**

Eligibility for the scheme should be as it applies under the current scheme and all current regulations apply with the exception of using other government departments or instrumentalities, unless the Department of Veteran Affairs directly controls them, or a special need exists.

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## First Tier

<b>Basis of the scheme</b>	<p>The VVAA proposes that the current Vocational and Rehabilitation Scheme require participation of veterans between the ages of 19 and 50 years, and in receipt of 70% or more of the General Rate. The Department of Veteran Affairs should deliver the scheme unless special needs are identified. The criteria laid down in s24 of the VEA 1986 are to be met and the veteran is to receive the same entitlements as would otherwise apply if granted the Special Rate.</p>
<b>Special rehabilitation and vocational compensation payment</b>	<p>It may be more palatable to veterans to redesignate the Special Rate payment as the Rehabilitation and Vocational (RV) payment for those who qualify for the rehabilitation scheme.</p>
<b>Assessment of suitability for participation</b>	<p>Involvement in the scheme should be for a specific period nominated by a medical specialist or specialists. On completion of the nominated period, the veteran is to be reassessed for their suitability for work by a suitably qualified medical specialist appropriate to the injury or disability suffered by the veteran.</p> <p>After reassessment a decision is made that the veteran continues within the scheme for another period of set time. Alternatively the veteran may be declared to be totally and permanently incapacitated, and unable to work for more than eight hours per week and therefore will revert to the Special Rate of pension. The veteran may also be assessed as being able to work up to twenty hours per week, thereby qualifying for the Intermediate Rate compensation payment.</p>
<b>Assess capacity to undertake training</b>	<p>The Association recommends that reassessment be compulsory after the predetermined period of assessed incapacity elapses. If the veteran is assessed as medically capable of undertaking paid employment by a competent medical authority using the following guidelines</p>

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## First Tier, Continued

### Guidelines

Serial	Issue
1.	The veteran is assessed for capacity to undertake vocational and rehabilitation training
2.	The vocational and rehabilitation assessment is to identify the best way to ensure a program is developed to ensure maximum opportunity to place the veteran back in the work force and for him/her to meet their full potential.
3.	The training assessment should be appealable or negotiable
4.	The proposed training should be agreed by the veteran and wherever possible is to meet the aspirations of the individual.
5.	The assessment is to be carried out by a competent qualified person, specialising in vocational and rehabilitation training.
6.	The training may encompass but is not limited to that offered through tertiary education institutions, TAFE colleges, apprenticeships or direct in-work training.
7.	That all training and educational expense is at the cost of the government, this would include HECS or any other education charges.
8.	During the period of vocational and rehabilitation training payment is made at the Special Rate.
9.	On completion of vocational and rehabilitation training the veteran is to be assisted, if necessary, in finding suitable employment.
10.	On gaining suitable employment the veteran is paid at the Special Rate/Vocational Rehabilitation rate for a period of six months.
11.	After six months, all Special Rate payments and benefits cease, unless the veteran is receiving income below the Special Rate, in which case the Commonwealth makes up the difference.
12.	Compensation may be payable at between 70% and 100% of the General Rate.

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## First Tier, Continued

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**Safety net provisions**

A safety net provision is to put into place for a period of seven years, whereby the veteran may automatically revert to the VR rate should they for any reason be unable to undertake employment.

Should the safety net provisions be put into place and the veteran undertake further employment, the veteran may access only the unelapsed portion of the:

- six-month period of co-payment; and.
- seven year safety net provision.

**Fit for employment after a period of seven years**

After the seven year safety net has lapsed, the veteran is declared fit for employment.

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**May re-apply for Special Rate**

From the time of safety net withdrawal until the veteran is over 65 years of age s/he may apply for the Special Rate if they meet the criteria of s24 of the VEA Act 1986.

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## Tier Two

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### Introduction

The Tier Two scheme proposal is that it is to cater for veterans over the age of fifty years of age and would be subject to the same criteria and legislation as laid down under the current scheme with the exception that vocational training is extended to cover training in community volunteer programs.

The basis of Tier Two is the current arrangement for vocational and rehabilitation training.

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### Extension to cover community activities

The extension of the scheme to cover vocational training in community volunteer schemes is to assist a veteran who cannot participate in full or part-time employment but is encouraged to take part in community activities. This gives the veteran an opportunity to raise self-esteem and contribute back into the community, be part of community activities and lead to a healthier lifestyle. It acknowledges the reality that veterans of this age are highly unlikely to gain full-time positions within the workforce unless they have specialised skills that would generally render them unable to take part in this scheme.

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### Discussion

It is an unfortunate consequence of many special rate recipients that they are isolated from community activity and involvement due to a belief of worthlessness and loss of self-esteem due to their physical or mental incapacity. The training might include that which would provide the necessary skills for veterans to provide worthwhile input to community activities, including book-keeping, public speaking and meeting procedures through Toastmasters or similar providers.

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# VOCATIONAL REHABILITATION SCHEME FOR VETERANS

## Recommendations

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**Recommendations**

**14. The VVAA recommends that the Veterans' Entitlement Act Review Committee recommend within its report that the Department of Veterans' Affairs:**

- (a) create a two-tier structure for Vocational Rehabilitation;**
  - (b) implement the VVAA provisions for tier one veterans between the ages of 19 and 50; and**
  - (c) extend the provisions of the over-50 tier two veterans to include training related to community work.**
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