

EPR Paper

Summary of EPR Key Inputs to the Study within the European Commission's Disability Employment Package Study on Alternative Employment Models for Persons with Disabilities

2024

Introduction

The European Platform for Rehabilitation (EPR) supports competitive employment opportunities for people with disabilities that provide a meaningful inclusion in the open labour market, as set forth in the [UN Convention on the Rights of Persons with Disabilities \(UN CRPD\)](#)¹.

The upcoming European Commission “Study on alternative employment models for persons with disabilities: Set-up, working conditions and pathways to the open labour market in inclusive enterprises and sheltered workshops” is part of the deliverables included in the [Disability Employment Package](#)² within the [European Strategy for the Rights of Persons with Disabilities 2021-2030](#)³. This Study addresses the employment situation of persons with disabilities in the European Union by discussing a range of existing alternative models of employment. It strives to provide operational definitions for each of these, and it is complemented by 20 good practices, as well as eight in depth country case studies.

Throughout 2024, EPR gave feedback to the development of this Study via consultation with its members on definitions and scope of the different models and the services supporting these. The feedback was shared with the European Commission via the [Disability Platform](#)⁴ sub-group on Employment and via written contributions.

This Briefing aims to summarise key points from EPR's feedback to the Study, including addressing challenging aspects such as definitions for working environments for persons with disabilities and sheltered employment. The Briefing highlights the importance of choice and

¹ United Nations, Convention on the Rights of Persons with Disabilities, 2006, available [here](#).

² European Commission, Disability Employment Package, available [here](#).

³ European Commission: Directorate-General for Employment, Social Affairs and Inclusion, *Union of equality – Strategy for the rights of persons with disabilities 2021-2030*, Publications Office, 2021, available [here](#).

⁴ The [Disability Platform](#) establishes close cooperation between the institutions of the Member States, the Commission and the civil society on issues relating to disability and to facilitate the exchange of information, experiences and good practices.

being able to design one's own career path. It builds on EPR existing work and [publications](#)⁵ and aims at setting EPR asks and guide EPR policy work in the field of employment of persons with disabilities. High quality services to persons with disabilities supporting employment can make real difference to overcome barriers to the employment of people with disabilities and to bridge social inclusion gaps.

Legal Context

Within the EU, a solid legal framework safeguards the right to work of persons with disabilities. As a signatory of the UN CRPD⁶, according to Art. 27 [General Comment](#)⁷, the EU and its Member States must “*recognise the right of persons with disabilities to work, on an equal basis with others [...] States Parties shall safeguard and promoted the right to work*”. In addition, the [Council Directive](#)⁸ protects persons with disabilities against discrimination in employment as well as in vocational training, creating an obligation to employers to provide reasonable accommodation for their effective inclusion in the workplace.

Despite these existing instruments, in practice, persons with disabilities still face barriers to enter the labour market in the European Union. This is evidenced by the steady disability employment gap⁹ measured by [Eurostat](#)¹⁰ across all European Union countries, which has only slightly decreased from 24.4% in 2019, to 21.5% in 2023. Likewise, the recent [Inclusion indicators 2024 Report](#)¹¹ based on research across 31 countries, reveals key findings:

- “In 18 countries people with intellectual disabilities risk losing their disability benefits when they earn their own salary.”
- “In 13 countries adults with intellectual disabilities working in ‘protected employment’ get paid less than minimum wage.”

The [Cedefop report](#)¹² “*Untangling labour shortages in Europe: unmet skill demand or bad jobs?*” highlights that persistent labour shortages in the EU are driven by both unmet skill demands and the quality of available jobs. Key issues include the need for better working conditions and more effective skills matching. The report suggests that improving job accessibility and creating supportive work environments, in particular for persons with disabilities, are essential to address these shortages and ensuring equal employment opportunities.

⁵ European Platform for Rehabilitation (EPR), *Pathways to Employment: Analysis of policies and practices for pathways to the mainstream labour market*, 2022, available [here](#).

⁶ United Nations, Convention on the Rights of Persons with Disabilities, 2006, available [here](#).

⁷ United Nations, *CRPD/C/GC/8: General comment No. 8 on the right of persons with disabilities to work and employment*, 2022, available [here](#).

⁸ European Union: Official Journal, Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation, 2000, available [here](#).

⁹ defined by Eurostat as the difference between the employment rates of people with no and those with some or severe limitation in their daily activities, aged 20-64

¹⁰ Eurostat, *Disability employment gap by level of activity limitation and sex*, available [here](#).

¹¹ Inclusion Europe, *Inclusion indicators 2024: Key findings*, 2024, available [here](#).

¹² Cedefop, *Untangling labour shortages in Europe: unmet skill demand or bad jobs?*, 2024, available [here](#).

Accessing Employment

When discussing models of employment for persons with disabilities, it is important to distinguish between therapy, occupation and employment. Employment – entailing a legal contract and a salary – should always be the end goal.

Whereas employment support typically starts and finishes at the workplace, employment support for persons with disabilities often goes further, involving the social environment and private life e.g. family, housing, independent living, community participation. Addressing broader social support and educational access, key preconditions for meaningful inclusion, can be drawn as essential.

When people with disabilities access employment, they are enjoying their right to employment as included in the UN CRPD¹³. A direct consequence of being employed, as it is for any person without a disability, is having greater autonomy, being financially independent and having a greater feeling of belonging to a community and purpose. These have a parallel impact on an improved quality of life. Employment options provided to a person with disabilities should be aligned with their choices and preferences. Services to persons with disabilities play a key role here by offering support for users to make such informed decisions. Services working on supported employment and on the job training, working with job coaches and more can design on the job employment adapted to the person.

However, it is important to acknowledge that persons with complex needs or severe disabilities might not always choose to join the open labour market. Likewise, for persons with disabilities who have spent a long working life in sheltered and/or protected workplaces, the transition to the open labour market may require greater adaptation and support.

Recommendation

EPR calls for a person-centred approach to employment, where persons with disabilities are supported and empowered to make informed choices about their employment paths.

Recommendation

Safeguarding the “right to return” for persons with disabilities by providing the necessary support to those who want to transition between the open labour market and alternative employment models.

Alternative Employment Models

This section aims to shed light on the key terminology tackled in the upcoming European Commission Study “Study on alternative employment models for persons with disabilities: Set-up, working conditions and pathways to the open labour market in inclusive enterprises and sheltered workshops”.

Sheltered Employment

¹³ United Nations, Convention on the Rights of Persons with Disabilities, 2006, available [here](#).

It is generally understood that sheltered employment is a specific type of work arrangement designed to fit the needs of persons with disabilities. It is outside of the mainstream labour market, and entails tailored training and support services. It must be clarified that sheltered workshops are a form of sheltered employment, yet not all sheltered employment takes the form of sheltered workshops.

This model of ‘employment’ is often referred to as segregating due to its nature of being designed for persons with disabilities and due to those models outside the open labour market.

However, there are models of shelter employment which aren’t segregating and combine both persons with disabilities and persons without disabilities. One of the major questions addressed in the development of the Study refers to what makes an enterprise segregating and which percentage should the threshold under or above which an enterprise could be segregating. EPR members believe that the level of segregation or inclusion should not be measured by the percentage of workers with disabilities but rather by qualitative criteria. These could include elements, such as but not limited to:

- The type of employment contract awarded to employees;
- The pay received by employees;
- The participation of employees in decision-making processes within a workplace;
- The opportunities for career development and progression;
- The availability of reasonable accommodation when required;
- The training and upskilling opportunities for employees.

The terms ‘sheltered employment’ or ‘sheltered workshop’ are defined differently amongst EU Member States. In some countries, there is a clear distinction between sheltered workshop and sheltered employment. Sheltered workshops (also known as occupational workshops) are mostly not considered as work, but a form of therapy. In some cases, sheltered employment is not only defined by type of organization and type of activity, but also type of pay i.e. social benefits or allowances versus actual wage. In other countries, sheltered workshops no longer exist. Governments rather invest in supported employment schemes and prioritise the transition to the open labour market via mainstreamed services. Many offers for support are established as phases on a longer pathway to employment. In addition, day centres may offer different forms of occupation, some resemble sheltered workshops.

Recommendation

EPR recommends avoiding the use of ‘sheltered employment’ and ‘segregated employment’ interchangeably. As such, segregation should not be defined based on the share of persons with disabilities in a workplace.

Recommendation Recommendation

on the state of play of sheltered employment in European

Raise awareness and simplify access to funding for reasonable accommodation which often has complex, lengthy and bureaucratic application processes; thus this should be made more user-oriented and easy-to-use.

Work Integration Social Enterprises (WISEs)

The European Network of Social Integration Enterprises (ENSIE) defines WISEs as: “enterprises that fall within the social economy who have the social objective to achieve the professional integration of vulnerable groups and individuals with support needs, such as persons with disabilities”¹⁴. WISEs meet a set of conditions commonly defined and agreed on at European level – including employee status, labour rights, participation in decision-making. While they are often equated (by default) with sheltered workshops, they do not fit in the traditional definition of sheltered workshops.

WISEs and for-profits should also not be equated, as they have different goals. While for WISEs the main goal is employing persons with disabilities, the need of for-profits to share benefits can result in a focus on productivity, and consequently to employing only persons with milder disabilities, with worse labour conditions, lower salaries.

The term ‘Inclusive enterprise’ should only be used to refer to businesses that actively promote inclusion and diversity. Being an inclusive enterprise should be the aspiration for any company when approaching work inclusion of persons with disabilities (including accessibility, inclusive recruitment processes, presence in all positions, professional development).

Recommendation

Support the use of public procurement and state aid to promote the employment of persons with disabilities via WISEs.

Pathways to the Open Labour Market

The transition to an open, inclusive and accessible labour market is included in both Art. 27 and General Comment¹⁵ No. 8 of the UN CRPD¹⁶. In EPR, we believe this should be regarded as a shared responsibility between public administrations, open labour market enterprises and persons with disabilities themselves. As such, it should not be presented as falling solely on sheltered employment entities. Within this frame, specialised services for persons with disabilities who are active at the local level can support and collaborate with national public employment services to provide tailored knowledge about the needs and experiences of job seekers with disabilities, and promote access to customised support.

The transition from sheltered employment to the open labour market may appear like high risk if it is a one-way street. For example, often persons with disabilities lose access to benefits and their places in care if they leave sheltered workshops. Once individuals enter the open labour market, there is often no clear pathway back to sheltered employment if things do not work out, which discourages some from attempting the transition. Therefore, EPR believes that the open labour market would be much more accessible if persons with disabilities had more opportunities to try out other options for a given period (e.g. 3 months) and then decide

¹⁴ For more details, see also ENSIE <https://www.ensie.org/wises-data/what-are-wises>

¹⁵ United Nations, *CRPD/C/GC/8: General comment No. 8 on the right of persons with disabilities to work and employment*, 2022, available [here](#).

¹⁶ United Nations, *Convention on the Rights of Persons with Disabilities*, 2006, available [here](#).

whether to stay in this new employment context or return to a sheltered environment. During the typical length of a work life which can span decades, persons with disabilities may wish to transition between different forms of employment several times.

People with disabilities need to be included in any discussion about the possibilities and type of work they are offered. In addition, in this process, involving families and carers is seen as crucial for supporting individuals in their professional development. Taking up work may have substantial impact on important aspects of family life, including interpersonal, organisational, social and economic questions. Securing the family income, access to benefits, pensions or salaries, sharing the family home or living independently, contributing or sharing the costs of living are all greatly influenced by the financial conditions offered with different employment options. It is important to take those into account for persons with disability and their choices for employment.

Recommendation

It should be possible for persons with disabilities to take employment and keep benefits while working¹.

To achieve the transition to the open labour market, the role of service providers in the field of rehabilitation, and vocational education and training is of key. Training programs can help individuals navigate job opportunities and prepare them for different career paths.

Although it is beyond the scope of this briefing to explore the supported employment model at length, suffice to say that it is understood by the Association for Supported Employment Europe (ASEE) as “a personalised methodology for supporting persons with disabilities to enter and maintain employment in the open labour market”.¹⁷ It is based on the principles of individuality, paid work, inclusion in the open labour market and ongoing support. Job coaching and job carving are key features of supported employment schemes, following a “place and train” approach rather than the more traditional “train then place” one. As explored at greater length in the [2022 EPR Publication](#) “Pathways to employment: Analysis of policies and practices for pathways to the mainstream labour market”¹⁸ it enables a person-centred approach which takes into account the needs and wishes of the workers with a disability as well as their employers.

Recommendation

Increase funding for supported employment programs and initiatives across Europe, to ensure well-trained staff and person-centred approaches.

A good practice example are supported apprenticeship schemes modelled by [LADAPT](#) – an EPR member organisation that provides support to persons with disabilities in France. The

¹⁷ Association for Supported Employment Europe (ASEE), Defining Supported Employment, available [here](#).

¹⁸ European Platform for Rehabilitation (EPR), *Pathways to Employment: Analysis of policies and practices for pathways to the mainstream labour market*, 2022, available [here](#).

aim is to develop access to training leading to qualifications for people with disabilities and to secure their pathway to sustainable employment. These take into account the whole ecosystem around the apprentice, covering the professional, educational and personal spheres. Vocational Integration Counsellors (VICs) work in collaboration with the young persons with disabilities in a person-centred way to identify and collaborate with: apprentice training centres/schools, trainers, specialised employment organisations, appropriate support person in the company, the employer, public administrative process (financial and administrative process) etc.

Developing effective pathways to upskilling and employment requires a holistic approach with collaboration between service providers, persons with disabilities, their families/carers, public employment services, employers and policymakers. The transition from sheltered employment to the open labour market requires inclusive approaches that prioritize both vocational integration and community participation. Central to this transition is the upskilling and reskilling of individuals with disabilities, along with access to quality education and training, to ensure they are equipped for sustainable employment and long-term career growth. Additionally, the transition process must go beyond initial job training to include ongoing support and career guidance, addressing not only professional milestones but also individuals' personal aspirations and dreams.

Recommendation

Enabling persons with disabilities to transition between different forms of employment – whether it is sheltered, supported or in the open labour market – according to their choices, which may change and evolve over time.

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