

Employment & people with disabilities

Analytical paper

Table of contents

| | |
|--------------------------------------------------------------------------------------------|---|
| Introduction | 1 |
| I. Some facts about the employment of people with disabilities | 2 |
| II. European and International Employment Policies and Initiatives | 2 |
| The Annual Growth Survey (AGS) | 2 |
| National Reform Programmes | 3 |
| Recommendation on the integration of the long-term unemployed into the labour market | 3 |
| Youth Employment Initiative and Youth Guarantee | 4 |
| EU Disability Strategy 2010-2020 | 4 |
| European Pillar of Social Rights | 5 |
| Sustainable development goals | 6 |
| UN Convention on the Rights of Persons with Disabilities | 7 |
| III. Examples of good practices | 7 |
| IV. Recommendations for the future | 8 |

Introduction

EPR and its members are committed to support competitive employment opportunities for people with disabilities and meaningful inclusion in the mainstream workforce, as set forth in international legal instruments. The right to work on an equal basis with others and the right to “just and favourable conditions of work” are human rights recognized in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and Convention on the Rights of Persons with Disabilities (UNCPRD). People with disabilities should enjoy the right to work in a labour market and work environment that is open, inclusive and accessible. The International Labour Organisation (ILO) points out that the right of people with disabilities to decent work, however, is frequently denied. Accessing the job market presents additional challenges for people with disabilities, mainly in terms of attitudinal, physical and informational barriers to equal opportunities. Higher unemployment and inactivity rates can also prevent people with disabilities to fully enjoy other recognized rights set forth in the UNCPRD, creating exclusion from the society and insufficient social protection.



By assisting and working with leading service providers across Europe, EPR promotes the development of quality services to overcome barrier to the employment of people with disabilities. EPR activities equip members to strengthen partnerships with companies to better match people with disabilities' needs and rights, companies' demands and labour market changes.

This paper analyses the impact that key EU and policies have on EPR members' sectors of work, showcases examples of good practices in the delivery of service from members and provides recommendations. Section I briefly presents some recent facts on people with disabilities and employment. Section II discusses European Employment Policies and Initiatives. Section III showcases examples of good practices from EPR members and Section IV provides policy recommendations for the future based on EPR's members' expertise.¹

This paper aims for a better understanding of concrete EU policy developments among EPR members and the potential relevance for their work.

I. Some facts about the employment of people with disabilities

Labour markets are recovering, but persons with disabilities risk being left behind. The 2018 Joint Employment report's statistics showcase a high gap that persists in the employment (and activity) rates between people with and without disabilities, amounting to 47.4% versus 73.1% in 2015. This gap is increasing, since those without disabilities have higher chances to return to work.² Recent gains in employment have not been evenly distributed among different population groups. People with a disability are less likely to be employed than those without disability, although their situation has improved.³

Leaving people with disabilities behind can lead to a loss of 3.7% GDP⁴. Less than one person out of two with disabilities are employed and the pay gap for women with disabilities is twice as high as the pay gap for men with disabilities.⁵ Only 47% of people with disabilities are employed due to workforce barriers (e.g.: inflexible working hours, lack of transport or inaccessible workplace, driving license needed).⁶

II. European and International Employment Policies and Initiatives

According to the subsidiary principle⁷, in its work towards developing a strategy for employment, the EU has the competence to coordinate, encourage cooperation and support national government's' actions. **The European employment strategy (EES)** dates back to 1997, when Member States established a set of common objectives and targets for employment policy. Its main aim is the creation of more and better jobs throughout the EU. It is now implemented through the European semester⁸, an annual process promoting close policy coordination among EU Member States and EU Institutions. Employment features in the following parts of the European Semester:

The Annual Growth Survey (AGS). The AGS reports on progress across Europe in terms of economic and employment growth, as well as social issues, and makes general recommendations to national governments. The annual **Joint Employment Report** is a document prepared by the European Commission and later approved by heads of state and government, published alongside the

¹ To learn more about skills, please consult the EPR Briefing Paper on Skills here: <https://www.epr.eu/wp-content/uploads/EPR-briefing-paper-on-Skills-2.pdf>

² Joint Employment Report 2018 as adopted by the EPSCO Council on 15th March, 2018, p.39.

³ Ibid, p.8.

⁴ https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_119305.pdf

⁵ See <https://blogs.worldbank.org/sustainablecities/pipeline-work-including-persons-disabilities-skills-development-and-employment-projects?cid=ECR TT worldbank EN EXT>

⁶ See https://ec.europa.eu/eurostat/statistics-explained/index.php/Disability_statistics_-_barriers_to_employment

⁷ The subsidiarity principle: In areas in which the European Union does not have exclusive competence, EU legislation defines the circumstances in which it is preferable for action to be taken by the Union, rather than the Member States. See <http://www.europarl.europa.eu/factsheets/en/sheet/7/the-principle-of-subsidiarity>

⁸ See http://ec.europa.eu/europe2020/making-it-happen/index_en.htm

AGS. It has a stronger focus on employment and social developments in Europe and EU Member States' reform actions. It is based on (a) the assessment of the employment situation in Europe (b) the implementation of Employment Guidelines and (c) an assessment of the Scoreboard of key employment and social indicators.

National Reform Programmes (NRPs)⁹ are submitted annually by national governments as part of the European Semester and analysed by the Commission. Based on this assessment the Commission publishes a series of Country reports¹⁰, analysing Member States' economic policies and later issues **Country-specific recommendations (CSRs)**. The recommendations that are given annually by the European Commission to national governments designed to promote growth and jobs, and which can cover areas from healthcare, to employment to taxation. Each country should report on how the recommendations have been implemented.

Social service providers can use the AGS and CSRs by finding the employment-related issues highlighted by the European Commission that they support (such as the importance of VET, the need to address labour market access for PwD, the importance of personalisation of services, the focus on people with a weak link to the labour market). Next there is the possibility to check the EPR paper on the European Semester and the country fiches¹¹ drafted by EPR to see which specific recommendations have been made to your country that you agree with. Social service providers can use the references to the issues and the specific recommendations to hold public authorities to account and offer their service to public authorities as tools to respond to the issues raised and the recommendations made.

As for the Joint Employment Report, social service providers can use the fact that the European Commission is stressing the importance of Vocational Rehabilitation when in communication with funders, to help promote the significance of their work. Next, they can examine the good practice outlined in the report.

Recommendation on the integration of the long-term unemployed into the labour market

The European Council, heads of state and government of the EU member countries, reached an agreement on the recommendation¹² which aims at providing guidance to support Member States in securing a return to work of people who are long-term unemployed. In order to help Member States to decrease the number of long-term unemployed, the recommendation proposes specific actions to be taken at national level to strengthen service provision and individualised services for the long-term unemployed that are implemented by employment and social services. How the recommendation will be implemented depends on different national, regional or local situations. Member States designate the authorities in charge, which can be employment services or other service providers, depending on national circumstances.

Service providers can identify which authority has been designated to implement the specific actions outlined in the recommendation and suggest collaborating to improve the services provision to long-term unemployed. They can use the proposals in the recommendation as justification for tailor made service provision in labour market integration work. Next, social service providers can use the focus on engaging with employers to promote actions by public authorities. Lastly the recommendation can be used to examine how to use the EU structural and Investment Funds to support initiatives promoting labour market integration, and use the text to support project applications.

Since its launch in 2015, there has been done an administrative data collection on the implementation in 2017¹³

⁹ See http://ec.europa.eu/europe2020/index_en.htm#map

¹⁰ See http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm

¹¹ https://www.epr.eu/wp-content/uploads/Analytical_Paper_EU_Semester_UNCRPD_2015.pdf

¹² The Council can, on a proposal from the Commission, make recommendations to the Member States (Art. 292 sentence 1-3 TFEU).

¹³ See <https://ec.europa.eu/social/main.jsp?catId=1205&langId=en#navItem-1>

and a public consultation to ask for recommendations¹⁴. EPR consulted members and transmitted their feedback into a response to the consultation. As a follow up a strategic meeting was organized by the European Commission in November 2018 to discuss the Recommendations at which EPR also gave input. The Commission will take the outcomes of this discussion on board within the evaluation of the Recommendation.

Youth Employment Initiative and Youth Guarantee

In February 2013 the European Council agreed to create the Youth Employment Initiative (YEI). It aims to support particularly young people not in education, employment or training (NEET) in regions with a youth unemployment rate above 25%. It is one of the main EU financial resources to support the implementation of Youth Guarantee schemes.¹⁵ In April 2013 the Youth Guarantee Recommendation¹⁶ was formally adopted to ensure young people's successful transition into work. The other financial source is the European Social Fund (ESF). The directly targeted YEI and ESF investment towards labour market integration of young people amounts to €12.7 billion for the period 2014-2020. A further €11 billion from the ESF aimed at measures such as the modernisation of employment services and self-employment will also support youth employment. All the funding is implemented through the ESF.

The Youth Guarantee is a commitment by all Member States to ensure that all young people under the age of 25 years receive a good quality offer of employment, continued education, apprenticeship or traineeship within a period of four months of becoming unemployed or leaving formal education.¹⁷ Five years after the implementation of the Youth Guarantee in 2013, the performance of young people in the labour market has improved significantly. Youth unemployment has decreased from 24% in 2013 to 15.1% in May 2018. This is faster than was predicted. Besides that, the NEET youth between 15-24 years old has decreased from 13.2% to 10.9% in 2017.¹⁸

Social service providers can consult the relevant European Commission report about the implementation of the Youth Guarantee – to know what initiatives are available to support the young people and what criticism or proposals the Commission has, which could support advocacy work. Besides that, they can promote services as a means for fulfilling the guarantee. Next, social service providers can examine the European Alliance for Apprenticeships and consider joining or connecting to organisations involved.

EU Disability Strategy 2010-2020

The European Commission refers to the European Disability Strategy 2010-2020 (EDS) as the key policy instrument to empower people with disabilities to enjoy their full rights and fully participate in their society. The EDS identifies the mechanisms needed to implement the UNCRPD.¹⁹ The main objective of the Strategy is to eliminate barriers to the life of people with disabilities that prevent them from fully participating in society and enjoying their rights equally to other citizens. The Strategy focuses on eight main areas for action: Accessibility, Participation, Equality, Employment, Education and Training, Social Protection, and Health and External Action aimed at implementing the recommendations given by the UN to the European Union in applying the UNCRPD.²⁰

According to the European Commission, PwD represent one-sixth of the EU's overall working-age population, but their employment rate is only around 50%. The Strategy aims at improving the situation of people with disabilities in the labour market. The Commission wants to exploit the full potential of the Europe 2020 Strategy

¹⁴ <http://www.easpd.eu/en/content/european-commission-launches-public-consultation-integration-long-term-unemployed-labour>

¹⁵ See <https://ec.europa.eu/social/main.jsp?catId=1176>

¹⁶ See <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:120:0001:0006:EN:PDF>

¹⁷ See <https://ec.europa.eu/social/main.jsp?catId=1079#navItem-2>

¹⁸ See <https://ec.europa.eu/social/main.jsp?langId=en&catId=1079&newsId=9108&furtherNews=yes>

¹⁹ United Nations Division for Social Policy and Development Disability <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

²⁰ See <https://ec.europa.eu/social/main.jsp?catId=1137>

by providing Member States with analysis, political guidance, information exchange and other support. Amongst other actions, the Commission wants to improve knowledge of the employment situation of women and men with disabilities, identify challenges and propose remedies. It wants to pay particular attention to young people with disabilities in their transition from education to employment. Within the Strategy, the Commission also aims at develop active labour market policies; make workplaces more accessible; develop services for job placement, support structures and on-the-job training etc.²¹

In 2017 the European Commission published a progress report saying that progress has been made in all eight areas of action. For employment specifically, the objective is to enable more people with disabilities to earn their living on the open labour market. The main progress since 2010 consists out of publishing reports and studies, the launch of policy initiatives on employment (e.g. Youth on the Move), various education projects to promote career advancement of PwD, through the Erasmus programme; funding of actions supporting the implementation of the reasonable accommodation obligations.²²

Employment Equality Directive

Within the Strategy, The Employment Equality Directive (EED) was adopted in 2000. It prohibits discrimination on grounds of religion and belief, age, disability and sexual orientation in the fields of employment and occupation, vocational training and membership of employer or employee organisations. EU Member States have transposed the Directive into their national law.

Article 5 of the EED focuses on reasonable accommodation for persons with disabilities and states that employers are required to take appropriate measures to enable a person with a disability to have access to participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer.²³

European Pillar of Social Rights

The European Pillar of Social Rights (the Pillar) is the initiative launched by the European Commission with very ambitious aims; to bring back the social dimension of the EU, rebalance economic policies with social considerations, reconnect with European citizens, while at the same time addressing key issues related to changes in the world of work and society more generally, promoting higher social standards. The Pillar is considered to be the last big social initiative from the current European Commission.

The pillar addresses active support to employment and fair working conditions. European priorities are increasingly focused on creating employment and investing in people's skills and the Pillar includes education, training and life-long learning as key principles.

Principle 4 on active support to employment focuses on the following three aspects:

- a. Everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the right to transfer social protection and training entitlements during professional transitions.
- b. Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within four months of becoming unemployed or leaving education.

²¹ See <https://ec.europa.eu/social/main.jsp?catId=1202&langId=en>

²² European Commision, Progress Report on the implementation of the European Disability Strategy (2010 - 2020)

²³ See <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=EN>

- c. People unemployed have the right to personalised, continuous and consistent support. The long-term unemployed have the right to an in-depth individual assessment at the latest at 18 months of unemployment.²⁴

EPR believes that recognising that employment is an important factor to achieve social inclusion should not divert from the fact that there are people who cannot work during all of their working years or part of them, and who are more at risk of poverty and social exclusion.

Sustainable development goals

The Sustainable Development Goals (SDGs), were adopted on 25 September 2015 by the UN General Assembly in the light of the universal, integrated and transformative 2030 Agenda for Sustainable Development. The UN describes the SDGs as “*the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace and justice.*”²⁵ National governments are expected to develop or revise national plans for the full implementation of the SDGs, in partnership with all stakeholders including civil society. They also have to report to the annual meetings of the UN High Level Political Forum (HLPF) in New York.²⁶

The SDGs can also be linked to the Pillar since several SDGs coincide partially with its principles. The two frameworks could have a better potential if dealt with together. The Pillar can be considered as a tool to achieve a number of SDG targets in the EU aiming at protecting people from poverty and social exclusion.²⁷ According to Social Service Europe, given their different approaches²⁸, the two frameworks should be the strategic framework for the development of the overarching “Europe 2030” strategy that can better support the implementation of social rights.

The following two SDGs can be directly linked to employment of people with disabilities:

Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

- a. By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations
- b. By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development.
- c. Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, nonviolent, inclusive and effective learning environments for all²⁹

Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.³⁰

²⁴ See https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en

²⁵ See <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

²⁶ Social Services Europe, Briefing internal note on SDGS

²⁷ Ibid

²⁸ The Pillar is defining rights as principles and the SDGs are formulated as target

²⁹ See <https://sustainabledevelopment.un.org/sdg4>

³⁰ See <https://sustainabledevelopment.un.org/sdg8>

United Nations Convention on the Rights of Persons with Disabilities

The right to work and employment for persons with disabilities is one of the fundamental rights enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), one of the main though more recent international human rights treaties, which has been ratified by the European Union and most of the EU Member States. The UN CRPD has an own reporting and monitoring mechanism guided by the Committee on the Rights of Persons with Disabilities in which framework, participating States produce country reports on the implementation status of the Convention, which subsequently are analysed and commented on by the Committee. The surveillance mechanism implemented under the UN CRPD provides hence useful information on how countries, including EU Member States report on their achievements in view of ensuring the right to work and employment for persons with disabilities.

Article 27 of the UN CRPD defines the right to work and employment of persons with disabilities, which implies that persons with disabilities have, on an equal basis with others, the right to the opportunity to gain a living by work, which is freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. The UN CRPD is one of the key documents informing the EDS. As discussed earlier, the EDS' aim is to enable more PwD to earn their living in the open labour market (see earlier). Social economy enterprises are important actors in providing employment in the EU. Even though they still hold a lot of undeveloped potential to guarantee the right to work for per persons with disabilities, they directly contribute towards implementing the objectives set in the EDS as well as Article 27 of the UN CPRD.³¹ Unfortunately, relatively few PwD transition from working in social enterprises to the open labour market.³²

III. Examples of good practices

Ripples in the water - Work and Inclusion, Norway

Work & Inclusion (W&I) is an association in the Confederation of Norwegian Enterprise (NHO). Ripples in the water (RIW) is a methodology for cooperation between NHO member companies and Work & Inclusion service providers. It aims to increase the level of employment for people with disabilities or disadvantages based on the understanding that the vast majority of people both want and are able to work. An evaluation from December 2017 shows that RIW helps NHO's members recruit the right person for the right job.³³

Tender Activation and Care - GTB, Belgium

Tender Activation and Care (TAZ) is a programme which offers coaching and training to people with a large distance from the labour market due to health problems and/or limited abilities in self-guiding. The programme lasts for a maximum of 18 months with "paid work" as its ultimate goal. The results are positive. 35% of participants receive the advice that paid work will be possible and 80% of this group manage to achieve this and keep their work for a long time. 26% of TAZ participants build up their work competences in further training or in non-paid jobs.

Support to entrepreneurs - ONCE, Spain

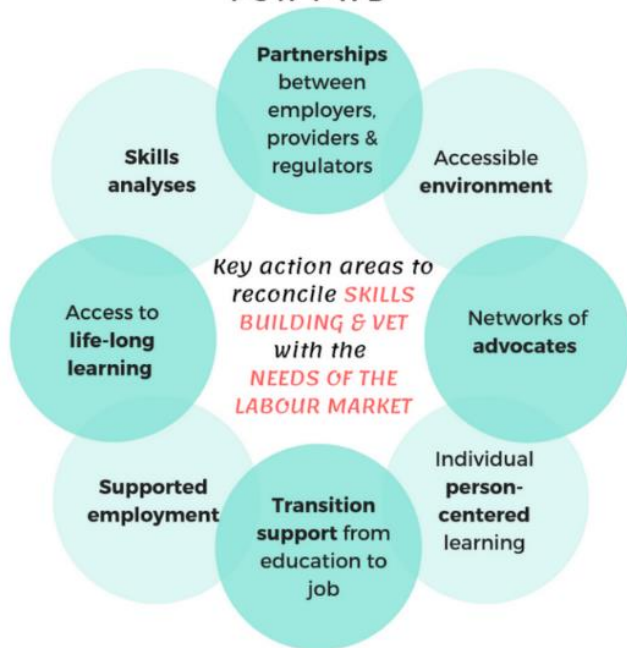
The Support to Entrepreneurs programme is a step within a wider programme, the ONCE Foundation's Entrepreneurship Programme. The goal is to empower entrepreneurs once their business activities have started. Through customized training they aim to ensure solidification and sustainability of their initiatives. The programme includes a 100 hour online-course with topics such as digital marketing, financial management and entrepreneur training. 86% of participants completed the course and 92% of them found the contents relevant. 86% appreciated applicability to their businesses.

³¹ EPR (2018) Study on employment models within the social economy and their role in including persons with disabilities into the labour market and society, p. 69

³² Ibid, p.78

³³ For more information see <https://www.nho.no/samarbeid/ringer-i-vannet/information-in-english>

CLOSING THE SKILLS GAP IN A CHANGING LABOUR MARKET FOR PWD



Verzahnte Ausbildung mit betriebl. - Josefs-Gesellschaft, Germany

The VAmB-programme aims to provide young people with disabilities adequate support through JG's services while simultaneously enabling them to do their vocational training as close to the mainstreamed environment as possible. The programme includes a complete assessment of the client's needs and also of their resources. Josefs-Gesellschaft tries to find optimal place to do their vocational training. The programme shows a steady positive development and has a growing number of participants every year.

CDI ISI Curriculum - CRM, France

CDI ISI Curriculum, is a two-year IT development training programme. The aim is to prepare students of the level required in order to enter the IT engineering training courses provided in most of the big companies in the sector. At the end of the 2-year training, students obtain an IT engineering diploma which allows them to sign an apprenticeship contract. Out of the 11 students who followed the curricula-programme in its initial year, 7 signed an apprenticeship contract with a company for engineering training afterwards.

IV. Recommendations for the future

- EPR believes that in line with the philosophy to maximise the potential of each person with a disability, solutions for integration into the open labour market should be prioritized.
-
- Ensuring that individualised and specialised support services are available not only in the early stage of unemployment when actively seeking a job but also during employment, supporting the employee & employers, to increase the number of persons with disabilities employed, and improve job retention.
- Ensuring people with disabilities can access labour guidance from persons that understand disability and the importance of tackling environmental and social barriers that people with disability face (e.g. social model of disability).
- Ensuring adequate benefits can compensate for people with disabilities who cannot work full time.
- Ensuring programmes that support mental health and well-being for healthy working environments are in place. Stress levels in working environments have increased yet there is often insufficient support or understanding of psychosocial health risks.
- Continue to promote the Active Inclusion concept which clearly outlined the importance of the three dimensions or "threefold alignment" of access to services, inclusive labour markets and adequate income support for accessing social rights.
- Reasonable accommodation as a concept must be promoted. In the planned work on employment and reasonable accommodation in the European Disability strategy it is important to engage service providers who have experience of partnerships with employers for integrating PWD in the workplace, to share good practice and dispel stigma.

- Complement the Europe 2020 headline targets on employment and poverty with specific “sub-targets” including targets on employment and poverty of persons with disabilities, developing indicators and statistics on persons with disabilities in line with the UNCRPD Country Concluding Observations, and refer to the Concluding Observations in the Country Specific Recommendations.
- Social enterprise, particularly work integrating social enterprises, should be supported and good practices shared.
- Studies and policy analysis have demonstrated that vocational training, vocational rehabilitation services and on the job support, are in most cases an indispensable condition to bridge the gap to the labour market for people with disabilities. Therefore it is important that these services keep being promoted.
- Creating inclusive labour markets through effective employment programmes in partnership with employers.
- Networks of employers active in promoting diversity and employing a diverse workforce, particularly at local level, can encourage and support new employers to decide to take on people with disabilities
- Networks for employers and partnership initiatives in the employment of people with disabilities can be promoted/supported by government.
- To ensure skills and VET meet the needs of the labour market good partnerships between employers and providers and regulators of education are essential. Often needs are regional/local so local partnerships or skills analyses are particularly important.
- Individual person-centred learning pathways are necessary for successful training and education outcomes.
- Training programmes must support the development of soft and transversal skills.
- Access to support services for young people with disabilities in mainstream secondary education must be ensured; specialist VET providers can support access to mainstream education education and training.
- Support for people in the transition from education to employment is particularly important.
- High standards in apprenticeships and other work-based learning programmes must be ensured to provide good quality learning experience and outcomes.
- The model of supported employment (see <http://www.euse.org> for more information) has proved to be very effective for people to access and remain in employment. The job coaches that work with employees must have sufficient support themselves.
- Customised employment, sometimes using "job carving" to create positions for people with higher levels of disabilities, can be very successful as a tool for sustainable mainstream labour market integration.
- It is important that employers understand their obligations, such as providing reasonable accommodation to ensure people with disabilities have an accessible work environment, but also that they are aware of what services are available for them to support employees with disabilities.
- Understanding the social model of disability can help change opinions on disability and in turn improve possibilities of people with disabilities to be accepted in mainstream work environments: the environment and society can be disabling and where this is the case, must be tackled





The European Platform for Rehabilitation (EPR) is the Network of providers of rehabilitation services committed to excellence and innovation. EPR and its members contribute to a society where every person with a disability and persons in other vulnerable situations have access to the highest quality services that create equal opportunities for all and independent participation in society. More information on www.epr.eu



This activity received financial support from the European Union Programme for Employment and Social Innovation “EaSI” (2014-2020). For further information please consult: <http://ec.europa.eu/social/easi>

The information contained in this publication does not necessarily reflect the official position of the European Commission.

