

The employment situation of people with a disability

Hearing of 12 June 2008

LMO

Labour Market Observatory
Section for Employment, Social Affairs and Citizenship



European Economic and Social Committee

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INTRODUCTION

The Section for Employment, Social Affairs and Citizenship has long been concerned with the difficulties that disabled persons face in our society. As the president of the newly created Labour Market Observatory (LMO) I am happy that we have followed the initiative of various members of our Observatory to analyse the employment situation of people with a disability.

The LMO has been created to identify and analyse labour market trends and challenges, thereby bringing added value to the work of the SOC section and the Committee. As envisaged in our work programme we have held a hearing where LMO members, together with researchers and representatives from stakeholder organisations, had a vivid interchange of ideas about the challenges that disabled people face when it comes to being employed, and even more so when it comes to looking for a suitable workplace.

The current report tries to synthesise the rich supply of information provided during the hearing and seeks to make the findings accessible to a broader public. At this point I would like to highlight just one fact that has been proven by researchers: The cost of the exclusion of disabled people from the labour market is higher than the cost of effective activation policies.

I would like to thank everybody for contributing to the discussion and the preparation of this report, and I hope that we can move towards making our labour market more inclusive and accessible for all citizens.

Josly Piette

President of the Labour Market Observatory

HEARING

Brussels, Thursday 12 June from 2.30 p.m. to 6 p.m.

The meeting was chaired by Labour Market Observatory Vice-President, **Mr Jan Olsson**, who opened the LMO afternoon session on the "Employment situation of disabled people" and asked the two proponents of this LMO hearing to make a brief introduction.

Mr Poul Lüneborg stressed the importance of the subject and outlined his vision for an inclusive labour market for all citizens – a European dream which should become reality for ALL citizens. He concluded that on a European scale this had not yet been an important policy topic. He also stressed the need for harmonised indicators for monitoring progress in that field in order to develop policy bringing long-term effects.

Mr Miguel Ángel Cabra de Luna gave a brief overview of the statistics on disabled people on the European labour market and of their working environment. He highlighted the high percentage of disabled people unable to enter or re-enter the labour market and stressed the need for action at national and corporate level. Member States had to review their national plans and companies needed to create incentives. He pointed out that the proposal he had made together with Mr Lüneborg was to examine best practice in promoting job allocation for people with reduced working capacity.

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PART I: GENERAL TRENDS

The European Commission presented **general trends in the employment** of disabled people in the EU as well as new **funding possibilities** within the regional policy.

Ms Marlene De Smedt

European Commission, DG EUROSTAT

"Figures on employment of disabled people in the EU"

Ms De Smedt pointed out that currently there was no specific legal basis for the collection of statistics relating to health (Member States provided the data on the base of "gentlemen's agreements"). However, it would soon be legally strengthened, when the proposal for a Regulation on Community Statistics on Public Health and Health and Safety at Work was finally adopted. Ms De Smedt mentioned that currently data concerning the situation of disabled people came primarily from the Labour Force Survey (LFS) and the Community Statistics on Income and Living Condition (EU-SILC). The first data of the envisaged European Health Interview Survey (EHIS) was expected for 2009/2010.

Ms De Smedt pointed out that there was great difficulty in measuring the complex notion of disability due to a lack of coherent definition and comparability of gathered data across the EU. She hoped that the adoption of the UN Convention would also improve data collection in the EU.

Various datasets were shown amongst these to illustrate to what extent long-standing illnesses and activity restrictions were increasing with age; the variations in the percentage of disabled people of the workforce between the Member States; and the distribution of long-standing health problems within different categories. The most important for these categories were (in descending order) back or neck problems; problems with heart, blood and circulation; legs or feet problems; and mental, nervous or emotional problems.

PART I: GENERAL TRENDS

In conclusion, Ms De Smedt announced that a Survey Module on Disability and Social Integration (EDSIM) was to address the need for missing variables on "participation" and environment. The Commission was also working on a common set of indicators based for current and future data collection. She thanked the Committee for supporting this initiative and underlined the importance of the Committee's opinion on Harmonised indicators in the field of disability as an instrument for monitoring European policies, adopted in 2007.

During the general debate, which followed, **Mr Miguel Ángel Cabra de Luna** was eager to know the actual number of people with disabilities living in the EU and the trends. **Mr Meelis Joost** was interested to hear whether EUROSTATS was measuring accessibility for families with young children. In reply, Ms De Smedt said that according to EUROSTAT's data 12% of the EU population was disabled. However, this number excluded people living in institutions. On the second point, she said that no such data was available. However, EUROSTAT could be requested by the European institutions to prepare a specific data report.

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Ms Szilvia Kalman

European Commission, DG Employment, Social Affairs and Equal Opportunities

"European Social Fund - support to people with disabilities"

Ms Kalman spoke on the disability perspective in the Structural Funds, which in the new period 2007-2013 would cover more explicitly disability issues. Article 16 of the Regulation setting up the Structural Funds stipulated that the Member States and the Commission shall take appropriate steps to prevent any discrimination based on disability during the various stages of implementation of the Funds and, in particular, in the access to them. Further, accessibility for disabled persons shall be one of the criteria to be observed in defining operations co-financed by the Funds and to be taken into account during the various stages of implementation: programming, project selection, monitoring, audit and evaluation. Member States would receive a guidance note and a toolkit for assuring appropriate implementation of the disability rules in the national programming of the Structural Funds.

PART I: GENERAL TRENDS

Disability was particularly covered in the European Social Fund (ESF), which was estimated to support nine million people including 300 000 people with disabilities. Its envelope amounted to EUR 76.2 billion, whilst 12% of it was earmarked for actions under Social Inclusion priority (main support for actions relating to disability issues).

Support for disabled people was possible under all priorities of the ESF. Under the priority Social Inclusion employment of disabled is specifically mentioned, referring to measures for integration and re-entry of disabled people on the labour market and to combating discrimination at the workplace. Furthermore, the final annual implementation report should contain information on action to strengthen the integration in employment and social inclusion of people with disabilities. The programmed activities of the Member States mostly involved vocational rehabilitation, sheltered work, wage subsidies, and training of professionals.

This presentation was followed by a general debate. **Mr Miguel Ángel Cabra de Luna** felt that the Commission should prepare standards and evaluate the implementation of the principle of "accessibility" by the Member States. Following the same line, **Mr Jan Olsson** was worried that the principle would not be observed by the Member States. **Mr Lars Nyberg** was disappointed that so little funding from the ESF went to families with a disabled person. **Ms Kalman** assured members that the Commission would provide Member States with a toolkit on the implementation of the principle and that the evaluation department would look closely at the situation in the Member States.

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<p style="text-align: center;">PART II: VIEWS OF THE SOCIAL PARTNERS AND CIVIL SOCIETY</p>
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During the second part of the hearing, the members heard **the views of the social partners and civil society**. Two speakers shared their experiences.

Mr Ingemar Färm

European Disability Forum

"Barriers and solutions for people with disabilities in employment"

Mr Färm spoke about barriers and solutions in finding employment by people with disabilities. He felt that the EU should aim at reaching the same rate of employment of disabled people as for the rest of the working population. A clear strategy in favour of improving the employment of the disabled was lacking and in addition prejudice and discriminatory attitudes were still present in our societies.

He mentioned in particular the following problematic fields:

- **Low education level among people with disabilities:** people with disabilities had in general a lower education level than the rest of the population. At present a good and relevant education was necessary to enter the labour market. The EU and national governments should develop policies and strategies to improve the educational attainment of people with disabilities.
- **Inaccessible workplaces:** many workplaces were not accessible for people with disabilities, in terms of physical accessibility and information about available jobs. In this context, there was a need for developing guidelines, standards, the involvement of accessibility consultants as well as for involving disability associations in this process.
- **More support** from employers, employee organisations as well as families and immediate environment of a disabled person was

needed. The EDF-ETUC Joint Declaration of 2007 was a positive step and should be followed.

- **Insufficient rehabilitation resources, technical aids and social support.**
- **Low flexibility** in creating job opportunities for people with disabilities: flexible working hours, tele-working should be used much more widely.

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Ms Nina Daita

Managing Director, Disability Office of Confederazione Generale Italiana del Lavoro (CGIL)

"The dignity of employment for people with disabilities"

Ms Daita addressed the policy of the trade unions in the field of employing disabled people using the example of CGIL, which was proactive and worked closely with various disability associations. This cooperation focused on developing quotas for men and women with disabilities, preventive measures aimed at job retention, development of active employment promotion policies, improvement of legislation in all countries on the obligation of all public and private enterprises to employ people with disabilities as well as on exercise of the individual rights of disabled workers' representatives in the workplace and promotion and expansion of support services and tutors in the workplace.

In Italy, three trade unions: CGIL, CISL, UIL, had made an effort to remove the obstacles to fundamental rights and respect of individual dignity of people with disabilities in areas such as health, education, work, transport (mobility), sports and leisure. This resulted in adopting a joint protocol on:

- systematic consultation and discussion on disability issues;
- preparation of joint recommendations on relevant legislation;
- consultation and discussion to assess the scope for public joint initiatives for raising awareness on issues of common interest, for developing research and overall prevention to reduce disability;

PART II: VIEWS OF THE SOCIAL PARTNERS AND CIVIL SOCIETY

- search for cooperation between the various disability organisations and some trade union protection services (employers, legal offices, etc.);
- commitment to raising awareness across sectors and encouraging them to include provisions in work contracts that facilitated access to employment and career development of people with disabilities.

Ms Daita presented also an example of Italian legislation, which placed the social and occupational integration of people with disabilities at its core - Law 68/99 laying down specific provisions for disability access to employment. This act, adopted thanks to the efforts of the trade unions, was based on three elements:

- **Targeted placement:** a set of measures aimed at assessing the capacity of people with disabilities to work and identifying the most suitable posts for them by analysing work stations, types of support, positive measures and solutions to problems pertaining to the environment, instruments and interpersonal relations at their usual places of work and relational contexts.
- **Employers' quota obligations:** public or private companies were obliged to employ a specific number of disabled persons depending on the size of the company (with a staff of over 50: 7%, with a staff of 36-50: 2%, with a staff of 15-35: 1%). In the case of parties and the trade unions, the quota obligations were calculated on the sole basis of technical, executive and administrative personnel.
- **Sanctions and concessions:** companies and public economic enterprises that failed to meet their obligations were subject to an administrative fine or had to contribute to the fund.

On the other hand, employers, who hired staff with severe disabilities, were granted significant tax concessions (e.g. social security contributions, the reimbursement of the cost of adapting workstations to the needs of disabled employees).

During the general debate, **Mr Meelis Joost** stressed that the European Union needed a disability-specific directive because discrimination was widespread also outside the workplace. **Mr Miguel Ángel Cabra de Luna** wished that a proper link were established between the trade

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unions and disability organisations. The idea of training trade unionists about disability issues by specific NGOs was raised by **Mr Ingemar Färm**. **Ms Daita** said that CGIL had signed a cooperation protocol with an association for blind people. She also felt that the cooperation between the European Disability Forum and European Trade Unions should be improved.

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PART III: BEST PRACTICE MODELS

The third part of the hearing was focused on **the best practice** models that promoted the employment of disabled people. Three examples were presented.

Dr Brigitte van Lierop

University of Maastricht

"OPTI-WORK project – Optimising strategies for integrating people with disabilities into work"

Ms van Lierop presented a model for "Optimising strategies for integrating people with disabilities into work", which was developed in cooperation with DG Employment and DG Research. The aim of the project was to identify effective policy measures for decision-makers increasing the labour market participation of people with disabilities in various national contexts. The model also took into account the cost and effectiveness of particular state interventions. Necessary steps for developing the model were the gathering of national data (disability profiles and disability policies), a consultation with jobseekers and employers, and a systematic review of the literature.

Using the dataset, models could be built to synthesise statistics on the potential costs and consequences of different strategies creating a more inclusive labour market. The effective models varied between the different Member States, providing for the consideration of many different routes to activate disabled people. The additional costs and consequences of strategies could be compared with each other and with a situation where no strategy was put in place.

The model also looked at the impact on tax revenues, the need for benefits or the need for family care. The speaker described how the decision models could be adapted to take account of new strategies and contexts in different countries/settings. Finally, she showed some statistics about the jobs gained in relation to the costs involved of various policy methods, compared between Member States.

Ms van Lierop's conclusions were: modestly effective activation policies for people with disabilities potentially not only represented good value for money, but in many cases there could be overall cost saving because the costs of the exclusion of disabled people from the labour market were so high.

After this presentation, **Mr Meelis Joost** was interested to know if this model was used already in any of the Member States. **Ms van Lierop** admitted that it had not yet been used and invited members to cooperate with OPTI-WORK.

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Mr Francisco Botia Robles

Director, ONCE Foundation Fundosa Social Consulting, Spain

"INSERTA programme"

The ONCE Foundation specialised in designing strategies for the labour market and the social integration of people with disabilities. The mission of the organisation was human resource management and giving value to the capacities of disabled persons by integrating them into the labour market. The work of the organisation was co-financed by the European Social Fund.

The organisation offered various services both for jobseekers (job orientation, personal planning for integration into the labour market, actions to increase employability, occupational training courses, social training courses, training in job search and job interviews, etc.) and for employers (information and consulting regarding the employment of disabled persons, cooperation in specific job descriptions due to specific disabilities, etc.). In addition, they acted as intermediates selecting the most adequate candidate for each job offer. They collected job offers, performed the selection process; consulted both employer and employee in terms of incorporation of the disabled workers into their workplace, identified subsidies for employing disabled staff, etc.

With a sub-programme to be created, they planned to increase the awareness of companies of the corporate social responsibility, which also included employment of disabled people. This was done through the

creation of alliances with strategic business partners active in this field. According to Mr Botia Robles, the reason for the success of the project was to be found in the professional consulting methods, in profound knowledge about disability, in personalised assistance, in matching the job profile to the disabled person, and in the standardisation of the processes.

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Ms Delphine Valtier

Responsible Mission Handicap/Managing Disability Initiative in Sanofi-Aventis

"Sanofi-Aventis and the employment of people with disabilities"

Sanofi-Aventis, the pharmaceutical company, employed disabled people who had become disabled during their service with the company and disabled people, who were deliberately recruited, according to their qualifications. Some activities of the group were outsourced to companies employing people with reduced capacities.

The staff of the group was provided with training and awareness-raising campaigns on how to collaborate with disabled colleagues. The department "Mission Handicap", which was attached to the human resources department, drafted the group's disability policy as well as applied and supervised measures for disabled employees.

One specific project carried out by Sanofi-Aventis involved persons with hearing deficiencies. All employees with a hearing impediment were brought together to exchange experiences, create a network between them, and to help to list the needs of that specific group. As a result, some tools for awareness-raising were created (posters, mouse-pads, post-it). A film was produced that showed the work-life of the employees with a hearing impediment and their working environment. As a result of this project, specific actions for awareness-raising were carried out in all French sites of Sanofi-Aventis.

777 employees or 3.73% of the total workforce of Sanofi-Aventis in 2007 were considered disabled. In the same year, 64 disabled persons were integrated into the workforce, 20 contracts were transformed, and 122 new cases of reduced capacities were approved. Ms Valtier concluded by showing a short film about the project involving deaf staff that showed

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the challenges for themselves and the company, but above all happy employees.

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CONCLUSIONS

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- ✓ As has been proved by research, the cost of exclusion of disabled people from the labour market is higher than the cost of effective activation policies.
- ✓ The main barriers in finding employment for persons with disabilities include:
 - the low education levels attained by persons with disabilities,
 - the inaccessibility of many workplaces and information sources,
 - the lack of support from employers and employee organisations, the insufficiency of resources (technical and social),
 - low degree of flexibility in creating job opportunities.
- ✓ Actions at national and corporate levels are highly recommended to facilitate and promote persons with disabilities entering and re-entering the labour market in order to reach the same rate of employment as that for the rest of the working population.
- ✓ There is an urgent need for a harmonised obligatory data collection on disability at national and EU level as well as for creating indicators for monitoring progress in the field of employment for persons with disabilities, based on a coherent and comparable definition on disability and including the dimensions of "participation" and "environment".
- ✓ The "disability-proof clause" included in the Structural Funds regulation is a tool to be further exploited to mainstream disability in all actions funded by the EU and an example of best practice to be promoted in all policies. The actual implementation of this clause should be closely monitored and evaluated using harmonised standards.
- ✓ Successful key elements of the examples of good practice presented include:

CONCLUSIONS

At national level:

- The development of quotas for persons with disabilities together with a system of sanctions and concessions for those companies failing to meet their obligations and those hiring persons with severe disabilities.
- Preventive measures aimed at job retention and the development of active employment promotion policies.

In trade unions:

- Training for trade unionists about disability issues by specific NGOs.
- Promotion of support services and tutors in the workplace.

In companies:

- Job mediation carried out by NGOs between employers and persons with disabilities.
- Creation of alliances with strategic business partners active in the field.
- Creation of departments or working units specialised in persons with disabilities in companies.
- Training all staff members to work with and include persons with disabilities in the working environment.
- Creation of a team consisting of employees with disabilities responsible for identification of their needs and transmitting the results to the decision-making bodies, etc.

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FOLLOW-UP

- ✓ Close monitoring of the implementation of the Regulation on Community Statistics on Public Health and Safety at Work in order to assess if it has an impact on data collection in the field of disability.
- ✓ Request to EUROSTAT for an ad hoc data report on employment for persons with disabilities.
- ✓ Sharing within the Committee and other institutions the conclusions of the hearing in order to mainstream disability issue in all EESC opinions.
- ✓ Including all the proposals mentioned above in the next EESC opinion on employment and/or equal opportunities and active inclusion.
- ✓ Promote the collection of best practice in the field and exchanging them among decision-makers and stakeholders in labour market policies.

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QE-80-09-463-EN-C

ISBN 978-92-830-1126-2



9 789283 011262

EESC-2009-03-EN / 10.2864/89035



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