

# Raising Employment Levels of People with Disabilities

## The Common Challenge

### Commission Staff Working Paper

Brussels, 22.09.1998  
SEC(1998) 1550

#### EXECUTIVE SUMMARY

In the light of the European Employment Strategy, and drawing on the analysis of some key elements of the 1998 Member States' National Action Plans, this paper seeks to establish a set of fundamental policy issues concerning employment and disability. The aim is twofold:

- to provide a framework of reference for further action by Member States in order to meet the objectives of their employment strategies, including the enhancement of employment opportunities for people with disabilities;
- to point to some of the issues relating to the employment of people with disabilities to which the European Commission will pay particular attention in its future work around the Employment Guidelines.

This paper summarises some current patterns in the employment situation of people with disabilities. According to the albeit limited data provided by Member States and corroborated by the European Community Household Panel (1994), the percentage of people with disabilities in the population of working age is significant. However, the employment rate of disabled people is considerably lower than that of the rest of the population. The employment rate amongst this group was 20 to 30% below that of non-disabled people.

In addition to the particularly low employment rate, Member States indicate that most people with disabilities of working age are out of the labour market altogether and heavily dependent on disability benefits. These benefits can often reinforce recipients' exclusion from the labour market— creating a benefit trap. It is noted that many people with disabilities have a poor basic education and are as a consequence often employed in low-skilled and low-paid jobs.

Considering the scale of the problem and the degree of effort required, Member States are aware that action in this field is having to be re-thought. The many problems and barriers facing people with disabilities in the labour market would indicate that a multi-pronged approach is necessary to tackle the issue. Member States are willing to raising employment levels of people with disabilities by moving them from welfare to work and by eliminating various obstacles to their full participation. Indeed, while a high rate of employment growth is a prerequisite to ensuring that sufficient work opportunities are available for people with disabilities, there is at the same time an urgent need to provide the adequate skills and environment to enable people with disabilities to fulfil their

potential and to find and retain suitable jobs.

The new European Employment Strategy is of crucial importance for people with disabilities. The focus on preventive measures through early identification of individual needs and tailor-made responses can reverse the trend of the under-employment of disabled people. The general appraisal of the National Action Plans seems to confirm that several inter-related disability employment issues deserve further attention. These include setting clear goals and targets, mainstreaming disability issues, ensuring better access to education and training, reviewing the design of income support in general and disability related arrangements in particular. The goal is to allow for successful preventive and early-intervention actions, to increase and diversify active labour market schemes, to provide better access to job creation, to raise awareness, to foster a new and safer workplace culture, to involve the disability organisations and to ensure accountability, effective planning and improved co-ordination.

The paper sets out the need to mainstream disability policies, to move away from piecemeal initiatives and to establish a co-ordinated strategy so that the challenge of disability and under-employment can be fully met. Disabled people must be given a full and fair opportunity to benefit from the new European Employment Strategy. The European Commission will pay particular attention to this in its future work around the Employment Guidelines.

## 1. INTRODUCTION

In the light of the European Employment Strategy, and drawing on the analysis of some key elements of the 1998 Member States' National Action Plans, this paper seeks to establish a set of fundamental policy issues concerning employment and disability. The aim is twofold:

- to provide a framework of reference for further action by Member States in order to meet the objectives of their employment strategies, including the enhancement of employment opportunities for people with disabilities;
- to point to some of the issues relating to the employment of people with disabilities to which the European Commission will pay particular attention in its future work around the employment guidelines.

While focusing primarily on policies that have traditionally been associated with labour market issues, the paper also addresses other issues such as social protection, education and new technologies that have a critical bearing on the position of people with disabilities in the labour market.

The paper is underpinned by the equal opportunity principles which shaped the debate on the New European Community Disability Strategy, as set out in the Commission's Communication of 30 July 1996 on equality of opportunity for people with disabilities and in the Resolution of the Council and of the representatives of the Governments of the Member States meeting within the Council on equality of opportunity for people with disabilities. It reflects the basic concepts to which the European Union and Member States are committed and which should be further reflected in the implementation of the European Employment Strategy.

An earlier version of this document was discussed at a meeting on 28 February 1998 with seniors officials responsible for disability policy at national level (the High Level Group on Disability) and on 5 March 1998 at the meeting of the Employment and Labour

Market Committee. That document was well received. Certain Member States have since sent written comments. The present Communication takes these comments into account as well as the conclusions drawn from informal discussions with Member States' officials, disability organisations and experts in the field.

## 2. THE LABOUR MARKET SITUATION OF PEOPLE WITH DISABILITIES

### 2.1 The scope of the problem

Gathering statistical information to build up a clear picture of the situation of disabled people within the labour market is particularly difficult. This is due in part to the fact that most Member States do not carry out regular or consistent surveys on the employment situation of disabled people. Comparison of the situation at EU level is further complicated by the fact that each Member State has its own system for defining the disabled population.

Given that disability statistics and definitions are not standardised, the picture of the labour market situation of this group is inevitably blurred but nevertheless gives some insight into the considerable challenges facing Member States in this policy area.

While the overall employment rate of the EU's population of working age averages 60 percent, data from the National Action Plans (NAPs), albeit limited, demonstrate that the employment rate of people with disabilities is considerably lower.

Examination of the 1998 NAPs reveals that only the United Kingdom's National Labour Force Survey has a module on disability thus allowing the UK authorities to keep abreast of the latest developments concerning disabled people in the labour market. According to the latest Labour Force Survey, 4.5 million disabled people are of working age, which amounts to 10% of the total working age population. 1.8 million are economically active and 250.000 disabled people recorded as unemployed. The employment rate of disabled people is 40%, considerably lower than the rest of the population (70%), while the unemployment rate (13.3%) is far above that of the rest of the population (6.6%).

Data from other Member States was generally collected via a national survey. The Danish report states that according to the survey carried out by the National Institute of Social Research in the 1990s, 200.000 to 300.000 people in the labour market declared themselves as being disabled or suffering from a chronic disease. The employment rate amongst this group was 20 to 30% below the rate for non-disabled people.

A major characteristic highlighted by several Member States is the higher probability of disabled people becoming unemployed and remaining so for a longer period. Italy indicated that only 6% of unemployed disabled people get back into the labour market within one year.

Spanish figures showed that the majority of people with disabilities in work are in low-paid jobs. According to Swedish data, only 50% of employed disabled people are in gainful employment (compared with 72% of the population at large). The Belgian report noted that disabled people employed in sheltered employment were paid below the guaranteed minimum wage.

These limited findings are consistent with those of the European Community Household

Panel Survey (ECHP) which included a question as to whether people were 'hampered' in their daily activities by any chronic physical or mental health problem.

Although the survey group was relatively small (60.000 households) and the self-defining nature of the group cannot be equated exactly with the standard population of people with disabilities, this analysis represents a first source of cross-EU data on people with disabilities.

It provides a number of indicators on the labour market situation of people with disabilities. 17 % of those participating in the survey said that they were 'hampered' or 'severely hampered' in carrying out their daily activities.

The employment rate of those 'severely hampered' was less than half that of those with no health problems. Broken down by sex, in line with the workforce in general, the data show that the employment rate is slightly better for disabled men than for disabled women. The rate for disabled people tends to be higher in Member States where the overall level of employment is high, suggesting that the latter is a precondition for increasing the job opportunities of those with disabilities.

Certain age groups are particularly affected by disability, due mainly to the fact that most disabled people become so at some stage of their working life. Thus, the employment rate of those aged 50 to 64 is considerably lower than those in the younger age groups.

Compared with the 'unhampered', a disproportionate number of 'severely hampered' men and women in the Union in 1994 were employed in agriculture and construction, and to a lesser extent, in health, personal and other services. By contrast, a disproportionately small number were employed in manufacturing, and, to an even lesser extent, in distribution, business services, finance and education. A higher proportion of both severely and partially 'hampered' men and women are employed in the low- skilled occupations than those who are 'unhampered'.

The low participation rate of people with disabilities should be viewed against the background of the general increase in the number of people in receipt of disability benefits in the Union. This suggests a growing exclusion of people with disabilities from the labour market. There has been a remarkable growth in the number of recipients of benefits in most Member States over the last two decades. According to the 1994 European Labour Force Survey, a total of 50% of all inactive people cite retirement and disability as the reason for their inactivity. In 1993, invalidity, disability and occupational accidents and diseases constituted the third largest item of social protection expenditure in the EU, after old-age pensions and health care, and above unemployment benefits. They account for more than 10 % of the total, compared to just under 7% for unemployment.

Trends in the broader environment are contributing to this growth:

- economic downturn causes an increase in benefit applications and awards. When jobs are scarce and firms are downsizing, disabled workers who lose their jobs, particularly older workers, have few prospects of regaining employment or shifting to new careers;
- structural changes in the labour market with an increased emphasis on intellectual ability, advanced education and adaptability may mean fewer employment prospects for some people with the double disadvantage of impairment and limited education and skills.

## **2.2 The disparate impact of the changing labour market**

Even given the relative lack of data concerning changes in the labour market situation of people with disabilities, it might nevertheless be reasonably assumed that the gap between the disability unemployment rate and that of other workers has widened over the recent years. This concern is expressed in nearly all the NAPs which acknowledge that people with disabilities face a particularly difficult situation in the EU. Indeed, some Member States have committed themselves to "combat the high unemployment rate of disabled people". Others have noted "the deterioration of the employment situation of disabled people" or "the under-employment of disabled people".

Those statements are corroborated by recent research which highlights that, with respect to both cyclical and structural change in the economy, disabled people seem to be 'first out' of the labour market, and last in returning to work. Disability seems to amplify negative effects for those who are already disadvantaged by changes in the contemporary labour market. Some crucial features of the changing labour market need to be carefully considered.

As the economy has shifted from primary, manufacturing and goods-producing industries towards service industries and now increasingly towards knowledge-based ones, the impact on workers with disabilities has been considerable.

Traditional programmes for the employment of people with disabilities were conceived during the post-war restructuring of European industry and were largely based on the concept of the mass production system. In these circumstances the main focus was on the placement of disabled people into semi-skilled jobs and unskilled manual jobs in manufacturing industry. This situation is even more evident in sheltered workshops. The above-mentioned ECHP survey confirms the concentration of disabled people in manual, semi-skilled and other basic jobs. The current shift from manufacturing to services, the high skill demand pattern and the pace of technological change all have critical implications for the development of training programmes to help people with disabilities find suitable jobs in the future labour market.

The 'skills gap' - i.e. the structural mismatch between the nature of the skills people have to offer and those required by the labour market - has been identified as one of the key problems affecting the possibility of gaining access to jobs and keeping them. The challenge is all the greater for people with disabilities, given the prevailing practice in the past of training for those jobs that are now most rapidly disappearing and the fact that the target group is very heterogeneous - it incorporates in particular people with learning difficulties. Effective reforms in disability education and training policies are central to improving the situation.

Developments in relation to Information and Communication Technologies (ICTs) considerably affect people with disabilities. First, the disappearance of manual, routine and repetitive work has a disparate impact on people whose skills or cognitive capacity are restricted to elementary jobs. Nevertheless, there is considerable scope for new technologies to improve the employment situation of people with disabilities. The use of ICTs can provide the means to overcome many of the physical and psychological barriers faced by people with disabilities, and thereby allow for increased participation not only at work but in all areas of the life. For example, technologies can be used to provide a more flexible working environment through teleworking or computer-aided work which can correspond better to the abilities and occupational capacities of different workers. Improved technology supported communications can also play a large role in the integration of disabled people into a regular working environment and in providing access to training, qualifications and skills acquisition. Technologies can and should be used to introduce new working practices and open up new working areas from which people with disabilities have been excluded up to now.

Further aspects of the changing labour market need to be considered. A change in the organisation of work is emerging, with a shift from fixed systems of production to a flexible process of organisational development. This new development presents a challenge and an opportunity with regard to employment opportunities for people with disabilities. The growth of part time work, short-term contracts and the casualisation of labour are particularly significant for disabled people. Social care provision has to be more responsive to individual need so as to sustain flexible working. For example, for severely disabled people personal assistance in the home has to be arranged around the individual's work possibilities. Increasing casualisation of work means that traditional ways of protecting disabled people's employment are less effective. Protection against dismissal depends on a minimum period of continuous employment with a single employer. The growth of agency and short-term contractual work, which may well have positive effects by offering new opportunities to try out work, can also diminish the responsibility of employers towards this particular category of employee. A further crucial feature is the EU's changing demographic structure. The ratio of the active/passive population is increasing in most Member States giving rise to some concern about the economic burden laid on the shoulders of the active population. As the baby boom generation approaches middle age, labour shortages are projected in the industrialised countries, adding urgency to policies designed to mobilise under-utilised human resources. As stated in the Demographic Report 1997 <sup>1</sup>, the double objective of reducing unemployment and providing financially balanced social protection systems would require a framework which stimulates and expands the participation of the potential labour supply. There is a clear need to look further at the working environment to prevent disability from occurring, to stimulate job retention and to adapt it to the needs of disabled workers.

### 3. THE EMPLOYMENT CHALLENGE: THE NEW EU APPROACH

Given these labour market developments and in the face of a seemingly intractable long term unemployment problem, Member States have increasingly to rethink every aspect of their employment policy. They must arm themselves with new terms of reference, adjust their procedures, update their laws and regulatory framework and, most importantly, go forward together in the fast lane of change.

Heads of State and Government agreed at Amsterdam that employment is a matter of common concern and that the European Union should provide active and purposeful leadership in co-ordinating employment policies. The new EU approach adopted at the extraordinary Job Summit seeks to create an environment which fosters economic growth and job creation in the following ways:

- by tackling the skills gap through modernising education and training systems, by equipping all workers to take advantage of new job opportunities, by developing a structure of incentives ;
- by building a new job-creating spirit in which businesses and enterprise can thrive;
- by encouraging businesses and workers to respond to a changing market environment on the basis of a new balance between flexibility and security;
- by providing a framework where all individuals, in particular women and people with disabilities, can work on equal terms with equal responsibilities in order to develop the long-term growth capacity of our economies.

This strategy involves a number of significant new commitments to help unemployed people, Member States have agreed to offer training and work experience to young people before they reach six months of unemployment, and similar structured support for adults before one year of being unemployed. A third significant commitment is to ensure that at least 20% of unemployed people will be offered training to improve their employability. The employment strategy, with its strong bias in favour of prevention and early, active intervention, has a great deal to offer to people who run a high risk of becoming unemployed and who, once unemployed, are very likely to be so for long periods. This is perhaps more true of people with disabilities than any other in the labour market because there is a tendency in all Member States for pensions or benefits which are provided on a permanent basis to become a *cul de sac*. Many people often enter income maintenance systems never to return to the sphere of work. They remain locked into a state of dependency, even if their potential and motivation for work, and the external labour market conditions, may change considerably over time. Very few rehabilitation or employment schemes are targeted at persons on permanent income maintenance.

The new approach helps people to become employable and to avoid defining themselves as unable to work as a prerequisite to obtaining support. An approach which aims at giving people the appropriate skills to work, adapting the environment, re-engineering work tasks so that they can be performed by people with different abilities, increasing the demand for such workers and providing appropriate support represents the best means of promoting the employment of people with disabilities. The cost of financing effective prevention and job retention is significantly less than the long-term cost of dependency. New technologies make it increasingly possible to reorganise production processes and services and thus to allow for equality of opportunity.

The different paths followed by Member States in addressing the disability unemployment challenge in the National Action Plans can offer examples of good practice and the possibility of setting benchmarks.

## 4. THE POLICY RESPONSES

### 4.1 A common concern

An examination of the NAPs shows that disability is clearly on the agenda in almost all of the Member States. A great deal of activity and a willingness to seek out and attempt new ways of reducing unemployment among people with disabilities can be observed. Member States are generally firmly committed to raising employment levels for people with disabilities by making the move from welfare to work and by eliminating various obstacles to their full participation.

The information available suggests that the employment potential of people with disabilities is not being achieved. From this point of view alone, the changing policy in a number of Member States can be vindicated. Most Member States have undertaken a review of their policies and priorities. Considering the scale of the problem and the degree of effort required, action in this field is increasingly having to be re-thought.

While Member States share a common aim of raising the employment level of disabled people, the individual NAPs present divergent policy responses which, naturally, reflect differences of their current economic situation and their national labour market structure as well as the specificity of their labour market.

### 4.2 Enhancing the employability of people with disabilities

## Upgrading disabled people's skills

Many Member States indicated in their plans that priority must be given to improving disabled people's skills. Some have committed themselves to making disabled people one of the key priority groups targeted under those guidelines.

The UK report mentions that unemployed disabled people who are in receipt of a 'Jobseeker's Allowance' are eligible for early access to 'New Deal' mainstream provisions for both 18-24 year olds and long term unemployed adults.

There is only piecemeal information on the educational attainments of disabled people. Sweden indicates that disabled people have insufficient basic education. This opinion is reflected in the French report where it is noted that 52% of unemployed disabled people have not even a basic education.

All Member States recognise the importance of improving knowledge and skills levels. There is a need to ensure that disabled people have access to mainstream education and training. Ireland's National Disability Authority, established on a statutory basis to replace the National Rehabilitation Board, will have the effect of mainstreaming the training and employment services provided by the NRB for people with disabilities into the Department of Enterprise, Trade and Employment.

The priorities which Member States give to easing the transition from school to work as well improving the quality of the schools system and equipping young people with skills relevant to the workplace are of crucial importance to disabled people.

Education is the foundation stone of employability and lifelong learning. Italy's local authorities are cooperating with schools so as to anticipate integration into the labour market through appropriate training and counselling activities. Sweden, in order to increase the employability of disabled people, has made provision for disabled people to supplement their basic education and for access to university education via labour market training.

## The move from passive to active measures

The fact that many people with disabilities are actually out of the labour market and heavily reliant on disability benefits has been substantially dealt with by some Member States. The UK report notes that "there is a large and growing number of people who have lost all contact with the labour market and are entirely dependent on state benefits. More than 1.75 million, mainly men, are inactive and dependent on incapacity or long-term sickness benefit. This figure has doubled over the last decade".

The Finnish report identifies as one of its priorities the prevention of 'exclusion from the labour market and lowering social security expenditure'. This concern is also shared by the Dutch report which states the intention to "decrease the high number of disability claimants by expanding the labour supply through reintegration measures and removal of barriers to full participation". Equally Ireland states that "disabled people may have been heavily reliant on the social welfare system for financial support". Spain notes the high level of inactivity among people with disabilities of working age, especially for elderly people and women.

Both research and much anecdotal evidence demonstrate that many disability recipients want to work and that, with appropriate support, they are capable of working in a normal environment. In this context, some Member States are taking measures to introduce



incentives for people with disabilities to get back to work. The UK authorities have announced that some changes in the benefit rules will be introduced in October 1998 to allow people on Incapacity Benefit or Severe Disablement Allowance, who have not been able to work for over 28 weeks, to move into work knowing that they can return to benefit and receive the same rate as before if the job turns out to last less than a year. Funding of innovative schemes to test ways of helping people who want to work is planned. Organisations in the public, private and voluntary sectors have been invited to submit imaginative and creative proposals for innovative schemes to help disabled people into, or retain, employment.

Disability entitlement is often an abrupt transition from 100% fitness for work to 0%. The abruptness of this transition fits poorly with the usual evolution of individuals' interests and abilities. A gradual phasing into employment might be preferred by many, but often proves difficult because of employer practices and the structure of disability entitlement. Finland intends to address this major disincentive to work. In addition to changing the law on unemployment and disability pensions by making retirement on such a pension more difficult, the Finnish Government is drawing up provisions which will allow disabled people to set their disability pension aside for a given period while they test the waters of working life. During that period, they will receive an incentive subsidy.

Spain is willing to improve the ability of people with disabilities by, inter alia, offering assistance to approximately 5.000 invalidity benefit recipients in order to retrain them and reintegrate them into the labour market. Similarly, Denmark intends to reform its early pension scheme with the objective of introducing a broader evaluation of the contribution that the individual person is able to make to the labour market. In this context, it is hoped to create 30.000-40.000 jobs on special flexible terms- 'flexijobs'- by the year 2005. Flexijobs are permanent jobs in the private as well the public sector for people with permanently reduced working capacity. They receive support in the form of public wages which form part of the minimum wage. The amount paid depends on the individual person's reduced working capacity.

The new emphasis is on review and rehabilitation. All Member States have developed a wide range of active measures targeted at people with disabilities. These include rehabilitation, training, guidance, employment subsidies, compensation for reduced productivity; reimbursement of the costs of adapting the workplace and direct job creation schemes. New emphasis has been put on developing standards and quality training, improving skills among trainers, guidance workers and other specialised support staff and on promoting real partnership among colleges, special centres and local employers. It is worth noting two examples in Spain and Germany whose aim is to set up integration services with the objective of placing unemployed disabled people in work and giving them subsequent care and attention.

Effective arrangements to ensure co-ordination of the efforts involved in the post-school transition to work are being developed. In Sweden. This includes measures to prevent school leavers with disabilities from being excluded from the labour market by being given a disability pension. This takes place in the framework of the youth trainee scheme which targets young people below 25 years of age. It is designed to give participants job experience in a field of their interest for a period of six months with the possibility of a six months' extension under certain circumstances. Participants are granted an allowance through the Social Insurance Office equal to the labour market training allowance which in turn is equal to what they would otherwise receive in unemployment benefit. Special regulations allow disabled young people the possibility of prolonging their participation in the youth trainee scheme up until they turn 25 years of age. Nor need they have been unemployed for a given period of time before being eligible to participate in the scheme. Regulations concerning labour market training have been adapted to incorporate the

unique needs of disabled youngsters.

Such a strategy poses a key challenge to restructuring public expenditure on employment policy towards activation and prevention. Despite the widespread aim of shifting the emphasis from passive income support to active labour market measures, in most Member States such measures have still not really gone beyond the policy design stage. Only in Sweden has expenditure on active labour market policy for people with disabilities averaged over 0.7 % of GDP (during the first half of the 1990s), while it was about 0.5 % in Denmark and 0,3 % in Germany. In the rest of the Union, spending exceeded 0.1 % of GDP only in Finland.

### **4.3 Creating suitable jobs for people with disabilities**

Member States have considered the need to facilitate the creation of jobs which are disability friendly. In this regard, some Member States are reforming tax provisions or implementing tax incentives for disabled people who want to set up their own business. Germany provides all manner of services and benefit for disabled people, e.g. technical aids, help in getting to the place of work, help in setting up a suitable dwelling or preserving working capacity, which are available not just to employed people, but also to the self-employed and those who wish to become self-employed.

Sheltered employment is the labour market measure which covers the largest single number of disabled people in most Member States of the Union. There are approximately 380 000 such disabled employees in the EU, distributed among several thousand establishments. Sheltered employment is said to be reserved to disabled people who cannot gain access to the open labour market.

To adapt sheltered employment to the current labour market and to policy developments, a wide array of new provisions have been developed in the Member States. Steps have been taken to forge new links between sheltered employment and mainstream enterprises. For example, Spain is creating 'enclaves' in open employment with the objective of regulating protected employment. Efforts are being made to encourage the transition of disabled workers to the normal market through financial compensation, support services to help effect such a move and in redefining the role of sheltered employment in training and in promoting transition to open employment.

Supported employment has its role to play. Such a scheme allows people, often with severe disabilities, to work successfully alongside non-disabled colleagues. It can have a wider impact on the attitude of employers, employees and society in general. Some Member States have successful experience of this form of employment. In Sweden, very severely disabled people receive fundamental support from a support person in finding a job and keeping it. The duties of the support person include setting out the job-seeker's qualifications and wishes, finding suitable workplace proposals with assistance then being given with initiation and training at the place of work. These measures are aimed primarily at the psychological and intellectually impaired people. The individualised case management, tailor-made approach is crucial in allowing disabled people to find suitable jobs.

Against the background of a changing economic and employment environment and the need for substantial employment growth in the EU, efforts are being made in many Member States to explore the possibilities of other new forms of employment. This involves the so-called "Third Sector", namely the creation of work in (mainly local) socially-useful activities in the service sector, which do not generally displace market activities or compete directly with private sector businesses. Italy is well engaged in this respect by actively and fiscally promoting the role of social co-operatives in the integration

of disabled people into the labour market.

#### **4.4 Adjusting work organisation to the needs of individuals with disabilities**

##### Building a safer workplace

The 1994 European Community Household Panel Survey highlighted the fact that the majority of people with disabilities who are not in work but in receipt of benefits acquired their impairment during their working life. As stated earlier, the increased availability of disability benefits plays a role in inducing older workers to leave the labour force. Indeed, around 10 million people are affected by occupational diseases or accidents and injuries at the workplace. However, it is only recently that positive health promotion in the workplace has become an explicit concern of disability employment strategies and that there has been a policy emphasis on retention rather than just on recruitment.

In the Netherlands, since 1994, employers have been required to map out the risks to the safety, health and well-being of their employees and to adopt measures to eliminate or reduce such risks. Employers must use an occupational health and safety service to draw up an inventory of occupational hazards. The 1998 Reintegration of Disabled Workers Act gives employers more financial obligations to those employees who become sick or disabled in their working place while employers who recruit people with a prior history of disability at work will be exempted from those financial risks. These measures are aimed at reducing absence through sickness and ultimate reliance on disability benefits.

##### Harnessing new technologies

Many new developments in the field address issues related to new technologies. In this regard, Portugal is keen to ensure that disabled people have access to ICT training. Technical aids made possible by new technologies are an essential feature of this approach. Many workers depend on such aids to enable them to hold their jobs. Portugal, Denmark, Sweden and Austria encourage the use of technical aids directed towards blind/hearing-impaired people.

Access to the Information Society is crucial to the future work opportunities for people with disabilities. Some steps have already been taken in some Member States to promote the design of equipment, software, information content and telecommunications services so that they are more readily accessible to disabled people. The Irish report states that one of the priorities in getting disabled people back to work is to «institute a more structured and mainstreamed approach to cater for the needs of disabled people. Likewise workplace design and workplace technology can be an important element for a person with disability securing access to employment».

#### **4.5 Building an Equal Opportunity Framework**

Member States are becoming more and more aware that it is not enough to address the problem simply by marshalling the law, policies, programmes and resources to "fix" people with disabilities on the assumption that individuals are the locus of the problem.

Such measures encompass two different types of action that clearly emerge from the examination of the NAPs. On the one hand, some Member States may favour an approach based on anti-discrimination provisions. Others may give priority to positive actions.

##### Non-discrimination provisions

The introduction of anti-discrimination provisions in the national laws of several Member States may well represent the most remarkable development in disability policy during the last five years.

Some Member States identify prejudices against disabled people or the reservations of some non-disabled people with regard to the capabilities of disabled people, as an obstacle to their entering the labour market. Difficulties in accessing public buildings, transportation and the workplace are equally mentioned as impeding the full participation of disabled people in society and particularly in employment.

This approach is already recognised and being developed in a number of Member States. Further to its Disability Discrimination Act of 1995, the UK authorities are examining the scope of implementing the remaining rights of access to goods and services, the opportunity to extend the DDA provisions to small companies and the terms of reference of a Disability Rights Commission. Ireland is developing Employment Equality and Equal Status legislation to provide a sound infrastructure to work towards the elimination of discrimination. The Swedish Government will present a proposal to prohibit discrimination in employment against people with disabilities for both job-seekers and employees. A proposal for legislative procedures for equal treatment of disabled and chronically sick people is currently being prepared in the Netherlands. This legislation relates to recruitment and selection, sport and access to buildings and entitles disabled people to equal treatment in law.

#### Positive measures

Positive actions on behalf of people with disabilities have a long history in most Member States. One of the most significant positive discrimination measures is the quota system which seeks to achieve disabled people's employment by means of an obligation to employ a proportion of disabled people. Such systems exist in some form in over half of the 15 Member States. In Germany, the law requires all employers to take up severely disabled people to the tune of 6% of the workforce, and to pay a compensatory levy should they fail to do so. This compensatory levy can also be used to pay severely disabled people loans or interest subsidies for the purposes of creating a business or preserving self-employed status. In Italy, the quota system is currently being modified to reserve a quota of 7% in companies of at least 15 employees.

In some Member States, persuasion measures are a central plank of policy and are preferred to the imposition of legal obligations. Voluntary action is encouraged by codes of good practice and campaigns to raise awareness. In the UK, for example, under a general equal opportunities programme, Littlewoods Home Shopping Group has made a special effort to provide for people with disabilities in both their recruitment and sales policies. This commitment is based on the firm belief that good practice is also good business.

## 5. CONCLUSIONS

The change in the labour market situation, which worsened the particularly disadvantaged situation of disabled groups, together with the increasing costs of passive welfare measures, have encouraged new approaches. Most Member States have undertaken a review of their policies and priorities. Considering the scale of the problem and the degree of effort which is required, action in this field is increasingly having to be re-thought.

While a high rate of employment growth is a prerequisite to ensuring that sufficient work

opportunities are available for people with disabilities, there is at the same time an urgent need to provide the adequate skills and environment to enable people with disabilities to fulfil their potential and to find and retain suitable jobs. The many problems and barriers facing people with disabilities in the labour market would indicate that a multi-pronged approach is necessary to tackle the issue.

The current four pillar structure of the 1998 Employment Guidelines has proved to be a valuable and comprehensive framework within which a comprehensive disability employment strategy can be framed.

However, the general appraisal of the NAPs would seem to confirm that several interrelated disability employment issues should be further addressed by Member States in order to meet the objectives of their employment strategies including the enhancement of employment opportunities for people with disabilities, viewed as a key element in combating long term unemployment. These issues include:

1. Setting clear goals and targets

Clear national goals should be established to increase the rate of employment among people with disabilities in the next few years. Clear targets should be set to increase the participation of people with disabilities in educational and training programmes at Community and national levels. It is essential that these programmes are designed and adapted to meet the varying requirements of people with disabilities.

Targets should take into account the nature and severity of disability.

2. Mainstreaming disability issues

People with disabilities should have equal access to mainstream services which serve the whole population, while ensuring that these services are delivered in a way which recognises and accommodates the specific needs of disabled people. This approach is the way towards the elimination of segregation in the labour market, better access to labour market measures including training, better involvement in decision-making and the strengthening of the conditions in which equal rights can be exercised.

The implementation of such an approach is not necessarily easy. It demands a long-term strategy and process.

Mainstreaming requires a diversity of approach, in particular in the analysis of the current situation in order to establish the differential impact of policy on people with disabilities. The population of working age persons with disability is extraordinary diverse. Disability employment strategy, broadly construed, has therefore to match that diversity with a wide range of solutions appropriate to different subsets of the population.

If mainstream services are to serve all citizens who need these services, then their expertise in serving people with disabilities will have to be developed and maintained.. The establishment of 'Individual Action Plans' as a starting point of a preventive labour market strategy for a large number of Member States fits particularly well with such a requirement.

Such a strategy requires the development of data to determine the extent to which people with disabilities have access to the services and supports they need,

including assistive technology, long-term support services, accessible community-based housing, and rehabilitation services. Their participation should be routinely monitored.

3. Ensuring better access to education and training for people with disabilities Large numbers of people with disabilities have low educational attainments. Steps need to be taken to ensure that they have access to mainstream education and training provisions. This can be done by ensuring that the education, training and re-training of people with disabilities leads to a recognised qualification or part-qualification, by promoting a real partnership between schools, training centres and local employers and by recognising the on-going learning needs of workers with disabilities.

Disproportionate numbers of people with disabilities are considered ineligible for training because their educational achievements are too low. Less restrictive eligibility criteria need to be adopted to make training and upgrading more accessible. While some people may not attain open employment, the goal for all services must be to offer high quality, supportive, and challenging opportunities for personal development.

The role of the social support given by family and friends is critical to successful work integration. Existing service systems often fail to recognise the resources family and friends can bring to the integration process by giving ongoing support through the sometimes complex and difficult transition into adulthood, the paid labour market and independent living in the community.

Segregated education persists in many Member States. The treatment of disabled children in the education system affects their attitudes to, and others perceptions of, their employability in the mainstream. People with disabilities who are integrated are more likely to develop the social and vocational skills, and the social networks, which enable them to adjust to the community and to the demands of the paid labour market. A stronger policy framework for integrated education is required in most Member States.

4. Reviewing the design of income support systems in general, and disability-related arrangements in particular, to allow successful preventive and early intervention.

The issues of income security in the face of structural adjustment of the labour market, of the cost of meeting basic and disability-related needs and of the nature of many disabilities need to be addressed. These questions can lead to many people having to make multiple moves into and out of the labour market. The resources of the tax and benefit systems should be aimed at:

- easing the transition from school to work for young people with disabilities. Their earning capacity is doubly limited by their youth and their disabilities. By subsidising their earnings, work experience would be encouraged with young people benefiting from that on-the-job experience;
- easing the transition from the disability and invalidity benefit schemes for beneficiaries who return to work so as to compensate for part of the loss of benefits when beneficiaries resume working;
- encouraging older workers to remain at work even though their productivity may decline because of progressive impairment.

5. Increasing and diversifying active labour market schemes Active policies should come together in a comprehensive pathway where income benefits, medical/occupational rehabilitation, vocational training/ rehabilitation, guidance, counselling, job subsidies, on-the-job support, care services and job creation measures can synergise to the benefit of people with disabilities. Specific attention should be paid to measures aimed at developing skills among trainers, guidance workers and other specialised staff and to providing practical assistance within firms. The role of intermediary organisations seems to be clearly pivotal for many people with disabilities in terms of recruitment, integration, training and development.

6. Ensuring better access to job creation

People with disabilities should have better access to regional and local economic development and should be involved in setting priorities for public investment in job creation. Self employment should be promoted and facilitated as a viable employment option.

7. Raising awareness

The growing recognition of the important consequences of the direct and indirect discrimination faced by people with disabilities on the labour market should lead to the development of a wide range of measures to tackle the problem, including legislation where appropriate. This approach should entail raising employers' awareness and demonstrating the potential of disabled people through guided work experience. The modification and adaptation of the working environment, including transport systems, should be viewed as an equality of opportunity issue.

8. Fostering a new and safer workplace culture

Enterprises in which disability is seen as an abnormality are quick to remove disabled people from the work environment and often paternalistically transfer them to a programme of care. Enterprises in which disability is viewed as part of the human condition will manage disability in the whole range of their programmes and automatically integrate disability issues into many of them.

The social partners have therefore an increased role to play in creating negotiated work organisation changes on behalf of people with disabilities. There is a wide range of possibilities for adapting the workplace through personal support and physical adaptation while matching the requirements of new work organisation. Possible measures might include fostering a culture which stimulates and reinforces job retention and early return to work, increasing the use of new technologies to accommodate disabled workers and enhancing their abilities at the workplace.

The connections between disability management and health and safety issues deserve better attention. It is essential to improve the infrastructure to facilitate access to workplaces. It is important to make the necessary adjustment of workplaces to fit better the individual needs and capacities of people with disabilities in order to harness their employability. The framework directive 89/391/EEC already foresees that the employer should adapt the work to the worker. There must be greater progress in opening up more jobs to disabled workers such that they can perform to the best of their ability. At the same time, a good and safe working environment is an important competitive factor for the

enterprises.

The social partners need to play an active role in such an approach by :

- promoting the education of staff in injury prevention and safe working habits;
- clearly identifying the requirements of the job to allow for an early, safe return to work for disabled employees;
- developing return to work options to allow disabled workers to be reintegrated into the workplace while continuing their recovery; and,
- developing comprehensive disability management strategies within the workplace.

A robust legislative framework and a fair system that encourages social partners' involvement and ownership of the disability management system is essential. A partnership needs to be forged.

#### 9. Involving the disability organisations

There is not enough emphasis in some Member States on developing new programmes in collaboration with disabled people and organisations representing people with disabilities. As ultimate users, people with disabilities have the right to influence the development and implementation of policies. They have the right to be informed of the effectiveness of measures. There are clear advantages to be drawn from the involvement of disability organisations on the service-delivery side. Built-in consumer control of organisational solutions implies that greater involvement of these organisations. They can make a worthwhile contribution in terms of improving programmes. There is a clear responsibility to ensure the involvement of people with disabilities in programme design with accountability measures for ensuring participation being enforced.

#### 10. Ensuring accountability and effective planning

The need for greater policy and programme accountability and effective planning, both within and outside government, has fuelled an interest in disability related data.

The available data on the labour market situation of people with disabilities do not provide a basis for policy development or evaluation of strategies and programmes. A framework for the collection of employment data on people with disabilities should be developed that allows for: (1) a description of the employment patterns of persons with disabilities and (2) an assessment of individual characteristics and work environments that lead to these patterns. Such data should reflect the new approach which views disability as dynamic rather than static, as an interaction between an individual with an impairment and the environment rather than as a lack on the part of an individual.

The relatively sparse information on evaluation studies and evaluation itself suggests that few countries have given priority to developing a policy for systematic and continuous evaluation of actions and programmes in this field. Generally speaking, the focus is too much on monitoring the costs and dimensions of programmes, rather than on programme performance and programme outcomes.

#### 11. Improving co-ordination



The very nature of disability requires that responsibility should not be vested exclusively in any single policy or programme for all the measures which can contribute to successful labour market integration. These measures are, in fact, currently dispersed across several policy/programme areas in the fields of education and training, social services, labour law, counselling, and income/support replacement. An effective move in the direction of constructive change will require a new, more coherent and comprehensive national approach.

This paper is intended to contribute to the reflections within Member States in the framework of the European Employment Strategy. At the same time, it sets out some of the issues to which The European Commission intends to pay particular attention in its future work around the Employment Guidelines, notably the need to mainstream disability action, to move away from piecemeal initiatives and to establish a co-ordinated strategy so that the challenge of disability and under-employment can be effectively met.

The common goal is to give disabled people a full and fair opportunity to benefit from the new European Employment Strategy.

<sup>1</sup> COM (97) 361 final.