



D4.1 - Identification of Regional & National policies on the accessibility of people with special needs in CSR for the Wood and Furniture sector

Version - March 25, 2021





Table of Contents

Introduction	5
1. Objective of the document	6
Policies on the accessibility of people with special needs at European level	8
2. Legislative Policies summary table.....	9
Policies on the accessibility of people with special needs at National /Regional level.....	10
3. Spain.....	11
Materials and Methods of the Spanish research	11
Background research and National/Regional policies	12
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	18
Conclusion.....	28
4. Italy	30
Materials and Methods of the Italian research	30
Background research and National/Regional policies	31
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	38
Conclusion.....	40
5. Slovenia.....	42
Materials and Methods of the Slovenian research.....	42
Background research and National/Regional policies	43
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	47
Conclusion.....	51
6. Poland	52
Materials and Methods of the Polish research.....	52
Background research and National/Regional policies	53
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	58
Conclusion.....	62



7. Germany.....	62
Materials and Methods of the German research	62
Background research and National/Regional policies	63
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	76
Conclusion.....	78
8. Belgium	79
Materials and Methods of the Belgian research.....	79
Background research and National/Regional policies	80
List of Policies on the accessibility of people with special needs in the labour market and VET system.....	87
Conclusion.....	93
Resources	95
4. Resources	96
Website	100
5. Website	101



The ALLVIEW project is a new transnational cooperation platform that connects Centres of Vocational Excellence (CoVEs) within the wood and furniture sector. ALLVIEW has operational objectives on a regional, national and European level which aim at an innovative approach to modernise vocational education and training.

1

Introduction

1. Objective of the document

The objective of this document is to analyse the status of the Corporate Social Responsibility (CSR) in the Furniture and Wood sectors.

In this document, the partner consortium of the project “**ALLVIEW - Alliance of Centres of Vocational Excellence in the Furniture and Wood sector**”, analysed some legislative tools that regulate CSR in the various European countries. The research has been carried out taking into consideration the three pillars on which CSR is based. These three pillars are:

- Sustainability.
- Inclusivity.
- Accessibility.

Through this research the consortium wants to analyse the European, National and Regional policies related to the pillars mentioned above in order to identify the best practices and developing guidelines regarding CSR to spread within the furniture and wood sector.

This document is the basis for future discussions on the potential impact of CSR in:

- Supporting a sustainable management of the resources, increasing the use of the renewables.
- Connecting the enterprises to the idea of circular economy.
- Supporting the employability of specific target group to the addressed enterprises, linked with the national and European policies.
- Supporting the enterprises capacity to hire and involve people with lower opportunity, developing win-win strategies.
- Creating centres of vocational excellence, able to train people with a different starting position (or profile or competencies or ...).
- Identifying the weak points in regional and national policies about inclusion both in the field of job offers and in the environment of VET.
- Identifying the special needs that are not related to the (potential) job-tasks and develop networks for specific target groups through the links with the no-profit sector.

This report is the third part of a more elaborated full report, which consists of 3 specific reports which have CSR as guiding thread.

The first concerns the CSR in relation to waste prevention and the circular economy, the other two documents are based on the themes of migrants and refugees and on the inclusion of people with disabilities in labour market and in training and education.

This complete report is based upon a structure composed of the following sections:

- A general overview on CSR.
- Policies on resource Circular Economy and waste prevention.
- Policies on inclusion of migrants and refugees to the labour market and VET system.
- Policies on the accessibility of people with special needs in:
 - Education (VET) system.
 - Labour Market.
 - Work environment.
 - Work tasks.
- Conclusion.

Thanks to this research the partner consortium wants to enhance the awareness regarding the CSR at European level considering not only the aspects regarding sustainable environmental topics but also regarding inclusivity and accessibility, addressed to a wider range of people with fewer opportunities, such as migrants, disabled people and people with social disadvantages in general.

2

**Policies on the accessibility of
people with special needs at
European level**

2. Legislative Policies summary table

EU name policy	Description	Link
Accessibility Act, Directive 2019/882/EU on accessibility requirements for products and services	This Act is aiming to improve the proper functioning of the internal market and remove and prevent barriers for the free movement of accessible products and services.	Link
Regulations on the rights of passengers with reduced mobility on the main means of transport	Thanks to this regulation, disabled persons and persons with reduced mobility, whether caused by disability, age or any other factor, should have opportunities for using passenger services and cruises that are comparable to those of other citizens. Disabled persons and persons with reduced mobility have the same rights as all other citizens with regard to free movement, freedom of choice and non-discrimination.	Link
Directive 2016/2102/EU on the accessibility of websites and mobile applications of public bodies	Thanks to this directive, it was possible to create and regulate the accessibility of the websites and mobile applications of public sector bodies.	Link
EU parking card	<p>If a person has a disability that leads to reduced mobility, he/she might be entitled to an EU disability parking card in his/her country of residence, which should be recognised in all EU countries.</p> <p>When travelling outside the home country, this EU parking card should give you access to a number of parking rights and facilities which are specific to the country the person with disability is visiting.</p> <p>The relevant authority in the country of residence is responsible for issuing the card, based on the EU standardised parking card model, in line with local procedures.</p>	Link
EU Directive 2000/78/EC establishing a general framework for equal treatment in employment and working conditions	An EU Directive, and a major part of EU labour law which aims to combat discrimination on grounds of disability, sexual orientation, religion or belief and age in the workplace.	Link

3

**Policies on the accessibility of
people with special needs at
National /Regional level**

3. Spain

Materials and Methods of the Spanish research



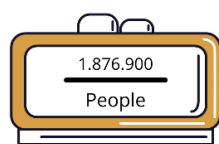
The search methodology for the Spanish research has been divided into two parts, the sources of information, on the one hand, which have been compiled in national and regional official gazettes; as well as specialised websites in disability and job accessibility, on the other hand.

- [Discapnet](#) is an initiative to promote the social and labour integration of people with disabilities. It comprises information service for organisations, professionals, people with disabilities and their families and a platform for the development of actions aimed at promoting participation in the economic, social and cultural life of people with disabilities.
- [Official State Gazette \(BOE\)](#) The Official State Gazette is the official Spanish national gazette dedicated to the publication of laws, provisions and acts of compulsory insertion.
- [Accesibilias](#) is a digital platform promoted by the ONCE Foundation and the Royal Board on Disability with the aim of promoting the generation and dissemination of knowledge on universal accessibility.
- [The Official Gazette of the Region Of Murcia \(BORM\)](#), through which publicity is given for its legal effectiveness and/or knowledge to laws and administrative provisions of a general nature.
- [The State Disability Observatory](#) (OED) is a technical instrument placed at the service of citizens, Public Administrations, the University and the Third Sector, for the compilation, systematisation, updating, generation and dissemination of information related to the field of disability.
- [The Observatory on Disability and the Labour Market of the ONCE Foundation \(Odismet\)](#), specialised knowledge management platform to raise awareness of the real situation of people with disabilities in the labour market, to make existing inequalities visible and to promote the implementation of measures aimed at ensuring the progressive reduction of these inequalities.

Besides, a series of keywords have been defined to identify the most relevant policies: e.g.: disability, special needs, job, accessibility, employment, labour market, inclusion, integration, and accessibility.

Background research and National/Regional policies

A DIVERSE GROUP



**with disabilities from
16 to 64 years old.
(6.2% of the
workforce).**

Figure 1. Number of people with disabilities in Spain (Own elaboration). Source: Odismet

An estimated 1,876,900 people with disabilities lived in Spain in 2019. In general terms, people with disabilities face more discrimination than non-disabled people. This circumstance is multiplied when factors such as gender, age, habitat, or ethnic origin are added. All these inequalities increase in crisis situations, as the COVID-19 pandemic demonstrates.

The Spanish State Disability Observatory warned about the different situations faced by people with disabilities due to the health crisis

produced by covid-19 which has increased their vulnerabilities.

The pandemic and the measures implemented have meant:

- The existence of health protocols that excluded people with disabilities and/or the elderly from hospital care.
- Barriers have increased significantly in accessibility.
- Inclusive education and the lack of support teachers.
- Economic impact.

This justifies the need for public administrations to ensure that people with disabilities are an active part of the social and economic reconstruction of the country, as demanded by the Spanish Committee of Representatives of People with Disabilities in its manifesto for the International Day of Persons with Disabilities which is held the 3rd of November.

Evolving towards a more inclusive society means improving working conditions and training levels, but above all promoting social responsibility. But the disability/employment binomial is an issue that goes beyond: the lack of inclusion of people with disabilities in the labour market is a problem that cannot and should not be solved alone and that concerns us all. Situations such as the coronavirus crisis mean that inequalities are increasing, but also that new opportunities are or should be emerging.

Inclusion of people with special needs in the VET system

Training is a key factor for the socio-occupational inclusion of people with disabilities. Regardless of the type of disability, those with training are more likely to enter the labour market. Initially, the percentage of people with higher education differs significantly between people with and without disabilities, exactly 19.5%. In both segments, secondary education accounts for more than half of the group. Among the general population, the percentage of

people with no education is practically non-existent, while among people with disabilities rises to 4.5% (83,600 people).

TRAINING

	Disabled person	Person without disability
No studies	4,5 %	0,4 %
Primary	19,1 %	7,1 %
Secondary	59,5 %	56,1 %
Higher	16,9 %	36,4 %

Key to labour integration

In terms of gender, women have a greater presence in the "No studies" level, although they also have a greater weight in higher education. People between 25 and 44 years have the highest level of education whereas young people with higher education barely reach 3.9% (compared to 13.3% of young people without disabilities). If we bear in mind the type of disability, the higher the degree of disability, the lower the level of educational levels which should lead us to think about

Figure 2. Percentage of disabled and non-disabled people and training (Own elaboration). Source: Odismet

whether all the necessary resources are being put in place to guarantee access to education for this segment of the population.

It is a well-known fact that the first solution for having a brilliant future is training. Of the total number of people with disabilities between 16 and 64 years of age (1,876,900), 7.9% (148,300) were enrolled in education. On the other hand, the figure for the general population is 19.7%. Again, the data show a lesser predisposition towards training and possibly greater barriers and difficulties in accessing and developing training processes for people with disabilities.

Furthermore, we should not forget students with special educational needs. These pupils are those with permanent educational needs, assessed as such by the psycho-pedagogical educational psychology teams, who are enrolled in ordinary schools or in special education centres. These students are classified, according to type of disability, as follows: hearing, motor, mental, visual, severe personality disorders/autism and multiple disabilities. The rate is set at 2.6%, which is equivalent to 212,807 students with special educational needs in the Spanish education system. Around 8 out of 10 these pupils are integrated in mainstream schools. This circumstance represents an important evolution in the integration of the group and an advance towards the full integration of people with disabilities.

With regards to Vocational Education and Training, the following figure shows the data of pupils with special educational needs derived from a disability enrolled in General Education in the academic year 2017/2018.

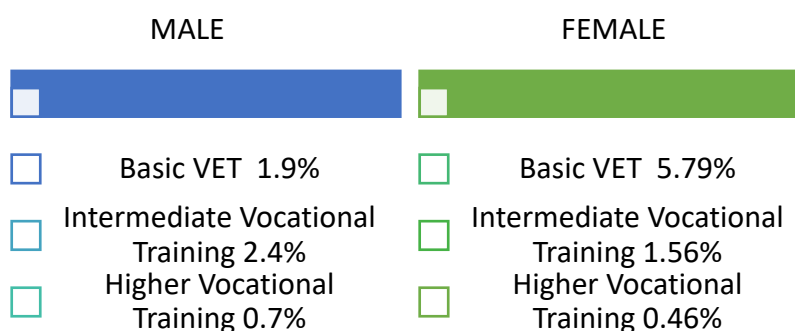


Figure 3. Non-University Education Statistics 2017/2018 academic year. Source: MEC. (Own Elaboration)

Besides the above, in the field of VET, all the Spanish Royal Decrees refer to the term accessibility when establishing all professional qualifications and fixing the basic aspects of the study programmes. For the purposes of providing continuity for students with special educational needs and responding to groups with specific needs, the Directorate General for Evaluation and Territorial Cooperation may establish and authorise other vocational training programmes, of variable duration, adapted to their needs. These programmes may include vocational modules of a basic vocational training qualification and other appropriate training modules to be adopted to their needs.

Furthermore, all professional families encourage "to comply with the standards of quality, universal accessibility and 'Design for all people' who affect their professional activity". In this way, the curriculum has to be developed in the didactic programming or curricular development, promoting or creating a culture of prevention of occupational risks in the spaces where the different professional modules are taught, as well as promoting a culture of environmental respect, excellence in work, compliance with quality standards, creativity, innovation, gender equality and respect for equal opportunities, 'Design for all people' and universal accessibility, especially in relation to people with disabilities.

Inclusion of people with special needs in the labour market

In Spain, a person will be entitled to a disability certificate if the disability exceeds 33%, plus Social Security pensioners who have a recognised disability pension¹ those who are in a situation of recognised incapacity for work.

Activity rate: in Spain there are 1,876,900 people with disabilities in their working age (6.2% of the population) and, of these, only 34% are employed². In short, just over a third of the group is active in terms of employment, i.e., 1,238,400 people with disabilities are outside the labour market, making it a segment that requires special attention and analysis, as they constitute an important volume of the population.

¹ Royal Decree Legislative Royal Decree 1/2013

² National Statistical Institute data published at the end of 2019

Employment rate: the employment rate is the result of dividing the employed population by the total working-age population (aged 16-64) and is expressed as a percentage. It is the usual way of knowing how much the labour force of a country represents. The data for people with disabilities (25.9%) are significantly different from the general population, which stands at 66.9%, thus only one of four people with disabilities is employed.

Unemployment rate: this figure for the disabled population is 23.9%, so we can affirm that unemployment affects people with disabilities to a greater extent than people without them.

Only one in four people with disabilities has

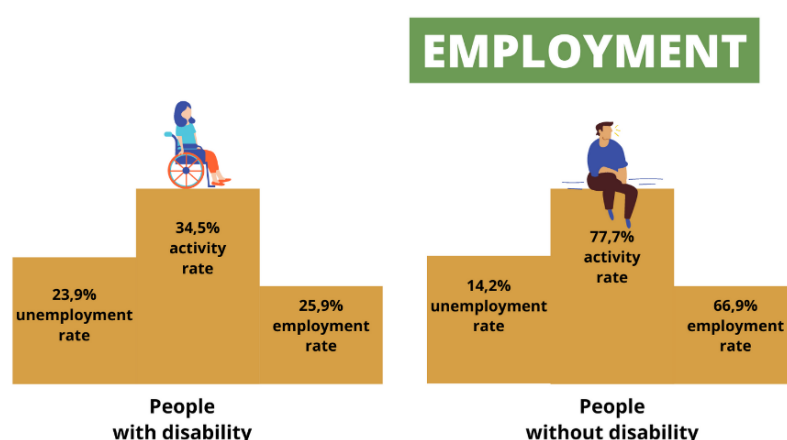


Figure 4. Activity, employment, and unemployment rates comparison for people with and without disabilities in Spain (Own elaboration). Source: Odismet

Long-term unemployed rate: the long-term unemployed are those applications registered with the Public Employment Services for more than 365 days or people who are registered on the last working day of the reference month, in 2019, a total of 79.523 persons with disabilities were in long-term unemployment. This represents 53.7% of the total number of people are disabled jobseekers.

Recruitment: according to data from the Spanish, Public, Employment Service, a total of 354,991 contracts were made to people with disabilities and 157.565 people with disabilities were hired in 2019, which indicates that the same person with disabilities is hired an average of

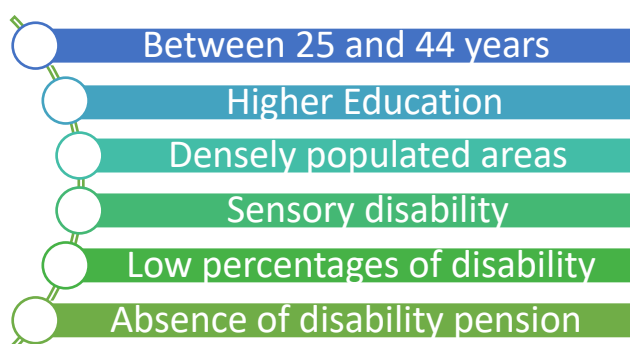


Figure 5. Variables that favour work activity. Source: Odismet. (Own Elaboration)

2.25 times a year showing the temporary and precarious nature of recruitment. Moreover, only the 10,1% percent of these contracts are related to the industry sector due to the services sector continues to be the main generator of employment. Temporary contracts accounted for 90,1% of the total demonstrating again the precariousness of the labour market. Thus, only 9 out of every 100 contracts aimed at people with disabilities are established on an indefinite way.

There is still little information available to make an in-depth analysis in relation to the recruitment in 2020 and how COVID-19 has affected it. However, we cannot address the issue of recruitment without providing the available data that show the effects and consequences of the pandemic on employment.

In this sense, we already know that the destruction of contracts in 2020 compared to the previous year is 30%. It remains to be seen how the recovery of employment throughout 2021, given that, the destruction of more than 100.000 contracts for people with disabilities will not be an easy task to recover. In general, the year does not seem to have started with too many signs of recovery, the sum of all contracts in Spain in the first two months of the year is the lowest in 6 years.

In 2020, 248,486

CONTRACTS

were made to people with disabilities (1.6% of the total)
Hiring falls by 30% due to the pandemic



Figure 6. Total of contracts made to people with disabilities in 2020 (Own elaboration). Source: Odismet

Specific contracts for people with disabilities

SPECIAL EMPLOYMENT CENTERS

Are key to labor inclusion for people with disabilities.
These represent 26.3% of the contracts made.



Figure 7. Special Education Centres recorded the highest volume of this recruitment (Own elaboration). Source: Odismet

Specific contracts, which are an important pillar of employment for people with disabilities, are seriously threatened by the debacle caused by COVID-19. In 2020, a total of 86,706 specific contracts were made for people with disabilities in Spain representing 1.6% of the total.

Thus, this highlights the effects of the pandemic on the employment of people with disabilities, as we have already indicated.

Special Education Centres recorded the highest volume of this recruitment, which points to their importance in sustaining the employment of people with disabilities even though COVID-19 has also made its presence with job losses among them rising to 21.5%. In addition, the first months of 2021 do not show particularly optimistic figures for their recovery, given that the sum of contracts in January and February is the lowest since 2016.

The occupations with the highest volumes of contracts for people with disabilities are cleaning (58,797), manufacturing workers (30,008), building janitors (9,388) administrative employees

(5,870) and gambling sales employees (5,461), which shows the work of the labour integration of this group.

Working conditions and career paths

Full-time employment continues to prevail over part-time employment. However, part-time employment has experienced a gradual and increasingly notable growth, reaching 38.7% of the total number of contracts, almost four points more than the general population.

Temporary contracts account for 90.1% of the total, once again highlighting the precariousness of the labour market. Thus, only 9 out of every 100 contracts aimed at people with disabilities are established on an indefinite basis.

Job instability

Only 9% of contracts are permanent
38.7% are part-time jobs



Figure 8. Rate of stability and temporality and type of working day of people with disability wage earners (Own elaboration). Source: Odismet

The data show lower salaries among people with disabilities than in the general population, exactly 4,186.3 € gross per year less, which is 17% less than the population as a whole.

Gender discrimination is also evident among the group, with women's wages being €3,142.5 lower than men's. This point explicitly shows the double discrimination that disability and gender entail. This point explicitly shows the double discrimination caused by disability and gender. Temporariness also means a significant reduction in wages, which is evidence of the precariousness associated with it.

19.946,2 € gross / year.

The SALARY of people with disabilities is 17% lower.



The SALARY of women with disabilities is 15.8% lower than the salary of men.

Figure 9. Average annual gross salary of salaried persons with disabilities (Own elaboration). Source: Odismet

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	<p>Royal Decree 870/2007 regulates the supported employment programme as a measure for the promotion of employment of people with disabilities in the ordinary labour market.</p> <p><i>Real Decreto 870/2007, de 2 de julio, por el que se regula el programa de empleo con apoyo como medida de fomento de empleo de personas con discapacidad en el mercado ordinario de trabajo.</i></p>
LEVEL	National
YEAR	2007
COUNTRY	Spain
THEME	Access to employment of people with special needs
GENERAL DESCRIPTION	In accordance with Article 37.1 of Law 13/1982 of 7 April 1982 on the Social Integration of the Disabled, the primary aim of employment policy for workers with disabilities must be their integration, under conditions that guarantee the application of the principle of equal treatment, into the ordinary work system or, failing that, their incorporation into the productive system through the special formula of protected work, through special employment centres.
OBJECTIVES	The purpose of this royal decree is to regulate the common contents of the programme of employment with support as a measure for the labour integration of people with disabilities in the ordinary labour the ordinary work system, in compliance with the provisions of article 37.1 of Law 13/1982, of 7 April, on the Social 13/1982, of 7 April, on the Social Integration of the Disabled.
ACTIVITIES	<p>Supported employment actions shall be carried out in the framework of supported employment projects such as:</p> <ol style="list-style-type: none"> a) Guidance, advice and accompaniment for the person with disability, drawing up a work adaptation programme for each worker. b) Outreach work and mutual assistance between the worker benefiting from the supported employment programme, the employer and the company staff sharing tasks with the worker. The employer and the staff of the company who share tasks with the worker with a disability. c) Supporting the worker in the development of social and community skills, so that he/she can relate to the work environment in the best conditions. d) Specific training of the worker with disability in the tasks inherent to the job. e) Monitoring of the worker and evaluation of the process of insertion in the job. These actions shall be aimed at detecting needs and preventing possible obstacles, both for the possible obstacles, both for the worker

and for the company that hires him/her, that may jeopardise the objective of insertion and permanence in employment.

- f) Advice and information to the company on the needs and processes for the adaptation of the job.

RESULTS	<p>The final recipients of the supported employment programme will be workers with disabilities registered in the Public Employment Services as unemployed job seekers, as well as workers with disabilities hired by special employment centres.</p> <ul style="list-style-type: none"> a) Persons with cerebral palsy, persons with mental illness or persons with an intellectual disability with a recognised degree of disability equal to or greater than 33%. b) Persons with a physical or sensory disability with a recognised degree of disability equal to or greater than 65%.
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LINK	Link
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NO.2

NAME OF THE POLICY	<p>Royal Legislative Decree 1/2013, of November 29, approving the Consolidated Text of the General Law on the rights of people with disabilities and their social inclusion. <i>Real Decreto Legislativo 1/2013, de 29 de noviembre, por el que se aprueba el Texto Refundido de la Ley General de derechos de las personas con discapacidad y de su inclusión social.</i></p>
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LEVEL	National
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YEAR	2013
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COUNTRY	Spain
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THEME	People with Disabilities and Social Inclusion
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GENERAL DESCRIPTION	<p>The desire for a full life and the need for personal fulfilment drive all people, but these aspirations cannot be fulfilled if the rights to freedom, equality and dignity are restricted or ignored. This is still the case today for women and men with disabilities who, despite undeniable social progress, find these rights limited in their access to or use of environments, processes, or services that either have not been designed with their specific needs in mind or are expressly restrictive to their participation in them. With this law, they are given the possibility of better access to the labour market, as well as a series of aids for this purpose, both for companies and for the employees with special needs themselves.</p>
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OBJECTIVES	<p>The purpose of this law is to guarantee the right to equal opportunities and treatment, as well as the real and effective exercise of rights by persons with disabilities on equal terms with other citizens, through the promotion of personal autonomy, universal accessibility, access to employment, inclusion in the community and independent living, and the eradication of all forms of discrimination, in accordance with articles 9, 2, 10, 14 and 49 of the Spanish Constitution and the International Convention on the Rights of Persons with Disabilities and the international treaties and agreements ratified by Spain. It also establishes the system of infractions and sanctions that guarantee the basic conditions in terms of equal opportunities, non-discrimination and universal accessibility for people with disabilities.</p>
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ACTIVITIES

Specific measures to ensure equal opportunities and non-discrimination and universal accessibility.

Public administrations shall promote the necessary measures to ensure that the exercise of the rights of persons with disabilities under equal conditions is real and effective in all areas of life.

Beneficiaries of the special system of assistance and economic benefits provided for in this chapter shall be exempt from the contribution for the consumption of pharmaceutical specialties.

The public administrations will develop the necessary actions for the coordination of social and health care.

The competent public administrations shall promote plans for the prevention of impairments and the intensification of disabilities.

Public administrations shall ensure the maintenance of adequate care services through the coordination of habilitation and rehabilitation resources and services in the fields of health, employment, education and social services.

LINK [Link](#)

NO.3

NAME OF THE POLICY **Order TES / 1060/2020, of November 11, by which the subsidies destined to the maintenance of jobs of people with disabilities in special employment centres are increased, with extraordinary character during 2020.**

Orden TES/1060/2020, de 11 de noviembre, por la que se incrementan, con carácter extraordinario durante 2020, las subvenciones destinadas al mantenimiento de puestos de trabajo de personas con discapacidad en los centros especiales de empleo, establecidas en la Orden del Ministerio de Trabajo y Asuntos Sociales de 16 de octubre de 1998, por la que se establecen las bases reguladoras para la concesión de las ayudas y subvenciones públicas destinadas al fomento de la integración laboral de las personas con discapacidad en centros especiales de empleo y trabajo autónomo.

LEVEL National

YEAR 2020

COUNTRY Spain

THEME Jobs for people with disabilities in special employment centres.

GENERAL DESCRIPTION Order by which special employment centres receive aid for the creation and maintenance of jobs. Subsidies for the maintenance of jobs for people with disabilities in special employment centres are linked to the minimum interprofessional wage in force at any given time. It is therefore essential to adapt the support measures for special employment centres to the evolution of the minimum wage, considering the additional consideration that not all wage costs are subject to the subsidy of 50 percent of the minimum wage, despite the increase in these costs. More so in the current situation resulting from the crisis caused by COVID-19.

- OBJECTIVES**
- Creation of new jobs
 - Retention of occupied posts
 - Equalising pays conditions

ACTIVITIES The staff of special employment centres must be made up of at least 70% of workers with disabilities.

RESULTS This order aims to ensure the correct use of public resources. It establishes an increase in subsidies for maintaining jobs for people with severe disabilities who have special difficulties in accessing the ordinary labour market, in special employment centres, to ensure that they can cope not only with the increase in the minimum interprofessional wage but also with the special circumstances for employment and the economy produced this year 2020 by the COVID-19 health pandemic, without replacing the reasonably required contribution to the companies that own these special employment centres to assume part of the increase in the minimum interprofessional wage.

LINK [Link](#)

NO.4

NAME OF THE POLICY **Order of March 4, 2019, of the President of the Regional Employment and Training Service, which modifies the Order of June 8, 2016, of the President of the Regional Employment and Training Service, of regulatory bases of subsidy programmes for the promotion of labour integration of people with disabilities**
Orden de 4 de marzo de 2019, del Presidente del Servicio Regional de Empleo y Formación, por la que se modifica la Orden de 8 de junio de 2016, del Presidente del Servicio Regional de Empleo y Formación, de bases reguladoras de los programas de subvenciones para el fomento de la integración laboral de personas con discapacidad

LEVEL Regional (R. Murcia)

YEAR 2019

COUNTRY Spain

THEME Promoting the integration of people with disabilities into the labour market

GENERAL DESCRIPTION The purpose of this Order is to regulate the granting of subsidies aimed at financing the salary costs derived from the maintenance of jobs occupied by people with disabilities, by way of economic compensation for the provision of services of general economic interest developed by the Special Employment Centres. This amount covers part of the costs incurred by the Special Employment Centres in the execution of the services of economic interest. As it is a pre-determined amount, which in no case may exceed the economic cost of the services provided, it is not necessary to establish parameters to avoid and recover possible overcompensation.

OBJECTIVES The purpose of this Order is to establish the regulatory bases for grants to be awarded by the Regional Employment and Training Service, hereinafter SEF, to beneficiary entities for the purpose of:

- Promote sheltered employment of people with disabilities, through the creation or expansion of Special Employment Centres and the maintenance of jobs occupied by people with disabilities in these centres.

- Facilitate the integration of people with disabilities into the ordinary labour market through innovative forms of employment integration, such as supported employment and employment guidance and integration offices.
- Stimulate the hiring of people with disabilities by companies in the ordinary labour market, either directly or as collaborators in innovative forms of labour market integration

ACTIVITIES	<p>Creation of stable employment in Special Employment Centres. The objective of this sub-program is to partially finance any initiative that involves the creation of stable employment for people with disabilities. The subsidy modalities of this sub-program are:</p> <ul style="list-style-type: none"> • Technical Assistance. • Investment in Fixed Assets. • Partial subsidy of interest on loans obtained from credit institutions for the acquisition of fixed assets. <p>Maintenance of jobs". The aim of this sub-program is to consolidate and support the maintenance of jobs created for disabled workers in Special Employment Centres. Program Labour integration of people with disabilities in Special Employment Centres.</p>
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LINK [Link](#)

NO.5

NAME OF THE POLICY	<p>Royal Decree 368/2021, of May 25, on positive action measures to promote access to employment for people with limited intellectual capacity. <i>Real Decreto 368/2021, de 25 de mayo, sobre medidas de acción positiva para promover el acceso al empleo de personas con capacidad intelectual límite</i></p>
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LEVEL	National
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YEAR	2021
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COUNTRY	Spain
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THEME	Access to employment
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GENERAL DESCRIPTION	<p>For the labour purposes of access to the positive action measures envisaged, must be understood as a person with limited intellectual capacity and the beneficiary employers; once the subjective scope has been defined. Another chapter establishes the specific list of positive action measures that best suit the personal and professional profile of the group with the aim of promoting their access to employment and favouring the expectations and options of labour integration in the ordinary labour market.</p>
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OBJECTIVES	<p>Its purpose, in accordance with the sixth additional provision of the adaptation to the International Convention on the Rights of Persons with Disabilities, is to establish a set of positive action measures aimed at promoting access to ordinary employment for people with limited intellectual capacity who have this situation officially recognized.</p>
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ACTIVITIES It establishes the possibility for employers to apply for the subsidies foreseen in its article 12, charged to the competent public employment services, with the aim of introducing the necessary adaptations in the workplace and eliminating barriers or obstacles that prevent or hinder the work of persons with intellectual disabilities. And to remove barriers or obstacles that prevent or hinder the work of persons with limited intellectual capacity. Progress is being made towards meeting target 8.5 of the 2030 Agenda for Sustainable Development, achieving full and productive employment and decent work for all women and men, including youth and persons with disabilities, as well as equal pay for work of equal value.

LINK [Link](#)

NO.6

NAME OF THE POLICY **Decree No. 93/2011, of May 27, on the access and provision of jobs for people with disabilities in the Public Function of the Public Administration of the Region of Murcia**
Decreto nº 93/2011, de 27 de mayo, sobre el acceso y la provisión de puestos de trabajo de personas con discapacidad en la Función Pública de la Administración Pública de la Región de Murcia

LEVEL Regional (R. Murcia)

YEAR 2011

COUNTRY Spain

THEME Access to jobs for people with disabilities

GENERAL DESCRIPTION Access to public employment, internal promotion and the provision of jobs for persons with disabilities referred to in this Decree shall be based on the principles of equal opportunities, non-discrimination, universal accessibility and compensation of disadvantages.

OBJECTIVES Aims to promote the necessary measures so that access, internal promotion and the provision of jobs for people with disabilities in the Civil Service of the Public Administration of the Region of Murcia is carried out under equal conditions with other applicants.

ACTIVITIES **RESERVATION OF PLACES FOR PEOPLE WITH DISABILITIES IN PUBLIC EMPLOYMENT OFFERS**

- In public employment offers, a quota of no less than 7% of vacancies will be reserved to be filled by people with disabilities, so that, progressively, at least 2% of the total staff of the Administration of the Region of Murcia will be reached, if they pass the selective tests and that, at the appropriate time, they accredit the indicated degree of disability and compatibility with the performance of the corresponding tasks and functions.
- A quota of no less than 5% of the vacancies shall be reserved to be filled by persons with disabilities with a degree of disability equal to or greater than 33%, under the terms indicated in the Public Employment Offer.

ACCESS FOR PEOPLE WITH DISABILITIES THROUGH THE GENERAL SYSTEM

- Of the general quota of 7% of vacancies, a quota of no less than 5% will be allocated, in all areas of the Administration of the Region of Murcia, to disabled persons with a degree of disability equal to or greater than 33%.
- The tests must coincide, as regards the system of access, type of tests, number of exercises and syllabus, with the tests for admission to the open selection procedure.
- If the candidate of the disabled shift passes the corresponding exercises, does not obtain a place and his/her total score is higher than that obtained by other candidates of the free shift, he/she will be included, in order of score, in the list of successful candidates of the free shift.

ACCESS FOR PEOPLE WITH INTELLECTUAL DISABILITIES THROUGH A SPECIFIC SYSTEM

- Of the general quota of 7% of vacancies, a quota of no less than 2% shall be allocated by means of a separate call for applications to persons with intellectual disabilities, in accordance with Article 3.3, except for non-university teaching staff and, in the case of the Murcia Health Service, in the case of staff carrying out care duties.
- The calls for these posts, their execution and development, and the performance of the tests or examinations, shall be carried out independently of those of the rest of the applicants of the free shift and of the disability shift. The content of the tests will be fundamentally aimed at verifying that the candidates possess the basic behavioural repertoires and the essential knowledge that will enable them to carry out the functions of the posts.

RESERVATION OF PLACES FOR INTERNAL PROMOTION

- The tests must coincide, as regards the system of access, type of tests, number of exercises and syllabus, with the tests for access by the ordinary internal promotion route.
- The selective tests will have the same content for all candidates, regardless of the shift for which they opt, without prejudice to the necessary adaptations that, due to each disability, may be requested of the selection body. During the selection procedure, a differentiated treatment will be given to the two shifts, about the lists of those admitted, the calls for the exercises and the list of successful candidates.

TRAINING

- Workers with disabilities will have priority for courses organized by the School of Public Administration of the Region of Murcia if they are appropriate to the disability and are related to the functions of the job.
- For the development of these courses, the necessary adaptations and reasonable adjustments will be made so that people with disabilities can participate on equal terms in the training processes.

RESULTS Applicants who have passed the selection process for the disability category may request that the body calling for applications alter the order of priority for the selection of the vacancies offered, for reasons of personal dependence, travel difficulties, type of disability or other similar reasons, which must be duly accredited. The body responsible for the call for applications shall decide on such an alteration when it is duly justified and shall limit itself to making the minimum necessary modification in the order of priority to enable access to the post for the person with a disability.

LINK [Link](#)

NO.7

NAME OF THE POLICY **Order FOM / 926/2019, of July 26, which establishes the regulatory bases for the granting of ENAIRE subsidies for labour insertion and job creation activities for people with disabilities.**
Orden FOM/926/2019, de 26 de julio, por la que se establecen las bases reguladoras para la concesión de subvenciones de ENAIRE destinadas a actividades de inserción laboral y de creación de empleo de personas con discapacidad.

LEVEL National

YEAR 2019

COUNTRY Spain

THEME Employment subsidies

GENERAL DESCRIPTION Subsidy or aid offered by the public company ENAIRE for the promotion, training and employment of people with disabilities.

OBJECTIVES The purpose of this Order is to establish the regulatory bases for the granting by ENAIRE of subsidies for the development of work integration and job creation activities for people with disabilities.

RESULTS The beneficiaries of the subsidies provided for, under the terms established in these rules, may be foundations or associations of public utility duly registered and domiciled in Spanish territory, whose corporate purpose is, among others, vocational training, job placement or job creation for people with disabilities who present a project aimed at developing job placement and job creation activities that allow the integration of these people into the labour market.

LINK [Link](#)

NO.8

NAME OF THE POLICY	<p>Order EFP / 938/2018, which establishes the regulatory bases of scholarships for carrying out training practices for people with intellectual disabilities at the Ministry of Education and Vocational Training.</p> <p><i>Orden EFP/938/2018, por la que se establecen las bases reguladoras de las becas para la realización de prácticas formativas de personas con discapacidad intelectual en el Ministerio de Educación y Formación Profesional.</i></p>
LEVEL	National
YEAR	2018
COUNTRY	Spain
THEME	Integration in vocational training
GENERAL DESCRIPTION	<p>The Ministry of Education and Vocational Training carries out various actions aimed at providing comprehensive care for people with disabilities, not only in the field of formal training but also in the field of further training, as it understands that this is a crucial factor in achieving the full labour and social integration of the people who make up this group and especially that of people with intellectual disabilities. The social and labour integration of people with intellectual disabilities justifies the need to carry out singular training actions that prepare them for their access to the labour market and facilitate the acquisition of the strategies, skills and personal and professional competences necessary for their development in a normalized labour environment.</p>
OBJECTIVES	<p>The purpose of this order is to establish the regulatory bases for the granting, on a competitive basis and in accordance with the principles of objectivity and publicity, of aid for the training of people with intellectual disabilities. These aids will take the form of training grants and will be carried out in the offices of the Ministry of Education and Vocational Training within the training specialty of office assistant or similar and in those others established in the calls for applications.</p> <p>The purpose of these grants is to contribute to the training of people with intellectual disabilities integrated in programmes or itineraries of individual labour integration at the time of the approval of the call for applications. The training obtained by the grants will be complementary to that foreseen in these programmes or itineraries carried out by public or private non-profit entities that apply the methodology of employment with support to facilitate the labour integration of the group to which the grants are addressed.</p>
LINK	Link

NO.9

NAME OF THE POLICY	<p>Royal Decree 1147/2011, of July 29, which establishes the general organization of professional training in the educational system.</p> <p><i>Real Decreto 1147/2011, de 29 de julio, por el que se establece la ordenación general de la formación profesional del sistema educativo.</i></p>
LEVEL	National
YEAR	2011
COUNTRY	Spain
THEME	Integration in vocational training
GENERAL DESCRIPTION	<p>The different vocational training actions are integrated in the National System of Qualifications and Vocational Training, one of whose essential aims is to promote a quality training offer, updated and suitable for those for whom it is intended, in accordance with the qualification needs of the labour market and personal expectations of professional promotion.</p>
OBJECTIVES	<p>Vocational training in the education system is defined as the set of training actions that aim to qualify people for the performance of different professions, for their employability and for active participation in social, cultural, and economic life.</p> <p>These teachings shall provide adequate attention, under conditions of universal accessibility and with the necessary support resources, in each case, to persons with disabilities.</p> <p>Understand the organization and characteristics of the corresponding productive sector, the mechanisms of professional insertion, its labour legislation and the rights and obligations deriving from labour relations.</p>
ACTIVITIES	<p>All training cycles will include the necessary training to learn about learning opportunities, employment opportunities, work organization, company relations, basic labour legislation, as well as the rights and duties deriving from labour relations, in order to facilitate access to employment or reintegration into the labour market with gender equality and non-discrimination of people with disabilities.</p> <p>Provide conditions that enable access, movement and communication for persons with disabilities, in accordance with the provisions of the applicable legislation on the promotion of accessibility and the elimination of barriers, without prejudice to reasonable accommodation to be adopted.</p> <p>The assessment of student learning in vocational training courses will be carried out by vocational modules. The assessment processes will be adapted to the methodological adaptations to which disabled students may have been subjected and their accessibility to the assessment tests will be guaranteed.</p>
LINK	Link

Conclusion

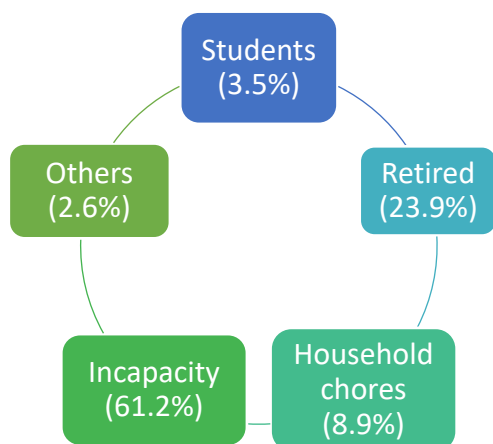


Figure 10. Employment of people with disabilities (Own elaboration). Source: INE

The latest data available, register a total of 1,876,900 people with disabilities between the ages of 16 and 64, which represents 6.2% of the talent in our country. Since 2008, the group has grown by 795,100 people, which means that since that year the prevalence rate has increased by 3.8 points. Broadly speaking, the indicators related to training and employment show notable differences between the general population and people with disabilities, evidencing complexity and barriers for the group.

Firstly, educational inclusion does not consist exclusively in promoting equal opportunities in access to education, but also in promoting equal opportunities in permanence and in the successful promotion of students, regardless of their abilities or educational needs. Educational policies that support an inclusive educational model and the compensatory function of education are essential to favour the social and labour inclusion of people with disabilities. These educational policies are positive both for the improvement of the educational development of people with disabilities and people without disabilities since an inclusive school will promote a more inclusive and just society.

Degree of disability inclusion

in Spanish companies:



7 out of 10 salaried workers work in non-inclusive work environments with people with disabilities.

Figure 11. Figure 10. Inclusion degree in Spanish companies (Own elaboration). Source: Odismet

Therefore, it seems necessary to promote improvement at training level, especially in the Spanish Vocational Education and Training.

An inclusive education not only makes it possible, for example, that a person with visual impairment can go to study to stand for government exams, but also that their future work colleagues (without visual impairment) also will have the ability to understand that indeed a Visual impairment is not an impediment for this person to overcome the

opposition. That would be the authentic educational, social and labour inclusion of people with disabilities: the recognition of the difference in capacities between all people as a fact of social plurality instead of as a handicap. This change in mentality is what needs to be generalized throughout the Spanish public administration.

Secondly, when we speak about disability in the labour market, we can make a division between visible and invisible disabilities. For instance, there are companies and workers who are



unaware that they have colleagues with disabilities, because it may not be an intellectual disability, or the employee may not be in a wheelchair. And yet, it is not easy for people with functional diversity in Spain to find work (less than a third of them are employed).

People with disabilities represent approximately 10% of the Spanish population and are among those most affected by the Covid-19 crisis. The data in Spain also confirm this: according to a study published by the Observatory on Disability and the Labour Market of the ONCE Foundation³, around 60% of people with disabilities who are working could lose their jobs because of the health and social crisis resulting from the current pandemic and the temporary nature of their contracts. But as well as a threat, the Covid-19 crisis offers us an opportunity to reflect on the role of people with disabilities in the labour market.

In words of Óscar Martínez, co-founder of the Zotikos Collective and author of the book *Altering the disability. Manifesto in favour of people (2010)*: ***"The fact of having a disability is not the main focus of the problem, but rather the fact of living in a society that is not inclusive. It starts from the cradle"***. As we have previously stated, ***"school is the first segregated space and if you grow up where there are no diverse people, later, when you are an employer or an employee, you do not hire people with disabilities because you do not know them, you have never lived with them, nor have you ever been in contact with people with disabilities. There is also the fear that the employee will not get involved with the company and how colleagues will react"*** according to him.

There are job offers for people with disabilities and other job offers that are open to everyone. In the latter, reporting the disability may be positive, but not reporting it is the employee's right. In general, the candidate's main concern is often whether or not to mention his or her disability in the CV.

Created based on the first "law on the social integration of the disabled" in 1982, the approval in 2013 of the General Law on Disability was a major legislative breakthrough, as for the first time it unified all existing regulations in this area, to ensure that disability is covered in all areas. It provides for a quota that obliges companies with more than 50 employees to reserve 2% of jobs for people with disabilities. However, the law has created a loophole that allows companies to subcontract to service companies that do have employees with disabilities, instead of including people with functional diversity in their own teams. However, the integration of people with disabilities in the labour market is more a human question than a technical or percentage issue. For this reason, new initiatives, in addition to those promoted by the state, are important.

As in this Work Package of the ALLVIEW initiative, another of the possible solutions involves social responsibility and the sensitization of those who will be the future recruiters of personnel in companies. Again, we speak about training due to subjects and training on difference and diversity should be promoted.

³ Odismet

Furthermore, people with disabilities experience discrimination that conditions their quality of life and there is a double discrimination of gender and disability.

Having a job does not avoid the situation of

RISK OF POVERTY

or social exclusion.

Risk of poverty rate in Spain:

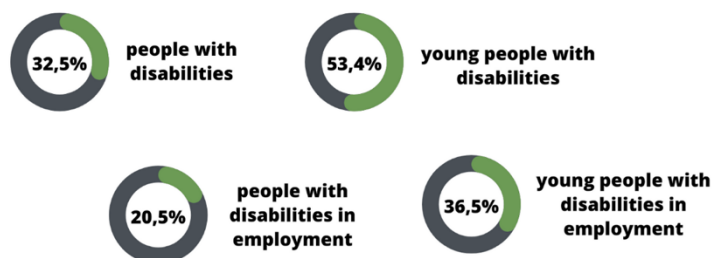


Figure 12 Many disabled people in Spain are at risk of poverty or social exclusion (Own elaboration). Source: Odismet

4. Italy

Materials and Methods of the Italian research



In Italy, in terms of disability policies, the basic legislation corresponds to the Italian Republic. For this reason, the main sources of information related with this argument is the national Law 68/99.

A special mention deserves to the art.14 of the law 68/99 that gives to region the power to create the "**Regional Found for the employment of the disabled people**".

That gives funds to the regional programmes of the work employment and the following services. The rules and administrative bodies of the Fund shall be determined by regional law.

For this reason, the Italian research was based on three different level of policies: European, national and regional, taking information not only from the official legislation of the Italian government but also in the once of the regional ones. Also has been consulted some report listed in the references part of this document.

Background research and National/Regional policies

Inclusion of people with special needs in the VET system

In the VET field in Italy, the right to education of pupils with disabilities is carried out through school integration, which provides for the obligation of the State to prepare adequate support measures. The Local Authorities and the National Health Service also contribute to these measures at the local level, with own competences. The school community and local services therefore have the task of "taking charge" and taking care of the educational life and overall growth of the person with disabilities. This collective commitment has a very specific goal: to prepare the conditions for the full participation of the person with disabilities in social life, eliminating all possible obstacles and barriers, physical and cultural, which can stand between social participation and the real life of people with disabilities.

Law 104/92⁴ recognizes and protects the participation in the social life of people with disabilities, in places that are fundamental to it: school, during childhood and adolescence⁵ and work, in adulthood⁶. A reconstruction of the legislative process regarding integration, and the related principles, is present in the *"Guidelines for the integration of pupils with disabilities"*, issued with a note dated 4 August 2009.

The Ministry of Education, University and Research⁷ implements various accompanying measures to promote integration: support teachers, financing of projects and activities for integration, training initiatives for support and curricular teaching staff as well as administrative, technical and auxiliary staff. The observatory for the integration of people with disabilities is a national advisory and proactive body about school integration.

At the territorial level, other bodies have the task of proposing initiatives to implement and improve the integration process: the GLIPs ("Provincial Interinstitutional Working Groups", formed by representatives of Local Authorities, ASLs and Associations of the disabled) and GLH ("Work groups for the integration of the handicapped", formed by the head of the school, the teachers concerned, parents and health personnel). The task of the GLH is particularly significant, as it has the purpose of developing the Individualized Education Plan, which determines the educational path of the pupil with disabilities and guarantees adequate intervention to develop their potential.

Disability certification is the prerequisite for assigning support and integration measures to pupils with disabilities. The Presidential Decree of the Council of Ministers - 23/02/2006 n. 185 *"Regulation laying down procedures and criteria for identifying the pupil as a person with a disability, pursuant to Article 35, paragraph 7, of Law no. 289 of 27 December 2002"*⁸, in art 1 identifies a "collegiate body" belonging to the National Health Service for the certification of

⁴ <https://www.gazzettaufficiale.it/eli/id/1992/02/17/092Go108/sg>

⁵ Articles 12, 13, 14, 15, 16 and 17

⁶ Articles 18, 19, 20, 21 and 22

⁷ <https://www.miur.gov.it/>

⁸ https://archivio.pubblica.istruzione.it/news/2006/allegati/dpcm185_o6.pdf

pupils with disabilities. Furthermore, art. 2 of the Prime Ministerial Decree in question, where it is required that functional diagnoses are carried out according to the international classifications of the World Health Organization which must indicate the possible severity of the disability.

Pupils with disabilities are assigned to the common class in which the integration process takes place. The care and educational responsibility of the pupil with disabilities rests with the entire Class Council. In this council there is a teacher that will be the one who will support the pupils with disabilities in her/his activities.

Indeed, the DPR 970/1975⁹ with which this professional figure was legally established (later better characterized in Law 517/77) defines him/her as a "specialist" teacher. This specialist together with curricular teachers, based on the Individualized Education Plan, will define the methods of integration of individual pupils with disabilities.

The teacher for support activities is requested from the Regional School Office by the head teacher based on the enrolments of pupils with disabilities; the quantification of the hours for each pupil is identified taking into account the Functional Diagnosis, the Dynamic Functional Profile and the consequent Individualized Education Plan, as per Law 104/92, and the legal constraints in force.

Art. 40 of Law 449/1997¹⁰ provided for the activation of a staff post for support for every 138 pupils attending the public schools of the province. Law 296/2006 and Law 244/2007¹¹ repealed the aforementioned criterion for the formation of the staff by right of support posts, identifying a new parameter which, at national level, cannot exceed average of one teacher for every two pupils with disabilities.

Article 2 of Presidential Decree 122/2009¹², Regulations for the coordination of the rules on the evaluation of pupils, provides that support teachers, co-owners of the class, participate in the evaluation of all pupils. Furthermore, if a pupil with disabilities is entrusted to several teachers of support, they express themselves with a single vote.

In the period of the pandemic, distance learning cut some pupils with disabilities out of school. 23% of pupils with disabilities did not participate in the DAD between April and June 2020. Starting from the number of students with disabilities, there is still a growth: in the 2019-2020 school year, pupils with disabilities who attend Italian schools increased by +13 thousand, representing 3.5% of members. Those with other Specific learning disorder (SpLD) increased by 60 thousand. In parallel, there is also an increase in the number of support teachers even though 37% do not have specific training.

The news on the accessibility front is very bad: for motor disability, the availability of aids for pupils with sensory disabilities is very critical (2%). Between April and June 2020, over 23% of

⁹ <http://www.integrazionescolastica.it/article/464>

¹⁰ https://archivio.pubblica.istruzione.it/news/2006/allegati/art40_legge449.pdf

¹¹ 2008 Finance Act

¹² https://www.istruzione.it/esame_di_stato/Primo_Ciclo/normativa/allegati/dpr122_2009.pdf

pupils with disabilities (about 70 thousand) did not take part in the lessons that took place with DAD, compared to 8% of non-participants without disabilities. The scenario, however, is very different from region to region.

It was mainly students with serious pathologies, or those belonging to contexts with a high socio-economic discomfort, who had greater difficulties.

The reasons found were:

- the severity of the disability (27%);
- the lack of collaboration of family members (20%);
- socio-economic hardship (17%);
- the lack of specific teaching aids (3%);
- the difficulty in adapting the educational plan for inclusion (IEP) to distance learning (6%);

On the support teachers' side, the pupil-teacher ratio improves, equal to 1.7 pupils per teacher for support: it is better than that provided by Law 244/2007 which recommends a value of 2. Support teachers in the school year 2019/2020 are just over 176,000, however, the number of specialized teachers is still insufficient, in fact the demand for these figures increases year by year faster than the supply increases. For this reason, in 37% of cases, teachers are selected for support from the curricular lists; these are teachers identified to respond to the lack of teachers for support, but who do not have specific training to better support the pupil with disabilities. This phenomenon is more frequent in the Northern regions while in the South it decreases. The autonomy and communication assistants who work alongside support teachers to facilitate communication for students with disabilities and stimulating the development of their skills were more than 57,000. These specialized operators, financed by local authorities, can be fundamental in distance learning, supporting the pupil and relieving families from a sometimes very burdensome commitment. The availability of these professional figures varies greatly on the territory.

The relationship between Italian schools and technology is still difficult, even when applied to support for disability: the survey recorded that in one school out of 10 no teachers for support attended a specific course for use in specific educational technologies for pupils with disabilities, and there are less than 60% of schools where all teachers use these tools. Also, in Italy, one school out of four is lacking in computer stations adapted to the needs of pupils with disabilities.

In the current year, there are still too many physical barriers present in schools: only one in three is accessible for pupils with motor disabilities, also with significant territorial differences.

The issue of inclusiveness at school does not only concern pupils with disabilities: pupils who need personalized educational paths are also those who have specific learning disabilities (SpLD), significant pathologies, but not sufficient to have a recognized certification (disorders specific developmental), or those coming from disadvantaged socio-cultural backgrounds or foreign students who do not know Italian language and culture. In these cases, we speak of

other SEN (special educational needs). In Italy, pupils who have a special educational need that does not fall within those regulated by Law 104.

Inclusion of people with special needs in the labour market

As regards the area of disability linked to the labour market and working environment, in Italy the Law no. 68 of 1999 "*Regulations for the right to work of the disabled people*"¹³ also called the law on "targeted placement" rules the accessibility of people with disabilities in the labour market.

Article 1 of Law 68/99 states: "this law aims to promote the integration and the labour integration of disabled people into the world of work through support services and targeted placement".¹⁴

From 1999 to today, this law has been extensively modified, increasing the protection measures for disabled workers and for vulnerable people.

By targeted placement the law means a set of "*measures that allow people with disabilities to be adequately assessed thanks to their working skills and measures that allow to place them in the right place, through job analysis, support, positive actions and solutions to problems associated with environments, tools and interpersonal relationships in the workplace and in relationships*".

Art. 14 of Law 68/99¹⁵ provides that each Region in Italy establishes the "Regional Fund for the employment of the disabled", to be allocated to the financing of the regional programmes for job placement and related services. The operation methods and the administrative bodies of the Fund are determined by regional laws.

The institution of mandatory recruitment derives from the targeted placement. Companies with more than 14 employees must reserve a quota destined to: civil invalids with a percentage of disability from 46 to 100%, work-related disability with a percentage of disability greater than 33%, disabled people for service (former public employees, including military), war invalids and civilians with disabilities, the blind and the deaf and dumb.

Circular 99/2016¹⁶ of the "Istituto Nazionale Previdenza Sociale" – INPS- (National Institute of Social Security)¹⁷ clarified the extent of the contribution relief provided by the Jobs Act for companies that hire workers with disabilities.

¹³ <http://www.parlamento.it/parlam/leggi/99068l.htm>

¹⁴ <https://www.gazzettaufficiale.it/eli/id/1999/03/23/099G0123/sg>

¹⁵ <https://www.gazzettaufficiale.it/eli/id/1999/03/23/099G0123/sg>

¹⁶ <https://www.inps.it/Circolari/Circolare%20numero%2099%20del%2013-06-2016.htm>

¹⁷ <https://www.inps.it/nuovoportaleinps/default.aspx>

The directorial note of 23 January 2017¹⁸ provides clarifications on the hiring obligations for employers who employ 15 to 35 employees, as well as for political parties, trade unions, organizations that, not for profit, operate in the field of social solidarity, assistance and rehabilitation.

The determination of the number of disabled people to be hired is given by the calculation, among the employees, of all the workers hired with an employment contract.

With the entry into force of Legislative Decree no.185 / 2016¹⁹, amending Law 68/99, workers already disabled before the establishment of the employment relationship, even if not hired through compulsory placement, are counted in the reserve quota but they must have a reduction in working capacity equal to or greater than 60% or greater than 45% in the case of intellectual and mental disabilities. The legislative decree n. 185/2016, amending art. 15 - paragraph 4 of law no. 68/99, increases the penalties for non-fulfilment of the obligation to employ disabled people.

The law decree n.76 of 28 June 2013²⁰, converted into law n. 99, to ensure compliance with the principle of equal treatment of persons with disabilities, it then established the obligation for public and private employers to adopt reasonable "adjustments" in the workplace, to guarantee people with disabilities full equality with other workers.

Starting from January 1, 2018, companies with 15 employees are obliged to hire a disabled person. Previously, the obligation arose only in the case of new hires and employers could comply with this obligation within twelve months following the date of the new additional hiring (the sixteenth). Now, having 15 to 35 employees requires the employer to hire a disabled worker. Non-EU citizens, regularly present in Italy, recognised as disabled by one of the Italian bodies responsible for the recognition of disability, also fall within the computation of the categories protected according to Law 68/99. Once the certification of invalidity or belonging to the categories protected according to the criteria of art. 18 of Law 68/99, registration in the employment lists of Law 68/99 is required at the Employment Centre of one's own city or district.

The Decree Law 17 March 2020²¹, n. 18 - "Measures to strengthen the National Health Service and economic support for families, workers and businesses related to the epidemiological emergency from COVID-19"- provides in art. 40 the suspension, for two months from the entry into force, of the "Fulfilments relating to the obligations referred to in art. 7 of the law 12 March 1999, n. 68".

Therefore, from 18 March 2020 for all employers, public and private, the employment obligations are provided by Law no. 68/99 and the consequent obligations are provided by art. 7 of the same Law. The suspension concerns the obligations relating to both the disabled and

¹⁸ <https://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2017/Nota-direttoriale-23012017-prot-41-454.pdf>

¹⁹ https://www.lavoro.gov.it/Normative/Decreto_Legislativo_24_settembre_2016_n.185.pdf

²⁰ <https://www.gazzettaufficiale.it/eli/id/2013/06/28/13G00123/sg>

²¹ <https://www.gazzettaufficiale.it/eli/id/2020/03/17/20G00034/sg>

those belonging to the other protected categories referred to in art. 18, paragraph 2, of Law 68/99.

By 31st January of each year, employers who employ at least 15 employees eligible for the application of the legislation on targeted employment - Law 68/99 - are required to transmit the information prospectus (PID), concerning the situation of the staff employed on 31 December of the previous year. The communication is mandatory, for private companies, only if compared to the last prospectus sent, changes have occurred in the employment situation such as to modify the obligation or to affect the calculation of the quota to be allocated to disabled people.

Considering the changes made by Legislative Decree No. 75 of 25 May 2017²², however, public administrations are obliged to send the electronic prospectus regardless of whether or not changes have been made to the prospectus sent the previous year.

The obligation to hire workers belonging to the disabled category is temporarily suspended for companies:

- Undergoing corporate restructuring, reorganization, or conversion.
- In extraordinary wage integration intervention, limited to the duration of the intervention.
- In a bankruptcy situation.
- In liquidation.
- That stipulate solidarity contracts limited to the duration of the solidarity.
- Up to six months after the last dismissal.

In the cases mentioned above, during the period in which the company is waiting to receive the authorization, the Competent Provincial Service may grant the suspension for a period not exceeding three months, renewable once. The partial exemption from the obligation to hire disabled people concerns employers who, due to the special conditions of the company working activity, cannot occupy the entire percentage and, upon presentation of the specific request, have obtained the authorization partial exemption from the obligation to hire. It can be granted in the presence of production activities with the following characteristics:

- Fatigue of work performance.
- Danger inherent in the type of activity.
- Particular methods of carrying out the work activity.

The exemption is granted for a maximum period of 12 months with expiry on 31 December of each year. Companies are obliged to pay a contribution to the Regional Fund for the right to work with disabled people. Companies must pay this amount of money both for each working day and for each disabled worker not hired.

²² <https://www.gazzettaufficiale.it/eli/id/2017/06/07/17G00089/sq>

Private employers and public economic bodies that employ workers engaged employee involving the payment of an INAIL premium rate equal to or greater than 60 per thousand can self-certify the exemption from the obligation. They are required to pay to the National Fund for the right to work of the disabled, an exemption contribution for each working day for each disabled worker who is not employed.

As regards the plan for the implementation of the law for the employment of people with disabilities, the information for the years 2014 - 2015 contained in the VIII Report to Parliament give an interesting picture of the main trends. On the side of the registration to the lists of compulsory placements we find a progressive increase in the annual quotas over the two-year period, with increases in 2015 of up to 23% compared to 2012 and with a stock figure that settles on 775 thousand registered in the last year observed. In 2014 every 2.5 new registrations also recorded 1 cancellation, with the ratio increasing to 3.6 against 1 in 2015.

Although the data is not present in a uniform manner throughout the national territory, the qualification owned by members reflects an audience for which the concentration of members of both genders in possession of at most the middle school certificate (respectively around 72% for men and 67% for women in both years) reveals an employability deficit, confirmed by the conspicuous imbalances in comparison with the general qualification level of the Italian population of working age.

The main positive data come from the observation of the works started. They reached 29,000 in 2015, after long years of steady decline across the board national territory, with a ratio between registrations and goodwill which stood at 3.2 in 2015. The increase of access to work affects men more than women to a percentage extent and, more generally, it seems to benefit from the changes introduced with d.lgs 151/2015, at least based on the comparison of the monthly averages of goodwill which went from 2,000 to 3,000 approximately after the entry into force of the decree in question. Hiring also recorded substantial increases, reaching 36,000 units in 2015, with the share of fixed-term contracts which, as reported at the beginning, reach percentage of 61% of the total in 2015 and constitute a large majority also among employers' public employment (74% in 2015).²³

A 2018 analysis on the employment of people with disabilities in Italy classifies the disabled as disabled with severe limitations, disabled with non-severe limitations and disabled without limitations and reports the following data: 13.6% of the disabled people with severe limitations hold positions of manager, entrepreneur or freelancer; 32.4% are office workers; 37.9% work as blue collar or apprentice and 16.2 work on their own. Furthermore, 15.2 of the disabled people with non-severe limitations occupy positions of manager, entrepreneur or freelancer; 34% are office workers; 34.3% work as blue collar or apprentice and 16.5 work on their own. Finally, 16.8 of all disabled people without limitations occupy positions of manager, entrepreneur or

²³ <https://www.disabili.com/images/pdf/Dossier-lavoro-disabili.pdf>

freelancer; 32.9% are office workers; 35.1% work as blue collar or apprentice and 15.3 work on their own.²⁴

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	Law 68/99 "Norme per il diritto al lavoro per i disabili" / "Legge sul Collocamento Mirato"
LEVEL	National
YEAR	1999
COUNTRY	Italy
THEME	Labour Market - Work Environment
GENERAL DESCRIPTION	<p>By targeted placement we mean the set of "tools that allow to evaluate people with disabilities adequately in their working skills and to place them in the place suitable, through job analyses, forms of support, positive actions and solutions of problems connected with environments, tools and interpersonal relationships in the workplace".</p> <p>The main beneficiaries are: disabled (Article 8); civil invalids with a percentage of disability over 45%; disabled people with a reduction in working capacity of more than 33%; invalids of war; deaf; blind people (partially blind people are also included); ordinary invalidity (IO) (Law 222/84); victims of terrorism, duty and organized crime and witnesses of justice (Law 407 / 98); blind switchboard operators (Law 113/85); blind physiotherapists.</p> <p>"Protected categories" (art.18) mean: victims of terrorism, duty and organized crime and witnesses of justice (Law 407/98); Orphans and widows of victims of terrorism, organized crime, duty and witnesses of justice (Law no.6/2018) exclusively in lieu of the principal entitled person and even if not in a state of unemployment (Law 407/98); relatives and equivalent of victims of terrorism, organized crime and duty (Law 407/98); orphans and widows of deceased as a result of war, work or service, or due to the aggravation of disability reported for such causes; spouse and children of persons recognized as being very disabled due to war, service and work, exclusively in lieu of the principal entitled person; refugees; equated orphans and widows of fallen at work, for reasons of service and war dead; orphans of a parent following homicide committed against the parent by the spouse, even if legally separated or divorced (Law n.4 of 11 January 2018).</p>
OBJECTIVES	<p>It provides for the targeted placement of people with disabilities.</p> <p>The technical committees, made up of officials and experts in the social and medico-legal sector, assisted by a tripartite commission which includes trade unions and associations of disabled people, must define an individualized programme for each person enrolled in the provincial employment lists. The technical committee:</p> <ul style="list-style-type: none"> • Evaluates the skills and working potential of disabled workers • Defines the tools for job placement and targeted placement

²⁴ <http://dati.disabilitaincifre.it>

- Prepares a tutoring plan for job placement
- Orients disabled workers towards training or professional updates
- Guides employers of methodologies for the employment of disabled people
- Provides workplace checks to assess the progress of job placement
- Collaborates in the drafting of training and retraining programs

ACTIVITIES

Law 68/99 provides for the establishment at regional and provincial level of services for the job placement of disabled workers, which, in conjunction with the social, health, educational and training services of the territory, provide for the planning, implementation, verification of the interventions aimed at favouring the job placement of the beneficiaries of this law.

Law 68/99 specifies who the beneficiaries of the targeted placement are:

- Disabled people of working age with disability over 45%
- Invalids from work with disability greater than 33%
- Invalids for war or service
- People who are blind, deaf or dumb

Subjects obliged to hire people with disabilities:

- Public entities
- Political parties
- Unions
- Non-profit organizations
- Private companies / entities

Companies with more than 50 workers → 7% of disabled people compared to the total number of workers

Companies with 35-50 workers → 2 disabled people

Companies with 15-35 workers → 1 disabled person

Internal invalids, or personnel who become disabled after hiring, cannot be counted among disabled workers hired pursuant to the Law if they have suffered a reduction in working capacity of less than 60%.

LINK

[Link](#)

NO.2

NAME OF THE POLICY

Law 104/92

LEVEL

National

YEAR

1992

COUNTRY

Italy

THEME

Education (VET) system



GENERAL DESCRIPTION	<p>Recognizes and protects the participation in the social life of people with disabilities, in places that are fundamental for it: school, during childhood and adolescence (articles 12, 13, 14, 15, 16 and 17) and work, in adulthood (articles 18, 19, 20, 21 and 22).</p> <p>It sanctioned the principle of evaluating the subject with respect to concrete working-relational skills.</p> <p>In the case of severe handicap, when personal autonomy is reduced to the point of requiring permanent assistance, Law 104/1992 applies to everyone: Italian citizens, foreigners, stateless persons. To have rights to the permits: parents, spouse and second-degree relatives. For third-degree relatives, they can only use it if the parents and spouse are 65 years old.</p> <p>Permits can also be requested if the client benefits from them.</p> <p>The pupil with disabilities is assigned to the common class in which the integration process takes place. Therefore, the responsibility and educational responsibility of the pupil with disabilities rests with the entire Class Council, of which the teacher is a member for support activities. The teacher for support activities is requested from the Regional School Office by the head teacher based on the enrolments of pupils with disabilities; the quantification of hours for each pupil is identified taking into account the Functional Diagnosis, the Dynamic Functional Profile and the consequent Individualized Education Plan.</p>
OBJECTIVES	<p>The objective of school integration is the development of the potential of the person with disabilities in learning, communication, relationships and socialization. The school not only teaches but also offers each pupil the opportunity to realize their potential.</p>
ACTIVITIES	<p>Ministry of Education, University and Research implements various accompanying measures to promote integration: support teachers, financing of projects and activities for integration, training initiatives for support and curricular teaching staff as well as administrative, technical and auxiliary staff. The observatory for the integration of people with disabilities is a national advisory and proactive body on the subject of school integration.</p> <p>At the territorial level, other bodies have the task of proposing initiatives to implement and improve the integration process: the GLIPs ("Provincial Interinstitutional Working Groups", formed by representatives of Local Authorities, ASLs and Associations of the disabled) and GLHs ("Work groups for the integration of the handicapped", formed by the head of the school, the teachers concerned, parents and health personnel). The task of the GLH is particularly significant, as it has the purpose of developing, among other things, the Individualized Education Plan, which determines the educational path of the pupil with disabilities and guarantees adequate intervention to develop their potential.</p>
LINK	<p>Link</p>

Conclusion

As regards the area of disability linked to the labour market and working environment, in Italy the Law no. 68 of 1999 "Regulations for the right to work of the disabled people" also called the law on "targeted placement" rules the accessibility of people with disabilities in the labour market.

By targeted placement the law means a set of *"measures that allow people with disabilities to be adequately assessed thanks to their working skills and measures that allow to place them in the right place, through job analysis, support, positive actions and solutions to problems associated with environments, tools and interpersonal relationships in the workplace and in relationships"*.

The institution of mandatory recruitment derives from the targeted placement. Companies with more than 14 employees must reserve a quota destined to: civil invalids with a percentage of disability from 46 to 100%, work-related disability with a percentage of disability greater than 33%, disabled people for service (former public employees, including military), war invalids and civilians with disabilities, the blind and the deaf and dumb. The protected categories include:

- Italian refugees;
- orphans and widows of deceased due to work;
- war or service and equivalent:
- victims of duty;
- victims of terrorism and organized crime

In the VET sector in Italy, the right to education of pupils with disabilities is ruled according to current legislation. This is carried out through school integration, which provides for the obligation of the State to prepare adequate support measures. The Local Authorities and the National Health Service also contribute to these measures at the local level, with own competences. The school community and local services therefore have the task of "taking charge" and taking care of the educational life and overall growth of the person with disabilities. This collective commitment has a very specific goal: to prepare the conditions for the full participation of the person with disabilities in social life, eliminating all possible obstacles and barriers, physical and cultural, which can stand between social participation and the real life of people with disabilities.

Law 104/92 recognizes and protects the participation in the social life of people with disabilities, in particular in places that are fundamental to it: school, during childhood and adolescence (articles 12, 13, 14, 15, 16 and 17) and work, in adulthood (articles 18, 19, 20, 21 and 22). A reconstruction of the legislative process regarding integration, and the related principles, is present in the "Guidelines for the integration of pupils with disabilities", issued with a note dated 4 August 2009.

The Ministry of Education, University and Research implements various accompanying measures to promote integration: support teachers, financing of projects and activities for integration, training initiatives for support and curricular teaching staff as well as administrative, technical, and auxiliary staff. The observatory for the integration of people with disabilities is a national advisory and proactive body about school integration.

The best way to improve the system of the employment for people with disability can be focused on two different aspects:

- the economic aspect, giving more funds to the companies and more incentives that can convince the employer that is necessary to employ person with disabilities;

- on the other aspect, the ethical factor is fundamental, thanks to raise awareness on this topic.

5. Slovenia

Materials and Methods of the Slovenian research



The rights of disabled persons in the Republic of Slovenia are not guaranteed under a single umbrella act but under different acts regulating the various rights of disabled people in different areas:

- Implementation of the Principle of Equal Treatment Act;
- Equalization of Opportunities for Persons with Disabilities Act;
- Employment Relationships Act;
- Vocational Rehabilitation and Employment of Disabled Persons Act;
- Pension and Disability Insurance Act;
- Act Concerning Social Care of Mentally and Physically Handicapped Persons;
- Construction Act;
- Slovenian Sign Language Act;
- Disabled People's Organizations Act;

In Slovenia, the field of disability protection is regulated in approximately seventy laws that directly or indirectly regulate the position, rights and obligations of people with disabilities. The most important laws and by-laws that define the rights of disabled people in the existing Slovenian legislation are:

- the Act on the Implementation of the Principle of Equal Treatment;
- the Equal Opportunities for Disabled Persons Act;
- the Social Inclusion Act;
- the Employment Rehabilitation and Employment of Disabled Persons Act (ZZRZI);
- the Pension and Disability Insurance Act;
- the Health Care and Health Insurance Act;
- the Social Protection Act;
- the Labour Relations Act;
- the Occupational Safety and Health Act;
- the Labour Market Regulation Act;
- the Disability Organizations Act;
- the War Veterans Act;
- the Orientation of Children with Special Needs Act.

The Slovenian research has been based on the analysis of the above-mentioned laws/acts.

Background research and National/Regional policies

In Slovenia, the approximate estimates of the share of persons with disabilities is between 12% and 13% of the population. The 8% of persons with disabilities were issued disability decisions under different Acts; the remaining 5% are persons with a serious physical impairment²⁵.

Persons with disabilities are therefore an important group who can equally contribute to the development of society; however, their abilities are not fully developed, owing to numerous obstacles and the reduced accessibility they encounter in their life.

Since the 1991, Slovenia adopted the Concept of Development Strategy for the Protection of Persons with Disabilities which is important for the following five aspects:

- It provided a modern definition of disability based on a philosophy of human rights and not on a medical model.
- It includes an integrated method for addressing disability issues.
- It highlights that person with disability have a right to an independent life.
- The strategy defines the status and funding of disabled people's organizations.
- Persons with disabilities, state representatives and experts were involved in drafting the document.

Slovenia also puts into practice the principles of social justice and equal opportunities for all, which it proved on 30 November 2006 with the adoption of the Action Programme for Disabled Persons for 2007–2013, and later when the National Assembly of the Republic of Slovenia, on the 2nd of April 2008, passed the Act Ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities. With this, the Republic of Slovenia became one of the first countries in the world to ratify, without reservations, the Convention, and the Optional Protocol. Thereby, the two documents became part of national law and directly applicable.

In addition to the Convention, in the programme preparation process, the UN basic documents were also complied with the Standard rules on the equalisation of opportunities for persons with disabilities and the World Programme of Action concerning Disabled Persons, the EU Action Programme²⁶ and the Council of Europe Action Plan to promote the rights and full participation of persons with disabilities in society: improving the quality of life of persons with disabilities in Europe 2006-2015.

The Republic of Slovenia in Article 14 of the Constitution laid down that everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of personal circumstances. In the amendments to Article 14, which entered into force on 15 June 2004, disability is defined as a personal circumstance. The Constitution of the Republic of Slovenia 4

²⁵ according to estimates of disabled people's organizations and/or their membership

²⁶ COM 2003 650 and COM 2005 604

expressly stresses the right of disabled persons to equality before the law and underlines that no one should be discriminated against for reasons of disability.

Therefore, according to the Constitution, persons with disabilities have the same rights and obligations as others. However, in this connection, their special needs should be considered, and equal treatment and the realization of all human rights ensured.

Inclusion of people with special needs in the VET system

In Slovenia, regarding the school system, in general, it is present the **Orientation of Children with Special Needs Act** that touches on the topic of education of people with special needs is the Orientation of Children with Special Needs Act, adopted by the National Assembly of the Republic of Slovenia in June 2000, and instructions for its implementation were adopted in 2003.

They also supplemented it with the Rules on Amendments. This area is also defined in the following international documents: Coordinated Policy and Rehabilitation of Persons with Disabilities of the Council of Europe (1992) and the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

The field of education of children and adolescents with special needs is also broadly defined in the White Paper on Education in the Republic of Slovenia. Other laws and regulations that also determine and regulate the field of education of children and adolescents with special needs are:

- Primary School Act;
- Kindergarten Act;
- Rules on the organization and manner of work of commissions for the guidance of children with special needs and on the criteria for determining the type and level of deficits, obstacles, or disorders of children with special needs;
- Rules on the procedure for guiding children with special needs;
- Guidelines for educational programs with adapted implementation and additional professional assistance for a nine-year primary school;
- Instructions for the implementation of vocational and secondary education programs with adapted implementation and additional professional assistance;
- Guidelines for the curriculum for kindergartens in programmes with adapted implementation and additional professional assistance;
- Instructions to the Centre for Social Work on the manner of performing the tasks of school administrations, which are determined by the Act on the Orientation of Children with Special Needs.

Inclusion of people with special needs in the labour market

The unemployment of people with disabilities, in Slovenia, is higher than the unemployment of other active population. Today, people with disabilities represent a special group on the labour market, which is already focused on the secondary labour market in the employment process.

The consequence of discrimination and neglect of people with disabilities is reflected in the jobs that people with disabilities occupy.

In Slovenia, the measures provided by the Employment Rehabilitation and Employment of Disabled Persons Act (ZZRZI), are intended to increase the employability of people with disabilities and to create conditions for their equal participation in the labour market by removing barriers and creating equal opportunities. This Act regulates the right to vocational rehabilitation and other issues related to the employment of persons with disabilities and defines other forms and incentives for the employment of persons with disabilities, and the method of financing thereof. It also defines types of supervision and the authorities and institutions responsible for the implementation of it.

The **Article 3** of the ZZRZI states that a person with disabilities is the one who has acquired the status of a person with disabilities in accordance with it or pursuant to other regulations; a person in relation to whom a competent authority has, by means of a decision, determined the permanent consequences of physical or mental impairments or illness and whose prospects of securing, retaining, and advancing in employment are substantially reduced.

The **Article 4** of the same Act, states, that vocational rehabilitation encompasses services carried out with the aim of training persons with disabilities for appropriate work, of helping them to obtain and retain employment and to progress within it or change career.

The Employment Rehabilitation and Employment of Disabled Persons Act defines occupational rehabilitation as a service provided with the aim of training a disabled person for appropriate work, employment, retention, and promotion or changing his professional career²⁷. The ZZRZI defines fourteen types of vocational rehabilitation services. ZZRZI replaced the Training and Employment of Disabled People Act 1976. The purpose of ZZRZI is to increase the number of employed disabled people and at the same time establish conditions for their equal participation in the labour market by removing barriers and creating equal employment opportunities for all Article.

Vocational rehabilitation is carried out as a public service within the network of vocational rehabilitation providers. This network includes public institutions and other legal or natural persons who need an employment rehabilitation concession to carry out their activities.

The **Article 5** of the ZZRZI explicitly prohibits discrimination of disabled persons during the employment.

The ZZRZI regulates the area:

- employment rehabilitation;
- types of employment for people with disabilities;
- social inclusion programs;
- a quota system for the employment of people with disabilities;
- financial and other incentives for the employment of people with disabilities.

²⁷ ZZRZI, Article 13

In 2004, Slovenia joined the European countries that have certain compulsory the employment of people with disabilities and the measures taken to ensure the maintenance of employment of people with disabilities in the normal labour market and the opportunity for unemployed people to return to work and employment.

A quota system for the employment of people with disabilities means the mandatory employment of a certain number of people with disabilities or the conclusion of business cooperation agreements with the prescribed minimum labour costs or the payment of contributions to promote the employment of people with disabilities in the disability fund.

Any employer who is a legal or natural person registered in the Republic of Slovenia and employs at least 20 employees is obliged to meet the quota. A foreign diplomatic and consular mission, a company for the disabled and an employment centre are not liable for the quota.

The Disability Fund is responsible for monitoring and supervising the implementation of the quota system. The quota system was enacted by the Employment Rehabilitation and Employment of Disabled Persons Act²⁸.

The integration of disabled people in the labour market represents one of the biggest challenges for social and labour market policies. Health impaired persons face a range of employment barriers, not least because recent changes in technology and globalization trends have led to a shift towards highly skilled jobs. Thus, there is a reduced demand for less qualified types of labour, in which disabled persons are over-represented.

The Employment Relationships Act²⁹ regulates employment relationships between an employee and an employer. In several places, it also regulates the specifics of the employment status of workers and other disabled people. The third paragraph of Article 6 of the ZDR stipulates the prohibition of discrimination in employment. During the duration of the employment relationship and after the termination of it, the employer may not put the worker in an unequal position due to disability.

ZPIZ-1 - The purpose of disability insurance is to provide insured persons who have a changed working ability due to disability to be trained for work and employment or relocation appropriate to the remaining working capacity. It provides several rights based on work. An insured person who has acquired any of the rights from disability insurance is called a working disabled person. This has a special status of the legal status of the insured. The pension and disability insurance system in the Republic of Slovenia comprises compulsory insurance based on intergenerational solidarity, compulsory and voluntary supplementary insurance and insurance based on personal pension savings accounts.

²⁸ 2004

²⁹ Hereinafter ZDR

Compulsory disability insurance is a single insurance that covers disability regardless of the cause of the disability, includes compulsory insurance in the event of injury at work and occupational disease (occupational risks) and in the event of injury outside work and illness (general risks). The holder and provider of compulsory insurance is the Pension and Disability Insurance Institute of Slovenia³⁰.

Article 62 of ZPIZ-1 defines four causes of disability. Based on disability, the insured person can thus acquire: the right to vocational rehabilitation, the right to transfer to another job and the right to part-time work. The causes of disability are personal risks and these are divided into:

- occupational risks (injuries at work, occupational diseases);
- general, non-occupational risks (injuries outside work, illness).

ZPIZ-2 - The Pension and Disability Insurance Act³¹ introduced important measures in various areas; the most important of these are certainly the renewed conditions of retirement, the rights from compulsory pension and disability insurance, and the assessment of pensions and their harmonization. In addition to explaining the provisions, he also offered an insight into the manner of their implementation and their interpretation in the case law of labour and social courts and the Supreme Court and in the constitutional court practice of the Constitutional Court.

Convention on the Rights of Persons with Disabilities - It was adopted by the UN General Assembly in December 2006 and in Article 27 (Labour and Employment) the first paragraph speaks of recognizing "the right of persons with disabilities to work in the same way as others, including the right to livelihoods in the labour market. a work environment that is open, inclusive and accessible to all disabled people"³².

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	Zakon o zaposlitveni rehabilitaciji in zaposlovanju invalidov - Vocational Rehabilitation and Employment of Persons with Disabilities Act
LEVEL	National
YEAR	2004
COUNTRY	Slovenia

³⁰ Hereinafter ZPIZ

³¹ ZPIZ-2

³² Official Gazette of the Republic of Slovenia, No. 37/08

THEME Labour market; Work Environment; Work Task

GENERAL DESCRIPTION This law regulates is the basic law that regulates the right to employment rehabilitation and certain issues of employment of the disabled, and determines other forms, measures and incentives for their employment and the manner of their financing.
This Act also determines the types of supervision and the bodies and institutions responsible for the implementation of this Act.

OBJECTIVES The purpose of the law is to increase the employability of people with disabilities and to establish conditions for their equal participation in the labour market by removing barriers and creating equal opportunities. To maintain jobs in creating new jobs for people with disabilities, the Republic of Slovenia provides employers who employ people with disabilities above the quota prescribed by the decree determining the quota for people with disabilities to companies with disabilities in the employment centre in the form of material incentives. the degree of disability of disabled employees and their share in the total number of all employees.
The most important goal of vocational rehabilitation is to provide disabled people with appropriate individual assistance to identify their abilities, to actively participate in planning to solve their problem with the aim of maintaining employment or gaining new employment.

ACTIVITIES Vocational rehabilitation are services provided with the aim of:

- train the disabled person for appropriate work
- get a job
- retain employment
- advances in employment or change your professional career

RESULTS Vocational rehabilitation takes place through vocational rehabilitation services, which are adapted to the needs of the rehabilitator in scope and complexity.
Vocational rehabilitation is carried out as a public service. The standards of occupational rehabilitation services and the network of the network of occupational rehabilitation providers were prepared by the Development Centre for Employment Rehabilitation of the Institute of Rehabilitation of the Republic of Slovenia and adopted by the Minister responsible for disability protection.

LINK [Link](#)

NO.2

NAME OF THE POLICY Zakon o delovnih razmerjih- Employment Relationships Act

LEVEL National

YEAR 2013

COUNTRY Slovenia

THEME Labour market; Work Environment; Work Task

GENERAL DESCRIPTION This law regulates employment relationships concluded by an employment contract between an employee and an employer, in accordance with Council directives.

OBJECTIVES The objectives of the law are the inclusion of workers in the work process, ensuring a coordinated course of the work process and the prevention of unemployment, considering the right of workers to freedom of work, dignity at work and protecting the interests of workers in employment. The objectives of the Act on the Inclusion of Workers in the Work Process, ensuring a Harmonized Work Process and Preventing Unemployment, taking into account the right of workers to freedom of work, dignity at work and protecting the interests of workers in the employment relationship.

RESULTS Regulated work area for the disabled

LINK [Link](#)

NO.3

NAME OF THE POLICY Uredba o določitvi kvote za zaposlovanje invalidov - Decree establishing the employment quota for persons with disabilities

LEVEL National

YEAR 2014

COUNTRY Slovenia

THEME Labour market; Work Environment; Work Task

GENERAL DESCRIPTION This Regulation determines the share of disabled employees in the total number of employees at each employer (hereinafter: quota), proof of quota fulfilment, calculation and payment of obligations and incentives for employment of disabled persons, assistance to employers due to disabled employees under the "de minimis" rule and supervision.

The Regulation provides:

- the share of disabled employees in the total number of employees in an individual
- to the employer (quota),
- proof of quota compliance,
- accounting and payment of liabilities; and
- incentives for the employment of people with disabilities, assistance to employers for the sake of employees
- disabled people under the "de minimis" rule and supervision.
- Any employer who employs is liable to meet the quota at least 20 people.

NO.4

NAME OF THE POLICY	Konvencija o pravicah invalidov - Convention on the Rights of persons with Disabilities
LEVEL	National
YEAR	2008
COUNTRY	Slovenia
THEME	The field of protection of the rights and dignity of persons with disabilities, which ensures the promotion of human rights, the principles of equal opportunities and equal treatment and the prevention of discrimination against persons with disabilities.
GENERAL DESCRIPTION	The purpose of this Convention is to promote, protect and ensure the full and equal enjoyment by persons with disabilities of all human rights and fundamental freedoms, and to promote respect for their natural dignity. People with disabilities are people with long-term physical, mental, intellectual, or sensory impairments that have been associated with a variety of eggs, able to participate fully and effectively in society just like others.
OBJECTIVES	The agreement sets out what countries must do to ensure people with disabilities have the same rights as everyone else.
ACTIVITIES	All countries must do everything in their power to ensure that people with disabilities have equal access to housing, education, health, and social protection as other people. They must be involved in drafting new laws and in politics also the disabled.
RESULTS	A Committee on the Rights of Persons with Disabilities has been established to monitor the implementation of the provisions of the Convention through the periodic reporting system of the States Parties. States Parties shall submit periodic reports to the Committee, the Committee shall examine the periodic reports and make suggestions and recommendations to the State concerned.
LINK	Link

NO.5

NAME OF THE POLICY	akon o trgu dela - Labour Market Regulation Act
LEVEL	National
YEAR	2020
COUNTRY	Slovenia
THEME	Labour Market

GENERAL DESCRIPTION The law regulates state labour market measures to ensure the provision of public service in the field of employment and active employment policy measures and the operation of the unemployment insurance system, determines the providers of measures, prescribes conditions and procedures for exercising individual rights and services this Act, regulate the manner of financing measures and monitoring, evaluation and control over their implementation, and regulate the provision of work to employees to the user.

OBJECTIVES The purpose of the law is to increase the security of jobseekers, especially the unemployed and persons whose employment is endangered, by accelerating the state's action on the labour market. The aim is to establish a network of providers of lifelong career guidance and employment mediation, which will enable the free choice of employment or profession in accordance with the individual's competencies and employment opportunities, and the achievement of the highest possible level of employment. Increasing security and increasing employability are also ensured through active employment policy measures aimed at training and education in accordance with the needs of the labour market, promoting employment and creating new jobs. In accordance with this Act, everyone has access to or the right to counselling and assistance to the extent necessary to prevent and eliminate his unemployment, and the obligation to actively contribute to this. The aim of the law is also to ensure the safety of insured persons in cases of unemployment through no fault of their own or against their will by providing monetary benefits in accordance with the principles of reciprocity and solidarity.

RESULTS This Act transposes the following EU directives into the legal order of the Republic of Slovenia:

- Directive 2008/104 / EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work
- Directive 2006/123 / EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market

LINK [Link](#)

Conclusion

Despite many legal regulations adopted at the international and national level prohibiting discrimination and providing equal treatment measures, disabled people still face barriers, hindering their participation in the open labour market. After 2000, the number of new legal sources dealing with the provision of human rights (for the disabled) at the international level was changed, and at the same time the field of employment was explicitly envisaged. Unlike most adopted documents in this area, they should not be of a recommendatory nature and are therefore binding on Member States or signatories (e.g. Council Directive 2000/78 / EC on a general framework for equal treatment in employment and occupation; UN Convention on the human rights of persons with disabilities).

Employment is one of the most important factors in providing greater opportunities for independent living, as well as for equal active involvement in other areas of individual and community life. However, the review of the position of people with disabilities on the labour market in Slovenia as well as in other countries confirms that people with disabilities do not have the same real opportunities for employment, job retention and promotion in practice.

Employing people with disabilities can also be an opportunity for employers, as providing equal opportunities and integrating diversity means creating an organization that encourages, invites and recognizes creativity and innovation. In the future, the advantage for the competitiveness and success of organizations will be given to those human resources workers who have sufficient competencies related to the employment of people with disabilities, as such knowledge can be effectively used in the successful integration of other categories of workers. This will be relevant in the near future, as the labour market is already reflecting demographic changes in the direction of raising the average age of the workforce, which requires the creation of different jobs and the efficient organization of more flexible labour processes. Successful personnel practices and the positive effects conditioned by them will be able to be fully achieved only by those employers who not only see the employment of people with disabilities as a burden, but also know how to recognize opportunities and advantages for the organization.

6. Poland

Materials and Methods of the Polish research

The information collecting, in Poland have been gathered through various website sources. The overall research began on the website of the Polish Parliament³³ on the issue of legislation to obtain a comprehensive overview.

All the policies and standards currently in force in Poland, at the national and regional level, were analysed in-depth.

The source material was the data posted on the website of the Office of the Government Plenipotentiary for Disabled People³⁴.

The information collecting was based on searching the statistical yearbooks i.e. Databases of Central Statistical Office in Poland³⁵. Complementarily, the information came from bibliographic sources as well as consultations. The information provided on the websites of non-governmental organizations dealing with people with special needs issues was also studied.

³³ isap.sejm.gov.pl/isap.nsf/home.xsp

³⁴ <http://www.niepelnosprawni.gov.pl/p,11,biuro>

³⁵ <https://stat.gov.pl/>

Background research and National/Regional policies

Inclusion of people with special needs in the VET system

The inclusion of people with special needs in the VET system in Poland is legally guaranteed. Although Poland is still dominated by the so-called special education, i.e. in schools dedicated to children and adolescents with disabilities. This is the model today recognized in Europe as a type of education of a segregated nature, i.e. separating non-disabled and non-disabled children from each other. This causes a depression social skills of these people and often results in failure in an attempt to get studies and therefore remain with qualifications that are not sufficient for a more ambitious job. Typically, this ends up being employed in the sheltered sector, isolating them further from the rest of society. Often, however, these people get no job at all, and therefore all of them taxpayers have to bear the financial consequences of this state of affairs.

An attempt to solve this situation is the creation of integration departments or integration schools. Integration education is also mentioned in the regulation of the Minister of National Education, which entered into force on 1 September 2011. These programs define the scope of educational requirements resulting from the curriculum to the individual needs of the student, as well as the scope of specialist rehabilitation and rehabilitation activities for socially maladjusted students. Disabled students become so people who "need special training conditions" in detail described in the decisions about the need for special education.

According to Article 70 paragraph 1 and 4 of the Constitution of the Republic of Poland, everyone has the right to education. Public authorities ensure universal and equal access for citizens to education.

Article 24 of the UN (United Nations) Convention on the Rights of Persons with Disabilities ensures that people with disabilities will have access to universal higher education, vocational training, adult education and lifelong learning, without discrimination and on an equal basis with others. To this end, States Parties, including Poland ensure that reasonable accommodation is provided for people with disabilities.

Article 23 of the UN Convention on the Rights of the Child Recognizing the special needs of a disabled child, assumes assistance which will be provided free of charge where possible, taking into account financial resources of parents or other people caring for a child, and is to ensure that a disabled child has effective access to education, science, health care, rehabilitation care, professional training and recreational opportunities, implemented in a way that leads to the child's achievement of the highest possible degree of integration into society and personal development, including his cultural and spiritual development.

Art.1 points 5 and 5a of the Act of September 7, 1991. on the education system (Journal of Laws of 2004, No. 256, item 2572 as amended) states that the Polish education system ensures in particular: the possibility of receiving education in all types of schools by disabled and socially maladjusted children and adolescents, following individual development and educational

needs and predispositions, as well as caring for disabled students by enabling the implementation of an individualized education process, forms and curricula and revalidation classes.

Inclusion of people with special needs in the labour market

In Polish official statistics, legal and biological disability are distinguished. Legally disabled persons are persons who have a valid disability certificate issued by an authorized body. Biologically disabled people are those who feel a reduction in their ability to perform basic activities appropriate for their age. Data on the number of disabled people are collected in Poland during the National Census³⁶ that takes place every 10 years. The last National Census had been carried out from April 1, 2021, to June 30, 2021. At present, data collection and analysis are in progress³⁷.

Therefore, the last data about disabled people are from the last National Census of 2011. It should be noted that the questions on disability were non-obligatory and almost 1.5 million people refused to answer it. The data collected in the National Census of Population and Housing conducted in 2011³⁸ indicate that there are 4.7 million disabled people in Poland. It means that disabled people constitute at least 12.2% of population in Poland, in relation to 14.3% in 2002³⁹. Almost 46.1% of all disabled people are men thus the rest, 53.9%, are women.

In 2019, the Central Statistical Office (GUS) prepared a document with relevant information regarding 'People with disabilities'⁴⁰. This document was the second nationwide study about disabled people, prepared by the employees of the Statistical Office in Krakow.

At the end of 2019, most people with disabilities worked in medium and large enterprises were employed in the private sector (76.8%). 344.3 thousand people with disabilities worked, mainly in the field of administration services and supporting activities (31.4%), including detective and security activities (19.9%) and service activities related to maintaining order in buildings and developing green areas (8.7%). Every fourth person with disabilities worked in manufacturing (24.2%). 10.3% of people with disabilities worked in health care.

³⁶ Led by Central Statistical Office in Poland - GUS

³⁷ <https://stat.gov.pl/en/news/national-census-of-population-and-housing-2021,49,1.html?contrast=default>

³⁸ <https://stat.gov.pl/spisy-powszechne/nsp-2011/>

³⁹ According to the census conducted in 2002

⁴⁰ <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/pracujacy-bezrobotni-bierni-zawodowo-wg-bael/osoby-niepelnospawne-w-2019-roku,33,1.html>



Figure 13 Number of persons with a certificate of disability or inability to work per population of 10 000 by voivodships in 2019 (Comprehensive IT System of The Social Insurance Institution – KSI ZUS, <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/>)

According to the data of the Social Insurance Institution (ZUS), in December 2019 there were 2.4 million people in Poland receiving retirement and disability benefits and/or insured by contribution payers who had a certificate of disability or a certificate of incapacity for work.

53.7% of people with a certificate of disability or incapacity for work are men.

The highest value of the number of people with a certificate per 10 thousand people was recorded in the Lubuskie voivodship (886). The indicator exceeded 700 people in the following voivodships: Wielkopolskie (711) and Świętokrzyskie (710). On the other hand, the lowest number of people with a disability or inability to work per 10 000 population lived in Mazowieckie voivodship (455). Moreover, the value of the indicator was lower than 500 people in the following voivodships: Opolskie (463) and Podlaskie (483) (Figure 1).

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The employment rate of people with disabilities in the fourth quarter of 2020 was 17%⁴¹.

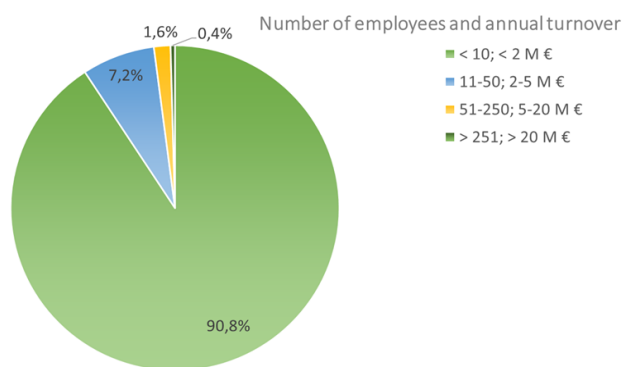


Figure 14 Structure of furniture sector in Poland

Regarding to furniture and wood sector there is no specific information about the employment of people with special needs. In Poland the industry is characterized by many entities of various sizes. There is domination of small businesses (Figure 2, often family businesses) without CSR, policy related to the employment of disabled people. However, the size of the company is not a determinant. Activities are not formalized by CSR.

Below are listed some important legal acts and regulations in Poland that determines the inclusion of disabled people in the labour market:

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⁴¹ <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/pracujacy-bezrobotni-bierni-zawodowo-wg-bael/monitoring-rynku-pracy-kwartalna-informacja-o-rynku-pracy-w-czwartym-kwartale-2020-r-12,45.html>

- **The Constitution of the Republic of Poland of April 2, 1997.** In the Article 69 Rights of the disabled people was written: ***"the public authorities shall provide disabled persons with assistance in securing their existence, preparation for work and social communication"***.
- **The Act on vocational and social rehabilitation and employment of persons with disabilities⁴².** This Act applies to disabled persons with an official confirmation of this fact. It regulates issues such as:
 - disability assessment;
 - rehabilitation of persons with disabilities in the sense of a set of activities, including vocational rehabilitation aimed at facilitating a person with disabilities to obtain and maintain suitable employment and vocational promotion by enabling him/her to use vocational counselling, vocational training and employment agency;
 - additional rights of persons with disabilities depending on the assessed degree of disability, e.g. additional breaks from work, additional leave (10 days), exemption from work with the right to compensation, training for persons with disabilities;
 - specific obligations and rights of employers in relation to employing persons with disabilities;
 - tasks and organization of services working for people with disabilities, including the Government Plenipotentiary for Disabled People together with the cooperating Office and Division for Vocational Rehabilitation and Public Aid, the National Consultative Council for Matters relating to Disabled Persons and the National Fund for the Rehabilitation of Disabled Persons.

The main tool to encourage employers to employ people with disabilities is the obligation to consider the employment rate of people with disabilities, which was regulated in Article 2, Article 21, and Article 22 of the Act of 27, August 1997 on vocational and social rehabilitation and employment of persons with disabilities⁴³. For the employer to be able to fulfil this obligation, it is necessary to achieve an appropriate level of the employment rate of people with disabilities. It is the monthly percentage of people with disabilities in total employment, calculated based on full-time work. Employers from the open labour market have two levels of the employment rate for people with disabilities. The first is generally applicable to any employer with a minimum of 25 full-time employees and amounts to 6%. On the other hand, the second level of the employment rate for people with disabilities is 2% and it applies to public and private universities, higher vocational schools, public and private schools, and teacher training establishments. The same level of the indicator was also established for care and education and rehabilitation centres. An employer who does not reach a certain level of the employment rate of people with disabilities is obliged to make a monthly contribution to PFRON⁴⁴.

⁴² Journal of Laws of 2021, item 573

⁴³ Journal of Laws of 2021, No. 573, as amended

⁴⁴ The State Fund for Rehabilitation of Disabled People, <https://www.pfron.org.pl/>

Other acts are:

Regulation of the Council of Ministers from 12th April 2012 about National Interoperability Frameworks, the minimum requirements for public records and the exchange of information in electronic form and the minimum requirements for ICT systems - All websites and public IT systems that implement public tasks must achieve minimum accessibility requirements (Web Content Accessibility Guidelines) described in the regulation.⁴⁵

Regulation of the Minister of Labour and Social Policy and the Minister of Culture and National Heritage on the list of libraries, organizations of blind or dim persons and organizations whose statutory purpose is to act for the benefit of blind or dim persons (consolidated text of 29 September 2015).⁴⁶

Below a list of governmental organizations that are dealing with people with disabilities:

- **State Fund for Rehabilitation of Disabled Persons (PFRON)**. The Fund's mission is to facilitate disabled people's full participation in professional and social life. It takes care to maintain employment and employee benefits by subsidizing employee salaries. They support entrepreneurs and farmers in paying social insurance contributions. They pay for a disabled person's participation in occupational therapy workshops⁴⁷.
- **The Government Plenipotentiary for Disabled People together with the cooperating Office**. Its multiple tasks are defined in the Act on vocational and social rehabilitation and employment of persons with disabilities⁴⁸.
- **The National Consultative Council for Persons with Disabilities**. The Council is a consultative and advisory body to the Plenipotentiary.

Parallel to legal acts and activities there are also non-governmental organizations that support and helps persons with disabilities. These organizations are sometimes financially supported by the government. Governmental and non-governmental organizations cooperate with each other.

- **The Diversity Charter** is a voluntary, written commitment by the company or public institution to implement equal treatment and diversity in the workplace. It is an international initiative to promote diversity and equal opportunities in employment, regardless of gender, race, sexual orientation, ethnicity, age, disability or religion. In 2012, The Diversity Charter has also been adopted in Poland⁴⁹.
- **The "Włącz się (English: get involved)" programme** is based on cooperation between socially committed companies and NGOs targeting professional activation of people with disabilities, victims of domestic violence, prison leavers, homeless people, young

⁴⁵ Journal of Law of 2017, item 2247

⁴⁶ Journal of Law of 2015, item 1644

⁴⁷ <https://www.pfron.org.pl/en/contact/>

⁴⁸ <http://www.niepelnosprawni.gov.pl/p,132,office-of-the-government-plenipotentiary-for-disabled-people>

⁴⁹ <https://odpowiedzialnybiznes.pl/karta-roznorodnosci>

people experiencing socio-economic problems. The program "Włącz się" (Spanish: Incorpora) was initiated by "la Caixa" Foundation in 2006. It has been implemented in Poland since 2012. In 2016, the coordinator of "Włącz się" in Poland became the Institute for Structural Research⁵⁰.

- **The Society for the Care of the Blind** who runs 3 educational institutions located in Laski, Rabka and Sobieszewo. They provide proper education for blind children from the first months of life to matriculation and vocational exams. They also run homes in Żułów and Niepołomice, where they provide care for blind adults with additional disabilities⁵¹.

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	Constitution of the Republic of Poland of April 2, 1997
LEVEL	National
YEAR	1997
COUNTRY	Poland
THEME	Education (VET) system; Labour Market; work Environment; Work tasks
GENERAL DESCRIPTION	Securing the existence of disabled people
OBJECTIVES	The public authorities shall provide disabled persons with assistance in securing their existence, preparation for work and social communication
RESULTS	legislation setting out state obligations, additional rights for people with disabilities such as financial assistance, additional training, regulating ways to help people with disabilities to function as independently as possible in society establishment of organizations and offices responsible for implementing and respecting these matters and for communicating with people with disabilities.
LINK	Link

⁵⁰ <https://ibs.org.pl/research/wlacz-sie-program-hiszpanskiej-fundacji-la-caixa/>

⁵¹ <https://www.laski.edu.pl/en/node/17>

NO.2

NAME OF THE POLICY	Regulation of the Minister of the Family, Labour and Social policy of 27 October 2016 on the National Consultative Council for Persons with Disabilities
LEVEL	National
YEAR	2016
COUNTRY	Poland
THEME	Education (VET) system; Labour Market; work Environment; Work tasks
GENERAL DESCRIPTION	Definition of the Council's work mode
OBJECTIVES	<ul style="list-style-type: none"> • The procedure for appointing members of the National Consultative Council for Persons with Disabilities, • organization and mode of operation, • deadlines for submitting candidates for members of the Council
ACTIVITIES	Presenting to the Government Plenipotentiary for Disabled Persons: - proposals for projects aimed at the integration of disabled people, - proposals for solutions to meet the needs of disabled people resulting from disability, - opinions on documents submitted to the Council by the Plenipotentiary, including drafts - legal acts that have or may have an impact on the situation of disabled people, financial plans and the Fund's reports, - government action programs for people with disabilities and information on their implementation, - annual information on the activities of the Council.
RESULTS	Issuing or changing regulations concerning the situation of disabled people
LINK	Link

NO.3

NAME OF THE POLICY	Announcement of the Marshal of the Sejm of the Republic of Poland of 15 September 2017 on the publication of the uniform text of the Act on sign language and other means of communication
LEVEL	National
YEAR	2017
COUNTRY	Poland
THEME	Labour Market
GENERAL DESCRIPTION	Providing assistance in communication, particularly through sign language, particularly in administrative matters
OBJECTIVES	Identify appropriate regulations to ensure that deaf people can communicate with the public; define rights to which deaf people are entitled

ACTIVITIES an eligible person has, under the Act, the right to:

- 1) the use of a foster person in contacts with the public administration authorities, system units, medical entities, the Police, the State Fire Service and municipal guards and voluntary units operating in these areas;
- 2) service of entitled persons in contacts with public administration bodies;
- 3) subsidizing the costs of education of entitled persons, members of their families and other persons who have permanent or direct contact with entitled persons with respect to the Polish sign language, sign language system and ways of sign language system and ways of communication of deaf-blind persons on different levels;

RESULTS Implementation of the Act

LINK [Link](#)

NO.4

NAME OF THE POLICY Act of 23rd October 2018 on Solidarity Fund

LEVEL National

YEAR 2018

COUNTRY Poland

THEME Education (VET) system; Labour Market

GENERAL DESCRIPTION the aim of the Fund is to provide social, professional, health and financial support to people with disabilities and, following the entry into force of the above-mentioned Act, also to provide financial support to retired persons and pensioners

OBJECTIVES the Fund aims to implement government and departmental programs in the field of support for people with disabilities, tasks related to promoting and supporting a system of support for people with disabilities, tasks in the field of innovative solutions in support of people with disabilities

ACTIVITIES

- Collecting funds for the purposes of the Fund.
- Implementation of the Fund's objectives (the Minister responsible for social security draws up an annual action plan for supporting disabled people for a given calendar year).
- Promoting and supporting a system of support for people with disabilities in society and labour market.

RESULTS The Found is regularly working by collecting funds and realizing an annual plan for each year

LINK [Link](#)

NO.5

NAME OF THE POLICY	Announcement of the Marshal of the Sejm of the Republic of Poland of February 23, 2021, on the publication of the uniform text of the Act on Vocational and Social Rehabilitation and Employment of Persons With Disabilities
LEVEL	National
YEAR	2021
COUNTRY	Poland
THEME	Education (VET) system; Labour Market; work Environment; Work tasks
GENERAL DESCRIPTION	the Act concerns on vocational and social rehabilitation of disabled persons and regulations of employment of disabled persons
OBJECTIVES	<p>The Act objectives are:</p> <ul style="list-style-type: none"> • Disability assessment; • rehabilitation of persons with disabilities - additional rights of persons with disabilities depending on the assessed degree of disability; • specific obligations and rights of employers in relation to employing persons with disabilities; • tasks and organisation of services working for people with disabilities.
ACTIVITIES	<p>A set of activities, in particular organizational, therapeutic, psychological, technical, training, educational and social activities aimed at achieving, with the active participation of people with disabilities, the highest possible level of functioning, quality of life and social inclusion.</p> <p>Determining specific obligations and rights of employers in relation to the employment of disabled persons to enhance them to employ disabled persons.</p> <p>Establishing the National Consultative Council for Persons with Disabilities.</p> <p>Regulating the tasks and obligations of the State Fund for Rehabilitation of Disabled Persons.</p> <p>Regulating the task sand obligations of the Government Plenipotentiary for Disabled People together with the cooperating Office and Division.</p> <p>Providing training dedicated to the specific needs of people with disabilities.</p> <p>Regulating special rights and obligations of sheltered workshops and occupational workshops.</p>
RESULTS	<ul style="list-style-type: none"> • assessment of the degree of disability, • allocation of financial assistance, • helping you to find suitable employment, • providing training, • ensure the rights of people with disabilities are respected
LINK	Link

Conclusion

Each type of disability has limitations. Knowing them allows to better understand the disabled person. Sometimes one person has more than one type of disability, for example deaf people or people with physical and intellectual disabilities. This coexistence limits the abilities of these people to a greater degree than would result from simple summation. There are barriers between a person with a disability and the physical, virtual and social environment. The existence of barriers results from disability and constitutes a restriction of activity in the life of a person with disabilities.

In Poland there are legal acts which guarantee the protection of the rights and dignity of people with disabilities. These acts are continuously adapted to many aspects of life and their fulfilment is monitored and adjusted to current needs. These acts also apply to business. They are aimed to guide all employers who intend to employ people with disabilities and are implementing corporate social responsibility strategies on how to make CSR strategies useful in employing people with disabilities and providing them with appropriate working and career conditions. Governmental and non-governmental organizations, having previously interviewed people representing each stakeholder group (people with disabilities and employers), aim to work out what actions should be taken and implemented to increase the level of employment of employees with disabilities in a company, so that these employees feel satisfied with their employment at the company and thus that their identification with the company is at a high level.

7. Germany

Materials and Methods of the German research



The German research started on the webpage of the German Federal Statistical Office to get an overview on people with special needs. A special mention deserves the microcensus 2019, a report based on the life situations of disabled people in Germany provided by the Federal Statistical Office every two years. Next step was the webpage of the Federal Government Commissioner for Matter relating to Persons with Disabilities. From here a loop could be made to the legislations in Germany before information from other ministries were investigated. Finally, specialised websites and official opinion polls dealing with the topic people with disabilities were examined and analysed carefully covering keywords like disability, VET system, labour market and inclusion.

Background research and National/Regional policies

All people are equal and have the same rights. This is manifested in Section 3 of the German Grundgesetz⁵² as a Fundamental Right and guarantees equality before the law, equality of the sexes and prohibits discrimination and preference based on certain characteristics. But there are more laws and policies to ensure the rights of disabled people in Germany. An overview of these can be found on the webpage of the Federal Government Commissioner for Matter. It covers the UN-BRK (UN-Behindertenrechtskonvention; UN Disability Rights Convention)⁵³, BGG (Behindertengleichstellungsgesetz; Disabled Equal Opportunities Act)⁵⁴, SGB IX (Neuntes Sozialgesetzbuch, Book IX of the Social Code)⁵⁵, BTHG (Bundesteilhabegesetz; Federal Participation Act)⁵⁶ and AGG (Allgemeines Gleichbehandlungsgesetz; General Equal Treatment Act)⁵⁷.

The Federal Government Commissioner for Matter (Jürgen Dusel) is appointed by the Federal Cabinet for one legislative term. The State coordination agency established with the Federal Government Commissioner for Matters relating to Persons with Disabilities has essentially three tasks:

- Inclusion of the civil society, in particular persons with disabilities as well as other relevant stakeholders in different fields of action into the implementation process (providing a forum for information and discussion)
- Interface between the civil society and the state level
- PR and awareness-raising campaigns in order to have a multiplier function at different levels

To fulfill these tasks the state coordination agency has established an Advisory Council on Inclusion. The Advisory Council on Inclusion is supported by four special committees in different thematic areas. The work of the Advisory Council on Inclusion and the special committees is coordinated by a secretariat located at the office of the Federal Government Commissioner⁵⁸.

On May 3rd, 2008, the United Nations Convention on the Rights of Persons with Disabilities (Convention on the Rights of Persons with Disabilities; short UN-BRK) came into force. Germany was one of the first states to sign the Convention - together with the associated Optional Protocol - on March 30, 2007. The Convention on the Rights of Persons with Disabilities is the first universal international law treaty that adapts the recognized catalogue

⁵² <https://www.bundestag.de/parlament/aufgaben/rechtsgrundlagen/grundgesetz>

⁵³ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

⁵⁴ https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/11/Germany_Equality-for-Persons-with-Disabilities-Act-BGG.pdf

⁵⁵ https://www.gesetze-im-internet.de/sgb_9_2018/

⁵⁶ <https://www.gesetze-im-internet.de/bthg/>

⁵⁷ <https://www.gesetze-im-internet.de/agg/>

⁵⁸ <https://www.behindertenbeauftragter.de/Languages/EN/english-node.html#doc4178obodyText2>

of human rights, as expressed in the International Charter of Human Rights, to the situation of people with disabilities. The Disability Rights Convention is divided into 2 international treaties, the Convention with 50 articles and the Optional Protocol with 18 articles. With the adoption of the Convention on the Rights of Persons with Disabilities, the United Nations not only created the first binding universal source of human rights for people with disabilities, but at the same time incorporated issues relating to people with disabilities into the entire human rights system of the United Nations.

The core statements of the Convention are portrayed by 8 principles in Article 3 of the Convention on the Rights of Persons with Disabilities and which define the framework for the interpretation of the individual normative provisions of the Convention on the Rights of Persons with Disabilities. It refers to:

- 1) Respect for dignity and individual autonomy, including the freedom to make self-determined decisions.
- 2) Prohibition of Discrimination.
- 3) Full and effective participation in inclusion in society.
- 4) Respect for the diversity and acceptance of people with disabilities as part of human diversity and humanity.
- 5) Equal opportunity.
- 6) Accessibility.
- 7) Equality between men and women.
- 8) Respect for the developing skills of children with disabilities and respect for their right to preserve their specific identities.

Article 26 of the Convention on the Rights of Persons with Disabilities deals with rehabilitation. The contracting states commit themselves to take effective and appropriate measures so that people with disabilities can achieve and maintain the highest level of independence, comprehensive physical, mental, social and professional abilities and full participation in all aspects of life.

Article 27 deals with work and employment. The contracting states recognize the right of people with disabilities to work. This includes the right to be able to earn a living through one's own work. This requires an open, inclusive and accessible labour market for people with disabilities, in which they can freely choose their working environment. The contracting states commit themselves to secure and promote the realization of the right to work for people with disabilities, including through the enactment of relevant legal provisions. The individual regulations of Article 27, subsection 1, letters a-k deal with various aspects of participation in working life on the general labour market. The Convention on the Rights of Persons with Disabilities names, among other things, a ban on discrimination, the right to fair working conditions (for example with regard to payment), access to the labour market (including through career advice, job placement, vocational training and professional development), the employment of disabled people in the public service and disability-friendly design of working conditions. Especially with the regulations of SGB IX (see below), Germany has already created a wide range of legal provisions that implement essential areas of the provisions of Article 27 of the Convention on the Rights of Persons with Disabilities in relation to work and employment

in domestic law (see in particular Sections 49, 50, 168 and following as well as 185 and 187 SGB IX). The German Institute for Human Rights is the monitoring body of the UN-BRK⁵⁹.

The BGG (Disabled Equal Opportunities Act) has been in force since May 1st, 2002 (last amended by law of July 19, 2016). Its aim is to eliminate and prevent the disadvantage of disabled people as well as to guarantee the equal participation of people with disabilities in life in society and to enable them to lead a self-determined life. Their special needs are taken into account (see Section 1 BGG).

Accessibility is at the heart of the law. With the obligation of accessibility, the Equal Opportunities for People with Disabilities Act takes into account the prohibition of discrimination in the Basic Law (Article 3, subsection 3, sentence 2 of the Grundgesetz): The public authorities may not treat disabled and non-disabled people differently without a compelling reason and thereby enable disabled people to participate in life on an equal basis affect society (see Section 7, subsection 2 BGG).

Contributing to accessibility are, for example publications in easy language for people with intellectual disabilities, the removal of spatial barriers for people who are dependent on wheelchairs, the high-contrast design of the living environment for visually impaired people and communication by means of sign language interpreters. The recognition of German sign language as an independent language is of particular importance here (see Section 6 BGG).

The main focuses of the BGG include:

- the creation of accessibility in the areas of construction and transport
- the creation of accessibility in administrative procedures by federal authorities
- the right to use sign language and other communication aids
- the barrier-free design of information technology (for example barrier-free design of websites according to the barrier-free information technology regulation [BITV])
- Facilitation of Bundestag and European elections (e.g. through barrier-free polling stations and voting slip templates)

The new instrument of **target agreement** created with the Disability Equality Act is used to create barrier-free access. If there are no legal requirements for barrier-free access, agreements can be concluded between associations and companies that enable those involved to make regulations for the creation of barrier-free access. The negotiating partners are companies or business associations and associations recognized by the Federal Ministry of Labour and Social Affairs that represent the interests of disabled people. They are entitled to initiate negotiations on target agreements. The contents of the target agreements are freely negotiated and designed by the contractual partners. The contracting parties involved in the conclusion are bound by the target agreement. Negotiations on target agreements are to be reported to the target agreement register set up at the Federal Ministry of Labour and Social Affairs, naming the negotiating parties and the subject of the negotiation.

⁵⁹ <https://www.institut-fuer-menschenrechte.de/das-institut/monitoring-stelle-un-brk/die-un-brk>

Figure 1 depicts the BGG in brief: 1) adjustment to the UN Disability Rights Convention, 2) improving accessibility in the federal administration, 3) strengthening the easy language, 4) Federal Office for Accessibility, 5) arbitration board in disputes, 6) promoting the participation of associations of people with disabilities.



Figure 15: Behindertengleichstellungsgesetz (BGG)

The term disability is defined independently and conclusively in SGB IX (Section 2, subsection 1, 1st sentence). The term “severe disability” is based on this (Section 2, subsection 2); it also focuses on a considerable severity of the handicap. Further, SGB IX includes all legal regulations for the rehabilitation and participation of people with disabilities. Section 1 of SGB IX names the self-determination of disabled people and their comprehensive participation in life in society as the socio-political goal of all participation services. It describes what the various services for participation are supposed to bring about, what service content they have and who is the responsible provider. The main focus of SGB IX can be briefly described as follows:

- The aim of the social benefits is to promote the participation of people with disabilities or people at risk of disability in all areas of society, especially in working life. This goal should be achieved quickly, effectively, economically and in the long term with services for medical, occupational and social rehabilitation.
- Those entitled to benefits receive extended rights of choice and suffrage (see Section 8 of SGB IX). The individual branches of social security remain responsible for the various rehabilitation services. The procedure for clarifying responsibility includes deadlines for processing applications (see Sections 14-15 SGB IX).
- Taking into account the fundamental differences between the social assistance benefits (SGB XII) and the benefits of the other service providers, both the youth welfare providers and the social assistance providers are included in the group of rehabilitation providers.

- In the case of integration assistance as part of SGB IX, the use of income and assets of disabled people or the parents of disabled children is newly regulated in Section 135 of SGB IX. Spouses and life partners will no longer be used in the future.
- Gender-typical burdens for disabled women and women at risk of disability are taken into account as well as the special needs of disabled children and children at risk of disability.
- It is ensured that the services for medical rehabilitation and participation in working life also include psychological and educational support.
- In order to help severely disabled people to obtain a training or job, the right to necessary work assistance from the integration offices is also justified to the rehabilitation provider (Section 49, subsection 8 sentence 1 number 3 and sentence 2 of SGB IX).

The law to strengthen the participation and self-determination of people with disabilities - Federal Participation Act (BTHG) - is a so-called article law. It changes regulations in various existing laws. The BTHG was promulgated in the Federal Law Gazette on December 29, 2016. The provisions of the law come into force in 4 reform stages. The first changes, including those in the law for severely disabled persons, were made the day after the announcement or on January 1, 2017 - the last changes will come into force on January 1, 2023.

The focus of the BTHG is the reform of SGB IX and integration assistance. Integration assistance will be removed from the "welfare system" of social assistance and integrated into the newly formulated SGB IX. Integration assistance benefits are financed and clearly separated from subsistence benefits.

The General Equal Treatment Act contains regulations to prevent or eliminate disadvantages in private and labour law on the basis of race, ethnic origin, gender, religion or belief, **disability**, age or sexual identity. The civil law prohibition of discrimination regulates cases in which the conclusion of a contract, for example with a disabled person, is refused for no objective reason because of an attitude that is hostile to disabled people. The law gives the appropriately protected groups of people legal claims against employers and private individuals who violate the prohibition of discrimination. Both direct and indirect disadvantages are not permitted. Not only disabled employees are protected, but also employees similar to employees, for example visitors to workshops for disabled people (WfbM, see below). The law uses the term "disadvantage" instead of "discrimination" to make it clear that not every difference in treatment that is associated with disadvantage is discriminatory. Different treatment is expressly permitted for certain cases. In the event of a violation of the prohibition of discrimination, the General Equal Treatment Act provides for compensation and damage claims. The burden of proof regulation is favourable for the disadvantaged. Anyone who sees themselves disadvantaged only has to make facts credible that suggest they are disadvantaged. The other party, for example the employer, must prove that there is no disadvantage. The General Equal Treatment Act provides for the approval of supporting anti-discrimination associations. Further, a federal anti-discrimination agency was set up.

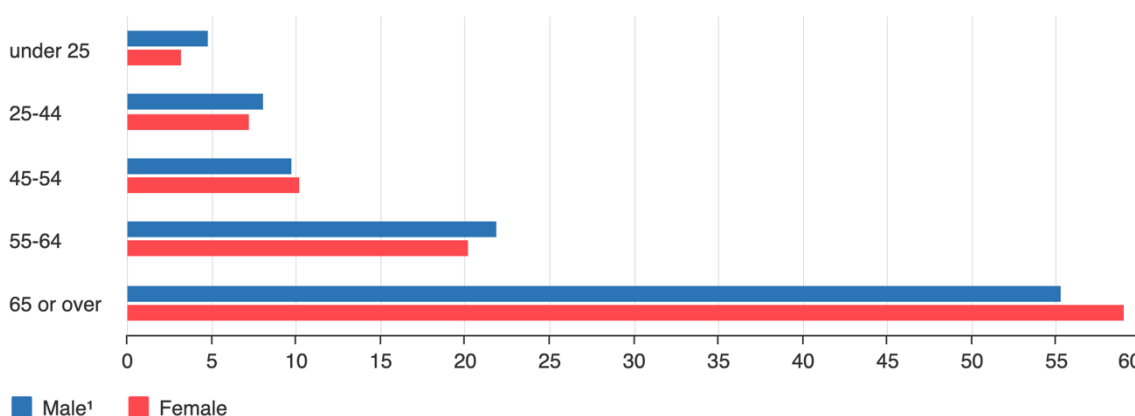
At the end of 2019, around 7.9 million severely disabled people were living in Germany (total of 10.4 million people with a disability). As the German Federal Statistical Office (*Statistisches Bundesamt*; Destatis) also reports, that was around 136,000 (1.8%) more than at the end of 2017. For the period from 2009 to 2017 there was an increase of 9%. In addition to the demographic development, the main reason for this is an increase in people with mental health problems. The number of people with disabilities and a migrant background increased particularly sharply, by 30% between 2009 and 2017⁶⁰

The proportion of severely disabled people in the total population in Germany was 9.5%. Slightly more than half (50.4%) were men, 49.6% were women. Severely disabled people are those who have been awarded a degree of disability of at least 50 and have issued a valid ID by the pension offices.

Disabilities occur mainly in older people: around a third (34%) of severely disabled people were 75 years of age and older. 44% belonged to the age group between 55 and 74 years. Only 2% were children and adolescents under 18 years of age.

Severely disabled people in 2019, by age

Percentage of all severely disabled people per gender



¹ Includes the categories "Gender diverse" and "Not stated" in accordance with the Civil Status Act (PStG).

© Statistisches Bundesamt (Destatis), 2021

Figure 16: Severely disabled people in 2019, by age.

With almost 89%, the majority of the disabilities were caused by an illness.

58% of the severely disabled people had physical disabilities: In 25%, the internal organs or organ systems were affected. In 11%, the arms and / or legs were restricted in their function, in a further 10% the spine and trunk were impaired. Blindness or visual impairment was present in 4% of the cases. Another 4% suffered from hearing loss, balance or speech disorders.

A total of 13% of the severely disabled people had mental or emotional disabilities, cerebral disorders were present in 9% of the cases.

In almost a quarter of the severely disabled people (23%), the pension office determined the highest degree of disability of 100.

For further information, check the GENESIS database of German Federal Statistical Office.

⁶⁰ <https://www.rehadat-statistik.de/statistiken/behinderung/teilhaberbericht-bundesregierung/>

Inclusion of people with special needs in the VET system

Germany has a highly selective school system. This has become a common understanding in the post-PISA public debate. The right school for the respective child is sought, and not the school is made suitable for the child. This results in far-reaching decisions for those affected. The basis is the assumption of apparently objective and relatively unchangeable personality traits. In addition to age, these are essentially talent and disabilities.

The share of special needs education in Germany is around 5.6% of all German pupils. The following figure shows in an international comparison how high the proportion of pupils with identified special educational needs is in the countries of the EU (green column or Germany highlighted in red). The relationship to the proportion of schooling in special institutions can be seen from the blue column:

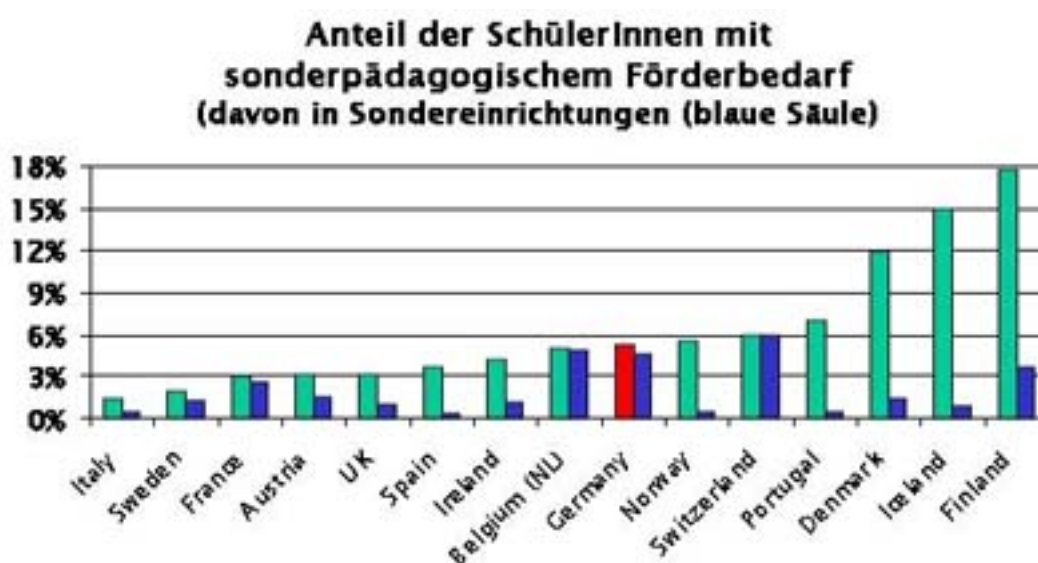


Figure 17: Proportion of pupils with special educational needs and their proportion in special institutions (blue column)

The figure shows Germany in a middle position, but it is different if one takes into account the location of special educational support (blue column): In Scandinavian countries, support takes place in the mainstream school and only to a small extent in special institutions. If one compares the share of special needs education in special needs schools, Germany is at the top. This can be seen in the following figure.

SchülerInnen mit sonderpädagogischem Förderbedarf in Sondereinrichtungen

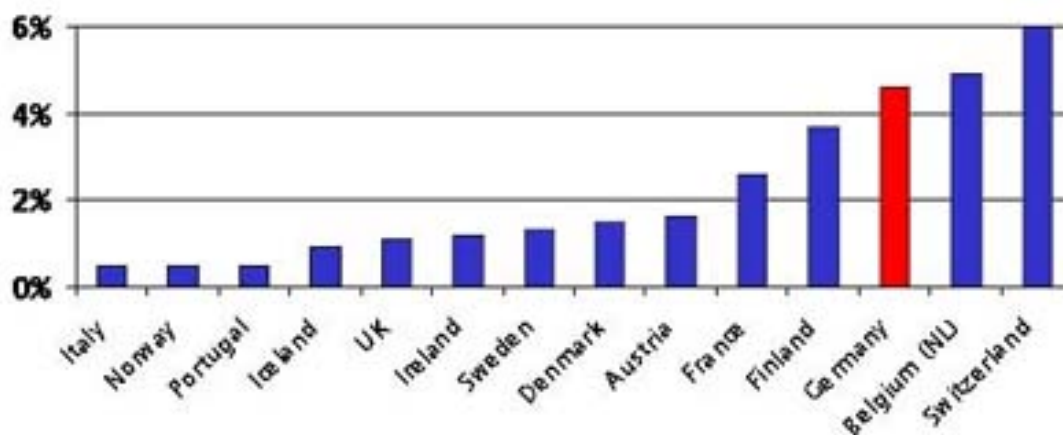


Figure 18: Pupils with special educational needs in special institutions

Germany is continuing to develop in the direction of separating measures against the international trend and against political declarations of intent. The development shows a steady increase in the proportion of school pupils who attend special schools from 1995 to 2003. As a result, this causes a massive disadvantage for children from poverty situations. The former UN human rights commissioner Muñoz, for example, has emphatically criticized this. In the context of school success and social status, Germany takes a sad top spot.

The EU stated: There are "research results which suggest that in some cases too early differentiation of students in separate schools of different types on the basis of talent has a negative impact on the performance of disadvantaged students" (EU quoted from Demmer 2007, p. 27). "Furthermore, research results indicate that it can have negative effects on the performance of disadvantaged pupils if the pupils at an early age are distributed to different types of schools depending on their abilities" (EU quoted from Demmer 2007, p. 28).

A school structure geared towards selection leads to a clear disadvantage for children from poverty, with a migration background and with disabilities, according to the conclusion of the human rights officer.

A look at the PISA winner Finland reveals a completely different structure of teaching-accompanying aids. There, 21% of all pupils receive special educational support during their school days, in Germany the figure is 5.6%. In Finland, the support takes place predominantly in the mainstream school and concentrates on the first years of school, in Germany it is exactly the opposite^{61,62}.

⁶¹ https://www.imhplus.de/index.php?option=com_content&view=article&id=638%3Ainklusion-deutschland-im-eu-vergleich&catid=17%3AEntwurf&Itemid=181&lang=de

⁶² Dieter Katzenbach, Joachim Schroeder: "Ohne Angst verschieden sein können" Über Inklusion und ihre Machbarkeit - published in: Zeitschrift für Inklusion-online 01/2007 - <http://bidok.uibk.ac.at/library/inkl-01-07-katzenbach-angst.html>

A total of 16% of disabled people between the ages of 25 and 44 did not have one general school leaving certificate. People without disabilities at that age were significantly less often without a degree (4%). On the other hand, 17% of the disabled had an Abitur and 38% of the non-disabled people in this age group. Figure 19 shows the total numbers over all age groups. It clearly demonstrates, that disabled people have lower school leaving degrees than non-disabled people.

school graduation	total		men		women				
	disabled	non-disabled	disabled	non-disabled	disabled	non-disabled			
	1 000	%	1 000	%	1 000	%			
total									
without school graduation	677	6,7	3,6	354	6,9	3,5	322	6,4	3,7
Haupt-(Volls-)schulreife	4 934	48,7	28,7	2 574	50,4	29,0	2 360	47,0	28,5
Realschule	2 633	26,0	30,3	1 144	22,4	28,2	1 489	29,7	32,3
Fachhochschulreife.....	603	6,0	8,7	376	7,4	10,2	227	4,5	7,3
Hochschulreife (Abitur)	1 258	12,4	28,4	650	12,7	28,8	608	12,1	28,0
without specification.....	25	0,2	0,2	13	0,3	0,3	12	0,2	0,2
total ...	10 129	100	100	5 111	100	100	5 018	100	100

Figure 19: Disabled and non-disabled people – highest school leaving certificate (2019)

Comparing the level of professional qualifications between disabled and non-disabled people, a big difference can be identified. While 12.7% of non-disabled people achieve an academic degree, only 6.3% of the disabled people do so. The statistics show that more than half (56.4%) of the disabled people have an apprenticeship/professional internship as their highest professional qualification. More data can be found in figure 20.

professional qualification	total		men		women				
	disabled	non-disabled	disabled	non-disabled	disabled	non-disabled			
	1 000	%	1 000	%	1 000	%			
total									
no professional qualification.....	2 295	22,5	24,3	902	17,5	22,1	1 393	27,6	26,4
still in school or vocational training	123	1,2	10,1	71	1,4	10,7	53	1,0	9,5
apprenticeship, professional internship	5 751	56,4	46,5	3 036	58,9	46,5	2 715	53,8	46,5
Fachschulabschluss	1 040	10,2	9,9	560	10,9	10,0	479	9,5	9,9
Fachhochschulabschluss	429	4,2	6,3	281	5,5	7,8	148	2,9	4,8
academic degree	642	6,3	12,7	351	6,8	13,2	291	5,8	12,1
without specification.....	41	0,4	0,3	22	0,4	0,3	20	0,4	0,3
total	10 199	100	100	5 153	100	100	5 046	100	100

Figure 20: Disabled and non-disabled people – highest professional qualification (2019)

In vocational training, the number of trainees with disabilities is largely stagnating. The number of trainees with recognized severe disabilities has increased by 7.7% since 2014 - their share of all trainees, however, remained unchanged and was 0.7% in 2017.

The inclusion rate in regular schools sharply increased in the last years⁶³. Ten years after the ratification of the UN CRPD, there is a high level of approval among the population for the goals of full and effective participation of people with disabilities in society. According to an opinion

⁶³ <https://www.rehadat-statistik.de/statistiken/bildung/schule/AktionMensch/>

poll, almost the entire population (94%) favours that child with and without disabilities should have the opportunity to grow up together in their free time. But only 66% of the total population are in favour of common teaching in schools. Around half of those questioned believe that particularly high-performing children are slowed down in their subject-specific learning and about 60% of the respondents believe that teachers are not adequately trained to face the challenges of school inclusion and that classes are too big for inclusive lessons⁶⁴.

Nevertheless, the German VET is focusing more and more in the direction of inclusion, since inclusion aims for all people to participate in society, regardless of their individual dispositions and starting points. The aim is to have inclusive education systems in which diversity is seen as an opportunity and used as a resource. Vocational training for disabled people takes place on different legal bases and levels and at different learning locations. A main pillar is the dual vocational training according to §64 - §66 Vocational Training Act or §42k - §42n Crafts Code. In the spectrum of vocational training structures and vocational training offers for disabled people, there are three main pillars at the federal level:

- 1) Dual vocational training on the basis of the Vocational Training Act and the Crafts Code.
- 2) The Supported Employment.
- 3) Vocational training in workshops for disabled people.

What is essential for dual vocational training is the priority of training in recognized "regular" training occupations, the granting of disadvantage compensation in training and examinations and the "training regulation" instrument, which enables qualified training in specialist practical occupations in the case of a special type and severity of the disability. For these specialist internship professions, the main committee of the BIBB (Bundesinstitut für Berufsbildung; Federal Institute for Vocational Training) has decided on a framework regulation and profession-specific model regulations, which stipulate uniform national quality standards and make these professional training courses compatible with "regular" training courses. Essential elements of these federally standardized BIBB orientation marks provided by law are the professional ability to act, operational phases, a support plan and an additional rehabilitation-pedagogical qualification for trainers⁶⁵. These trainers and professionals are facing new challenges from the perspective of inclusion. Correspondingly, their qualification has increasingly come into focus and is discussed. The introduction of the further training examination regulations for vocational and further training educators marked an essential step in the process of recognizing the importance of the quality of vocational training staff. The following examples show how relevant content to inclusion education can be implemented within the framework of pedagogical courses, in teacher training, in the qualification of trainers and in special qualification offers for specialists:

- Additional rehabilitation pedagogical qualification for trainers: The main committee of the BIBB provides for an additional rehabilitation pedagogical qualification for trainers

⁶⁴ <https://www.rehadat-statistik.de/statistiken/bildung/schule/AktionMensch/>

⁶⁵ <https://www.bibb.de/de/1551.php>

through further training in a total of eight fields of competence. The knowledge acquired here should be incorporated into the training for specialist practitioners (Section 66 BBiG / Section 42m HwO) in order to ensure the quality of training for people with disabilities.

- Further training in employment and professional development: "By expanding the professional ability to act, the examined skilled worker for employment and professional development should be able to carry out person-centered professional training and employment measures as well as work-related measures for disabled people in order to enable them to participate in working life" (Ordinance on the examination for the recognized advanced training qualification certified specialist for employment and professional development).
- Further training in integration counseling with the concept of supported employment.
- Part-time master's degree in Inclusive Education at the University of Bremen for teachers⁶⁶.

Furthermore, there is an individual project of the BIBB called DABEI (Digitization in in-company training for people with disabilities)⁶⁷. The central question of the project is to what extent the increasing digitization for the in-company training of people with disabilities is inhibiting or promoting inclusion (digital divide). In order to find answers, analyzes will be carried out within the scope of the project based on an additional module of the BIBB company panel on qualification and competence development (BIBB qualification panel). In addition to the general digital equipment of the company, the use of work equipment, assistive technologies and barrier-free software and learning media in connection with the in-company training participation of people with disabilities is examined.

In 2020, 7,233 newly concluded training contracts in professions for people with disabilities were reported. This corresponds to a share of 1.5% in all newly concluded training contracts. But compared to 2019, this number decreased by 5.7%. Decreases were recorded in all areas: industry and trade (-4.3%), craft (-7.5%), agriculture (-8.1%) and housekeeping (-4.3%). Let's have a look at people with disabilities in dual training. Almost a quarter of all companies active in training have employed trainees with disabilities in the past five years. Only 10% use the theory-reduced training for people with disabilities as part of a specialist practitioner training. Companies that already employ an employee with disabilities are 40% more likely to train young people with disabilities than companies without employees with disabilities. In general, most companies would like more support offers, for example through socio-educational support and permanent external contact persons who can help with all questions relating to the training of people with disabilities⁶⁸.

⁶⁶ <https://www.bibb.de/de/66312.php>

⁶⁷ <https://www.bibb.de/de/95750.php>

⁶⁸ <https://www.rehadat-statistik.de/statistiken/bildung/ausbildung/>

Inclusion of people with special needs in the labour market

Disabled people are less likely to participate in the labour market: 69% of the disabled people between the ages of 25 and 44 were employed or looking after an occupation, for non-disabled people of the same age it was 88%. Disabled people between the ages of 25 and 44 were more likely to be unemployed. The unemployment rate was 5%, the corresponding rate among the non-disabled was at 3%.

Figure 21 shows the employment rates for disabled and non-disabled people sorted by age in detail.

Age	total			men			women		
	disabled		non-disabled	disabled		non-disabled	disabled		non-disabled
	1 000	employment rate		1 000	employment rate		1 000	employment rate	
15 - 25	86	44,0	51,7	51	43,8	54,5	35	44,3	48,7
25 - 45	576	69,2	88,3	300	70,4	93,6	277	67,8	82,8
45 - 55	830	64,8	92,2	433	67,6	95,8	397	62,1	88,6
55 - 60	701	59,0	88,9	377	62,4	93,3	325	55,6	84,5
60 - 65	558	40,9	70,2	306	43,7	76,5	252	38,1	64,4
65 und mehr .	231	4,3	8,8	153	5,8	12,4	77	2,9	6,1
dar.: 15 - 65 ..	2 753	56,6	81,5	1 466	59,0	85,9	1 286	54,2	77,1
total ...	2 984	29,3	66,0	1 620	31,4	72,1	1 364	27,0	60,2

Figure 21: Disabled and non-disabled workers and their employment rates (2019)

The employment rate of people with disabilities is considerably lower than that of people without disabilities. Although the employment rate has increased compared to 2009, 53% of people with disabilities were employed in 2017, while it was 81% of people without disabilities. The unemployment rate of people with recognized severe disabilities fell continuously from 13.4% in 2015 to 11.2% in 2019. However, this was still well above the general unemployment rate of 6.5% in 2019.

Figure 22 depicts the disabled and non-disabled employees according to their position in the job and economic sub-areas. People with disabilities are represented differently in different areas of the economy. They find above-average opportunities in the public and private service sector; almost every third employed person with disabilities (31%) works here. People without disabilities were only represented here with a share of 25%. The associated areas of education and instruction as well as health and social services are particularly important here. More than 80% of people with disabilities in the service sector work there alone (total of 26%).

In contrast, people with disabilities are rather underrepresented in the retail, car repair and hospitality sectors. While they are only represented here with 14%, the share of non-disabled workers there is just under 18%. The economic areas of agriculture, forestry, fishing and mining and manufacturing have a balanced share of people with or without disabilities.

position in the job ----- economic sub-area	total		men		women				
	disabled	non-disabled	disabled	non-disabled	disabled	non-disabled			
	1 000	%	1 000	%	1 000	%			
self-employed	191	6,6	9,8	126	8,1	12,1	65	4,9	7,1
civil-servant	125	4,3	4,9	69	4,5	4,7	56	4,2	5,1
employee	1 771	61,6	62,9	802	51,7	54,2	969	73,2	72,9
worker	756	26,3	18,6	538	34,6	24,9	218	16,5	11,4
apprentice	32	1,1	3,8	18	1,1	4,1	15	1,1	3,4
total ...	2 876	100	100	1 553	100	100	1 323	100	100
agriculture, forestry, fishing.....	30	1,0	1,2	21	1,4	1,6	9	0,6	0,9
mining and Manufacturing.....	507	17,6	19,1	380	24,5	26,1	127	9,6	11,2
energy and water supply, waste disposal	46	1,6	1,4	36	2,3	2,0	10	0,8	0,7
construction industry.....	135	4,7	6,8	117	7,5	11,0	19	1,4	2,2
trade, repair of motor vehicles, hospitality.....	408	14,2	17,5	213	13,7	16,2	195	14,7	18,9
transport and storage, communication.....	233	8,1	8,2	173	11,2	11,1	60	4,5	4,9
financial and insurance services.....	80	2,8	3,0	35	2,2	2,7	45	3,4	3,3
real estate and housing, economic	280	9,7	11,4	148	9,5	10,9	132	9,9	12,1
public administration.....	277	9,6	6,7	129	8,3	6,2	149	11,2	7,3
public and private services (without public administration)	880	30,6	24,6	301	19,4	12,1	579	43,8	38,7
education and teaching/health and social affairs	741	25,8	19,9	246	15,9	9,0	495	37,4	32,2

Figure 22: Disabled and non-disabled employees according to their position in the job and economic sub-areas (2019)

In Germany, there is the initiative *Bundesarbeitsgemeinschaft Werkstätten für behinderte Menschen* (BAG:WfbM; Federal working group for workshops for disabled people). Around 700 main workshops employ 320,000 workshop workers and 70,000 professionals. Of these: almost 30,000 in the vocational training area, almost 270,000 in the work area and around 20,000 in the funding area. 75% of all workshop employees are people with a mental handicap, 21% are mentally restricted and 4% have a physical handicap⁶⁹.

Besides that, there are inclusion companies. They need to have an employment rate of at least 30% severely disabled people. As employers in the general labour market, they have developed into an important and stable offer for severely disabled people who are particularly affected at work. The number of inclusion companies in Germany has been increasing continuously for years⁷⁰. In 2019, 965 inclusion companies were recognized and funded by the integration offices. Around 13,550 severely disabled people worked together in all inclusion companies, more than 12,500 of whom were particularly disabled at work. The proportion of mentally disabled employees in the inclusion companies was 28% in 2019 and those with mental disabilities 24%. Compared to the previous year, the number of mentally disabled employees has slightly decreased compared to employees with physical and multiple disabilities. In 2019, the integration offices supported the inclusion companies nationwide with around 102 million euros from the equalization levy, 8 million euros more than in 2018. Almost 90 million euros or 87% of the total funding was provided to compensate for the specific burdens that resulted from the employment of many occupationally particularly disabled people. They served to compensate for productivity in the event of a reduction in performance and to cover special personnel expenses for the support of the disabled employees. Almost 11 million euros - that is around 12% of the total funding for inclusion companies - flowed into investment funding for

⁶⁹ <https://www.rehadat-statistik.de/statistiken/bildung/ausbildung/>

⁷⁰ <https://www.rehadat-statistik.de/statistiken/berufliche-teilhabe/inklusionsbetriebe/>

the construction, expansion, modernisation and equipping of workplaces. The integration offices invested almost 1.8 million euros in advising companies on business matters⁷¹.

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	Constitution of Germany, Grundgesetz, GG
LEVEL	National
YEAR	1949
COUNTRY	Germany
THEME	Basic Rights
GENERAL DESCRIPTION	Basic Rights
OBJECTIVES	The basic rights are intended to protect citizens from arbitrary interference with their lives, their self-determination and their property
LINK	Link

NO.2

NAME OF THE POLICY	Disabled Equal Opportunities Act, Behindertengleichstellungsgesetz, BGG
LEVEL	National
YEAR	2002
COUNTRY	Germany
THEME	Education (VET) system; labour Market; work Environment; Work tasks
GENERAL DESCRIPTION	Equal opportunities for disabled people
OBJECTIVES	The aim of this law is to eliminate and prevent discrimination against people with disabilities.
LINK	Link

⁷¹ https://www.rehadat-statistik.de/statistiken/berufliche-teilhabe/inklusionsbetriebe/inklusionsbetriebe_bihjahresbericht/

NO.3

NAME OF THE POLICY	Book IX of the Social Code, Neuntes Sozialgesetzbuch, SGB IX
LEVEL	National
YEAR	2001
COUNTRY	Germany
THEME	Improve situation of disabled people, benefits
GENERAL DESCRIPTION	strengthen the participation and self-determination of people with disabilities, rehabilitation
OBJECTIVES	Improve situation of disabled people, benefits
LINK	Link

NO.4

NAME OF THE POLICY	Federal Participation Act, Bundesteilhabegesetz BTHG
LEVEL	National
YEAR	2017
COUNTRY	Germany
THEME	Education (VET) system; labour Market
GENERAL DESCRIPTION	Addition to SGB IX, article law
OBJECTIVES	Reform various laws to improve these in context of disabled people
LINK	Link

NO.5

NAME OF THE POLICY	General Equal Treatment Act, Allgemeines Gleichbehandlungsgesetz, AGG
LEVEL	National
YEAR	2006
COUNTRY	Germany
THEME	Education (VET) system; labour Market; work Environment; Work tasks
GENERAL DESCRIPTION	Anti-Discrimination Act
OBJECTIVES	Prevent and eliminate discrimination
LINK	Link

Conclusion

There are a lot of policies that cover the rights and the inclusion of disabled people in Germany as well as funds and programmes to improve their life, education and work/access to the labour market. But still, people with disabilities have a hard time in the labour market. As reported by the Federal Statistical Office, almost 57% of people with disabilities between the ages of 15 and 64 were employed or were looking for a job. For comparison: the employment rate of non-disabled people in this age group was just under 82%. Compared to 2009, the employment rate of people with disabilities (52%) increased to a similar extent as that of non-disabled people (79%).

Around 10.4 million people with a disability lived in private households in Germany in 2019. These included just under 4.9 million people of working age between 15 and 64 years of age. Initial statements on the possible effects of the corona pandemic on the integration of people with disabilities into the labour market can probably be made with the next microcensus in 2021.

Overall, good opportunities for people with disabilities can be seen in the service sector: People with disabilities are represented differently in different areas of the economy. They find above-average opportunities in the public and private service sector; almost every third employed person with disabilities (31%) works here. The associated areas of education and instruction as well as health and social services are particularly important here - a total of 26% of people with disabilities work there alone.

In contrast, people with disabilities are rather underrepresented in the retail, car repair and hospitality sectors. While they are only represented here with 14%, the share of non-disabled workers there is just under 18%.

One reason for the overall lower participation in the working life of people with disabilities is also the lower school-leaving qualifications: in 2019, only a good 12% of them had the Abitur. Among non-disabled people, at a good 28%, more than twice as many had the highest school leaving certificate. The relatively high proportion of people with disabilities without a general school leaving certificate is also striking. 16% between the ages of 25 and 44 did not have a general school leaving certificate in 2019. In the case of non-disabled people, this proportion was only 4%⁷².

Therefore, Germany still has challenges in this area to truly create an equal environment for disabled people but the framework is set.

8. Belgium

Materials and Methods of the Belgian research



In Belgium, every individual has the right to lead a life of dignity. The rights, duties and laws that are important for this are discussed, voted on and laid down in the Belgian Constitution by political bodies.

The government publications that contain this information are produced and distributed in 'het Belgisch Staatsblad / Le Moniteur belge'. 'Het Belgisch Staatsblad / Le Moniteur belge' has a wide range of official documents, laws and other publications from both electronic and paper sources. These can be found on the website, which is why this source was regularly consulted for the collection of the information below.

In Belgium there are a number of bodies that deal with the rights of persons with disabilities. Two important bodies are the VAPH and GRIP. Because of their expertise on the subject, their websites were also used to gather accurate information.

VAPH is a governmental body that is committed to the autonomy and quality of life of persons with disabilities. They develop a policy for this target group in the area of care and support and evaluate the implementation thereof. They allocate resources and budgets and monitor their use.

In addition, they take on many other tasks such as communication, legal services, reporting, etc.

GRIP vzw promotes the interests of all people with disabilities. They strive for equal rights and equal opportunities for this target group with the goal of creating an inclusive society. The starting point that GRIP uses is the UN Convention on the Rights of Persons with Disabilities. They focus primarily on the regional - Flemish policy level.

⁷² https://www.destatis.de/DE/Presse/Pressemitteilungen/Zahl-der-Woche/2021/PD21_20_p002.html

Finally, a lot of interesting articles and information was found on the VDAB website. VDAB is the Flemish Public Employment Service, the body that provides guidance to work and offers employment support measures (in Flanders).

The Belgian research was based on three different policy levels: European, national and regional. The information was not only taken from the official legislation of the Belgian government but also from that of Belgian regions (which are also published in 'Het Belgisch Staatsblad / Le Moniteur belge').

Background research and National/Regional policies

Inclusion of people with special needs in the VET system

In Belgium, there is a special form of education, with extra support for the pupils and students, that is called, Special Secondary Education - BuSO.

This educational pathway is aimed at young people with a disability or young people with learning or educational difficulties.

The study area "wood and furniture" is offered in two types OV₃ and OV₄:

- OV₃ focuses on social and vocational training, to integrate the pupils/students afterwards into a normal living and working environment.
- In OV₄ the fields of study correspond to ordinary full-time secondary education. There is extra support for pupils and students.

In the wood and furniture field of education, it is possible to count 940 students in BuSO (special secondary education), of which 62 are in OV₄. The wood and furniture branch is well represented in this kind of education.

Within regular secondary education, the count following number of students:

- In BSO (= Professional secondary education): 5.200 students (of which 60 pursue a dual-learning track (working while learning))
- In TSO (= technical secondary education): 1.900 students
- In DBSO (= professional education in apprenticeship): 100 students, of which 8 follow a dual learning path and are classified as full-time BSO
- Syntra apprenticeship: 22 students, of which 2 follow a dual path and are classified as full-time BSO)

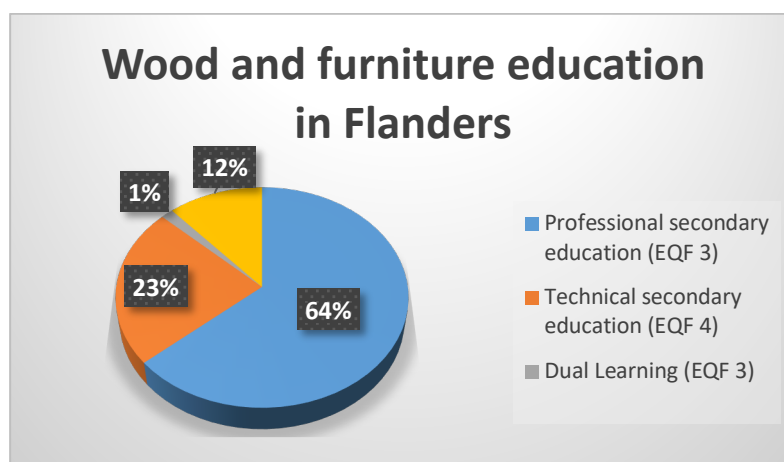


Figure 23 Wood and furniture education in Flanders

In **Wallonia** the figures are somewhat different: there we count 416 students in special secondary education (for wood and furniture) compared to 3.350 students in regular secondary education leading towards the wood and furniture sector.

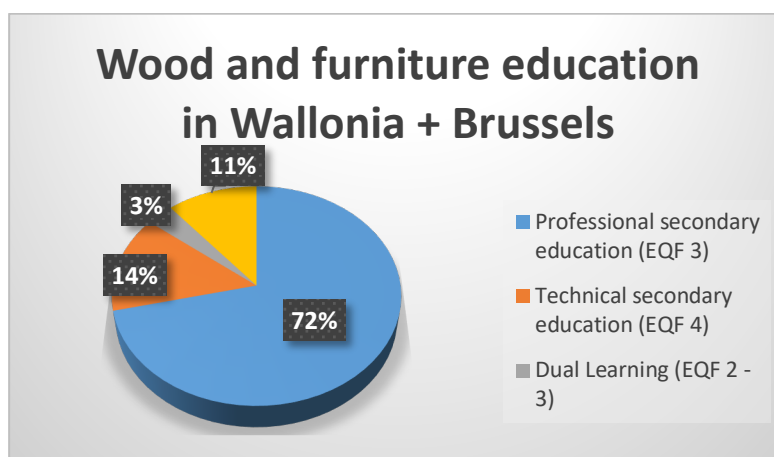


Figure 24 Wood and furniture education in Wallonia and Brussels

Inclusion of people with special needs in the labour market

Unfortunately, having a disability often forms a barrier in the labour market and work environment.

Research has shown that, in terms of employment rate, people with disabilities in Belgium are still underrepresented in the labour market compared to other European countries. Policymakers acknowledge the problem and they are narrowing the disability gap in various domains.

- Economic

The ageing population and continuously declining birth rate are why the working-age population is declining, causing a shortage in our labour market. Vacancies are not getting filled, making it more difficult for the companies to be productive. It is, therefore, very beneficial to bring and keep everyone on board.

- Social

Poverty rates for persons with disabilities are significantly higher than for people without disabilities. Having a job not only has an impact on a person's financial well-being but also greatly affects a person's social and personal well-being. Having a job increases the chance of a qualitative and independent life.

A person with a work-limiting disability is considered by the Public Employment Services (on whose data we rely for this classification), when they meet at least one of the following conditions:

- He or she is registered in the (Flemish/Brussels/Walloon) Agency for Persons with a Handicap.
- He or she has a qualification or certificate from special education, or is an ex-student of this special education, without having obtained any qualification or certificate.
- He or she is entitled to an income replacement or integration allowance.
- He or she owns a copy of a judicial decision, which has become final or a certificate from a competent federal institution that demonstrates a permanent degree of incapacity to work.
- He or she is entitled to additional or increased child benefit.
- He or she is entitled to invalidity benefit.
- Has a certificate of a work-limiting disability issued by a service or doctor recognised by the Public Employment Services.

About 600,000 Flemish persons, or 14.4% of the population between 15 and 64 years of age, experiences a hindrance at work or in their daily lives, due to a disability or long-term health problem. This share has increased over the past decade, although it has remained stable since 2017. In 2019, 45.6% of them were working, a slight increase from previous years. There is a large difference in labour force participation between those with impairment "to some extent" (65.0%) and "to a great extent" (27.5%). Of all those who were working, 42.8% were working part-time. This is a lot more than people, who don't have any disability (24.0%). Adjustment of the amount of work is therefore, after adjustment of the type of tasks, the main form of support requested by persons with a work-limiting disability to be able to work⁷³.

9.2% of the working population currently has a work-limiting disability. Among the long-term job seekers this target group accounts for no less than 32.3%. It is obvious that it is not easy to find work with a work-limiting disability. This group is well represented in employment care and

⁷³ Study by the Flemish department of work and social economy, DWSE, 2019

companies that organize specialized work. This is logical in view of the specific measures that are in place.

In 2019 in Flanders, one person out of seven (14.4%) between the age of 15 and 64 has a disability or long-term health problem. This corresponds to 599,000 people who, experience annoyance, 309 000 experience annoyance to a severe degree (51.6%) and 290 000 to some degree (48.4%).

In 2009, the starting year of measuring this group, 10.7% of the Flemish population declared to experience annoyance. This share increased until 2017 (14.7%) before stagnating at around 14%.

In the group of persons experiencing problems, there are relatively more women (51.7%), middle or lower educated (40.5%), and people between the age of 25 and 54 (56.1%). Compared to the total population, it is possible to observe an overrepresentation of people aged 55 and over and those with lower education. Moreover, the profile changes when we divide the group according to the degree of annoyance. For example, the lower educated people experience severe hassle (46.3%) while relatively more average educated (43.8%) in the group experience some disturbance.

In the Labour Force Survey, all persons who experience annoyance are asked, what form of support is needed to work and what form of support they currently receive in their working situation. Multiple responses are possible. The non-working population includes both the unemployed and the non-occupationally active, which indicates that they are experiencing difficulties. Of this group, 70.4% indicates that they are no longer able to perform a paid activity. This high percentage can be attributed to the unemployed who experience a great deal of discomfort. As much as 84.7% of this group indicates that they can no longer perform paid work. Among the inactive people who experience some degree of discomfort, this figure is 39.9%.

Of the non-working people, who indicate that they can still perform work, 68.4% indicates that they need some form of support. Adaptation of the type of tasks (55.1%) or the amount of work (44.4%) are the most requested forms of support. Among the workers who experience discomfort, more than 55% need some form of support to be able to do their job well. Here too, adjustment of the type of tasks (32.5%) and the amount of work (30.3%) are the most requested forms of support. In addition, help from colleagues and adapted equipment also play an important role⁷⁴.

Until 2003, the legislation in Belgium (regarding discrimination against people with a disability or other clinical issues) was rather minimal. This concerns the **Collective labour Agreement number 38 of December 6th, 1983**, about the recruitment and selection of employees. The collective labour agreement contained several criteria, on which one may not discriminate during the application process. An employer was required to treat all applicants equally,

⁷⁴ Study by the Flemish department of work and social economy, DWSE, 2019

regardless of their traits and solely related to the function. Therefore, an employer was not allowed to distinguish based on a disability or past illnesses, among other items.

These criteria are collected in Art.15-2bis and contains age, sex, marital status, nationality, political or philosophical belief, membership of a trade union, medical history and, since 1991, also race, colour, descent, or national or ethnic origin. In 1999, handicap was finally added to the list of these criteria⁷⁵.

In the meantime, some minor adjustments were made. However, a fundamental anti-discrimination law was not introduced until February 25, 2003.

The Belgian **anti-discrimination law of 2003** protects against discrimination, based on one or more of the 16 characteristics, including disability, current or future health status and physical traits. The law went further than the General Directive, which only mentions disability as a prohibited criteria for discrimination.

This law created a general prohibition of discrimination and extended this to any discrimination criterion. Due to the generality of the law, the distinction between direct and indirect discrimination had become irrelevant, and there were no longer any neutral criteria. Any unequal treatment was discriminating. As a result, there was a lot of overlap and interference with existing labour policies. It was mainly by court judgements, that the criteria for discrimination were set. The essential requirements arising from European legislation were difficult to obtain.

Partly because of this, a new Anti-Discrimination Act was created on **May 10th, 2007**. In this law it is possible to find an exhaustive list of prohibited criteria for discrimination, including disability, physical characteristics and current or future health status.

Only for "disability" does the law foresees to provide "reasonable accommodations". The Anti-Discrimination Act considers that a refusal to make reasonable adjustments in favour of a person with disabilities is a form of indirect discrimination.

In concrete terms, the law prohibits discrimination against disability. There cannot be any direct distinction in employment relationships, that cannot be justified based on an essential and determining occupational requirement. A refusal to make reasonable accommodations in favour of a person with disabilities is seen as a form of (indirect) discrimination. Article 4 of this law states that reasonable accommodations are ***"appropriate measures taken in a concrete situation and as needed to enable a person with disabilities to access, participate in and advance in the matters to which this Act applies, unless such measures impose a disproportionate burden to the person required to take such measures"***.

UN Treaty - The United Nations approved the UN Convention on the Rights of Persons with Disabilities on December 13th, 2006, and Belgium ratified this convention on July 2nd 2009. Below it is mentioned in full the article relating to work and employment. Article 27 Work and

⁷⁵ CLA nr. 38 quater of July 14th, 1999

Employment 1: *“States Parties recognize the right of persons with disabilities to work on an equal basis with others; this includes the right to the opportunity to earn a livelihood through freely chosen or accepted employment in a labour market and in a work environment that is open, without exclusion, and accessible to persons with disabilities”*. Belgium (and therefore also Flanders) must report on this to the UN. The first periodic report was submitted to the UN in July 2011.

Regarding the current situation, the Belgian government has not been idle when it comes to promoting employment for people with disabilities.

In 2019, a Royal Decree was taken to further develop positive actions in the interests of people with disabilities. Companies and organizations are allowed to develop positive actions to promote employment of minority groups, including people with disabilities. Furthermore, persons with disabilities can appeal to various Special Employment Support Measures.

Until October 1st, 2008, access was reserved to people who were registered in the Flemish Agency for Persons with a Disability, with a positive decision regarding support in the field of employment. The concrete modalities were determined in separate regulations per measure, that were implemented by the administration of the FAPD. From October 2008, access will be regulated in accordance with the Flemish Decree of July 18th, 2008, on the professional integration of people with a work disability. The Flemish Public Employment Services (VDAB) determines whether a person with an indication of an occupational disability is entitled to one or more employment support measures, and this right can be for a definite or indefinite period. The VDAB allocates the rights based on three types of information:

1. A list of conditions and/or history of the person with an indication of a work disability, drawn up by the Board of Directors.
2. Multidisciplinary information.
3. A specialised employment survey: within the VDAB, there is a service that examines and assesses applications for Special Employment Support Measures.

A job seeker, employee or student with an occupational disability or health problem, is eligible for:

- A free interpreter for the deaf or hard of hearing.
- Reimbursement of adapted work tools and clothing.
- Reimbursement of transport costs.
- Flemish support premium (VOP): the Flemish Support Premium is a premium that compensates for the possible extra costs and lower productivity of an employee with a work-limiting disability.

As regards the wood and furniture sector, it is possible to score very good on employment of people with disabilities in the workplace.

The Flemish Support Premium is most common in the temporary work agency (3.02%), in the green sectors (2.73%), in the sector of textiles (2.45%) and in the wood and furniture sector

(2.14%). In other sectors, the number of these premiums is lower than the (Flemish) average (<0,71%).

Since January 1st, 2019, this premium can also be applied for employees with a temporary work disability due to a health problem and it is calculated on the reference wage of the employee. All measures are considered per individual with a tailor-made process.

In Belgium also exists the specialised (adapted) work for people with a disability. Since January 1st, 2019, the regulations on this specialized work replace the former system of social workshops. Specialised work is aimed at people with a work-limiting disability or a great distance to the labour market: these are job seekers, who have difficulties entering the labour market due to personal factors. In concrete terms, these are people with a work-limiting disabilities, people with psychosocial problems, or long-term job-seekers who have lost a number of competences. They need specific guidance and support on the work floor. We make a distinction between specialised work companies and specialized work departments. Specialised work companies are organisations/companies, who's core task is the employment of these target groups. The economic activities are adjusted to this. A company that has its economic activity as its core task but is willing to work towards a more social economy, can set up a specialized work department.

Below some information regarding the specialised work companies in figures:

Below some information regarding the specialised work companies and their legislative framework:

- Decree of 12 July 2013 on specialised work for collective inclusion.
- Decree of the Flemish Government 17 February 2017 implementing the decree of 12 July 2013 on specialised work for collective inclusion.
- Ministerial Decree implementing Articles 13 and 51 of the Decree of the Flemish Government of February 17, 2017 implementing the Decree of July 12, 2013 on customization in collective inclusion.
- Ministerial Decree implementing various provisions of the Decree of the Flemish Government of February 17, 2017 implementing the Decree of July 12, 2013 on customization in collective inclusion.
- Decree of 29 March 2019 on the quality and registration model for service providers in the Work and Social Economy policy area.
- Decision of the Flemish Government of 24 May 2019 implementing the Decree of 29 March 2019 on the quality and registration model of service providers in the policy area of Work and Social Economy.

Regarding the labour care, if due to a disability or health problem, one cannot find work in the regular labour circuit nor in a specialised work environment, one can still appeal to labour care.

Labour care is available for people who can only take on limited tasks due to the seriousness of their disability. It mainly concerns simple tasks and this for a few hours per week. People are not paid wages for these activities. They can retain their social benefits.

List of Policies on the accessibility of people with special needs in the labour market and VET system

NO.1

NAME OF THE POLICY	collective labour agreement no. 38 of December 6 th , 1983, on the recruitment and selection of workers, as amended by the collective agreements.
LEVEL	National
YEAR	1983
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	This collective labour agreement contained several criteria on which no discrimination was allowed in the application process.
OBJECTIVES	An employer was obliged during a procedure to treat all applicants equally, regardless of their traits.
ACTIVITIES	An employer was obliged during a procedure to treat all applicants equally, regardless of their traits.
LINK	Link

NO.2

NAME OF THE POLICY	Decree on equal labour participation
LEVEL	Flanders
YEAR	2002
COUNTRY	Belgium - Flanders
THEME	Labour Market
GENERAL DESCRIPTION	Specific sectors (the Flemish government, education, VDAB, ...) are developing a policy of proportional labour participation (and positive action)
OBJECTIVES	Formulate a target figure and take measures to achieve it

ACTIVITIES Drawing up an equal opportunities plan (strategic multi-year plan and annual action plans)

RESULTS Focusing on recruitment and selection, embedding diversity in recruitment and selection, making further use of potential intake channels, non-discrimination policy within a broader inclusion policy, increased focus on competencies, language policy, structural support for disability.

LINK [Link](#)

NO.3

NAME OF THE POLICY Anti-Discrimination law 2003

LEVEL National

YEAR 2003

COUNTRY Belgium

THEME Labour Market

GENERAL DESCRIPTION This law protected against discrimination based on one or more of 16 grounds, including 'disability', 'current or future health' and 'physical characteristic'.

OBJECTIVES This law was too general.

LINK [Link](#)

NO.4

NAME OF THE POLICY Anti-Discrimination law 2007

LEVEL National

YEAR 2007

COUNTRY Belgium

THEME Labour Market

a reasonable accommodation is a right for every person with a disability.

OBJECTIVES Every person with a disability gets reasonable accommodations.

ACTIVITIES Accommodate the working situation according to the needs of the individual. They enable people with a work disability to participate in working life. These adjustments can be material, intangible and organisational.

Material: adaptation of the workplace or the selection tests, work on the building to guarantee accessibility.

Intangible: adaptations of the work regulations, guidance, coaching.

Organisational: reorganization of the tasks, modified timetable, working from home, part-time job.

LINK [Link](#)

NO.5

NAME OF THE POLICY Federal Government: Handstreaming and Employment of Persons with Disabilities

LEVEL National

YEAR 2007

COUNTRY Belgium

THEME Labour Market - Work Environment

GENERAL DESCRIPTION Federal Government: Handstreaming and Employment of Persons with Disabilities

OBJECTIVES achieve the target and adjust

ACTIVITIES

- 1) modifying current recruitment procedures
- 2) applying sanctions for non-compliance with the employment obligation
- 3) optimising recruitment channels
- 4) integrating the disability dimension into all organisational aspects and HR processes
- 5) awareness-raising actions
- 6) establishing a special fund to finance the reasonable adjustments of workplaces
- 7) the possibility of reasonable adjustments

RESULTS Result: 1.22% of employees in the federal government have a disability. Target: 3%

LINK [Link](#)

NO.6

NAME OF THE POLICY	Decree for equal opportunities
LEVEL	Flanders
YEAR	2008
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	A reasonable accommodation is a right for every person with a disability
LINK	Link

NO.7

NAME OF THE POLICY	Decree Flemish Government Special Employment Support Measures and specialised services
LEVEL	Flanders
YEAR	2008
COUNTRY	Belgium
THEME	Labour Market - Education (VET) system – work environment
GENERAL DESCRIPTION	People with a work disability can rely on employment support measures and specialised services (www.GTB.be and www.werkplekarchitecten.be).
OBJECTIVES	provide support measures
ACTIVITIES	career guidance - government support (free interpreter for the deaf or hard of hearing, reimbursement of work tools and clothing, refund of transport costs, Flemish support premium, ...)
LINK	Link

NO.8

NAME OF THE POLICY	Note to the Council of Ministers of 26 March 2015
LEVEL	National
YEAR	2015
COUNTRY	Belgium
THEME	Labour Market
ACTIVITIES	Adding the disability dimension in policy design and implementation. Appointing a policy officer to monitor compliance with the disability dimension. Drawing up a federal action plan 'handstreaming'.
LINK	Link

NO.9

NAME OF THE POLICY	Royal Decree reintegration of the long-term sick (with employment contract)
LEVEL	National
YEAR	2016
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	People with a work disability can return to the workplace based on a formal reintegration process
OBJECTIVES	reintegration of the long-term sick into the labour market through actions aimed at employers and occupational physicians
ACTIVITIES	Drawing up a reintegration plan (e.g. adaptation of work station, training and education, other work, ...) Outreach and activation
RESULTS	together with KB De Block: almost 4,500 routes to work via VDAB / GTB
LINK	Link Link

NO.10

NAME OF THE POLICY	Royal Decree reintegration of long-term sick (without employment contract)
LEVEL	National
YEAR	2016
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	People with a work disability can return to the workplace based on a formal reintegration process
OBJECTIVES	reintegration of the long-term sick into the labour market through actions aimed at advisory Doctor of Health Insurance funds
ACTIVITIES	Drawing up a reintegration plan (e.g. adaptation of work station, training and education, other work, ...) Outreach and activation
RESULTS	together with KB Peeters: almost 4,500 routes to work via VDAB / GTB
LINK	Link

NO.11

NAME OF THE POLICY	Decree Collective Customization
LEVEL	Flanders
YEAR	2016
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	employ in the social economy
OBJECTIVES	Allow people with a disability on the labour market through companies for specialized work.
ACTIVITIES	Engaging people with a distance to the labour market in tailor-made companies.
RESULTS	Link
LINK	Link

NO.12

NAME OF THE POLICY	Decree Collective Customization / Specialized work
LEVEL	National
YEAR	2019
COUNTRY	Belgium
THEME	Labour Market
GENERAL DESCRIPTION	Companies and organisations may develop positive actions to promote the employment of minority groups, including persons with a work disability
OBJECTIVES	include minority groups in positive actions for a job (note: KB only valid for the private sector)
ACTIVITIES	reservation of internships and training for disadvantaged groups, making available employment mediators, reserved places, specific recruitment reserves, ...
LINK	Link

Conclusion

Finding a job that is adapted to the needs of the individual and meets the employer's expectations is sometimes a complex puzzle to solve. Still, many options can help bridge this gap.

Research has shown that 6 domains can be used to stimulate the effectiveness of a person with a disability (A. Scharle, 2013):

- early activation and guidance;
- supply-side incentives through the regulation of benefits and grants;
- equal access and additional support in education;
- career counselling;
- anti-discrimination legislation and campaigns;
- wage grants or other financial incentives.

In Belgium, with the latest policies and laws, strong efforts are made to simplify integrating this target group in the labour market. The aim is to lower the thresholds to hire this target group, by encouraging employers to recruit such profiles. The policies are designed to get more people with disabilities into work and keep them working sustainably.

Good governance of labour market policy and activation policy is crucial to achieving this. In Belgium, the VDAB (Flemish Public Employment Services) plays a vital role in this at the



Flemish level. In Wallonia, le Forem (Walloon Public Employment Services) takes on this task. VDAB and Forem assist job seekers with work disabilities or health problems to find work or to continue their current job. To this end, they work together with various partners and specific and individualised guidance or specialized training and mediation. The concerned person receives an eligibility evaluation for employment support measures (governmental support).

The Belgian government continues to work every day to support people with disabilities in the labour market. Thanks to all the existing supporting measures, we can observe an increase in the effectiveness of these measures for this group. Nevertheless, it remains essential that current standards are regularly examined, improved and redefined.

4

Resources

4. Resources

- Act of 23rd October 2018 on Solidarity Fund; Journal of Laws of 2018, item 2192; <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20180002192/U/D20182192Lj.pdf>
- Announcement of the Marshal of the Sejm of the Republic of Poland of 15 September 2017 on the publication of the uniform text of the Act on sign language and other means of communication; Journal of Law of 2015, item 1644; <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20170001824/O/D20171824.pdf>
- Announcement of the Marshal of the Sejm of the Republic of Poland of February 23, 2021 on the publication of the uniform text of the Act on Vocational and Social Rehabilitation and Employment of Persons With Disabilities; Journal of Laws of 2021, item 573; <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20210000573/O/D20210573.pdf>
- Regulation of the Council of Ministers from 12th April 2012 about National Interoperability Frameworks, the minimum requirements for public records and the exchange of information in electronic form and the minimum requirements for ICT systems, Journal of Law of 2017; item 2247
- Regulation of the Minister of Labour and Social Policy and the Minister of Culture and National Heritage on the list of libraries, organisations of blind or dim persons and organisations whose statutory purpose is to act for the benefit of blind or dim persons; Journal of Law of 2015, item 1644
- Regulation of the Minister of the Family, Labour and Social policy of 27 October 2016 on the National Consultative Council for Persons with Disabilities; Journal of Law of 2016, item 1783; <http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160001783>
- The Convention on the Rights of Persons with Disabilities (CRPD), United Nations General Assembly, 13.12.2006, sixty-first session, resolution A/RES/61/106
- The Constitution of the Republic of Poland of 2nd April, 1997; Journal of Laws No. 78, item 483; <https://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm>
- The World Program of Action Concerning Disabled Persons, United Nations General Assembly, 3.12.1982, resolution 37/52
- The Standard Rules on the Equalization of Opportunities for Persons with Disabilities, United Nations General Assembly, 20.12.1993, forty-eighth session, resolution 48/96
- Comprehensive IT System of The Social Insurance Institution - KSI ZUS
- Hribar K. 2006. Vzgoja in izobraževanje otrok in mladostnikov s posebnimi potrebami. Univerza v Ljubljani, Fakulteta za družbene vede, Diplomsko delo - <http://dk.fdv.uni-lj.si/dela/Hribar-Katra.PDF>
- Zakon o usmerjanju otrok s posebnimi potrebami (ZUOPP-1) - Placement of Children with Special Needs Act - <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5896>
- Uradni list RS. 2496. Zakon o usmerjanju otrok s posebnimi potrebami (ZUOPP), stran 7105 - <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina?urlid=200054&stevilka=2496>

- Bela knjiga o vzgoji in izobraževanju v Republiki Sloveniji – 2. Izdaja - http://pefprints.pef.uni-lj.si/1195/1/bela_knjiga_2011.pdf
- Zakon o osnovni šoli - <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO448>
- Konvencija o pravicah invalidov - <https://www.gov.si/assets/ministrstva/MK/Zakonodaja-ki-ni-na-PISRS/Kulturna-raznolikost/1c24133420/Konvencija-o-pravicah-invalidov.pdf>
- Konvencija o pravicah invalidov – mednarodni sporazum o pravicah invalidov
- Convention on the rights of the disabled - international agreement on the rights of the disabled - https://www.gov.si/assets/ministrstva/MDDSZ/Invalidi/Konvencija/Konvencija_LB.pdf
- Konvencija o pravicah invalidov - <https://www.varuh-rs.si/pravni-temelji-cp/ozn-organizacija-zdruzenih-narodov/konvencija-o-pravicah-invalidov/>
- Quota systems for disabled persons - <https://www.euro.centre.org/publications/detail/408>
- Zakon o urejanju trga dela - <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5840>
- Slovenia: Employment protection in relation to business transfers - <https://www.eurofound.europa.eu/observatories/emcc/erm/legislation/slovenia-employment-protection-in-relation-to-business-transfers>
- Priročnik Spodbujamo zaposlovanje invalidov
- Zakon o zaposlitveni rehabilitaciji in zaposlovanju invalidov - <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3841>
- Predstavitve z okrogle mize v Kranju – 4 - Prehod mladih - <https://prehodmladih.si/wp-content/uploads/2020/01/Predstavitve-z-okrogle-mize-v-Kranju-%E2%80%93-4.pdf>
- Zakon o delovnih razmerjih - <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5944>
- Vodnik po pravicah invalidov - https://www.gov.si/assets/ministrstva/MDDSZ/Invalidi/Zmoremo/Vodnik_po_pravica_h_invalidov.pdf
- Republic of Slovenia, Statistical office; SiSTAT - <https://pxweb.stat.si/SiStatData/pxweb/en/Data/Data/0765506S.px/table/tableViewLayout2/>
- <https://pxweb.stat.si/SiStatData/pxweb/en/Data/Data/0765501S.px/table/tableViewLayout2/>
- Marjetka Doler Tošič Petra Mramor: Invalidi v Sloveniji – pravni status, pravice in zaposlovanje, Diplomsko delo, Fakulteta za družbene vede v Ljubljani, Ljubljana 2007. - <http://dk.fdv.uni-lj.si/diplomska/pdfs/Doler-Tosic-Mramor.PDF>
- Hendrickx, F., Rahmé, A., & Vanachter, O. (2008). Overeenstemming tussen het arbeidsrecht en de Antidiscriminatie wetten. unia.be - https://www.unia.be/files/Z_ARCHIEF/2007StudieCGKRArbeidsrecht.pdf
- CLA 38/1. (2008, October) - <http://www.cnt-nar.be/CAO-COORD/cao-038.pdf>
- Belgisch staatsblad. (2004, maart) - https://www.ejustice.just.fgov.be/.https://www.ejustice.just.fgov.be/cgi_loi/change_lg_2.pl?language=nl&nm=2004035293&la=N

- Hendrickx, F., Rahmé, A., & Vanachter, O. (2008). Overeenstemming tussen het arbeidsrecht en de Antidiscriminatiewetten. unia.be - https://www.unia.be/files/Z_ARCHIEF/2007StudieCGKRArbeidsrecht.pdf
- UNIA. (2017, januari). Aan het werk met een handicap. www.unia.be - https://www.unia.be/files/Documenten/Publicaties_docs/1147-UNIA_brochure_Werk_NL_VERSIONE_VOOR_DRUK_EN_WEBSITE.pdf
- Belgisch Staatsblad. (2007, 30 juni). 10 MEI 2007. - Wet ter bestrijding van bepaalde vormen van discriminatie. www.staatsblad.be - https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2007051035&table_name=wet
- Personen met een handicap. (z.d.) - <https://fedweb.belgium.be/> https://fedweb.belgium.be/nl/over_de_organisatie/over_de_federale_overheid/missie_visie_waarden/gelijke_kansen_en_diversiteit/personen_met_handicap
- BCAPH. (2019). Begeleidingscommissie voor de aanwerving van personen met een handicap in het federaal openbaar ambt - EVALUATIEVERSLAG 2019 - https://fedweb.belgium.be/nl/over_de_organisatie/over_de_federale_overheid/missie_visie_waarden/gelijke_kansen_en_diversiteit/personen_met_handicap/bcaph
- Overheid, V. (2007). Decreet houdende een kader voor het Vlaamse gelijkekansen-en-gelijkebehandelingsbeleid - <https://codex.vlaanderen.be/portals/codex/documenten/1017082.html>
- KANSELARIJ VAN DE EERSTE MINISTER. (2015). Nota aan de Ministerraad - Uitvoering van het Verdrag van de Verenigde Naties inzake de Rechten van Personen met een Handicap - https://fedweb.belgium.be/sites/default/files/downloads/note_cm_handicap_nations_unies_nl.pdf
- VDAB. (z.d.-b). Re-integratie - <https://extranet.vdab.be/themas/re-integratie>
- Federale overheidsdienst werkgelegenheid, arbeid en sociaal overleg. (z.d.). Re-integratie van arbeidsongeschikte werknemers. www.werk.belgie.be - https://werk.belgie.be/nl/themas/welzijn-op-het-werk/het-gezondheidstoezicht-op-de-werknemers/re-integratie-van#toc_heading_3
- Belgisch staatsblad. (2016, 24 november). Titel 8 NOVEMBER 2016. - Koninklijk besluit tot wijziging van het koninklijk besluit van 3 juli 1996 tot uitvoering van de wet betreffende de verplichte verzekering voor geneeskundige verzorging en uitkeringen, gecoördineerd op 14 juli 1994, wat de sociaalprofessionele re-integratie betreft. www.staatsblad.be - http://www.ejustice.just.fgov.be/mopdf/2016/11/24_2.pdf#Page25
- Decreet betreffende maatwerk bij collectieve inschakeling. (2013, 12 juli). codex.vlaanderen.be - <https://codex.vlaanderen.be/Portals/Codex/documenten/1023214.html>
- Minderheden Forum. (2021). TIJD VOOR POSITIEVE ACTIE! Inspiratie voor werkgevers met zin voor innovatie - <https://www.minderhedenforum.be/actua/detail/brochure-tijd-voor-positieve-actie>
- Belgisch staatsblad. (2019, 1 maart). 11 FEBRUARI 2019. - Koninklijk besluit tot bepaling van de voorwaarden inzake positieve acties - www.staatsblad.be

- http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2019021109&table_name=wet
- Departement Werk & Sociale Economie. (2020). GROEPSSECTORFOTO 2020 - <https://publicaties.vlaanderen.be/view-file/37050>
 - AAROVA vzw. (2021). Sprekende cijfers. AAROVA Het merk voor uw werk - [https://www.aarova.be/nl/social-profit/cijfers#:~:text=In%20Vlaanderen%20zijn%2067%20maatwerkbedrijven,maatwerkbedrijven\)%20in%20Vlaanderen%20gestaag%20gestegen](https://www.aarova.be/nl/social-profit/cijfers#:~:text=In%20Vlaanderen%20zijn%2067%20maatwerkbedrijven,maatwerkbedrijven)%20in%20Vlaanderen%20gestaag%20gestegen)
 - Collectief maatwerk | Sociale Economie. (2021). sociale economie Vlaanderen - <https://www.socialeconomie.be/collectief-maatwerk>
 - Departement Werk en Sociale Economie. (2019). Jaarrapport sociale economie 2019 - <https://publicaties.vlaanderen.be/view-file/38720>
 - Hendrickx, F., Rahmé, A., & Vanachter, O. (2008). Overeenstemming tussen het arbeidsrecht en de Antidiscriminatiewetten. unia.be - https://www.unia.be/files/Z_ARCHIEF/2007StudieCGKRArbeidsrecht.pdf
 - VAPH - Vlaams Agentschap voor Personen met een Handicap. (2019, mei). Jaarverslag Vlaams Agentschap voor Personen met een Handicap – VAPH - <https://publicaties.vlaanderen.be/download-file/36996>
 - SERV. (2019, december). Beleidsnota Werk en Sociale Economie 2019-2024 - https://www.serv.be/sites/default/files/documenten/SERV_20191202_BeleidsnotaWerkenSocialeEconomie2019-2024_ADV.pdf
 - VDAB. (z.d.). Heb je een gezondheidsprobleem of arbeidsbeperking? Geraadpleegd op 3 februari 2021, van - <https://www.vdab.be/arbeidshandicap/default1.shtml>
 - Agentschap Innoveren en Ondernemen. (2020, 25 mei). Steun voor werknemers en zelfstandigen met een arbeidshandicap. vlaio.be. <https://www.vlaio.be/nl/subsidies-financiering/subsidi databank/steun-voor-werknemers-en-zelfstandigen-met- een-arbeidshandicap>
 - Eweta. (2021). Un plan de deux ans pour la Fédération des Entreprises de Travail Adapté - <https://eweta.be/>

5

Website

5. Website

- https://www.un.org/sites/un2.un.org/files/spanish_disability_brief.pdf
- <https://www.odismet.es/banco-de-datos/1integracion-laboral-y-tendencias-del-mercado-de-trabajo>
- <https://www.odismet.es/banco-de-datos/2condiciones-de-trabajo-y-trayectorias-profesionales>
- <https://www.odismet.es/banco-de-datos/3educacion-y-formacion-profesional>
- <https://www.odismet.es/banco-de-datos/4politicas-de-empleo-orientadas-las-personas-con-discapacidad>
- <https://www.odismet.es/sites/default/files/2021-06/INFORME%206%20ODISMET.pdf>
- <https://www.observatoriodeladiscapacidad.info/category/documentos/observatorio/informe-olivenza-observatorio/>
- <https://drive.google.com/file/d/1mLyQEYD2Mlez8YXYdMX3e3huJcqMxGbc/view>
- https://www.odismet.es/sites/default/files/2021-07/Informe%20resultados_COVID2021.pdf
- https://www.odismet.es/sites/default/files/2021-04/ODISMET%20INFOGRAF%20C3%8DA%20FINAL%20IMPRESI%20C3%93N_v5_accessible.pdf
- <https://www.welcometothejungle.com/es/articles/empleo-discapacidad-espana-situacion-futuro>
- https://www.boe.es/diario_boe/
- <https://www.borm.es/#/home>
- <https://www.observatoriodeladiscapacidad.info>
- <https://www.odismet.es>
- <https://www.boe.es/buscar/pdf/2007/BOE-A-2007-13588-consolidado.pdf>
- <https://www.boe.es/buscar/act.php?id=BOE-A-2013-12632&p=20171109&tn=1>
- https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-14169
- <https://www.borm.es/services/anuncio/ano/2019/numero/1396/pdf?id=775360>
- <https://www.boe.es/boe/dias/2021/05/26/pdfs/BOE-A-2021-8749.pdf>
- [https://www.carm.es/web/pagina?IDCONTENIDO=142769&IDTIPO=60&RASTRO=c891\\$m5806,5808,5827#TC](https://www.carm.es/web/pagina?IDCONTENIDO=142769&IDTIPO=60&RASTRO=c891$m5806,5808,5827#TC)
- https://www.boe.es/diario_boe/txt.php?id=BOE-A-2019-12922
- https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-12497
- <https://www.boe.es/buscar/act.php?id=BOE-A-2011-13118&tn=1&p=20201230>
- <https://www.gazzettaufficiale.it/eli/id/1999/03/23/099G0123/sg>
- <https://www.inps.it/Circolari/Circolare%20numero%2099%20del%2013-06-2016.htm>
- <https://www.inps.it/nuovoportaleinps/default.aspx>
- <https://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2017/Nota-direttoriale-23012017-prot-41-454.pdf>
- <https://www.gazzettaufficiale.it/eli/id/2013/06/28/13G00123/sg>
- <https://www.gazzettaufficiale.it/eli/id/2020/03/17/20G00034/sg>

- <https://www.gazzettaufficiale.it/eli/id/2017/06/07/17G00089/sg>
- <https://www.disabili.com/images/pdf/Dossier-lavoro-disabili.pdf>
- <http://dati.disabilitaincifre.it>
- <https://www.gazzettaufficiale.it/eli/id/1992/02/17/092G0108/sg>
- <https://www.miur.gov.it/>
- https://archivio.pubblica.istruzione.it/news/2006/allegati/dpcm185_06.pdf
- <http://www.integrazionescolastica.it/article/464>
- https://archivio.pubblica.istruzione.it/news/2006/allegati/art40_legge449.pdf
- [https://www.istruzione.it/esame di stato/Primo Ciclo/normativa/allegati/dpr122_2009.pdf](https://www.istruzione.it/esame_di_stato/Primo_Ciclo/normativa/allegati/dpr122_2009.pdf)
- <https://www.istat.it/it/files/2020/12/Report-alunni-con-disabilita.pdf>
- <http://www.parlamento.it/parlam/leggi/99068l.htm>
- https://archivio.pubblica.istruzione.it/news/2006/allegati/legge104_92.pdf
- <http://www.parlamento.it/parlam/leggi/99068l.htm>
- https://www.cliclavoro.gov.it/Normative/Nota_direttoriale_23_gennaio_2017_prot.41454.pdf
- https://www.cliclavoro.gov.it/Normative/Decreto_Legislativo_15_giugno_2015_n.81.pdf
- https://www.cliclavoro.gov.it/Normative/Decreto_Legislativo_24_settembre_2016_n.185.pdf
- https://www.cliclavoro.gov.it/Normative/D.L_28_giugno_2013_n.76.pdf
- https://archivio.pubblica.istruzione.it/news/2006/allegati/legge104_92.pdf
- https://www.istruzione.it/archivio/web/istruzione/prot4274_09.html
- https://archivio.pubblica.istruzione.it/news/2006/allegati/dpcm185_06.pdf
- https://archivio.pubblica.istruzione.it/news/2006/allegati/legge104_92.pdf
- https://archivio.pubblica.istruzione.it/news/2006/allegati/art40_legge449.pdf
- [http://dati.disabilitaincifre.it/dawinciMD.jsp?a1=u2i7a94&a2=&n=\\$\\$\\$\\$9\\$\\$\\$\\$\\$\\$\\$&o=3U3V416J6K42&v=1V2092BH09OG000000000&p=0&sp=null&l=0&exp=0](http://dati.disabilitaincifre.it/dawinciMD.jsp?a1=u2i7a94&a2=&n=$$$$9$$$$$$$&o=3U3V416J6K42&v=1V2092BH09OG000000000&p=0&sp=null&l=0&exp=0)
- <https://www.istat.it/it/archivio/disabili>
- <https://www.istat.it/it/files//2020/02/Alunni-con-disabilita-2018-19.pdf>
- <https://www.istat.it/it/archivio/251409>
- <https://www.istat.it/it/files//2020/12/Report-alunni-con-disabilita%20C3%A0.pdf>
- <https://www.disabili.com/images/pdf/Dossier-lavoro-disabili.pdf>
- <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:1998-07-25;286>
- <https://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>
- <https://www.gazzettaufficiale.it/eli/id/2014/03/07/14G00028/sg>
- <https://www.camera.it/parlam/leggi/deleghe/98286dl.htm>
- <https://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>
- <https://www.gazzettaufficiale.it/eli/id/2008/01/04/007G0259/sg>
- <https://www.internazionale.it/bloc-notes/annalisa-camilli/2018/11/27/decreto-sicurezza-immigrazione-cosa-prevede>

- <https://www.biurokarier.umk.pl/wskazniki-zatrudnienia-osob-niepelnosprawnych-dla-pracodawcow>
- <https://www.pfron.org.pl/en/contact/>
- <http://www.niepelnosprawni.gov.pl/p,132,office-of-the-government-plenipotentiary-for-disabled-people>
- <https://odpowiedzialnybiznes.pl/karta-roznorodnosci>
- <https://ibs.org.pl/research/wlacz-sie-program-hiszpanskiej-fundacji-la-caixa/>
- <https://www.laski.edu.pl/en/node/17>
- <http://www.niepelnosprawni.gov.pl/p,11,biuro>
- <https://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm>
- <http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160001783>
- <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20170001824/O/D20171824.pdf>
- <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20180002192/U/D20182192Lj.pdf>
- <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20210000573/O/D20210573.pdf>
- <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>
- <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/pracujacy-bezrobotni-bierni-zawodowo-wg-bael/osoby-niepelnosprawne-w-2019-roku,33,1.html>
- <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/pracujacy-bezrobotni-bierni-zawodowo-wg-bael/monitoring-ryнку-pracy-kwartalna-informacja-o-rynku-pracy-w-czwartym-kwartale-2020-r-,12,45.html>
- <https://www.biurokarier.umk.pl/wskazniki-zatrudnienia-osob-niepelnosprawnych-dla-pracodawcow>
- (<https://www.pfron.org.pl/en/contact/>).
- <http://www.niepelnosprawni.gov.pl/p,132,office-of-the-government-plenipotentiary-for-disabled-people>
- <https://odpowiedzialnybiznes.pl/karta-roznorodnosci>
- <https://ibs.org.pl/research/wlacz-sie-program-hiszpanskiej-fundacji-la-caixa/>
- <https://www.laski.edu.pl/en/node/17>
- <http://isap.sejm.gov.pl/isap.nsf/home.xsp>
- <https://stat.gov.pl/>
- <https://www.sejm.gov.pl/prawo/konst/angielski/kon1.htm>
- <https://stat.gov.pl/spisy-powszechne/nsp-2011/>
- <http://www.niepelnosprawni.gov.pl/a,608,demographic-data>
- <https://stat.gov.pl/en/news/national-census-of-population-and-housing-2021,49,1.html?contrast=default>
- <https://stat.gov.pl/obszary-tematyczne/rynek-pracy/pracujacy-bezrobotni-bierni-zawodowo-wg-bael/osoby-niepelnosprawne-w-2019-roku,33,1.html>
- <https://www.gov.si/drzavni-organi/ministrstva/ministrstvo-za-izobrazevanje-znanost-in-sport/zakonodaja/>
- <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5944>

- <https://www.gov.si/assets/ministrstva/MK/Zakonodaja-ki-ni-na-PISRS/Kulturna-raznolikost/1c24133420/Konvencija-o-pravicah-invalidov.pdf>
- <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO584o>
- https://www.unia.be/files/Z_ARCHIEF/2007StudieCGKRArbeidsrecht.pdf
- https://www.ejustice.just.fgov.be/cgi_loi/change_lg_2.pl?language=nl&nm=2004035293&la=N
- https://www.unia.be/files/Z_ARCHIEF/2007StudieCGKRArbeidsrecht.pdf
- https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2007051035&table_name=wet
- https://fedweb.belgium.be/nl/over_de_organisatie/over_de_federale_overheid/missie_visie_waarden/gelijke_kansen_en_diversiteit/personen_met_handicap
- <https://codex.vlaanderen.be/portals/codex/documenten/1017082.html> ;
- <https://gelijkekansen.be/>
- https://www.ejustice.just.fgov.be/cgi_loi/change_lg_2.pl?language=nl&nm=2008036199&la=N
- https://fedweb.belgium.be/sites/default/files/downloads/note_cm_handicap_nations_unies_nl.pdf
- <https://werk.belgie.be/nl/themas/welzijn-op-het-werk/het-gezondheidstoezicht-op-de-werknemers/re-integratie-van>
- <https://overheid.vlaanderen.be/kb-20161028>
- http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2016110801
- <https://codex.vlaanderen.be/Portals/Codex/documenten/1023214.html>
- <https://www.vlaanderen.be/publicaties/de-vlaamse-sociale-economie-jaarrapport>
- http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2019021109&table_name=wet

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Co-funded by the
Erasmus+ Programme
of the European Union

