

EMPLOYMENT

2018

for ALL

Strategies
for the
Implementation
of the
UN CRPD



Conference "Employment for All" Declaration

27th September 2018 in Vienna

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01

The right of persons with disabilities to work on an equal footing is enshrined in Article 27 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The participants and the organizers of the conference „Employment for All“ in Vienna on September 27, 2018, are committed to ensuring that this right is implemented. During the conference, they discussed different ways of implementation in different European countries and the EU, and identified successful approaches. Based on the results, they propose measures to overcome structural disadvantages due to social and other barriers.

➤ The employment rate of persons with disabilities in Europe was 47.3% in 2011, almost 20% lower than that of people without disabilities¹. This situation has continued to deteriorate since the beginning of the economic and financial crisis of 2008. In order to end the exclusion of persons with disabilities from the labour market, increased efforts must be taken immediately. We also have to realize, that persons with disabilities still get low quality education and Vocational Educational Trainings. Low Quality education, often segregated, is leading to exclusion from the labour market.

The elimination of existing legal barriers and the setting up of positive support measures are the key to unlocking employment potential and shifting the focus to the skills and competences of persons with disabilities.

The Vienna Declaration makes a stand for better opportunities for persons with disabilities in the labour market.

The purpose of this declaration is to provide guidance to stakeholders, policy makers in the EU and on national level, to trade unions and the business community on how participation of persons with disabilities in the labour market can be achieved.

1) Disability statistics - labor market access; https://ec.europa.eu/eurostat/stistics-explained / index.php / Disability_statistics_-_labour_market_access (downloaded on 07.10.2018)

02 The situation on the labour market

Around 80 million persons with disabilities live in Europe. Their labour force participation is significantly lower than that of the total population. Among those with basic disabilities such as visual or hearing impairment, communication or intellectual disabilities, only 47.3% of the EU's 28 states worked in 2011. That's almost 20 percentage points less than people without disabilities. The largest differences were found in the Netherlands (43% to 80%) and Hungary (24% to 61%). This gives a difference of 37 percentage points between these groups. In Luxembourg, there is the smallest difference with only 2 percentage points.² These differences suggest that it is possible to counteract lower labour force participation through policy measures.

In addition, in some European states some persons with disabilities are not even covered by the unemployment statistics because they are considered „unfit to work“. If they are employed in sheltered workshops, they are not considered as workers and receive only small pocket money, but no wages.

In case persons with disabilities find work, they maybe often employed below their capabilities, in part-time or fixed-term contracts and they have poor career opportunities. An entrepreneurial activity is open to only a few of them. Women and young people with disabilities, people with mental health issues, people with learning difficulties and people with intellectual disabilities are discriminated on the labour market to a particularly high degree.

03 Legal and political framework

The EU itself and its Member States have signed and ratified the UN Convention on the Rights of Persons with Disabilities³ (UN-CRPD). They have committed themselves to implementing the rights of persons with disabilities defined in the convention. The right of persons with disabilities to work on an equal basis with other people is defined in Article 27 of the UNCRPD. This results in the obligation for all states parties, including the EU, to identify and eliminate barriers (including legal ones) to the inclusion of persons with disabilities. Where the elimination of barriers is not sufficient to enable participation, states parties have to implement supportive measures for people with disabilities.

2) Disability Statistics, laboratory market access; Eurostat; https://ec.europa.eu/eurostat/statistics-explained/_/index.php/Disability_statistics_-_labour_market_access (downloaded on 07.10.2018)

3) The UN CRPD was signed and ratified by the EU and Austria. In Austria, that happened already ten years ago. <https://broschuerenservice.sozialministerium.at/Home/Download?publicationId=19> ; (downloaded on 07.10.2018)

In addition to the UNCRPD, there are other (legal) framework conditions that must be observed.

➤ [The Convention of the International Labour Organization ILO 159](#) on occupational rehabilitation and on employment of persons with disabilities aims to ensure that appropriate occupational rehabilitation measures are available to all groups of persons with disabilities and employment opportunities in the regular labour market for persons with disabilities should be encouraged.

➤ In [The International Covenant on Economic, Social and Cultural Rights of the United Nations](#) all signatories recognize the right of all people to work and on fair working conditions.

➤ In the [UN Sustainable Development Goals](#), the signatories recognize, among other things, the right to quality education and decent work.

➤ With the [European Pillar of Social Rights](#), the member states of the EU have adopted 20 principles, which are divided into 3 categories: equal opportunities and labour market access, fair working conditions, and social protection and social inclusion.

➤ The [European Disability Strategy](#) aims on empowering people with disabilities so that they can enjoy their full rights and benefit fully from participating in society and in the European economy, notably through the Single market.

➤ The [European Employment Equality Directive](#) established a general framework for equal treatment in employment and occupation and had to be implemented in national laws of the member states.

04 European and national ways of implementation

The EU and most of its member states are actively engaged in the realization of these rights. They have decided on strategies and action plans whose effectiveness differs to a great extent.

The hosting organizations of the conference “*Employment for All - Strategies for the Implementation of the Convention on the Rights of Persons with Disabilities*“ are aware of the significant challenges. Implementation is hampered in particular by the fact that persons with disabilities are structurally disadvantaged in the labour market due to social barriers. In addition, the economic and financial crisis that have been impacting Europe since 2008 has led to the introduction of austerity measures that significantly affect the lives of persons with disabilities. This has further aggravated the often-precarious situation of persons with disabilities even before the onset of the recession and pushed back positive achievements that had been made before.

Today, many of the EU member states are once again experiencing an economic upturn. However, the positive effects on the employment situation of persons with disabilities are not to the same extent as for persons without disabilities. In the context of the UNCRPD this is not acceptable. This situation, which exposes people with disabilities to chronic exclusion, needs to be tackled with comprehensive measures.

05 The conference „Employment for All“

Therefore, European and Austrian umbrella organizations, together with the Austrian Federal Government, as chair of the Council of the European Union from July to December 2018, held the conference „Employment for All“ in Vienna on the 27th September 2018. At this conference, solutions were presented from seven European countries across the EU. The key findings of this event are summarized by the organizing umbrella organizations in this Viennese declaration „Employment for All“.

The organizing umbrella organizations were

- [dabei-austria](#) | Dachverband berufliche Integration Austria
- [Austrian Disability Council](#)
- [EASPD](#) - European Association of Service Providers for Persons with Disabilities

➤ [EPR](#) - European Platform for Rehabilitation

➤ [EUSE](#) - European Union of Supported Employment

Around 270 people attended the conference in the Vienna Catamaran event center of the Austrian Trade Union Confederation. The international speakers referred to guiding principles of the UNCRPD such as inclusion, participation and mainstreaming, and that the core issue is often not about improving public policies but it rather needs a general change in societal perception and understanding of disability. The keynote address showed up, how the national governments and the EU have committed themselves to making participation in working life accessible to persons with disabilities. This results in the obligation to develop an inclusive society and thus also an inclusive labour market open for persons with disabilities. The next intervention made clear, that the EU with its Disability Strategy 2010 - 2020 wanted to counteract ambitiously, but its goals were not fully reached, in part due to the financial and economic crisis.

In the second part, representatives from 7 countries (Belgium, Germany, France, Ireland, Austria, Slovakia and Spain) presented the framework conditions for the employment of persons with disabilities in their respective countries, how people with disabilities are supported in the employment field and how the country implements the rights of people with disabilities.

Key findings based on the seven exemplary country reports

➤ The strategies and measures are not ambitious enough.

➤ There is no clear political accountability, irrespective of regional and federal competence.

➤ The support provided is not fully geared to work in the general labour market.

➤ Often there are no clear goals and indicators, no sufficient resources allocated, no clear time frame and responsibilities determined.

➤ The measures have dramatically failed to meet the objective of reducing unemployment or increasing the labour force participation of persons with disabilities in almost all the countries observed.

The only exception is Ireland, as it has only ratified the UNCRPD in 2018. Since then, the country has, for example, launched a comprehensive strategy with dedicated resources and a long-term implementation plan. However, concrete results are not available yet.

Based on these findings together with the recommendations given by the conference participants during and after the workshops as well as the long-lasting experience and deep knowledge of the involved umbrella organisations the following recommendations are being proposed.

06 Recommendations

General recommendations

Article 27 of the UN CRPD deals with employment in an inclusive labour market

- We therefore call upon those responsible at all levels, the EU, the states and the regions, to open the way for inclusion in the labour market. Set good examples and employ – within your area of responsibility – persons with disabilities (in Parliaments, Ministries, state agencies, offices, companies, etc.).

Social prejudice often prevents persons with disabilities from being considered as employees at all.

- We therefore call for investing in raising awareness. Public campaigns in TV and print media as well as social media can do much to reduce prejudice and focus on the skills and knowledge of persons with disabilities.

According to Article 4 of the UNCRPD, the development of all policies and measures affecting persons with disabilities must be made in close cooperation with self-advocacy organizations of persons with disabilities.

- We therefore call upon stakeholders at all levels to develop and implement their labour market inclusion policies and measures in close cooperation with persons with disabilities and their representative organizations.⁴

People with disabilities are currently significantly disadvantaged in the labour market in almost all European countries. As long as this is so, special measures must be put in place for them, in parallel with disability mainstreaming approaches, so that these disadvantages are compensated.

- Therefore, stakeholders at all levels call for not only labour market policies that mainstream disability, but also specific labour market goals for persons with disabilities. Compensating measures should be offered to offset their disadvantages in the labour market.

4) Co-producing employment initiatives for young persons with disabilities and mental health problems; EASPD; https://www.easpd.eu/sites/default/files/sites/default/files/PressReleases/event_report_coproducing_employment_initiatives_for_young_persons_with_disabilities_and_mental_health_problems.pdf (downloaded on 07.10.2018)

Recommendations for the European Institutions

In the Europe 2020 Strategy as a labour market policy objective, the EU has set a general employment rate of 75% for people between 20 and 64 years of age for member states. However, as mentioned above in all Member States the labour market participation of persons with disabilities is significantly lower.

- We therefore call on the European Union to make greater efforts to ensure member states take action to reach its targets for persons with disabilities in the future, until they reach the overall employment rate.

The actions of the EU 2020 strategy are coordinated in a process defined by the European Commission: the European Semester. The European Semester is an annual process that allows the European Commission to review national budgets and reforms at an early stage and submit proposals to Member States for improvement.

We call on the European Union,

- to include labour market policy objectives for persons with disabilities for all EU Member States, following harmonization of definitions in the regular coordination system of the European Semester to steer reform and innovation in order to achieve the objectives of the EU strategy.
- to tie the budget of the European Structural Funds to the quality criteria of the UNCRPD and to promote only measures that promote employment on the regular labour market and/or in social economy enterprises.

Recommendations for National Policies and Authorities

We urge the EU Member States,

- to provide inclusive framework conditions for people with disabilities of all ages. In particular, the education and training system must be designed in an inclusive way.
- to invest more in inclusive education at all levels as a precondition for employment. to provide access to employment for all by eliminating legal or financial barriers, such as categorising people as "unfit to work", for (young) disabled persons. The path to the working world must be open to all people.
- to adapt the definitions of disability in all relevant national laws to the concept of the human rights disability definition.
- to provide data on persons with disabilities as a basis to develop and review policies and action plans.
- to financially support and promote the Supported Employment model, taking into account the identifying features and values as defined by the European Union of Supported Employment and provide them according to needs.
- to align disability policies at all levels (national, regional and local) on the creation of an inclusive society and to commit the responsible authorities to common objectives.
- to develop a comprehensive (for all ages and all areas of life), long-term strategy for an inclusive labour market and to provide the necessary resources and milestones as well as clear responsibilities.
- to grant persons with disabilities a legal right to all supporting measures.
- to ensure access for all supportive measures for persons with disabilities looking for work with an integrated approach.
- to accelerate the implementation of the European Qualifications Framework EQF into national qualification systems. The EQF covers competencies and qualifications, even though formal qualifications have not yet been achieved.
- to create a supporting framework for social-economy enterprises, as they solve regional problems and create work for disadvantaged people in the labour market.

Recommendations for service providers

We call on providers of social services for persons with disabilities,

- to further develop their existing services so that people with disabilities have the opportunity to work in the general labour market. In any case, employment must lead to full insurance in the social security system and be remunerated in accordance with national agreements (such as collective or other agreements).
- to develop and provide these offers in coproduction with all stakeholders, in particular including people with disabilities, employers and relevant authorities.
- to invest in networking and cooperation with employers and the business world.
- to develop a positive ‘abilities’ discourse instead of focussing on the disability of people.

Implementation and sustainability of this declaration

In order to ensure a sustainable implementation of this declaration all umbrella organisations involved call upon the EU institutions to organise a biannual evaluation accompanied by an “Employment for All Conference” in the chairing country of the EU Council.