

# Disability Employment Package

## EASPD's Recommendations

### July 2022

## 1. Introduction to EASPD

**EASPD** is the **European Association of Service providers for Persons with Disabilities**. EASPD aims at promoting equal opportunities for persons with disabilities through effective and high-quality service systems across Europe, in line with the principles of the UN Convention on the Rights of Persons with Disabilities (UN CRPD).

EASPD is a **European not-for-profit organisation** representing **over 20,000 service providers in 34 European countries**. Over a **third of our members provide employment-related services** to persons with disabilities across the continent. This includes a **full spectrum of services**, ranging from supported employment and Individual Placement and Support to Work Integration Social Enterprises, Inclusive Companies, Vocational Education and Training services and Sheltered Workshops. Given the broad diversity of situations and legal contexts across the European continent, it is important to also recognise the **diverse ways and models in which each type of service is implemented**.

EASPD is **member of the European Disability Forum (EDF)**. We participate to the **Conference of State Parties to the United Nations Convention on the Rights of Persons with Disabilities** (hereinafter UN CRPD). EASPD is also member of the **European Commission's Disability Platform** and a founding member of the **"Inclusive Labour Market Alliance"** (ILMA).

It is on the basis of the **contribution of our sector** towards the implementation of the UN Convention on the Rights of Persons with Disabilities that **EASPD provides its Recommendations for the Disability Employment Package to be proposed by the European Commission in September 2022**.



## 2. Recommendations

### 1) Strengthening capacities of employment and integration services.

Expected Proposal: The European Commission will prepare a guidance for Member States to improve the accessibility and inclusiveness of employment and career guidance services. The guidance will be developed by the European Commission, in cooperation with the European Network of Public Employment Services (ENPES) and the European Centre for the Development of Vocational Training (CEDEFOP).

#### Recommendations:

- The self-determination and the right of choice of persons with disabilities, in line with the UN CRPD should be the leading principles of the guidance for the integration in the labour market.
- In view of maximising the transfer of knowledge towards mainstream employment services, the European Commission, ENPES and CEDEFOP should pro-actively cooperate with disability-specific employment services for persons with disabilities in the development of the guidance, represented by and large by EASPD.
- The guidance should provide advice on how to develop or re-enforce the partnerships between Public Employment Services (hereinafter PES) and disability-specific employment services. This initiative will build the capacity of PES and make the most of the expertise and know-how within the disability-specific employment services.
- The guidance should advise on actions facilitating the employment of persons with disabilities through an active labour market policy, campaigns and compensation schemes.
- Digital transition and technology, if used in the right way, can boost the employment rates of persons with disabilities. The guidance should support the creation of digital platforms facilitating the employability of persons with disabilities and provide advice to EU Member States on how to integrate them within the PES. An example of digital platform targeting persons with disabilities is [ePortfolio](#), a tool developed with the active participation of EASPD and co-funded by the European Commission.
- The guidance should advise EU Member States on how to increase flexibility in the labour market of persons with disabilities. For instance, using different services at the same time should be possible. A range of support services, such as public employment and specialised services should be made available to persons with disabilities based on their individual needs and preferences.
- The guidance should advise EU Member States and local authorities on how to make job coaching/supported employment more flexible and fit for the purpose. For instance, advising on how to make it available to persons with disability throughout their whole employment life based also on their individual needs and wishes.
- The European Commission should create specific calls for proposals aimed at supporting the implementation of the actions included in the guidance.



## 2) Promoting hiring perspectives through affirmative action and combating stereotypes.

Expected Proposal: The European Commission will produce a catalogue of positive actions, mainly for employers, to facilitate hiring of persons with disabilities.

### Recommendations:

- The catalogue should showcase positive actions carried out by public authorities in order to facilitate hiring procedures at national and local level.
- The catalogue should include campaigns, good practices and other such measures, but should particularly focus on the good use of legal and financial frameworks such as public procurement (reserved markets, social criteria), state aid (the General Block Exemption Regulation (GBER) and the de minimis rule), VAT, dedicated grants, etc.
- EASPD has already started collecting such positive actions within its membership and is available to engage with the European Commission to better identify what specifically should be included in the catalogue.
- Existing literature says that discrimination and stereotypes as well as high levels of unemployment are more commonly present in rural areas and suburbs. The catalogue should include actions aimed at empowering local authorities in these more problematic areas through the provision of specific means of actions.
- The European Commission should create specific calls for proposals aimed at supporting the implementation of the actions included in the catalogue.

## 3) Ensuring reasonable accommodation at work

Expected Proposal: The European Commission will issue guidelines for employers on reasonable accommodation at work.

### Recommendations:

- The guidelines should include step-by-step measures on reasonable accommodation and promote the correct use of EU legislation in the fields of public procurement, state aid and EU funds.
- EASPD has already started collecting existing guidelines and recommendations within its membership and is available to engage with the European Commission to better identify what specifically is being looked for.
- The European Commission should create specific calls for proposals aimed at supporting the implementation of the actions included in the guidelines.



#### 4) Retaining persons with disabilities in employment: preventing disabilities associated to chronic diseases

Expected Proposal: The European Commission in cooperation with OSHA will issue a manual for managing chronic diseases and preventing the risk of acquiring disabilities.

##### Recommendations:

- The manual should consider the outputs developed by EASPD through various projects such as the [Pathways](#) project, co-funded by the European Commission. This includes:
  - o Enhancing knowledge, competences and skills of educators/trainers that work with persons with disabilities to foster their social and labour inclusion.
  - o Raising awareness among SMEs regarding the safety and health of persons with disabilities at work.
  - o Promoting knowledge, competences and skills of persons with disabilities in order for them to work in safe conditions.
  - o Fostering networking and collaboration among different actors for the improvement of training and support practices of job-holders with disabilities.
- In order to retain persons with disabilities in the job market, the manual should include specific strategies on how to enhance the skills that are and will be most requested in the near future by the job market.
- The manual should also raise awareness and train professionals in the field of human resources on how to dismantle specific barriers.
- The European Commission should create specific calls for proposals aimed at supporting the implementation of the actions included in the manual.

#### 5) Securing vocational rehabilitation schemes in case of sickness or accidents

Expected Proposal: The European Commission will issue guidelines, in collaboration with OSHA, for effective vocational rehabilitation schemes covering frequent diseases and types of accidents.

##### Recommendations:

- Given EASPD's specific expertise in this field, including through the [Pathways](#) project, EASPD would recommend that the guidelines focus on the following:
  - o Identifying what persons with chronic conditions need to be re-integrated in the labour market and provide recommendations on how to minimise the stigma that chronic diseases may arise on employers, for instance during the recruitment process, or when coming back at work after a long-term sickness absence.
  - o Taking into account the different types of vocational and rehabilitation schemes in the different EU Member States, specific actions, based on these differences, should be created at national



- level to avoid social exclusion of persons with chronic disease or coming back to work after an accident. A list of promising practises to be shared across the EU would also be useful.
- Providing differentiated approaches for integration and re-integration of persons with disabilities in the labour market, including psychological and post-traumatic assistance.
- EASPD has already started collecting existing guidelines and recommendations within its membership and is available to engage with the European Commission to better identify what specifically is being looked for.
  - The guidelines should consider the key elements identified by EASPD through the [Pathways](#) Project. This includes:
    - Environmental adaptation of the workplace;
    - Working conditions/arrangements;
    - Legislative needs;
    - Medical and health-specific needs;
    - Personal education;
    - Enhanced knowledge of co-workers and managers.
  - The European Commission should create specific calls for proposals aimed at supporting the implementation of the actions included in the guidelines.

## 6) Exploring Quality Jobs in Sheltered Employment, and pathways to the open labour market

Expected Proposal: The European Commission will launch a study on improving employment opportunities for persons with disabilities through alternative employment models, including recommendations for fair working conditions and career development in alternative forms of employment and pathways to the open labour market that comply with the UN CRPD.

### Recommendations:

- Given its specific expertise in this field, EASPD would recommend the study to assess:
  - The good practices in terms of fair salaries, labour law, trade union rights, etc.
  - The performance of the different legal frameworks that govern sheltered workshops in the EU Member States, in order to identify which of them prevent or empower sheltered workshops to comply with the UN CRPD.
  - The extent to which legal frameworks are enforced by public authorities. In some EU Member States there are laws aimed at protecting and promoting the self-determination of persons with disabilities which are not or partially not implemented, often for lack of financial means. If providing additional resources to those sheltered employment structures which already match the ambitions of persons with disabilities and already provide them with fair working conditions may accelerate the spread of the good practice across the EU.



- EASPD acknowledges that sheltered workshops are, in some contexts, the only existing possibility for persons with disabilities to get into the labour market or participate in working life (i.e. those persons with high support needs or countries with lower levels of employment). The study should assess the capacity of sheltered workshops across the EU to provide persons with disabilities, especially those with high support needs, with all the rights enshrined in the UN CRPD.
- EASPD has already carried out several studies looking into these issues and would be keen to engage with the European Commission to showcase what data and existing practices already exist.
- The study should also look at the legal and financial frameworks that support sheltered workshops which are committed to place persons with disabilities into the open labour market and to provide them with the widest range of possibilities when it comes to make choices in their career.
- The study should look into recent updates of the legal frameworks at local, national and EU level that facilitate the transition of sheltered workshops into a more progressive model of sheltered employment that ensure work into the open labour market based on the strengths and skills of the individual.
- The study should also identify the Member States where sheltered workshops are more compliant with the UN CRPD and collect the good practices they implement in order to achieve that goal.
- In order to create the inclusion in the labour market, the study should assess if a wide range of opportunities is available for all of the persons with disabilities across the EU Member States.
- The study should assess and consider the situation of persons with more complex support needs.
- The study should assess how effective are the actions put in place to improve the poor match between the jobs offered and people`s strengths, skills and professional aspirations, as this is essential to tailoring the pathways to the open labour market .

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