Labor market challenges: Integrating disabled workers.

B. Murray, International Labour Office, Geneva
Overview

- Labour market situation of persons with disabilities
- Implications of low labour force participation
- Underlying factors
  - What is disability?
  - Working capacity of persons with different disabilities
  - Environmental barriers and their impact
- What will it take to make labor markets more inclusive?
Prevalence Rates of Persons with Disabilities Globally

- One in ten persons has a disability (estimate).
- Reliable, comprehensive data on people with disabilities - difficult to find.
- Better data has been collected to date in the U.S., where numbers range from one in seven to one in five, depending on the level of severity discussed.
- Most people with disabilities live in developing countries, mainly in rural areas, sometimes quite remote.
Labour market situation – persons with disabilities

- Comprehensive, comparable data not available internationally
- Some countries have reliable data, collected regularly

Main findings:
- Low employment rates
- Gender differences
- Many not actively seeking employment due to
  - Discouragement
  - Benefits trap
Evidence of Inequality
(numbers from the U.S.)

- The employment rate in 2004 of men with disabilities was 32%, compared to 91% of men without disabilities; women with disabilities employment rate was 30%, compared to 78% of women without disabilities.*

- In the year 2003, an estimated 29% of civilian men and women with a work limitation, aged 18-64 in the United States lived in families with incomes below the poverty line, compared to an estimated 9% of civilian men and women without a work limitation.*

*Source: www.disabilitystatistics.org
Evidence of Inequality
(European Union - 25 countries)

- 15.7% of EU working age population has a disability

- Employment situation of Europeans with disabilities
  - Around four in ten (40%) are in employment
  - 6% are registered as unemployed, with significant variation between countries
  - Around half (52%) are economically inactive
    - 78% of those with severe disabilities – economically inactive

- Comparable figures for non-disabled Europeans
  - More than 6 in ten (64.2%) are in employment
  - 7.4% are registered as unemployed
  - More than a quarter (28%) are economically inactive

*Source: European Commission. 2001 The employment situation of people with disabilities in the European Union*
Social and Economic implications of low employment rates

- **Opportunity cost**
  - Loss to GDP (see WB and ILO studies)
  - Lost tax income
  - Lower consumption rates

- **Cost of disability benefits and allowances**

- **Poverty rates**

- **Divided society, untapped potential**
Changing Concepts of Disability

Moral definition: focus on sin, wrong-doing

Medical definition: focus on individual impairment

Social definition: focus on social context
Shifts in Policy

Care in Institutions: custodial approach, ‘protect’ society

Care by Family: keep at home, hide away

Community Care: integration, inclusion
Trends in Legislation

- Welfare Law
- Charity Law, No Law
- Rights-based Law
Definitions in Practice

• Medical Definitions
  – Focus on impairments
    • Physical, intellectual, hearing, sight, mental health impairment
    • Levels of severity often specified
  – Used when aim is to provide financial or material support to individuals most in need, e.g.
    • Disability benefits
    • Quota schemes
    • Employee compensation
Social Definitions

- Combination of impairment and environmental factors
- Used when
  - aim is to protect people from discrimination on the grounds of disability or
  - Identify measures to enable individuals to overcome disadvantage
Social Definitions - Examples

WHO International Classification of Functioning 2001

• Disability and functioning viewed as complex interaction between health condition, contextual and personal factors. Focus on activity limitations, restrictions to participation

ILO Code of Practice – Managing Disability in the Workplace 2001

• Person with disability: “...an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical, sensory, intellectual or mental impairment”

UN Convention on Rights of Persons with Disabilities 2006

• Persons with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.
People with disabilities – not a homogenous group

- Mild, moderate or severe
  - physical disabilities
  - sensory disabilities
  - intellectual disabilities
  - mental health disabilities

- Disability dating from
  - birth
  - childhood/teenage
  - adulthood

⇒ GENDER MAKES A HUGE DIFFERENCE! ⇐
Labour market situation – underlying factors

- Factors directly linked to impairment

- Factors related to social, economic, cultural and political environment
How does impairment affect learning and working capacity, of persons with different disabilities?
People with:

- **Hearing Impairment**: Communicate needs: sign language, lip reading
- **Visual Impairment**: Rely on memory to locate things, move around
- **Physical Disability**: Workplace, tools, equipment may need adaptation

- Can work in many jobs at different levels
- Skills, knowledge are central
- In the right job, can be excellent workers.
- May be more productive - can concentrate more
- Communication needs: speech in place of sight
- Communication needs: sign language, lip reading

Skills, knowledge are central. In the right job, can be excellent workers. May be more productive - can concentrate more.
People with Intellectual Disability

Slow learners - but capable of learning

May grow out of their disability, with the right education and training
Best at repetitive, predictable jobs, simple or complex
Low error rate, once familiar with job
High retention rate

Can learn very complex tasks
Need clear training, in simple steps
Enthusiastic, interested workers
Low sickness, absenteeism, accident rates
People with Mental Health Difficulties

- Usually recover completely, or manage with medication
- Can return to work at various levels
- Treatment generally leads to rapid improvement
- Best at jobs involving low stress and some flexibility
- May need rehabilitation, support to deal with lingering symptoms
- Should avoid work involving stress, tight deadlines, high precision
What has been learned?

People with disabilities can learn wide variety of skills, perform many different jobs

Adaptations usually not required but if needed, often low cost

Supports may be required

People with disabilities, unemployed or outside the active labour market: significant untapped potential

Integration, inclusion is in society’s interest
What more has been learned?

People with disabilities can contribute!

- Relevant Skills, suited to interests, abilities
- Jobs suited to interest, ability, work capacity
- Appropriate supports, technical aids, adaptations, if needed
- Excellent employees, asset to employers

In business interest of employers to employ disabled persons
Environmental barriers

- Lack of a supportive legal environment
- Lack of policy support.
- Negative attitudes, mistaken assumptions, stereotypes
- Unequal access to education and training
- Inaccessible buildings, information, transport
- Lack of assistive devices and support services
- Overprotective families
Impact on individuals

- Internalisation of stereotypes, mistaken assumptions
- Low self-esteem
- Low self-confidence
- Discouragement
- Withdrawal from active labour market
What action is required?

- International policy agenda set by:
  - UN Convention on the Rights of Persons with Disabilities, 2006
  - ILO Conventions, esp C. 159, 1983
  - ILO Code of Practice – Managing Disability in the Workplace, 2001
The CRPD – heralding a new era

Shift in focus

<table>
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<tr>
<th>Rehabilitate Disabled Persons</th>
<th>Rehabilitate Society</th>
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<tr>
<td>Charity, Medical approach</td>
<td>Rights</td>
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<td>Adjustment to the norm</td>
<td>Acceptance of differences</td>
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<tr>
<td>Exclusion</td>
<td>Inclusion, participation, citizenship</td>
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<td>Little consultation</td>
<td>‘Nothing about us without us’</td>
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CRPD - Work and Employment

- Based on Universal Declaration of Human Rights Art 23 (Right to Work)
- States Parties recognize the right of persons with disabilities, to work on an equal basis with others
  - Right to opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible
Central requirements for labour market inclusion

- **Non-Discrimination**
- **Equality of Opportunity**
- **Equality between men and women**
- **Reasonable Accommodation**
  - Denial is considered discrimination
  - Explicitly mentioned in (Articles 2, 5, 14, 24, 27)
- **Training in appropriate skills** (Arts 24, 27)
- **Accessibility**
  - General principle
  - Article 9
- **Awareness raising**
  - article 8: obligation takes immediate effect
Making labour markets more inclusive - Reasonable Accommodation

- Necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
  - Denial is considered discrimination
  - Explicitly mentioned in Articles 2, 5, 14, 24, 27
Making labour markets more inclusive - Affirmative Action

- Special positive measures aimed at effective equality of opportunity and treatment between disabled workers and other workers.
- Such measures not regarded as discrimination against non-disabled workers.
Making labour markets more inclusive through Skills development

• CRPD:
  - Access to general tertiary education, vocational training, adult education and lifelong learning without discrimination, on equal basis with others (Art 24)
  - Access to mainstream vocational guidance, training and employment services (Art 27)
  - Vocational and professional rehabilitation services geared to entering, re-entering work. (Art 27)
  - Reasonable Accommodation required
  - No mention of ‘Special vocational training’
Making labour markets more inclusive through Skills development (2)

- What approaches are in use?
  - Separate training - dedicated centres
  - Mainstream training centres, with supports
  - On-job training
  - Apprenticeships
  - Community-based training
  - Distance learning/learning from home
Making labour markets more inclusive through Skills development (3)

- **What are the issues?**
  - Labour market relevance
  - Occupational Standards
  - Equipment
  - Instructor Qualifications
  - Outcomes for individual disabled persons
Making labour markets more inclusive - Access

• CRPD provisions:
  – Access as General Principle
  – Article 9 dealing with access of
    • Buildings
    • Information and communications
    • Public transport
    • Other public facilities and services
• Universal Design
  – Ensure that everything can be used by everyone, without need for adaptation or specialized design
Making labour markets more inclusive - Access (2)

● What are the issues?
  – Economics: progressive implementation required
  – Old building stock, public transport stock
  – Building regulations may need revision
    • Minimum standards
    • Training
  – Availability of ‘live’ assistance and intermediaries
  – Electronic information
    • Minimum standards
  – Places of employent
    • Technical advice required
    • Public subsidies for high cost adaptations
Making labour markets more inclusive through raised awareness

• **CRPD article 8.**
  - Raising awareness throughout society regarding persons with disabilities
  - Fostering respect for their rights and dignity
  - Combating stereotypes, prejudices and harmful practices
  - Promoting of awareness of the capabilities and contributions of persons with disabilities.

• **Obligation takes immediate effect**
Making labour markets more inclusive through raised awareness (2)

• Issues include:
  – Widespread misconceptions about skills, merits, abilities and working capacity of persons with disabilities
  – Limited impact of public information campaigns
  – Media not always ‘on-board’
  – How to bring about behaviour change?
Ilo Code of Practice on Managing disability in the workplace, 2001: Guidance on

- Recruitment
- Job Retention
- Promotion
- Return to Work
Disability Management - Key Actors

- Employers’ Organisations
- Organizations of/for People with Disabilities
- Workers’ Organisations
- Competent Authorities

ENTERPRISES
The CRPD and the Right to Work

Shift in focus

- Segregated employment → Open Labour Market
- Petty trading → Small enterprises
- No legal provisions → Coverage by employment laws
- Limited choice → Work freely chosen or accepted
Overcoming labour market challenges:

• Everyone has a role to play!
• Every aspect of society needs to be reconsidered!

- Read more:
  - about the CRPD at: http://www.un.org/disabilities/
  - about the ILO’s work on disability at: http://www.ilo.org/disability