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**INSTRUMENTS SUPPORTING VOCATIONAL ACTIVATION
OF PEOPLE WITH DISABILITIES****M. M. Garbat***Candidate of Economic Sciences,
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Summary. The article presents the instruments supporting activation of persons with disabilities in the labour market in Poland. They may have a different impact. It depends on the status of people with disabilities in the labour market and the “attractiveness” of the instrument, both for the people with disabilities, as well as their employers. Among the instruments for the general population, the refund of costs resulting from hiring employees helping employees with disabilities is of marginal range. Also not to many job opportunities for people with disabilities are offered, especially in the public sector. Collective forms of employment are of limited importance in the context of vocational guidance and career information.

Keywords: People with disabilities; vocational activation; instruments.

Introduction

People with disabilities constitute a significant fraction of the Polish population, which, according to the National Census of Population and Housing in 2011 amounted to 12,2% (about 4,7 million people). Most of these people – despite the functional limitations – are able and want to work. It should be emphasised that the share of professionally active population is maintained at a level much lower than it is in the case of non-disabled people, and in 2013 amounted on average to 27,3%, with 22,4% employment rate and unemployment rate of 17,9% [details of the Government Plenipotentiary for Persons with Disabilities, [http](http://www.pw.gov.pl/)]. Therefore, stimulating and sustaining professional activity of these people are important both in the context of a all-European concept of full employment, as well as for national economies.

Within the concept of full employment, it was decided that in 2020 rates of professional activity should reach 75% for the total population and 60% for people with disabilities. Those who are accomplished professionally are contributing – not only economically – in the economy: they earn money, they consume and pay taxes. The social aspect of their work is also of great significance: salary earned is not only the basis of existence of their households, but a good example of overcoming barriers,

struggle with the limitations, as well as their perseverance and self-improvement. However, good intentions alone are not enough; the disabled need support of not only people to whom they are important – family, friends, peers (informal), but also support in the form of a variety of instruments facilitating finding employment (formal). Without formal support, the implementation of full employment would be very difficult, if not impossible. The article presents the instruments increasing the opportunities for people with disabilities to enter into the labour market.

**Instruments supporting
mercenary employment**

Issues concerning access of people with disabilities into the labour market instruments provided by public entities are regulated by various Acts: the Act on Vocational and Social Rehabilitation and Employment of Persons with Disabilities (hereinafter referred to as the Rehabilitation Act) and the Act on promotion of employment and labour market institutions (hereinafter referred to as the Act on Promotion of Employment).

**INSTRUMENTS RESULTING
FROM THE REHABILITATION ACT**

Vocational Rehabilitation Act grants the right to use the services of the labour market and instruments supporting these

services to the general principles to people with disabilities registered in the district labour office (DLO) as unemployed or not employed but looking for work [Rehabilitation Act, Art. 11, par. 1 and 2].

Vocational education, retraining or increasing qualifications is organised outside the school. They increase their chances of getting employment, increasing existing qualifications or improving professional activity, particularly if there are no professional qualifications or there is the need for retraining in the absence of proposals for suitable employment or losing the ability to work in a profession previously performed [Rehabilitation Act, art. 37, 38].

Such trainings can take place in training institutions or specialised training and rehabilitation centres, [Rehabilitation Act, Art. 39], they may last no longer than 36 months, and their cost is financed by the State Fund for Rehabilitation of Persons with Disabilities (PFRON). Training can also be organised by the employer. At the request of the employer costs incurred by them for training employees with disabilities can be refunded by PFRON up to 80% of those costs, but not more than twice the amount of the average wage for a single person. The head of the district is responsible for reimbursement of those costs under the conditions and in the amount specified in an agreement with the employer [Rehabilitation Act, Art. 41].

Making mercenary employment of the disabled easier or at all possible may sometimes require the employment of a supportive worker. On such basis the employer may obtain monthly reimbursement of the costs of employing such workers from the Fund [Rehabilitation Act, Art. 26d]. The supporting employee's task is to assist the disabled worker in activities facilitating communication with the surroundings and operations which they themselves have problems to execute in the workplace.

The amount of reimbursement of the costs of employing a supportive worker is calculated as the amount of the minimum wage multiplied by the quotient of the number of hours spent monthly solely to help the disabled worker and the monthly number of working hours of the disabled employee, while the number of hours devoted solely to assist a person

with disability can not exceed the number of hours corresponding to 20% of the employee's monthly working hours.

A specific program, addressed to a relatively small group of people with adjudicated disabilities, is called JUNIOR – Professional Development Programme for Graduates with Disabilities [Junior, http]. Its purpose is to allow young people to enter labour market. Local labour offices and branches of PFRON are responsible for implementation of this programme. Financial assistance is granted and transferred to the graduate, professional advisers and employers participating in the program.

Individuals with severe, moderate or light degree of disability under the age of 25 years and qualified for training by district labour office (DLO) are the recipients of the program, and for those who have completed a university the age limit is 27 years of age.

Graduate receives assistance enabling the training at the employer. This assistance is in the form of financial help which is the provision of funding for vocational rehabilitation. The amount of funding is determined by the PUP – depending on the degree of disability – in the amount of:

- 50% of the minimum wage – for people with severe disability;
- 40% of the minimum wage – for people with a moderate degree;
- 30% of the minimum wage – for people with light degree.

Vocational counsellor, who takes care of the disabled graduate, receives a bonus of up to 10% of the minimum wage (for each trainee under supervision), under the terms of the agreement with PFRON. This bonus is remuneration for additional work, which include: active cooperation with the employer in the implementation of the trainee internship and assistance in adapting to the new environment, a full understanding of the requirements of the employer, obtaining approval of the colleagues, and coping with the crisis situations.

On the other hand, an employer participating in the program (except those running vocational activation works) receives bonus for the graduate's traineeship in the amount equal to the number of months of training multiplied by the amount representing:

- up to 20% of the minimum wage in force on 1st January of the year in which

the training has started – if the trainee is a person with severe or moderate disability or special school graduate,

– up to 10 % of the minimum wage – if the trainee is a person with a light degree of disability.

In case of cancellation of apprenticeship by the trainee throughout its duration, the employer is entitled to a bonus for the actual training period received by the trainee.

INSTRUMENTS RESULTING FROM THE ACT ON PROMOTION OF EMPLOYMENT

Act on Promotion of Employment regulates issues related to operation of public employment services and the provision of their services to the unemployed and job seekers. According to this Act people with disabilities are one of the group that experiences significant difficulties in the labour market (ie. a disfavoured group).

The unemployed and job seekers with disabilities can use the publicly available services on labour market. According to the Act, the basic services of the labour market are [Employment Promotion Act, Art. 35, par. 1]: running employment agencies, career counselling and information, assistance in active job search and organisation of training, as well as instruments such as individual action plans and Activation and Integration Programme.

Employment agency

Running an employment agency involves [Employment Promotion Act, Art. 36, par. 1]:

– assisting the unemployed and job seekers in obtaining suitable employment and employers in recruiting staff with required professional qualifications ;

– obtaining job offers;

– promotion of job offers, including placing job offers in the on-line database provided by the minister responsible for labour;

– providing employers with information about the candidates in relation with proposed job offers;

– informing the unemployed and job seekers and employers about the current situation and expected changes in the local labour market;

– initiating and organising contacts between the unemployed and job seekers and employers;

– coordination of district labour offices regarding information exchange on how to get employment and training in the area of their operation;

– informing the unemployed about their rights and obligations.

Running an employment agency is carried out free of charge by the district and regional labour offices according to the following rules [Employment Promotion Act, Art. 36, p. 4]:

– the availability of employment services for job seekers and employers;

– voluntary nature – meaning no compulsory use of employment services;

– equality – meaning the obligation to provide assistance to all the unemployed and job seekers in finding employment or other paid work, regardless of gender, age, disability, race, religion, nationality, political beliefs, trade union membership, ethnic origin or sexual orientation;

– transparency – meaning that each vacancy reported to the labour office must be made available to the unemployed and job seekers.

Career counselling and information

Career counselling and information is to assist in selecting the right profession and places of employment, in particular [Employment Promotion Act, Art. 38, par. 1]:

– to provide information on occupations, labour market and education and training opportunities,

– to provide advice with the use of standardised methods facilitating the choice of profession, retraining, taking or changing of employment, including checking vocational interests and skills,

– to direct to specific psychological and medical examinations helping to assign the suitability to work or the scope of necessary training,

– to initiate, to organise and to conduct professional group advice services for the unemployed and job seekers.

Vocational counselling and career information are provided in the form of group consultation or giving individual advice [Employment Promotion Act, Art. 38, p. 3] and performed, similar to running employment agency according to certain rules [Employment Promotion Act, Art. 38, p. 2]: accessibility, voluntary nature, equality, freedom of choice of oc-

cupation and places of employment, free of charge, confidentiality and personal data protection.

Assistance in active job search

Assistance in active job search is to prepare the unemployed and job seekers to better cope with finding and taking up employment, in particular through [Employment Promotion Act, Art. 39, par. 1]:

- participation in trainings in job search skills;
- participation in the activation courses ;
- access to information and electronic databases which serve obtaining job seeking skills and self-employment.

This assistance is provided by the district labour offices in the operation of job clubs and information centres and career planning provincial labour offices.

Organisation of training

The head of the province is the entity that initiates, organises and finances training of the unemployed from the Labour Fund. The training are aimed at improving the qualifications (professional and other), increasing the chances of obtaining or maintaining employment or other paid work, particularly in the case of [Employment Promotion Act, Art. 40, par. 1]:

- the lack of professional qualifications;
- the need to change or supplement qualifications;
- losing the ability to perform work previously performed in the profession;
- inability to actively search for work.

The unemployed can be sent to the training by district labour offices (DLO) or on their own initiative, provided that they can justify the purpose of this training (there is a considerable probability of employment after the training).

Financing of training include:

- financing of training costs covered by training institutions;
- payment of scholarships to people sent to training;
- financing travel expenses or the cost of accommodation and meals related to participation in training;
- financing the costs of necessary medical or psychological examinations.

An unemployed person can obtain the financing of costs of examinations which can result in obtaining the certificates, di-

plomas, attestations, certain professional qualifications or professional titles, and the cost of obtaining the licenses necessary to perform the job – provided they do not exceed the amount of the average wage. Training can take up to 6 months, and when justified – no longer than 24 months.

In the case of jobs requiring special psychophysical predisposition, the referral should be preceded by a vocational counsellor's judgement of suitability to exercise the profession, which they receive as a result of training. In justified cases, the training can be preceded by a referral for medical or psychological examination financed from the Labour Fund.

Just as it is in the case of the above-mentioned services, the principle of equality in using them applies also to directing for training, in particular with regard to disability.

An individual action plan

An individual Action Plan (IAP) is a relatively new instrument, which has been operating since 2011. It is an integrated help directed to the unemployed and those looking for work who are registered in labour offices. It should lead to a decision to work or start their own business by the customer the district labour office (DLO). In light of the existing legislation an individual action plan does not introduce any new forms of action in favour of the person under IAP. The essence of the IAP is the implementation of the action in such a way that the assistance provided is an individualised, structured and intensive attempt to solve the professional problem of persons registered at the employment office with targeted use of instruments, available in the office. According to the intention of the legislator implementation of an individual action plan should include the use of deliberate and carefully planned basic labour market services supported by labour market instruments and a high degree of customisation action. Fulfilment of these conditions should be conducive to achieving better results from this assistance. Multidirectional support directed to the person under IAP provides a potential opportunity to start the process of changing of this person as well as changing of their socio-professional situation [Pielok, Woynarowska-Janiszewska, Łukaszewska, 2010, pp. 8–9].

As the name suggests, this is a plan prepared in the form of bilateral arrangements between the labour office and the person registered at the office, with the participation of the unemployed or the person looking for work. As part of the IAP the strategic objective is determined (employment) as well as immediate objectives (phased ones), the relationship between them and the means of achieving them. The preparation of such a plan should be carried out in co-operation between office staff and the client. This requires increasing the intensity of operation of both parties: the office, as well as those who are unemployed or looking for work. The expected result should be the increase of the chances of DLO's customers in the labour market, and a direct result of these actions – obtaining employment by them. It is emphasised that the advantage of this approach is to accompany the unemployed and those looking for work for the whole duration of the IAP, which gives them a sense of security [Pielok, Woynarowska-Janiszewska, Łukaszewska, 2010, p. 15].

In accordance with applicable regulations, the Individual Action Plan may involve the unemployed and job seekers from the time of registration or at any time during their stay in the registry of the labour office. At the same time district labour offices were obliged to prepare the IAP for each unemployed person who is constantly included in the registry of the labour office for at least 180 days from the date of registration, where the office should prepare IAP within 30 days, following that period [Pielok, Woynarowska-Janiszewska, Łukaszewska, 2010, p. 20].

Refusal or interruption of participation in the IAP (resulting from other causes than taking up employment) forms the basis for deprivation of:

- states of “the unemployed” for a period of:
 - 120 days in the case of first refusal / interruption;
 - 180 days for a second refusal / interruption;
 - 270 days for the third and every other refusal / interruption;
- status of the “job seeker” for a period of 120 days.

LABOUR MARKET STATISTICS

The results of the Labour Force Survey of Poles (LFSP) show significant improvement in the situation of people with disabilities in the labour market in recent years, which undoubtedly was influenced by the great interest of employers in employing the disabled, which resulted from the support they received.

According to data from the Government Plenipotentiary for Persons with Disabilities [<http://www.niepelnosprawni.gov.pl/niepelnosprawosc-w-liczbach-rynek-pracy/>] since 2007 a significant increase in the participation rate and the employment rate of people with disabilities especially those of working age has been recorded. While in 2007 the activity rate of the disabled of working age was 22,6% in 2008. – 23,9% in 2009. – 24,6%, in 2010 it was 25,9% in 2011 it increased to 26,4%. According to the latest data recalculated based on the new population balance sheets after the National Census of 2011 and on a new LFSP methodology, activity rate in 2010 amounted to 25,7%, in 2011 it increased to 26,3%, and in 2013 to 27,3%. The share of the employed among people with disabilities of working age in 2013 reached the value of 22,4% (in 2012 – 23,0%, in 2011 – 22,2%). The unemployment rate of the disabled of working age in 2013 increased to 17,9% (in 2012 – 16,2%, in 2011 – 15,5%).

In 2013, 17,3% of disabled people aged 15 years and more were professionally active, and the share of employment among people with disabilities aged 15 and older in 2013 amounted to 14,4%, with unemployment rate at the level of 16,9%.

The System of Financing and Refunds (SFR), run by the State Fund for Rehabilitation of Persons with Disabilities, at the end of December 2013 registered 251,2 thousand people with disabilities, including 84,4 thousand of persons employed on the open labour market and 166,8 thousand people working in sheltered workshops.

Although the share of workers in sheltered workshops in relation to the total number of disabled workers, registered in SFR is still very high (in December 2013 it amounted to 66,4%), the downward trend in the share is clearly noticeable. For comparison, in December 2004 the share of

workers in sheltered workshops in the total number of disabled workers registered in SFR amounted to 86 %.

Participation of the disabled among all persons registered in the district labour offices in December 2013 amounted to 6,2 %, while among the registered unemployed – 5,4 % and 46,7 % among registered as a job seeker.

In 2013, 59,3 thousand jobs for people with disabilities were reported to labour offices by the employers. 14,8 % of the offers (8,8 thousand) referred to subsidised job opportunities. Compared to last year the number of jobs for people with disabilities has increased by 8,5 % (and amounted to 54,6 thousand).

CONCLUSIONS

The instruments supporting the access of people with disabilities to the labour market presented here have a different impact. When browsing the labour market statistics, one can see that the activity of people with disabilities depends on their status in the market and the attractiveness of the instrument themselves, both for the disabled and for their employers. Among the instruments for the general population, the refund of costs connected with hiring employees to help employees with disabilities is of the marginal range. A few jobs offers are also submitted for people with disabilities, and especially – in the public sector. Collective forms as part of career guidance and information are of limited relevance.

By the end of 2007 the downward trend in the number of people with disabilities registered in the district labour offices continued. At the end of this year 67,2 thousand people were recorded. From this year, the growth can be observed which can be related to the impact of the global economic crisis (120 thousand people were registered at the end of 2014). At the same time, two opposing trends can be observed: increase of the number of the unemployed and decrease of the number of not employed job seekers (by 100 and 37 % respectively). Decreasing number in the second group may be associated with lower attractiveness of such status in the labour market than it is in the case of the unemployed, or with the discouragement caused by unsuccessful job searching.

The number of reported vacancies and professional activation for people with disabilities increased gradually (from 26 thousand in 2008 to 54 thousand in 2014). Most of jobs offers were seasonal, and thus unstable, dependent on the time of year and often also of the whether. The least reported of jobs offers were those in the public sector, usually more stable, which seems to support the thesis of the low interest in this sector in the implementation of labour market public policies. Still a significant percentage of these jobs remains unused for more than one month. But the good thing is the decrease in the proportion, which can indicate that the job offers are more adequate for people with disabilities and can be used by them more efficiently than by non-disabled people.

As part of career counselling and information services people with disabilities prefer to use individual forms, probably due to the opportunity for better targeting to meet the specific needs and resolve specific problems. Those interested, use individual forms twice as often as the collective ones.

Vocational training is not very popular among people with disabilities (less than 7%). Effectiveness of training measured by the number of people who have taken jobs as a result of it is maintained at a level lower than that of the total number of trainees, which may indicate that they are not well adjusted to the capabilities the disabled. However, the increasing value of the effectiveness indicator suggests that the situation is improving.

For customers of the employment agencies, who face the increasing problems on the labour market, individual action plans which requires increased commitment of both employees of labour offices and the unemployed may be introduced. The effectiveness of this instrument is difficult to be evaluated due to the short period of operation yet. The performance indicators calculated for persons who have completed the program are lower than in the case of vocational training. The performance indicators measured in relation to the number of people who as a result, have undertaken the work, do not exceed 15 %; effectiveness was also significantly higher for the unemployed than in case of job seekers.

Hiring employees to help the disabled is a rarely used instrument. In recent years less than 300 people annually have benefited from it and the total cost did not exceed 300 thousand zloty.

In summary, it can be said that in recent years a stock of instruments through which public employment institutions do not only face the problem of unemployment of people with disabilities, but are very active in order to mitigate its effects and to take a series of activities to promote employment, expanded significantly. There are many opportunities and activities in the area of services and labour market instruments that allow outreaching the problems and the needs of people with disabilities, offering them a multidimensional help. Among the instruments addressed to (potential) entrepreneurs the most important is the refund of social insurance contributions. Less important is a one-

time grant to start their own business, and among them – to start agricultural activity or for contribution to the social cooperative.

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