

**AN OVERALL POLICY FRAMEWORK  
OF PROMOTING THE EMPLOYMENT OF PEOPLE  
WITH DISABILITIES IN EU COUNTRIES**

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**Abstract.** This paper presents a synthetic brief of an overall policy framework of employing persons with disabilities in the Member States of the European Union. Even a superficial analysis shows that EU countries are responsible for the creation and adherence to the policy of employing disabled people. In each of these countries there are different solutions: adequate to the socio-political situation of the country. They differ in scope, form of support for disabled people and entities that employ them, the legal solutions and the labor market instruments in the field of vocational activation.

**Keywords:** employment policy; disabled person; the European Union; the quota system; employment.

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People with disabilities do not have the same employment opportunities as people without disabilities. This can result both from lower productivity and inability to work in all workplaces. An employer who employs a disabled person takes into account the need to incur additional costs to adapt the workplace or costs of lower productivity. Therefore, in most European Union countries cost compensation systems for employers of persons with disabilities have been created from public funds.

Statistics on the environment of disabled people from different EU countries are often difficult to compare. However, it is known that the majority of disabled people in the EU are economically inactive. The so-called relative indicator of employment, the ratio of working people with disabilities to working people without disabilities amounts to an average of 40.8 in the EU. The study contracted by the European Union shows that among people with disabilities of working age, 58 % of them are economically inactive (inactive + unemployed) [1, p. 12, 5 p. 78]. It is difficult, however, within a short time to change this situation, because self employment is conditional upon long-lasting factors, such as obtaining an education and skills, overcoming physical and mental barriers. Such changes

take place over several generations. However this is not entirely true number as the number of disabled persons determined in various combinations depends on the definition of disability [11, p. 21]. In the Member States of the European Union, there is no single "unified" definition of disability. It often happens that in one country there are several definitions formulated for various purposes, eg. for the purpose of social or professional rehabilitation, medical care, social assistance, etc. Currently, in most European countries disability is defined in relation to the barriers encountered in life by a disabled person. The degree of disability is most often defined through the level of reduction of functional capacity (from 20 to 100 %). Depending on the concept of social welfare and legislation in the country people with disabilities are often "combined" with other groups vulnerable to discrimination (excluded, with reduced competitiveness in the labor market) [2, p. 20]. Note, however, that each of these groups has a different determinants of social exclusion and low employability. These groups, however, have lower income levels, and even in some groups – material poverty. Job offers for groups at risk of social exclusion should be integrated, but also should take into account the specific needs and diffi-

culties of each group separately. Such requirements should be met, among others, by social cooperatives created for that purpose.

EU countries are responsible for the creation and adherence to the policy of employing disabled people. In each of these countries there are different solutions: adequate to the socio-political situation of the country. To understand the different solutions and interventions the general presentation of the various options that existed in politics in different European countries is necessary. There are three general methods of intervention in assisting the employment of people with disabilities: regulation, compensation and replacement [3, p. 54].

Regulations means the impact by: orders, prohibitions, appropriate conditions and measures of protection. These include, among others [9, p. 3]:

- the quota system – general obligation to employ a certain number of disabled people, usually expressed as a percentage of people employed,
- taxation of employers who fail to comply from the principles of the quota system,
- protection against dismissal from work,
- anti-discrimination system,
- establishing of the institution of the disabled ombudsman.

Compensation aim to ensure competitiveness in the labor market for people with disabilities by means of financial, material or direct support. This intervention group may include: professional and social rehabilitation, adaptation of work to the capabilities and needs of persons with disabilities, subsidizing of employment, employment support.

Substituting – is creating jobs for people with disabilities in specially tailored, dedicated public institutions and sheltered employment centers. One of the key components of policy of equalizing opportunities of persons with disabilities include programs promoting employment in the open labor market and in areas excluded from the competitive market-sheltered employment [7, p. 60].

There are many forms of protected employment, depending on market systems of the state or institutions that create protected jobs (individuals, government, non-governmental organizations). There are four

main areas connected with protected employment: vocational training, vocational rehabilitation, employment and counseling [4, p. 92].

In the EU Member States, protected employment is the domain of small businesses, but there are also countries (Sweden, UK), where there is a clear dominance of one organization. Also, employment growth varies in the EU: a dynamic growth in Spain and France, and remaining at a stable level in Sweden. Whenever possible, one focuses that the disabled treat working in of protected employment areas as a transition period leading to employment in the open labor market [12, p. 4–54].

Depending on the financial situation of the country, the amount of funding of protected employment is very different. The main source of financing is mostly the public sector: central state budget or regional and local authorities [10, p. 240].

In some countries there are linked distribution channels of funding (central-local). Most often the founding goes to partial or total remuneration of persons with disabilities (standardized eg. in the form of minimum wage), although specific solutions are varied. For example:

- in France, the minimum wage in protected work protected accounts for 35 % of the minimum wage in an open labor market, the remaining amount (up to 130 % of the minimum wage) is paid by the government;
- in Germany, the basic salary is established by employment offices;
- in Luxembourg, minimum income is paid regardless of employment, in the form of a pension;
- Irish employees receive part of their remuneration in the form of pension and a portion in the form of salaries paid by the employer (50 % pension). In addition to funding salaries, people with disabilities employed in protected work scheme receive additional forms of support, such as: refunded or free transport to work, work clothes and personal protective equipment, meals, and sometimes even the cost of change of residence is covered.

Employment of people with disabilities in the open, competitive labor market, is also supported by various forms of impacts and incentives: vocational training, internships, employment subsidies, tax incentives (tax reliefs) conducive to starting a business. In order to equalize the chances of disabled people on the open labor market, the so often called quota system is introduced, which consists in applying, by an act of obligation for employer to employ a certain percentage of people with disabilities. In the EU Member States amounts are ranging from 2 to 7 % (often differentiated amounts for the public and private sector). In many countries, the company sets up minimal level of employment which determines the obligation to apply the quota system (eg. Italy 6-percent quota system in force in private companies employing at least 35 employees).

In 10 EU countries one can find compulsory employment of people with disabilities by public and private institutions (Poland, Germany, France, Spain, Czech Republic, Slovakia, Hungary, Italy, Lithuania, Luxembourg). In other countries (Denmark, Finland, Portugal, Sweden and the United Kingdom) it is based on a general right to work and the principles of non-discrimination. In the remaining countries, one can find a mixed system [6, 8].

In most Member States an introduction of additional requirements and forms of support for employers has began, as the obligation to adapt the workplace to the needs and abilities of the disabled worker, exemptions and tax reliefs for employers of people with disabilities, direct support for people with disabilities (eg. covering travel costs, purchasing necessary tools work). Protected workshops are increasingly being "reserved" for people with intellectual disabilities, while increasing emphasis is placed on hiring people with physical and sensory disabilities in the open labor market [6; 8].

In conclusion, we can say that in every country solutions to support the employment of people with disabilities are different: adequate to the socio-political situation. Countries differentiates range, form of support for disabled people and entities that employ them, the legal solutions and labor market

instruments in the field of vocational activation. Each country has its own developed original "model" policy in this area, based on the law, their own experiences, culture, resources and capabilities. Practice shows that many of the regulations are difficult for implementing despite the fact that employers who do not conform to the rules can be punished.

Most regulations include the sentences that are fairly freely interpreted and must be determined depending on the circumstances, which may constitute undue hardship for the employer. Finding jobs for people with a certain state of disability in the company may simply be impossible. The same problem exists in relation to anti-discrimination legislation, which is often undermined by a clause of the occurrence of undue hardship for the employer. Even in those countries where there are mandatory amounts of employing people with disabilities, penalties for non-compliance are often so low that it is easier for the employers to pay the penalty rather than make the effort to employ the disabled.

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