

EMPLOYMENT AND PEOPLE WITH DISABILITIES

*Report of the special meeting of the
High Level Group on Disability*

Brussels, 15 October 1997

TABLE of CONTENTS

| | | |
|-----|--|----|
| 1. | Introduction | 3 |
| 2. | Disability issues in the context of the new European employment strategy by Hywel C. JONES, European Commission, Deputy Director-General V, Employment, Industrial Relations and Social Affairs | 5 |
| 3. | The employment situation of people with disabilities. Presentation of the special section of disability of the Employment in Europe report 1997 | |
| | <i>First section</i> by Andrew CHAPMAN, European Commission DG V-A1, Employment promotion in other Community policies | 9 |
| | <i>Second section</i> by Donald TAIT, European Commission DG V-A2, Employment and Labour Market Policy | 16 |
| 4. | Transition from school to the working life and employment for young disabled persons in Sweden by Henrik LINDER, Ministry of Social Affairs, Sweden | 19 |
| 5. | A system combining quota and contribution by Pierre GRAPIN, Deputy Director-General of the 'Association pour la Gestion du Fonds pour l'Insertion des personnes handicapées', France | 35 |
| 6. | Anti-discrimination legislation by Deirdre FORHAM, Department for Education and Employment, United Kingdom | 35 |
| 7. | Job protection and occupational reintegration for the disabled by Martien MENKEN, Ministry of Social Affairs and Employment, the Netherlands | 42 |
| 8. | Plan of urgent measures to promote the employment of disabled people by Nicolas GARCIA DIAZ, IMSERSO, Instituto de Migraciones y Servicios Sociales, Spain | 47 |
| 9. | The role of small and medium-sized enterprises by Jaume COSTA, European Foundation for the Improvement of Living and Working Conditions | 51 |
| 10. | List of participants | 56 |

1. INTRODUCTION

The seminar on Employment policies for people with disabilities, held on 15 October 1997, convened some 30 Governmental experts of the High Level Group of Representatives of the Member States on Disability. The mission of the High Level Group is to monitor the latest policies and priorities of Governments concerning people with disabilities, to pool information and experience, and to advise the Commission on methods for reporting in future on the EU-wide situation with regard to disability.

Against the backdrop of the new integrated European Employment strategy as set out by the Amsterdam Treaty, the High Level Group decided to hold a specific seminar to explore the overarching policy question : how might we address public policy to promote employment, where feasible, as well as foster community integration and economic independence of working-age Europeans with disabilities.

The purpose was to bring together current policy developments on a range of issues that ultimately affect employment prospects for persons with work disabilities.

Relevant issues include:

- the overall European Employment strategy and the opportunity it offers to translate the Amsterdam Treaty advances into concrete action on disability unemployment and how the Commissions' proposals for the 1998 employment guidelines could offer the basis to meet effectively the challenge of disability and underemployment;
- a Commission analysis of the size and composition of the working-age population who have work disabilities (variously defined) and the implications of broader economic and labour market trends for the opportunities and barriers to employment that persons with disabilities face;
- some significant lessons learned from recent strategies developed in some Member States, including transition from school to working life in Sweden, the French quota-levy system with redistributive funds financed by voluntary contributions from employers as an alternative means of meeting the employment obligation , the motivations behind the adoption of the 1996 Disability Discrimination Act in United Kingdom and the introduction of a reform aiming at the prevention of absence from work through illness or disability in the Netherlands and of a new comprehensive action plan in Spain;
- a further analysis of the European Foundation for Improvement of the Living Conditions which emphasises the role of the SMEs in providing employment for people with disabilities and the need for the development of a greater awareness and understanding of disability among employers.

The papers and the discussions provided a rich and varied blend of perspectives to policy issues related to disability and work. It showed how diverse policies weave together to affect the lives of Europeans with disabilities. Employment disability policy broadly construed extends well

beyond labour market issues to include education and training, social protection, technologies, transportation, civil rights, job accommodations and public access and awareness. Further more, the changing universe of disability highlights the close connection between new risks of work disability and social and economic conditions.

The seminar in Brussels proved to be a highly productive collaboration between the Commission and the Member States and between the Member States themselves, highlighting the mutual benefits in promoting better understanding and co-operation in the field of disability policy.

2. DISABILITY ISSUES IN THE CONTEXT OF THE NEW EMPLOYMENT STRATEGY

Mr. Hywel C. JONES, Deputy Director-General DG V – Employment, Industrial Relations and Social Affairs

I have just returned from the European ministerial meeting of the OECD in Paris on employment policy where Commissioner Flynn met bilaterally with the Secretary of Labor of the United States, Ms Alexis Herman. They addressed the issue of co-operation on disability policies and have agreed to explore actively the possibility of arranging a first joint event in June next year. We will of course keep you informed. Disability will therefore be included in the list of areas of co-operation between the EU and the United States at the next EU/US summit that will place in December. This summit will bring together President Clinton, President Santer and Prime Minister Junker. I will arrange to make a progress report about transatlantic co-operation at the Social Affairs group in the Council in the near future.

Turning to the question of employment, the overall context has considerably developed since the last meeting of the High Level Group. We now have behind us the Amsterdam decisions of the European Council, though of course the new draft Treaty has yet to be ratified. As you will know, the Prime Ministers and Presidents of the Member States have committed themselves to implementing the new employment title in advance of ratification. It is important to understand that this is a clear political signal at the highest level of the shared deep concern about the situation of unemployment and the need to put jobs at the top of the political agenda. We are working hard now to prepare the forthcoming Jobs Summit on 21 November in Luxembourg.

On 1 October the Commission adopted a package of three texts which have been made available to you. Let me briefly say a word on each of them.

The first text is the **1997 Employment Report** which gives the latest up-to-date position with facts and figures on the position of unemployment. It is a necessary analytical background text for all the policy discussions.

The second is the **Joint Employment Report**. This is a text agreed jointly by the Commission and the Council. The text has been agreed in the Council following the deliberations of:

- Employment and Social affairs Ministers
- Economic and Finance Ministers (ECOFIN).

This is part of the new procedure which is now consolidated in the new Amsterdam Treaty. The joint report provides a synthesis of examples of good practice which were presented by each Member State by the Prime Ministers to President Santer as a basis for a more structured input to the Jobs Summit so that the different Member States can learn from each other about the most promising experiences. This text will be of interest to the members of the High Level Group.

The third text is essentially the most important. It is the text in which the Commission presents **Guidelines for Employment Policy for 1998**. These will serve as the basis for the political

decisions that will be made by the Prime Ministers and Heads of State in November. The summit in December will then confirm the conclusions of the special Jobs Summit. And in the light of those conclusions, the Commission will represent the guidelines to be adopted formally in a Council meeting early in 1998. Under the terms of the new Treaty, the guidelines will be evaluated and assessed in terms of their implementation by each Member State. The Commission may issue recommendations to those Member States where weaknesses are identified.

I recommend the draft guidelines to you for your very careful scrutiny. They will be examined today at the Employment and Labour Market Committee meeting here in Brussels. As you may know, this Committee which exists as a result of the decision made under the Irish Presidency, has now been confirmed on a more legal footing in the framework of the new Treaty provisions in Amsterdam.

The guidelines set out four priority concerns which I shall outline briefly. The four priorities focus on four gaps, all of which need to be tackled. What is needed is a comprehensive effort and structural reform to accompany what we hope will be continuing good macro-economic growth in the European Union so as to help create the best conditions for the creation of good new jobs in the period ahead.

1. The first is what we call the **jobs gap**. This is a simple question of mathematics. We are not creating enough jobs in Europe, which makes it very difficult for workers to enter the labour market. We still have our registered 18,5 millions unemployed within the Union. We are running - as we saw in the discussions yesterday - at an average employment rate for the European Union of just about 60% compared to our major competitors in the world which is running around 70%. So the employment rate - let alone the unemployment rate - do not put us in a very good position. The first priority set out in the guidelines is therefore to foster a new culture of **entrepreneurship** in the EU. A new more dynamic business culture in Europe will stimulate the creation of better jobs in all areas of the economy, including what the third sector or the social economy. Particular attention was paid at the OECD meeting to the potential of new jobs in relation to unmet social needs.
2. The second is the **skills gap**. We have a two-speed labour market in Europe making it very difficult getting unemployed people back into work, even when jobs are available. So the second big priority which was echoed by the Japanese, the Americans and most of the countries from other member countries of the OECD yesterday is the theme of **employability**. It is the centrepiece of the guidelines. It involves tackling big issues: the modernisation of education and training systems giving real significance in an operational sense to the concept of life-long learning. Moving beyond the rhetoric of life-long learning into real arrangements that enable people to go in and out of the educational systems on a more flexible basis. Given the number of career changes, people now make as a normal part of their life cycle, there is now wide recognition of the need to strengthen particularly the links between education and training and the work place. Many young people are still leaving school with inadequate qualifications and skills. There is a depressing persistence of large numbers of long-term unemployed people. More than half of the unemployed people are now long-term unemployed in the Union. These issues are vitally important for the position of disabled people, and I am sure that you will wish to discuss them further.

3. The third gap is what we call the **partnership gap**. A lack of partnership in tackling the problems of industrial restructuring makes it extremely difficult to handle lay-offs. The changes arising from downsizing and outsourcing of companies are developing and changing. So this has led us to focus the third pillar on the question of the **adaptability** of firms and of individuals. This means in particular a huge responsibility for improved contributions from the social partners, from employers and trade unions working in better productive partnership with public authorities. It raises a series of issues and in particular the question of the new patterns of organisation of work and the need to come to terms in a more anticipative way with the problems which are arising from rapid technological changes and new market conditions.
4. The fourth gap is the **gender gap**. The employment rates of women are still lower than men's and their unemployment rates are higher. They have frequently poorer conditions, poorer career paths. The push on equal opportunities has been so far largely motivated by social reasons but we now face the essential question of increasing the participation of women in the labour force for economic reasons, for productivity and performance. If we are to raise the employment rates, then women have to come in the work force. I want today to add to this the demographic perspective and to draw attention to the fact that in the year 2020 with the reduced number of people in the Union entering the labour force and with one third of the population over the age of 60, we are expected to have 113,5 millions pensioners in the Union. The shrinking of the workforce puts further pressure on the contract between the generations and raises fundamental questions about the sustainability of the conditions for pensions and health care for large sections of the population.

I felt it important to set out some of the context more broadly for our discussions. It is against this backdrop that the prospects for a better situation with regard to disabled people need to be addressed. We have agreed to promote the mainstreaming of the position of disabled people as a matter of right and we should therefore examine the four pillars and the position of disabled people under each of these. It will be important for us to think this through with your active collaboration and with your inputs.

The last point I should make is that the guidelines set out for the first time the idea of targets which in particular relate to the position of young people and the long-term unemployed. These targets will enable us to evaluate and assess the effect of the measures taken to achieve these targets. Clearly, the mix of policies and the ways in which they are implemented will be a matter for each individual Member State. But henceforth it will be done within a European co-ordinated framework. That is the major change which results from the Amsterdam political commitment.

We will need to link all this with the ongoing discussions about the reform of social protection policies. We have launched these discussions on the basis of the Communication on the modernisation of social protection policies. An important conference will be held in November with the Luxembourg presidency on this subject. Concern is widely expressed that policies are still too passive and that we need to promote the balance to have more pro-active measures that can help get people into work. This approach is sometimes referred to as 'welfare to work'. It will therefore be important for us to examine the interrelationship between our discussions on the position of disabled people and the overall re-thinking about the re-modelling of social protection policies.

We have arranged what we hope will be a good programme of discussions today when different colleagues can present different case studies and experiences. We shall start with Donald Tait who has worked on the new 1997 employment report. He will focus in his presentation on the chapter on disabled people. This is a first effort, a good one I believe, but we should discuss ways to build on it and improve it for the future.

Thank you for your attention.

3. EMPLOYMENT IN EUROPE REPORT PRESENTATION

First section

Mr. Andrew CHAPMAN, European Commission DG V-A-1 – Employment promotion in other Community policies

This presentation aims to give an outline of first, what is the *Employment in Europe* report, and secondly some main findings of the chapter on employment and disability.

The *Employment in Europe* report is an annual publication of the Commission which does 2 things: it sets out a fairly detailed analysis of the main trends in employment and the structure of employment in the labour market. This analysis is essentially a descriptive quantitative analysis based on comparable and reliable data, which for us means Eurostat data. The second aim is to present each year the Commission's view on what employment policy should be doing.

Referring to the content page of the full report, it can be seen that the first part of the report was accepted in the Commission on 1 October 1997. This is the policy section of the report which puts forward the Commission's view on the policy strategy which the MS should be following along with some summary analysis of developments in the labour market.

The remainder of the report makes up the analytical part, and this contains 2 main sections:

Part 1: comprises a description of employment and unemployment trends, and labour market developments. Certain parts are repeated each year, other parts do vary from year to year. For example, there are 2 sections this year: one on mobility and migration and one on regional labour costs which have not featured before and will probably not reappear for 3 years or so.

Part II: The second section of the report is where specific themes are analysed in more detail. One of these chapters is also related to the latest policy developments in Member States. This year the chapter aims to provide an overview of the situation of disabled people in the labour market. It should be seen in the context of the rest of the report. This is a report about employment in the European Union. So the thrust of this chapter is about the situation of disabled people in the labour market, and of policy relating to promoting employment of disabled people. For the first time this year, a set of data from the European Community Household Panel (ECHP) became available. There are some problems with these data. The box on page 2 of the chapter recognises that the data should be treated with some caution. For example, there are problems relating to the way in which disability is defined in the ECHP. The use of this expression "hampered (H), severely hampered (SH) and hampered to some extent (HSE)" may not match the more normal concepts and definitions of disability which are used in relation to policy. Despite the problems there are with this data, the advantage of presenting a comparable consistent analysis of the situation of disabled people on the labour market outweighed the disadvantages of statistical difficulties.

The Employment situation of people with disabilities - main findings of the chapter

- the employment rate of disabled people is substantially lower in almost all MS than for non-hampered (NH). Where employment rates for all people are high, however, they also tend to be high for disabled people. So the first conclusion: one condition for getting disabled people into employment seems to have a well functioning labour market;
- the educational attainment level of disabled people seems to be higher than for people who are not in the labour force at all, although it seems to be lower than the average of the labour force as a whole. So the second conclusion is that education and training - raising the level of skills - is a critical element in getting disabled people as well as non-hampered people into employment;
- unemployment rates are higher for disabled people than for non-hampered.
- disability seems to be mainly acquired in work. Most people who are disabled seem to have acquired their disability through occupational accidents or occupational diseases. This leads to a possible policy in terms of prevention by ensuring a greater enforcement of health and safety regulations to try and reduce the number of people that become disabled. These people tend to be mainly older workers in declining manufacturing industries.
- unemployment maintenance for disabled people has become the third item of social protection expenditure after old age pensions and health expenditure but still more than unemployment benefits which is surprising. This is an indication of the extent to which Member States have been shifting people from unemployment into disability. As a result of all these phenomena, policies are being reassessed in terms of both looking for ways in which disabled systems work, but also how they can be combined with other sorts of policies and how they can be combined more actively with labour market policies. The process of activation which is one of the pillars of our overall strategy in order to encourage disabled people back into employment.

Presentation of graphs

Graph 1 is based on a survey carried out by Eurostat in 1992. 12% of the population in the Member States are disabled which is more than we would have thought even if there are large variations between Member States. Disability affects people disproportionately. 35-40% of disabled people are over 65 years exception in Germany (45%) and Spain (55%). Since only 3% of disabled people are under 20 years old this means that around between 45-65% of disabled people are of working age. Conclusion: between 6-8% of population aged between 15-64 years - what we call the working age population which is the basis of the calculations of employment rates and activity rates - is disabled. In the ECHP data, there are some variations between Member States: around 5% of the population is severely hampered and around 20% is hampered to some extent. Throughout the chapter these 2 categories are used together to define who are disabled although it is recognised that this definition may not match the normal concept of what is disabled. In total, around 17% of people are hampered. Around half of the hampered

men and women are in the 50 to 64 aged group. There are more hampered men than women in the labour market.

The next graph looks at the employment status of men by health category. 76% of non-hampered men are in employment compared with 36% of severely hampered men in and 63% of men hampered to some extent. The structure of the employment status of men is similar across Member States.

For women, there is a slightly different picture with more variation between Member States. The employment rates of women are much lower: only 55% of non-hampered are counted as being in employment in the European Community Household Panel which is due to a more restrictive definition of employment than in the LFS. There is a somewhat larger difference between the employment rates of non-hampered and hampered women than men. Only 25% of severely hampered women are in employment and 40% of women hampered to some extent. So disabled women seem to find it more difficult to get a job.

Looking at employment rates in one age group, the prime age group aged 25-49, we see that in this age group the employment rate of the severely hampered is 36% lower than for non-hampered, while the employment rate of men hampered to some extent is only 7% less although there are big differences between Member States. These very big differences reflect the fact that the employment rate of hampered people is very much influenced by the overall employment rate.

Where are hampered people working ?

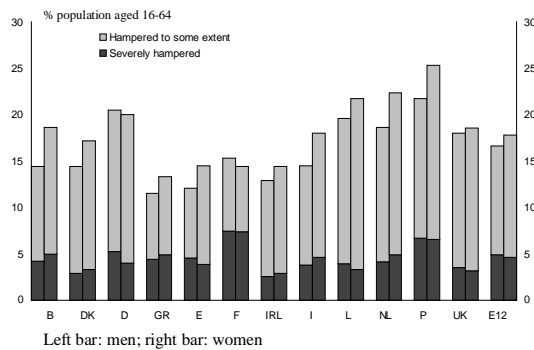
Most people who become hampered seem to try to stay in the same sector they were in when they became disabled, but of course there are other factors that affect their ability to do so. This is very much reflected in the fact that there is a disproportion number of men in agriculture, construction and in some services sectors. It is not by accident. The agriculture and construction sectors are also the two sectors where accidents are most frequent, and these sectors are where most hampered people work relative to the size of the sector.

For women, there is much less difference between sectors. There are a lot of disabled women in agriculture. Apart from the same reasons for men, this may be linked to the distribution of employment in agriculture in countries where agriculture is still a very large proportion of total employment, and it is probably linked to the ability of women to work as a family worker in agriculture even if they were originally in another sector. The data is slightly more speculative on that issue.

As regards, occupational distribution, we find that there are many more hampered people in elementary and low skilled occupations. 30% of men hampered to some extent and 21% of women work in elementary occupations. Where there are high levels of hampered people in manufacturing you also, of course, get the main craft related & manual occupation such as machine operators and craft operators because that is of course where people tend to have industrial accidents. These things are not independent, they are all linked together. At the other end of the scale, if we add the top three categories of managers, professionals, and technicians, you find that there's only 26% of severely hampered men compared with 39% of non-hampered men. For women the figures are 31% and 39%

For educational attainment, which leads to being able to qualify for any given occupation, there are some quite large variations between the Member States. But one message is that fewer disabled people have university degrees, although there is very little difference between hampered and non-hampered in terms of secondary education. If we look at the employment status of disabled people related to their educational attainment, 13% of men hampered to some extent have a university degree compared with 27 of non-hampered men. So it's about a half, which is quite striking. For women there is not such a big difference. 15% of hampered women have a degree compared with 23% of non-hampered. So it's only 1/3 difference. The most striking feature is if we look at the women that are inactive. This is the opposite extreme. Only 17% of women hampered to some extent who are inactive had more than a basic schooling. This a quite frightening figure, when compared with the non-hampered population figure of nearly 35%. Again it reinforces the message that focusing on the skills gap and educational attainment level is one of the crucial paths to get these people into employment. We still have a lot to do in terms of analysis. This is only a first attempt to look at the employment situation of disabled people. It shows us what we can do if we look at the data and it also shows that there's an enormous amount to do in terms of policy and where. But it does give us an indication of where policy should perhaps focus.

Proportion of hampered men and women in working age population, 1994 *



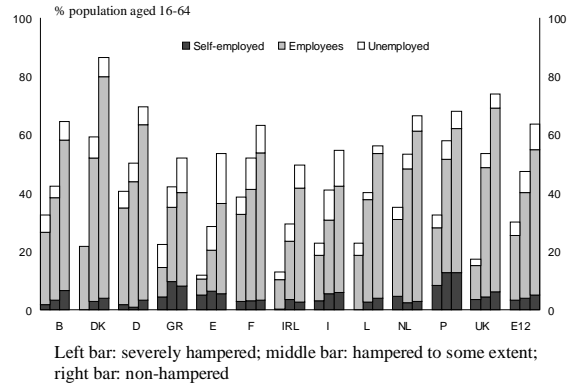
* Definition of disability used in the European Community Household Panel.
See 'Employment in Europe', 1997, Part II, Section 2, Box on 'Data on people with disabilities in the Union'.

Source: 'Employment in Europe 1997'
Alpametrics Ltd

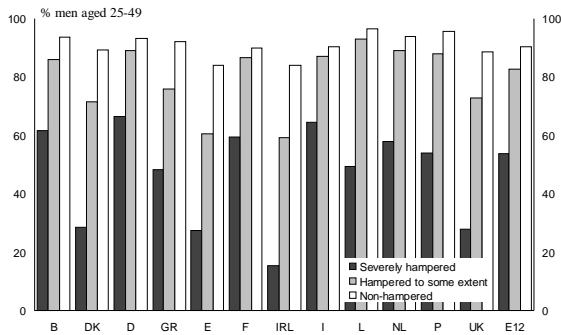
Employment status of men by health category, 1994



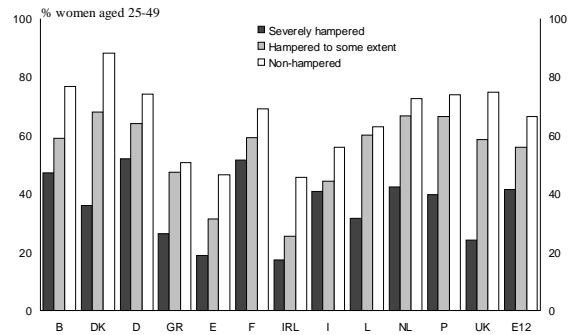
Employment status of women by health category, 1994



Employment rate of men aged 25-49, 1994

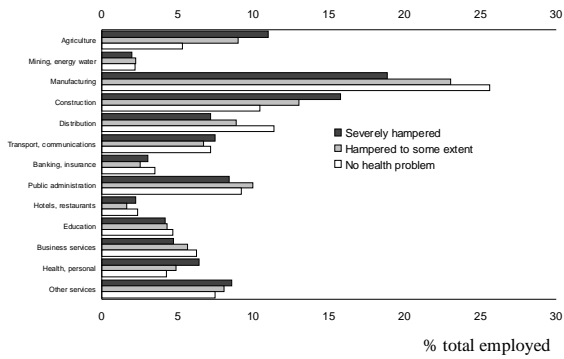


Employment rate of women aged 25-49, 1994

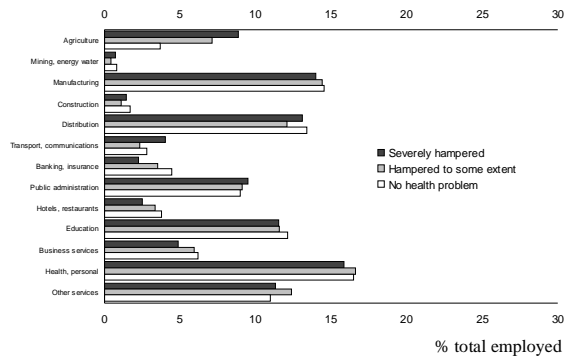


Source: 'Employment in Europe 1997'
Alpametrics Ltd

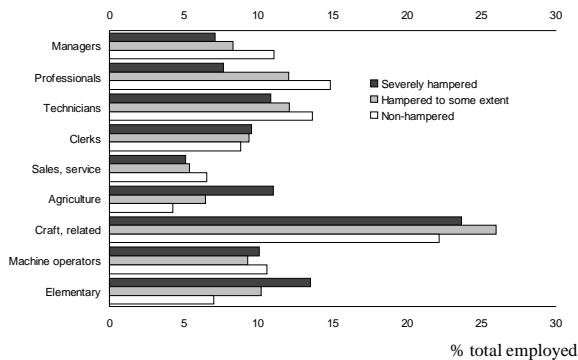
Distribution of men in employment by sector and health category in the Union, 1994



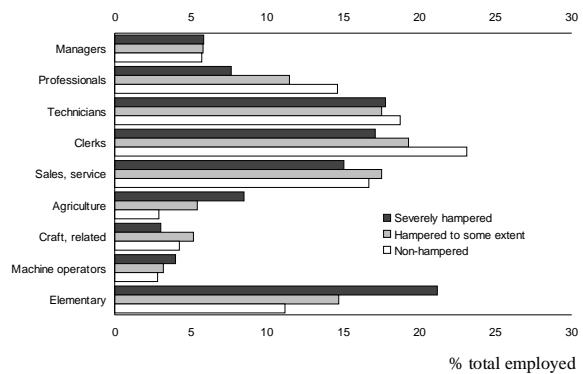
Distribution of women in employment by sector and health category in the Union, 1994



Occupational distribution of men in employment by health category in the Union, 1994

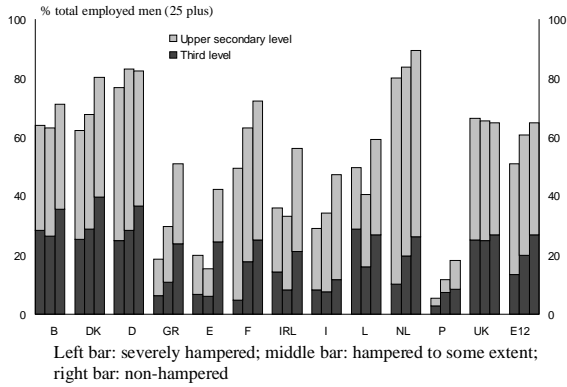


Occupational distribution of women in employment by health category in the Union, 1994

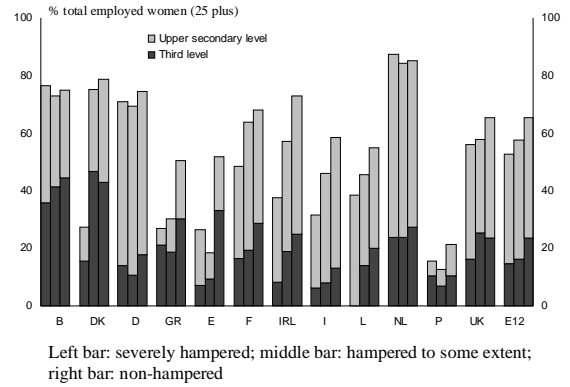


Source: 'Employment in Europe 1997'
Alpametrics Ltd

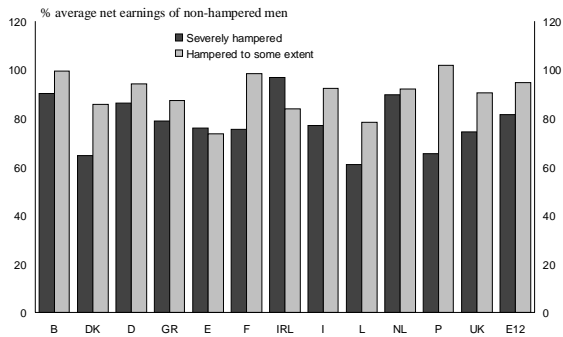
Educational attainment of employed men aged 25 and over by health category, 1994



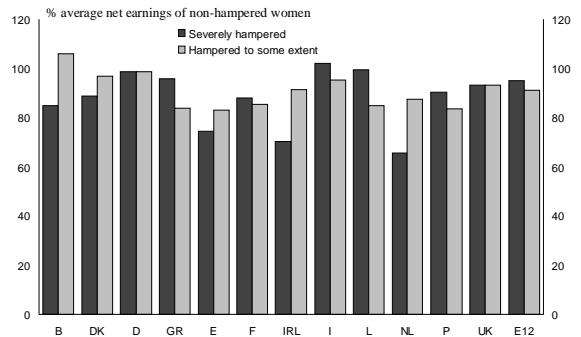
Educational attainment of employed women aged 25 and over by health category, 1994



Average net annual earnings of employed hampered men, 1993



Average net annual earnings of employed hampered women, 1993



Source: 'Employment in Europe 1997'
Alpametrics Ltd

Second section

Mr. Donald TAIT, European Commission DG V-A-2 - Employment and Labour Market Policy

The chapter on the employment of disabled people is divided into 2 sections.

The first part is a statistical section based on European Community Household Panel survey which only covers 12 Member States as it was undertaken 3 years ago. The second section covers policy trends development in the Member States. It is not supposed to be an extensive or comprehensive analysis of these policies, but it intends to give a more general flavour of what is actually happening in the Member States. It was based on a number of different sources, one of them being a study produced by the University of York¹. This section covers the 15 Member States. This section shows that over the past 30 years there have been quite significant changes in policies towards people with disabilities in the Member States. Initially, we looked at policies directed to the provision of income support or disability insurance. It is possible that these have been responsible for increasing exclusion of disabled people from the labour market. The situation has worsened over time for a number of reasons and has led to an increasing shift of disabled people into situations of economic inactivity

Looking at the situation today, we see that in 1993, expenditure in the EU as a whole on invalidity and disability payments was the third largest item in the social security budget, more than unemployment income support.

The report shows that a trend has been going on for some number of years in labour market which has relied on rehabilitation and employment services on one hand, and employment quotas, or versions thereof, on the other.

Half of Member States have some form of quota or levy system which seeks to place an obligation on employers to recruit a minimum proportion of people with disabilities. These schemes seem to have worked in some Member States and been strengthened over time. In other Member States, quota systems have been considered a failure and ²they have either stopped devoting as much attention to these schemes or abandoned them altogether.

The next step which had an influence on the policies for disabled people was initiated in the 1990s when there was a fundamental re-evaluation of welfare policies in general; it had become increasingly clear that economic, social and demographic changes meant that government expenditure on social protection needed to be re-adjusted. As expenditure on disability insurance is such a significant part of expenditure, it has been under increasing pressure.

As a result, most Member States have made further attempts to target expenditure on those most in need of support through:

¹ "Employment Policies for Disabled People in Eighteen Countries: A Review", by Patricia Thornton and Neil Lunt. ISBN 1 87171327 7

- means testing of benefits;
- taxing of benefits;
- concentrating assistance on special groups (disabled people mental disability, those severely handicapped);
- strict application of stringent eligibility criteria for the payment of benefit

This has been accompanied by a move towards active labour market measures to help disabled people into employment and provide them with skills and qualifications necessary for successful job search.

These measures have also been accompanied by legislative measures to help improve environment in which disabled people live and work, so that they are not disabled in this sense or prevented from full integration. This has meant anti-discrimination measures and measures to protect the rights of disabled people.

At the same time we have seen the emergence in some Member States of a new concept of a social model for disabled people where disability is defined in a social context, which changes over time. This appears to be partly as a response to changes in policy, but primarily as a result of efforts by disabled people themselves and organisation representing them to put forward their voice.

It is clear from the chapter that there have been fundamental changes in policy in most Member States. The question we have to ask and the question which is not answered in this chapter, is whether the change in policies has benefited disabled people or not.

We can be certain generally that a poor economic situation and a lack of creation of net new jobs in Europe has mitigated the effects of this change in policy and prevented new measures from taking full effect - in particular as people with disabilities are often amongst those at the bottom of the unemployment ladder.

In conclusion, we can see that most Member States seem to be moving in a similar direction - but the details and content of individual measures differs widely.

As shown by ECHP data, it is difficult to distinguish between different factors which affect employment and the problems of unemployment of disabled people. However, in general, there is an increasing redirection of state expenditure towards the provision of infrastructure to assist people with disabilities and an increasing awareness of the difficulties of disabled people.

There still needs to be much work done to accompany such policies with additional measures to provide favourable working environments and acceptable rates of pay and conditions for disabled people who are able to work, together with adequate income support for those who are not.

Is it clear that information technologies will play an important role in this progress, but these new technologies have to be managed carefully. We need to promote better integration of disabled people in the labour market and not worsen their situation.

There needs to be further consideration of the problems of adapting the working environment to the needs of disabled people and improving transport systems to allow disabled people better access to the workplace in particular, and to improve their quality of life in general.

In addition to these measures and policies, there will be a greater importance for the framework which is currently being developed with regard to legislative measures to prevent discrimination and measures to prompt awareness and understanding of the problems of people with disabilities and what can be done to support them. We cannot underestimate the importance of tackling prejudice and bias.

But, of critical importance, priority must be given to sustaining a high rate of employment growth in Europe within the context of a European employment strategy to ensure that sufficient opportunities of this kind are available for disabled people.

4. TRANSITION FROM SCHOOL TO THE WORKING LIFE AND EMPLOYMENT FOR YOUNG DISABLED PERSONS IN SWEDEN

Mr. Henrik LINDER, Ministry of Social Affairs, Sweden

1. Introduction

Collaboration between different policy areas is a prerequisite for helping young people with disabilities to be able to gain employment and actively participate in society after having gone through school. School, Social Insurance and Labour Market authorities exercise different roles towards the common objective of ensuring everyone's right to education and employment.

2. School

Municipal authorities have the chief responsibility for the education of students. The large majority of disabled students presently go to school in their home district. Most often, they attend ordinary classes or in a few cases special classes. In order for students to receive the best education possible based on their prerequisites and needs, it is necessary that specially designed education support, counselling, and specially adapted curricula be at their disposal should they require such assistance.

There are four secondary schools in Sweden specifically for disabled youths; five special schools for the students who are deaf or have a serious hearing impairment; one school for students who are visual impaired and multi-disabled; and two special schools for students with serious speech impediments.

Schools are responsible for ensuring that all students receive study and vocational counselling as well as the opportunity to test different jobs through the work experience programme for students. This is provided and organised by guidance officers working in the schools.

3. Social Insurance

The Social Insurance Office in Sweden is the authority responsible for paying benefits under the Social Insurance Plan in promoting rehabilitation, work reintroduction and self sufficiency. Social insurance benefits for different types of disabilities can be granted to young people as well providing that they meet eligibility requirements.

Disability pension or sick allowance is granted to 16 year olds who, because of their sickness or disability are not able to support themselves through work. Sick allowance can in special cases be paid out to persons undergoing rehabilitation or studies. As determined in a court ruling, even disabled young people who lack work experience are eligible for sick allowance providing

that their disability is an obstacle to their being self sufficient and providing that they have not received suitable vocational training.

4. Employment Service/Employability Institutes

The local Employment Service Office and Employability Institute provide labour market policy services to job-seekers and employers. General labour market policy objectives, along with placement, guidance, occupationally oriented rehabilitation and active labour market measures, underline and uphold the 'activity principle', work towards a more efficient labour market and prioritise weaker groups in the labour market.

Youths have the right of access to the Employment Service's services after completing school. Access to various labour market measures, however, is determined by special regulations and age limits.

Disabled youths, however, are granted access to the full array of resources and services provided by the Employment Service and Employability Institutes even in compulsory school, i.e. normally in grade 8. This has come about as a result of the trial project described below.

Youths requiring assistance in finding employment should in the first instance participate in the ordinary selection of labour market measures. An increasingly difficult situation in the labour market and a high level of youth unemployment has led to the creation of measures specially oriented towards young people. The youth trainee scheme was adopted in 1991. It targets youths below 25 years of age and is designed to give participants a chance to try working in a field of their interest for a period of six months with the possibility of extension for another six months under certain circumstances. A similar scheme called the academic trainee scheme targets persons between 25 and 29 years of age and who have an academic degree. Participants are granted an allowance through the Social Insurance Office equal to labour market training allowance which in turn is equal to what they would otherwise receive in unemployment benefit.

Special regulations allow disabled youths the opportunity to prolong the duration of their participation in the youth trainee scheme up until they turn 25 years of age. Neither must they have been unemployed for a given period of time before they are eligible to participate in the scheme. Even regulations concerning labour market training have been adapted to incorporate the unique needs of disabled youths.

Disabled youths who are attending school also have the right to a personal assistant and required work aids during the time that they are out in a work place under the auspices of the work experience programme.

5. Does the activity principle apply to disabled youths ?

The activity principle has been a long standing guideline for labour market policy and has recently also been adopted by the Social Insurance Office. The activity principle entails that unemployed persons are required to actively search for work in order to be entitled to

unemployment benefits as well as that the Employment Service is to prioritise ordinary employment or labour market measures before passive cash assistance.

In the early 1980s, the question was raised whether the activity principle applied even to young people with functional disabilities. At that time approximately 13,000 youths received disability pension or sick allowance and an average of 2,000 new persons were granted disability pension each year.

6. Employment for young disabled persons - a trial programme

The Swedish National Labour Market Board was assigned by the Government during the 1986/87 operations year the task of carrying out a trial project for the purpose of finding new ways to help disabled young people gain employment or receive education.

The trial project encompassed youths with a disability pension across the whole country and all Employment Service Offices and Employability Institutes. This was a clear indication that the Government was placing added emphasis on assisting disabled young people through labour market policy efforts.

The Government specified that the experiences gathered from the trial activities were to be incorporated into existing and new programmes within the realm of regular activities by the Employment Service and Employability Institutes.

The following year, this assignment was extended to include developing preventive measures for the purpose of preventing school youths with disabilities from being sick listed or excluded from the labour market by being given a disability pension.

This trial project was carried out over a period of four years for which an annual amount of MSEK 10 was allocated (MECU 1,2).

6.1. The extent of the trial activities

Each and every county had one or a number of project co-ordinators which were termed "UH co-ordinators" whose task was to provide support to the Unemployment Service staff in light of the staffs previous relative inexperience with helping disabled youths. The UH co-ordinators also had the task of fostering co-ordination between different authorities and organisations in the county involved in the trial project.

On top of the nation wide trial project, 26 smaller projects were initiated all with the common objective of improving ways to help disabled youths gaining employment and uphold the activity principle.

There were also ongoing efforts towards developing:

- work methods;
- staff training;
- network establishment.

Development of new technical work aids and applications and procurement procedures under the so called TUFFA Project has been of great importance in creating work opportunities for a large number of disabled youths.

The various trial projects generated positive results already during the course of the trial period. These results were translated into improved opportunities for many disabled youths to benefit from the Employment Service's and Employability Institutes' services and thereby substitute in whole or in part their previous disability pension with ordinary wage income.

6.2. What changes came about as a result of the trial projects ?

Target group: youths with sick allowance or disability pension

There was an important change in attitude by the disabled youths themselves, the Employment Service staff and even among employers. Employment Service staff fully realised that disabled youths were a prioritised client category; disabled youths came to understand that it was of benefit for them to turn to the Employment Service for assistance; and employers opened their eyes to the potential capacities of young disabled workers given the right work place conditions.

Technical developments have made possible the establishment of special work places adapted to the needs of disabled persons. One such example is where using computer technology has created opportunities for disabled persons to work with registering items for e.g. museums or for working with art. A number of such work places have been established during and after the trial period.

Support measures targeting disabled persons have undergone change, for example:

- personal work place assistants for disabled persons;
- flexible wage subsidies;
- special regulations for disabled youths within the scope of ordinary youth oriented measures.

An extensive contact network has been essential to the achievement of results by the trial projects. Collaboration with organisations for the disabled at the central, regional and local levels has also been of great importance. Mobilising the contact network in handling each case has led to improved results.

Target group: school youths with disabilities

The schools have the responsibility for providing study and vocational guidance to all students. Experience shows that disabled students require more information as to the different work aids that exist as well as other compensatory measures which improve their prospects of gaining employment. It is important that they get this information as early as possible so that they more freely can choose the course of their secondary school studies.

The Employment Service and Employability Institutes possess a unique body of knowledge concerning disabilities in relation to work life and in what way compensatory measures facilitate employment prospects. Most Employment Service Offices have established school contact

persons whose task it is to inform and collaborate with students, parents, and guidance officers etc. in spreading this information.

The special efforts which students can access include:

- counselling talks and planning sessions with students beginning in grade 8;
- participation in special guidance courses;
- participation in finding suitable trainee jobs under the auspices of the work experience programme;
- if required, a personal work place assistant or work aids for the duration of the trainee job;
- holiday work so as to acquire additional work experience;
- and employment after completed studies.

Special guidance courses

Special guidance courses have been developed for those students who require guidance over and above that provided through guidance talks with the school's guidance officer.

The Employability Institutes with additional resources at their disposal (i.e. those targeting groups of persons with specific disabilities, e. g. deaf, blind etc.) provide one to two week guidance courses for groups of youths of the same age. Throughout the course, students participate in group guidance sessions, go on study visits to work places which have been adapted to occupationally disabled persons and try out work aids. They are also introduced to sports for the disabled. Social interaction between youths in a similar situation is an essential component of the course and important in building up their self identity. These courses lead to individual oriented guidance sessions and planning for the future.

6.3. What happened with the positive results of the trial projects ?

Seven years have now passed since the trial projects ended and the experiences gained from them were incorporated into the ordinary operations of the Employment Service and the Employability Institutes. The system of UH co-ordinators as well as school contact persons lives on. Young disabled persons are thus a highly prioritised group. The conclusion is that the activity principle applies equally to disabled youths as to others.

Those factors which have contributed to the carrying out of the trial project and its subsequent incorporation into ordinary operations are primarily:

- the objectives of the Swedish Labour Market Board as expressed in the guidelines for operations;
- specially appropriated funds in each county towards this end;
- semi-annual follow-ups and presentation of results;
- cultivation of contact networks by means of annual conferences.

Despite the acute labour market situation in Sweden, the volume of targeted young disabled persons receiving assistance from the Employment Service and Employability Institutes has increased each year.

Measures for pupils with disabilities

| Year | 90/91 | 91/92 | 92/93 | 93/94 | 94/95 | 96 |
|--|--------------|--------------|--------------|--------------|--------------|-----------|
| Number of persons | 1538 | 2033 | 2171 | 2164 | 2264 | 1975 |
| Employment without subsidy | 18 | 12 | 13 | 15 | 15 | 33 |
| Wage subsidy | 143 | 82 | 83 | 80 | 91 | 44 |
| Sheltered employment | 28 | 30 | 22 | 21 | 27 | 16 |
| Induction place/Youth training scheme | 238 | 370 | 358 | 341 | 237 | 408 |
| Holiday work | 307 | 243 | 194 | 354 | 339 | 292 |
| Practical working life orientation | 191 | 230 | 188 | 187 | 268 | 220 |
| Assistant at work | 52 | 54 | 34 | 42 | 18 | 19 |
| Work adjustment | 56 | 56 | 30 | 48 | 45 | 31 |

Measures for young people with temporary/permanent Disability pension

| Year | 90/91 | 91/92 | 92/93 | 93/94 | 94/95 | 96 |
|--|--------------|--------------|--------------|--------------|--------------|-----------|
| Number of persons | 1350 | 1712 | 2017 | 2379 | 2394 | 2789 |
| Employment without subsidy | 28 | 28 | 17 | 12 | 35 | 71 |
| Wage subsidy | 301 | 218 | 209 | 297 | 330 | 396 |
| Sheltered employment | 45 | 36 | 41 | 98 | 108 | 27 |
| Induction place/Youth training scheme | 113 | 268 | 485 | 508 | 476 | 817 |
| Relief work | 17 | 37 | 9 | 7 | 4 | |
| Education | 189 | 243 | 235 | 303 | 309 | 365 |
| Supported employment | | | | | 22 | 18 |
| | 693 | 830 | 996 | 1225 | 1284 | 1694 |

5. A SYSTEM COMBINING QUOTA AND CONTRIBUTION

Mr Pierre Grapin, Deputy Director General of the “Association for the Management of the Fund for the Integration of the Disabled”, France.

1. The Act of 10 July 1987

The Act of 10 July 1987 embodies the legislator’s will to “promote access to employment for disabled persons taking into account the economic constraints on employers and involving them fully in the policy proposed to them”.

The Act’s ground rule is that firms are now subject to an obligation as to results rather than an obligation as to means. The reform of the Labour Code has three major strands: the establishment of an employment quota for the disabled, the definition of the beneficiaries and the manner in which employers may discharge their employment obligations.

Firstly, the establishment of an employment quota. The private and public sectors are now subject to the same obligation to employ a quota of 6% disabled persons. The minimum size of firms subject to the statutory obligation is 20 workers; this applies to each establishment in the case of firms with several establishments. Finally, the calculation is made by “unit” and not on the basis of the physical individual: depending on the category of recognised disability and certain age or status-linked criteria, a natural person may be equivalent to one unit, 1 1/2 units, 2 units or more.

The Act also standardises the system in regard to the potential beneficiaries. The beneficiaries of the employment obligation include:

- disabled workers recognised as such by COTOREP (the technical committee for guidance and vocational reintegration) and who now constitute the majority of persons hired;
- victims of accidents at work or occupational diseases with a permanent partial incapacity of at least 10%;
- holders of an invalidity pension, provided the invalidity reduces their working or earning capacity by two thirds;
- war invalids, holders of a military invalidity pension and assimilated categories.

Finally the Act allows firms to partly or totally discharge their employment obligation in different ways which are not mutually exclusive: by recruiting disabled workers, sub-contracting with the sheltered employment sector (in the form of equivalent jobs and limited to 3% of the employment quota), putting in place of a collective agreement providing for an annual or multiannual programme in favour of the disabled, and finally, by paying a contribution to the Development Fund for the Vocational Integration of the Disabled (a novel feature of the reform), whenever it has not been possible to satisfy the legal requirements by relying on the preceding options.

The legislator has fixed a sum of a maximum of 500 times the minimum hourly pay (minimum wage) for each job short of the quota, the annual contribution being paid to the Fund; depending on the circumstances this may amount to between 13 000 and 18 000 Francs per missing “unit”.

2. The Fund

The Fund for the Vocational Integration of the Disabled, AGEFIPH, was founded in July 1988 and started operations in October 1989. Its statutory mission is to “provide funds to encourage the employment or the maintenance in employment of the disabled in a normal working environment”.

Its activities are guided by three considerations:

- firstly, the Fund is not intended to replace the State, and the actions it finances are new measures coming on top of the public assistance that already exists. In effect the AGEFIPH often provides part-funding together with other bodies and as a supplement to State aid.
- The second rule concerns use of the Fund’s resources. The 1987 Act notably mentions three priority areas: the extra costs of training disabled persons (training of instructors, putting in place of pre-training measures, etc.), pioneering measures and research at company level (adaptation of working premises and workplace reengineering) and, finally, all measures required to follow up the integration of the disabled and their working life (development of the Preparation and Follow-up Teams on Vocational Retraining (EPSRs), premiums to encourage the hiring of disabled persons, etc.).
- Finally, the AGEFIPH deals exclusively with private firms and public bodies subject to private law. Public services and the local authorities, which do not contribute to the Fund, are not entitled to subsidies. Funds may be granted to firms that are not subject to the employment obligation and notably firms with fewer than 20 workers.

The Act stipulates that the management of the Fund shall be entrusted to a national private-law association created to this end, governed by the Act of 1 July 1901. Its articles of association are approved by the Minister responsible for employment policy.

The progressive increase in the statutory employment quota - from 3% in 1988 to 4% in 1989 and 5% in 1990, has led to a growth in the Fund’s resources. Since 1991 the mandatory employment quota has been 6% and this applies to all private establishments employing at least 20 workers.

| | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|----------------------|---------|--------|--------|--------|--------|--------|--------|--------|
| Sums collected | 637 | 1 183 | 1 652 | 1 613 | 1 564 | 1593 | 1 661 | 1 700 |
| Contributing firms | 27 397* | 40 595 | 43 477 | 42 685 | 41 520 | 41 812 | 43 712 | 44 524 |
| Average sum per firm | 23.3 | 29.1 | 38.0 | 37.8 | 37.7 | 38.1 | 38.0 | 38.2 |

* The employment obligation concerned firms with at least 25 employees.

3. The Fund's activities

The AGEFIPH has designed four programmes, all of which match the needs of the players concerned and the circumstances of the disabled. The changes in the programme reflect a constant drive to improve the services.

The current programme, which focuses on "17 Measures for the employment of the disabled", has been in place since June 1994 (cf. the list of measures in the annex). Like the three earlier programmes, it is designed to supplement existing mechanisms, in particular those of the State.

The programmes have set themselves four principle objectives: improve vocational qualifications, mobilise the economic players (employers and workers), increase the resources devoted to integration, and address the technical obstacles encountered by the disabled. These objectives are not mutually exclusive and may be combined or implemented successively.

3.1. Objective 1: prepare people for employment

The notion of preparation for employment must be understood as embracing all actions designed to provide the disabled with essential job skills. Thus it includes stocktaking of skills with a view to defining a career profile, bringing existing skills up to scratch with an eye to reintegration and accompanying measures, and the vocational training required to exercise a trade. Vocational training is often supplemented by alternating training mechanisms and apprenticeship measures, which are a kind of early measure designed to establish contractual relations between the firm and the young disabled person.

The state of play

When the Act of 10 July 1987 was approved, an inventory was prepared that highlighted the shortcomings of the training system for young disabled persons. Despite the recommendations of the 1975 Guideline Act calling for the widest possible integration in the normal school environment, training remained unsatisfactory both in regard to volume and diversification, and it was badly distributed geographically and ill-adapted to persons with severe disabilities.

In particular, vocational training at the time came within the remit of the specialised sector. The Vocational Rehabilitation Centres (75) and the Public Rehabilitation Establishments (10) can accommodate 10 000 persons with an annual flow of 6 000 to 8 000 persons.

This prompted the authorities to increase the supply of training measures and to put in place a de-specialisation policy.

From the start the AGEFIPH was associated with these two objectives. Its activity here supplemented that of the State.

Firstly, the AGEFIPH funded a large proportion of the new training: normal training programmes, specific mechanisms, in-service training funded by the State for the long-term unemployed, etc. The funds were originally devoted to defraying the extra costs occasioned by the disability; subsequently they were also allocated to expanding the supply of training.

In this connection, one should note the measures mounted since 1990 together with the National Employment Agency (ANPE): in five years over 10 000 disabled persons benefited from in-service training and vocational integration measures co-funded by the AGEFIPH. Likewise, an agreement signed in 1992 with the Adult Vocational Training Association (AFPA) provided for the funding of almost 1 000 individual integration projects and for raising the number of trainees from 2 000 to 4 000 in 1995.

The second agreement, signed in April 1996, provides for the co-funding of the creation of a National Resources and Research Centre on the Training of the Disabled in Roffé (Poitou-Charantes).

Another example is the Defi-H programme in Ile de France. This mechanism focuses on the long-term unemployed with the greatest difficulties and defines specific training measures on the basis of the duration of unemployment and the jobseeker's skills.

Secondly, the objective was to develop regional training by expanding the ordinary vocational training and apprenticeship systems. This is the goal of the programme "Regional Scheme for Training the Disabled", mounted by the AGEFIPH in February 1992. This programme is based on agreements signed with the Regional Councils and in a number of cases with the State. It is mainly intended for the unemployed and for workers covered by a training or retraining plan. In 1995 there were 2800 places available, provided by 465 training centres (of which 215 training centres for apprentices), and more than 1 400 trainees received training, of which 400 in apprenticeships. This mechanism currently concerns eight regions and will be progressively be extended to eight new regions.

From 1990 to 1996 total funding devoted to preparing the disabled for employment amounted to 1 296 million Francs, or on average one-third of all AGEFIPH funds (excluding recruitment premiums). An assessment made by a panel of AGEFIPH beneficiaries in 1996 showed that the training aids are very much appreciated by the disabled, because they contribute to raising the initially low level of qualification and in the longer term help people integrate successfully in the world of work. So-called continuing training, designed to promote career development and to help people adjust to technological change, also plays an important part, and will be addressed later in the chapter "Keeping people in work".

3.2. Objective No 2: mobilising firms and employees

Integration in ordinary working life requires a genuine mobilisation of the economic players, all the more so in a period of mass unemployment and economic stagnation. To this end, all the economic players must be addressed - heads of firms, workers and their representatives (professional organisations and trade unions), and of course the institutional players.

In this respect the AGEFIPH puts the focus on “information awareness-raising” and “diagnosis and counselling” measures, at three levels:

- long-term actions designed to elicit employers’ support. These actions are often entrusted to professional organisations of employers (federations of employers, small and medium-sized enterprises, professional branches and a number of chambers of commerce and industry) as well as their associated networks (GIRPEH, OHE-PROMETHEE, etc.). The “information awareness raising” measure funds visits to firms, in-house training, meetings and communication campaigns.
- Information and awareness-raising actions are subsequently mounted by the trade unions for their active members. A number of agreements have been signed with the large trade union confederations, starting in 1990. The actions concern awareness-raising meetings and training sessions lasting several days; they are intended for members of works councils, committees on hygiene, safety and working conditions, trade union delegates and officials of local or departmental trade unions.
- direct actions in certain firms. These are a response to specific needs for integration and maintenance in employment. The “diagnosis and counselling” measure proposes a procedure and associated methods to the firm and provides the resources for integrating or maintaining the disabled in employment.

Over and above these actions the AGEFIPH has systematically negotiated agreements with large companies and supports mechanisms that go beyond the application of the collective agreements. Hence framework agreements for multiannual actions have been signed, starting in 1992, with large groups (such as Saint Gobain, Thomson, Accor, etc.) or professional branches (e.g. plastification, cleaning firms, building industry federations, etc.) This feature is under development and will be reinforced in the years to come.

At the end of 1989 very few firms knew anything the AGEFIPH; four years later, the results of a survey of 2 500 firms employing at least 20 workers revealed four typical employer profiles: the “integrated” (25%) who had a voluntarist and positive attitude, the “sympathisers” (13%), also very favourable, the (managers) (26%), willing to integrate the disabled on the basis of objective criteria just like other workers, and finally the “reluctant” (36%), who were distrustful or indifferent.

3.3. Third objective: increased access to employment and maintenance work

All AGEFIPH measures are directly or indirectly geared towards the main objective of access to employment and maintenance in employment of the disabled.

Straightforward recruitment premiums account for a very large proportion of the AGEFIPH's funds. Since 1990 the AGEFIPH has put in place a mechanism designed to facilitate the recruitment of disabled persons by offering employers a premium in addition to public aid. The recruitment premium is being gradually extended, both as regards the beneficiaries, the forms of employment contract covered and the amount paid.

Currently the recruitment premium for the disabled is restricted to permanent contracts or fixed-term contracts of at least 12 months. The mechanism supplements that of the employment initiative contract (CIE), put in place in summer 1995 to help certain categories of unemployed persons, including the disabled.

The mechanism has been quite a success: in effect the funded jobs are mainly full-time permanent jobs, and in over 75% of cases the premium supplements the employment initiative contract. Two-thirds of those recruited are hired by firms with less than 20 workers, that are not subject to the employment obligation. Finally, one employer in four says that he would not have hired the disabled person without this incentive. Besides the premium has had an "integrating" effect: 55% of the disabled are still working at the same workplace, four years after recruitment.

A premium is also paid to the disabled person to encourage him to actively seek employment; it is paid as a lump sum, once only.

In parallel to direct aids, the AGEFIPH is becoming increasingly involved in funding bodies responsible for placing people in the normal work environment. Since 1989 the Fund has contributed to the development of the OIP (Integration and Placement Associations, 16 of which belong to the *Ohé Prométhée* network) and has financed the revival of the Preparation and Follow-up Teams on Vocational Retraining (EPSRs). In order to standardise the OIPs' practices, to ensure better geographical coverage and to improve coordination of the measures, the State and the AGEFIPH signed an agreement concerning the EPSRs and the OIPs in February 1994. The purpose of this agreement is to ensure that placement organisations are set up systematically throughout the country. The funds provided under this agreement amounted to 140 million Francs in 1996. All French départements now have an EPSR or an OIP; the theoretical staffing requirements of the EPSR and OIP will be fully covered in 1997.

As regards sheltered employment, the Act of 10 July 1987 seeks to promote cooperation between firms and the sheltered employment sector by making the most of sub-contracting opportunities. In its 1994 programme "17 Measures for the employment of the disabled" the AGEFIPH highlighted the function of transition from sheltered employment to the normal work environment. Besides the measure "Temporary work assignments", the AGEFIPH has also put in place the measure "Linking of sheltered employment and the normal work environment", involving both firms and sheltered workshops. The goal is to promote technological enhancements in sub-contracting so as to improve the quality of production and the skills of persons working in sheltered workshops.

One of the Fund's key priorities is to make sure disabled persons do not lose their jobs. During a recession it is important to be able to act swiftly so as to ward off redundancies. The measure "Maintenance in employment", which was piloted in 1994, is a response to this objective. It provides financial coverage for the transitional period between the moment the disability is

ascertained and the time a solution is found. Because of its flexibility and lump-sum nature, it allows the firm to prepare and put in place customised projects for preserving jobs. The results have been promising: 94% of disabled persons who benefited from the measure are still working and almost 6% of the employers affected say they would have laid off the employee concerned if the aid had not been paid.

The implementation of the measure “maintenance in employment” is designed to encourage the presence of disabled workers in the firm. It helps allay misgivings within the workforce in regard to persons considered to be different. It responds to a “challenge”.

Finally, setting up in business is a solution that suits many disabled people who want to manage their vocational integration on their own bat. AGEFIPH’s aid takes the form of material and technical assistance to disabled persons who want to start a business or reopen an existing firm. The AGEFIPH subsidy is geared to the project; the amount, of the order of 50 000 Francs, is quite substantial. The measure “Starting a business” is mainly addressed to disabled unemployed persons, and has resulted in the creation of 2 000 businesses each year. This result is very encouraging.

3.4. 4th objective: address the technical obstacles encountered by the disabled

Besides the public funds and aid provided by the AGEFIPH to encourage employment and training, the AGEFIPH often provides specific aids to offset the disability. The goal here is to facilitate vocation integration either by ensuring the autonomy of the disabled worker or by providing the firm with the necessary resources to this end.

The specific aids paid to the disabled person to ensure his autonomy in the working environment include:

- aid for the acquisition of specialised material (such as voice synthesis, recognition and display of Braille characters, etc.) for jobseekers, students, secondary-school pupils, apprentices and persons in training. The ceiling is 50 000 Francs and the premium supplements aids provided by the State, the Social Security system, or other public bodies;
- the temporary recruitment of professional helpers (interpreters, secretaries, etc.) for jobseekers, persons receiving individual training and students and secondary-school pupils aged over 16.
- contribution to moving and accommodation costs, the purchase of a car or the cost of setting up house, or transport costs for disabled workers and unwaged persons (the unemployed and persons in training) who are seeking employment.

The aids paid to firms are intended to subsidise both adaptation of the place of work in general and individual workplaces.

Access to places of work is the subject of a framework act of 13 July 1991 which notably mandates the extension of accessibility to workplaces and offices employing at least 20 persons. The AGEFIPH’s aids are therefore focused on workplaces and equipment that do not come within the remit of the act. Specifically, subsidies have been granted to enable the disabled to

access buildings, to plan internal traffic and to adapt sanitary facilities and rooms in establishments for young workers.

Adaptation of the workplace is one of the main areas in which the Fund is involved. In 1992, with an eye to promoting an active policy, the AGEFIPH proposed to the authorities that it should fund the adaptation of workplaces in the normal work environment. The AGEFIPH is also involved in recruitment, maintenance in employment, in-house training and the setting up of businesses.

In 1996, 2 800 disabled persons benefited from workplace adaptation assistance (in 70% of cases linked to the maintenance in employment) for a total sum of 94 million Francs.

4. The results in context

We are now in a position to attempt an initial review of the Fund's activity since its creation, notably for the 1991 to 1996 period. The analysis must bear in mind two factors: firstly, the Fund's activity must be placed in the economic and social context of the last six years, during which the French economy went through a particularly bad patch. Hence, out of a total of 13.8 million persons in the non-agricultural market sector, almost 650 000 jobs were destroyed between 1991 and the first quarter of 1993; subsequently, after two years of very mild growth in employment, employment figures fell by 0.1% in 1996, down to 13.3 million. Certain categories of jobseekers, and in particular disabled persons, have been hit by mass and long-term unemployment.

However, the outlook for the coming years is promising, since the Fund has already had a profound impact on the vocational integration of the disabled.

The resources

As regards the Funds' resources, note that the Act of 10 July 1987 has been implemented progressively: the obligation to employ 6% disabled persons took effect for the amounts collected by the AGEFIPH in 1992 (in respect of 1991).

Since 1992, out of over 100 000 firms with more than 20 workers, of which 86 200 are subject to the employment obligation (1995 figures), one in two has paid a contribution to the AGEFIPH.

The number of "missing disabled worker units" peaked in 1992 and has been decreasing since then; the figure was 118 000 in 1995. Since 1992, incomings have stabilised at around 1.6 million Francs annually.

The employment quota in firms subject to the employment obligation was 4.05% in 1995, the last year for which data are available, as opposed to 3.76% in 1991. The stability observed since 1993 is partly linked to the use of a new company register: establishments contacted for the first time in 1996 have a lower employment quota than average.

However, the general trend in the disabled employment quota is more favourable than the above data suggests. In effect, establishments with less than 20 employees that are not subject to the employment obligation have for several years had a higher rate of recruitment: in two years, almost 65 000 disabled persons have been hired on the basis of AGEFIPH premiums.

Funding

The funds provided by the AGEFIPH have grown considerably. Over six years more than 390 000 funding applications were registered for a total amount of 12.7 million Francs. After examination, 350 000 applications were approved and funded to the tune of 9.3 billion Francs.

The increase in funding differs for individual mechanisms. Hence, recruitment premiums corresponding to integration premiums grew very rapidly between 1991 and 1995. Without calling into question the permanence of this mechanism, the AGEFIPH's board of administration decided to put in place, as from 1 October 1995, a new funding scheme for integration premiums. These premiums supplement public assistance under the employment initiative contract in more than 75% of the cases, and retained their incentive character in 1996.

Funds to encourage integration grew regularly between 1991 and 1995 and amounted to 760 million Francs in 1996. The areas concerned are awareness-raising of the business community, preparation of the disabled person, access to and maintenance in employment, the placement of the disabled (215 million Francs in 1996), accompanying measures at work, sheltered employment and aids for innovations.

During this period AGEFIPH funding was made available to three categories of applicants. The business community, consisting of employers and their representatives, received 40% of the funds. The disabled received 35%. Finally, 26% of funds have been allocated to integration mediators responsible for helping firms and the disabled in the context of the various measures concerning access to and maintenance in work, retraining, reskilling and adaptation of workplaces.

The disabled persons who benefit from AGEFIPH measures

In six years half a million disabled persons benefited from AGEFIPH measures. These were "beneficiary measures" because the persons concerned benefited from one or more measures taken by the Fund during this period.

Out of this total, 156 000 disabled persons were placed with the help of the integration premium, 85 000 were able to keep their jobs, 183 000 benefited from training measures co-funded by the AGEFIPH, and 135 000 benefited from other types of measures.

To appreciate the Fund's achievements, one should recall that the number of disabled persons present in establishments subject to the employment obligation amounted to 266 000 in 1995 and that 111 000 job seekers were recognised as disabled at the end of 1996 (and almost 130 000 if one includes persons recognised by COTOREP).

Clearly, not all the results can be attributed to the AGEFIPH. The Fund's strategy - approved by the State - was put in place by a multiplicity of players in the voluntary and public sectors and in both sides of industry involved in implementing the Act of 10 July 1987. In this respect the Departmental Integration Programmes, which cover all the partners responsible for vocational integration in each département, play an essential role. The State and AGEFIPH are agreed that this concerted development policy should be reinforced in the future.

6. ANTI-DISCRIMINATION LEGISLATION

Deirdre FORDHAM, Department for Education and Employment, United Kingdom

1. Introduction

I would like to thank you, Chairman, for the opportunity to speak about the legislative context within which anti-discrimination and employment policies for disabled people are pursued in the UK.

The UK does not consider that voluntary action is either sufficient to satisfy the reasonable aspirations of disabled people or to provide adequate assurance that acts of unjustified discrimination would be resolved satisfactorily. There is much evidence, in terms of labour market statistics and the testimony of disabled people themselves, to indicate that social and economic exclusion are significant problems for the significant proportion of our population who are disabled. It is for this reason that the UK believes there is a need for anti-discrimination legislation to protect the rights of disabled people.

The UK recognises that there are economic as well as social costs to the structural exclusion of 10% of the population from the opportunities which are generally available to the rest of society. We recognise therefore that there are economic as well as social reasons why we should try to eliminate the discrimination faced by disabled people. Legislation is an integral part of any strategy seriously concerned with addressing these issues.

The importance of legislation goes beyond the establishment of a legal framework within which rights are protected. It was considered at the time of its initial implementation, that the Disability Discrimination Act of 1995 would help bring about a fundamental change in the way in which society perceives and responds to those with disabilities; changing attitudes towards disabled people is a vital aspect of any long-term strategy to overcome discrimination.

2. Context

In attempting to understand the form of the current legislation it is important to consider not only what the Government's aims were in introducing the Act but also previous legislation which addressed the employment needs of disabled people as well as taking account of other anti-discrimination legislation on sex and race.

2.1. Historical

The Disability Discrimination Act 1995 was the first piece of major legislation to address the employment situation of disabled people since the Disabled Persons (Employment) Act 1944. The new Act met the need for legislation to take account of the social, cultural, and economic transformations of the previous fifty years.

The Disabled Persons (Employment) Act 1944 originated from the need to make provision for

people disabled in the Second World War and had the object of improving the employment prospects of people with disabilities.

The 1944 Act defined a disabled person as someone who:

"on account of injury, disease or congenital deformity, is substantially handicapped in obtaining or keeping employment, or in undertaking work on his own account, of a kind which apart from that injury, disease or deformity would be suited to his age, experience and qualifications".

It provided for the registration of disabled people, the establishment of an employment quota, the designation of certain occupations as reserved for disabled people, sheltered employment, vocational training and rehabilitation, and the establishment of a national body to advise on the employment situation of disabled people.

Since 1944 not only have the aspirations of disabled people changed but also our conception of who we mean when we refer to disabled people, what we mean by discrimination, and our understanding of how employment needs can best be met. It was the aim of the new legislation to reflect these changes.

The Disability Discrimination Act 1995 introduced a new definition of disability and repealed the quota, registration, and designated employment provisions of the 1944 Act. For a number of years it had been recognised that these provisions were not working as originally intended. For example the requirement for employers with twenty or more employees to meet a 3% quota of registered disabled people proved difficult for employers since only a third of those in the workforce eligible to register did so - about 1%. The quota only took account of recruitment (and to some extent retention in employment) but did nothing to promote effective employment policies by considering issues such as training and promotion.

Moreover, quota, registration and designated employment were failing to meet the needs of disabled people in a modern labour market. By focusing on disability, they had the effect of stereotyping and stigmatising people with disabilities. The aim of the new legislation was to create an environment in which disabled people would be able, as far as possible, to compete equitably with their non-disabled peers. The provisions on sheltered employment in the 1944 Act remain valid. They have not been repealed.

It is worth noting that breaches of the 1944 Act were criminal offences for which employers could be imprisoned - although none ever were. From today's perspective it seems wholly inappropriate for the criminal law to be needed to protect disabled people in the employment field. This is why, when the law was repealed and replaced by the DDA, it seemed entirely right to be using the existing structure of tribunals and conciliation.

2.2. Anti-Discrimination Legislation

There is a considerable body of employment protection law in the UK as well as two long-standing anti-discrimination Acts - on sex and race - both of which have strong employment protection provisions. Since the 1970s, there has been a special judicial system for hearing and resolving employment disputes. There are industrial tribunals which have a chairman with a legal

background and two lay members. Above them, there is the Employment Appeal Tribunal, which considers appeals on points of law and establishes case law. This system is supported by the Advisory and Conciliation Service - ACAS - which can conciliate in cases of employment disputes. About two thirds of complaints across all jurisdictions are withdrawn before reaching tribunal hearings.

In framing the DDA the UK had regard to the earlier anti-discrimination legislation, the Race Relations Act 1976 and the Sex Discrimination Act 1975. There are, however, significant differences.

The Disability Discrimination Act unlike the Race Relations Act and the Sex Discrimination Act does not draw a distinction between direct and indirect discrimination. Under these Acts indirect discrimination occurs where a practice, rule or requirement has a disproportionate adverse effect on a particular section of society. This approach is not well-suited to the area of disability where people so defined can have a number of different disadvantages arising in different individual circumstances. The DDA defines direct discrimination in a very wide way so that it includes what might be called indirect discrimination. Although this approach has come in for some criticism, we have sought from the critics - but failed to be given - suggestions as to where the Act would fail to protect against indirect discrimination. This area is also addressed by the unique requirement in employment law under the DDA for employers to make a reasonable adjustment. I will discuss this provision in more detail later. It was one which the disability groups welcomed.

The employment provisions of the DDA have a threshold excluding the need for compliance for firms employing fewer than 20 people. There is provision in the Act for lowering this small firms exclusion threshold. There is no such threshold in either the SDA or RRA, although very small employers - 5 employees or less - were excluded when the SDA first became law. The last Government introduced the DDA exclusion because they believed it would be disproportionately difficult for small employers to comply.

The Race Relations Act, the Sex Discrimination Act and the Disability Discrimination Act all have exemptions for discriminatory acts carried out under any other statutory authority or for the purposes of safeguarding national security. The DDA also excludes certain occupations and groups, for example fire-fighters, prison officers, the police and others. The employment provisions of the Act do not apply to the armed forces. The last Government believed that although it was desirable that the widest possible range of employment be covered by the Act there were a few cases (involving public safety and security) where employers were entitled to expect the highest standards of mental and physical fitness and it would not be in the public interest that their judgement in these matters should be second guessed by tribunals.

Under the Race Relations Act and the Sex Discrimination Act it is permissible to take action to redress an imbalance where a group is under-represented. With the exception of these specified grounds both Acts outlaw both positive and negative discrimination. The RRA and the SDA therefore protect all people on the grounds of their sex or race, enabling them for instance to challenge what they consider to be preferential treatment given to another person. The DDA does not place any restriction on employers discriminating in favour of disabled people and indeed specifically permits charities to discriminate in favour of some disabled people and give preference to others. Therefore non-disabled people are not protected and hence cannot

challenge preferential treatment given to someone who is disabled. This can clearly be seen to be a necessary difference between discrimination in this area as opposed to others.

There has been much debate in the UK about the way in which the enforcement procedures operate under the DDA. Unlike the Race Relations Act which established the Commission for Racial Equality and the Sex Discrimination Act which set up the Equal Opportunities Commission, the DDA did not establish a statutory body with the power to investigate the complaints of individuals or represent them in industrial tribunals or the courts. Indeed it is fair to say that the lack of a Commission was the most controversial issue about the DDA's provisions and generated the most Parliamentary debate. What the Act did establish was the National Disability Council which was charged with advising the Government on measures relating to the elimination of discrimination and the drawing up of codes of practice. The National Advisory Council on Employment of People with Disabilities, set up under the 1944 Act, continues to advise on employment matters.

3. The act itself

I would now like to go on to look at the specific provisions in the Disability Discrimination Act.

3.1. Definition of disability

Unlike in the other anti-discrimination legislation, the question of defining those persons whom the law seeks to protect is one that needs to be addressed directly in the field of disability. It was a question of practical consequence for the framers of the DDA. It was also one which disabled people saw as integral to their own identity and their self-image. The last Government sought to strike a balance between the 'social model' of disability which disability groups tend to favour and a more targeted approach concentrating on those areas they considered to be of most practical concern and in which the law could have a positive effect.

The disability legislation which was introduced in 1944 defined disabled people in functional terms focusing on their impairment being a handicap for getting or keeping employment. The new Act recognises the inadequacy of this definition after fifty years and shifts the focus from a paternalistic approach to one which acknowledges society's role in disabling some people.

The new definition of disability introduced by the Act defines a disabled person as someone who has or has had a physical or mental impairment which has a substantial, long-term and adverse effect on the person's ability to carry out normal day-to-day activities.

The last Government was determined to keep the definition of a disabled person as simple as possible so that non-specialists, such as employers and service providers would find it relatively straightforward to understand and apply. Thus it was considered best to use broad categories such as 'physical and mental' and not to cast doubt on the all-embracing scope of these terms by adding additional categories such as 'sensory'. The Americans with Disabilities Act includes in its definition of disability those people who are perceived to have a disability. The American approach is not a true social model but takes the balance nearer to it than the UK definition. The UK definition aimed to exclude the subjective element of the American Act which, it was considered, could lead to confusion.

The American experience shows that involving groups with marginal connections to disability can lead to problems such as backlogs of complaints, employer uncertainty, and manipulation of the legislation by groups filing complaints on the basis that they have a reputation for having a disability. Unlike the ADA, the DDA does not protect those associated with disabled people. The last Government found no evidence to suggest that the families and friends of disabled people faced the sort of discrimination that disabled people themselves face.

The definition also demands that the effects of an impairment are long-term, by which is meant that they lasted or could reasonably be expected to last for twelve months. It was not intended that the Act should cover people with short-term illnesses or injuries, such as a broken leg. These people are not 'disabled' in the sense in which most people understand that term.

Turning now to the definition's reference to normal day-to-day activities. The last Government's intention for the legislation was to provide protection to those people who would be generally regarded as being disabled. The UK law therefore avoided the sort of reference to 'major life activities' which is used in the American legislation. It was considered that this definition would include people who have difficulties forming emotional or sexual relationships and that these difficulties have no bearing on an individual's ability to work or gain access to goods, facilities, or services. Instead the UK opted for activities which must be affected in one or more of an exhaustive list of categories such as mobility, manual dexterity and so on. This approach was designed to ensure that the disabilities which were intended to be covered by the definition are covered.

3.2. *Employment*

I would now like to turn to the employment provisions of the legislation. In framing these provisions the Government sought to get the balance right between helping disabled people in the job market and avoiding unreasonable burdens on employers. It was considered that if the balance was not felt to be right by those who would be affected, the potential benefits of the legislative rights for disabled people would be undermined.

Under the DDA it is unlawful for an employer with twenty or more employees to treat a person less favourably than other people for a reason relating to their disability unless there is a justifiable reason for doing so.

As I mentioned earlier, the Act includes the unique provision in employment law, of requiring an employer to make a reasonable adjustment to employment arrangements or the workplace where that would help to overcome the practical effects of a disability unless the employer can justify not doing so. What this means in practice is that an employer cannot simply say that a disabled applicant is not capable of doing the job because of their disability. The employer has to take reasonable steps to prevent any physical feature of the premises - such as stairs and lighting - or any arrangements - such as working hours - from causing a substantial disadvantage to that person. Employers are obliged to consider this duty of making a reasonable adjustment at every stage of employment including recruitment, the setting of pay and conditions, training, promotion, and redundancy or retirement. The Act outlines factors which have to be taken into account in deciding whether an adjustment is reasonable and the employment Code of Practice which was issued in 1996 provides practical guidance for employers.

The definition of discrimination in the Act does envisage that there will be occasions when an employer will be justified in treating a disabled person less favourably or not making an adjustment. The Government considered that it was important both for the employer and the individual that there was no compulsion on employers to employ people incapable of doing a job. Having said this, I must stress the importance of the new duty whereby an employer would be obliged to consider whether a reasonable adjustment would enable a disabled person to be able to do the job.

The purpose of the concept of reasonable adjustment is simply to ensure that disabled people are given the opportunity to compete in the job market on an equal footing with their non-disabled peers. It was not the intention of the legislation to require an adjustment to be made in order to put a disabled person in a more favourable position than a non-disabled person.

3.3. Coverage of the Act

The DDA does more than simply establish employment rights. In common with the Race Relations Act and the Sex Discrimination Act the DDA applies also to access to goods, facilities and services. Ensuring that new public buildings are accessible is covered by the Building Regulations.

The DDA recognises that access and opportunity in their widest sense extend beyond the removing of physical impediments. Making buildings easier to get into is of no use if disabled people are kept outside either because either their appearance or behaviour is deemed too upsetting for other patrons. As more buildings are designed to admit the entire community, it is important to ensure that disabled people are not unreasonably denied access. Thus under the DDA a service provider must not:

- refuse to provide, or deliberately not provide, to a person with a disability any service which is provided to the public;
- provide a lower standard of service or provide it in a less favourable manner than would be offered to other members of the public;
- or offer a service on worse terms than would be offered to other members of the public.

The Act provides too for service providers to be required to make changes in the way in which they conduct their business and to give assistance to disabled people in order that they can access or benefit from the provisions of goods and services. The provisions are not yet in force.

I want to refer now to education. Both the RRA and the SDA extend non-discrimination rights to the admissions' policies of educational establishments. The DDA does not do so. It covers educational institutions as employers, and as service providers only when that service is other than for the provision of education. The interests of disabled pupils and students and those with special educational needs in schools, colleges and universities are covered in education legislation. Local education authorities, colleges and universities do have to describe in disability statements the provision which they make for these groups. Nonetheless, the exclusion of educational provision has been and remains a very controversial aspect of the UK's disability legislation, especially in respect of further and higher education.

The DDA contains a separate section on transport. It provides for regulations to set access

standards for new taxis, buses, trams, and trains. The Act does not give disabled people an individual right of access to transport vehicles.

3.4. New Government

Before I conclude I would like to describe briefly the current attitude of the Government towards the legislation. This Government made a manifesto commitment to introducing comprehensive and enforceable civil rights for disabled people, to be developed in partnership with all interested parties. On 1 October, the Minister of State, Andrew Smith, announced at the Labour Party Conference a three-point strategy for taking forward that commitment. The Government will:

- implement the remaining rights of access in the DDA (that is for service providers to take reasonable steps to change practice, policy, or procedure; to provide an auxiliary aid or service; or to overcome physical barriers);
- establish a Disability Rights Commission with enforcement powers, which will parallel the Commissions which deal with the anti-discrimination legislation on sex and race, and more particularly strengthen and facilitate enforcement of existing and future disability legislation;
- and set up a Ministerial Task Force to conduct a wide-ranging and formal consultation on how best to achieve comprehensive and enforceable civil rights for disabled people.

4. Conclusion

In summing up I would like to say that the Government's aim in framing the legislation was no less than to end discrimination against disabled people. The route to achieving this goal was conceived to be through increasing the independence of disabled people and giving them the opportunity to compete on equal terms with others in all aspects of life. It is too early to assess the impact of the DDA on the social and economic position of disabled people but it is undeniable that, with the legislation that is already in place and with the reforms that the Government is proposing, disabled people are entitled to feel that they now have the opportunity to give expression to their abilities and not to be unfairly hampered by society's focus on their disabilities.

I would then present the DDA to you not as the last word in anti-discrimination legislation but as a step in the direction of eliminating systematic discrimination against disabled people. The DDA stands as a strong element in the UK's overall strategy to combat discrimination but there are still improvements we can and are making to ensure that the interests of disabled people are protected.

7. JOB PROTECTION AND OCCUPATIONAL REINTEGRATION FOR THE DISABLED

**Mr. Martien W.J. MENKEN, Ministry of Social Affairs and Employment,
the Netherlands**

The Netherlands has for many years had to contend with the problem that too many people leave the labour market because of an invalidity too early. To begin with, the social consequences were obscured by a relatively high level of social security and little attention was paid to the problem.

The main objective of the recent policy and legislative reforms is to improve the existing reintegration mechanisms where necessary and, above all, make them more effective, in order to increase the chances of disabled people finding work.

Any employer recruiting a partially disabled person is entitled to a substantial lump-sum payment. Disabled people following training or working on a trial basis can claim a "reintegration benefit".

There are two new strategies. Firstly, employers' invalidity insurance contributions will be adjusted, within certain limits, according to the risk of invalidity within each undertaking. Secondly, a whole new package of legislative measures has been drawn up to help the disabled to find and stay in employment.

The new legislation, which will enter into effect in 1998, is described in more detail below.

Differentiations in invalidity insurance contributions

The PEMBA [Invalidity Insurance (Differentiation in Contributions and Market Forces) Act - *Wet premiedifferentiatie en marktwerking bij arbeidsongeschiktheid*] which will enter into force on 1 January 1998, changes the funding of the WAO (Invalidity Insurance Act) and introduces a differentiation in contributions and the possibility of "own-risk" insurance for undertakings. These changes will make employers more directly responsible for the costs of invalidity. The amount and duration of the WAO benefit does not change.

The AAW (General Invalidity Benefits Act - *Algemene arbeidsongeschiktheidswet*) will be superseded. For those who are not in employment, who are currently insured through the AAW, there will be two new instruments: the WAZ (Self-employed Workers' Invalidity Insurance Act - *Wet arbeidsongeschiktheidsvoorziening zelfstandigen*) is intended for self-employed people, unpaid spouses, directors and large shareholders and people who are not in employment but do earn income from work. Young disabled people and disabled students are entitled under the WAJONG (Invalidity Insurance (Young Disabled People Act - *Wet arbeidsongeschiktheidsvoorziening jonggehandicapten*) to a minimum benefit if they are unfit for work.

Under the PEMBA, the WAO contribution will be paid entirely by the employer, the amount varying according to the undertaking. It comprises two elements: a basic contribution, which is the same for all undertakings, and a differentiated contribution. The revenue from the basic contribution will be used to pay the benefits of those who were receiving a WAO benefit prior to 1 January 1998 and for new beneficiaries whose benefits will be paid for more than five years.

Own-risk insurance

Enterprises may also opt for own-risk insurance, whereby the employer takes over the WAO benefit from the benefits agency for a period of five years. Undertakings may pay the costs themselves, or insure themselves (partially) through a private insurance company. They pay only the basic contribution, not the differentiated contribution. After the own-risk period, the employee's benefit is again paid by the benefits agency, if he or she is still unfit for work. However, WAO benefits which begin during the own-risk period and which will last for a period of less than five years will continue to be paid by the employer.

The WAZ (Self-Employed Workers' Invalidity Insurance Act)

The WAZ, like the AAW, provides for a minimum level of invalidity insurance. However, while under the AAW the contribution was the same for everyone, under the WAZ it is deducted from the income of the insured person by the tax authorities. The present rate is around 8%. No contribution is paid on the first Hfl 29 000 (tax-free bracket) and the maximum amount taxable is Hfl 84 000.

Restrictions on pre-employment medicals

A further law has been introduced to restrict, in principle, the use of pre-employment medicals. Only examinations which are important because of the nature of the job, such as eye-tests for pilots, are permitted. Examinations for access to pension funds and insurance are prohibited insofar as they are linked to the employment relationship. The aim is to remove obstacles for people with health problems who wish to enter the labour market.

A new package of reintegration measures

So far, we have talked about the increased incentives for employers in the field of invalidity insurance. The second aspect of the reforms is the Reintegration Act, which will enter into force on 1 January 1998, introducing more and better means of helping people with a disability to find work. Employers are entitled to a substantial lump sum or reimbursement of the estimated costs if they recruit or re-employ disabled people. The scope of the reintegration benefit is also extended. The existing measures will be improved to make them more accessible to employers and employees. Responsibility for helping to place or redeploy disabled people is shifted as far as possible to the institution or person paying the wage or benefit.

The proposed measures, for which the Government is allocating Hfl 146 million per year, are expected to result in approximately 6 500 extra jobs for disabled people (at present there are around 50 000). The aim is to encourage employers to adopt a preventive policy and recruit or keep on disabled workers. The Act is linked to the introduction of other financial incentives for employers in the event of their employees falling sick, such as the WULBZ (Continued Payment of Salary (Sickness) Act - *Wet Uitbreiding Loondoorbetalingsverplichting bij Ziekte*) and the PEMBA (Invalidity Insurance (Differentiation in Contributions and Market Forces) Act).

The existing measures for the reintegration of disabled workers, i.e. anyone whose chances of employment are hampered by sickness or disability – are unwieldy and ineffective. The (Re)integration of Disabled Persons Act (*Wet op de (re)integratie arbeidsgehandicapten*) is designed to eliminate these problems. The less time is lost, the easier it is to find a new post. Any employer recruiting a disabled person or moving him or her to another post within the same undertaking is automatically entitled to substantial compensation. The various measures available offer flexibility. It is also now clearer who is entitled to which sort of measure and when.

Placement or redeployment budget

The instruments available to the benefits agencies for placement or redeployment will be increased by the new legislation. If a disabled person is moved to a different employer, a placement allowance is available to cover all costs which this entails for the new employer. This allowance replaces a number of existing instruments, such as reimbursement of the costs of adapting the workstation, the retraining or further training allowance, the settling in and monitoring allowance, and the employer's labour costs subsidy. For the first year, the placement allowance for an employer who has recruited a disabled person is Hfl 12 000 guilders, falling to Hfl 8 000 in the second year and Hfl 4 000 in the third. For a part-time worker, the amounts are reduced proportionally.

If the employee is moved to another job with the same employer, the redeployment budget is used. The employer receives Hfl 8 000 for one year. This allowance is subject to the condition that the employer submits a reintegration plan for the employee to the benefits agency.

Made-to-measure package

If the costs of reintegration are higher than the placement or redeployment budget can allow, the employer has the option of a "made-to-measure" arrangement, which covers all costs to the employer with, in principle, no upper limit. However, if the undertaking itself undergoes significant changes, the employer is required to cover part of the costs. The body responsible for payment decides whether the sum requested is justified.

It is considered of the utmost importance to ensure that that the application procedure for these made-to-measure packages is as simple and quick as possible. Any employer who has applied for a placement or redeployment allowance still has three months in which to opt for a made-to-measure package. This will allow the employer to receive provisional funding pending payment of the final sum.

For all forms of compensation, the sum must be repaid entirely or partially if the desired result is not achieved. Reintegration is considered successful only as long as the employee remains with the same employer. If the employment relationship is broken, the money must be repaid, but only for the period during which the employer is no longer in service. In addition, any extra expenses incurred by the employer on behalf of the employee are not deducted. The underlying principle is that the employer should not be at a financial disadvantage as a result of having recruited a disabled person.

Allowances for individuals

In addition to the above possibilities for employers, a further option introduced by the new legislation is a reintegration allowance for individuals. The aim is to encourage disabled people to use their own initiative to find work. This option can be used to provide services and support to help disabled people to become more employable.

Placement on a trial basis

The new measures will also extend the scope of the (re)integration benefit to cover disabled people recruited on a trial basis. It can also now be used to cover training costs. The reasoning is that because disability puts people in a situation which is different than that of “normal” unemployed people, a different approach to that situation is needed.

Disabled people are always in a more difficult position on the labour market than the typical unemployed person. The duration of trial employment is extended to six months. In addition, this budget can also be used for disabled people who do not have an invalidity pension.

Continued payment of salary during sickness

An employer who has recruited a disabled person always faces the risk that the employee may fall sick again. This risk has now been reduced. Previously, the employer did not have to pay the salary of a disabled person who became sick during the first three years. This period is now extended to five years, during which time the employee receives a sickness benefit from the benefits agency.

Exemption from and reduction of the WAO contribution

The arrangements for exemption from and reduction of the basic WAO contribution are adjusted under the PEMBA, to the direct financial advantage of employers. Previously, only undertakings in which disabled people accounted for 5% or more of the payroll were exempt from paying the basic WAO contribution on the salaries of disabled employees. To make this measure more effective, there is now a partial exemption at lower percentages (3% leads to one-third, 4% to two-thirds).

Responsibility for reintegration

Another important aspect of the new legislation is that responsibility for reintegration is now more clearly defined. When disabled persons are moved to a different job, various parties can play a role. In the first instance, the employer is responsible for the employment of his or her disabled employee. Experience has shown that this is the best means of ensuring reintegration. Only when it is established that reintegration within the same firm is not possible is responsibility transferred from the employer to the benefits agency. In such cases, the employer or his insurer may still try to find work for the disabled person elsewhere. They still have an interest – partly financial – in the disabled person finding work.

The benefits agency responsible for employees' insurance and the municipalities are responsible for reintegrating disabled people whose benefits they pay. The employment services are responsible for all other disabled people. The benefits agencies are, at present, to a large extent obliged to employ bodies such as the employment services to find work for those who are difficult to place. A comparable system exists for the municipalities. Ultimately, the Government hopes to achieve a free market approach.

Reintegration Fund

The budgets will be financed from a Reintegration Fund (*Reïntegratiefonds*) which is to be set up and which will be financed from the National Disablement Insurance Funds and the National Unemployment Fund. By setting up a separate Reintegration Fund, the Government wants to make it clear that it is intended specifically for disabled people, a group of individuals who deserve a special approach. In 1998, the municipalities will receive a special supplement of Hfl 85 million for this new task. Of this, 45 million is intended for reintegration measures and instruments and 40 to buy services (and to cover administrative costs).

Conclusion

In retrospect, one might conclude that the Netherlands has learnt that support and help for employers and employees is not enough to keep those with a disability in work or to help them find work. Employers and employees need to have a considerable strategic long-term interest if they are to use their own initiative and take advantage of the facilities offered.

Only the future can show whether the new measures will be effective, but the response of employers and employees has been positive so far. We hope that ultimately, there will be a new attitude towards disabled people at work. Only then will the policy be seen as successful. Success must be measured specifically on the basis of how far the access of unemployed disabled people, such as young disabled with no work experience, to the labour market has been improved.

8. PLAN OF URGENT MEASURES TO PROMOTE THE EMPLOYMENT OF DISABLED PEOPLE

Nicolás GARCIA DIAZ, IMSERSO, Instituto de Migraciones y Servicios Sociales, Spain

1992 was the tenth anniversary of the adoption of **Act No 13/1982, the Disabled Persons Social Integration Act (LISMI), of 7 April**. For this reason, a number of assessment reports were drawn up by the various authorities involved, as well as by the Congress of Deputies and NGO's.

All the reports agree, with varying degrees of emphasis, that, all in all, the Act has been a great step forward, but that much remains to be done. Fresh impetus is needed to consolidate and develop the principles of the Act and to carry them through to the medium term, incorporating new approaches as well as the most recent advances made in the sector. The **Action Plan for Disabled People**, adopted in 1996, is intended to be a step in this direction.

The Action Plan is based on a threefold approach: a political compromise on the part of all the groups represented in the Congress; the active involvement of all the competent authorities; and the responsible participation of the organisations representing disabled people. It was adopted in 1996.

The Action Plan consolidates and develops the principles and mandates of the Social Integration Act and carries them through to the medium term. It is regarded as a **Comprehensive Plan** in that it deals with all types of disabled people and the most important aspects of their lives, such as health and prevention, rehabilitation, education, employment, independence and integration into the community.

It is intended that the Action Plan will become a **permanent forum for the participation** of disabled people or their representatives and for the **coordination** of services and authorities responsible for providing care for this group of people.

The principles of equal opportunity, integration and participation run through the lines of action and measures contained in the Action Plan. The Plan is divided up into five main Sections or Sectoral Plans:

1. Promotion of health and prevention of deficiencies;
2. Health care and full rehabilitation;
3. Educational integration and special education;
4. Economic participation and integration;
5. Community integration and independent lifestyles.

Section 4 - Economic participation and integration - corresponds to the **Plan of urgent measures to promote the employment of disabled people**.

In a society such as ours, employment is one aspect of integration for any adult, and this also applies, therefore, to disabled people. However, the high level of unemployment in our country,

the low level of occupational skills within the group, lack of motivation and employers' preconceptions about employment opportunities for the disabled are leading to occupational exclusion of the disabled and are hindering their integration into the labour market.

For these reasons, on 3 December 1996 (international day for the disabled) the Minister of Labour and Social Affairs gave a public undertaking to draw up an Employment Plan for disabled people.

Following on from this, in January 1997 a **Joint Committee comprising representatives of the Ministry of Labour and Social Affairs and the Spanish Council of representatives of the disabled** (MTAS-CERMI) was created for the purpose of drawing up a Plan which would propose a series of measures to promote employment of the disabled, which would have to be compatible with the employment promotion policies being developed for the rest of the population at the present time, i.e. the measures contained in Spain's multiannual employment programme and the multisectoral agreement on the stability of employment concluded between trade unions and employers, as well as overall policy approaches recently agreed in the Action Plan for Disabled People 1997-2002.

The work of the MTAS-CERMI Joint Committee was completed in October, with the submission to the Minister of a preliminary draft agreement, which was finally signed on 15 October 1997 - the **Agreement between the Ministry of Labour and Social Affairs and the Spanish Committee of representatives of the disabled (CERMI) on the elaboration of a Plan of urgent measures to promote the employment of disabled people.**

The above Agreement contains a whole range of measures divided into four main sections. The basic approaches and principles contained in each of these are the following:

Institutional participation

This Section contains proposals to regenerate involvement of disabled people's organisations.

- More active involvement on the part of disabled people's consultative bodies: restructuring of the *Real Patronato de Prevención y Atención a Personas con Minusvalía* (Royal Association for the protection and care of the disabled), and creation of a *Consejo Estatal de Personas con Discapacidad* (State Council for the disabled).
- Setting up of channels through which the interests and views of the associative movement may be passed on to other government consultative bodies: *Consejo General de Formación Profesional* (General Vocational Training Council) and *Consejo Económico y Social* (Economic and Social Council).
- Agreements with other authorities (Autonomous Communities and the Spanish Federation of Municipalities and Provinces), enabling the joint development of measures to promote the employment of disabled people.

Intermediation services

In this Section the Agreement attempts to relaunch special intermediation services for disabled workers on the basis of their success in promoting employment in recent years:

- Promotion of special intermediation services within the National Employment Institute's (INEM) network by updating the **Register of Disabled Jobseekers** and by gradually introducing experts into INEM's offices.
- Re-establishment of the vital **coordination and cooperation between the disability assessment teams and INEM offices.**
- Involvement of NGOs working in the field of disability in joint intermediation measures.

Vocational training

The Agreement proposes making better use of present vocational training methods for disabled people:

- through greater adaptation and flexibility of occupational vocational training courses;
- through the greater participation of NGOs working in the field of disability in experimental programmes or through programme contracts;
- through the development of specific measures under the national agreement on continuing training;
- through the promotion and consolidation of training contracts with additional help for disabled people, with measures such as the unlimited number of apprentices in special employment centres and extension of the period within which traineeship contracts may be formalised from 4 to 6 years.

Recruitment and occupational integration

Without losing sight of the fact that the various types of occupational integration have the same objective, the Agreement sets out a series of urgent measures to remedy the main shortcomings which have occurred in each type of measure:

- **Sheltered employment:** greater flexibility is proposed in respect of the composition of staff in special employment centres; variations in subsidies depending on the percentage of disabled workers; extension of contributions to wage costs from open-ended employment contracts to part-time contracts.
- **Semi-sheltered employment:** new types of "supported employment" will be regulated, along with specific measures for the collective recruitment of disabled workers.
- **Normal employment:** the subsidies for open-ended contracts are being updated and will be extended to part-time contracts. Specific programmes will be developed to inspect and monitor the 2% quota of jobs reserved for disabled people, and alternative measures to the quota arrangement will be established in an Agreement or at the wish of the employer.
- **Self-employment:** the amount of subsidies will be updated and the one-off payment of unemployment benefits will be restored.

- **Public service:** more flexible schemes will be encouraged, facilitating disabled people's access to employment in the public service.

Most of these proposals will be developed within a specific period stated in the Agreement. It has been decided to create a **Joint Monitoring Committee comprising representatives of the Ministry of Labour and Social Affairs and the Spanish Committee of representatives of the disabled** to promote and implement such measures.

The Joint Committee has already started work, and it is hoped that the above-mentioned measures provided for in the Agreement will be implemented by the end of 1998.

9. THE ROLE OF SMALL AND MEDIUM-SIZED ENTERPRISES

Mr. Jaume COSTA, European Foundation for the Improvement of Living and Working Conditions

1. Background

People with disabilities are recognised to be one of the most disadvantaged sections of society. They face considerable barriers in accessing the labour market, education and training opportunities and social facilities. These are a product not only of actual impairments that limit the actions people with disabilities are able to perform, but also of attitudes and an environment that does not take account of their needs.

Each EU Member State has adopted a range of measures to promote the integration and employment of people with disabilities. There is an existing body of comparative research on the legislative framework for these measures, and on employment patterns in enterprises in particular Member States. Two significant gaps arise in the material available.

Despite constituting a major proportion of the business sector, there is little data on the role and experience of small and medium-sized enterprises (SMEs) in the employment of people with disabilities. SMEs, those that employ less than 500 employees, provide more than two thirds of EU employment and are regarded as the greatest potential job creators. However, their small size and large number has excluded them from study: not only are they more difficult to identify, access and research, they might also be exempt from many statutory obligations including what, in many EU Member States, is the most significant employment promotion measure: a statutory quota for the employment of people with disabilities.

There is also little information currently available on the practical effects and impact of different policies on employers. Existing studies, where they have considered the effect of public measures, have focused on the recruitment of people with disabilities, particularly those that are recruited under specific programmes or schemes, and particularly those that have been recruited by larger, easily identifiable enterprises. Little is currently known about decision making processes outside the framework of formal programmes and little is known about the retention and development of employees with disabilities.

This study³ seeks to answer two questions about small and medium sized enterprises ('SMEs'):

- why do (or do not) employers in small and medium sized enterprises employ people with disabilities ?
- how do employers in small and medium sized enterprises employ people with disabilities?

³ 'The Employment of People with Disabilities in Small & Medium-Sized Enterprises' Cat. No. SY-12-449-EN-C

2. Approach

The emphasis of this study is qualitative, focusing on the perceptions and experience of employers and their employees. A case study approach was adopted to examine these issues, providing ideas and identifying issues which promote or hinder the access of people with disabilities to employment. It considered the process by which an employer identifies a need to employ someone, a person with a disability seeks employment, and a contractual relationship is established and maintained. The focus was on successful examples of the integration of disabled people in employment to enable the identification of good practice as well as barriers.

The definition used by the EU HELIOS programme was adopted for the study. However, in practical terms, national teams had to be cogniscent of the concepts used, and different groups included in definitions used by institutions in each country.

3. Methodology

Studies were conducted in six Member States, France, Germany, Ireland, the Netherlands, Spain and the United Kingdom, in late 1996 and early 1997. These were commissioned by the European Foundation for the Improvement of Living and Working Conditions or national governments. Each of the national studies has been published as a Working Paper by the European Foundation.

Within a set methodology, national research teams were given the opportunity to conduct the case-study research in accordance with their own views and experience, following their own approach and methodologies, the aim being to take into account the particular context of the country and each enterprise. They were also, in some cases, able to re-examine enterprises already known to them.

In analysing the case studies, it must be recognised that the majority of them have been sourced through mediating organisations specialising in placing people with disabilities in employment. The extent to which the cases reflect the overall picture of people with disabilities in employment in SMEs is not possible to ascertain from this study. As a result, some of the conclusions reached about the overall picture of employees with disabilities in small businesses might be distorted. However, alternative methods of sourcing cases were unsuccessfully tried by research teams in each Member State. The absence in most national studies of evidence of alternative routes into employment would in many ways refute the possibility of distortion and, even so, the significance of mediating organisations appears to be dramatic.

This difficulty in constructing a 'representative sample' of enterprises was acknowledged from the outset. However, the selection processes used in each country did allow for useful comparisons to be made between different kinds of employees and enterprise, for example, companies of varying sizes, in different sectors, employing people with different disabilities. The limited number of case studies meant that it was not easily possible to test some hypotheses at a national level, such as trade sector differences and attitudes towards a range of different disabilities. Consolidating the national reports has enabled some of these issues to be revealed in more detail. The extent of study of cases in which the integration had failed was also limited. Where possible, this was achieved by considering past and other present employees in enterprises studied.

Each national research team also engaged in other forms of quantitative or qualitative research to give some additional concrete basis to the conclusions reached in the case studies.

4. Promoting integration

All countries implement measures designed to promote or facilitate the employment of people with disabilities. However, the means of promoting the participation of people with disabilities in the labour market vary between Member States. Legislation promoting the employment of people with disabilities in Member States has been characterised by Lunt and Thornton (in *Employment Policies for Disabled People*, Employment Department, UK, 1993), among others, as tending towards discrete, compulsory employment measures while countries such as Canada, Australia and the United States have focused more on anti-discrimination and equal opportunities legislation.

Within the European Union, differences of emphasis can be identified. Of the six studied countries, half (France, Germany and Spain) have enforced, statutory employment quotas for people with disability. The other three countries (Ireland, Netherlands and United Kingdom) either have no quota scheme applicable to private businesses or have not implemented them. One country (the United Kingdom), which had a quota system at the time of the 1993 study, has since repealed it with the adoption of anti-discrimination legislation. This legislation, like the quota system it replaced, is not easily enforceable.

Indeed, a considerable blurring of these boundaries has occurred over recent years, with the increasing adoption within the European Union of new national anti-discriminatory policies overlaying existing legislation. A line can still, however, be drawn between countries positioning legislation on disability within the context of a broad anti-discrimination policy and those operating compartmentalised measures such as quota schemes (Thornton and Lunt, 1997). This broad characterisation remains limited both in the impact of public policy on small and medium-sized enterprises, which are often excluded from statutory obligations due to their size, and in terms of the spectrum of policies and applicability that exists at Member State level.

5. Study findings

The study findings allow a clear development in our understanding of the way employers make decisions, the reasons behind their decisions and their impact. There would appear to be a high degree of commonality in the actual experiences and situations in each of the Member States studied, regardless of definitions of disability or preferences for voluntary or mandatory action. In itself this would suggest the veracity of the study findings. There is no blueprint for an effective legislative and regulatory framework.

- financial incentives have a key facilitative role but, as they currently operate, do not necessarily meet the needs of either employers or employees, and do not reflect technological or labour market trends;

- despite differences in the applicability and enforcement of employment quotas and anti-discrimination legislation, these appear to have little practical effect on SME employer behaviour;
- health and safety and insurance regulations are perceived by employers as an impediment to the employment of people with disabilities;
- educational attainment is low among people with disabilities;
- women, older people with disabilities and those with more severe disabilities appear to face additional barriers in accessing employment;
- recruitment practices rarely recognise the value of equal opportunity and other good recruitment practices;
- low confidence and self-esteem among employees, and attitudes of both work colleagues and employers can limit the degree to which an employee successfully integrates and progresses within a firm;
- the attitudes of employers of people with a disability demonstrate the striking importance of personal experience of disability;
- mediating organisations play a pivotal role in promoting a positive awareness of both disability and the regulatory framework, providing training and personal support to people with disabilities.

6. Policy implications

There are three key areas of common concern across Member States:

- the need for the development of a greater awareness and understanding of disability among employers;
- a need for better dissemination of information for employers on the regulatory framework and how it supports and facilitates the employment of people with disabilities;
- the indispensable nature of mediating organisations.

These commonalities are interdependent. On the one hand, the provision of information about the regulatory framework is incomplete without practical support and assistance to access available programmes. On the other hand, mediating organisations are hampered in their effectiveness by a lack of awareness by employers of the abilities and aspirations of people with disabilities.

The need for positive and tightly-focused educational and awareness raising measures applicable to small and medium-sized enterprises is one of the clearest outcomes of this study. The key role of personal experience as a motivational factor for employers has been highlighted, as has the prevalence of perceptions of disability based on fears of risk, incapacity (rather than ability) and absenteeism. These demonstrate both the possibilities created by good practice and familiarity with people with disabilities, and the need for broad and positive, awareness raising initiatives. Employer perceptions should be challenged in three areas:

- absenteeism, using evidence to challenge perceptions of sickness and absenteeism among people with disabilities;
- capacity and ability, demonstrating the abilities of people with disabilities;

- risk, stressing ways in which the risks of employing people can be reduced through the use of mediating organisations.

Such initiatives should focus on positive examples and case studies appropriate to small and medium-sized enterprises. The relevance of new information and communication technologies and working methods should also be explored.

Many of the study conclusions focus on concern about information provision. The inadequacy of information dissemination methods has arisen in relation to employment protection measures, the availability of financial incentives (including the procedures by which they are accessed) and in the promotion of good recruitment and employment practices:

- financial incentives: the provision of information on the availability of financial incentives and the means by which they are accessed;
- recruitment practices: the provision of information on good recruitment, training and employment practices and procedures;
- information related to specific disabilities: practical information, where necessary, to enable the making of informed judgements and decisions about a candidate's suitability.

Information needs can be identified not only at the recruitment level, but also in subsequent induction and developmental stages. While there is a overlap with broad awareness raising initiatives there is a clear role in information provision and dissemination for mediating organisations.

The use of specialist mediating organisations appears to significantly improve the chances of employment for people with disabilities. Mediating organisations function by matching their clients to vacancies in enterprises. By adopting a proactive approach, making the initial contact with companies, the level of perceived risk to employers is reduced. Employers are saved many of the time and financial costs of advertising and recruiting, and of securing any necessary aids and adaptations. By approaching the employer directly, the mediating body can ensure that there is less competition for their own clients. They also assist clients to overcome barriers arising out of low educational attainment, poor confidence and low self esteem. Despite this, several factors remain untested or unexamined and should form the subject of further study:

- defining operational principals;
- are specialist mediating agencies preferable to integrated mainstream provision?
- what are the most effective methodologies and models used by mediating organisations, could the concept of 'route counselling' or 'pathways to integration' help to deepen existing approaches?
- defining roles and responsibilities regarding information provision, advice, counselling, training and, potentially, employment.

10. LIST OF PARTICIPANTS

Members of the “High Level Group on Disability”

Mr. Yves DRUART

Administrateur général adjoint
Agence Wallone pour l'Intégration des Personnes
Handicapées (AWIPH)
rue de la Rivelaine 21
B-6061 CHARLEROI
Tel. (32-71) 20 58 20
Fax (32-71) 20 51 60
E-mail: fcispvh@mail.interpac.be

Mr. Pol KEMPENEERS

VFSIPH
Sterrekunde laan 30
B-1210 BRUXELLES
Tel. (32-2) 225 84 66
Fax (32-2) 225 84 05
E-mail: paul.Kempeneers@Vlafo.be

Mr. Finn HANSEN

Socialministeriet
Holmens Kanal 22
DK-1060 KØBENHAVN K
Tel. (45) 33 92 25 18
Fax (45) 33 93 93 00
E. mail: fha@sm.dk

Mr. Hartmut HAINES

Bundesministerium für Arbeit und Sozialordnung
Postfach 14 02 80
D-53107 BONN
Tel. (49-228) 527 27 52
Fax (49-228) 527 11 77
E-mail: ha.haines@bma.bund400.de

Mr. Alexandre KONTONIKAS

Directeur Général de la Prévoyance
Direction des Personnes âgées et handicapées
17 rue Aristotélous
ATHENS 10187
Tel. (30-1) 523 96 80
Fax (30-1) 523 59 14

Mr. Spyridonas KOKKINAKIS

Direction des Personnes âgées et handicapées
17 rue Aristotélous
ATHENS 10187
Tel. (30-1) 523 58 28
Fax (30-1) 523 26 58

Ms. Encarnación BLANCO EGIDO

Subdirectora General del Plan de Acción y
Programas para Personas con Discapacidad.
Instituto de Migraciones y Servicios Sociales
Ministerio de Trabajo y Asuntos Sociales
C/ Ginzo de Limia 58
E-28071 MADRID
Tel. (34-91) 347 88 23
Fax (34-91) 347 88 55
E-mail: EBlanco@mtas.es

Mr. Patrick SEGAL

Délégué Interministériel aux personnes
handicapées
8 Avenue de Ségur
F-75350 PARIS 07
Tel. (33) 140 56 48 47
Fax (33) 140 56 59 08

Mr. Pat WYLIE
Assistant Principal Officer
Disability Equality Unit
Department of Equality and Law Reform
Dún Aímhírgin
43-49 Mespil Road
IRL- DUBLIN
Tel. (353-1) 660 56 05
Fax (353-1) 668 99 33
E-mail: Pat-Wylie@eqlaw.irlgov.ie

Ms. Cécile GREISCH
Ministère de la Famille
12/14 Avenue Emile Reuter
L-2919 LUXEMBOURG
Tel. (352) 478 65 47
Fax (352) 24 18 89

Mr. H. MANNEN
Directeur Gehandicaptenbeleid
Ministerie van Volksgezondheid, Welzijn en
Sport
Postbus 5406
NL-2280 HK RIJSWIJK
Tel. (31-70) 340 53 63
Fax (31-70) 340 71 64
E-mail: E.VAN.Limburg@-vws.NL.Hepdesk.FD

Mr. Max RUBISCH
Bundesministerium für Arbeit, Gesundheit und
Soziales,
Abt. IV/1
Stubenring 1,
A-1010 WIEN
Tel. (43-1) 71100 6262
Fax (43-1) 71100 6591

Mr. Vitorino VIEIRA DIAS
Secretário Nacional de Reabilitação
Ministerio do Trabalho e da Solidariedade
Secretariado Nacional para a Reabilitação e
Integração das Pessoas cum Deficiência
Avenida Conde Valbom 63
P-1050 LISBOA
Tel. (351-1) 793 65 17
Fax (351-1) 796 51 82
E-mail: reabilit.snr@mail.telepac.pt

Mr. Henrik LINDER
Ministry of Social Affairs
Jakobsgatan 26
S-103 33 STOCKHOLM
Tel. (46-8) 405 35 02
Fax (46-8) 723 11 91
E-mail: Henrik.linder@social.ministry.se

Ms. Deirdre FORDHAM
Department for Education and Employment
Caxton House
6-12 Tothill Street
UK - LONDON SW1H 9NF
Tel. (44-171) 273 63 23
Fax (44-171) 273 59 29
E-mail: julie.barton@dfee.gov.uk

Observers

Mrs. Guðrún HANNESDÓTTIR

Starshjalfun Fatladra, Reykjavik
Starfsthjalfun Fatladra
Hátúni 10 d
IS-150 REYKJAVIK
Tel. (354) 552 93 80
Fax (354) 562 28 43
E-mail: gudrunh@itn.is

Mr. Christian B. KIELLAND

Helse og Sosial Departemented, Oslo
P.O. Box 8011 Dep.
N-0032 OSLO
Tel. (47-22) 24 85 64
Fax (47-22) 24 27 66
E-mail: christian.kielland@dep.telemax.no

Mr. E. OFTEDAL

Kommunal og arveidsdept., Oslo
P.O. Box 8004
N-0030 OSLO

Speakers

Mr. Nicolás GARCIA DIAZ

Instituto de Migraciones y Servicios Sociales
Subdirección General del Plan de Acción y
Programas
Para Personas con Discapacidad.
C/ Ginzo de Limia 58
E-28071 MADRID
Tel. (34-91) 347 86 02
Fax (34-91) 347 88 55

Mr. Jesús DIAZ PEREIRA

Instituto de Migraciones y Servicios
Sociales, Spain
Avda de la Ilustracion, S/N
Con VTA A. Ginzo de Limia, 58
E-28029 MADRID
Tel. (34-1) 347 85 98
Fax (34-1) 347 85 95

Mr. Pierre GRAPIN

Deputy Director general of the "Association pour
la Gestion du Fonds pour l'insertion des
personnes handicapées"; France
192 Av Aristide Briand
F-92226 BAGNEUX CEDEX
Tel. (33) 140 11 00 05
Fax (33) 146 11 00 33

Mr. Martien MENKEN

Ministry of Social Affairs and Employment
Postbus 9080
NL-2509 LV DEN HAAG
Tel. (31-70) 333 44 44
Fax (31-70) 333 40 11

International NGO's

Mr. Jaume COSTA

European Foundation for Improvement of the
Living Conditions, Ireland
Wyattville Road
Loughlinstown
IRL- 10 DUBLIN
Tel. (353-1) 204 31 06
Fax (353-1) 282 64 56

European Commission

Rue de la Loi 200
1049 BRUXELLES

Mr. Hywel Ceri JONES
Deputy Director-general DG-V
Employment, Industrial Relations and Social
Affairs
Tel. (32-2) 295 51 98
Fax (32-2) 296 36 60
E-mail: Hywel.Jones@bxl.dg5.cec.be

Ms. Gabrielle CLOTUCHE
Director DGV-E
Social Security and Social Integration
Tel. (32-2) 295 83 19
E-mail: Gabrielle.Clotuche@bxl.dg5.cec.be

Mr. Andrew CHAPMAN
DG V-A-1
Employment Promotion in other Community
Policies
Tel. (32-2) 295 17 56
E-mail: Andrew.Chapman@bxl.dg5.cec.be

Mr. Donald TAIT
DG V-A-2
Employment and Labour Market Policy
Tel. (32-2) 296 02 31

Ms. Nathalie DAVIES
DG V-E-2
Social protection, social inclusion and civil
society
Tel. (32-2) 296 49 33
E-mail: Nathalie.Davies@bxl.dg5.cec.be

Mr. Jacques BONTE
EUROSTAT
Bâtiment Jean Monnet
Rue Albert Wehrer
L- KIRSCHBERG
Tel. (352) 4301 34685
E-mail: Jacques.Bonte@eurostat.cec.be

Representatives of DG V-E-4: Integration of People with Disabilities
Common fax: (32-2) 295 10 12

Mr. Roderick SKINNER
Acting Head of Unit DGV-E-4
Tel. (32-2) 295 24 09
E-mail: Roderick.Skinner@bxl.dg5.cec.be

Mr. André GUBBELS
Tel. (32-2) 296 02 90
E-mail: Andre.Gubbels@bxl.dg5.cec.be

Ms. Nina McARTHUR
Tel. (32-2) 295 42 74
E-mail: Nina.Mcarthur@bxl.dg5.cec.be

Mr. Enrique ROJAS
Tel. (32-2) 296 03 84
E-mail: Enrique.Rojas-De-Montis@bxl.dg5.cec.be

Ms. Jenny M. YTSMA
Tel. (32-2) 295 25 87
E-mail: Jenny.Ytsma@bxl.dg5.cec.be