



# Liechtenstein's parliament questions the government on action needed to prevent unequal treatment in the disability insurance system

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## Description

*In May 2017, the Liechtenstein parliament questioned the government on the accuracy of the criteria applied to people with disabilities requesting access to vocational training. They suggested that the legally defined criteria should be revised to avoid discrimination. The government refused this, arguing that there is no evidence of discrimination.*

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In May 2017, the Liechtenstein parliament asked the government to review the criteria and procedures applicable to people with disabilities requesting access to vocational training. The request was made by a Member of Parliament belonging to the political party "Freie Liste" (moderate left/ green party), based on the interviews this party conducted among persons with disabilities who requested/received vocational training, and among employees of the public disability insurance. According to these interviews, even though there is no legally set threshold on the income earned before a person faces disability, in practice a certain level of earnings is in fact required (approx. 80,000 Swiss francs [€73,500]) to receive social benefits for vocational training. If this were indeed the case, this would mean that persons with a lower income are disadvantaged. This conclusion was not supported by the two coalition partners of the government, the Progressive Citizens' Party (FBP) and the Patriotic Union (VU). The Liechtenstein disability associations did not make any official statement in this context.

The government responded that access to vocational training is organised on the basis of a number of criteria defined in Art. 43 of the disability act (IV-Gesetz). One of these criteria is the gross annual income (wealth is not taken into account) before a person

faces disability by disease or accident (this criterion does not apply to persons who are disabled due to birth defects). However, the disability act does not set an income threshold for eligibility for vocational training measures supported by the disability insurance. In addition, the government made it clear that disability insurance can also be used to support vocational training for people with a degree of disability of less than 20%, as long as a reasonable cost/benefit ratio exists between the expenses for vocational training measures and the expected future income of the affected person once he/she has rejoined the job market.

The government made it clear that the purpose of disability insurance is not to fund vocational training aimed at improving the professional situation of a disabled person. Persons with no significant level of disability who can change job without specific vocational training measures and who can expect roughly the same income after the change are not entitled to multi-annual social security benefits from the disability insurance. These persons may only receive reduced support to enable them to access new and reasonable job opportunities.

## Outlook & commentary

The government response to the request from parliament did not indicate any specific policy measures or any

modification of the legal basis for the disability insurance. The income threshold, which has been criticised, is not legally defined. It can therefore be concluded that the income threshold mentioned applies to individual cases of vocational training applications, which had been reported to the "Freie Liste".

In 2011, the Liechtenstein parliament had questioned the government on a similar topic, resulting in an adjustment of the disability act in 2013. Analysis showed, at that time, that the minimum disability threshold of 20%, for entitlement to receive support from the disability insurance to access vocational training services, needs to be interpreted in a more flexible way.

This is important to avoid discrimination if a person fulfilling all the other criteria could benefit from vocational training on the basis of a given reasonable cost/benefit ratio. From the point of view of the "Freie Liste", the legal adjustments made in 2013 have not solved the current concerns. Based on the interviews they carried out, there is still unequal treatment due to the application of a certain income threshold - persons with a lower income are disadvantaged. As no official survey or data is available, and no other political party or social institution required further action, there is no proof of any (legally-enshrined) discrimination in the use of disability insurance to support vocational training.

## Further reading

Governmental response to the interpellation by the parliament:

[http://alt2.gmg.biz/pdf.aspx?xsl=http://www.landtag.li/config/anfrage2pdf.xslt&xml=http://www.landtag.li/files/temp/kleineanfrage\\_150561.xml](http://alt2.gmg.biz/pdf.aspx?xsl=http://www.landtag.li/config/anfrage2pdf.xslt&xml=http://www.landtag.li/files/temp/kleineanfrage_150561.xml)

Disability Act:

[https://www.gesetze.li/lilexprod/lq\\_systpage2.jsp?formname=showlaw&lglid=1960005000&version=7&search\\_text=IV&search\\_loc=abk\\_list&sel\\_lawtype=conso&compl\\_list=1&rechts\\_gebiet=0&menu=0&tablesel=0&observe\\_date=31.05.2017](https://www.gesetze.li/lilexprod/lq_systpage2.jsp?formname=showlaw&lglid=1960005000&version=7&search_text=IV&search_loc=abk_list&sel_lawtype=conso&compl_list=1&rechts_gebiet=0&menu=0&tablesel=0&observe_date=31.05.2017)

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