

Work capacity assessment and employment of persons with disabilities

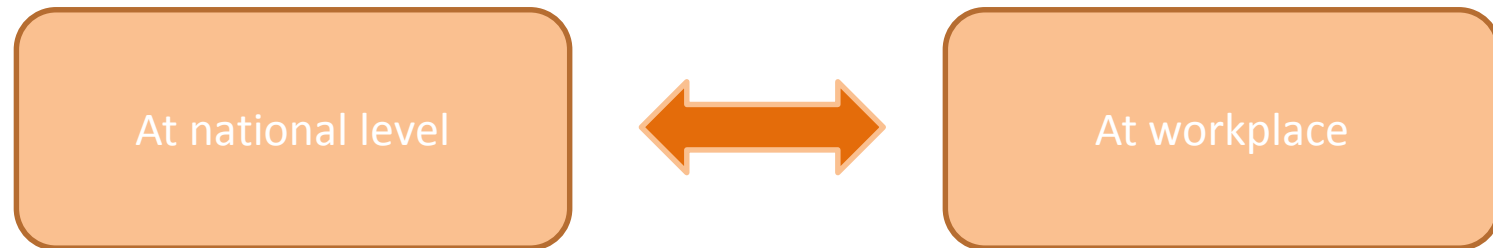
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Main challenges in integrating/retaining people with disabilities in the labour market

- System of determining invalidity (in cases when invalidity is determined as a result of accidents at work and occupational diseases)
- Accessibility (starting from access to stakeholders) and adapting workplace
- Most critical areas: availability of medical rehabilitation services, health system in general and access to labour market*
- Lost productivity compensation
- Lack of individual approach
- Low effectiveness of PES measures
- Restrictions in Labour Law regarding dismissal of people with disabilities
 - An employer is prohibited to give a notice of termination of an employment contract to an employee with disabilities with some exceptions
 - An employer is prohibited to give a notice of termination of an employment contract until recovery of capacity or determination of disability, if the reason of incapacity is an accident at work or occupational disease
 - Compromise is equal conditions for all employees but in case of people with disabilities employers would have rights to give a written notice of termination two months in advance (one month for others in general)

* - survey conducted by Ombudsman

Trade unions and disability



- Role of watchdog making sure that current legislation and labour rights are in place, active participation on designing policy and new legislation proposals (Social Security Tripartite Subcouncil)
- Awareness raising
- Collective bargaining and collective agreements
- Trade union participation at workplace regarding the recruitment process, education and training, workplace adaptation, accessibility, services provided, policy and strategy design
- Participation in trade union
- Ensuring conditions for decent work
- Limiting discrimination
- Representation in negotiations with employers
- Cooperation with ministries, public institutions, employers organisations, NGOs including cross-border cooperation

Successful approaches

- Call centres
- Practical free of charge advice at the Free Trade Union Confederation of Latvia consultation centre by experts on labour rights and work safety (accidents at work and occupational diseases), also about loss of working capacity
- Awareness raising (for example on discrimination between pupils at vocational schools in the form of knowledge test and discussions about the right approach, pupils with disabilities took part in a knowledge competition as well)
- European Social Fund project “Support to longer working life” (target group are employees aged above 50) partnering with the Employers’ Confederation of Latvia. The project is led by the State Employment Agency. The main aspects and issues discussed are working conditions and health, one of the activities is to elaborate particular proposals in the collective agreements

Future developments as part of the reform

- Tax reliefs for employers to encourage hiring people with disabilities
- Health system and social security improvements (as a response to increase number of people who had been recognised with a disability)
- Interests and expectations of people with disabilities
- Low disability pension cannot be a great motivator for people with disabilities to return to the labour market
- Better coordination of information between the different institutions to know better who are the recipients of public services
- Evaluation of PES measures and services provided to people with disabilities

Thank you for your attention!

