



Mutual Learning Programme

DG Employment, Social Affairs and Inclusion

Peer Country Comments Paper – Latvia

**Do employers need support to Open
Doors to workplaces for people with
disabilities?**

Peer Review on “Employer service delivery”

26-28 October 2020

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March 2020



EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion

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1 Introduction

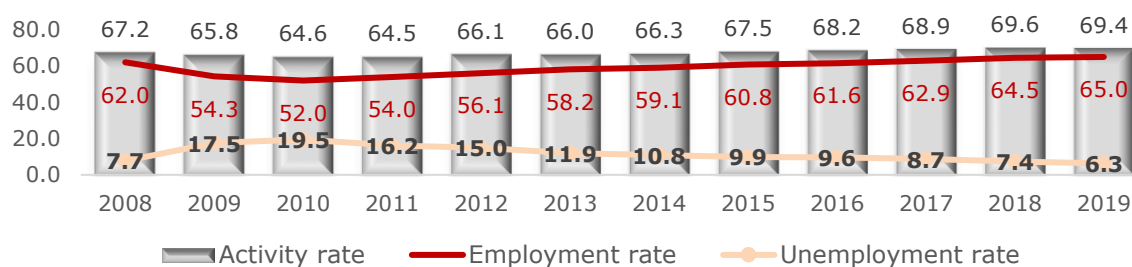
This paper has been prepared for the Peer Review on "Employer service delivery" within the framework of the Mutual Learning Programme. It provides a comparative assessment of the policy example of the host country and the situation in Latvia. For information on the host country policy example, please refer to the Host Country Discussion Paper.

2 Situation in the peer country

2.1 Activity, employment and unemployment rates

The main indicators on the employment situation in Latvia between 2008 and 2019 are presented in Figure 1. In 2019 the level of economic activity of the population (age group 15-74) was 69.4%, the employment rate was 65%, the unemployment rate stood at 6.3%. Among the age group of 15-64¹ year old the employment figures were better in 2019 (activity rate – 77.3%, employment rate – 72.3%) but the unemployment rate was higher (6.5%) among this age group (CSB (1)).

Figure 1. Activity rate, employment rate and unemployment rate in Latvia (2008-2019) in percentages; age group 15-74 years



Source: Central Statistical Bureau Latvia

The number of vacancies increased by 0.8 percentage points from 14,435 workplaces (in the public sector – 5,450, in the private sector – 8,986) in 2016 to 22,717 workplaces (in the public sector – 6,814, in the private sector – 15,903) in 2018. More rapid increase was observed in the private sector (1.5% to 2.5%) (CSB (2)).

2.2 Unemployment and people with disabilities

In early 2020, 58,832 unemployed people were registered at the Public Employment Service (PES). The registered unemployment rate at the end of January 2020 was 6.4% of the total economically active population (age group 15-74). In 2019 of 57,808 unemployed people registered at the PES, 7,868 (or 13.6%) were unemployed with disabilities. In the most economically favourable years (2015-2019), the proportion of registered people with disabilities (PWDs) increased as the number of general registered unemployed people reduced. See Figure 2 for more detail (Annex 3).

3 National policies and measures

3.1 Legal framework for employment of persons with disabilities

Labour Law (2001), Support for Unemployed Persons and Persons Seeking Employment Law (2002) and Social Enterprise Law (2017) are key in promoting employment of persons with disabilities (PWD).

¹ From 2014 to 2025 an increase of the retirement age from 62 years to 65 years is taking place in Latvia.

The Labour Law sets out a ban on discrimination and differential treatment related to the disability of an employee, an obligation on the employer to adapt the working environment (where such measures do not impose a disproportionate burden on the employer) and the advantage of continuing the employment relationship with the employee with disabilities in the event of a reduction in the number of employees providing that the results and qualifications of employees do not differ significantly. The version of the current law prohibits the employer from suspending the employment contract with the employee if they are recognised as a PWD, in the cases where the number of employees is reduced or the employee who previously performed the work is restored. However, at the initiative of employers and their organisations,² changes to the law are in progress³ to exclude this provision. The main arguments are that the employer is restricted to taking urgent economic, organisational, technological or similar measures in the company and the employer's only option to terminate the employment contract with the PWD is to apply to the court with a request to terminate the employment legal relationship, which may be a time-consuming and costly process. Therefore, employers often no longer choose to employ PWD (Cabinet). Following these changes in the law, there is no basis for predicting that recruitment of PWD will increase. There are no special support measures in Latvia for employers, except those provided by PES.

The activities, services to employers and job seekers, unemployed PWD are governed by the Support for Unemployed Persons and Persons Seeking Employment Law (2002) and the underlying regulations of the Cabinet of Ministers (Cabinet). Services to PWD are provided on a mainstreaming basis, i.e. PWD is able to receive services in the same way as any other person registered in PES. The services provided by PES are financed from the state budget and from the European Structural Funds (see section 3.3).

In 2018 the Social Enterprise Law (2017) came into force with the aim to facilitate improvement in the quality of life of the society and to foster employment of groups at risk of social exclusion, creating an economic activity environment favourable to social enterprises. PWD and people with mental disorders are among the target groups defined by the Cabinet. The Law provides for a number of types of support measures (e.g. tax incentives for non-residential property, the exclusion of certain expenses from the corporate tax base, the right to use non-remunerated movable and other property transferred by public persons), restrictions to operate in certain areas (e.g. in relation to the production of weapons, alcohol, tobacco, securities) and conditions regarding the transfer of the profits of an undertaking to reserve capital, the use of property and financial means only for the purposes specified in the statutes of an association. Given that social enterprises are relatively new and only few identified PWD as target group (only 16 out of 95 active social enterprises) (MOWa), the assessment of the impact of social entrepreneurship on the increase in employment of PWD is premature.

3.2 General insight into employment rates and unemployed PWD registered in PES

Between 2014 and 2018 the total number of PWDs in Latvia increased by 12.9% (MOWb).⁴ In 2018, 10.65% of population of Latvia have a determined disability (SMCa). Over the period indicated, the proportion of PWDs accounted for by the State Social Insurance Agency as employed increased from 24.0% in 2014 to 26.6% in 2018, while

² Latvian Employers' Confederation, Latvian Traders Association.

³ The draft law has been submitted to the Cabinet for the co-ordination procedure. After the adoption by the Saeima it will enter into force. It is not possible to predict the exact time.

⁴ Between 2014 and 2018 the total number of PWDs in Latvia increased from 169,860 to 191,815 persons (MOWb). In 2018, 10.65% of population of Latvia have a determined disability (SMCa) compared to 7.83% (SMCb) in 2014. In the working age group (18-64 years), the number of PWD who have a determined disability increased by 5.0% (MOWb) between 2014 and 2018. In addition, according to Latvian legislation, the PWD which are employed are entitled to the full amount of the disability pension granted.

the number of PWDs employed in subsidised workplaces⁵ increased from 520 (in 2014) to 840 (in 2018) or 61.5%. (see detailed information in Annex 3, Figure 3 and Figure 4). PES points out that PWD's return to the labour market is slower than for other groups. In addition to disability, many of the PWD are in the second half of life, with low levels of education, also with a weak desire to work.⁶

3.3 Public Employment Service, main active labour market measures for PWD and support for employers

PES is the main body providing services to employers and PWD within the framework of the active employment measures specified by the law.⁷ PES has 25 branches that ensure access to services throughout Latvia. Each branch and administration consist of employment organisers whose duties, inter alia, include work with employers. Work with PWD is mainly organised on the mainstreaming principle.⁸ The PES administration has one employee who supervises the provision of services to the PWD in general and prepares proposals (if necessary) for a legal framework to improve PES services. The special employment budget for 2018 amounted to EUR 8.8 million, while active employment measures were funded from the ESF within the framework of projects.

Those PWDs who have registered with the PES⁹ may receive mainstreamed services or targeted services (e.g. subsidised jobs, mentor services) provided by PES.¹⁰ In 2018 within active labour market measures, inter alia, 24 PWD used on-the-job training, 840 PWD were involved in subsidised working places, 230 persons were provided occupational therapist services and 9 persons received sign interpretation services.

For employers PES¹¹ offers the following services: registration and filling of vacancies (including the search for suitable applicants), information and support measures (such as vacancy fairs, employer visits, workshops for employers) and active employment measures (including practical training for employers, subsidised jobs for PWD¹²). Employers can use the common database and receive support from every branch of PES. PES actively informs the public including employers on the activities and services of PES.¹³ There is no specific database for employers who would like to employ PWD, except where the employer applies to the subsidised workplace for PWD. The PES monitors the services provided on a monthly and annual basis, but PES does not have any evidence on impact of services/measures provided. Except the Open Doors Day for

⁵ At the same time subsidised jobs in the OECD study are identified as one of the measures that are "[...] less effective in boosting employment among persons with disabilities." (OECD, 2019, p.262).

⁶ At the end of December 2019, 64.1% of the registered unemployed with disabilities were over 50 years, 42.6% were long-term unemployed, while the young unemployed (15-24) were only 1.8%. The breakdown by profession after the last occupation (auxiliary, maintenance, janitor, cook and other low-skilled occupations) points to the relatively low level of education while the PWD are also characterised by other problems of the registered long-term unemployed, including lack of knowledge of the official language or problems of addictions.

⁷ The main tasks of the PES are, inter alia, to forecast labour market developments in the short term, including through surveys of employers, registration and listing of unemployed people and job seekers, to organise cooperation and mutual exchange of information with employers, to list the jobs submitted by employers and inform about the ones.

⁸ Disability is not a priority condition; disability data are sensitive data depending on whether the person informs the PES employee.

⁹ Registration is voluntary. Of 8,179 PWD registered in PES in 2018 56.2% were persons with moderate disability, 40.7% with severe disability and only 3.0% with very severe disability.

¹⁰ Vocational training, retraining and upgrading of qualifications with the employer; participation in temporary public works, measures to boost competitiveness, business or self-employment; participation in job search support measures or complex support activities; participation in work practice at the workplace which makes it possible to determine a vocational suitability.

¹¹ In 2018 PES cooperated with 7,019 employers, of which 6,030 registered vacancies, while 1,634 participated in one of the active employment measures. 9 vacancy fairs were organized involving 258 employers.

¹² The target group for subsidized employment is the long-term unemployed, including PWD, who have an increased scope of support.

¹³ In 2018, 201 news were prepared and published, including 98 communications to the media, including around 4.5 thousand publications in central and regional media (TV, radio, newspapers, Internet portals). The number of unique visitors to the PES Internet site reached 4.8 million (PESa).

Persons with Disabilities, specific campaigns on PWD employment have not been organised.

The employment opportunities of PWD are of interest to employers, mainly because it is possible for employers to receive subsidies towards both the salary of PWDs and to receive support, if necessary, for the adjustment of the workplace. Employers can also receive a grant of 50% of the national minimum monthly wage for the employer's remuneration. The duration of work in the subsidised workplace is limited to two years, after which the employment relationship is often terminated. As part of the training with an employer measure, employers are also entitled to a monthly salary grant, but such opportunities are rarely used. On the whole, the general public (including employers) are of the opinion (stigma) that PWDs cannot be employed in a 'normal' job.¹⁴

3.4. Counselling to employers

Whether or not the employer already employs PWD or merely wishes to do so, PES organises counselling for employers on the specific nature of communication and employment of unemployed persons according to the type of disability (mobility, vision, hearing, mental nature (including communication with persons with mental disorders)); reduction of communication barriers and stereotypes among staff; conflict and problem management and other topical issues to promote employment of PWD. Information about the services is available on the PES home page.¹⁵ The PES staff offers advice in negotiations with employers.

Counselling for groups of 3 to 15 employers is organised at PES premises in all Latvian regions. Up to 3-hour counselling is provided by service providers selected in the procurement procedure.¹⁶ PES received positive feedback from employers participating, who are satisfied with the information they have received, because there was something new, interesting and really useful. While lecturers were judged as knowledgeable specialists who are able to answer all the questions of interest (PESb). In 2019, 249 employers took advantage of the opportunity to attend consultations (PESb). In 2020 it is planned that also PES employees will be able to participate in the consultations. The counselling services are funded under the project "Subsidised Jobs for the Unemployed", which raises the question on the availability of advice after the end of ESF funding in the coming years.

3.5. Open Doors Day for Persons with Disabilities

One of the most successful activities organised by the PES with active involvement of both employers and PWD is Open Door Days for Persons with Disabilities. The measure is being implemented from 2017, and each year the number of employers offering vacancies and job-related skills in the working environment is increasing, as well as the number of disabled jobseekers and the number of PWD who started to work following these activities (see Table 1).

Table 1. Measure 'Open Doors Day for Persons with Disabilities' Results

	2017	2018	2019
Number of employers	62	65	69
Number of unemployed PWD	207	296	303
Number of PWD, who started to work after the event	7	8	14

Source: Public Employment Service

¹⁴ In 2014, a study on Discrimination in the Latvian Labour Market was conducted (Projektu un kvalitātes vadība). The study concludes that one of the groups most likely to experience discrimination in the workplace is people with disabilities.

¹⁵ PES homepage, <https://www.nva.gov.lv/index.php?cid=446&mid=658>.

¹⁶ Latvian Umbrella Body for Disability organisations SUSTENTO was one of the providers in 2019.

The aim of this initiative by the Latvian PES is to promote the integration of PWDs into society and the labour market and to overcome stereotypes about the employability of PWDs. The event creates an opportunity for employers and jobseekers to meet each other, promoting an open society with equal opportunities for employment for all in the Latvian labour market. For employers, the event is an excellent opportunity to get to know jobseekers and find well matched workers and to demonstrate that they are a socially responsible employer. While for disabled job seekers it gives them an opportunity to become familiar with potential jobs, employer staff and different roles and responsibilities. It is a free choice of employers and PWD to participate, PES acts as a mediator and supports employers and PWD to find each other.

PES employees get in touch with employers by telephone or email regarding the possibility of participating in the event. Information is also available on the PES home page or on social media. If employer agrees to participate, they fill the application form available on the PES home page. The application form collects information on the enterprise, the planned measure,¹⁷ the workplace¹⁸ and the accessibility of working environment for the PWD. In parallel, PES employees, responsible for the provision of services to the PWD, inform the PWD on the possibility of participating in the event. The PWD also fills out an application form providing personal information, information on education, language skills, computer skills, profession, willingness to work (indicating the profession in which they want and can work), type of functional impairment (vision, hearing, mobility impairment, general illness), if they will be accompanied by an assistant.

The Open Doors Day for Persons with Disabilities events take place within one month. Based on application forms, groups of PWD are formed who together with the PES staff visit specific employers. In 2019, for example, 69 employers were visited by the PES together with the PWD. Following the participation in the measure, 14 PWD concluded employment contracts. Formal information on how long the PWD continued working relationship is not available, but unofficial data from PES staff, from 2017 when the first event was organised, indicates that several PWDs continue to work.

4 Assessment of success factors and transferability

Several success factors identified by the host country would be beneficial for furthering employment opportunities for PWD in Latvia. Firstly, a cooperation agreement between the social partners would enable employers in the private sector to think more about organising new jobs (at least with elementary division of work, releasing high-skilled workers from low-skilled jobs) and offering to PWD, getting free from stereotypical thinking that the PWD cannot work. Unlike the host country, it is not typical to work part-time in Latvia. Although PWDs point out that part-time work would be more acceptable for them,¹⁹ employers' response is insufficient. Additional discussions with employers would be needed on restrictive factors preventing part-time jobs. Ministry of Welfare may be the initiator of negotiations with the social partners.

Given the reservations of private-sector employers in offering jobs to PWD, the issue of promoting PWD employment in public administration has been raised, even by proposing to set the workplace quotas. However, in recent years at the central level public administration has switched to a small but efficient administration (reducing the number of workplaces accordingly). At municipal level a territorial administration reform has been launched²⁰ which anticipates a reduction in the number of municipalities (and

¹⁷ Date, time, address of the site, number of members the employer will take.

¹⁸ The code and name of the profession in which the participant will familiarize/pilot the work obligation, the number of vacancies in the proposed profession, skills and qualifications required for the performance of the work.

¹⁹ Information from NGO 'Organization of disabled people and their friends "APEIRONS" which provides employment services.

²⁰ The aim is to complete the reform by 2021.

thus the number of employees). Consequently, in Latvia more focus should be on PWD employment opportunities in the private sector as part of the open labour market, while at the same time making legislative changes to improve support for employers in cases where employment contracts are concluded for an indefinite period of work.

In Latvia support for employers and the unemployed is provided in one institution – the PES, whose responsibility is to cooperate with local governments, education, social and vocational rehabilitation institutions and non-governmental organisations. As regards to the increase in employment of PWDs, the development of further cooperation between PES and relevant other actors is necessary. This will help to take into account the individual needs of PWDs and any complex support measures, such as medical support, professional and social rehabilitation. At present, the initiative stems from the PWDs and the information exchange between institutions involved in the rehabilitation process is weak. The available support measures are insufficient and often do not focus on returning PWDs to the labour market.

Given the role of PES in providing support to employers, it would be useful to adapt some of the host country's experience regarding the use of wage dispensation and no-risk policy instruments in Latvia. In order to increase the role of the PES in providing long-term support measures, discussions with employers, legislative changes and changes to the public perception and understanding of these tools on the employment of PWDs would be needed. For the use of job-coaching, it would require improvements in the qualifications, skills and competences of PES staff. For example, the PES could introduce a multidisciplinary approach, possibly by specialising specific employees and it would require changes to the regulatory framework and additional funding.

For the successful implementation of the measures mentioned above, the issues are primarily political choices and availability of funding, as well as public awareness and the interest of employers.

5 Questions

- Regarding issue of less productive work of young disabled. How do employers define a less productive work? Whether and how the PES makes sure on that to exclude deceitful action and receipt of unjustified resources?
- How does the amount of Wajong benefit (income support) determined?
- What is the source of financing for the payment of sick leaves (e.g. public budget, insurance)? Why the measure is fixed for a period of 5 years? Does no-risk policy tool relate to one person (even if he or she works for more than one employer) or one employer (even if more than one PWD works on it)?
- Who finances external job-coach? What financial support receives internal job-coach? Who provides the necessary training, how long is it, what are the training topics?
- To what extent the costs of adjusting the workplace is covered? Does the employer have an obligation to cover the part of costs? Is there a cost ceiling?

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Annex 1 Summary table

The main points covered by the paper are summarised below.

Situation in the peer country

- In 2019 the level of economic activity of the population (age group 15-74) was 69.4%, in the age group 15-64 figure was better – 77.3%.
- Employment rate in age group 15-74 was 65%, but in age group 15-64 – 72.3%.
- Unemployment rate age group 15-74 was 6.3%, but in age group 15-64 – 6.5%.
- The number of vacancies from 2016 to 2018 increases by 0.8%. More rapid increase was observed directly for the private sector.
- In 2019 of 57,808 unemployed people registered in PES 7,868 or 13.6% were unemployed with disabilities.

National policies and measures

- Key laws in promoting employment of persons with disabilities are: Labour Law (2001), Support for Unemployed Persons and Persons Seeking Employment Law (2002) and Social Enterprise Law (2017).
- PES is the main body providing of services to employers and PWD in the field of employment.
- Counselling for employers on the employment of PWD is provided within EFS funded project.
- Open Door Days for Persons with Disabilities provides an opportunity for employers and jobseekers to meet each other, promoting an open society with equal opportunities for employment for all.

Assessment of success factors and transferability

- Cooperation agreement between the social partners.
- More focus on employment opportunities in the private sector as part of the open labour market.
- Necessity of legislative changes to improve long-term support for employers (as no-risk policy instrument).
- Necessity to increase the role of PES in provision of complex support measures to employers and PWD.
- Primary issues – political choice and funding sources, public awareness and the interest of employers.

Questions

- Regarding issue of less productive work of young disabled. How do employers define a less productive work? Whether and how the PES makes sure on that to exclude deceitful action and receipt of unjustified resources?
- How does the amount of Wajong benefit (income support) determined?
- What is the source of financing for the payment of sick leaves (e.g. public budget, insurance)? Why the measure is fixed for a period of 5 years? Does no-risk policy tool relate to one person (even if he or she works for more than one employer) or one employer (even if more than one PWD works on it)?

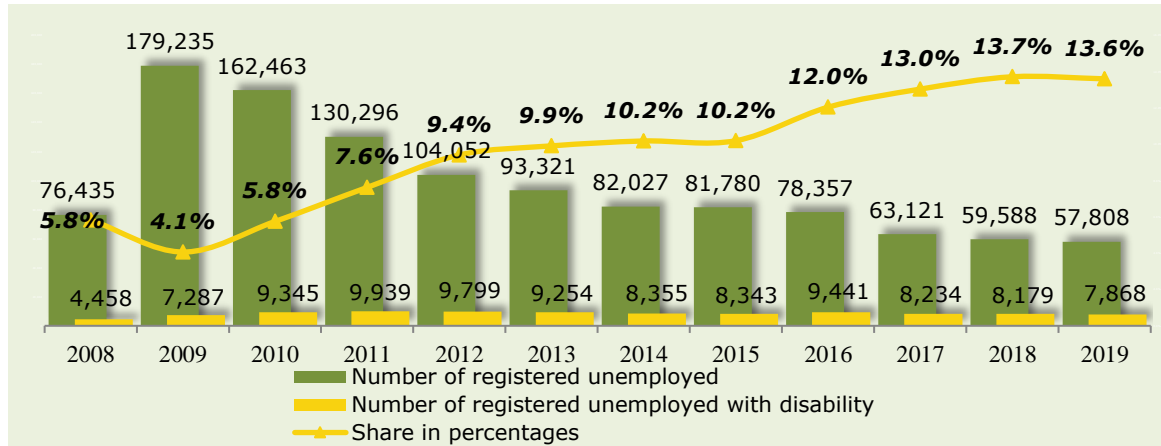
- Who finances external job-coach? What financial support receives internal job-coach? Who provides the necessary training, how long is it, what are the training topics?
- To what extent the costs of adjusting the workplace is covered? Does the employer have an obligation to cover the part of costs? Is there a cost ceiling?

Annex 2 Example of relevant practice

Name of the practice:	Open Doors Day for Persons with Disabilities
Year of implementation:	From 2017
Coordinating authority:	Public Employment Service
Objectives:	To promote the integration of persons with disabilities into society and the labour market and to reduce stereotypes about the employability of people with disabilities.
Main activities:	<ol style="list-style-type: none"> 1. Information campaign in mass media on national and local level. 2. Registration of employers willing to participate in the event. 3. Registration of persons with disabilities willing to participate in the event. 4. Offer of vacancies and possibilities to test the skills needed for the job. 5. Employers find the necessary workers and demonstrate themselves as a socially responsible employer. Gain public visibility. 6. Disabled job seekers get to know potential jobs, staff and job responsibilities. Possible job contracts.
Results so far:	Number of employers who participate in the event increased from 62 in 2017 to 69 in 2019 (11.3%), number of unemployed persons with disabilities, participating in the event increased from 207 in 2017 to 303 in 2019 (46.4%). Number of persons with disabilities, who started to work following these activities increases from 7 in 2017 to 14 in 2019 (100%).

Annex 3 Additional Data

Figure 2. Number of registered unemployed and unemployed with disability (2008-2019, share in percentages)



Source: Public Employment Service

Figure 3. Number of Adult Persons with Disabilities and Persons in Supported Employment

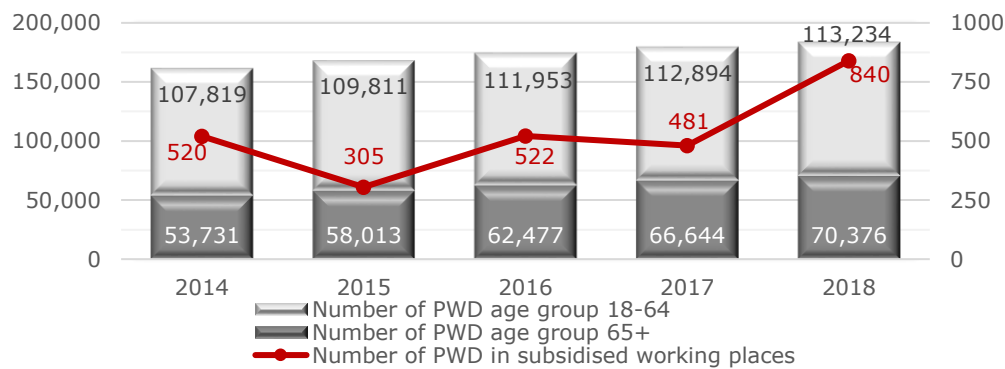
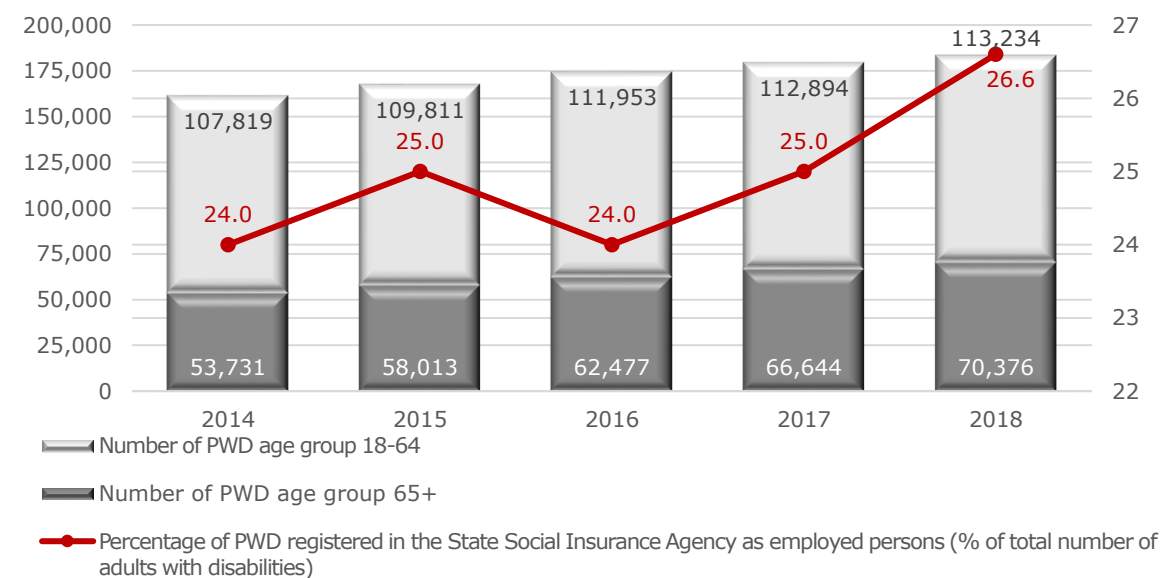


Figure 4. Number of Adult Persons with Disabilities and Share of Employed Persons



Source: Ministry of Welfare



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