



# Striving for an inclusive labour market in Cyprus

Positive actions and reasonable accommodation to facilitate hiring and employment of persons with disabilities involving employers and employer initiatives

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# **Striving for an inclusive labour market in Cyprus**

Positive actions and reasonable accommodation to facilitate hiring and employment of persons with disabilities involving employers and employer initiatives

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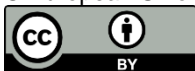
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## **1 Executive summary**

### **1.1 Support and incentives directed at employers to promote the employment of persons with disabilities, including guides on good practice, websites and advice services**

The following measures and incentives are directed to employers:

- The Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009 (N.146(I)/2009) – the quota legislation according to which 10 % of the vacancies to be filled at any given time must be filled by persons with disabilities. The law does not apply to the private sector;
- The Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988 (17/1988), according to which blind candidates who are trained telephone operators are given priority to be appointed to a suitable position in the public sector. The law shall be implemented regardless of any other quota law;
- The (New) Incentives for the Employment of Persons with Disabilities Scheme, beneficiaries of which are employers of the private sector. Each employer needs to commit to a 24-month employment period for a maximum of five employees, whether full-time or part-time, with a maximum budget (wage subsidy) of EUR 22 360 per year;
- No tax or social security contribution measures are available.

No examples of good practices, guides or advice services aimed at employers have been identified.

There is no evidence of the effectiveness of these instruments, except for the quota system. The Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009 is criticised as not being beneficial for a large number of people with disabilities, as its implementation is connected to the possession of a recognised secondary education degree, which is not always awarded to graduates with disabilities. The law has also been criticised as it does not apply to the private sector, as recommended by the UN's Committee on the Rights of Persons with Disabilities in its concluding observations in 2017.

### **1.2 Support and partnerships available to employers to assist them in making reasonable accommodations**

- There are currently no measures available to employers to assist them in making reasonable accommodations. As an exception, some special schools and private initiatives may provide relevant guidance for those graduates or persons they support who are employed and who indirectly request support for their employer to make reasonable accommodations.
- There is no partnership to provide support to employers to enable or facilitate to make reasonable accommodation.
- Given the above, there is no evidence of the effectiveness of such activities or initiatives.

### **1.3 Illustrative examples of good employer practice for providing reasonable accommodations for persons with disabilities**

No examples of good practice guides regarding reasonable accommodation were identified. There are individual EU co-funded projects in which Cyprus partners are involved that have developed some guides/frameworks for employers, although there is no evidence of the implementation or impact of these projects.

A single example of individual reasonable accommodations was identified, involving a private bank that provided assistive technology and accessibility accommodation for three of the organisation's employees with visual disabilities.

### **1.4 Recommendations**

#### **Recruitment and Hiring**

Extension of the Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009 to the private sector.

Reform of existing legislation and/or development of new legislation that will include educational and funding schemes to support employers (e.g. funding, guidance, awareness and training) in implementing reasonable accommodations.

#### **Initial employment**

Develop guidelines and compulsory educational programmes for employers on disability awareness, accessibility and reasonable accommodations.

#### **Promotion and Career Development**

Monitoring and facilitation of reasonable accommodations during promotion process and professional development (e.g. examinations and interviews).

Official guides for the development of accessible professional development programmes when these are provided by employers for people currently in employment.

#### **Retention**

Development of a policy for diversity, equality and inclusion in employment to promote the implementation of reasonable accommodations.

Development of an occupational health team service to support employers and employees with reasonable accommodations.

## **2 Support and incentives directed at employers to promote the employment of persons with disabilities, including guides on good practice, websites and advice services**

### **2.1 Employment quotas**

In Cyprus, a quota is established by the Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009.<sup>1</sup> This law covers any job position in the public sector and semi-public sector to which persons with disabilities may apply, if they are eligible for the requirements of the position. The law stipulates that persons with disabilities shall be hired in positions of employment in the public and wider public sector that shall cover 10 % of the number of vacancies, provided that the number of persons with disabilities hired under this law does not exceed 7 % of the total number of employees in the public body concerned. In summary, this law concerns persons with disabilities who have an impairment that reduces their ability to find and maintain a job. Applicants are expected to hold all the necessary qualifications for the job, to pass any written or oral exams required for the job and to perform the duties entailed in the job. The process, as defined by the 2009 law, necessitates that the applicants go through a committee set up by the Department for Social Inclusion of People with Disabilities, which is expected to assess their disability and their suitability for executing the duties of the specific post. Following this, all the applicants are shortlisted and eligible persons with disabilities are recruited to 10 % of the posts available.

For the provisions of this law, a person with disabilities is defined as a person who, having been assessed by the special multidisciplinary committee (Articles 5 and 6) and under the procedures of the Department for Social Inclusion of Persons with Disabilities (see System of the Assessment of Disability and Functionality),<sup>2</sup> 'is found to have a deficiency or disability which causes permanent or indefinite physical, or mental limitation, which substantially reduces or precludes the possibility of finding and maintaining suitable employment' (Article 2).

The quota applies to initial appointment positions (i.e. excluding promotions) at the introductory scale (i.e. low in the hierarchy). It excludes areas where special provisions for particular groups of persons with disabilities are already in place (i.e. the Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988<sup>3</sup>) and sections of the public service where 'all physical, mental or intellectual restrictions must necessarily be absent' (i.e. the army, the police, the fire department and prisons) (Article 2).

Non-compliance with the provisions of quota Law N.146(I)/2009 is a criminal offence, punishable by a fine of up to EUR 5 000 and/or the imprisonment of natural persons

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<sup>1</sup> The Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009 (N.146(I)/2009), [http://www.cylaw.org/nomoi/indexes/2009\\_1\\_146.html](http://www.cylaw.org/nomoi/indexes/2009_1_146.html).

<sup>2</sup> System for the Assessment of Disability and Functionality, Department for Social Inclusion of Persons with Disabilities, [http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06\\_gr/dsipd06\\_gr?OpenDocument](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06_gr/dsipd06_gr?OpenDocument).

<sup>3</sup> The Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988 (17/1988), [http://www.cylaw.org/nomoi/enop/non-ind/1988\\_1\\_17/full.html](http://www.cylaw.org/nomoi/enop/non-ind/1988_1_17/full.html).



responsible for the recruitment or decision making, for up to two years.<sup>4</sup> Other than that, there are no schemes or actions to encourage employers to comply with the law, and implementation is considered a legal obligation of the public general and public educational sectors. From 2010 to 2020, 220 persons with disabilities were employed in the wider public sector under the provisions of this law.<sup>5</sup> There is no evidence or information on whether the penalties have ever been used. The proceeds of fines go to the general state budget.

Numbers of persons with disabilities employed since 2010 per sector/department:

Sector/Department	Number of employees with disabilities
Educational Service	149
Public services	10
Public services (in permanent per hour paid positions)	6
Public services (in defined duration positions)	33
Wider public sector (semi-public organisation)	22
<b>Total</b>	<b>220</b>

The Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988 was in place long before the introduction of quota Law N.146(I)/2009, and it is still in force. According to the 1988 law, blind candidates who have all the qualifications required by the scheme of service and who are trained telephone operators are given priority in appointments for the position of telephone operators in the public sector. The law is implemented regardless of any other quota or employment law. It also prioritises other groups of persons with disabilities who have been trained as telephone operators, in case there are no blind candidates. No sanction is provided in the law for non-compliance with its provisions (see footnote 5). There is no published or publicly available evidence or information on the percentage of employers or public sector departments that comply with the employment quota or on the numbers of blind persons employed under this particular quota law.

For the implementation of both laws, candidates with disabilities must fulfil all the criteria and qualifications required for the job position. Neither of the two quota laws applies to the private employment sector, and hence there are no schemes to encourage employers to comply with the quota legislation.

With respect to the assessment of the strengths and weaknesses of the quota laws and to the impact of these measures, the following evidence and analysis seem relevant:

- Analysis from the European Semester 2020-2021 country fiche on disability equality (Cyprus report)<sup>6</sup> suggests that implementation of the Recruitment of

<sup>4</sup> European network of legal experts in gender equality and non-discrimination, Cyprus country report (2021), <https://www.equalitylaw.eu/downloads/5529-cyprus-country-report-non-discrimination-2021-1-91-mb>.

<sup>5</sup> Department for Social Inclusion of Persons with Disabilities, 2020 Annual Report, [http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd29\\_gr/dsipd29\\_gr?OpenDocument](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd29_gr/dsipd29_gr?OpenDocument).

<sup>6</sup> Mavrou, K., Liasidou, A. and Tsakiri, M. (2021), European Semester 2020-2021 country fiche on disability equality (Cyprus Report).

Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009 is not beneficial for a large number of people with disabilities and especially for those that do not obtain a recognised secondary education degree. Quota applicants are expected to hold all the necessary qualifications for the job, often including a state-recognised secondary education graduation certificate, and to pass any written or oral exams required. The graduation certificate is a 'qualification for employment in office jobs and allows enrollment to higher education institutions in Cyprus and abroad' (p. 70).<sup>7</sup> These provisions exclude many people with disabilities, as those with qualifications from special schools, special units or mainstream schools under observer status are not recognised as equal and eligible for employment in positions requiring a secondary education graduation certificate. In these cases, learners do not go through the exact same examination system as all other learners, and hence a certificate of attendance is obtained that is not equal to a graduation certificate (Law N.(113(I)/1999), Article 18).<sup>8</sup> Even in cases where people with disabilities have the opportunity to apply for a vacancy in the wider public sector, they have to go through the assessment process of the System for the Assessment of Disability and Functioning,<sup>9</sup> which employs a conceptual framework informed by a medical approach to functionality.<sup>10</sup>

- Law (N.146(I)/2009) has also been criticised as being problematic, since it does not apply to the private sector. The 2017 concluding observations of the Committee on the Rights of Persons with Disabilities recommended that 'the private sector is also covered by a quota system' (Paragraph 54).<sup>11</sup> However, during the European Economic and Social Committee study group visit to Cyprus in 2019,<sup>12</sup> the representatives of the private sector (i.e. the Cyprus Employers and Industrialists Federation and the Cyprus Chamber of Commerce and Industry) were not favourable to this extension. Although no further explanation is provided in the relevant report, the position of the private sector arguably reflects a lack of disability awareness and human rights perspectives, and concerns on the limited or inappropriate financial and other incentives provided until now.
- The Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988 was criticised by the

<sup>7</sup> Ministry of Education, Pedagogical Institute Cyprus, Guide for reception in the Cyprus Education System, [http://www.moec.gov.cy/odigos-ekpaidefsis/documents/greek\\_odigos\\_ipodoxis.pdf](http://www.moec.gov.cy/odigos-ekpaidefsis/documents/greek_odigos_ipodoxis.pdf).

<sup>8</sup> Education of Children with Special Needs Law (N(113(I)/1999)), [http://www.cylaw.org/nomoi/enop/non-ind/1999\\_1\\_113/full.html](http://www.cylaw.org/nomoi/enop/non-ind/1999_1_113/full.html).

<sup>9</sup> System for the Assessment of Disability and Functioning, [http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06\\_gr/dsipd06\\_gr?OpenDocument](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06_gr/dsipd06_gr?OpenDocument).

<sup>10</sup> Demosthenous, M. (2013), *A Critique of the Assessment System of Disability and Functioning*, Nicosia, Parga. (in Greek); Symeonidou, S. (2014), 'New policies, old ideas: the question of disability assessment systems and social policy', *Disability & Society*, vol. 29, No. 8, pp. 126-127; Pancyprian Alliance for Disability (2017).

<sup>11</sup> Submission to the List of Issues of the Committee on the Rights of Persons with Disabilities in relation to the initial report of Cyprus (CRPD/C/CYP/Q/1), [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fQ%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fQ%2f1&Lang=en).

<sup>12</sup> European Economic and Social Committee (Section on Employment, Social Affairs and Citizenship) Study Group on Disability Rights Report: *Country visit – Cyprus, Employment of persons with disabilities*, 18-20 November 2019.

Equality Body (Ombudsperson)<sup>13</sup> over the compatibility of positive action measures with the equality principle. The decision, made in 2009, found that the law introducing quotas in employment for blind telephonists discriminates against persons with other disabilities and asked for its revision. The decision was followed by the introduction of the general quota law in 2009, although it did not abolish the 1988 legislation on the special provisions for blind persons.

- Disability representatives in Cyprus often express their dissatisfaction in relation to the non-effective implementation of the quota law, as well as highlighting the fact that it does not apply to the private sector in order to provide equal opportunities to persons with disabilities in the open labour market. For example, in a news article covering an interview conducted on 6 March 2022, the president of the Pancyprian Organisation for the Blind (Mr Christakis Nikolaidis) outlines the challenges and impact of this (especially for individuals with visual impairment). Limited numbers of persons with visual impairment of working age are currently employed (i.e. 450 out of 550 are not employed), the number of persons with disabilities employed under the general quota law is very low (in relation to the 13 years of the law being in force) and the number of persons with visual impairment is even lower (only 18 out of the total of 220). Only 10 out of the 35 persons with visual impairment who expressed interest in employment under the employers incentive schemes were finally employed, and private sector employers do not show any interest in hiring persons with disabilities,<sup>14</sup> while dozens of blind graduates of Cypriot and foreign universities (lawyers, psychologists, philologists, social workers and specialists in music technology, information technology and mass media) have been out of work for a long time. Challenges are also connected to the lack of incentives to employers, as well as a lack of funding, for making reasonable accommodations (see Section 2.3). Mr Nikolaidis suggested that there are governmental policies that exclude people with visual impairments from the labour market and society, resulting in hundreds of blind people being excluded from the labour market, with all the dire consequences that this entails. As is pointed out in the article, ‘the government has recently proceeded to unprecedented violation of the human rights of blind people on many levels. As a result, the vast majority of the approximately 2 500 blind people who live in Cyprus today are completely excluded from many areas of life and live on the margins’.
- In addition, in relation to the implementation of the Appointment of Trained Blind Telephone Operators to the Post of Telephone Operator in the Public Sector (Special Provisions) Law 1988, Mr Nikolaidis mentions that 25 blind graduates of the telephone branch of the School for the Blind who applied for a position in the public and wider public sector based on the special law for their employment in the public and wider public sector, which has been in force since 1988, are unemployed. The policy of outsourcing public services to private companies bypasses the legislation. An indicative example is the policy adopted by the State Health Services Organisation and local hospitals. In addition to their reluctance to recruit telephone operators with visual impairments under the relevant special

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<sup>13</sup> Equality and Discrimination Combating Body, [http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page07\\_gr/page07](http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page07_gr/page07).

<sup>14</sup> ‘Policies of exclusion of the Blind from the labour market are followed by the Government’, *Dialogos*, 6 March 2022, <https://dialogos.com.cy/politikes-ektopis-oy-ton-tyflon-apo-tin-agora-ergasias-akoloythei-i-kyvernisi/>.

legislation for the recruitment of blind people trained in telephone operations, they promote the assignment of these positions to persons without disabilities. As a result, people with visual impairments are left unemployed and living on benefits, provided their eligibility to receive benefits is approved and sustained. As has been pointed out, people with disabilities do not want to live on benefits, but to have access to paid employment and to live with dignity.

## **2.2 Tax relief / reduced social security contributions / wage subsidies for employers employing persons with disabilities**

The main measures directed at employers for employing persons with disabilities in Cyprus are limited to a wage subsidy scheme. There are no other incentives such as tax relief or reduced social security contributions.

The wage subsidy scheme is the (New) Incentives for the Employment of Persons with Disabilities Scheme:<sup>15</sup>

The Scheme is co-funded by the European Social Fund and was first launched in 2009.<sup>16</sup> Beneficiaries include employers in the private sector (any natural or legal person under private law who employs employees and engages in economic activity: self-employed employers, limited liability companies, public companies, unions, associations, foundations and other bodies). Possible employees – the target population who have benefited from the scheme – include persons with disabilities defined by the CRPD Ratification Law of 2011, who are currently unemployed and registered with the Public Employment Services. According to the Ratification Law, disability is defined as ‘any type of long-term physical, intellectual and sensory disorders which, during their interaction with various barriers, may prevent the full and effective participation of the person in society, on an equal basis with others’ (Article 2, definitions).

The total budget of the scheme is EUR 2 million. The scheme had previously been in place, and a new call was launched for the period from 2021 to 2027. Each employer needs to commit to a 24-month employment period, for a maximum of five employees, full-time or part-time. The maximum funding (wage subsidy) is EUR 22 360 per year (per employee), and the salary cannot be lower than the amount defined by the statutory minimum wage.<sup>17</sup> Funding is calculated on the basis of the salary cost for the employer (i.e. gross salary plus the employer’s contribution to Social Insurance, the General Health System, the Central Leave of Absence Fund, the Social Coherence Fund, the Surplus Staff Fund and the Human Resources Development Authority Fund).

As indicated on the website of the Ministry of Labour,<sup>18</sup> the relevant application forms should be directly submitted to the local district and local labour offices (Public

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<sup>15</sup> New Incentives for the Employment of Persons with Disabilities Scheme, <http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/62CFE518EEDB468CC225878700388076?>

<sup>16</sup> Guide for the implementation of the Incentive Scheme for the Recruitment of Persons with Disabilities (2009), <https://tinyurl.com/yc25ejrj>.

<sup>17</sup> Department of Labour Relations, Ministry of Labour and Social Insurance, <http://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home/home?OpenForm>.

<sup>18</sup> General information is available on the Incentives Scheme, Funding Schemes Information portal, [https://www.fundingprogrammesportal.gov.cy/call/scheme-providing-incentives-to-employ-people-with-disabilities\\_el/](https://www.fundingprogrammesportal.gov.cy/call/scheme-providing-incentives-to-employ-people-with-disabilities_el/).

Employment Service). A web link headed 'further information' provides the contact details of Ministry staff who can provide more information about the incentive plans for the employment of unemployed people, former prisoners and people with disabilities and chronic diseases.<sup>19</sup>

Based on the Annual Report of the Ministry of Labour for 2018 (the latest available),<sup>20</sup> 45 persons have been employed under the scheme launched in 2017. No information or data are available on more recent take-up of the scheme by employers or on the impact on the employment of persons with disabilities. Previous discussions (see European Semester 2020-2021 Cyprus country report) suggest that the subsidy is more attractive to private employers offering lower paid jobs (with a salary of under EUR 27 000), while the sustainability of the scheme's implementation has not been assessed.

A very similar scheme called the (New) Incentives for the Employment of Persons with Chronic Diseases Scheme<sup>21</sup> is effective for the same period, and includes very similar terms for implementation, while the target population for employment are persons with chronic diseases, who are unemployed and registered with the Public Employment Services. According to the Scheme (p. 3), 'chronic diseases are defined as non-commutable diseases, long-term, of slow, medium or fast progression, which affect the social, professional and personal life of the person suffering from them'. All terms of the scheme, including maximum funding, duration and the responsible body, are the same as those described above in relation to the (New) Incentives for the Employment of Persons with Disabilities. Based on the Annual Report of the Ministry of Labour for 2018,<sup>22</sup> 41 persons were employed under the scheme launched in 2017. No information or data are available on more recent take-up of the scheme by employers or on the impact on the employment of persons with disabilities.

There is no further evidence or analysis assessing the strengths and weaknesses of the above wage subsidy programmes.

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<sup>19</sup> Ministry of Labour Officers, contact details available at:  
[http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/page6a\\_gr/page6a\\_gr?OpenDocument](http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/page6a_gr/page6a_gr?OpenDocument).

<sup>20</sup> Ministry of Labour and Social Insurance, Annual Report (2018),  
[http://www.mlsi.gov.cy/mlsi/mlsi.nsf/all/400AF7FBED1D2D2DC22587AB002E6B52/\\$file/2018.pdf?openelement](http://www.mlsi.gov.cy/mlsi/mlsi.nsf/all/400AF7FBED1D2D2DC22587AB002E6B52/$file/2018.pdf?openelement).

<sup>21</sup> New Incentives for the Employment of Persons with Chronic Diseases,  
<http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/B045625EDF98BD6BC22587870384421?OpenDocument>.

<sup>22</sup> Ministry of Labour and Social Insurance, Annual Report (2018).

## 2.3 Reasonable accommodation

The ‘reasonable accommodations’ caveat in Cyprus is articulated in the Persons with Disability Law (N. 127(I)/2000),<sup>23</sup> and is contingent on financial considerations, as it indicates that implementation is based on the availability of resources and does not put a disproportionate burden on the employer. The law’s provisions for reasonable accommodations also refer to workplace accessibility provisions including workspace, build environment, and other equipment and/or infrastructure used at work (Article 5).<sup>24</sup> Nevertheless, reference to financial considerations and to the extent to which they do not place a disproportionate economic burden on the employer concerned, gives legal space to employers to evade their legal obligations towards individuals with disabilities,<sup>25</sup> as well as legitimising the options for charity and donations as opposed to the State’s obligation (see Article 5(c)72(I)2(d)). In other words, the fact that there are no funding schemes for supporting employers in providing reasonable accommodations, despite the legal obligation means that, in many cases, charity fundraising activities take place in order to financially support reasonable accommodations, including through the acquisition of assistive technology.

In their submission to [the List of Issues of the UN Committee on the Rights of Persons with Disabilities dated February 2017](#),<sup>26</sup> the Pancyprian Alliance for Disability stated that the majority of DPOs had expressed their disappointment that practical implementation of the Persons with Disability Law did not take into consideration legal obligations to provide reasonable accommodations to prospective employees with disabilities. The issue was also highlighted by almost all stakeholders during the above-mentioned study visit in November 2019. The Minister of Labour stated that no scheme to finance reasonable accommodation in the workplace has been planned so far, which is still the case. This conflicts with the principles of the [EU Social Pillar](#)<sup>27</sup> (i.e. active support for secure and adaptable employment). In addition, as has been reported in previous ANED country reports<sup>28</sup> as well as in the report by the European Equality Law Network<sup>29</sup> (country report on non-discrimination), a number of official complaints and court cases have been filed by employees with disabilities.

<sup>23</sup> Persons with Disability Law (N.127(I)/2000), [http://www.cylaw.org/nomoi/indexes/2000\\_1\\_127.html](http://www.cylaw.org/nomoi/indexes/2000_1_127.html).

<sup>24</sup> European network of legal experts in gender equality and non-discrimination, Cyprus country report (2021), <https://www.equalitylaw.eu/downloads/5529-cyprus-country-report-non-discrimination-2021-1-91-mb>.

<sup>25</sup> Mavrou K., & Meletiou-Mavrotheris, M. (2015), ‘Views and considerations on ICT-AT competences development within the ENTELIS project: The Case of Cyprus’, *Studies in Health Technology Informatics*, vol. 217, pp. 671-678, available at: <http://www.ncbi.nlm.nih.gov/pubmed/26294546>.

<sup>26</sup> Submission to the List of Issues of the Committee on the Rights of Persons with Disabilities in relation to the initial report of Cyprus (CRPD/C/CYP/Q/1), [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fQ%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fQ%2f1&Lang=en).

<sup>27</sup> The European Pillar of Social Rights in 20 principles, <https://tinyurl.com/ycql563q>.

<sup>28</sup> European Semester 2018/2019 country fiche on disability and Social Pillar 2017 CY Country Reports.

<sup>29</sup> See <https://www.equalitylaw.eu/>.

## 2.4 Other relevant actions targeted at employers

There are currently no actions targeted at employers to promote employment of persons with disabilities, including awareness-raising programmes or initiatives to combat stereotypical assumptions. A couple of individual research projects targeted at employers have been identified and are described in the next section. In addition, the ENTELIS+ project on accessibility skills for technology-enhanced learning in an inclusive society provides training material (also in Greek and disseminated in Cyprus)<sup>30</sup> for stakeholders working with persons with disabilities on basic accessibility competences that can be used for making reasonable accommodations. The project is not specific to employers, but a number of the examples and practices used in the training package refer to making workspace accessible.

In general, the same concern expressed in previous EDE country reports on Cyprus remains; in other words, the fact that these measures need to be pursued in tandem with specific schemes to facilitate the participation of individuals with disabilities in education and training, as well as their upskilling and the reskilling of low-skilled and low-paid individuals with disabilities, still prevails. Such measures should have included awareness as well as additional funding to employers for reasonable adaptations in order to enable and facilitate the participation of persons with disabilities in the workplace. This is also highlighted by the positions of disability representatives in the press, especially in the framework of the COVID-19 pandemic and the need for access to tele-work. In a relevant press release, the Cyprus Confederation of Organisations of the Disabled (CCOD) requested a specific action plan for the employment of persons with disabilities to take into account, in an organised way, all relevant activities for ensuring equal opportunities in the labour market.

## 2.5 Examples of good practice

There are no support and incentive measures directed at employers which can be regarded as good practice. Rather, as outlined above, the existing measures have been criticised over the need for reform in order to become examples of good practice.

## 2.6 Good practice guides, websites and advice services directed at employers

No current information, resources or other material or examples of good practice guides, websites and advice services directed at employers for promoting the employment of persons with disabilities have been identified in Cyprus.

It is interesting to note that even the guides<sup>31</sup> provided to employers and beneficiaries for the implementation of the incentive scheme mentioned above do not include any disability and accessibility awareness or other information, or any links to material for supporting the employment of persons with disabilities. Rather, the guides only include information on administration and paperwork issues for the implementation of the scheme.

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<sup>30</sup> ENTELIS+ training material, <https://entelisplus.entelis.net/training-materials/>.

<sup>31</sup> Guide for the implementation of the Incentive Scheme for the Recruitment of Persons with Disabilities (2021), <https://tinyurl.com/2p8bmn3w>.

In addition, individual organisations participate as partners in EU co-funded projects, under the Erasmus+ calls that focus on developing guides and frameworks for employers in relation to the employment of people with disabilities and/or promoting diversity at the workplace in general. A recent project where Cyprus partners are involved has been identified: EMBRACIVE,<sup>32</sup> which targets more general diversity in the workplace and refers to the development of HR and management stakeholders. The project aims to develop a toolkit and a set of guidelines for private companies and employers on issues of managing diversity. However, no guides, training curricula or other relevant information or documents are currently available on the project website.

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<sup>32</sup> EMBRACIVE EU co-funded project, <https://embracive.eu/about-gr/>.



### **3 Support and partnerships available to employers to assist them in making reasonable accommodations**

#### **3.1 Support available to employers for making reasonable accommodation**

The First Cyprus Disability Strategy 2018-2028<sup>33</sup> and the Third Disability Action Plan 2021-2023 (draft)<sup>34</sup> put a pronounced emphasis on employment and relevant 'reasonable accommodations' as stipulated in the CRPD and the pertinent Ratification Law.<sup>35</sup> (i.e. Disability Strategy p.18, action 26, and the Disability Action Plan, p. 9, objectives).

Despite the sporadic rhetoric of equality in employment and the imperative of reasonable accommodations for persons with disabilities, there is a lack of a policy focus on disability-related equality in employment and specifically reasonable accommodations. Similarly, there is an absence of schemes and measures supporting employers in supporting the employment of employees with disabilities with reasonable accommodations. More specifically, even in cases where people with disabilities have access to paid employment, they are not supported through the provision of reasonable accommodations. For example, a complaint was submitted to the Ombudsperson Office<sup>36</sup> by the Cultural Centre for the Deaf in Cyprus on behalf of two people with hearing impairments employed on indefinite contracts in the Department of Postal Services, which failed to provide reasonable accommodations. In particular, they did not make disability-related adjustments to the examinations to determine eligibility for career progression to higher positions in the organisation. As the complainants pointed out, they failed in examinations in 2019 because they had not been provided with the necessary reasonable accommodations, i.e. differentiation of the test and/or how they were examined/evaluated.

#### **3.2 Partnerships to assist employers to make reasonable accommodations**

There is no partnership to assist employers to make reasonable accommodations.

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<sup>33</sup> First Cyprus Disability Strategy 2018-2028, <https://tinyurl.com/CYstrategy2028>.

<sup>34</sup> Third Disability Action Plan 2021-2023 (draft), <http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/All/BC3B54AA44B2568EC22587E6002D023D?OpenDocument>.

<sup>35</sup> The Convention for the Rights of Persons with Disabilities Law and Relevant Issues (Ratification Law) of 2011 (N. 8(III)/2011), [http://www.cylaw.org/nomoi/indexes/2011\\_3\\_8.html](http://www.cylaw.org/nomoi/indexes/2011_3_8.html).

<sup>36</sup> Report of the Ombudsperson on the provision of reasonable accommodations for employment promotion examinations for persons with disabilities, [http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/F7DE6A08B3DF05CFC22585F800285815/\\$file/650\\_2020\\_03102020.pdf](http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/F7DE6A08B3DF05CFC22585F800285815/$file/650_2020_03102020.pdf).

## **4 Illustrative examples of good employer practice for providing reasonable accommodations for persons with disabilities**

### **4.1 Good practice guides for employers regarding reasonable accommodation**

We could not find any good practice guide regarding reasonable accommodation directed at employers in either the public or private sectors.

### **4.2 Any other sources of information regarding good practice for employers regarding reasonable accommodation**

We could not find any other source of information regarding good practice on reasonable accommodation.

However, it is noted that individual Cyprus partners are involved in EU co-funded projects focusing on developing the capacity of organisations, including employers, for accessibility requirements as part of the reasonable adaptations. An example of such a project is ENTELIS+ (<https://entelisplus.entelis.net/>) under which a set of training modules has been developed for educating stakeholders including employers (though not specific to any group) in developing accessible services and environments for persons with disabilities. The training package is freely available in Greek on the project website: <https://entelisplus.entelis.net/training-materials-in-greek/>.

### **4.3 Examples of individual reasonable accommodations which reveal good practice**

An example of good practice in individual reasonable accommodations has been identified from personal contacts of EDE Cyprus with assistive technology providers and an employer's team (email communication on 26 April 2022). The example refers to the acquisition of assistive technology for the accessibility and individual needs of three employees in the same organisation.

#### **Bank employees**

Employer sector: Banking

Size of employer/organisation: about 500 employees

Persons with disability: three persons with visual disabilities received reasonable accommodations (blind and partially sighted persons).

Reasonable accommodations provided: Assistive technology including a screen reader, a screen reader and magnifier software, two desktops and a portable CCTV equipment system for magnification. Technology was provided for adapting the individual workstation for each of the three employees at their workplace office.

Funding: The accommodations and devices were funded by the employer.<sup>37</sup>

The above example has been considered as a good practice as it contributes to the implementation of CRPD provisions, and it is aimed at making a positive impact in enhancing access to employment and promoting inclusion. In addition, the practice was implemented for three different employees during different periods in the same organisation, indicating that the employer is interested in establishing this as common

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<sup>37</sup> This information came from personal contact with assistive technology providers/companies that were involved in the measure.

practice and presumably policy, while not many examples are known about in the country at the moment, and no relevant funding schemes are available to employers.

## **5 Recommendations and guidance regarding good practice and reasonable accommodation**

### **5.1 Recommendations regarding good practice and reasonable accommodation in recruitment and hiring**

Extension of the existing quota legislation, Law L.146(I)/2009, to the private sector in order to establish good practice regarding this measure.

Development of a disability, diversity and equality awareness action plan that will promote accurate knowledge of the Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law 2009, and the implementation of reasonable accommodation for recruiting and hiring employees with disabilities. It is recommended that the plan should be developed in consultation between representatives from DPOs, the Ministry of Labour, Welfare and Social Insurance and the Department for Social Inclusion of Persons with Disabilities. Such a plan will also help organisations and/or businesses and their human resources departments to understand the value and the benefits of developing as disability-friendly employers.

Vacancies should be advertised in ways that are accessible for candidates with disabilities, and the same applies to the procedures of applying for a position and interviewing applicants. Funding towards this should be made available to employers.

If the hiring procedures involve exams, it should be a requirement for the exam boards/committees to be trained on reasonable accommodation, and particularly on practices for differentiating exams.

### **5.2 Recommendations regarding good practice and reasonable accommodation in initial employment**

Provision of educational and financial schemes to support employers in understanding and implementing reasonable accommodation in the workplace.

Development of regular and mandatory training programmes for employers interested in the incentive schemes for the employment of persons with disabilities and persons with chronic diseases, in relation to reasonable accommodations.

Another recommendation would be the development of partnerships with third party entities to support the successful candidates with disabilities with job coaching and mentoring.

### **5.3 Recommendations regarding good practice and reasonable accommodation in promotion and career development**

Development of guidelines and examples for employers on the implementation of reasonable accommodations for persons with disabilities in promotion and career development processes.

Development of a monitoring mechanism for both public and private sector organisations/employers for the implementation of fair and accommodated promotion and career development procedures.

#### **5.4 Recommendations regarding good practice and reasonable accommodation in retention, i.e. enabling people to stay in work if they develop an impairment or their impairment changes**

According to the current national procedures, employees who developed an impairment or whose impairment has changed will have to go through the assessment process of the System for the Assessment of Disability and Functioning.<sup>38</sup> Similarly, in relation to the previous cases (5.1-5.3), a policy that will indicate and reinforce the application of reasonable accommodation under the consultation and supervision of occupational health professionals and diversity, equity and inclusion managers is required. Specifically:

Development of a policy for diversity, equality and inclusion in employment, which will protect employees with disabilities from any form of discrimination, with guidance on how to implement reasonable accommodations.

Development of an occupational health team service to support employers and employees with reasonable accommodations and other issues involving the retainment of persons with disabilities in work.

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<sup>38</sup> System for the Assessment of Disability and Functioning, [http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06\\_gr/dsipd06\\_gr?OpenDocument](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsipd06_gr/dsipd06_gr?OpenDocument).

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