

Employment

**Policies and practices to improve employment
of people with intellectual disabilities to work**



Ambitions. Rights. Belonging.

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Introduction

“Having a job is about being independent, it is about having co-workers and it makes me feel that what I do is important. I have been working for a long time and I am happy with my job. But I know not all people with intellectual disabilities have the opportunity to have a job.” Soufiane El Amrani

People with intellectual disabilities looking for jobs have great trouble in finding long-term, sustainable employment opportunities.

They want to work, they can work but there are often no opportunities, which results in long unemployment periods or long-term sick leaves for many people.

If the barriers to employment lead to social exclusion, there are also many ways to support the employment of people with intellectual disabilities in the open labour market.

This report summarises the [Employ](#) campaign done during 2021.



Barriers to employment

People with intellectual disabilities face a multitude of barriers when trying to access employment.

Only 50.8% of people with disabilities in the EU have a job, compared to **74.8%** for people without disabilities.¹

Country	No disab	Moderate	Severe	Disab Women	Disab Men	Non-dis women	Non-dis Men
AT	76,9	63,9	29,5	50,9	62,3	69,3	84,2
BE	74,4	53,0	21,5	38,1	47,8	71,5	77,1
BG	73,7	44,8	21,6	41,8	37,2	70,3	77,0
CY	71,0	52,7	33,1	41,3	52,9	64,8	77,7
CZ	79,1	57,2	28,1	46,8	53,6	71,2	90,0
DE	79,4	62,4	28,4	50,4	53,2	74,8	84,1
DK	80,8	62,9	39,5	51,9	64,3	78,4	83,1
EE	83,0	68,1	41,2	63,1	61,2	79,6	86,6
EL	59,7	44,8	24,4	30,5	43,9	49,6	69,9
ES	67,6	44,6	20,0	38,2	42,1	61,2	73,8
FI	74,4	59,5	29,5	58,8	49,2	72,0	76,5
FR	74,0	60,7	44,2	54,7	56,4	71,6	76,5
HR	65,9	38,6	18,8	33,7	33,8	59,5	72,2
HU	76,1	55,0	23,6	44,5	49,3	69,2	83,0
IE	74,3	37,1	21,0	28,6	36,0	68,1	80,7
IT	65,5	56,3	27,2	43,9	61,0	54,5	76,4
LT	79,2	52,2	20,6	45,9	48,8	77,8	80,7
LU	68,9	59,0	38,3	46,1	61,1	62,4	75,4
LV	78,9	67,1	36,5	62,4	61,1	75,2	82,8
MT	73,6	37,7	35,1	27,0	47,5	61,3	85,2
NL	81,5	65,6	30,1	54,6	63,7	77,9	84,6
PL	74,5	47,5	29,6	39,1	46,2	66,6	83,4
PT	75,0	59,9	40,9	54,7	58,1	72,4	77,5
RO	74,3	50,8	11,5	37,6	52,2	63,2	84,3
SE	83,5	56,4	44,9	50,2	56,5	81,9	84,9
SI	73,5	57,4	41,7	50,3	57,3	68,9	77,8
SK	80,0	65,0	34,1	54,9	61,0	75,1	84,6
UK	83,4	68,6	29,9	53,4	52,3	78,6	87,9
EU average	74,8	58,2	30,7	48,3	53,3	68,9	80,7
NO	83,5	58,2	27,5	49,7	48,0	80,8	85,9
RS	51,7	27,8	18,4	20,7	30,4	46,6	56,7
Non-EU average	64,4	41,8	22,8	35,0	38,0	59,8	68,7

Figure 1: Employment rates in 2017 - The Academic Network of European Disability Experts (ANED)

¹ Inclusion Europe, "Employment of people with intellectual disabilities. Before, during and after the Covid-19 pandemic", https://www.inclusion-europe.eu/wp-content/uploads/2021/01/Covid-report-design-finalised_accessible.pdf

“One of the biggest challenges people with disabilities face, is companies being afraid to employ them.” Martin Lubojacký

Discrimination

People with intellectual disabilities are often **seen as unable to work** in the open labour market.

Then there is also discrimination in accessing job applicants. Disability might be seen by certain employers as a **“burden”**.

Inaccessibility

Recruitment processes are often not made accessible to people with intellectual disabilities.

And if the candidate succeeds the recruitment phase, **being in employment** may not always be easy, despite the obligation of “reasonable accommodation”.

Segregated education

If there has been some progress in the field of education - if international conventions have been signed, laws adopted, policies implemented and good practices developed - there are still many children with intellectual disabilities, and especially complex support needs, who are still denied an education. Some also go to segregated education settings.

This contributes to **the circle of exclusion**.

Without proper education, inclusive vocational and educational training, studies, then it is impossible to expect the open labour market to be inclusive of people with intellectual disabilities.

Segregating people with disabilities from a young age in schools leads to segregated employment; or to not any employment at all.

Loosing disability related benefits when working

Social protection can play a crucial role.

It can be though disability benefits that provide financial assistance to those who require **support to cover the extra costs of disability**.

It is when a person with a disability had some disability benefits. And if they find a job, their disability benefits might get diminished.

This means that the total income of the person stays the same, or even lower, when a person with disability works.

Such a situation is problematic because it reflects badly on people with disabilities. It has negative consequences on their lives. And the disability benefits are meant to cover extra costs of the disability, which do not stop when the person is being employed.

If the person loses the support, they might no longer be able to go to work.

Sheltered workshops

In most European countries, **the majority of 'employees' in the sheltered workshops are people with intellectual disabilities**. This means that those with intellectual disabilities, although not being seen as 'unemployed' do not enjoy the same rights than employees in the open labour market.

People working in sheltered workshops have little economic independence. People with intellectual disabilities are almost totally excluded from the world of work, which reinforces their risk of becoming impoverished and socially excluded.

There is also a greater variety in the type of work available in the open labour market, encouraging personal development. However, in most European countries, even when people with intellectual disabilities are active in the labour market, their experience of employment differs from that of other workers. They are more likely to be in part-time work, clustered in low status work and receiving low wages. The job requirement and expectations might also not match that of the employee's skills.

Deprivation of legal capacity

Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) states that “*persons with disabilities enjoy **legal capacity** on an equal basis with others in all aspects of life*”². Legal capacity is important because it is a condition to access many other rights. Many European countries still have obsolete laws which are incompatible with Article 12 of the CRPD³.

Having legal capacity is a necessity to enter into **work contracts**. This constitutes a major issue for people with intellectual disabilities whose right to decide has been reduced/denied based on legal capacity law.

Legal capacity is also a barrier to the **creation** of **participation in** labour unions for workers with intellectual disabilities under some form of guardianship.

Inaccessibility

A big barrier to getting employment is also the general inaccessibility of the physical environment; and also of the **online tools** being increasingly use to work.

Not being able to travel to job interviews, or to the job itself because of barriers in public transport or the general environment are a significant factor.

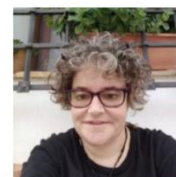
This may become less of an issue for many (potential) employees as more work moves online (a process accelerated by the covid pandemic).

² UNCRPD, Article 12, <https://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>

³ FRA, <https://fra.europa.eu/sites/default/files/legal-capacity-intellectual-disabilities-mental-health-problems.pdf>

Consequences: social exclusion

"It is important to be able to access a job and to be valued in the society." Ana Martinez⁴



When working in the open labour market, people with intellectual disability often value the great autonomy and the opportunity to expand their social networks.

No access to the labour market for people with disabilities can mean:

- Having no independent social security
- Not subject to employment protection laws
- Not eligible for retirement
- Not receiving formal wages⁵

For people with intellectual disabilities and their families, **social exclusion is often the harsh reality**. Financial burdens, for example due to the cost of care, a lack of employment opportunities and discrimination are just some of the factors that come into play.

"During the coronavirus the hardest thing for me was not being allowed to go to the office to see my colleagues." Soufiane El Amrani



⁴ Stories originally published by Plena Inclusion. <http://planetafacil.plenainclusion.org/por-que-es-importante-el-empleo-para-las-personas-condiscapacidad-intelectual-o-del-desarroll>

⁵ Academic Network of European Disability Experts (ANED), 'Report on the employment of disabled people in European countries', Austria, April 2011, available at: <https://www.disability-europe.net/downloads/292-at-employment-report>

Employment on open labour market



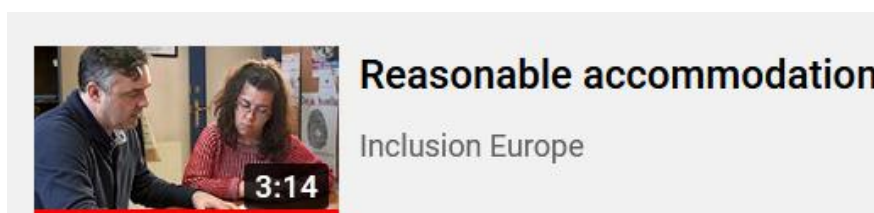
United Nations

Convention on the Rights of People with disabilities (CRPD)

Article 27 of the [Convention on the Rights of People with Disabilities](#) (CRPD) mentions the obligation for State Parties to “**prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment**”.

Article 27 goes way beyond and includes positive actions such as, amongst others, the **obligation to provide reasonable accommodation**.

Reasonable accommodation: it is an obligation of the employer.⁶ However, employers still have **low knowledge** about providing reasonable accommodations for people with intellectual disabilities.⁷



Video here: <https://www.youtube.com/watch?v=czpb3iBxWsE&list=PLs0Ece-TWoSITHZq71qug2IE5VasZ-Mly&index=6>

⁶ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=FR>

⁷ Antwerp Management School, European research and the lessons learnt, 2020, <https://www.inclusion-europe.eu/wp-content/uploads/2015/03/D-3.1-The-European-research-and-the-lessons-learnt-as-uploaded-in-the-participant-portal-1.pdf>

Sustainable Development Goals (SDGs)

The SDGs target all regions of the world and include more specific references to persons with disabilities.

Goal 8 focuses on a full and productive employment and decent work for all.

Disability Inclusion Strategy (UNDIS)

In 2018, the United Nations decided to develop a Disability Inclusion Strategy (UNDIS) *“to strengthen system-wide accessibility and mainstreaming of the rights of persons with disabilities.”*

Council of Europe

- The European Convention on Human Rights refers to civil and political rights.
- The European Social Charter guarantees **fundamental social and economic rights** such as employment, social protection, welfare.⁸

European Union

The European Union (EU) can complement the activities of the Members States in the areas of **working and employment conditions, social protection of workers, integration of person excluded from the labour market, combating of social exclusion.**

The EU is also competent to **“combat discrimination** based on sex, racial or ethnic origin, religion or belief, **disability**, age or sexual orientation” (Article 6.a of the Amsterdam Treaty).

⁸ <https://www.coe.int/en/web/european-social-charter>

Directives and regulations adopted to fulfil those duties:

- The 1989 **Charter of Fundamental Social Rights for Workers**⁹,
- Then, the obligation for employers to provide **reasonable accommodations** for workers with disabilities (article 5 of the Council Directive 2000/78/EC).
- Directive 2014/24/EU on **public procurement**
- The **EU Charter of Fundamental Rights** reflects the European Social Charter (Article 26).¹⁰

Policies supporting employment:

- The **European Pillar of Social Rights** defines 20 principles for the European Union to become more inclusive and fairer and to improve the lives of all European citizens.
- The **Social Scoreboard** was developed to measure performances of EU Member States during the process of the **European Semester**.
- The **Work-Life balance directive** is an EU law which aims to make it easier for people working in the EU to balance paid work and private life, including caring responsibilities.

Then, the **new disability strategy 2021-2030** shows the European Commission's support towards EU Member States to create employment opportunities and facilitating the entry of people with disabilities in the open labour market.

⁹ "The Community Charter of Fundamental Social Rights for Workers", <http://aei.pitt.edu/4629/1/4629.pdf>

¹⁰ <https://fra.europa.eu/en/eu-charter/article/26-integration-persons-disabilities#TabExplanations>

Support to employment

Supported employment aims to give persons with intellectual disabilities the necessary support to increase their chance to obtain and/or maintain work.

The support needed is secured by the provision of a **work assistant** or a **job coach**.

This role aims to offer the person with intellectual disabilities **ongoing support**, from the job search, the conclusion of employment contract, the day-to-day work-related issues to the possible termination.

The support provided by the job coach is varied, **depending on the the needs of the person concerned and should be bi-directional, meaning that the coach works with both the employer and the employee to create a successful partnership**. The overarching objective is to facilitate long-term success.



How to support employment of people with intellectual disabilities

Inclusion Europe

Video here: <https://www.youtube.com/playlist?list=PLs0Ece-TWoSITHZq71qug2IE5VasZ-Mly>

Supported employment

Job coaching

Job coaches can:

- assist the person with the employment contract
- help the employee with intellectual disabilities acquire the skills needed for the job
- act as an advocate
- work with the employer to guarantee reasonable accommodations as required by law
- support employers in learning how to communicate effectively with the employee
- help the employee develop appropriate workplace behaviour¹¹.

Besides the support on practical aspects, **the job coach would also support the person to make decisions when employment related questions come up.**

The job coach is this figure most familiar with the employment and has the knowledge of the level of job satisfaction, stress and wishes of the person to explain the implications of potential changes and give relevant advice¹².

A crucial moment of support is represented by **job matching**. It refers to the processes aiming to associate a candidate or employee with intellectual disabilities to the most appropriate set of tasks.

Job carving, job crafting or customised employment

Job carving is when a company creates a position specifically to fit a person's skills and talents.

It means creating, modifying, or customising what is typically a job so that it can be performed by persons with disabilities, which will also meet the needs of the

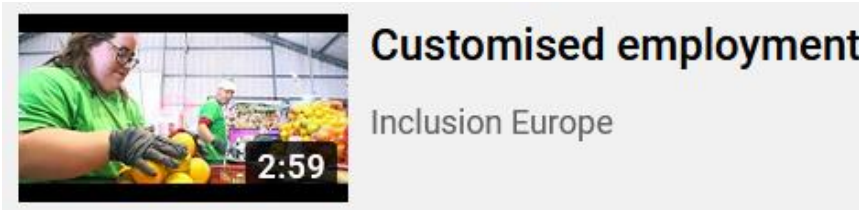
¹¹ See, Mentalhelp.net Supported Employment and Integrated Work Sites

<https://www.mentalhelp.net/intellectual-disabilities/supported-employment-and-integrated-work-sites/>

¹² Hofmayer, Sarah & Chen, Bo. (2020). Denial of Legal Capacity as a Barrier to Inclusive Employment. 12. 2-24.

employer. It is a way for persons with intellectual disabilities to find *meaningful* employment where they are given the independence that they are denied in sheltered workshops.

Job carving can also open up an opportunity for those with intellectual disabilities already employed in the open labour market, where an employee can adjust their job description and tasks to meet their skills and abilities. This also benefits employers who will experience greater engagement from their employees, helping to boost the emotional commitment between an employee and a company.



Video here: <https://www.youtube.com/watch?v=4hVg4K65KCA&list=PLs0Ece-TWoSITHZq71qug2IE5VasZ-Mly&index=3>

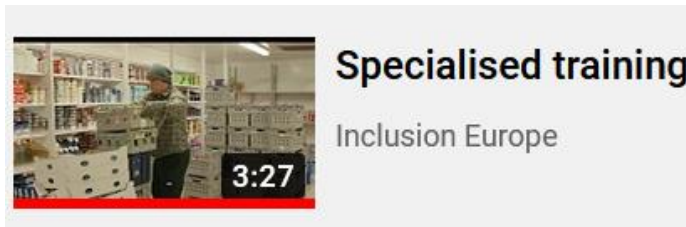
Job sharing

Job sharing is an employment arrangement where two people are employed on a part-time or reduced-time basis to perform a job normally fulfilled by one person working full-time.

Job sharing can help companies to recruit and retain employees, including employees with intellectual disabilities.

Specific training

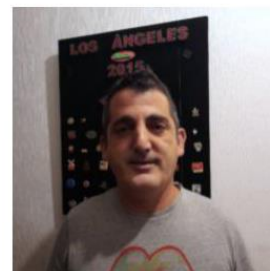
Specific training can be a solution to ensure people with disabilities are included in the open labour market.



Video here: <https://www.youtube.com/watch?v=UejuuWzFThk&list=PLs0Ece-TWoSITHZq71qug2lE5VasZ-Mly&index=1>

*"It gives you stability, it fulfils you as a person.
You feel more useful and if you are lucky enough
to have good companionship, you cannot ask for more."*

Eduardo Gimeno¹³



¹³ Stories published by Plena Inclusion. <http://planetafacil.plenainclusion.org/por-que-es-importante-el-empleo-para-las-personas-condiscapacidad-intelectual-o-del-desarroll>

Tools and resources

Submission to CRPD General Comment [Employment](#) (.docx)

<http://www.inclusion-europe.eu/wp-content/uploads/2015/03/Inclusion-Europe-submission-GC8-Employment.docx> – [Easy-to-read version](#) (.docx)

<http://www.inclusion-europe.eu/wp-content/uploads/2015/03/GC8-ETR-employment.docx>

Speech from a self-advocate for the Day of General Discussion at the CRPD Committee [Paul Alford, Barriers to Employment – General Discussion at the CRPD Committee](#)

European Commission Campaign Discrimination at work <https://www.inclusion-europe.eu/discrimination-at-work/>

Briefing contributing to the discussion on minimum income and on social benefits from the perspective of people with intellectual disabilities and their families: [Social protection and employment](#) (.docx). <http://www.inclusion-europe.eu/wp-content/uploads/2015/03/Briefing-on-minimum-income-and-social-protection.docx>

Research about inclusive employment of people with intellectual disabilities:

- [Research on inclusive employment](#) (.pdf) by AMS. <http://www.inclusion-europe.eu/wp-content/uploads/2015/03/D-3.1-The-European-research-and-the-lessons-learnt-as-uploaded-in-the-participant-portal-1.pdf>
- [Law and policies](#) for inclusive employment (.pdf) <http://www.inclusion-europe.eu/wp-content/uploads/2015/03/Better-future-scenarios-to-improve-legislation.pdf>

Training material about the employment of people with intellectual disabilities:

- [Guidelines for employers](#) (.docx) created by [Plena inclusión](#). http://www.inclusion-europe.eu/wp-content/uploads/2020/05/00000_Guidelines-employers.docx

Employment and Covid-19

- **[Employment and Covid-19 report](#)**

Employment of people with intellectual disabilities. Before, during and after the COVID-19 pandemic. http://www.inclusion-europe.eu/wp-content/uploads/2021/01/Covid-report-design-finalised_accessible.pdf

Link to legal capacity

- Having a job means having freedom to make your own choices and to control your own life. <https://www.inclusion-europe.eu/having-job-means-having-freedom-to-make-your-own-choices-and-to-control-your-own-life/>

Videos of events on Employment

- [How could EU institutions make sure they are fostering the inclusion of people with intellectual disabilities?](https://www.inclusion-europe.eu/eu-institutions-employment-opportunities-people-with-intellectual-disabilities/) <https://www.inclusion-europe.eu/eu-institutions-employment-opportunities-people-with-intellectual-disabilities/>
- [How employment should be covered in the next EU Disability Strategy?](https://www.inclusion-europe.eu/employment-covered-in-the-eu-disability-strategy/) <https://www.inclusion-europe.eu/employment-covered-in-the-eu-disability-strategy/>
- [“We help people with disabilities to live a normal life” – Online meeting with Rytmus](https://www.inclusion-europe.eu/help-people-with-disabilities-to-live-normal-life-rytmus/) <https://www.inclusion-europe.eu/help-people-with-disabilities-to-live-normal-life-rytmus/>
- [EU instruments to foster employment of people with intellectual disabilities -](https://www.inclusion-europe.eu/eu-instruments-foster-employment-people-intellectual-disabilities/) <https://www.inclusion-europe.eu/eu-instruments-foster-employment-people-intellectual-disabilities/>
- [KLAPjob: supporting employment and inclusion of people with disabilities in the labour market](https://www.inclusion-europe.eu/klapjob-employment-inclusion-people-disabilities/) <https://www.inclusion-europe.eu/klapjob-employment-inclusion-people-disabilities/>

Inclusion Europe radio

- Podcast [Melanie Wimmer: Life and Work with a disability](#)
- [Soufiane El Amrani: Life with intellectual disability – Inclusion Europe Radio](#) and Soufiane El Amrani on the importance for people with disabilities to have a job : https://youtu.be/rZbZLBUtu_Y

Conference Europe in Action 2021 on skills

- **[SKILLS: Europe in Action](#)**
- [Join us for Europe in Action conference!](#)










- [If we work, we get an opportunity to learn new skills. László Bercse: Europe in Action 2021 speech](#)

Stories

- [This is Frederik: valued colleague and first regular employee with Down syndrome in Flanders](#)
- [“Employment is a way to inclusion”, a new edition of Europe for us magazine – Easy to read](#)
- Zero Project 2021 award on employment : <https://www.inclusion-europe.eu/two-inclusion-europe-members-receive-the-zero-project-2021-award/>



Ambition. Rights. Belonging.

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20 million people with intellectual disabilities and their families from 39 countries.



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