THE EVOLVING CONCEPT OF SHELTERED WORKSHOPS IN THE EU: REALITIES AND FUTURE DEVELOPMENTS FOR ENABLING ENVIRONMENTS
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INTRODUCTION

The present proposals are a result of the research paper “SWOT analysis: Adapted work settings in the EU” and concern sheltered employment and work schemes analyzed in the framework of the United Nations Convention on the Rights of Persons with Disabilities. Sheltered employment and work can provide people with disabilities with working opportunities and rehabilitation activities in a protected environment where people are accompanied and supported in their life-plan, according to an individualised support programme, with the purpose of developing and increasing their working and social skills.

The research paper led to the following conclusions on the state of play of sheltered work and employment today in Europe:

- Amongst the strengths there is the possibility it gives to persons with disabilities to have working opportunities that meet their needs and that are not available, at least for many of them, in the open labour market. Moreover, it offers possibilities for vocational rehabilitation and training and ad-hoc support in all fields of life beyond the working needs, and promotes social and networking opportunities.

- From the point of view of the UN-CRPD a weakness of sheltered workshop settings is the fact that users of workshops are not provided with the full range of labour law rights as available under open labour market contracts. In addition, the workshop setting is considered by many respondents as segregating and not fully promoting inclusion. Another concern is that sheltered workshops remain for many the only working opportunity granted in the course of their life. In fact, opportunities for transition towards the open labour market remain very limited.

The research stressed as well that work and employment schemes for persons with disabilities can be a successful experience only when individual needs are identified and individualised-person centred support is at the core of each programme. This support should be sustainable, consistent, and seek over the long term to promote development of the person with disabilities.

The context

Sheltered work and employment is part of the the labour market continuum, where, at one end a person enjoys an ordinary job and can work at 100% of expected work performance with no individual support, and, at the other end, the person requires continuous whole day support and cannot be expected to be productive in an economic sense without an intensive support. In the labour market continuum four broad models of work and employment schemes for persons with disabilities can be identified:

- The open labour market, where no specific support for persons with disabilities is foreseen (except for the adaptation of the workstation).

- Supported employment services, where persons with disabilities working in the open labour market are supported through tailored supervision and assistance on an ongoing basis.

- Sheltered work and employment, for persons who are not capable of fulfilling a job or are not yet well performing in the open labour market. The individual is given assistance and support to work, in parallel with rehabilitation programmes, in a protective and supportive environment.

- In some Member States, there are Occupational services, for persons whose severe disability allows them only to engage in minimal work (in some other Member States, occupational services do not provide the possibility to work).

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1 The report was compiled with information provided by country experts and representatives of international organizations.

2 Workers in sheltered workshops are mainly persons with intellectual disabilities. In recent years, sheltered workshops have started to open their doors to other groups of the population, like persons with psychosocial disorders, persons with psychiatric illnesses, people belonging to socially disadvantaged groups and people suffering from post-traumatic brain disorders.
In the course of the working-lifespan an individual may be placed at one point on the continuum and may shift towards a lower level of support and a greater capacity for work, or, in contrast, move towards a higher level of support with a lower capacity for work. Individuals may move up and down the continuum or stay at one point on a long-lasting basis.

The variety of status, support and disability benefits provided in different Member States accounts for the difference in earnings (“replaced payments” vs remunerations), working conditions (remunerations, trade union rights, work representations, etc.) and for variations in the extent of individualised support that is available (supported employment, vocational rehabilitation, social skills training, etc.).

**A complex reality**

The research underlined that, though the four models we have described are the most clearly defined, there are services that in many Member States do not fit clearly into any model. They have features that are common to more than one type; moreover a clear-cut distinction between the types that are closest in the continuum is not always possible, that is why there are “grey zones” and/or overlaps between the models of the continuum.

Similarly, the use of definitions varies to a great extent across the Member States (i.e. concerning employment, rehabilitation activities and support) and the lack of data adds to the complexity and to the difficulty in drawing a comprehensive and clear picture.

The table below shows strengths, weaknesses, opportunities and threats for sheltered workshops in Europe according to the results of the study.

<table>
<thead>
<tr>
<th>SWOT analysis of sheltered workshops in the EU</th>
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<tbody>
<tr>
<td><strong>Strengths</strong></td>
<td><strong>Weaknesses</strong></td>
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<tr>
<td>• Working opportunities for people who are not yet able to find a job in the open labour market</td>
<td>• In some countries people in workshops do not enjoy labour rights, in particular with regard to the following:</td>
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<tr>
<td>• Know-how in vocational training and educational support</td>
<td>- No full salaries available, earnings are made of partial remuneration of workers and income replacement allowances</td>
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<td>• Empowerment of workers with disabilities to facilitate their access to the open labour market</td>
<td>- No freedom to join a trade union</td>
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<td>• Possibility to carry out work experience in the open labour market through secondments, internships, mentoring job schemes</td>
<td>• Low transition rate to the open labour market</td>
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<td>• Support to the person not only in their working life, but also in their leisure time</td>
<td>• The shift towards the open labour market and the other direction may not be smooth</td>
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<td><strong>Opportunities</strong></td>
<td><strong>Threats</strong></td>
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<td>• Closer cooperation could be established with companies in the open labour market</td>
<td>• There is no full integration of persons with disabilities with non-disabled people in the workforce.</td>
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<td>• Sheltered workshops may allow more flexibility in work arrangements</td>
<td>• The workshop setting is considered not always sufficiently inclusive</td>
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<td>• More support could be given to employers in the open labour market by sheltered workshop experts</td>
<td>• In some countries benefits and allowances for PWD are not incentivizing people to move to the open labour market</td>
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<td>• Financial issues threaten the availability of services currently offered by sheltered workshops</td>
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<td>• The number of places available in sheltered workshops keeps shrinking although no concrete alternatives are created</td>
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EASPD considers important to address the issue of sheltered workshops in Europe. The lack of clear inputs and strong messages regarding sheltered workshops in disability policies is not supporting positive developments in the sector and threatens the full enjoyment of human rights by persons with disabilities.
KEY OBSERVATIONS

The study reveals three main issues
- The role of sheltered workshops and its potential contribution towards quality of life and participation into society is not addressed in the UNCRPD, although in Europe there are around 3 million people supported by these type of services.
- Sheltered workshops as providers of support and work are not sufficiently taken into consideration by EU policies and specifically by the European Disability Strategy.
- At this stage there seems to be a potential conflict in the labour rights envisaged by the UN CRPD and the existing social protection schemes of the different Member States. A not well considered implementation of labour law rights might lead to unemployment, poverty and more social exclusion for persons with disabilities.

PROPOSALS ADDRESSED TO THE EU INSTITUTIONS

Quality of life and services needed to persons with disabilities
- The EU should monitor the quality of life of persons with disabilities via, for example, the European Platform Against Poverty (EPAP).
- The new Commission Staff Working Document to implement the European Disability Strategy should promote research to evaluate the effectiveness of the implementation of the Strategy at Member State level and to assess the impact of the different work and employment models on the quality of life for persons with disabilities.
- The specific needs of persons with disabilities in the working environment should be tackled by the new Commission Staff Working Document of the European Disability Strategy: individualised and specialised services are needed in order to provide equal job opportunities.
- The EU should promote research, through the Horizon 2020 programme, to clearly understand the impact of the disability sector on society and define the type of services needed by persons with disabilities, including persons with severe and profound disabilities:
  - The changing needs of older persons with disabilities should be analysed in order to plan services according to evidence-based data
  - The relationship between disability allowances, social security measures - all part of social protection schemes - and work and employment should be analyzed from the prospective of the UN CRPD implementation.
- The context provided by the social protection scheme in each country should be clarified, and the information should be included in MISSOC.

Work and employment
- The EU should promote more working opportunities for persons with disabilities in the open labour market.
- The EU should foster policy coordination and exchanges of best practices in the field of supported employment on the open labour market.
- The EU should promote networking of stakeholders from the open and the sheltered labour market through exchange programmes (i.e. exchange of staff, training courses) under e.g. the Erasmus for All programme.

Vocational training
- The Erasmus for All programme should tackle the promotion and the development of training opportunities for people with disabilities and for their staff, targeting also older people with disabilities.
- The EU should promote the development and the participation of persons with disabilities in VET programmes and have their competences recognised by means of a certification process. The EU should use its “Agenda for new skills and jobs” (EU 2020 Strategy) to promote the development of tools for the recognition of persons with disabilities’ abilities and ultimately promote a better match of skills and requirements.
Spectrum of work and services and EU legislation
- When using Public Procurement the EU should extend and develop the spectrum of services for persons with disabilities.
- The EU should promote the development of a spectrum of work and employment services that could meet the needs and the skills of all by using, for example, the European Social Fund and the opportunities given by the General Block Exemption Regulation.

Sheltered workshops
- Sheltered workshops’ expertise should be utilized in the implementation of work and employment programmes for people with disabilities. In particular:
  - Sheltered workshops should be recognized as knowledge centres and resource networks for the development of working opportunities for persons with disabilities in the open labour market
  - The sheltered work and employment sector should be supported in the development of methodologies - if not done yet - to meet the needs of persons with multiple disabilities and those people who become disabled in the course of life
  - Sheltered workshops should be supported to promote more work options in the open labour market through adapting their models (detachments, mobile units, secondments)
  - Sheltered workshops should be supported to promote more networking with supported employment initiatives in the open labour market, with public employment agencies, local authorities and disabled people's organizations.
- The role of sheltered workshops in providing work opportunities should be encouraged in the new Commission Staff Working Document to implement the European Disability Strategy amongst the spectrum of job services.

Definitions linked to the disability sector
- The EU should carry out a study to understand the different approaches in different countries in order to learn from each other and have a common understanding of concepts in the disability sector.
- The EU should support a clarification of definitions at national level to facilitate understanding at EU level, included for supported and sheltered work and employment.
- The EU should tackle the lack of clearness and understanding of the disability and work and employment sector by collecting data via Eurostat on the following:
  - Persons with disabilities employed, unemployed and those declared as “unemployable” according to national legislation
  - Persons with disabilities working in the sheltered sector
  - Persons with disabilities who make the transition from the sheltered sector to the open labour market and the other way around
  - Persons with disabilities who are not in the labour market and rely on social security allowances.

CONCLUSIONS

Work is very important for all people, and so it is for persons with disabilities. Work promotes self-determination, autonomy and may cut the risk of poverty. All people with disabilities should be given the chance to earn their living and become active citizens.
In times of crisis people with disabilities are most penalized and hit by cuts. Sheltered workshops, in certain countries, are acting as a solid buffer against the risk of unemployment and poverty.
With these proposals we hope to contribute to the debate on work and employment in the disability sector and to the role of the EU with regard to the future development of the sector so as to have positive changes for persons with disabilities in the field of work and employment.