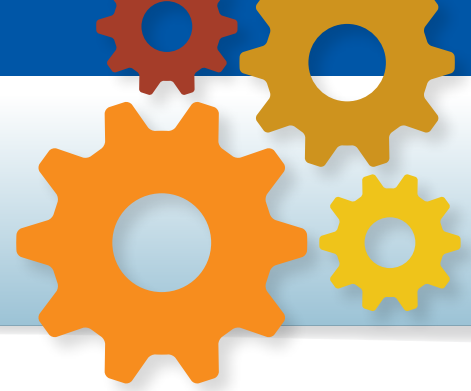


THE SPECTRUM OF WORK AND EMPLOYMENT



THE RIGHT TO WORK AND EMPLOYMENT

The right to work and employment has been formally recognized by the UN CRPD in Article 27 which sets rights for persons with disabilities and at the same time puts obligations on States Parties.

The Convention brought in an innovative approach to the right to work in that it formally recognizes the right to reasonable accommodation which allows full participation of persons with disabilities in the working life through any *"necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden"* (UN CRPD, Article 2). Reasonable accommodation may relate

both to the provision of special tools and/or adaptations needed to perform the job-tasks, but it might also entail special training or a rearrangement of the working schedule to complete the task.

The models of work and employment for persons with disabilities, developed through the years, differ on the balance between the expected work performance and the support received to perform the job. These models may be considered as part of a spectrum of work and employment where each working model has different prerogatives and objectives.

SPECTRUM OF WORK AND EMPLOYMENT



FIGURES ON WORK AND EMPLOYMENT IN THE EU¹

- ★ 78% of the severely disabled aged 16-64 are outside of the labour force as compared to 27% of those without long-standing health problem or disability
- ★ 43.7% of non-working persons with long-standing health problem or disability and facing work restrictions consider that they would need some form of assistance to work.
- ★ Only 15.9% of working persons with long-standing health problem or disability and facing work restrictions are provided with some assistance to work.
- ★ The more severe the degree of disability, the lower the participation in the labour force: only 20% of the severely disabled as compared to 68% for those without long-standing health problem or disability are employed

¹ Labour Force Survey 2002, Ad Hoc Module on employment of disabled people

MODELS OF WORK AND EMPLOYMENT

OPEN LABOUR MARKET

- ★ Work activities are performed on a 100% basis of work performance and no specific support is foreseen but for adaptations of the work station
- ★ The work environment is competitive and is based on a results-oriented approach

SUPPORTED EMPLOYMENT

- ★ It's a methodology whereby tailored assistance is provided to the employer and the employee on an ongoing basis
- ★ Persons are subject to the rules and conditions of the open labour market
- ★ Assistance to the employee is provided in the form of job coaching in finding and maintaining a job, specialized job training and ad-hoc supervision

SHELTERED WORK AND EMPLOYMENT

- ★ Sheltered workshops are protective and supporting environments where persons who are not or not yet able to perform or to handle the conditions of the open labour market are thereby given the possibility to work in parallel with rehabilitation programmes, under a condition of ongoing supervision and assistance in each activity
- ★ People working in sheltered workshops usually benefit from a *special working contract* that, though not guaranteeing all labour law rights as for working contracts in the open labour market, is protecting people from being fired, is guaranteeing them the possibility to perform the job-tasks without being subject to the rules and requirements of the open labour market and allows them, at the same time, to undergo a rehabilitation programme to develop personal and professional skills. Earnings associated to this special contract may reflect the minimum salary level of the country or may be calculated on the basis of a small payment associated to a larger amount of allowances (i.e. disability pension and/or disability allowances)
- ★ Sheltered workshops provide working opportunities in protective and supporting environments and in community based settings in the form of secondments, outplacements and mobile units

OCCUPATIONAL SERVICES

- ★ These services are for persons whose severe disability allows them only to engage in minimal work. In some Member states occupational services do not propose the possibility to work, but are day-care center services

A COMPLEX REALITY: DIFFERENCES, OVERLAPS AND MISUNDERSTANDINGS

- ★ Every person in the lifespan may be placed at a different level of the continuum and may shift in both directions on a temporary or on a long-lasting basis
- ★ The level of individual functioning and of working performance is highly individualized and is not stable in time, however, work should always be considered meaningful and rewarding
- ★ The combination of support and disability benefits is accounting for differentiated earnings, different working conditions and individualized support
- ★ Although the four types above are the most clearly defined models for work and employment, in many Member States there are other models that are not identifiable in one single type as their features are common to more than one model; moreover, a clear-cut distinction between the models that are the closest in the continuum is not always possible, which accounts for "grey zones" and/or overlaps between them



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