

**DECLARATION
of Labour Market and Social Integration of Youth with Disabilities
(23-24th November 2015, Bratislava)**

worked out on the basis of outcomes, discussions, outputs from international professional expert conference under the auspices of the main project: Good Practice in Supported Services for People with Disabilities in Norway and Slovakia inside the EU (EEA Grants, Norway Grants) and Supporting long-term projects: Poverty and Employment (Erasmus+; Iuventa)

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INTRODUCTION

People with disabilities, including children and young people at risk of social exclusion due to disability, make up **15% of the world population**. In Europe there are around 80 million people with disabilities. Almost half of the working age population are either unemployed or considered as not able to work. In Slovakia, only 30% of all 240 thousand citizens with disabilities (8.6% of the economically active population) are employed in the labour market and thus **7 out of 10 people with disabilities are unemployed**, at risk of poverty and social exclusion. Among those who are working, many are underemployed, paid below the minimum wage, work below their capabilities and/or with temporary contracts only and have poor career prospective. Young people with disabilities, persons with mental health issues, persons with intellectual disabilities, persons with psychosocial disabilities and persons with acquired brain injuries appear to be even more discriminated. The vast majority of them in the world live in conditions of extreme poverty, facing persistent discrimination and abuse. Several global research revealed systemic human rights violations against persons with disabilities, including poor conditions in social assistance institutions where persons with disabilities often have little education and are largely unemployed. According to statistical data, more than **35 thousand children and young people with disabilities** have been educated in special schools and classes in Slovakia in the academic year 2014/2015, while **only 5% completed university education**.

Deinstitutionalisation of social service facilities (in the context of convergence - de-institutionalism in the area of supported employment and employment services), which major group of beneficiaries are persons with severe disabilities who have a higher degree of dependency on social assistance, is currently underway in Slovakia. Another challenge in the field of social and labour integration of persons with disabilities is the transition to supported services based on **social and community development** of daily ambulatory or field performance. And it is Norway, which can serve as a strong model in this process for other countries in the EU, as it has extensive experience in the social field, particularly in the supported services for people with disabilities, which are based on social inclusion and promoting new and strengthening existing community social services so that people with disabilities no longer have to leave their families and live in anonymous institutionalized environment, but thanks to high-quality technical assistance from the providers of social supported services can continue to live in the best possible way by staying with their families. This purpose helps the current trend of deinstitutionalization of social services, which gradually proceeds throughout the EU and which is also a priority for Slovakia in this period. Norway underwent the process of deinstitutionalization in the 90s of the last century. In Slovakia, this process has started only recently (2 years ago; and there have been seven social service facilities involved in it so far, one from each region except Bratislava). Transnational partners of this conference are invaluable partners in the process of increasing personnel and qualification level of our services for people with disadvantages.

POINTS OF REFERENCE

The economic crisis which has hit Europe since 2008 has led to the harder entering the labour market for youth with disabilities so much that we can consider them as a chronically excluded group of labour market. The right to work and employment has been formally recognised by the **United nation Convention on the Rights of Persons with Disabilities (UN CRPD)** which cross-references the prescriptions of the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**. The UN CRPD deals with the right to work, with a specific focus on participation into the open labour market, helped partly through reasonable accommodation, and on their enjoyment of labour rights. The **Thematic study on the work and employment of persons with disabilities from the Office of the High Commissioner on Human Rights (OHCHR)**, published in 2012, recognises the complex situation of persons with disabilities and elaborates on the prescriptions of Article 27 of the UN CRPD providing additional information as to its correct understanding. Another important Articles of UNCRPD for purposes of this declaration is especially Article 19 independent living and social inclusion of persons with disabilities and Article 28 about adequate living conditions and social protection of people with disabilities. The UN Convention on the Rights of Persons with Disabilities and other elementary international human rights treaties require states to take measures to respect, protect, promote and fulfil the rights of persons with disabilities. In 2010, the Slovak Republic ratified the UN Convention on the Rights of Persons with Disabilities, which obliges its signatory states to review all existing laws, policies and programs to bring them into line with the provisions of the Convention. A concrete result of the adoption of actions in the area of access to education, employment, transport and infrastructures, as well as in the area of buildings intended for the public, granting right to vote and political participation, ensuring full legal capacity of all persons with disabilities, and a shift from institutions where people with disabilities live separated from society into community services and services in homes, which promote independent life.

The implementation of UN CRPD is promoted by several policy and legislative tools: **European Disability Strategy 2010-2020**; **Europe 2020 Strategy & European Semester**; **Council of the European Union Conclusions** “Support of the implementation of the European Disability Strategy 2010-2020” of 17 June 2011; **European Parliament “Resolution on Mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020** of 25 October 2011; **Council Directive 2000/78/EC** of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; **Youth Guarantee** tackling the difficulties of youngsters to enter into the labour market; **Public Procurement Directive 2014/24/EU**, which recognises the specificity of social services and guarantees wider discretion to Member States to organise services in the way they consider more appropriate. **EASPD Employment Declaration** is also important document for this declaration.

The European Disability Strategy (EDS) 2010-2020 calls for the EU and its Member States to improve the social and economic situation of people with disabilities. Its main aim is to enable persons with disabilities to fully exercise their rights and participate fully in society. Developing trans-national and individual national capacities of organizations designed to help people with disabilities as well as the sole active persons with disabilities, and developing common EU platforms is an essential part of the process of monitoring respect for human rights and freedoms of people with disabilities and at the same time a part of pursuing the specific ratifications of the environment individual states.

Monitoring plays an important role in measuring and assessing the extent to which government obligations have been met. The Convention requires that "civil society, in particular persons with disabilities and their representative organizations, participate actively in the monitoring process" (Article 33), and recognizes the importance of civil society's participation in testing claims by states as well as the necessity of full participation of people with disabilities and organizations helping people with disabilities.

Important documents from Slovakia for this declaration are: **National program of life conditions development for persons with disabilities 2014-2020**, **National program of reforms in Slovak Republic 2015 (Ministry of financing of Slovak Republic)**, **Action Plan of National Program of reforms in Slovak Republic 2015**, **National strategy of employment of Slovak Republic till 2020**, **National plan of Youth Guarantee Implementation in Slovakia** and **Common Recommendation of Council of Solidarity and Development of Slovak Republic (2014)**.

CONTEXT - CONFERENCE AND WORKSHOPS

The event was composed of one – 1-day professional and scientific conference and one – 1-day workshops on various topics, which were related to the issue of children and young people with disabilities with an aim to disseminate ideas, experiences and conclusions of completed social projects in the EU (and also especially in Norway), together with **drafts of effective models of supported services for disabled children and young people in Slovakia also in contexts of the current process of deinstitutionalization and the creation of new community social services in Slovakia**. Workshop topics included the issues of **legislative** adjustments to the support for recruitment of young people with disabilities on the open labour market, the issues of **financial incentive** subsidies for employment of young people with disabilities, the issues of **communication strategy and sensitizing of the public** towards young people with disabilities, and the issues of **research** aimed at the social and labour market integration of young people with disabilities in Slovakia and in the EU.

As many as **136 experts** - representatives of **all three sectors** (public: The Ministry of Labour, Social Affairs and Family of the Slovak Republic, The Central Office of Labour, Social Affairs and Family, Bratislava Self-Governing Region, policy makers; private: key players in the market from the business sector; non-profit: representatives of organizations of people with disabilities, service providers for people with disabilities, special schools for children and youth with disabilities, researchers and university teaching staff, etc.) have registered for the conference. The Conference had significant foreign participation because the panellists were representatives of the **European Economic and Social Committee to the EU**, representatives of the **Norwegian Embassy** in Bratislava, the **Norwegian foundation SIGNO**, **EASPD** (European Association of Service Providers for Disabled People, Brussels), **EPSIN** (European Platform for Social Integration, associated member of **EZA - European Centre for Workers' Questions**, Brussels) and **Nyolcs Boldogság Foundation (Pécs)**. The national partners included representatives of the **Department of Social Work of the Faculty of Education at the Comenius University in Bratislava**. Also the State Secretary and Deputy of the **Ministry of Labour, Social Affairs and Family of the Slovak Republic** and of the **Bratislava Self-Governing Region** have confirmed their participation in the conference. Among the panellists, there were 20 participants from 11 countries (Norway, Belgium, Netherlands, United Kingdom, Austria, Greece, Croatia, Slovenia, Hungary, Romania, and Bulgaria) and 23 other representatives of influential social NGOs in Slovakia.

Participants of the conference as representatives of all three sectors (public: The Ministry of Labour, Social Affairs and Family of the Slovak Republic, The Central Office of Labour, Social Affairs and Family, Bratislava Self-Governing

Region, policy makers; private: key players in the market from the business sector; non-profit: representatives of organizations of people with disabilities, service providers for people with disabilities, special schools for children and youth with disabilities, researchers and university lecturers, etc.) in Slovakia create preconditions for **successful strategic cross-sector partnership**. We perceive this conference and the workshops as the beginning of further cooperation in creating social and employment policy related to rights of persons with disabilities in Slovakia with participatory elements of the professional and civil society.

Thanks to foreign participants of the conference and in particular to presentations of good practices in 11 EU countries with an emphasis on Norwegian models of social services and supported employment for young people with disabilities, we would like to achieve higher involvement of Slovak non-profit organizations in transnational cooperation with similar organizations in the EU, and their development of **transnational strategic partnerships** in order to strengthen the non-profit sector in Slovakia and to actively and effectively participate in designing public policies for people with disabilities, with particular focus on the younger generation introducing changes.

Furthermore, the purpose of the conference and our projects is also to contribute to the enhancement of tolerance of people with disabilities, to **sensitizing and activating the public to address the issues of work and social inclusion of young people with disabilities**. Dissemination and publicity through the media has a positive influence on public opinion on people with disabilities and contributes to their social inclusion in society.

The results of the conference and the conclusions of the workshop were presented in press conference, where 10 journalists took part (Press Agency of Slovak Republic, National Radio and Television of Slovakia, Daily news SME, Comercial National Television Markíza, Daily news Denník N, Slovak Association of Journalists, independent journalists) and outputs are assumed to be published in the **national media in Slovakia** as a part of the dissemination of project results and outcomes to the public, which could help break down prejudices against people with disabilities and positively influence public opinion.

GOALS AND INTENT

Declaration as an outcome from the conference and workshops is **aimed to strengthen the role of civil society's joint programs for human rights and democratic reform and to promote political representation and active participation of people with disabilities in this process**, especially in the field of supported employment and employment services. Main objective of this Declaration is to **promote the rights of persons with disabilities on employment and entering the open labour market** by furthering the implementation of the **United Nations Convention on the Rights of Persons with Disabilities (UN CRPD)** through **effective and high quality service systems (social and employment)**.

As the EASPD Employment Declaration describes, across Europe there is a **variety of work and employment models and methodologies** for persons with disabilities with have been developed over time. As a result of these developments there are currently different realities from country to country, such as occupational services and sheltered workshops, belonging to the protected work and employment sectors, others **prioritising forms of work and employment schemes in the open labour market** which include, for example, supported employment methodologies. Additionally, there are many work and employment schemes which are not clearly definable, having mixed features from the protected sector and the open labour market. As society, people and disability are evolving, the work and employment situation may also vary **during the course of life** (i.e. transition from school to work, working and life balance, employment before retiring age etc.). The possibilities for work and employment for persons with disabilities often depends on the amount of specialised support available to them (i.e. human support, vocational education and training and technical adaptations, such as reasonable accommodation) and on the existence of support available for employers too (i.e. compensation measures against the potential loss in productivity and/or guidance on how to deal with technical and human support issues linked to persons with disabilities). **Labour market job opportunities** inevitably have a direct consequence on where people with disabilities may work, as a lack of job offers limits both choice and control over someone's professional life, leaving many people with disabilities without concrete jobs and/or limited career perspectives. In EU we can find a good-practice examples, where supported tools and support measures, when provided, may help overcome structural and functional hindrances, provided that they are accompanied by a sustainable **legislative and financial framework** fitting long-term support needs. These measures may include vocational and educational training (VET), reasonable accommodation, technical guidance, personal assistance measures and subsidies for employers. Accessible, **inclusive labour markets** are the objective to be pursued in the future. People with disabilities must receive adequate support in order to have equal opportunities in the labour market. Using a more **positive terminology** in the disability sector, based on skills and competences, could play a key role in unlocking its development. The **social model** of disability needs to be a reference, also when it comes to defining, identifying and enjoying human rights for persons with disabilities. Labelling and categorising persons with disabilities is at times

hampering their enjoyment of human rights, whenever it puts persons with disabilities in contexts of segregation from the rest of society. In this regards, society, by providing persons with disabilities with the right **individualised support**, can remove stigmas and discrimination by promoting a positive attitude towards them. Persons with disabilities should have the **equal working opportunities** in the open labour market, to gain a living through **work freely chosen** or accepted. Persons with disabilities should be entitled to receive **adequate individualised support** in order to participate to open labour markets on a non-discrimination basis.

We therefore consider improving employment opportunities for persons with disabilities as one of society`s key challenges which policy makers have to tackle in the upcoming years and is committed to strive for its realisation through a variety of means and tools. In declaration we are formulating a **political recommendation** as a way of implementation of these actions into the regional and national employment policy in Slovakia. We would like to introduce this declaration to the representatives of Ministry of Labour, Social Affairs and Family of Slovak Republic and also to Ministry of financement of Slovak Republic. Declaration will be provided in cooperation with multinational partners to not only **EASPD**, but also to the **European Economic and Social Committee (EESC)**, submitted to international mechanisms of human rights and freedoms, such as the **UN Committee on the Rights of Persons with Disabilities (UNCRPD)** and the Universal Periodic Review (**UPR**) thanks to our established cooperation with the Disability Rights Promotion International (**DRPI**), Serbia. In addition, the results of the conference and the conclusions of the workshop are assumed to be published in the **national media in Slovakia** (e.g. RTVS, TA3, TV JOJ) as a part of the dissemination of project results and outcomes to the public, which could help break down prejudices against people with disabilities and positively influence public opinion.

ISSUES AND KEY FACTORS OF SUPPORTED EMPLOYMENT FOR YOUTH WITH DISABILITIES

1. **LEGISLATION** of supported employment and social services for youth with disabilities in the open labor market
2. **FUNDING** - potential of financial stimulations of labour market and social integration of youth with disabilities
3. **COMMUNICATION STRATEGIES** and raising awareness of lives and work of people with disabilities
4. **RESEARCH** focused on social and labour market integration of youth with disabilities

1. LEGISLATION of supported employment and social services for youth with disabilities in the open labor market

The workshop content and suggestions of solutions (obtained via brain stormings at conference workshops as well as from EASPD Employment Declaration, COOP Produkt Slovakia, CPS Dokorán n. o., Youth Employment Week 2014 recommendations, 10th -14th 2014 – United initiative EPIC n. o., AmCham in the Slovak Republic, Slovak Youth Institute IUVENTA, EK representation in Slovakia, The Employment Institute) — these ideas and suggestions are starting points for us. (We will complete them on the basis of conference participants` feedback and later we will work on a consistent conception of suggestions. We plan to transform them into a specific action plan in the future):

- Focus on **consistent complex legislation** (legislation system), concerning disabled youth`s supported employment in the context of the Social Services Act and Employment Services Act with the aim of the them complementing each other (unlike present reality of non – financing employment services for disabled youth e. g. public administration officers refer us to job offices saying that our problem has to do with employment and vice-versa job officers refer us to public administration saying that the problem has to do with social rehabilitation. This results in nobody financing these services and there are no resources. This problem is caused by each of the parties using different definitions and notions even though the true definitions are usually somewhere in between. (Non profit organizations often face existential problems not only as for their sustainable development but also as for their daily survival.) Preparation and specification of law (Social Services Act) based interventions are interrelated - especially specialized social counselling and social rehabilitation (only after dealing with these problems as well as sheltered workshop fiscal policy and substitutional compliance it is possible introduce obligatory state subsidies for disabled youth`s employment as much as now desintegration of policies, groups and strategies in many overlapping and inconsistent legal acts has become a problem even for the national politicians – legislation authors- in the Slovak

republic. This problem though can be a great starting point for further work on consistency and unity and complex suggestions for the current situation.

- The need for **inter-sector cooperation** when dealing with disabled youth's employment in Slovakia (education, health care, work, social affairs, finance, taxes) - Condition of inter-sector partnership in programme implementation „Youth Guarantees“ (including disabled youth's) which the Slovak Republic declares to support. There is a need for forming interactive platform on the national level through which a person interested can get up-to-date information about the „Youth Guarantees“ programme implementation. This portal could give space to all the involved parties to publish their activities and initiatives supporting programme implementation. One of the involved bodies of the central state administration can organize agenda of the platform. Ideally a youth organization chosen by a transparent competition could manage the agenda. To provide foundation and regional platforms functioning while the platforms links all the interested parties with a potential to influence disabled youth's employment problem. This platform could be coordinate by a local regional administration office. For a platform to be purposeful there is a need to provide funding for programmes which are defined, formed and realized on a regional level. To take into account the potential employers' and youth organizations requirements programmes funded by ESF resources should be implemented in such a way as to automatically create suitable conditions for systemic cooperation between potential employers and youth organizations. Interrelation between education system and labour market as well as quality increase in professional preparation.- the need to interlink formal and informal education , the need to interlink education system and practice and support of practical school subjects and skills, need to raise parents' awareness as for their disabled children's responsible choice of useful profession. Need to strengthen career counselling for disabled children's parents - Need to reduce the number and range of school specializations graduates of which face real difficulties to get employed. Education at common elementary and secondary schools must be inclusive, accessible and „tailor-made “meeting disabled pupils' specific needs and skills. Training and education focused on their professions must strengthen their capacities of smooth transition to the labour market. These represent key steps in identification gaps in their development of skills. At the same time they need to be adapted in such a way as to help them in their individual professional developments. The transition from school to work must be adapted to specific persons' needs - thanks to development of cooperation between education system and labour market as well as finance allocation for development of goal-oriented professional internship at employers. The support (financial as well as professional counseling) will be also targeted at employers to enable them to adapt work positions and work content to individual specific disabled person's needs effectively as well as in accordance with his/her health condition. The employment policy should not only be a part of social policy but it should also become an integral part of economy and finance. The intersector cooperation also includes professionals' associations and therefore it is the key to identification problems in support network formation when seeking suggestions for solutions. Accessibility and universal design, (architecture and building constructing) should set the norms and standards to meet needs of all kinds of disabilities at the same time. The prejudice destruction in the public as well as the transport and work accessibility are the first steps to strengthening disabled persons' inclusion in the open labour market.
- Detailed conception to **strengthen present labour market active measures** to support disabled youth's employment (§55-60 including §58 supported employment agencies in Employment Services Act 5/2004)
 - **Increasing subsidies** given to employers to employ disadvantaged candidates (including disabled candidates and sheltered workshops and work places) - §50 až §60 – subsidies to cover these employees' lower productivity.
 - Reduction of **administration requirements** of active labour market measures supporting disabled persons' employment and simplifying these persons' employment and subsidy provision
 - Implementing financial coverage - tool to fund **supported employment agencies** the task of which would be to carry out home as well as office based social and community work, early intervention, prevention and individualized employment services. (in disabled person's family, at potential employer's work place , at school (professional internships). Implementing a transparent funding mechanism for the agencies which takes into account long-term care for clients. Adding to agencies' activities services for employers concerning; administration need for forming new positions and claiming subsidies for disabled persons' employment. Developing a process audit of activities within the network of supported employment

associations. The agencies should get inspired by successful models and methodologies from abroad where the know-how of disabled persons' professional inclusion in all life phases has already been developed (recruitment, adaptation and perseverance at work, finishing labour relation etc.). Rational adapting of a work position is the key to providing effective approach to work and employment in general. The access to human support and supporting services of the agencies helps to overcome the obstacles which disabled people are continuously exposed to at work.

- To create the environment which based on transparent choice **would enable youth and disabled youth organizations to be included in public employment services** to accept a new form of candidates' profiles which could help to define an evaluation system and to form a transparent system of performance evaluation across chosen service providers. To increase numbers of young candidates for whom public employment services provide specialized counselling. Labour offices' role should gradually change from an organization working directly with candidates and providing employment services including job seeking to a "first contact place" - a high quality guaranty of services provided as well as public policy guaranty. To engage specialized youth organizations. To create conditions (including funding) for broader and systemic engagement of these organizations on work of implementing concrete programmes and public employment services. Local Youth organizations have an enormous potential to find young people (including disabled ones) and cooperate with those who are at the highest risk of unemployment. Based on their expertise they can carry out specialized informal education programmes (including volunteering) as well as individual support for disabled young people.
- Providing "**right services - for the right people - at a right time**" – Situation in chosen OECD countries in general shows that using employment services by disabled people is very rare , most of them receive disability benefits and actually have never used these services. Rare service usage is frequent mostly amongst elder people with disabilities who then cause increasing numbers of people receiving disability subsidies. Besides this there is a tendency to provide supportive employment tools only when it is already too late, several years after developing health issues and disorders. Employment services expenses aimed at the disabled are mostly invested into funding sheltered workshops which show only a very low numbers in transition to the open labour market. Weak output parameters of institutions and agencies focused on employment, training, weak social programs are conditioned by their incoordination and unsystematic style of work. For these reasons, it is necessary to improve coordination and cooperation between agencies:
 - The main solution to this problem could be services concentration in one place (*one-stop-shop services*), for example in the UK Job Centre Plus, Norwegian link between national social insurance and national employment services or employment services integration into employment insurance like in Netherlands. What makes fused financing more complicated is the situation as the institutions responsible are divided horizontally (between ministries) as well as vertically (central and local level). The problem is also a lack of data on outcomes of policies aimed at employment of persons with disabilities. If such data in institutions exist at all they are very limited, and poorly coordinated or used. Thus, the key challenge in this context is still in policies" focusing even more on disabled people's employment.
 - Engagement of clients through "tailor-made services" - Public authorities should play a key role in identifying people's health conditions and needs for rehabilitation - for the two reasons: 1) the morbidity is higher among the unemployed than employed people and 2) long-term unemployment increases the probability of transition to the disability benefit system. Supported employment can become a trap for disabled persons with good employment potential. There is a risk that employers will keep the existing positions occupied by the best employees. What is needed is therefore a combination of standard and specialized services. In the Nordic countries, employment services for persons with disabilities are equally provided for other target groups (long-term unemployed, young people, early school leavers, elder people with insufficient efficiency). We should make sure that persons with disabilities can participate in all sorts of supporting programs. E.g. in Denmark every office must employ an expert for disabled people.

There are also specialized centers providing counselling for all these groups. Practice shows that clients prepared for employment are those who benefit from employment services. Others who still need training and pre-employment services, will rather benefit from work rehabilitation and education programmes.

- Focusing on suggestions for private service providers. - Trends in many countries show that funding based on number of clients receiving services makes the system inflexible. That is why it is necessary to use (outcome-based funding), which supports changes and innovations and is based on number of supported clients who get successfully employed. The only aim of the funding is a growth of PWD's employment. Improving coordination and cooperation among the components of employment support for persons with disabilities is a condition for the application of the output based funding.
- *issuing a decision on granting or refusing of contribution* which would contain all the information required under the Administrative Code (particularly the statement, reasoning, information concerning remedies) - According to 46 § 1 of the Slovak Constitution, any person may claim the justice at an independent court or other official institutions defined by the law. The authorities only follow the internal instructions and do not apply the administration norms in the process of claiming the subsidies.
- *Subsidy for a work assistant* should not be reduced in case of PWD's sickness or vacation. An employer does not get any compensation for increased expenses as a work assistant has to be paid whether or not a PWD is sick or on vacation
- *change the definition of the sheltered workshop* – to consider outdoor workshop to be sheltered workshop as well.
- *continuous evaluation of the effectiveness of active labor market policy tools* and their flexible adaptation for better practice
- or **introduction of new active open labour market measures** (temporary labor market, transitional labor market). These form conditions for implementation of the strategy of inter-relation of social services and supporting employment services for persons with disabilities in the open labor market
 - Strengthening “transitional” active open labour market measures which are **professional and specialized counselling services** which could help PWDs when moving on from special school system onto labour market; implementation of “transitional” labour market and inclusive education system
 - A new instrument to promote employment of persons with disabilities in the form of **internship** to make adaptation easier and cooperation with an employer when working on professional programs for individual work positions
 - The introduction and development of **dual education programs** and training of persons with disabilities for the labor market - e. g. the implementation of practical craft skills courses to increase the employability of persons with disabilities. This will be under the umbrella of PWD's professional school practice to link education and the labor market - foundation of training centers for persons with disabilities. Support for the transition of children and young people with disabilities from school to the open labor market.
 - The revision of the institute of **social entrepreneurship** taking into account the special needs of PWDs. This must be based on practice in the EU and its reinclusion into financial support for national projects.
 - **Support employers in meeting those obligations** – in the EU, there are two types of subsidies for employers to support employment of persons with disabilities: 1) subsidies aimed at adaptation of existing positions (they are mostly part of a strategy to maintain existing employees with disabilities) and 2) wage subsidies (used primarily for the purpose of recruiting new employees). The subsidy for adaptation of an existing position should be complex in nature: they should present a combination of technical solutions,

training for staff before and after recruitment process. It should be a combination of help in the workplace by raising awareness of managers as well as PWD's co-workers. The problems of employers' lacking information on existing support schemes or their application is time-consuming and difficult for administration which makes employers discouraged. Therefore there are specialized contact persons in the local labor centers In Norway, and JobAccess initiatives in Australia. There is an accessible website in Spain informing about assistive technologies and their availability and there are 30 support institutions, helping employers to overcome the administrative procedures in Netherlands. In Great Britain, there are employers' disability forums as well as a charity organizing employers' experience sharing. The Netherlands employers organize exchange networks at the regional level.

- Adopt a detailed action plan of **Youth Guarantees** program for the youth including disabled youth which clearly defines roles, timing, measurable indicators allocated budget as well as the responsible authorities. Based on the Slovak legislation to create a clear definition of a group of young people known as "NEET" (not in employment, education or training) and to adopt measures with the potential to positively influence even this group. Define the role of organizations working with youth (non-governmental organizations, organizations established by municipalities or other organizations working with young people) in the implementation of programs aimed at reducing youth unemployment and to develop a scheme of financial support programs. Ensure conditions (including funding) for inter-sector cooperation in implementing the program for Youth Guarantees
- the need to establish a consistent **assessment system for granting disability benefits and transformation tool for PWDs employment** (not like now - there is a different report by the Social Insurance Company and related Invalidation benefits and active labour market measures and there is a different report by a labour office and related invalidity subsidies)
 - *Shift from assessment of incapacity and disability towards assessment of working capacity* - Assessment of the PWDs are still focused too much on a medical diagnosis and physical and mental functional loss. This is carried out by general practitioners who lack sufficient expertise in vocational rehabilitation. PWDs' subsidies require several conditions. These require a person's health condition not to get any better and thus causes a person's exclusion from the labour market. Another effect is that persons with disabilities are kept in the status of being unable to work and thus claiming health improvements is not in their interest. It is therefore necessary to focus on the assessment of the *remaining functions* and *residual earnings capacity* for the needs of the so-called *potential jobs*. Modern trends are thus about assessing working capacity, and non-medical criteria to strengthen and extend the range of potential jobs for persons with disabilities. E.g. Sweden applies the so-called model *rehabilitation chain* which pays PWDs sickness benefits during the first 90 days. The aim is to restore their capacity to perform their original work - using some adaptations and modifications. If this primary aim cannot be achieved a PWD gets next 90 days to adapt for another job no matter whether in the same company or for another employer. After these 180 days the potential working capacity (for any job) is assessed again. It is the so-called *any occupation criterion* and it differs from the so-called *own job criterion* which is the basis for sickness benefits system. There are three critical questions as for the currently used assessment model: 1) What is the quality of the assessment like? 2) What criteria are used for the assessment? 3) How does the first assessment and temporary benefit entitlement influence permanent benefit receiving? Actually the experience proves that that some PWD are never assessed for the second time, that assessment is only based on medical criteria and most temporary subsidies transform into permanent subsidies. Unfortunately it is disabled youth who pay for this problem. They have often received benefits for several decades, which seems to be really contra productive for their work integration. E.g. Denmark is currently considering a change in the nature of youth disability benefits and change the system into system requiring PWDs' activity. There is an obligation in the Netherlands to prepare for PWDs aged 18 to 27 years a participatory plan including intensive support in job seeking and professional coaching. Only in the age of 27 years is the level of PWD's working capacity finally assessed. Medical professionals' focus on pro-employment activities. It seems as necessary to provide consistent methodological guidelines for general practitioners to set the length of absence, particularly because of increasing the number of people with mental health issues and musculo-skeletal problems. Procedural unification plays an important role during one's illness.

- From assessing incapacity towards activating** - the assessment so far has been focused on assessing the PWD's working capacity decrease. That was why PWDs were not required any work at all. The introduction of assessing work capacity (functions) is part of a strategy based on shared responsibility (*and mutual obligations strategy*). It is about the application of the principle of "vocational rehabilitation before granting benefits" (this strategy is applied by Austria, Germany, Hungary and Switzerland). The principle of 'compulsory rehabilitation instead of benefits is applied in Switzerland. Some countries provide PWDs partial disability benefits as a tool to support their remaining at work or their return to work. However, research show that a third or even a half of beneficiaries of partial disability benefits do not work at all. Denmark therefore changed partial disability benefits into wage repayment scheme (*flex jobs*) which is a tool of PWDs integration at work. In the Netherlands, the partial disability benefit is actually a wage supplement - if the PWD does not work, s/he is granted a a subsidy which is significantly lower than the partial invalidity benefit. Experience shows though that people with low incomes, get compensations in the forms of household support benefit instead. Some countries found the solution to this problem in merging different subsidies into a single subsidy for persons of working age (*single working age benefit*) - e.g. in the UK merging of contributory and non-contributory benefits into a new employment and support subsidy. Norway similarly merged different subsidies into the work assessment subsidy (*work assessment allowance*). The merged subsidy should prevent the PWDs' Movement and their frequent being stuck in different subsidy systems (these are called. *welfare - system movers*) for example movement from unemployment benefits to disability benefits in case of their health condition getting critical, they also often move from disability benefit system to material subsidies and social help in case their disability is not that critical. They can also move from social benefit system to unemployment benefits - whether after a short or a long time.
- Ensure that PWDs work because it pays out – **a reformed tax – contribution system** - from 50 to 90% of persons receiving sickness benefits end up receiving invalidity pension. The others end up receiving unemployment benefits or disability benefits. Although disability benefits are mostly lower than unemployment benefits, still a high number of beneficiaries prefer them because of their permanent nature. What is discouraging for PWDs is the so-called "subsidy traps" when increase of PWD's income causes the loss of entitlement to the disability benefit. If a PWD works full-time (40 hours per week) he or she loses 60 % of their income in the OECD countries. which is caused by taxes. The other reason might be their loss of entitlement to disability benefits. For these reasons, it does not pay out for PWDs to be active or to work overtime. The biggest challenge for disability policies are measures to encourage PWDs to take up work, remain in work and try their best at work. It means that the biggest challenge is for work to be motivating for PWDs (*making work pay*)
- there is a need to **review social benefits** (in prevention of the system abuse)
- Strengthening the employers' support** - Many employers prefer to pay for recruitment of new employees and their training than maintaining the "old" employees with disabilities (including adaptation of work and measures to maintain employees' productivity). To ensure a balance of both strategies, respectively to prevent employees' capacity decrease it is the key to pay attention to health and safety measures. This requires a lot of employers as well as employees's engagement as for compliance of the legal health and safety measures. (e.g. Sweden funds health and safety services approved by the National Social Company, in Denmark, employers have a legal obligation to monitor the issues of working conditions, including risk management and the impact of the working environment on morbidity). Particular attention is paid to the strenuous (*arduous*) work which, if not addressed by specific measures, often leads to early disabilities and early benefit receiving. Employers should be highly involved in the prevention and monitoring of illnesses. In the Netherlands, employers pay sickness benefits for a period of two years during which an employee must not be made redundant. For this reason employers pay insurance to private insurance companies. In this country, in the Netherlands, when a person became a partial disability beneficiary, an employer must pay disability benefits during 10 years. This reform caused a sudden decrease in number of beneficiaries. Although there is no ideal time to pay sickness benefits by employers, increasing their co-responsibility seems to be an effective strategy in preventing wide range of illnesses.

- discussion on “*too strong protection of PWDs in labour market*” - employers are not willing to accept PWDs as employees in the open labour market because of complicated procedures and legal protection of persons with disabilities in case of dismissal etc.
- Creating the conditions for a *network work rehabilitation centres* the role of which would also be *PWDs' employment potential assessment* (not only already existing PWDs' rehabilitation Institute and innovative model of Supported Wage System by EPIC NO), in which Ergodiagnosics and occupational therapy is carried out.
- need for supported employment and employment services to show more complex approach as for *the de-institutionalization* of social services and as for multiple disabilities. Including de-institutionalization strategy of social services into employment policy by supporting community service and individual approach

2. FUNDING - potential of financial stimulations of labour market and social integration of youth with disabilities

The thematic content of the workshop on financing as a means of stimulating employment support for people with physical disabilities in the open labor market and suggestions for practice (so far only brainstormed at workshops, conferences, EASPD Declaration of Employment and Employment Institute - these suggestions and notes perceived represent the basis for the next work (based on participants' feedback and we plan to work out a consistent concept and suggestions after consulting the professionals we plan to transform them into a concrete action plan):

- the need to discuss **substitutional compliance** as a means of keeping the law as well as another system of support
 - to support all sorts of disabled people in the labour market via *mandatory percentage of employees with disabilities* which each Slovak organization must employ (half-time contracts, sick days, employees' arrivals in the middle of a month etc. The aim is not to be limited by an average number of employees like it is now) and at the same time make it administratively easy and uniquely controllable (the criterion might be e.g. average number of working hours, average number of registered employees, or average wage costs). The public administration should set an example, that is why it should ban the exceptions §60, article 3 of The Employment Services Act 5/2004. We should make sure that the Labour Office also employs PWDs and provides their inclusion in the labor market.
 - *substitutional compliance increase* at least up to the half of the real cost of PWDs' employment (wages and taxes). The other option could be the increase in number of documented export orders from a sheltered workshop up to a double amount of absent healthy employees' wage costs. It means a double of the average wage costs. (Doubled amount takes into account other costs which are delegated onto his suppliers by an employer rent, controlling, administration, different risks etc.
 - to impose on employers (obliged to employ PWDs) a *duty to order products* and pay for them *regularly* (substitutional compliance) during the whole year- at least once a month - not like often now - a great number of huge orders for much money in December the satisfaction of which is extremely hard for a sheltered workshop. It is almost extremely difficult to produce and deliver so much goods whereas during the rest of the year the workshop faces a real problem as for paying wages on time
 - Sheltered workshops as well as sheltered work places should *issue standard invoices containing also the sum of money needed for substitutional compliance* (for example there is an order of cakes for 300 euros, 150 euros of it is actually the sum of substitutional compliance). The value of the substitutional compliance sums are results of profit made by employees with disabilities. This means that these sums will differ from a workshop to workshop (substitutional compliance as an invoice percentage will be different in a massage salon then in an electronics shop). The indicator to differentiate could be the double of PWDs' wage costs in a specific sheltered workshop (the double of the wage costs represents the maximum during a reference period - usually a quarter of a year. (e. g. the substitutional exceeds its maximum by 3 % the fine should be lower then if it exceeds the maximum by 20 %). This would provide

prevention of pretended orders for PWDs in sheltered workshops. Now this is controlled by the Labour Office. The Labour Office subjectively reviews credibility of buyers' contacts with the aim of substitutional compliance even backwards. (It reviews the administration of employers obliged to employ PWDs). If this system was implemented the problem would cease to exist. The Labour Office would keep only the responsibility to register sheltered workshops as well as show employed PWDs' numbers in the cooperation with the Social Insurance Company. This would not only reduce the complicated administration, and legal system insecurity but also the sheltered workshops' obligation to show evidence of their existence (Business Register statements, NGOs Register statements etc.). The reduction would also cause the formal separation of sheltered workshops and sheltered work places as well as bureaucracy decrease when founding a sheltered workshop.

- (*§65 Employment Services Act 5/2004*) **the increase of fines** at least up to the amount of an employer's real costs of PWD's employment (wages and taxes) or a triple of the absent substitutional compliance
- **“the fine” needs to be included in employer's deductible items** so that the employer could not include it in his costs but it should be equal to all the other fines
- Obligatory taxes should be used to **support specifically PWDs' employment** - for labour market active measures in the given region (just like until 2004)
- **a part of company finance** (normally paid as compulsory taxes which is transferred via the Labour Office into the national budget) should instead remain in the company. The company should prove that the money is used to support social and work PWDs' integration (French model).
- To introduce **social element in the public procurement**
 - The supplier promises to **include sheltered workshops** as one of his sub-suppliers (e. g. food and material aid programme - a supplier is for example obliged to provide 80 000 food and hygiene “packets” every 3 months during 7 years),
 - stabilized taxes and funding frame **via state orders** in Spanish social enterprises employing PWDs. This Spanish model based on tax reduction though needs to be combined with other measures and institutional support to introduce social enterprises employing disabled youth
- Establish a system of **social enterprises with unemployed young people with disabilities**
 - Austrian social businesses use **short-term measures** like re-training, social and psychological counselling focused on personal development, work skills training. These companies get funding for free from the government just like the other unemployed while they are registered unemployed. This is also a condition for getting unemployment benefits and registration in the Labour Office. (providing retraining, social and psychological counselling focused on personality development, work skills training etc.)
 - Italian **farm organizations** - if they employ marginalized candidates in the labour market including PWDs (e. g. ecological harvesting and garbage processing) then their taxes are reduced
 - **forming different models of social enterprises** in Hungary - they get funding to found a social enterprise (not for a concrete PWD's work position) The funding is based on the enterprise sustainability that is why there are all sorts of social enterprises different in structure, legal form, inter-sector consortia with the aim of the best possible success in the labour market. The Hungarian government forces NGOs to think how to use state funding allocated for PWDs' employment (e. g. Ekoprofit- there are methodologies to save money by using ecological materials while the total of costs remains the same e. g. how to implement solar panels.) NGOs employing PWDs in the social enterprises are forced to think innovatively how to get the state funding service cheque in Belgium (originally aimed at illegal work reduction)
 - **A PWD buys a cheque from a specific NGO** in his village or a town and then uses cheques to pay for services e. g. a young disabled person's mother pays a cleaner for cleaning their household. The mother

pays 9 euros in cash to a cleaner but the cleaner exchange the cheque for money in the local NGO and thus gets 15 euros for cleaning. This way an employer gets the rest of the sum and the government does not have to pay the employee's contribution. Plus there are pension funds for the cleaner.

- There are **dual support systems** in Rumania - the government supports PWDs home care and an NGO(as a service provider including supported employment) gets funded by the community and municipality. Because the funding is insufficient though, NGOs must try to earn their living by profit from products (made by PWDs) and service sales.
- Governmental **financial regulation** of NGOs' supported services - The government funds PWDs' social support and work integration, social rehabilitation and social services) in Belgium and in Austria through the Labour Offices paying PWDs' wates (these are people with higher degree of disability and incapacity). It is much more expensive for an employer to pay them from his own resources and based on a research we know that employing these people is much more expensive than making these PWDs' dependent on support system during their whole lives. It means it is about activating PWDs' by the government. The government though only forms financial and legal frame but finance management is up to the NGOs because they know best how to adapt financial subsidies for their employees with disabilities Overregulation by the government has a very negative effect on NGO funding similarly to government's overregulation negatively effects the open labour market.
- To condition different supported employment subsidies by an organization (not by an individual PWD. This would result in possibility to prepare plans which professions are needed. If a person has a lower percentage of efficiency, the responsibility is up to **social enterprises** - a city council provides a not used building in the city center which it owns, a businessman provides know-how how to manage economically healthy company, an NGO runs a company, provides working assistance staff and controls and helps employed PWDs. NGOs also make up plans on a PWD's employment and support just like for all the other marginalized and disadvantaged groups. People who have the capacity to move on to the open labour market should get preparation support by sheltered workshops with the aim of getting employed in the open labour market. There already are such systems - functioning well in the EU, but there is a real need for a functional support system (mentoring). It is not finance which is emphasized but it is mentoring. It is because high quality supported employment professionals can identify client's strengths and abilities and find a relevant job for him. (For example a PWD can work but cannot use public transport because the infrastructure does not work for a wheelchair user.) We need to bring PWDs to companies for which we need job coaching. (also language coaching - some companies pay for such coaching services. We mainly need a good social dialogue (employers' associations and employers themselves. If a social dialogue works we can work with the society .That is why we need NGOs as high quality service providers and employment services providers. This is connected with the disabled children's inclusion in the quality education right at the beginning of their school age. (The employment rate increase radically in Austria when the government started to support schools and strengthened the transition from schools to employment.)
- Introducing a **common platform of sheltered workshops** and organizations helping PWDs **in cooperation with the private sector**. The role of the platform should be helping economic development as well as sheltered workshop transformation into sustainable and economically healthy social enterprises together a united independent platform uniting different interested parties similarly to accreditation committees or ministry legislation committees would help sheltered workshops to be **healthily competitive**. It is necessary to find funding for **training** in sheltered workshop management and effectivity, marketing, public relations, product management etc. The aim of the training would be getting as much profit as possible from sales their products and services through the substitutional compliance. This would help them not to be that much dependent on state funding and active labour market measures for sheltered workshops (§55-60 Employment Services Act 5/2004).

3. COMMUNICATION STRATEGIES and raising awareness of lives and work of people with disabilities

The workshop content and suggestions of solutions (obtained via brain stormings at conference workshops as well as from EASPD Employment Declaration.

These ideas and suggestions are starting points for us. (We will complete them on the basis of conference participants' feedback and later we will work on a consistent conception of suggestions. We plan to transform them into a specific action plan in the future.):

- need for **increasing employers' awareness** in the open labour market
 - increasing public's awareness showing specific examples of employed disabled youth. *Positive examples* should be monitored, evaluated and adapted and spread to the other Slovak regions or other employers as successful pilot projects. Positive attitude focused on skills and abilities helps to overcome negative public's attitude and enables PWDs' employment.
 - Increasing *employers' awareness in PWDs' employment advantages*, social entrepreneurship, promoting good company's reputation as well as organizing campaigns to destroy employers' prejudice. The support for employers in planning their own social responsibility is the basis and starting point for PWDs' employment in these companies.
 - Informing and *supporting employers in forming social cooperation - social entrepreneurship as for specialized vocational education* in schools. In the context of OSN Convention on rights of people with disabilities there is a need to simplify the PWDs' transition from schools to open labour market.
 - increasing *employers' awareness about existing tools and active open labour market measures* focused on PWDs' employment, financial advantages - these days taxes reduced into a half, potential to find new customers (organizations employing more than 20 people obliged to employ PWDs and use the advantages of substitutional compliance).
 - need for *consistent communication strategies of sheltered workshops aimed at employers* concerning the substitutional compliance (trying to help low-profit sheltered workshops too).
- need to raise **public's awareness**
 - sensitization and *activating community to address help* e. g. help to a young family with a disabled child; social system help, education and upbringing of a disabled child, PWDs' employment and inclusion, supported living, and crisis intervention for people who become disabled during their lives
 - Need for dealing with obstacles of disabled youth' work inclusion- these are legal as well as illegal (attitude, value, mental, culture ones. There is a need to work with public opinion and *to include PWDs* in the public life. No matter what the discussion topic is (transport, agriculture - absolutely different areas than social field), PWDs should be present to solve it too. The inclusion should be also practiced by service providers themselves. NGOs helping PWDs should also employ PWDs and these should be involved in PR activities of that NGO.
 - Need for *innovative campaigns* (e. g. experience based activities) organized by several NGOs (service providers for PWDs as well as PWDs' associations. This could result in a huge medial campaign and prevent the campaign failure as the media prefer only chosen topics and present them in an emotionally abusive way.
 - *work with media* - to have a network of reliable cooperative journalists , to extend cooperation with them, to prepare topics in such a way that they understand the problems as quickly and effectively as possible. Then they will be able to present the topic to the public properly (partner approach).

It is useful for an NGO to have a PR employee. He does not need to be focused on public relations only but it is useful to have one specialized person who gets skills in campaigning and communication strategies.

4. RESEARCH focused on social and labour market integration of youth with disabilities

The workshop content and suggestions of solutions (obtained via brain stormings at conference workshops as well as from EASPD Employment Declaration)

These ideas and suggestions are starting points for us. (We will complete them on the basis of conference participants' feedback professionals' opinions and later we will work on a consistent conception of suggestions. We plan to transform them into a specific action plan in the future.)

- Need for consistent "**hard data**" for NGOs (service providing as well as representing PWDs). This data is needed to strengthen arguments aimed at government, sponsors and media. Many organizations keep their own records - statistics to provide arguments like mentioned above, these are not unfortunately sufficient. That is why we should have a unified database and help one another by sharing surveys and arguments. We should have data available as for the PWDs' numbers and structure, numbers of PWDs who are unemployed or assessed as unemployable, unable to work, the ones working in sheltered workshops , PWDs who moved from sheltered workshop to the open labour market and vice versa, PWDs who are dependent on social benefits, not working PWDs.
We should also focus on research in life quality, on PWDs working in different professions, PWDs with multiple disabilities and their life conditions as for their situation in the labour market (longitudinal studies) etc.
- **To monitor regularly and evaluate labour market policy effectiveness** for PWDs. Based on the research results it is necessary to suggest on measures to improve policy quality in the Slovak legislation just like in the other EU countries (EUROSTAT, ANED research network)
- To monitor **development and response of education system to the labour market** requirements especially for PWDs . Monitoring and prognosticating the labour market needs necessary to be able to provide the feedback for the public, employment services, as well as education system.
- To compare **calculations of state costs** on passive care for PWDs and costs needed for active support services - counselling as well as social community services. Then there is a need to confront statistics of numbers of compensation subsidies for PWDs and on the other hand invalidity benefits and state subsidies for PWDs' employment.
- To **seek causes and to process strengths and limits** of current situation in PWDs' employment policy, to identify what was successful and what was not in Slovakia , not to omit good practice examples from abroad and to suggest a specific implementation plan for Slovakia.
- To compare results of legal measures implementation into PWDs' employment practice and Labour Offices results in **individual regions**. Then there is a need to elaborate a study revealing the causes.

RECOMMENDATIONS TO SLOVAKIA

Slovak Republic and Slovak Government (regardless of political affiliation of current leading political party) should foster **policy coordination and exchanges of best practices** in the field of employment support such as supported employment in the open labour market, sheltered employment, social cooperatives, social economy activities, etc.

The Slovak Government should **promote through funding the sustainability and development of social cooperatives**, social economy activities and others which provide employment and vocational training in the open labour market in line with the ratification of UN CRPD in Slovakia.

The Slovak Government should **promote more working opportunities for persons with disabilities in the open labour market** with key actors from business sector in Slovakia.

The Slovak Government should **promote networking between stakeholders from the open and the sheltered sector through exchange programmes** (i.e. exchange of staff, training courses) under the state dotation schemes.

The Slovak Government should **promote the development of employment services**, covering the needs and possibilities of persons with disabilities in Slovakia also through funding from European Social Fund, Erasmus+ and another EU financial sources.

The role of supported employment services in providing work opportunities should be encouraged by the Slovak Government by implementation of supported employment services for people with disabilities into **the whole spectrum of employment policy and linked economic strategies**.

The state programmes should tackle the promotion and development of **training opportunities** for people with disabilities by such way, in order **to be accessible for all types of disabilities**, including through the use of ICT.

The Slovak Government should be **active in monitoring and flexible watching** of solutions for better implementation of European Employment Directives, Public Procurement and UN CRPD.

The Slovak Government should promote the development of employment opportunities for persons with disabilities through **social dialogue** instruments in Slovakia.

The Slovak Government should promote the development of employment opportunities for people with disabilities by the **Gener Block Exemption Regulation**.

CONCLUSIONS

This declaration aims at outlining our vision in terms of the implementation of the Right to Work and Employment as set by Article 27 of the UN CRPD.

The potential of job creation for both employers and employees with disabilities is a complex but not impossible objective. There is a need for more efficient and concrete resources to organise trainings and reduce the gap between learning paths and professional environments. Iles of excellence exist, but more resources need to be allocated to make them common practice.

Stable funding and legal facilitating frameworks are the fundamental boost employment and promote flexibility, mobility and career opportunities.

We call for stronger cross-sectional and cross-resortial partnerships with Disabled People`s Organisations (DPOs), with civil societ stakeholders, with policy makers, trade unions and with the business world in order to establish strong cooperation and ensure that real employment opportunities for people with disabilities are made available.

The ultimate goal should be the realisation of truly inclusive accessible settings, as according to the UN CRPD, where persons with disabilities can enjoy their rights as everybody else.

This Declaration was approved by TENENET (NGO) in December 2015. It will be revised and updated in the upcoming years.

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