Confédération Européenne pour l'Emploi des Personnes Handicapées

HARMONY REPORT
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1. Introduction - The HARMONY Programme

1.1 In recent years disabled people have increasingly demonstrated their ability to work to the same standards as people without disabilities. However, disabled people throughout the EU are much more likely than people without disabilities to be unemployed and to be unemployed for a longer period. Of those who are in employment, many are trapped in low paid, unchallenging and static jobs. In addition to the obvious waste of human resources, this situation works against the social cohesion for which we are all striving within the European Union. Employment is a vital platform for full citizenship. This situation needs to be put right.

1.2 The HARMONY Programme was initiated by the CEEH in order to identify the main difficulties and opportunities facing disabled people, and to make proposals for the future. As such, it forms an important part of the contribution by CEEH to the work to assist disabled people within the HELIOS II action programme. CEEH has also been closely involved in the work of the exchange and information activities in the economic integration sector and in the preparation of the European HELIOS II Guide of Good Practice. The HARMONY Programme has consisted of 4 linked seminars which received support from the 1996 HELIOS II Euro-Programme for NGOs:

- Enterprises, it works! - Salamanca, Spain; 9-11 May 1996,
- Marketing is the message! - Hou, Denmark; 19-22 June 1996,
- Building Bridges - St.Brieuc, France; 26-28 September 1996,
- Highway to employment - Vicenza, Italy; 23-26 October 1996.

These seminars included formal contributions by, among others, representatives of the European Commission and Member States, employers and trade unions, disabled people, and service providers; and were attended by more than 700 participants from similarly diverse backgrounds. For many of these people it was the first time they had participated in an event within the HELIOS II Programme. Further information about these seminars is provided at Annex A. It is also intended that reports will be produced of the proceedings at each of the seminars.

1.3 The CEEH is a European Non-Governmental Organisation with the goal of promoting full citizenship and equal opportunities for people with disabilities in the fields of training and employment at European Community level, as well as in each Member State. The member organisations are grouped in networks which have been established in 14 Member States. Members include organisations (service providers, employers, and trades unions) which are responsible for a very wide range of services - including vocational assessment and placing, training, rehabilitation, supported employment, assisted employment and sheltered employment.

The CEEH has worked closely throughout the HELIOS II Programme with the other European NGOs which are particularly concerned with employment for
disabled people - Action Européenne des Handicapés (AEH); Confederation of European firms, Initiatives and Cooperatives for Psychically Disabled (CEFEC); European Union Group of the International Organisation for the Provision of Work for Handicapped Persons (EUG-IPWH); Groupement Européen pour l'Emploi des Personnes avec un Handicap Mental (GEEPHM); and European Union for Supported Employment (EUSE).

1.4 This report and the proposals in it, have been produced as the means of presenting the results of the HARMONY Programme to Members of the European Parliament, representatives of the European Commission and Member states, and others in Strasbourg on 24 January 1997. In preparing the report account has also been taken of the results of relevant events organised by other Euro-NGOs; and documents published by NGOs, the European Commission, the European Parliament, and the United Nations (particularly the Standard Rules on Equalisation of Opportunities for People with Disabilities) and others. A full list of these events and documents is at Annex B. Some of the documents are also mentioned elsewhere in the main text of the report.

The Report is intended to provide the stimulus for future policy and technical developments throughout the European Union. Proposals are included for principles to be adopted, and action to be taken by organisations at European, national, regional and local levels, including the European Commission and other European institutions, Member States' governments, NGOs, service providers, employers and trade unions.

The proposals in the report are particularly relevant to the action following on from the European Commission's Communication on Equality of Opportunity for People with Disabilities, and the preparation of the disability employment strategy which the Commission proposes to develop and publish during 1997. The Commission's initial plans on both these initiatives were produced during the time covered by the HARMONY Programme.

As an activity supported by HELIOS II the Harmony programme is concerned not only with improving employment opportunities for disabled people within the European Union, but also in the wider geographical area covered by the European Economic Area. Although the term « EU Member States » is used throughout this report, it is intended that the analysis, argument and proposals contained in it should also generally be considered relevant to Norway, Iceland and Liechtenstein.

1.5 Although the report represents the views of CEEH, it is the result of work by many people, both disabled and non-disabled. CEEH hopes that it will also act as the catalyst for the close cooperation which will be needed in future between all who are concerned with improving employment opportunities for disabled people.

Through the publication of this report we are seeking to ensure that disabled people receive their fair share of the opportunities for employment and that we achieve an end to the discrimination against them. However CEEH is aware that
the issue of employment is likely to become increasingly difficult for many EU citizens in the future. In particular, we acknowledge the equally legitimate claims of other disadvantaged groups for special recognition. Some of these groups often include people with disabilities who may be doubly discriminated against - such as disabled women, and disabled people from ethnic minorities. It is hoped that our proposals for action to meet the needs of disabled people will also lead to the development of new ways of helping non-disabled people who are at a disadvantage within the labour market.

1.6 All references in this document to 'disabled people' or 'people with disabilities' are intended to include 'any person with an impairment of a physical, sensory, mental or intellectual nature who faces obstacles to participation on equal and equally effective terms with others in all aspects of the life of the community'.

1.7 There has been much emphasis, and a growing consensus, in recent years on the need to build a 'Social Europe'. The seminars within the HARMONY Programme have revealed a widespread enthusiasm for this to become a reality for the European Community's disabled citizens. Now is the time, as proposed in the original publicity for the HARMONY Programme, to:

'All together - let us build social Europe through employment.'

2. The Vision - Principles for the future

It is the view of CEEH that the following principles should underlie the development of all future initiatives which are designed to improve employment opportunities for disabled people. These include the new European Community Disability Strategy, the Disability Employment Strategy, and mainstream developments such as the intention to incorporate actions relating to disabled people within the Community's 'post-Essen' employment strategy. These principles are also reflected in the proposals which are summarised in Part 3.

* Principle of Equality of Opportunity

Disabled people must have a right to access (including physical access) to employment, and to services for preparation for employment on the same terms as non-disabled people, and as appropriate to their skills, qualifications and potential.

This principle is proposed as the key to all further development in this area. It forms the framework within which all the other principles are situated.

'Employment' includes all forms of activity involved in making products or providing services in return for payment.

'Services for preparation for employment' includes all services to which a disabled person may need access to prepare for employment such as assessment, guidance, rehabilitation, training, personal assistance schemes and placement.

* Principle of Involvement
Disabled people must be fully involved in the design and running of services to assist them; and, in decisions regarding their own employment or preparation for it.

* **Principle of Inclusive Systems**

Preparation for employment, and employment in an integrated environment must be the first consideration for all disabled people who are seeking employment. Nobody should be excluded from a 'people's Europe'. ‘Inclusion’ is the goal for everybody.

The principle of ‘Inclusion’ demands that all disabled people are able to gain full access to the services and facilities which are relevant to their needs. This includes all « mainstream » services and facilities - i.e., in the context of employment, those which are intended to meet the needs of people generally in relation to assessment, training, guidance, placement, etc. It is also applicable to people who are not currently able to work or who are not seeking work.

* **Principle of Recognition of Ability**

All services which are provided for disabled people must recognise and build on their skills, competencies and potential.

* **Principle of Choice**

Disabled people must have as wide a range of choice of employment opportunities as possible.

* **Principle of Achieving Full Potential**

All disabled people in employment must be enabled to develop their skills and knowledge to their full potential, and to work at the appropriate level.

* **Principle of Transition**

All people for whom work is provided in special facilities, such as sheltered workshops, must be assisted to move into open employment wherever this is appropriate to their needs and wishes, and practicable.

* **Principle of Partnership**

All initiatives at EU, national and local levels which have the aim of improving employment opportunities for disabled people must be developed on the basis of partnerships between disabled people, NGOs, service providers, employers and trade unions.

* **Principle of Quality**

All services provided for disabled people, or to which they need to have access must reflect a high level of quality in their design and operation.

### 3. Proposals for action

#### 3.1 - 3.4 Background

3.1 Part 4 of this report consists of discussion of various themes, and proposals for action by the European Commission, Member States and others. The proposals are summarised below according to who it is proposed should initiate action on them and the specific subject area. In some cases these proposals are abbreviated versions of the full proposal as contained in the main text of the report.
3.2 Some proposals are directed towards the European Commission another European institution. However, in many cases it would be appropriate for individual Member States to take action whether or not action is taken at EU level.

3.3 No priority is suggested for individual proposals either in Part 4 or in the summary. There are, however, particular areas of activity which CEEH regards as central to achieving the ultimate objective of ensuring full inclusion and citizenship:

- Involvement of disabled people,
- Action by employers,
- Elimination of discrimination,
- Commitment to reduce unemployment,
- Long-term strategy for 'mainstreaming.'

3.4 The principles and proposals suggested in this report will, subject to the debate on it in the final HARMONY event to be held in Strasbourg in January 1997 and any further responses and comments, be used by the CEEH as the basis for its future development and the platform on which its work programme will be based.

3.5 **Action by European Commission and other Community Institutions**

It is essential that the European Commission, in consultation with Member States, social partners, NGOs and others establishes the overall framework for and direction in which developments should be made in the future. It should then be for individual Member States to decide on the specific measures to introduce or develop further.

**Choice of Employment Opportunities**

*Proposal 1*

All EU initiatives on job creation or the Information Society should provide for the needs of disabled people. The European Commission should institute a formal system for ensuring that this 'disability proofing' happens based on the UN Standard Rules, and which includes consultation with disability organisations. Para 4.4.1.6.

*Proposal 2*

There should be an agreement at EU level which specifies that the number of places in workshops to provide employment for disabled people will not exceed the level necessary to cater for those disabled people whose needs cannot be met in the open labour market.

Sheltered employment providers must be required to meet criteria such as:

- Focusing on the abilities and the developmental needs of disabled workers;
- And ensuring that:
  - all workers have jobs which are appropriate to their abilities, and the same legal rights, status and pay as other workers;
• wherever possible, the ‘company’ is required to compete in the market on the same terms as, and has the same status as other employers, and,
• as appropriate to the needs of the disabled people concerned, there are specific goals for recruitment and transitions, assistance with progression and transition and a 'safety net' for workers who move into open employment. Para 4.4.1.14.

Proposal 3
The European Commission should prepare a proposal within the context of the proposed disability employment strategy for addressing the various impediments to disabled people realising their right to freedom of movement. Para 4.4.1.15.

Proposal 4
All requests for EU funding under mainstream programmes for projects concerning 'preparation for work', 'job creation' etc should be required to specify the arrangements for access for disabled people, and to provide budget proposals for paying for costs of personal support, equipment, etc. Para 4.4.2.10.

Involvement of Disabled People

Proposal 5
EU funding should be made available to the members of the European Disability Forum and other relevant NGOs representing the interests of disabled people at EU level so as to enable them to continue work started within HELIOS II. Para 4.4.3.5.

Proposal 6
The European Commission should consult the Forum on all issues which are relevant to disabled people. This includes involving it in 'disability-proofing' (see Proposal 1) through a formal link with the Commission's Inter-Services Group. Para 4.4.3.5.

Proposal 7
Targets should be set for participation of disabled people in ESF Objective 3, EMPLOYMENT - HORIZON, LEONARDO and other relevant initiatives. Para 4.4.3.8.

Status as workers

Proposal 8
An initiative should be developed at EU level to ensure that disabled people who are in employment have the same employment rights as non-disabled people, and that, depending on the quality of their work and level of output, they receive the same levels of pay. Para 4.4.4.3.

Partnerships and the role of the major partners

Proposal 9
A major initiative should be introduced at EU, national and local levels to develop the awareness, interest and involvement of employers. This should build on, and assist the development of existing initiatives taken by individual employers, and groups of employers to promote the employment of disabled people (including networks at all levels). It may also include the development of Guides to Good Practice. Para 4.4.5.5.

Proposal 10
The European Commission, other Community institutions and Member States' governments should introduce formal arrangements for consulting service providers, employers and trade unions alongside the arrangements proposed above for disabled people and disability organisations. Para 4.4.5.10.

Proposal 11
Any proposals which the Commission may develop for activity involving partnerships with local administrative authorities should highlight the need, if employment opportunities are to be improved, for action on transport, access and coordinated provision. Para 4.4.5.12.

Proposal 12
Specific provision should be made (for example within one of the EU initiatives concerned with job creation etc) for training staff of service providers, and disability organisations in the techniques appropriate to marketing to employers. Para 4.4.5.8.

3.6 Action by Member States

Equal Opportunities
Proposal 13
Appropriate provision should be made in the EU Treaty, and or national constitutions/legislation to ensure that discrimination on grounds of disability is prohibited. This should include discrimination in respect of any programmes or services relating to employment or preparation for employment, and employment in organisations of all sizes; and the prohibition of discrimination needs to be backed-up measures such as a clear method for identifying people who are to be protected; clear definitions of 'discrimination' and the acts which are unlawful; and a straightforward procedure for people to follow when they have been subjected to discrimination. Para 4.3.9.

Proposal 14
Member States should adopt an objectives led approach to making improvements in this area. In particular, as part of the disability employment strategy proposed by the European Commission, Member States should make a binding commitment to reduce unemployment for disabled people to the same level as the overall unemployment rate within a specified period. They should also ensure that measures adopted (such as quota and anti-discrimination legislation) work to the best possible advantage of disabled people, and that other relevant legislation does not discriminate against them. Para 4.3.16.
Proposal 15
EU, Member States and all relevant partners should develop and adopt a long-term plan with the objective of ensuring that, for example, within a generation, there is no longer a need for separate education and training facilities for disabled people. This should include objectives for intermediate periods, and measures for regular monitoring. Such plans would, however, only be supported by the CEEH if it was ensured that there would be no diminution in the range and quality of services for disabled people. Para 4.4.2.7.

Choice of Employment Opportunities
Proposal 16
Member States should carry out reviews of the need for changes in the benefits system, and for further funding and/or organisational changes to ensure that appropriate funding is available to cover the costs of personal support, aids, adaptations to equipment, or subsidies to cover any shortfall in productivity. Para 4.4.1.9.

Involvement of Disabled People
Proposal 17
All Member States' governments should take any measures necessary to ensure full consultation with, and participation of disabled people at national level on the lines proposed at EU level. They should also (where they do not exist already) introduce formal arrangements for consulting service providers, employers and trade unions alongside the arrangements proposed above for disabled people and disability organisations. Para 4.4.3.10.

4. Discussion and arguments
4.1 Preamble
4.1.1 All Member States - often working together with regional or local administrations, non-governmental organisations, employers and trade unions - have a tradition of enacting legislation and practical provision to promote the employment of disabled people. This activity has been supplemented, and further encouraged in recent years by initiatives at EU level, of which the more significant are:

- The Council Recommendation of July 1986 on the employment of disabled people in the Community, which was judged by the Council of Ministers in 1988 as having encouraged further progress in all Member States;
- The inclusion in the Social Charter of a reference to the entitlement of disabled people to additional concrete measures aimed at improving their social and professional integration;
- Funding support for training and other measures to improve employment opportunities for disabled people through ESF, and, on a transnational basis, the HORIZON strand of the Community Initiative EMPLOYMENT (previously the Community Initiative HORIZON); and
The opportunities for exchange and information activities, and support for NGOs (including the European Disability Forum) provided through the HELIOS II Programme, and earlier Community Action Programmes to assist disabled people.

4.1.2 Individual Member States have demonstrated their commitment to further developments by the recent introduction of anti-discrimination legislation or plans to introduce such legislation; or the inclusion of a similar prohibition in their constitution. Other Member States have confirmed their support for quota systems as a means of ensuring employment opportunities for disabled people. In others there is increasing interest in finding ways of enabling disabled people to work in the open labour market rather than in sheltered workshops.

4.1.3 It is also hoped that further developments will be stimulated within Member States and at EU level as a result of various recent initiatives by the European Commission:

- The proposal that discrimination on grounds of disability should be specifically outlawed in the EU Treaty;
- The Communication on Equality of Opportunity for People with Disabilities which aims at 'giving a renewed impetus towards the rights-based equal opportunities approach to disability', and which included a Resolution by means of which (and following some amendment) Member States have recently reaffirmed the principles and values which underline the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities; and
- The proposal to establish a coherent disability employment strategy in the form of a communication to the European Parliament and the Council which will be informed by the updating of the Report from the Commission on the application of the Recommendation of 1986 and inputs from Member States, the social partners and NGOs; and which will situate proposals for future developments within the general initiatives on employment following the Essen Council Meeting, and other general Community level initiatives on Information and Communication Technologies, and the Structural Funds.

4.1.4 In addition to these initiatives by Member States, governments and the Commission, many employers and trade unions are seeking to improve employment opportunities for disabled people. Employers in countries with quite different legislative approaches to promoting employment for disabled people (eg quota, quota/levy, no quota) have prepared guides to good practice, set-up networks at local and national levels, etc.

Trades Unions have also been active in establishing an EU-wide network and an agreed approach to supporting disabled people's call for improved employment opportunities at Community level.

4.1.5 This activity is taking place, and the various proposals for further action are being made at a time when the overall economic situation in the Community is characterised by a number of developments which, for individual disabled people (as for non-disabled people), might be regarded either as posing problems or offering opportunities.

These developments include:

- The increasing reliance in employment situations on new technology and telecommunications systems - including tele-working;
The fall in demand for unskilled labour;
The growth of the service sector - particularly in comparison to the manufacturing sector;
The probability that less people will spend their working lives in full-time career employment;
The shift towards smaller, more flexible companies; and
The need for constant re-training, and an increasingly flexible approach to working conditions eg working hours.

4.2 Community Approach to improving employment opportunities for disabled people

4.2.1 The generally active approach to this issue by Member States over many years, and the encouragement provided through Community level initiatives have already been mentioned above. However, although the approaches in individual Member States have been directed towards the same objective they have often differed significantly. For example, there is substantial variation in the obligations imposed by legislation on employers and the scale of provision such as sheltered workshops. Furthermore, in some cases, Member States have only recently introduced significant new legislation etc. or announced their plans for its introduction in the near future.

4.2.2 The approaches taken in individual Member States are influenced to the greatest extent by their general approach to social/economic issues. It is often a question of deep-seated cultural differences. Any comparative assessment of their relative merits and effect is, likely to be frustrated by both the relative lack of hard evidence regarding results and also by the contextual differences of the approaches in different countries. As a result it is very difficult, if not impossible, to argue that one approach is more effective than another. Or that a common approach should be adopted within the Community, even if this were possible within the terms of the Treaty.

4.2.3 On the other hand, it is possible to identify some basic factors relating to employment for disabled people which are common to all Member States:

- A disproportionately high number of disabled people who are capable of working are unemployed, and disabled people remain unemployed longer than people without disability,
- There are increasing demands for involvement and inclusion of disabled people themselves,
- Disabled people need to be able to become properly prepared to take up their position on the labour market,
- Service providers need to be better equipped to meet the needs of both disabled people, and employers,
- Employers need to be convinced of the potential of disabled people as employees, and that they should actively and willingly seek to employ them.

4.2.4 In the circumstances it is clearly appropriate that there should be continuing action at Community level to improve the employment prospects of
disabled people. However, it is the view of CEEH that, apart from the introduction of protection against discrimination in the Treaty, future action at Community level should primarily be focused on practical initiatives such as agreeing objectives; identifying areas in which improvements should be made; establishing principles on which legislation and other provision should be developed; and enabling the exchange of information between organisations in different Member States, and joint working on issues and projects in which there is a shared interest.

4.2.5 Such an approach could ensure that the urgent and important measures that need to be taken will not be impeded by unnecessary concerns on the part of Member States that they are being asked to adopt a common blueprint for the legislative and other provision in this area. More positively, it should also allow them to develop their own solutions which will inevitably show appropriate respect for their national traditions, legislation and plans for the future.

4.3 Equal Opportunities and Full Citizenship

4.3.1 "Disabled people do not want the moon; they only want the same as everybody else - and above all they want full citizenship" - Patrick Ségal, Délégué Interministériel aux Personnes Handicapées, France, at HARMONY Seminar in St.Brieuc.

4.3.2 Disabled people are not a homogeneous group. But in all EU countries many of them, in addition to sharing a desire to work, face prejudice and discrimination. Some, such as disabled women and those from ethnic minorities, face a double discrimination.

4.3.3 Employment is a central part of life in modern society. For those people who, for whatever reason find themselves on the margins of society, work can be an important means of aiding them to achieve their aims for social as well as economic integration. A reasonable level of income can ensure financial independence.

4.3.4 Negative attitudes, lack of relevant knowledge, preconceptions and prejudices all contribute to the existence of inappropriate barriers to people with impairments gaining or retaining employment. These are the societal factors which make these people 'disabled' in spite of the fact that they may have much to contribute.

4.3.5 Disabled people should have the right to employment (including career development, and retention), and to assessment, training and guidance services on the basis of equality with non-disabled people, and as appropriate to their skills and qualifications.

4.3.6 In order to fully participate in the life of the Community disabled people also have right to access to all information which is relevant to them.

4.3.7 As Commissioner Flynn said at the Forum 'Working on European Social Policy' which was held in Brussels on 27-30 March 1996 "The practical elimination of all barriers - and any form of discrimination - to the full participation of all citizens in economic and social life must be a central priority
objective for us all”. The promotion of people’s rights to have access to vocational training and a job should be considered as a collective duty imposed on EU as a democratic institution.

4.3.8 There is a concern among some people who were involved in the HARMONY Programme that a legislative initiative of any form might make it more difficult to gain the necessary level of confidence from employers. It was also suggested that such legislation would only be of benefit to a minority of disabled people; or that no initiative was necessary at EU level because discrimination is already prohibited in individual national constitutions. However, the general conclusion of CEEH is that it is necessary to provide some means of outlawing discrimination at EU as well as national level. The CEEH therefore supports the initiative by the European Commission for a suitable reference to be included in the revised Treaty.

4.3.9 Proposal

Appropriate provision should be made in the EU Treaty, and or national constitutions/legislation to ensure that discrimination on grounds of disability is prohibited. This should include discrimination in respect of any programmes or services relating to employment or preparation for employment, and employment in organisations of all sizes. The prohibition of discrimination needs to be backed-up by measures such as a clear method for identifying people who are to be protected; clear definitions of ‘discrimination’, and the acts which are unlawful; and a straightforward procedure for people to follow when they have been subjected to discrimination.

4.3.10 The introduction of this prohibition of discrimination against disabled people is only regarded as the essential minimum requirement. Member States will inevitably have to continue with the wide range of measures which they have already introduced, and support/amend these by introducing further measures.

4.3.11 Even if the European Union had the competence, CEEH does not believe that it should seek the introduction of particular measures throughout all Member States.

4.3.12 All Member States’ governments are tackling the issues concerned on the basis of what they regard as appropriate to the general approach to social/economic issues in their respective countries. There is no firm evidence or overwhelming view that one approach is more successful than another.

4.3.13 Quota systems are a good example of this. They appear to be more or less successful depending on their overall structure and the degree to which they have been enforced. In some countries they are regarded as an essential means of engaging the support of employers and trades unions and, as a result, ensuring employment opportunities are available to disabled people in both the open labour market and sheltered employment. However there are wide differences of opinion on questions such as whether they are themselves discriminatory and
stigmatising, and whether employers only accept their obligation to recruit disabled people to avoid paying a levy. It is clear that in various countries there would be no agreement to introduce a quota system or to further develop an existing one; or, indeed, to scrapping an existing system.

4.3.14 Sometimes Quota and Anti-discrimination legislation are presented as alternatives. But it seems perfectly feasible that a national quota system could work alongside a European Union or national anti-discrimination law. Quota systems do not operate as an upper limit on the number of disabled people that an employer should, or might be expected to employ.

4.3.15 It is also important that Member States should consider the benefits of approaches such as tax benefits or subsidies for employers. They should also ensure that other relevant legislation and other provision does not discriminate against disabled people; that their overall approach is consistent, and that regular checks made to ensure that the desired results are being achieved.

4.3.16 Proposal

Member States should adopt an objectives led approach to making improvements in this area. In particular, as part of the disability employment strategy proposed by the European Commission, Member States should make a binding commitment to reduce unemployment for disabled people to the same level as the overall unemployment rate within a specified period. They should also ensure that measures adopted (such as quota and anti-discrimination legislation) work to the best possible advantage of disabled people, and that other relevant legislation does not discriminate against them.

4.4 Specific Themes

4.4.1 Choice of Employment Opportunities

A large proportion of the disabled people who have gained employment work in open employment. This is becoming the preferred option for increasing numbers; and given an appropriate opportunity (and, in some cases, personal or other support) they are proving themselves capable of performing tasks which, only a few years ago, most people would have believed to be impossible. Employment in an integrated environment should be the first consideration for all disabled people who are seeking employment.

4.4.1.2 Opportunities need to be developed, and the capacities of disabled people recognised in relation to jobs in existing organisations working within the open labour market as well as self-employment, teleworking, local employment initiatives, job creation projects in the new sectors of employment growth; cooperatives; and social firms. Disabled people need access to the widest possible range of jobs. For this objective to be achieved it is essential that full advantage is taken of the work within the HELIOS Programme and other EU initiatives in developing ideas and practical measures in relation to these various areas of opportunity for disabled people, and on ensuring that guidance services and
others concentrate on disabled peoples' value as individuals, and on their competencies rather than their deficiencies.

4.4.1.3 The development of the Information Society and specific possibilities such as teleworking provide opportunities and dangers for disabled people as they do for the millions of other EU citizens whose jobs or job prospects are affected by them. Used properly new technologies can improve the quality of life for disabled people and enhance their contribution to society as a whole. It is important that disabled people are not further excluded from society as the result of these developments, and that they are given every opportunity to benefit from them.

4.4.1.4 As recognised in various documents produced recently by the European Commission, it is also expected that the creation of new jobs in the future will largely derive from small and medium enterprises. Disabled people must have equal access to these jobs as other people, particularly in areas of employment intensive growth.

4.4.1.5 It is noted that the European Union expects to play a major role in the future in promoting the development of jobs and various aspects of the Information Society and that various recent mainstream initiatives in this area are taking account of the particular needs and situation of disabled people. These include the Commission ‘s Green Paper : ‘Living and working in the Information Society’, the ‘High Level’ Group, and the recent proposal by the Commission for a programme to improve awareness of information technology and support demonstration projects, which would run from 1997 to 2001.

4.4.1.6 Proposal

All EU initiatives on job creation or the Information Society should provide for the needs of disabled people. The European Commission should institute a formal system for ensuring that this ‘disability proofing’happens based on the UN Standard Rules, and which includes consultation with disability organisations.

4.4.1.7 Some disabled people are prevented from working in open employment because of the difficulties of transferring from disability benefits or pensions, or the lack of an adequate system to pay for personal support (technical or physical), aids, adaptations to equipment, or subsidies to cover any shortfall in their productivity. For some people continuing support is needed after training. Employers may need to offer flexible work options, or to provide support to allow for the retention of someone who has become disabled whilst in employment. The need for funding for personal support is particularly important in relation to the development of Supported Employment. But there is also a general need for a more flexible approach to support for disabled people, many of whom would clearly benefit from a system of subsidies to employers, social firms, co-operatives etc to cover any shortfall in their performance compared with other workers.
It has been suggested that it may be more appropriate to adopt a system whereby wages and benefits or pensions can be combined. Or, possibly, some of the money currently distributed as benefits/pensions could be redirected to enable tax allowances to be available to employers who employ disabled people. The need for funding for personal support is particularly important in relation to the development of Supported Employment.

**Proposal**

**Member States should carry out reviews of the need for changes in the benefits system, and for further funding and/or organisational changes to ensure that appropriate funding is readily available to cover the costs of the support, etc mentioned above. Reviews of the benefits systems should take place within the context of the action to achieve more employment friendly social security and tax systems called for in the declaration on employment which was adopted at the recent Dublin Council meeting.**

4.4.1.10 For some disabled people, particularly those with more severe disabilities, the most common approach to providing employment has been to establish « sheltered workshops ».  
4.4.1.11 This form of provision has helped a lot of disabled people. However the original intention in most countries that many of these people should ultimately move on to open employment has not been realised. The sheltered employment sector is coming under fire from Member States' governments who are concerned at the cost of the subsidies they are making, and from disabled people who wish to work in open employment.  
4.4.1.12 In an ideal world, it may be preferable if all disabled people could expect to work in open employment and for all special establishments to be devoted to enabling them to prepare for this. However, given the large numbers of people who are dependent on the 'workshops' for employment and the current economic climate, CEEH does not believe, that this is even close to being a viable option.  
4.4.1.13 Any discussion about sheltered workshops at a European level is made difficult because of the differences in approach in different Member States. The study carried out by the University of Stuttgart within the exchange activities of the HELIOS II Economic Integration sector shows very clearly how different Member States have developed sheltered employment facilities for disabled people with different levels of ability. At one extreme, where the disabilities of workers in workshops are not particularly severe a very progressive and effective approach is taken so as to ensure that the workshops operate as near as possible in the same way as ordinary commercial companies whilst also focusing on developing the abilities and knowledge of their employees. Operating as normal and cost effective enterprises with meaningful and fairly paid jobs, enables workshops to justify any financial or other assistance they receive while contributing to their country's economic and social well-being. On the other hand, in some countries the workshops are designed only to cater for people
with much more severe disabilities. In these cases the workshops are most likely to operate substantially as centres offering occupational therapy and, to some degree, training.

4.4.1.14 Proposal

There should be an agreement at EU level which specifies that the number of places in workshops to provide employment for disabled people will not exceed the level necessary to cater for those disabled people whose needs can not be met in the open labour market, and for whom sheltered employment is agreed to be appropriate as the result of an assessment of their abilities and potential. Sheltered employment providers must be required to meet criteriat such as:

- Focusing on the abilities and the developmental needs of disabled workers; and
- Ensuring that:
  - all workers have jobs which are appropriate to their abilities, and the same legal rights, status and pay as other workers;
  - wherever possible the ‘company’ is required to compete in the market on the same terms as, and has the same status as other employers; and,
  - as appropriate to the needs of the disabled people concerned, there are specific goals for recruitment and transitions; assistance with progression and transition; and a ‘safety net’ for workers who move into open employment.

4.4.1.15 As citizens of the European Union disabled people are entitled to expect to be able to benefit from the basic right of freedom of movement and to live and work in whichever Member State they choose. For many however difficulties over transferability of disability pensions between Member States, different arrangements for support, and access etc, make this impossible. This is a problem which it is appropriate to deal with at European level.

4.4.1.16 Proposal

The European Commission should prepare a proposal within the context of the proposed disability employment strategy for addressing the various impediments to disabled people realising their right to mobility and freedom of movement within the EU.

4.4.2 Preparing for Employment

4.4.2.1 In order to ensure access to training for the widest possible range of jobs and to prepare for employment in an integrated environment the first consideration for all disabled people should be training in a mainstream training centre.

4.4.2.2 It is essential that all assistance to enable disabled people to prepare for employment, whether in special or mainstream facilities, should reflect a recognition and understanding of their skills, competences and potential needs, and focus on the development of their skills and abilities. Training for disabled people needs to be sufficiently flexible to meet individual needs in relation to
core skills including personal and inter-personal skills, numeracy, and information technology. As for non-disabled people, it is also essential that training for disabled people should be geared to real job opportunities, and that all training programmes should include assessment, continual review and adjustment.

4.4.2.3 There are examples throughout the European Union of effective training for disabled people being conducted in mainstream establishments. The European Commission has also made clear its commitment to ensuring that, wherever possible, the needs of disabled people are met through mainstream initiatives. However, there are often difficulties concerning, for example, the awareness and skills of trainers when dealing with disabled people, and the availability of appropriate equipment. For some disabled people there is also a need to develop 'partial qualifications'.

4.4.2.4 The issue of mainstreaming for disabled people and the problems associated with it starts at an earlier age. All EU countries have accepted the benefits for disabled people in their quest for social inclusion, and for society generally, if people with and without disabilities can be educated alongside each other. In their Resolution of 31 May 1990 Member States' representatives in the Council of Ministers 'agreed to intensify, where necessary, their efforts to integrate or encourage integration of pupils and students with disabilities, in all appropriate cases, into the ordinary education system.

4.4.2.5 This is a development, both in relation to education and training, which has the full support of the CEEH. However we are fully aware, of the difficulties mentioned above, as well as the need, when adopting a 'mainstreaming' approach, to ensure that any temporary or permanent need for special provision is properly provided for. Severe problems have also been created for disabled people in some Member States by the over-rapid closure of institutions for people with mental health problems.

4.4.2.6 The question of mainstreaming is a major issue. It requires urgent action on, for example, 'disability-proofing' as proposed above. Particular attention also needs to be given to ensuring that the positive aspects of specialist provision for disabled people are adopted within appropriate mainstream initiatives. However, CEEH believes that the key to achieving the aim of a fully inclusive society for disabled people, is to plan a strategic approach over a much longer term. This is regarded as essential given the overall need to develop ‘Social Europe’ at a steady rate, and the inherent dangers in ‘de-institutionalising’ approaches to social issues before the general environment is properly capable of meeting people’s needs. It should also ensure that today’s younger disabled people are able to look forward to a life in which they are fully included in all aspects of society, and not only employment.

4.4.2.7 Proposal

EU, Member States and all relevant partners should develop and adopt a long-term plan with the objective of ensuring that, for example, within a
generation, there is no longer a need for separate education and training facilities for disabled people. This should include objectives for intermediate periods, and measures for regular monitoring. Such plans would, however, only be supported by the CEEH if it was ensured that there would be no diminution in the range and quality of services for disabled people.

4.4.2.8 Support for developments which may assist disabled people to prepare for and gain entry to the labour market is available from a range of EU funded programmes and Community Initiatives. These include ESF Objective 3, and EMPLOYMENT-Horizon which are explicitly intended, either partially or wholly for disabled people.

4.4.2.9 The European Commission has also made it known that it favours disabled people being included in all mainstream activities. However this is often not made explicit in relation to specific initiatives. As a result very few projects in mainstream initiatives are intended specifically for disabled people - NOW = 3%; YOUTHSTART = .5%. There is also no requirement for organisations proposing projects which are designed for a wider group of people or for another specific group (some of whom may be disabled) to take account of the needs of disabled people and make the project accessible to them.

4.4.2.10 The European Commission should include all initiatives concerning preparation for work in the 'disability-proofing' proposed at 4.4.1.6.

4.4.2.11 Proposal
All requests for EU funding for projects concerning 'preparation for work', 'job creation' etc should be required to specify how access for disabled people will be assured and monitored, and to provide budget proposals for paying for costs of personal support, equipment etc.

4.4.2.12 Another major issue concerning disabled people seeking to prepare for/gain employment is that the various services concerned are often not well coordinated. This is an issue which might be particularly suited to resolution through the partnerships which are referred to in 4.4.3.6.

4.4.3 Involvement of Disabled People

4.4.3.1 One of the most significant aspects of HELIOS II compared to earlier Community Action Programmes to assist disabled people has been the extent to which disabled people and disability organisations have been directly involved in the programme. The European Disability Forum was established as one of the formal advisory bodies for the programme; NGOs have received support for seminars, conferences etc; and disabled people have participated to a greater or lesser extent in the four exchange and information networks.

4.4.3.2 Disabled people have a right to influence policies and programmes which affect them. Although there also many non-disabled people (eg representatives of service providers, employers and trade unions) who have a contribution to make, the views of disabled people are fundamental.

4.4.3.3 CEEH have attempted to follow this principle in the HARMONY Programme. The Programme has been organised in consultation with other
NGOs including some which directly represent the interests of disabled people. Disabled people have also been involved as speakers and participants in the HARMONY seminars.

4.4.3.4 In the future the new independent European Disability Forum will provide the focus for disability organisations' input on issues which are of concern to them at European level. Its impact will depend on the extent to which the European Commission and other EU institutions seek its views and involve its members in relevant developments. And its capacity to provide a worthwhile input will depend on its members and other NGOs receiving sufficient financial support to be able to maintain effective organisations. There is a need for continuing support for NGOs at European level to enable them to build on the advances made during the HELIOS II Programme in terms of understanding the problems and opportunities facing disabled people in the employment field, representing the needs of disabled people, and working together with the other essential partners in this area.

4.4.3.5 Proposals
EU funding should be made available to the members of the European Disability Forum and other relevant NGOs representing the interests of disabled people at EU level so as to enable them to continue work started within HELIOS II.

The European Commission should consult the Forum on all issues which are relevant to disabled people. This includes involving it in 'disability-proofing' (see 4.4.1.7) through a formal link with the Commission's Inter-Services Group.

4.4.3.6 The links with the Forum which are proposed above should ensure that disabled people are able to make an input to other relevant measures on the same level as they have done for HELIOS II- including ESF, EMPLOYMENT-HORIZON and LEONARDO. However it will not guarantee an improvement in the participation by disabled people in the organisation and implementation of projects which receive funding.

4.4.3.7 The principle of involvement by disabled people in matters which concern them should be clearly incorporated in the development of all arrangements for improving their opportunities for employment.

4.4.3.8 Proposal
Targets should be set for participation of disabled people in ESF Objective 3, EMPLOYMENT - HORIZON, LEONARDO and other relevant initiatives. These targets should not only reflect the contribution that disabled people can legitimately expect to make to issues concerning their own well-being, but also the input which can be made by service providers and others mentioned above.

4.4.3.9 The arguments rehearsed above about involvement of disabled people and their representative organisations at EU level, and in EU funded projects apply to the same extent at national level.
4.4.3.10 Proposal
All Member States' governments should take any measures necessary to ensure full consultation and participation at national level on the lines proposed at EU level.

4.4.3.11 The involvement of individual disabled people in decisions about their own future (including the follow-up to assessment, training etc), and in the design and running of services to assist them, is another issue of major importance in this area. It is essential that it is taken into account in all future developments at EU and national levels.

4.4.4 Status as workers
4.4.4.1 Disabled people should have the same status and protection under the law as other people - particularly in respect of employment. They should have the same types of contracts, and be paid at the same rates as non-disabled people carrying out equivalent tasks - whether they work in open employment or in a 'sheltered workshop'.

4.4.4.2 Proposal
An initiative should be developed at EU level to ensure that disabled people who are in employment have the same employment rights as non-disabled people, and that, depending on the quality of their work, and their output, they receive the same levels of pay.

4.4.5 Partnerships and the role of the major partners
4.4.5.1 There is little doubt that, if disabled people are to achieve their aim of working in open employment and pursuing a successful career, employers have a crucial role to play, and need to be regarded as important partners of disabled people themselves and all the organisations and services who are helping them to prepare for and obtain employment. For some people who have contributed to the HARMONY Programme the need to find ways of changing attitudes without the introduction of legislative measures was identified as the most important initiative to be undertaken to improve employment opportunities for disabled people. Adopting the view that employers must recruit disabled people will lead to more of them 'closing the door'. Whether or not further legislation is introduced at EU level or within Member States, this issue remains a priority for the future.

4.4.5.2 Many employers have, either individually or working with other employers, taken significant initiatives to promote employment for disabled people. Their reasons have been varied - including wishing to avoid paying levies for not complying with quota requirements; an awareness of the purchasing power of potential disabled customers; and wishing to promote their image as a socially conscious organisation.

4.4.5.3 Other employers still do not take a positive approach to employing disabled people. There may be many reasons for this. But often it is because they do not appreciate the capacity of many disabled people; do not know how some may be helped by special equipment or aids; or do not have adequate
information about the help available to them - including financial support for any extra costs.

4.4.5.4 The Commission’s intention to prepare a Code of Good Practice for its own internal use when recruiting and employing disabled people will undoubtedly increase its credibility in this area. This issue can be addressed to some extent through devices such as giving priority to HORIZON projects which involve employers or trade unions. CEEH certainly supports this. As most HORIZON projects operate at a relatively local level within each of the countries involved in the transnational partnership, there is a need for further action at higher level if wider impact is to be achieved.

Proposal

A major initiative should be introduced at EU, national and local levels to develop the awareness, interest and involvement of employers. This should build on and assist the development of existing initiatives taken by individual employers, and groups of employers to promote the employment of disabled people (including networks at all levels). It may also include the development of Guides to Good Practice. Employers must be directly involved in the design of this initiative, together with disabled people and their representative organisations, and trade unions. In view of what has been said earlier about mainstreaming appropriate links should be made with the European Business Network for Social Cohesion.

4.4.5.6 The need to view employers as the key to solving the problems associated with employment for disabled people rather than simply as the cause of the problems was one of the strongest messages to emerge in the HARMONY Programme. Initiatives such as the one described above, which involve employers in taking action themselves, will help to establish this view more widely.

4.4.5.7 Service providers, disability organisations and others are contacting employers on a regular basis to seek their assistance in finding employment for disabled people. If they are to improve their rate of success it is essential that their approach is based on an understanding of the employer's business needs and priorities as well as their crucial role in the employment process. All such approaches need to be designed as exercises to market the organisation's ability to fill an employer's vacancies with a suitably qualified/experienced person.

4.4.5.8 Proposal

Specific provision should be made (for example within one of the EU initiatives concerned with job creation etc) for training representatives of service providers, and disability organisations in the techniques appropriate to marketing to employers.

4.4.5.9 All initiatives at EU, national and local levels which have the aim of improving employment opportunities for disabled people should be developed on the basis of partnerships between disabled people, NGOs, service providers, employers and trade unions.
4.4.5.10 Proposal
The European Commission, other Community institutions and Member States' governments should introduce formal arrangements for consulting the service providers, employers and trade unions alongside the arrangements proposed for disabled people and disability organisations at 4.4.3.5 above.

4.4.5.11 The key to other problems facing disabled people in relation to employment such as transport and access, and the need for a 'seamless provision' of services lies with wider partnerships within specific geographical or local administrative areas. In particular it is essential to involve the local administrative authority.

4.4.5.12 Proposal
Any proposals which the Commission may develop for activity at this level should highlight the need, if employment opportunities are to be improved, for action on transport, access and coordinated provision.

5. The future - A final word
The HARMONY programme has proved to be an excellent opportunity to consider, together with everybody who is concerned to improve employment opportunities for disabled people, the direction for further developments in the future.

In particular, we have confirmed that within the European Union as a whole we are in the midst of a process involving social innovation on a very broad basis. This should be a very powerful stimulus for ensuring that disabled people are, through making full use of their abilities, able to be included as full citizens in the social and economic life of the European Union. This applies equally to those people who are not currently able or prepared to work as to those who are.

The contributions of representatives of local and regional administrations have demonstrated the importance of their role. Whilst the presence of employers and representatives of trades unions has underlined the relevance of issues concerning disabled people being addressed within a real social dialogue. The need for employers to regard disabled people as being able to perform their jobs to the standards required by them is central to the realisation of disabled people’s aims. As suggested by a trades union representative during one of the HARMONY seminars, it is to be hoped that employers and unions might be able to cooperate on this issue outside the normal, more confrontational relationship which they may have.

Social innovation plus the Social dialogue are an essential to the development of a new economy which embraces opportunities for disabled people in a range of employment situations including - open employment, sheltered and assisted employment, supported employment, cooperatives and social firms.

For CEEH, it is important to develop « Social Europe » through drawing on the individual roots, experiences and cultures of the Member States. If we are to combat exclusion effectively, our work within the HARMONY programme has led us to the conclusion that we must build on solidarity and the solutions
developed at grassroots level, whilst continuing to insist on the importance of developing work through networks at local, regional, national and European levels.

Annex A -

Note on HARMONY Seminars

Seminar 1: ENTERPRISES, IT WORKS! - Salamanca, Spain, 9 - 11 May 1996
Organised by the Association for the Promotion of Handicapped People (PROMI) - in collaboration with:
- National Institute of Social Services (INSERSO),
- Territorial Manager’s Office of the National Institute of Social Services,
- County Council of Salamanca,
- City Council of Salamanca,
- University of Salamanca,
- Rehabilitation Centre of Physically Handicapped People of Salamanca,
- Chamber of Commerce of Salamanca.

Topics this seminar included presentations and discussions on:
- Programmes administered by public administrations in Spain to facilitate the employment of disabled people,
- Employment Policy in Europe,
- New Technologies and employment choices in the European Union,
- Disability and possibilities of employment in the European Union,
- Job Creation for, and by Disabled People.

Participants 143 people attended the seminar from 9 different Member States. Of these, 30 were people with disabilities.

Seminar 2: Marketing is the message! - Hou, Denmark; 19-22 June 1996
Organised by Egmont Hojskolen

Topics This seminar included presentations and discussions on:
- The Danish social system,
- Actions by Danish trades unions to promote employment for disabled people,
- The role of employers - inc. Networks,
- Marketing to employers by service providers - with specific examples from Ireland and France,
- Marketing tools, techniques, problems and solutions.

Participants 110 people attended the seminar from 10 different Member States. Of these, 40 were people with disabilities.

Seminar 3: Building Bridges - St.Brieuc, France; 26-28 September 1996
Organised by OHé PROMéTHée - in collaboration with:
- Fonds pour l'Insertion Professionnelle des Personnes Handicapées (AGEFIPH),
- Collège Coopératif de Bretagne, Université de Rennes II,
- Lycée Ernest Renan, Saint-Brieuc,
- Institut Supérieur des Productions Animales et des Industries Agro-alimentaires, Ploufragan,
Topics This seminar included presentations and discussions on:
- Agreements between French companies and trades unions with a view to improving employment opportunities for disabled people,
- Views of employers at national and European levels,
- Networks in Sweden and Finland,
- Accessibility as a bridge to training and work,
- The feasibility of joint-European policy towards people with disabilities,
- European information exchanges,
- Partnerships between Associations of people with disabilities,
- Training needs for placement professionals and disabled people.

Participants 270 people attended the seminar from 11 different Member States. Of these, 40 were people with disabilities.

Seminar 4: Highway to employment - Vicenza, Italy; 23-26 October 1996
Organised by Associazione Cenasca Veneto in cooperation with:
- Health Administration U.S.S.L. n°6, Vicenza,
- Chamber of Commerce, Industry and Craft - Vicenza,
- CISL - National,
- CISL - Venice,
- Commune of Vicenza,
- IAL - Venice,
- Province of Vicenza,
- University of Padova.

Topics This seminar included presentations and discussions on:
- The implications for disabled people of becoming adults,
- Preparation for employment: - the role of the family
- the role of local institutions
- the role of society,
- Specific examples of work preparation; and the views of officials, employers, trades unions, etc,
- Italian cooperatives for disabled people,
- Comparison between social firms, cooperatives, sheltered employment.

Participants 197 people attended the seminar from 12 different Member States. Of these, 50 were people with disabilities.

Annex B -

Other sources of views, information etc
Reports and other publications
United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities
- UN, 1994
Communication of the Commission on Equality of Opportunity for People with Disabilities - A New European Community Disability Strategy
Communication from the Commission - Interim evaluation report on the HELIOS II Programme

Communication from the Commission - Community Structural Assistance and Employment - COM(96)109 final, 20.3.96

Disabled Persons - Statistical Data (Second Edition)

EUROSTAT/DG V, 1993

HELIOS European Guide of Good Practice

European Commission, 1996


Report on HELIOS II Exchange Activities in the Economic Integration sector, 1995

- HELIOS Team of Experts, 1996

Declaration of Belfast on the economic integration of people with disabilities adopted by the projects in the HELIOS II exchange activities economic integration sector at their final seminar in Belfast; 14-16 November 1996

Report for European Day of Disabled People, 1996 - Chapter on Employment


Disability, Employment and the European Community

- Lisa Waddington, 1995


European Centre for Social Welfare Policy and Research, 1995

How to integrate persons with disabilities into working life within the EU

- EU Group of IPWH - Feb. 1996

President's (Mr. Santer) Conclusions - from Round Table on Employment, 28/29.4.96

Communication from the Commission - Community Structural Assistance and Employment - COM(96)109 final, 20.3.96

European Declaration of Businesses against Exclusion - 1995

For a Europe of civic and social rights - Report by the Comité des Sages - European Commission, 1996


Networks for people in their communities - Making the most of the Information Society in the EU. First Annual Report to the European Commission from the Information Society Forum.
- June 1996

**NGO conferences and seminars within HELIOS II :**
Labour Market 2000 Brussels, Belgium; 21-22.10.96
Organised by- AEH, CEFEC, EUG-IPWH, GEEPHM, and ONCE.
Profit - Nonprofit - Profit' Linz, Austria; 2-5.10.96
Organised by CEFEC, and Pro mente Oberosterreich.
Employment Practice and Legislation Affecting Visually Impaired People - Belfast, Northern Ireland ; 22-24 June 1995
Organised by the European Blind Union.
The Road to Equality - Opportunities for people with mental handicap to enter the regular workplaceTurin, Italy; 11-13.10.93
Organised by the International League of Societies for the Mentally Handicapped
European Symposium on Training for People with a Psycho-Social Disability Aske Kursgard, Sweden; 14-17.10.96
Organised by the European Regional Council of the World Federation for Mental Health; and the Swedish National Labour Market Administration in cooperation with CEFEC, the European Network of Users and Ex-Users in Mental Health, Euro-Psy Rehabilitation, and the World Association for Psycho-Social Rehabilitation.

**IF YOU WANT MORE INFORMATION**

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