



Lifelong Learning Programme

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Country Reports Research

**Germany, Great Britain, Bulgaria &
Portugal**

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About the CODA project

Men and women with learning disabilities experience lower than average access to vocational training and entry into employment. Many employers do not understand the skills and competencies that a person with a learning disability can offer in the work place. Significantly people with learning disabilities do not have the opportunity to showcase their skills and key competencies or express their transferable skills and abilities in a way that would enhance their job potential.

The CODA project will resource, design and build a secure web based product that will enable them to showcase their abilities and achievements, thus helping them integrate into the labour market. This will be a valuable tool for those for whom a conventional CV is not appropriate.

Aim of the Country Reports

The aim is to establish a current needs provision in the partner countries Germany, Bulgaria, Portugal and the UK. As the project is going to support staff and employers working with people with learning disabilities we need to know what the current provision of supporting processes, schemes, tools and products to assist people into training and employment are available.

The approach of this report is to gather information and at the same time to identify user groups where the products foreseen could be applied afterwards. We distinguished between the direct target group (men and women with learning disabilities) and indirect target groups and beneficiaries (employers, agencies and care staff).

Within this LdV-project it is not intended to set up a scientific cross-national database about the existing provision, but to connect the national findings with regional and local support activities and stakeholders, and to 'translate' the findings into technical and methodological criteria that we need for the development of the Digital Career Portfolio in the next steps of this project.

People with disadvantages in an international perspective

There exists an extensive international legislative framework that confirms the right to employment for all and that aims at inclusion of disadvantaged people in the (regular) job market. Some of the most important instruments and developments within Europe in the last years have been the following:

- State Aid Regulation on Employment Aid, December 2002, in which the European Commission ratified Regulation No 2204/2002 on the application of article 87 and 88 of the EC treaty on state aid for employment. This Regulation applies to state aid for the development of new employment, recruiting persons with disabilities, and financial aid to cover the additional costs for the employment of persons with disabilities
- UN Convention on the Rights of Persons with a Disability, December 2006, in which it is generally accepted that the UN convention will determine policy on persons with disabilities in the entire world and in which essential points were made (combat discrimination in employment related policies, guarantee access to professional training, promoting employment opportunities for persons with disabilities, promote entrepreneurship of persons with disabilities, promote re-integration in the labour market...)
- Council of Europe Action Plan, September 2006, in which the Council of Europe deals with employment and professional training of persons with disabilities (promoting employment of persons with disabilities in the regular labour market by a combination of anti-discrimination legislation and active measures to guarantee equal opportunities, fighting against discrimination and promoting participation...)

From an international perspective, you can clearly distinguish a number of specific trends in the labour market and in the re-integration policy for persons with disabilities [1]:

- Employment in the open labour market is given preference, supported by specific measures

- Sheltered employment is questioned despite its important track record, mostly due to its segregating effect
- Activating: trying to (re-)integrate people who live on social security in the labour market
- Mainstreaming: though certain policy initiatives have been designed for specific target groups, the trend is that measures are broadly opened to people looking for jobs; this way, discrimination and stigmatization are combated
- Decentralization and responsabilization: in order to provide custom support, the implementation is decentralized where possible and employers are responsabilized
- Stimuli: in order to achieve the desired behaviour, stimuli for disabled employees (to avoid the poverty trap), employers (differentiation of premiums and own risk) and executive authorities (for example bonuses for successful placement) are introduced. Work should pay off!
- Improvement of the institutional context and harmonizing the policy: in order to increase the effectiveness of the implementation and the efficiency of the organizations, the institutional context in various countries is reorganized and harmonized
- Case management: more attention is paid to the wishes of the client in policy and during implementation: the ultimate aim is customer service
- Stakeholder cooperation and networking: structural communication between all stakeholders paves the way for success.

Despite all policies and different approaches and frameworks: in all European countries, the through-flow from a sheltered workplace to a more regular work environment is disappointing, despite instruments such as supported employment and secondment. It is, however, unclear whether this has to do with the employability of the persons with disabilities or with the functioning of the sector as such [2]. Despite the

1. Quoted from EASPD - International comparison of methods of financing employment for disadvantaged people, Brussels 2005; p. 66/67

attention that job coaches and career counsellors might pay to the personal development of persons with disabilities there is still a lack of career perspectives for persons with disabilities.

2. EASPD - International comparison of methods of financing employment for disadvantaged people, Brussels 2005; p. 62/63.

Germany

Snapshot

In Germany there are more than 500,000 people living with a 'learning disability'. Approx. 3% of young people in total are sent to *special schools*. There exist different and often multiple reasons for this 'learning disability'; quite often this cognitive 'learning disability' is connected to a challenging behaviour.

The definitions and classifications of single disabilities are various, and there are diverse organisations and public structures to assist people with disabilities. But especially the employment-assistances fail, or at least they often do not lead into regular employment. This means that there is still a gap between the legal rights of people with disabilities (in Germany any discrimination due to a disability is forbidden) and the real situation when it comes to employment.

In Germany there exists the policy to enhance integration. The vocational regulations and legislations clearly promote the integration of disabled people into *regular VET* as far as possible. But often reality indicates the opposite. It is still a vivid discussion in Germany, whether *sheltered* employment and *special Vocational Educational Training (VET)* is part of integration or whether it is part of segregation.

Integration on the labour market is still not reality - despite the money that an employer has to pay if there is an insufficient employment rate of people with disabilities (the 'Ausgleichsabgabe' in 2003 has been more than 400 Mio Euro). Regarding the VET this picture is even more drastic: the number of people with severe disabilities in VET is less than 5 parts per thousand.

So people with disabilities are usually not included in the mainstream programmes. Taking this into consideration, people with complex support needs are disadvantaged in systems of social security and health care as a result of the missing labour market mechanisms.

The setting

The German Basic Law prohibits discrimination due to a citizen's disability and the Social Code Book provides a common framework for legislation and policy in the field of rehabilitation and social care for disabled people. Despite an increasing sensitivity towards civil rights, people with severe disabilities and/or complex needs are under high risk of discrimination especially as far as their social rights are concerned [3].

According to different traditions in various parts of the rehabilitation field, in Germany there is no comprehensive consensus on the definition of disability. A new overall approach in the rehabilitation field was started by the definition in Social Code Book IX (§ 2) in 2001. Influenced by the International Classification of Functioning (ICF), disability is considered to be a restriction of the ability to participate in social life, as a cause to the condition of the person. In this sense 'disability' is defined as being a permanent deviance of physical functions, mental abilities or of the mental health, based on a comparison to "the typical condition of their age group".

Access to 'integration assistance' is dedicated to people with a 'considerable' disability, what is defined according to the 'integration assistance regulation'. According to this regulation there are groups of people who have a considerable disability 'by law' (e.g. deaf, blind, deafblind), as far as people with physical, intellectual or mental health related disabilities are concerned, an individual assessment has to be made. As the regulation uses undefined terms of law to describe disabilities, there is room for administrative interpretation in assessment procedures whether a disability is 'considerable' or not. The extent of disability is measured in 10 grades. In this system, a person with a score of at least 50% is considered to be 'severely disabled'. This score can be achieved through a single impairment or by the additive consideration of different

3. Albrecht Rohrmann, Johannes Schädler: Study on the Specific Risks of Discrimination Against Persons in Situation of Major Dependence or with Complex Needs, Country Report Germany, from: The Specific Risks of Discrimination Against Persons in Situation of Major Dependence or with Complex Needs. Report of a European Study, Volume 3: Country Reports and Stakeholder Interviews, pp.114 ff

impairments. People with severe disabilities and complex needs would very probably get a disability score of 100 %. The official guidelines followed by the assessing doctors often bases on the traditional distinctions of mild, intermediate and severe impairments. Due to the fact that assessment procedures do not allow for conclusions on support needs, in many different areas of rehabilitation there are various procedures and instruments in practice to identify support needs and consequently administer entitlements and benefits.

Approach and process

In Germany the approach to define disability is to some extent different to other countries. In Germany, the assessor uses a schedule which highlights a variety of aspects of working life: whether the person can do heavy or only light work, whether he or she can stand, sit, or walk all or some of the time, etc. The assessment also considers the person's medical/ psychological ability to deal with work requiring concentration, adaptiveness, flexibility, responsibility, contact with the public, etc., and indicates conditions which would be dangerous to the person: dampness, draughts, temperature variations, factors leading to allergic responses, noise, frequently changing times of work. However, the official schemes do not have clear decision rules indicating the thresholds between incapacity and capacity to work. A high level of individual judgement and discretion is used in deciding on an appropriate course of action for the person being assessed; this may involve negotiation with the person over an appropriate rehabilitation plan [4].

The main provision for income support for people with reduced capacity to work in Germany is 'Pension for reduced earnings'. This is a contributory insurance benefit. Social assistance is also available to people with disabilities but the tests of disability for social assistance revolve around care and mobility needs rather than work incapacity. The pension is payable to people who have a completely or partially reduced

4. EC DG Employment and Social Affairs 2002, Definitions of disability in Europe. A comparative analysis, A study prepared by Brunel University, p. 44

capacity to earn a living as a result of 'illness or disability'. Complete incapacity is defined as inability to work more than 3 hours per day; partial incapacity envisages a residual ability to work 3-6 hours per day [5].

These provisions apply to two different target groups: rehabilitation services and extended employment services are available to those loosely defined as disabled, while the quota is targeted on the 'severely disabled' and those with 'equal status'. The two definitions are quite different, and do not really relate to the 'severity' of the disability.

It is important to note that the extended services of the employment service are entirely concerned with preparation for work (training, rehabilitation etc) and do not include assistance in the workplace. Employment measures for the severely disabled, on the other hand, are focused on the workplace. Although members of this group may also qualify for rehabilitation and training, they are separately assessed for such measures. The quota system was substantially reformed from 1 Jan 2001. The main motivation was that many companies were paying the levy rather than endeavouring to comply with the quota. The main changes were a reduction in the quota rate (from 6 to 5%), coupled with increased penalties for non-compliance. Penalties are now graduated so that firms which fail the most (those which employ fewer than 2% of severely disabled workers) pay a higher rate per quota place unfilled.

Institutional responsibilities and linkages

Access to rehabilitation services can be channelled through the social insurance system, other social service institutions or through the employment service. A number of measures have been taken to address the complexities of assigning responsibility for financing rehabilitation between these institutions, for example through the creation of specific service centres. The modus operandi of these service centres is that

5. EC DG Employment and Social Affairs 2002, Definitions of disability in Europe. A comparative analysis, A study prepared by Brunel University, p. 119

appropriate rehabilitation is assessed and initiated quickly, and issues about who should pay for it are resolved subsequently.

Within the employment service, access to rehabilitation and eligibility for extended training etc require an assessment by the internal medical service. The employment service also operates mainstream employment services, which are open to people leaving medical rehabilitation or with other health problems, as well as to the 'ordinary' unemployed. For example, those seeking a change of occupation after a serious illness may be referred to the job-information-centres which provides information to all jobseekers.

Severely disabled people are also encouraged to make use of these job-information-centres. Administration of the quota and other measures for the severely disabled involves special units in the employment service-offices called 'integration speciality services'. These services are described as 'supporting' the labour offices and they have financial autonomy, with budgets managed by the Integration Offices.

Assessment of severe disability is not done by these offices but by the Versorgungsamt, which comes under the competence of the Länder. The Versorgungsamt determines a person's disability rate, and those with a rate over 50% count as severely disabled. However, the labour offices determine whether people with rates of 30-50% should be treated as having equal status for the purposes of the quota.

If the person's capacity is so limited that he or she cannot work for more than 15 hours per week, then availability for work is inadequate to register as unemployed. In principle, the medical service within the employment service may determine that the relevant pensions institution is liable to pay for benefits. Since the pension institutes operate the principle of 'rehabilitation before pension', they may develop a rehabilitation plan. Such people are classified as 'rehabilitants', not as unemployed (or as pensioners).

The Versorgungsamt assesses a person's overall disability rating out of 100. The rate is intended to

measure limitations of a person's life chances. It does not reflect working ability and is independent of the person's occupational history and aspirations. The decision on the disability rating is entirely based on medical data and knowledge. The Versorgungsamt utilises a barema which indicates, for each impairment, a corresponding degree of disability. Overall ratings are calculated from impairment scores in each 'area' (spine and lower legs etc).

Employers are obliged to contact the relevant authorities if a severely disabled person applies for a job or if problems arise with his/her employment. They are also required to formulate integration agreements with the authorities, containing 'concrete statements' about personnel planning, workplace layout, labour organisation and working time.

Stages of provision and assistance of people with disabilities

In Germany there exists the policy to enhance integration, but reality indicates the opposite: first there is a sharp separation and then the integration fails. The German system is organized along clear legal approaches and requirements. This may be of a certain advantage as it offers binding regulations but on the other hand leads to certain disadvantages like limited flexibility of the authorities and stigmatizing effects of the people [6].

Early Education: Kindergartens

In Germany children ages 3 to 6 years have a legal right to visit a kindergarten, and nearly all children do so. Nearly all children with severe disabilities attend a kindergarten. Since the mid-eighties there have been intensive efforts to substitute or change traditional forms of 'special' kindergarten into integrative settings. The so-called 'integrative kindergartens' in which there are usually five children with disabilities and 10 children without disabilities learn together in one group as well as the integrative education of children with disabilities

6. Axel Pohl, Andreas Walther, Lernen von Europa, Europäische Ansätze zur Benachteiligtenförderung, Eine Expertise für das Good Practice Center zur Förderung von Benachteiligten in der beruflichen Bildung (GPC), BIBB 2006, p.10

in mainstream facilities in their residential area. Unlike the mainstream education model, the integrative kindergartens are free of charge and transport is organized. They are more centralized, but because of the continuity in educating children with disabilities, the staff very often has more experience and better qualification for inclusive education than the staff in regular kindergartens. But inclusive education in 'mainstream' kindergartens is becoming more and more important, in order to facilitate social contacts and friendships between the children and their families in their residential area.

Childhood and Youth: Schools

In Germany, attendance at school is compulsory and very often free of charge for all children, including those with severe learning disabilities, until the age of 18. In Germany, each federal state has the autonomy to develop and implement its own school policies. Because of this there is a certain variety in school systems. The dominant type of school for nearly all children with severe disabilities is the special school for intellectually disabled children and the special school for physically disabled children. These types of special schools are available all over Germany [7].

The most frequent form of school integration is the 'integrative class' with 2 - 4 disabled children in a classroom of 15 children, with individualised teaching programs and additional staffing. In 2004 there were 14% of all children with classified special educational needs participating in school integration programs. These were mostly pupils with mild disabilities or slow learners. Routinely and often without trying out other alternatives of training and supported employment at the end of the school period, special schools pass their pupils on to 'Workshops for People with Disabilities'. Despite the German national disability which focuses on

7. Albrecht Rohrmann, Johannes Schädler: Study on the Specific Risks of Discrimination Against Persons in Situation of Major Dependence or with Complex Needs, Country Report Germany, from: The Specific Risks of Discrimination Against Persons in Situation of Major Dependence or with Complex Needs. Report of a European Study, Volume 3: Country Reports and Stakeholder Interviews, p.123

mainstreaming children with disabilities into regular educational facilities (instead of having the solitary option of special education in a special school), access to inclusive education is for children with severe disabilities nearly impossible.

Youth and Young Adults: Vocational Training

In Germany access to professional labour market is structured by the 'dual system' (a co-operation between schools and private or public employers) or academic training. For young people with disabilities there are a variety of incentives and support programmes for the vocational training or job-placement in the regular labour market. All of these incentives and programs have a general priority of supporting vocational training in the regular framework of 'normal' enterprises or agencies. For instance in each district of the Federal Agency of Labour a specific 'integration service' has to be provided supporting labour market integration of people with disabilities no matter what kind or degree of dependency.

Not by law but by practice, people with severe disabilities including intellectual disabilities are usually not included in the mainstream programmes. There is a nation-wide system of 'vocational training centres' for young people with disabilities from 16 to 28 years that offer courses for vocational training, basic education and formal qualification in legally recognised administrative, technical or industrial professions. People with severe disabilities, including intellectual disabilities, are usually not included in programs of the Federal Agency for Labour to support vocational training in the regular framework of 'normal' enterprises or agencies.

Taking this into consideration, people with complex support needs are disadvantaged in systems of social security and health care as a result of the missing labour market mechanisms. They receive no or only a very small pension. Most people with complex needs and/or severe disabilities live only on a basic income from the local welfare administration and find themselves in a precarious financial situation.

Adults: Work and Employment

In general the labour market statistics show that the employment situation for people with disabilities is very difficult in Germany. The labour force participation rate was app. 34% in 2005 (compared with approximately 74% to all employable persons). With 18.1%, the unemployment rate in 2005 was twice as high as in the total population. People with complex support needs and/or severe disabilities rarely have a chance to find employment on the regular labour market. They are excluded from earning a living as being "unemployable" or are unable to access a new job, although employment of disabled persons is an obligation of the employers. The improvement of the accessibility to the regular labour market is task of the employment office and the offices for integration, which cooperate intensively with enterprises and special services.

People with intellectual and developmental disabilities have the right to visit a Workshop for Persons with Disabilities, if they can produce a minimum of economically viable work. An occupation in a 'Workshop for People with Disabilities' does not justify regular conditions of employment. It is a programme for social integration financed by the welfare administration. The number of the available places in such workshops rises continuously. At the end of 2005 there were approx. 257,000 places.

An important goal of the support in a Workshop for Persons with Disabilities (vocational training and training on the job) is to improve the possibility of finding a job on the regular job market. The successful crossover rate is however only approximately 0.3% per year.

Persons with complex support needs who do not fulfil the criteria for working in a Workshop often visit a day care centre. Although the instruments for labour market integration were substantially improved and made more flexible in the last years, people with complex support needs and/or severe disabilities do not profit from the benefits of these efforts.

Results of the questionnaires

Part of the country report is the local needs and capacities assessment. We operated 26 interviews between 12/2008 and 02/2009. The interviews were divided between the three target groups.

1) people with a learning disability (people with a learning disability, people with low numeracy & literacy skills, disadvantaged groups)

2) employers (Small Medium Enterprises, large organizations, Non Governmental Organisations)

3) care staff.

A set of questions were presented to the interviewees. In the following we present summarized results from these questions.

People with a learning disability

1. Have you experienced paid employment?

- 1 person: two times for 3 months,
- 1 person: only in sheltered work: training on the job and ABM (supported work financed by the employment agencies)
- 1 person: 3 days at the German armed forces
- 1 person: only training on the job (work in a kitchen of a restaurant)
- 1 person: only training on the job (youth care institution)
- 1 person: till now she has not worked in a paid employment
- 1 person: domestic economy

2. How many hours a week did you work?

- 1 person: 40 hours per week
- 1 person: 40 hours per week
- 1 person: 40 hours per week
- 1 person: 40 hours per week
- 1 person: 40 hours per week
- 1 person: 40 hours per week
- 1 person: 40 hours per week

3. What type of work did you do?

- Office work - 1 person

Shop work -
Catering - 1 person
Cleaning - 2 person
Voluntary -
Sorting and/or stacking items - in a recycling company (recycling of electronic trash)
Working with the public -
Other - apprenticeship for a working in a bakery; military service

4. How much (per hour) were you paid?

2 person: the official salary for trainees
1 person: the official salary for ABM workers
1 person: the official salary for members of the military service
1 person: no payment because it was only a training on the job
1 person: 650 € per month

5. What exactly did you do? (explain activities of the work)

1 person: Customer service, cash desk
2 person: sorting things
1 person: the usual training for members of the military service, specialized in tank corps (mostly training for the body)
2 person: customer service, washing up
1 person: everything in an office, but mostly cooking coffee, sorting papers, making copies

6. How long did it last?

4 persons - 3 months
1 person: 1 year (the regular period for ABM work)
1 person: 3 days
1 person: 6 months

7. Why did it end?

1 person: fired because they did not work well, the official version is that the shop had to undertake changes in the operational setting and therefore the person was not needed any longer
1 person: the work ended because the ABM ended (it is only foreseen to get this work for 1 year)
1 person: because it was a total wrong place (military forces); the candidate was fit in terms of body control but not at all in an intellectual way;
2 persons: end of the training of the job

1 person: because the quality of the work performance was too low

8. **What did you enjoy about it?**

Working with other people (friendship, relationship) - 3 persons

Getting paid - 1 person

Meeting other people (customers) - 3 persons

Working for a particular company (status) -

Making things (production) - 1 person

Putting things away / in order - 3 person

Putting things together (assembly) - 1 person

Doing things (work) for your colleagues -

9. **What did you not liked about it?**

Other people (colleagues) 2 person

Too many people / customers - 3 persons

Being told what to do (supervision) - 3 persons

Having to get up in the morning - 3 person

Taking up leisure time -

Hard work - 1 person

Difficult work

Too cold / hot

1 peson: Unmotivated work

1 person: the work was boring

10. **How did you get to / from work?**

Walked - 3 person

Cycled - 1 person

Taxi

Public transport - 2 person

Private transport (works minibus, etc)

Taken by family member / care worker -

1 person: he has his own apartment and drives to work with his own car

11. **Did you get any help from:**

Government programme.

JobCentre Plus - 3 people

Access to Work

Supported Employment Service - 1 person

College: 1 person

School: 1 person

Other source (explain): parents

12. If you have not had employment - What experience do you have?

Skills - what? - teamplayer, driving license Hobbies - which? - bicycling, fishing, pc-games,

Voluntary activity - what? -

College / further education - what? - certificate of a school for economy (höhere Handelsschule) after having passed the 'Hauptschule'

13. What type of work would you like to do?

Retail - 1 people

Warehousing

Catering -

"food preparation: 1 person

"serving: 1 person

Cleaning -

Horticulture - 1 person

Office work - 2 people

Other: social work, i.e. work with children

Employers

1. What is your understanding of the term learning disability (perhaps offer multiple choice)

The differentiation between people with learning disabilities and mentally handicapped people is not clear.

people with difficulties in writing and calculating who need special care

very unsure of the exact meaning

they have a certain knowledge of what potential and what problems people with learning disabilities have

people who are not very flexible and have to be looked after

has a profound knowledge about it because she very often has people with disabilities for a training on the job

2. Are you aware of what help there is available when employing someone with a learning disability?

Yes, they need special support in terms of additional training or work placements

Yes, they need temporary employment, i.e. 3 days per week they go to work, 2 days per week they go to their workshops
only partly
yes, their HRM department knows everything about it
no, but there are always care staff who offer help here
yes, because she often has contact with care staff

3. What experience have you had of employing people with a learning disability

2 employers say that they had good experience employing them; almost 90% of the staff has a handicap
most of them say that they have more negative experiences with people during a training on the job
mostly good experience because they are very motivated and are willing to do jobs others would not like to do

4. If yes, Was it positive / negative (please explain why)

Positive - the people are very motivated and friendly; reliable and honest

Negative - the people are not able to work fast or under stress, very often they are emotionally unstable, the employer needs a lot of patience and time to give the special support; very often they do not do the work in a proper manner and do not give feedback about difficulties (because they think they did a great job); sometimes they are not able to adapt to the working situation; sometimes they have very ambitious parents who want better jobs for them; no stable performance curve

5. What were the barriers?

employers very often do not have the time to take care of the special circumstances of people with learning disabilities
employers cannot provide much time for the adjustment to the job (lack of time and money)

6. What type of work did the person / people undertake?

Retail: 2
Warehousing: 2
Catering
"food preparation
"serving: 1
Cleaning: 1

Horticulture: 1

Office work: postal department, sorting letters

In general they are employed very often in the low-wage sector.

7. Would you employ anyone else with a learning disability?

2 employers - of course, because these 2 employers get special funding from the employment office or labor Ministry

1 employer - it depends on the person, if he/she is doing a good job, then, after training on the job, it would be possible

1 employer - he would only offer a training on the job

2 employer - for sure because they are very motivated and do their best

8. What would you do differently?

9. Would you welcome the opportunity to advertise suitable vacancies specifically to people with a learning disability?

yes

10. Any additional comments?

Very often people with learning disabilities are fully aware of their handicap and very often during job interviews they speak about it very openly. Because of this for some employers it is a barrier.

11. What would be the most important information you would like to have about some one with a learning disability if you were to consider employing them for example:

Experience of other work or voluntary work they have done and for how long/days per week: 5

How will they travel to work: 2

How many hours/days would they like to work: 4

Time keeping: 2

Able to get on with other people at work: 6

Appropriate dress: 2

Any other point that is important to record: To get to know if the person is able to follow instructions; the person must be able to work quickly like the others; reliability is very important; the impression you get about somebody during a training on the job is the most important thing, then you can see if the person can

incorporate the identity of the company; soft skills are also very important

Care staff

1. **What experience have you had of supporting people with a learning disability into / in employment**

Eleven years of experience with working with people with handicaps; knowledge about the national supporting programmes; experiences with young people from schools for mentally handicapped children; many people with learning disabilities have, after some years of experiences in a workshop for disabled people, the wish to get a job on the labour market, to do this they do not get any official support but have to do it by themselves and it is sometimes a very difficult way; experienced with working with young people who leave the workshops for handicapped people to enter the labour market or who leave special schools for pupils with learning difficulties and want to find a job

2. **What have the barriers been:**

Employer attitudes - no flexibility, no real competence and self-managed behaviour; employers are afraid of the 'severely handicapped pass', because quitting somebody is complicated with this pass; the current economical situation is quite difficult and has a negative effect on the situation of the labour market in general and for people with disabilities especially; without a formally acquired school certificate the handling with the employers is difficult; there is a qualification deficit of the target group, therefore mostly the employers only offer training on the jobs as a first step; many employers do not have a real awareness of the problems and also of the potentials people with learning disabilities possess

Parent attitudes - nowadays self-determination is the law, therefore there exist workshop councils to take into account the rights of people with disabilities; the parent councils are also still existing but only on a facultative basis; often the family situation is quite difficult therefore there can be a lack of support from the side of the parents; there seems to be a change in the attitude of the parents of persons with a learning disability: in former times the parents were much more passive and did not try too much for their children; nowadays the younger parents really try very hard to get the best support for their children and therefore have a very positive influence of the development.

Benefits - mostly they are very, very motivated, sometimes over-ambitious and enjoy their work; very friendly and open-minded

Travel - it is difficult, you are obliged to let them work just in one workplace; often you have to accompany them and to help with the orientation

Unable to complete tasks - it is often difficult because they have

problems in remembering working steps; therefore you need to accompany them a long time; it is not a problem because the workplace are well chosen from the care staff and the employers are prepared for the situation

Issues with other employees - often the other colleagues feel disturbed; because of the multiple handicaps some people have there arise difficulties; behavioural traits make it difficult sometimes; very often the behaviour of the young people is quite immature and therefore problems can arise; if problems with employers or the other staff member arise you can get support from the integration-counsellor (but you have to officially claim for this benefit at the Landschaftsverband

others: discrepancy between self-perception and how others perceive you

3. What support have you offered?

Travel training - yes; road safety training in cooperation with the local police (bicycle training, how to use the underground and buses as a pedestrian); the young people are accompanied during the first days of a new job or training on a job;

Transport - public transport; here as well the young people are accompanied during the first days

Soft skills - training for written applications, self-presentation; practical training like cooking, going shopping; sports, creative and arts for training the fine motor skills; reading, calculating, writing, technical training; time management, cleanliness; life-practical support

Vocational support - calculation, employment law, IT training; support during the first months of a new job in terms of counseling the candidate and the employer as well

Accessing further education - yes, if a concrete workplace is on offer; you have to officially request this from the Landschaftsverband because this is the institution which will finance everything

Working with the employer - often people with learning disabilities work in sheltered work places like in workplaces run by the catholic church.

On the job coaching skills - yes, and regularly meetings with the person during work; this is done by the integration-counsellor who is providing a kind of coaching

Accessing benefits information - yes, direct transfer to special integration services

Accessing additional support (will have to be qualified by each partner) - the cooperation of the many support organizations should be better matched (

4. What training do you think would help you?

Travel training - yes

Transport

Soft skills - yes

Vocational support - yes; here a better support from the government would be helpful because at the moment there is no support at all for people with a learning disability who are over 30

Accessing further education - yes; the curricula for pupils attending special schools for handicapped people are not sufficient and needed to be ameliorate; the time for preparation for the labour market is too short, more orientation is needed, more soft skills trainings;

Working with the employer - yes; very often more than one training on the job is needed to prepare the person for the real job

On the job coaching skills - yes

Accessing benefits information: this is quite important, therapeutic counselling should be offered

Accessing additional support (will have to be qualified by each partner)

5. What existing tools or products do you know about that will help someone with a learning disability to access work?

Application CDs

6. Any other comments?

The DCP is seen as a very 'posh' tool which perhaps is not in line with the target group;

Since Jan. 2009 the employment office is funding special work counselling for young people to be accompanied during their first job, this is a very good initiative because it is a support which starts at the beginning of the professional life.

There is a need to cooperate more intensively with employers, they have to get more financial incentives to offer jobs for this target group. There is also a need to work not only with the handicapped people but also with the other staff members because here also awareness has to be aroused.

Great Britain

Snapshot of employment opportunities for people with learning disabilities

In the past, employment opportunities for people with learning disabilities have been limited. This has been due to a number of reasons, from misconceptions about the abilities and skills of people with learning disabilities, to a lack of support for the learning disabled in setting out and following an employment route.

At present, it is thought that less than ten percent of people with learning disabilities are actually in paid employment. But in recent years, under the guidance of initiatives such as the UK Government's Valuing People white paper, there have been moves to promote employment opportunities and increase support for people with learning disabilities who are seeking employment.

The Government has said that there needs to be more opportunity and equality for people with learning disabilities in all areas of life. This includes employment opportunities and career development. But for a move towards equality, people with learning disabilities may require extra assistance and specialised support in finding work. They may also require support once they've entered into employment. This kind of assistance is often known as 'supported employment'.

Local authority learning disability partnership boards sometimes offer learning support services. There are also schemes in place nationwide, such as Workstep schemes under the Welfare to Work employment strategy. Support staff can assist with tasks such as CV writing, preparations for interview and finding appropriate training schemes to increase a person's employment prospects. They may also extend training and support to improving social skills and encouraging a work ethic.

Local authorities are also now being encouraged to forge links between day centres and training providers and Support Employment programmes. By opening pathways into local communities, it is hoped that there is more chance that employment prospects for people with learning disabilities can be realised.

The Government's strive for equality for disabled and learning disabled people in employment has also been reinforced via legislation and regulation. The Disability Discrimination Act (2005) has been updated so that it gives disabled people a fair chance at being considered for a job. It also ensures that reasonable adjustments are made for disabled people in the workplace, in order for them to be able to complete their work to the optimum standard.

Local councils, or local authorities may have a local learning disability partnership board, with a subgroup dedicated to helping people with learning disabilities and learning difficulties employment.

This service is for adults over 18 with learning disabilities, and provides help with tasks such as CV writing, preparing to go into the workplace, practical career advice and help with finding the right job for you. They may also give advice and training on interview techniques.

Learning support services also extend their support to individuals with learning disabilities who are also employed, to assist with any issues that may arise. The Disability Information Service or Job Introduction Scheme can provide information about benefits and work schemes.

Another point of contact is the Job Centre Plus for support and advice. The New Deal for disabled people and Access to Work are two such initiatives that learning disabled people can take part in to help optimise their chances of finding suitable employment.

However all this provision is patchy and many local authorities do not have the funds or people to provide these services. This means in reality the opportunity for people with learning disabilities to access work is limited and the proportion of those in meaningful is remains stubbornly low.

Initiatives in Great Britain

The social attitudes to supported employment within Great Britain and the impact on the lives of people with learning disabilities who participate in supported or open employment is described in the attached report 'Being something that I've always wanted to be'.

In addition there are a number of initiatives in Great Britain to help people with a range of disabilities to access employment and these are described below:

Employment and Support Allowance

This is a new way of helping people with an illness or disability move into work, rather than stay on benefits. Employment and Support Allowance was introduced in October 2008 and replaces Incapacity Benefit and Income Support paid on incapacity grounds for new customers. Existing customers will initially continue to receive their existing benefits, so long as they continue to satisfy the entitlement conditions.

In Great Britain, over 2.6 million people depend on incapacity benefits.

Employment and Support Allowance offers personalised support and financial help for customers who are not working due to an illness or disability. Central to the Employment and Support Allowance are new medical assessments which examine what the customer can do, rather than what they can't.

Healthcare professionals (either a doctor or nurse appointed by the Secretary of State, not the customer's own GP/doctor) will carry out a Work Capability Assessment with most customers, which is an assessment of how an individual's illness or disability affects their ability to work and carry out day-to-day activity. The Work Capability Assessment helps to determine the customer's eligibility for Employment and Support Allowance and their capability for work-related activity.

Customers who are able to undertake some form of work-related activity will also take part in a 'work-focused health-related assessment' as part of the Work Capability Assessment, which explores their views

about moving into work and identifies any health related support that may help with this transition.

Workstep

Background

Employment rates amongst people with a learning disability remain low at about 10% (although this figure cannot be corroborated).

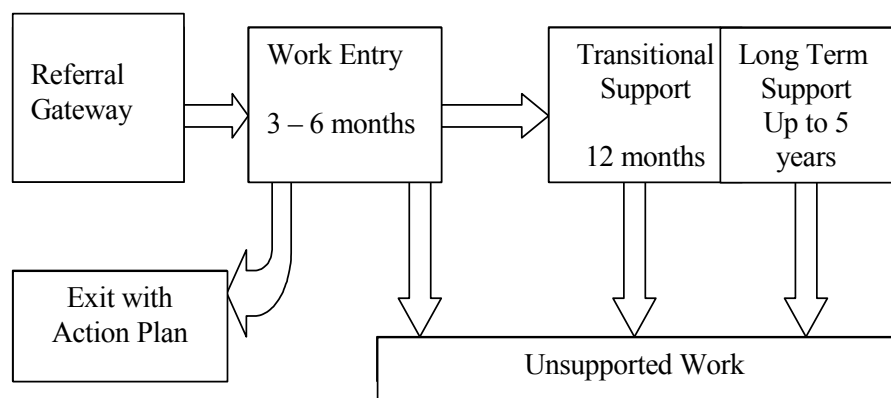
In 2004 a Department of Health (DoH) and Department of Work and Pensions (DWP) working group completed a report that highlighted the need for an improvement in the availability of support services to enable people with a learning disability to gain employment. A report on Mental Health and Social Exclusion also highlighted the need for better support for people wanting to access paid employment.

Finally, an Audit Office report highlighted the need for the DWP to seek better values and outcomes from its specialist provision.

PSA 16 has also focussed attention upon local authorities to increase the number of people with learning disabilities employed within their organisations.

Current situation

The DWP has reviewed its Specialist Disability Services in the light of these reports. It proposes a modular approach currently entitled "IDEAS":



As can be seen, the time periods are fixed, and it is expected that people should progress through this procedure. Although there is general consensus that the model is a good one, the fixed nature of the modules, and the lack of consultation from DWP during design does create concern.

Valuing People Now

The government has recently laid out its key priorities for people with a learning disability over the next three years.

The key priorities are:

- Personalisation (emphasis on personal ie social care budgets rather than individual budgets with pooled funding streams) and embedding this within all local authority services, underpinned by person-centred planning leading to new opportunities and employment.
- Better healthcare (the paper includes a response to Alan Michael's independent inquiry) with strategic health authorities and PCTs (Primary Care Trusts) taking the lead on this.
- Increasing employment opportunities with more detailed proposals to be published in the spring.
- Increasing the range of housing options - especially for people moving out of NHS accommodation.

PSA Delivery Agreement 16

This is a document produced by the DWP outlining the actions that should be taken to ensure that government departments take positive steps to employ people with learning disabilities within their own departments

Results of the questionnaires

Part of the country report is the local needs and capacities assessment. We operated 26 interviews between 12/2008 and 02/2009. The interviews were divided between the three target groups.

1) people with a learning disability (people with a learning disability, people with low numeracy & literacy skills, disadvantaged groups)

2) employers (Small Medium Enterprises, large organizations, Non Governmental Organisations)

3) care staff.

A set of questions were presented to the interviewees. In the following we present summarized results from these questions.

People with a learning disability

1. If you have experienced work: Have you experienced paid employment?

7 people experienced paid employment

2. How many hours a week did you work?

4 people worked 3/3.5 hours per week

1 person worked 37 hours per week

1 person additionally worked 6 hours per week voluntary

1 person not stated

3. What type of work did you do?

Office work x 4

Shop work x 1

Catering x 1

Cleaning x 1

Voluntary x 1

Sorting and/or stacking items x 3

Working with the public x1

Other x 0

4. How much (per hour) were you paid?

Salaries ranged from £6.37/€7.26 to £5.53/€6.30

5. What exactly did you do? (explain activities of the work)

Training people including using presentations
Taking messages from answer phone
Typing letters
Using different software
Using the till
Checking stock
Pricing
Hovering & dusting
Collating, boxing, packing and labelling leaflets
Reception duties
Event set up
Administrative duties

6. How long did it last?

Ongoing x 6
1 year x 1

7. Why did it end?

Complications with Step Up To Work contract

8. What did you enjoy about it?

Working with other people (friendship, relationship) x 7
Getting paid x 7
Meeting other people (customers) x 7
Working for a particular company (status) x 4
Making things (production) x 2
Putting things away / in order x 5
Putting things together (assembly) x 3
Doing things (work) for your colleagues x 6
One added gaining skills especially with money

9. What did you not liked about it?

Other people (colleagues) x 1 (qualified with 'sometimes')
Too many people / customers x 2 (qualified by 'too many people talking at me')
Being told what to do (supervision)

Having to get up in the morning x 1
Taking up leisure time x1
Hard work x 1
Difficult work x 2 (1 qualified by finding this can be 'frustrating')
Too cold / hot x 3 too hot

10. How did you get to / from work?

Walked x 1
Cycled
Taxi
Public transport x 5
Private transport (works minibus, etc)
Taken by family member / care worker x 1 (care worker)

11. Did you get any help from: -

Government programme x 3
JobCentre Plus x1
Access to Work
Supported Employment Service x 3 (URIB)
College
School
Other source (explain) x 1 (day service)

12. If you have not had employment / What experience do you have?

Skills - what? 1 x maths , IT and English
Hobbies - which? 1 x gym
Voluntary activity - what?
College / further education - what? 1 x maths level 3, beginners level web design

13. What type of work would you like to do?

Retail x1
Warehousing x 1
Catering - x 2
"food preparation
"serving
Cleaning x 1
Horticulture
Office work x 2

Employers

14. Other things that are important

Coffee breaks, working with other people, making new friends, getting to know friends

1. What is your understanding of the term learning disability (perhaps offer multiple choice)

People who find it difficult to read and write

People who find it difficult to learn

Some one who may have specific needs, need things explained simply and who may need extra support.

A group of people with effected academic & functional skills including ability to speak, listen, read, spell, write and organise information.

People who may have difficulties with the assimilation of information.

A person that may need reasonable adjustments to support them completing tasks.

2. Are you aware of what help there is available when employing someone with a learning disability?

Provided by support organisations

Provided by local council, if suitable

Yes

No

Yes

No but information is available

3. What experience have you had of employing people with a learning disability?

Several employees with variety of disabilities

3/4 years of employing someone with a learning disability

We have worked with United Response to provide employment for our learning disabled person

4. If yes, Was it Positive?

Hard working, friendly and well supervised

Keen and willing to help in any situation

Helping them in a normal work environment

Skills required for tasks exceeded expectations

Positive, now a member of paid staff

The employee is still working with us and enjoys his work and work colleagues

5. Negative - what were the barriers?

No

None

Sometimes communication

Communication, lack of confidence, fear.

Not having enough information relating to the individual, there was little external support making it hard to understand how to manage the individual.

6. What type of work did the person / people undertake?

Retail

Warehousing/collating x 3

Catering -

"food preparation

"serving

Cleaning x1 in food environment

Horticulture

Office work x1

Bar work, collecting ticket x 1

7. Would you employ anyone else with a learning disability?

Yes x 5

Yes if the information about the individual was better and support was available to help both of us.

8. What would you do differently?

Nothing x2

Insist on support being available from the start of the employment and on an ongoing basis

Make sure the job fits the person rather than the other way round

9. Would you welcome the opportunity to advertise suitable vacancies specifically to people with a learning disability?

Yes if the proper support was being offered

Yes x 3

Trafford Council has a policy of not discriminating against anybody

10. **Any additional comments?**

We employ several people with learning disabilities

The job coaches are always on site or available to help with any issues that occur

We would be happy to consider work placements for people with learning disability if the appropriate support was in place.

The job coach was there to support the employer and the learning disabled employee which made the whole process very successful.

11. **What would be the most important information you would like to have about some one with a learning disability if you were to consider employing them for example:**

Experience of other work or voluntary work they have done and for how long/days per week - Yes x 4, Yes very important and what skills have they got

How will they travel to work - Yes x 4, Agree routes and schedules for buses and trains especially if the employee is anxious about getting home/to work

How many hours/days would they like to work - Yes x 5

Time keeping - Yes x 5

Able to get on with other people at work - Yes x 6

Appropriate dress - Yes x 5

12. **Any other point that is important to record?**

Personal hygiene

Information about employee's diagnosis

Triggers for certain behaviour and what this behaviour might be (eg anxiety)

Benefits information and hours available to work

Skills matching

Care staff

1. **What experience have you had of supporting people with a learning disability into / in employment?**

4 years experience in paid in open employment, through social enterprises and also voluntary work

2 years experience, some have been positive other more challenging

6 months experience

Parent of daughter with learning disabilities

None

Assisting people with learning disabilities into work, sorting out any problems, provide transport to and from work.

2. What have the barriers been:

Employer attitudes x 4

Parent attitudes x 4

Benefits x 4

Travel x 2

Unable to complete tasks x 2

Issues with other employees x 2

3. What support have you offered: -

Travel training x4

Transport x 3

Soft skills x 4

Vocational support x 4

Accessing further education x 2

Working with the employer x 5

On the job coaching skills x 4

Accessing benefits information x 4

Accessing additional support (will have to be qualified by each partner) x 2, linking with other organisations eg Action for Blind, Genie Deaf Network.

4. What training do you think would help you: -

Travel training x 3

Transport x 1

Soft skills x 1

Vocational support x 3

Accessing further education x 1

Working with the employer x 2

On the job coaching skills x 1

Accessing benefits information x 3

Accessing additional support (will have to be qualified by each partner)

I feel I have had appropriate training to do my job, or am in the process of being offered additional training

5. What existing tools or products do you know about that will help someone with a learning disability to access work?

Supported employment services
Workstep (government initiative)
United Response tools eg Good to Great
Accessible communication tools
Travel training

6. Any other comments?

More job coaches are needed to help people with learning disabilities access employment
Improve the threshold people can work before their benefits are cut
Keep a positive attitude
Better joint working with other supported employment agencies, sharing of information, vacancies

Bulgaria

Summary

In Bulgaria people with intellectual disabilities still face major stigma and prejudice and are confronted with significant barriers to realising their fundamental human rights. Discrimination against people with intellectual disabilities is deeply rooted and widespread, standing in the way of positive change. Providing real access to education and employment for people with intellectual disabilities is critical to ensuring that they can live and work in the community as equal citizens. There is a strong link between education and employment: without access to adequate education, people with intellectual disabilities cannot secure meaningful employment.

People with learning disabilities have very limited access to both education and employment, and remain dependent on State benefits and on their families. Much work remains to be done to ensure that they can be active, participating members of society.

Over the last few years, legislation and policies aimed at promoting the social inclusion of people with learning disabilities have been adopted in Bulgaria. However, segregation and social exclusion are still widespread.

Adults with intellectual disabilities, whose previous opportunities for education and training were extremely limited, will require greater help to succeed in supporting themselves, even in part, and benefits should be structured to reflect this situation.

Bulgaria has introduced a number of ambitious programs aimed at improving employment levels among various groups, including people with intellectual disabilities. As implementation of these programs is still in its early stages at present, it is too soon to assess the extent to which they are meeting with success.

The Labour Code has been amended to specifically prohibit discrimination in employment on the grounds of disability, and the Protection Against Discrimination Act (2003) requires employers to adapt the workplace

to accommodate workers with disabilities, in line with the EU Employment Directive. The assessment process to determine both eligibility for benefits and capacity for employment tends to categorise people with even mild intellectual disabilities as having a very low work capacity, which severely reduces their possibility of ever finding employment. Although disability benefits are cut or withdrawn if an individual's income exceeds a certain level, the level of benefits is so low that the incentive to work remains strong.

The setting

At present, disabled people in Bulgaria suffer particularly from the remnants of the past, where most of them were isolated, protected and cared for by the State under basic provision. Today, the majority of disabled people are isolated and unable to leave their homes due to accessibility and mobility problems and lack of appropriate support services. This lack of access also leads to reduced achievement in education which worsens their opportunities in the labour market as well as participation in social and cultural life.

Public disability policy is still based mostly on a medical model of disability where the focus is on lost capacities and limitations rather than on equal opportunities through increased participation and affirmative action.

This assessment is also true for large parts of the current key legislation, which does not focus on enhancing social participation but continues to discriminate through protection. In stark contrast to existing policy, the new national strategy builds on four fundamental, human rights, principles:

- The principle that the various systems of society and the environment, such as services, activities, information and documentation, are made available to all, particularly to disabled people.
- The principle of equal rights which implies that the needs of each and every individual are of equal importance, that those needs must be made the basis for the planning of societies and that all resources must be employed in such a way as to ensure that every individual has equal opportunity for participation.

- The principle that disabled people are members of society and have the right to remain within their local communities. They should receive the support they need within the ordinary structures of education, health, employment and social services.
- The principle that as disabled people achieve equal rights, they should also have equal obligations.

Classification of handicap

In Bulgarian legislation classification of handicap is made by expert committee/ commission (medical commission). The main indicator is percentage of working capacity. On the basis of this percentage are defined three groups of persons. Each group has different privileges (in the case of services, financial support, rehabilitation and healthcare privileges).

Institutions

State government has a common National strategy for integration, prevention and rehabilitation of disabled people. Every ministry is responsible for its implementation.

Institutions responsible for disabled people are divided in two areas:

- National like ministries, National organizations and committees
- Local - on the level of Municipality or town governance.

There are also associations of disabled people depending on type of disabilities - Union of visual impaired, Union of deaf people, Union of disabled people which is the common organization. Sheltered institutions/organizations are also divided into two groups, depending on National or local indication. NGOs and charity organizations have well developed structures providing information, professional adaptation, socialization and integration. NGOs provide vocational training and prequalification. Unemployment agencies provide courses for prequalification and vocational training.

Types of education & training

Schools

Nowadays mainstream schools are restructured in order to respond to the needs of disabled people for integration and social adaptation. There are still sheltered specialized schools for different types of disabilities (visual, mental, physical, etc.) and vocational training. The official vocational training policy is held by the Ministry of Social Affairs. At local level there are representatives in Social care centres. Vocational training centres are organized by Unemployment centres and special centres for prequalification.

Situation of disabled people Civil rights

Essential civil rights like right of education, access to public institutions and right of worthy life and job are not a high priority. There is discrepancy between official government policy and its realization at local level.

Equality of opportunity

Unfortunately, disabled people have not equal chances in many fields of life in Bulgaria. In society, the term "Invalid" still remains. Disabled people are discriminated by differences of written laws and their implementation. Officially legislation gives equal chances to disabled people, but in many cases there is a differentiation between laws and their implementation. The words "Disabled People" still have bad connotations. The Image of disabled people still remains as someone in a wheelchair.

"Person with durable handicap" is person, who as result of anatomic, physiological or psychic handicap is with durably reduced opportunities to fulfil activities in a way and in extent, possible for the healthy man, and about which the bodies of the medical expertise have established degree of reduced ability to work or reduced ability for social adaptation 50 and over 50 percent.

The legislation in the field of the social policy for handicapped comprises the following regulations and ordinances:

- Law of integration of people with handicaps
- Law of protection from discrimination

- Law of Health
- Law of encouragement of employment
- Law for healthy and safe labour conditions
- Law for vocational education and teaching
- Law of social support
- Law on the war handicapped and war injured persons

People with handicaps are defined as a person, who has a status, determinate by the law or permanently physic or anatomic illness, which reduces his possibilities for employment or advance in the career Institutions.

For the efficient implementation of the new Act on Integration of People with Disabilities, the Council of Ministers adopted special Rules and Regulations.

Improvement of the life quality of people with mental disabilities placed at specialized institutions is a leading priority to the Bulgarian Government. A broad political understanding has been raised on the necessity of introducing a change from pure medical to a social model of care provision, and even more - a change from institutionalized care to services provided within the community". Some care homes for people with mental disabilities have been closed down but insufficient efforts have been made towards invention of new forms of care provision within the community. In this respect, it is worth noting that improvement of the living conditions in specialized institutions and development of alternative social services are slow processes. But these processes have already been started and certain progress has been achieved.

National Strategy on Equal Opportunities of People with Disabilities has been adopted in 2003. The Strategy proposed a radical change in the philosophical background of policy oriented towards improvement of quality of life and social inclusion of people with disabilities. The main principle it is based on is the elimination of the discriminative practices and provision of guarantees for equal treatment of people with disabilities. One of the main Strategy goals is exactly carrying out of transition from institutionalized care to provision of services within the community, development of active social services and of alternative

social services for people with disabilities. For the purposes of Strategy implementation, an Action Plan on Equal Opportunities for People with Disabilities for 2003-2005 and a Plan on Employment of People with Disabilities have been adopted. Carrying out of specific measures has been envisaged there, together with deadlines set up, persons in charge and financial sources identified. Both Plans have been implemented successfully.

It should be stressed on two of the priority goals set in the Action Plan on Equal Opportunities for People with Disabilities for 2003-2005:

- improvement of living conditions of people with disabilities living in special care homes;
- development of alternative social services intended to people with disabilities.

In order to improve the social status of people with disabilities, a monthly supplement for social integration has been introduced by the new Act. The purpose of introduction of this supplement is to make an addition to their own incomes and to cover some unexpected expenses related to education, qualification, communication, medication, etc. In order to stimulate parents not to neglect their children with disabilities, a right to monthly allowance is envisaged in cases where there is a child with disability in the family. This right is given to parents/adopting family, close relatives or foster families who bring up children with disabilities.

Special provisions have been laid down in the Act on Integration of People with disabilities regarding their inclusion into the labour market. Financial incentives to employers have been introduced in cases where they create new jobs and hire people with disabilities. These incentives are as follows: financial assistance for the purposes of better adaptation of working environment to the needs of every person with disability, tax reductions for every employer who puts an effort in improvement of environment to facilitate the work of his employee/s with disabilities, etc.

The new National Strategy on Equal Opportunities of People with Disabilities 2008 - 2013 was adopted.

Status of disabled people *Civil rights*

For fulfilment of the state policy for integration of the people with handicaps an Agency for the people with handicaps was established in 2006. The Agency for the people with handicaps implements the fulfilment of the state policy for integration of the people with handicaps by doing the following:

- Permit the production, the import, the sale and the maintenance of auxiliary means, appliances and facilities and control the observing of the approved criteria and standards for conceding of auxiliary means;
- Keep register of the specialized enterprises and co-operations of the people with handicaps; 3. Participate and give obligatory statement at the preparation of drafts of normative acts, connected with the people with handicaps;
- Develop programs and finance projects for stimulation of the economic initiative of the people with handicaps and the economic initiative in interest of the people with handicaps.

The people with durable handicaps have right to monthly additions for social integration according to the kind and the degree of the handicap and their individual needs and they are designated for covering additional expenses for:

- Transport services;
- Information and telecommunication services;
- Training;
- Balneological treatment and rehabilitation services;
- Diet feeding and medicinal resources;
- Accessible information;
- Satisfying of other basic vital needs.

Like right of education, access to public institutions and right of worthy life and job are at not very good stage. There is still discrepancy between official government policy and its realization on local level.

Unfortunately people with disabilities have not equal chances in many fields of life in Bulgaria. In society, term 'Invalid' still remains. Persons with disabilities are

discriminated by differences of written laws and their implementation. Officially legislation gives equal chances to people with disabilities but in many cases there is a differentiation between laws and their implementation. Words People with Disability still have bad connotations. Image of people with disabilities still remains a wheelchair.

Employment

There are around 265,000 people with disabilities in Bulgaria (2001 data). Some 90,000 of them are more than 90% permanently disabled; 106,000 are 71% and above permanently disabled; and 69,000 are 50% permanently disabled.

During the past few years the number of disabled people registered at the Labour Offices and seeking employment or training has been growing, Around 15,916 registered people were disabled in 2003 (average annual figure), an increase of 30.1% on 2002. The proportion of disabled people in the total number of unemployed people is 3.0% (up from 1.9% in 2002). A specific occupational feature of this group is that most do not have a speciality. The opportunities for employment for people with disabilities are limited and they have little opportunity to work in non-subsidised jobs, especially in the case of those who are 71% disabled and above.

Most registered disabled job seekers are disabled by a general illness, meaning that they have a reduced work capacity of between 50% and 70%. They are the most numerous group among all disabled unemployed people. To a large extent, they have preserved their work capacity and therefore it is easier to find jobs for them, with the exception of jobs where heavy physical work is required. These people with disabilities have greater chance of succeeding on the labour market.

The proportion of people with mental and psychological disability registered as job seekers is about 11% and these people find it hard to find work. Employers are often reluctant to recruit them and their only opportunity for work is usually specialised enterprises and/or work at home.

In order to increase the opportunities of people with disabilities, in 2004 a National Programme for Employment and Vocational Training of Disabled People was approved. Its main objectives are:

- to create opportunities for the training and retraining of disabled people;
- "to provide subsidised jobs for disabled people;
- to support employers in adapting and equipping specialised jobs for disabled people.

The Employment agency measures can not impact two groups of disabled people namely those with severe disabilities due to which they can not participate in the labour market realities and those who already found a job due to qualifications, skills and education, for whom disability does not cause insurmountable obstacles.

There are very few employment opportunities for people with over 71 per cent reduced working capacity, unless the workplaces are subsidised by the state.

At the end of 2003 the Ministry of Labour and Social Policy and the Employment Agency awarded the employers that hired most people with disabilities using the special measures and programs offered by the Government. More than 900 firms applied for financial incentives for employers who hire people with permanent disabilities and reduced working capacity in 2003, and 1,094 people were hired under these measures. However, the employer which won the award for hiring the highest number of unemployed from risk groups did not hire any people with intellectual or mental disabilities, but only people who have slight physical disabilities.

Results of the questionnaires

Part of the country report is the local needs and capacities assessment. We operated 26 interviews between 12/2008 and 02/2009. The interviews were divided between the three target groups.

1) people with a learning disability (people with a learning disability, people with low numeracy & literacy skills, disadvantaged groups)

2) employers (Small Medium Enterprises, large organizations, Non Governmental Organisations)

3) care staff.

A set of questions were presented to the interviewees. In the following we present summarized results from these questions.

People with a learning disability

1. If you have experienced work: Have you experienced paid employment?

6 people - less than 2 years,

2 people - less than 5 years,

2 people - more than 10 years.

o How many hours a week did you work?

6 people - less than 35 hours,

3 people - 40 hours,

1 people - more than 40 hours.

2. What type of work did you do?

Office work - 1

Shop work - 3

Catering - 2

Cleaning - 3

Voluntary - 0

Sorting and/or stacking items - 1

Working with the public - 0

Other - 0

3. How much (per hour) were you paid?

No answers

4. What exactly did you do? (explain activities of the work)

Post collecting, Sort documentation, cleaning, telephone answering, sorting of items...

5. How long did it last?

6 people - 2 years,
2 people - 5-6 years,
2 people - 8-10 years

6. Why did it end?

5 people - fired because they did not work well,
3 people - because they were shortage,
2 people - were temporary employed

7. What did you enjoy about it?

Working with other people (friendship, relationship) -
Getting paid - 5 people
Meeting other people (customers) - 1 people
Working for a particular company (status)
Making things (production) - 2 people
Putting things away / in order
Putting things together (assembly)
Doing things (work) for your colleagues - 2 people

8. What did you not liked about it?

Other people (colleagues)
Too many people / customers - 3 people
Being told what to do (supervision) - 2 people
Having to get up in the morning - 2 people
Taking up leisure time -
Hard work - 3 people
Difficult work
Too cold / hot

9. How did you get to / from work?

Walked - 7 people
Cycled
Taxi

Public transport - 2 people
Private transport (works minibus, etc)
Taken by family member / care worker - 1 people

10. Did you get any help from?

Government programme (Partner country specific information needs to be added here) - 4 people
JobCentre Plus - 4 people
Access to Work
Supported Employment Service - 2 people
College
School
Other source (explain)

11. If you have not had employment - What experience do you have?

Skills - what? singing, knitting, vegetables, popular music
Hobbies - which? popular music, flowers, sporting, computer work, Internet
Voluntary activity - what? -
College / further education - what? - not any

12. What type of work would you like to do?

Retail - 1 people
Warehousing
Catering - food preparation / serving
Cleaning - 3 people
Horticulture - 1 people
Office work - 2 people
Other - 2 people - receptionist in the Hotel
1 person - postman

13. Other things that are important

Need for short breaks
more contacts with supervisor
not punishment after to be late
more freedom to change one activity with other
place for smoking
place for sporting close to the work place

Employers

1. **What is your understanding of the term learning disability (perhaps offer multiple choice)**

Not too much.

Somebody, who do not understand too much,

Disabled person.

I do not know.

People with some psychological disorder.

Dyslectic people.

Some different people

People with some non standard skills

2. **Are you aware of what help there is available when employing someone with a learning disability?**

No.

Not too much.

I heard something, but do not know details about that.

Yes, they need temporary employment

They need work from different projects

Some specialized centers work with them

There is work per hour for them

Protected employment

3. **What experience have you had of employing people with a learning disability?**

2 employers say - they never had employed such a people.

4 employers said - they had some experience employed these people

4. **If yes: Was it positive / negative (please explain why)**

Positive - willing to work, precise following the instructions, honest, loyal

Negative - they do not apply any creativity, not so fast and operational, some details are very important for them, emotional unstable

5. **What were the barriers?**

there were the prejudice, stigma, old fashioned behavior from

other employees, difficult adaptation, to many emotions

6. What type of work did the person / people undertake?

Retail - 1

Warehousing -1

Catering - food preparation / serving

Cleaning - 3

Horticulture

Office work - 1

7. Would you employ anyone else with a learning disability?

2 employers - with big reserves

3 employers - if there are any benefits from employment office or labour Ministry

1 employer - no

8. What would you do differently?

Learn about any benefits programs, make accessible environment if there will be some money, if taxes will be lower..

9. Would you welcome the opportunity to advertise suitable vacancies specifically to people with a learning disability?

If I have any benefits for this, some program, some lower taxes... etc.

10. What would be the most important information you would like to have about someone with a learning disability if you were to consider employing them for example:

Experience of other work or voluntary work they have done and for how long/days per week: 5

How will they travel to work: 2

How many hours/days would they like to work: 5

Time keeping: 3

Able to get on with other people at work: 4

Appropriate dress:

11. Any other point that is important to record

What benefits I will have?

Should I do something for better environment in a work place for them?

What skills they may propose?

Care Staff

1. What experience have you had of supporting people with a learning disability into / in employment

Labour offices programs

programs connected with NGO activities

Programs from Ministry of Social Affaires

2. What have the barriers been?

Employer attitudes - prejudice, stigma, not competences about the problems, lack of competences, not too much creativity, not so operational

Parent attitudes - they feel guilty, feel different, they have a shame, some time they ignore the problem...

Benefits - non standard thinking, accurate, honest

Travel - difficult, they do not orient some time, some of them need to be accompanying

Unable to complete tasks - they could not accomplish some difficult and complicated tasks, they are not able to summarize... very easy tired, slow reactions, do not feel the limits

Issues with other employees - difficult work in teams, some time they are too emotional

3. What support have you offered?

Travel training - yes

Transport

Soft skills - yes, trainings

Vocational support - yes, IT skills, team work, entrepreneurship

Accessing further education - yes to the labor offices

Working with the employer

On the job coaching skills

Accessing benefits information

4. What training do you think would help you?

Travel training - yes

Transport

Soft skills - yes

Vocational support - yes

Accessing further education - yes

Working with the employer - yes

On the job coaching skills - yes

Accessing benefits information

5. What existing tools or products do you know about that will help someone with a learning disability to access work?

Not any special tools, they were participated in many trainings, mainly from some EU projects, not any systematic work in the field; they are trained in the special schools and resource centers.

After the evaluation from special commission, they are directed to the labor offices in their region, where they live and they are included in some actions and programs for employment, but usually there are many difficulties for work placement, because it is difficult to find a job per hours, part time for them.

Portugal

Introduction

MISCODE's scope of work covers areas such as web marketing, web crm/erp, web development, investigation, modelling and development of information systems. Our staff have extensive experience required for the implementation of the CODA project gained through other project development activities in which tools for people with disabilities are the main target group.

MISCODE's role in the CODA project is to develop, programme and test the Digital Career Portfolio, web portal and platform and hosting of the on line training modules. They will work with an associated care group to carry out needs testing and research.

Methodology

For this work was necessary to search the Internet, consult several government institutions and conduct several interviews.

I can divide the progress of work in three distinct phases:

a) Research

First collect the information through the Internet. Subsequently called various government institutions which conducted several interviews in order to obtain the information we need. Finally we did several interviews with companies and people with some degree of disability.

b) Analysis

At this stage we analyse all the material collected in order to filter what is important and what is not interesting. We can also bring this stage to completion of a draft of the final report

c) Preparation

After the collection of material, its analysis and the planning, we present the following report.

Government Policy and Law on Disability and Disability Support

The regulation 134/99, 28 August, prohibits discrimination on the grounds of disability. This law considers discriminating factors the obstruction and access to a normal and active economical activity and all the acts taken by employers that discriminate their work.

The Portuguese Constitution, Item 2 of article 71º, says that disabled people are entitle to participate in social life and have equality in rights and duties like any other citizen.

For third right to be accomplished Portuguese Government is obligated to define policy measures and to promote programs. The programs are meant to allow rehabilitation which means social and professional integration of disabled people.

The Government Policy and Law on Disability and Disability are divided into :

a) Education

„... Education may be a factor of cohesion if it try to take into account the diversity of individuals and human groups and to avoid at all costs is itself a factor of social exclusion. " [8]

b) Professional training

The Government should define a policy for training, vocational guidance and retraining based on data statistics taking into account the needs of the population with disabilities in training and the needs of the labour market.

c) Accessibility

Accessibility is directly related to the full enjoyment of civil and political rights. Thus were established the following laws:

8. International Commission on Education for the XXI century

- Supervision of projects to be implemented for construction of public buildings, collective equipment and public, in compliance with the provisions of the Decree (Law 123/97 of May 22);
- Supervision of works of adaptation of public buildings, equipment collective and public roads built before the publication of Decree-Law (123/97 of May 22).

d) Public sector

Was approved in February 2001 the decree establishing the system shares of employment for people with disabilities in services and bodies of central and local government.

e) Private sector

The implementation of EU Directive on equal treatment must be accompanied by a strong awareness campaign, targeted to employers. Under the promotion of employment of persons with disabilities in private were taken the following measures:

- Diversify and increase incentives to companies that employ disabled people.
- Extend the measures and support to design and adjust the positions of work, creating conditions of accessibility.
- The granting of financial and technical support to people with disabilities wishing to establish small businesses, ensuring that the value given is such as to enable the viability of the project.
- Establishment of appropriate services to facilitate placement in the middle labour, such as personal assistance and services of language interpreters hand, transcription of texts and documents in Braille.
- Adoption means of objective information that allows access to mechanisms related to employment, both in terms of people with disabilities and employers.

f) Sensibilization

It is important to raise the awareness of employers and the general population of rights, needs and opportunities of people with disabilities. Thus the State has:

- Developed awareness campaigns aimed at employers for the skills of people working with disabilities;
- Encouraged the media to put up a positive image of disabled people;
- Developed campaigns to empower people with disabilities of their rights and obligations as citizens with full rights.

3.1.2 - Some governmental laws :

a) Employment

a.1) Installation for own account

- Decree-Law No 247/89 of 5-AGM approves the system of technical and financial support to programs of vocational rehabilitation of persons with disabilities;
- Regulatory Order No. 99/90 of 6-SET rules on regulating the granting of allowances for compensation, for adjustment of jobs and removal of architectural barriers, host personalized, grants and loans for installation on their own account and awards, for integration.
- Order No. 12008/99 (Series II) 23 JUN-regulation of the prize of merit.

a.2) Incentives to employers

- Decree-Law No 247/69 of 5 AGO
- Order No. 99/90 of normative SET 6
- Order No. 12008/99 of 23 JUN

What are they?

Financial and technical support provided to employers (private, private nonprofit, public, cooperative, local authorities) which intend to create jobs for disabled people.

Terms of support:

The IEFP (Instituto de Emprego e Formação Profissional) can financially support the arrangements for programs designed to integrate the poor socio-professional employment through normal labour market, to people aged at least legally established minimum age for work are included in the employment centers of the Institute. The support includes the following benefits:

- Of compensation;
- For adaptation of jobs;
- For removal of architectural barriers;
- Custom in the host company.

Social Security also gives employers a reduced rate of 12.5% in value for the calculation of their contributions concerning workers with disabilities to accept or keep at your service since they have ability to work, less than 80% capacity standard required for an employee not disabled in the same place of work (Decree-Law No 257/86 of 27 AUG, Decree-Law No. 299/86 on 9 SET. Decree-Law No 125/91 of MAR 21) There are awards of merit and awards of integration.

a.3) Grants and amounts:

- The allowance of compensation is a monthly benefit provided to non-reimbursable employers recognize that disabled people and that is to compensate them for lower income workers that they have during the period of adaptation or re-adaptation work. The allowance is calculated according to the actual reduction in income in the work presented by the employee admitted faulty.
- Subsidies for adaptation of jobs and the elimination of architectural barriers is given to employers if it is necessary to adjust the equipment or the job as well as adjustments to the removal of architectural barriers. These subsidies can not exceed twelve times each value of the national minimum wage in its highest.
- The host personal allowance may be granted by IEFP to employers for every disabled person to accept their tables. The host comprises customized monitoring and support of disabled person in their

process of socio-professional integration of adaptation to the production schedule of the employer and the job that I was destined. The amount of the allowance is calculated based on costs incurred by the employer to the actions included in the admission of the disabled person not custom, in each month exceeding twice the national minimum wage in its highest value.

b) Protected employment

- Decree-Law No. 40/83 of 25-JAN down the system of sheltered employment;
- Decree-Law No 194/85 of 24-JUN introduces amendments to the Decree - Law No. 40/83 of 25 January;
- Decree No. 37/85 Reg JUN-24 regulates the application of Decree - Law No. 40/83 of January on the arrangements for sheltered employment;
- Law No. 9 / 89, 2 MAI-Law on the Prevention and rehabilitation and integration of persons with disabilities.

What is it?

The term sheltered employment throughout the useful and gainful activity that integrated in all national economic activity and benefit from special measures in support of the State, aims to ensure personal and professional recovery of disabled people, facilitating their passage, if possible , for employment not protected.

c) Minimum share of employment

Was published recently in the Daily Republic, the Decree No. 29/2001 of 3 February, which sets the quota system of employment for persons with disabilities, degree of functional disability with less than 60% in all departments and agencies of central government, regional autonomous local.

Regional Legislative Decree No 4/2002/A 1 March adapting to the Azores the Decree No. 29/2001 of 3 February, establishing a quota system of employment for disabled people in services and public administration bodies.

The share of employment in the Azores is 20% of the total number of seats put up for tender.

**Approach to
Delivering this
Law and How it
Impacts on the
People**

All though these laws exist and are very explicit, the reality is that employers and general citizens don't always follow them.

There are still many stigmas and prejudice towards disability and the capacities disabled people have.

In a country where people with over 40 years old are discriminated when looking for a job how can disabled people not also be?

The Portuguese unemployment rate is very high not just because of the actual economic situation but also due to a large discrimination towards disabled people.

In 2001 Portugal had 634 408 persons with disabilities, 6,1% of the population. Of this percentage only 24,6% had a paid job

Of this 24,6% we have:

- 10,5% working 40 to 45 hours/week
- 5,5% working over 45 hours/week
- 5% working 35 to 39 hours/week

This was the reality of Portugal in 2001 and probably has not change for the better.

Job opportunities aren't given, laws and policy aren't followed, the fear and lack of information are the reason authorities aren't aware of discriminating acts, lack of information...

Most employers don't even know there are government supports!

State budget for 2009

Mr. Secretary of State for Fiscal Affairs said in the press, on the transitional regime of tax benefits, and we quote: "We take now and later with more income to the disabled." We ask: given what Mr. Secretary of State?

Look, according to data of recent studies in Canada, 21% of people with disabilities did not complete the 1st cycle of basic education, 5% continued their studies beyond primary education and 2% have a diploma of secondary education or higher.

28% of households have a monthly 403 euros, 49% receiving up to 600 euros monthly. The unemployment rate for disabled persons is two and a half times higher than that of other citizens.

The Portuguese government employs less than 1% of people with disabilities and those, 80% had worked in public administration when it acquired a disability.

In fiscal terms, a measure was taken towards the disabled that the state budget for 2009 contemplates, is to reduce the VAT rate to 5% in the provision of maintenance or repair of prostheses.

Lisbon, 25 October 2008 [9]

Assistance provided to disabled people - education through school years and then into adult training and employment

As far as learning, the government states that all individuals have the right to education. And disabled students have a priority of entering and choosing a school.

However, the main problem is the lack of accessibility in most schools and public transportation. And also the lack of information of most families. Many parents with disabled kids don't have enough education or background to get help and deliver a better life and training for their children.

9. Source: <http://www.apd.org.pt/> Associação Portuguesa de Deficientes

There are still a lot of ignorance, stigma and prejudice starting at home!

Schools try to deliver accessibility and education but the problem is that most schools don't have means and funds. And this is a government issue.

But some professional and technical schools exist and are well equipped to support disabled students. The negative part is that this schools are mostly in the big cities. This schools also help disabled people finding jobs and adapting to functions. Maybe Portugal needs more of these in other parts of the country.

a) School education - special arrangements

- Regulatory Decree No. 14/81 of 7 ABR-down provisions for the allocation of a grant of special education;
- Decree-Law No. 46/86 of 14 OUT - Law on the Education System;
- Decree-Law No 319/91 of 23 AGM-establishes the rules applicable to special education students with special educational needs;
- Order 173/ME/91 23 OUT-regulates the conditions and procedures for implementation of measures contained in Decree Law No 319/91 of 23 AGO.
- Order 105/97 of 1-JUL amending Decree-Law No. 139-A/90 of 28 ABR in article 56 and 57 s including the qualifications of the staff of teaching space;
- Order 822/98 of 26 all-NOV-career status of the educators of children and teachers in school education to provide support for pupils with special educational needs;
- Order No. 7520/98 of 6 MAI-units to support the education of deaf children and young people, to work in establishments of public school education.

Who is entitled?

Pupils with special educational needs who attend the institutions of public education of primary and secondary.

b) higher education

b.1) national competition for access

- Decree-Law No 189/92 of 3 SET-down the new access to higher education;
- Decree-Law No. 4-APR-28-B/96 the arrangements for access to higher education;
- Ordinance No 715/2001 of 12-JUL approves the Regulation of National Competition and Access in Higher Education Admission to the Public Registration and Enrollment in Academic Year 2001 to 2002.

The number of seats allotted to tender for each pair

Establishment / Course - is the tendering National access and was awarded the special quota for students with physical or sensory impairment 2% of seats fixed for the 1st stage or two vacancies.

Who is entitled?

Can compete for special quota for students with physical or sensory disabilities, students who meet the requirements of Annex III.

Priority in placement:

Placement of candidates is established as the first priority for the special quota of students with physical or sensory disabilities in their places (See Article 27.).

Other information:

Allocation of scholarships to students of Higher Education The Public Order No 10.324-D/97 (Series II) of 31 October approved the Rules of Allocation of scholarships to students of public higher education.

Under this order, the student with a disability or physical sensory duly proven benefits of special status for the allocation of scholarships to be affixed to each case by the Office of Social Action, once considered the situation.

Allocation of scholarships for students private and cooperative.

The Order No 11.640-D/97 (Series II) November 24 to adopt the Rules of Allocation of scholarships to students from private universities and cooperative and the Catholic University.

Under this Order, the student with a disability or physical sensory duly proven benefits of special status of awarding scholarships to display on a case by order of the Director of the Department of Higher Education, once considered the situation.

Assistance or incentives for employers to take on disabled workers

a) Market integration in normal working

a.1) Compensation Allowance

Aims to compensate the employers of the lowest income of people with disabilities to the average of other workers for the same category.

Description of support:

Non-refundable subsidy calculated on the actual reduction in income from work submitted by the disabled worker and the base salary awarded to another employee in the same category. Social security contributions payable by employers for workers with disabilities are admitted as in calculating the allowance.

The allowance is granted for a maximum period of one year, and the initial amount reduced by 20% after three months, 40%, after six months, and 75% to nine months. Since the worker reached at the end of term production capacity exceeding 80% of the allowance may be extended for successive periods of one year to a maximum of three, his lower amount.

Diplomas:

Decree-Law No. 247/89 of August 5 (as amended by Decree-Law No. 8 / 98, 15 January)

Regulatory Order No 99/90 of September 6

a.2) Allowance for Elimination of architectural barriers

Intended to compensate employers for costs with the elimination of architectural barriers that hinder or prevent access to the workplace of people with disabilities to hire employees or their staff who have acquired disabilities. Is for people with disabilities legal age to work.

Description of support:

Non-repayable grant up to twelve times the value of the guaranteed minimum monthly payment on your highest value. The services of IEFP appreciate on a case, the technical and ergonomic solutions for which the grant is requested.

Diplomas:

Decree-Law No 247/89 of 5 August (with Changes introduced by Decree Law No. 8 / 98, 15 January)

Regulatory Order No 99/90 of September 6

a.3) Subsidy on Adaptation of jobs

Intended to compensate employers for costs of necessary adjustments to the professional activity of people with disabilities to hire employees or their staff who have acquired disabilities. is for people with disabilities legal age to work.

Description of support:

Non-repayable grant up to twelve times the value of the guaranteed minimum monthly payment on your highest value. The services of IEFP appreciate on a case, the technical and ergonomic solutions for which the grant is requested.

Diplomas:

Decree-Law No 247/89 of 5 August (with Changes introduced by Decree Law No. 8 / 98, 15 January)

Regulatory Order No 99/90 of September 6

a.4) Custom Home Allowance

Aims to enable the monitoring and support of disabled people in their process of socio-professional integration of adaptation to the production process of the company and the job. Is for people with disabilities legal age to work.

Type of support:

Financial support that aims to cover the costs of hosting custom of disabled people in their process of adapting the production process of the company.

Description of support:

The allowance is calculated based on costs incurred by the employer to the actions included in the custom host of disabled people, including in this calculation the salaries of staff seconded to the end, may not exceed, in each month, twice the minimum monthly payment guaranteed in its highest value. The allowance is granted for three months from the date of acceptance of the disabled person and may be extended by monthly periods, up to six months.

Diplomas:

Decree-Law No 247/89 of 5 August (with Changes introduced by Decree Law No. 8 / 98, 15 January)

Regulatory Order No 99/90 of September 6

a.5) Integration Award

Encouraging the conclusion of employment contracts with persons with permanent disabilities. is for people with disabilities legal age to work.

Type of support:

Financial support to encourage the hiring of people with permanent disabilities.

Description of support:

Non-refundable grant worth twelve times the minimum monthly guaranteed payment on your highest value.

Diplomas:

Decree-Law No 247/89 of 5 August (with Changes introduced by Decree Law No. 8 / 98, 15 January)

Regulatory Order No 99/90 of September 6

a.6) Award of Merit

Aims to reward those who stand out each year in the conclusion of contracts of employment without end with people with disabilities and disabled people who stand out in creating their own employment. It is the employers to conclude contracts of employment to people with permanent disabilities. Persons with disabilities who have created their own jobs.

Type of support:

Distinguishing public and solemn, including a cash benefit.

Description of support:

Allocation in public and solemn session of the premium which consists in a diploma of merit that includes a cash benefit, which may reach the maximum eighteen times the minimum monthly remuneration guaranteed by law.

Diplomas:

Decree-Law No 247/89 of 5 August (with Changes introduced by Decree Law No. 8 / 98, 15 January)

Order No. 12 008/99 of June 23.

b) Support in areas of training / employment for people with disabilities

b.1) Reduction of contributions to Social Security

Employers:

Promoting the employment of disabled people by reducing the burden of Social Security for the companies that contract for undetermined time workers with disabilities. It is the employers to conclude contracts of employment to people with permanent disabilities, whose capacity is less than 80% of normal capacity required to another employee in the same job.

Description of support:

Reduction of 12.5% of the discounted rate of employer social security for workers with disabilities whose production capacity is 80% of normal capacity required by another employee in the same job.

Diplomas:

Decree-Law No 299/86 of 19 September (as amended by Decree-Law No 125/91 of 21 March)

Decree-Law No 199/99 of 8 June (as amended by Law No. 3-B/2000, 4 April)

Quota system of employment for people with disabilities.

Diploma:

Law No. 29/2001 of 3 February (Articles: 1,2,3,4,5,6,7,8,9,10,11)

Program Pre-Professional Preparation

Diploma:

Regulatory Order No 388/79 of 31 December

Order of the Secretary of State for Employment, 18 August 1980

Decree-Law No 247/89 of 5 August

Information, Assessment / Vocational Guidance

Diploma:

Decree-Law No 247/89 of 5 August

Regulatory Order No 42-B/2000 of September 20

Regulatory Order No 12-A/2000 15 September

Order No 799-B/2000 of September 20

b.2) Vocational Training

Diploma:

Decree-Law No 247/89 of 5 August

Regulatory Order No 42-B/2000 of September 20

Regulatory Order No 12-A/2000 15 September

Order No 799-B/2000 of September 20

b.3) Upgrading to Work

Diploma:

Decree-Law No 247/89 of 5 August

Law No. 100/97 of 13 September

Decree-Law No 360/97 of 17 December

Regulatory Order No 42-B/2000 of September 20

Definitions of level of disability in Portugal

a) Who certifies the degree of disability?

The law does not state that the entity must certify the level of disability. It is understood that should be delegated to the health of the Health Center of residence. [10]

b) Determination of degree of incapacity:

10. <http://www.clienteespecial.com/index.php?op=p&a=apoio&p=apoio#13>

The Portuguese law, in accordance with national guidelines and international confer some benefits / entitlements to the disabled. To be covered by these benefits / duties is required is a degree of disability less than 60% - Table National Disability - DL 341/93 to 30/09 and to obtain a certificate of incapacity multipurpose - DL 202 / 96, 23/10 and 19/07 of DL 174/97. [11]

Some Criticism

Portuguese Association of Disabled critical current model of special education:

The Portuguese Association of Disabled (APD) complains that the current model of education for disabled children will oblige them to live on benefits when older.

The chairman of the association, Humberto Santos, said that education in Portugal does not track who has special needs. Humberto Santos requires, therefore, teams of specialized technical schools that have disabled students rather than force them to travel dozens of kilometers to go to special schools.

In an interview with Radio Club, Humberto Santos, says the current model does not qualify the children. Besides education, the DPA is also concerned with the employment of disabled adults. A recent study suggests that almost 70% of small businesses had employees with disabilities. The chairman of the ODA blame the government for not setting an example. Also in Europe, the unemployment rate in the poor population is twice the normal rate.

The work and education are two of the subjects to be discussed today at a conference in Lisbon referring to the International Day of Disabled Persons. The ODA will require the Government to adapt the United Nations Convention on rights of disabled people in the Portuguese legislation. [12]

11. http://www.aphemofilicos.pt/siteaph/index.php?option=com_content&task=view&id=108&Itemid=135

12. http://www.saladosprofessores.com/index.php?option=com_smf&Itemid=62&topic=15310.0 On: December 03, 2008, 05:32:49

Conclusion

After collecting all kinds of information described above and the interviews that there are many measures and laws created to help people in need of some degree of intellectual or motor difficulty.

The problem lies in the current model of our society that lives in an atmosphere of great stress and is afraid to take risks, when choosing a contract for short periods and for younger people with no apparent problem. Adding to this the lack of knowledge of business and slow in getting aid to facilitate the integration of persons with a disability of any kind into the labour market.

Key issues for Portugal were identified as follows:

The Country Structures (Public, Private and Voluntary/Charity) to Support People with Disabilities

The support structures in Portugal are limited when compared with known structures in the UK and Germany. By this we mean that much of the structure and support mechanisms are still very entrenched in government legislation, directives and employment legislation, and that provision for people with disabilities is with government directed agencies. Portugal does not have many of the more sophisticated voluntary sector or charity sector organisations capable of providing support structures to people with disabilities beyond immediate care or accommodation. This means examples of the voluntary and community sector working to provide supported employment opportunities are limited to a few organisations.

Legal Structures and Discrimination Laws

The reader will have seen from this report that there is a large amount of legislation directed at the support and employment of people with disabilities. It is clear that this is not fully understood by many employers and that discrimination is still an issue. Greater awareness of what the capabilities of disabled people are in the workplace linked to the routes for an employer to gain direct and financial support might encourage a different perspective.

It would be important that policies that seek to promote job accessibility should take into account the individual nature and the effects of different disabilities on reemployment opportunities.

Country Wide Research

Research carried out by the Universities in Portugal suggests the following findings: That disabled persons with muscular, skeletal, geriatric and sensorial problems experience the longest unemployment spells. Organic (blind, deaf or linguistic) disabilities also significantly reduce the probability of finding a job, while intellectual or psychological disabilities do not.

Also that having previous employment experience and vocational training raise the probability of leaving unemployment into employment. This would suggest that the CODA project linked to those agencies that are making a difference in supporting people with disabilities into employment can make a difference

Financial Support Structures

Financial incentives do exist for employers in Portugal to take on staff with disabilities. Again it is probably the case that there is a lack of awareness among most employers of this being the case, and though it should not be a primary focus of activity this does have a positive impact on the engagement of employers with the CODA project and their potential ability to see the disabled person as a potential employee. The gap would still appear to be letting them know what an individual is capable of in the workplace and how this fits with roles available

Skills and Training to Support Employment

There is a clear need linked to general research findings to identify the skills and employment capabilities of disabled people to employers, something the CODA project is aiming to do. But also there is clear evidence in Portugal that this needs to be linked to ongoing vocational and informal training to help disabled people have a better chance in the labour market. These skills can be at a very low level and reflect simple job

requirements so the contact with agencies that can provide actual employment experiences becomes important within the dissemination process here in Portugal

Findings Identified from the CODA Research

Employers:

- Awareness and knowledge of the skills and abilities of people with disabilities and their potential in the workplace
- Knowledge of who to contact and support available
- Lack of knowledge of financial incentives
- A genuine interest in the CODA project and potential results
- One of six employers has a positive experience employing people with some degree of disability and is willing to hire again as long as the candidates are fit for the tasks, physically and emotionally
- Three of the 6 employers are willing to improve accessibility on their offices or factories.
- Four of 6 employers state that the two main decision factors on hiring are the ability to perform the tasks assigned as well as others and the capacity to get along with colleagues and work in a team.

Care Staff:

- The main concern from the care staff is motivated by the lack of structures to support professional integration. There's a huge gap between the care staff and the employers or HR with no communication bridge set up. This fact reduces the potential of employability related to the erroneous interpretation of people with disabilities skills and motivations.
- The secondary concern from care staff is the prejudice and delicate work environment in Portugal, the lack of accessibility and the vision that employers have on people with some sort of disability considering them as less productive than the general workers.

- The care staff interviewed is very enthusiastic about CODA mainly because it's the first gateway in Portugal to communicate with employers in a language that they understand and still having in mind the easy interface for people with disability to provide information about hard skills and soft skills.
- The third concern/suggestion refers to more accessible software.

Beneficiaries:

The most efficient way to analyse the qualifications and expectations from the primary beneficiaries are to synthesize the information in a value matrix.

We can easily observe that the CODA efforts must comply on obtaining and providing information from employers to seize the matrix results.

The key factors are:

- Part-time Jobs
- Fixed small or medium size work place
- Relaxed and quiet workplace (no stress, no loud environment)
- Clean workplace (we may consider to exclude old fashion factories and car workshops as a potential employer)
- Multi-tasking job or combining part-time jobs
- Avoid jobs involving calculations and extensive word writhing
- Work in small teams or close to other staff