



**inclujobs**



# HANDBOOK FOR INCLUSIVE JOB EMPLOYERS AWARENESS



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# 1. Definition and Characteristics of Intellectual Disability.

**“Disability or delay in the development of mental activity, present from birth or since childhood, that affects the person’s ability to learn, understand and relate to others.”**

*Definition of Intellectual Disability by the World Health Organization.*

In other words, the intellectual disability is characterized by a significant limitation in the ability to implement daily tasks such as speaking, writing, reading, solving problems, making decisions and understanding abstract concepts; within others.

## How does intellectual disability originate?

Intellectual disability arises as a result of a complex interaction between genetic and environmental factors that influence the cognitive and functional development of an individual.

### **Regarding the genetic field.**

In the genetic field, several elements have been identified that may contribute to the appearance of this condition. These include chromosomal alterations, involving changes in the structure or number of chromosomes, which can significantly affect the expression of genes related to brain and cognitive functioning.

In addition, inherited disorders play a crucial role in the transmission of genetic characteristics that may influence predisposition to intellectual disability. These disorders can be inherited from parents to children and manifest themselves over generations, increasing the likelihood that certain genetic vulnerabilities will impact cognitive development.

Metabolic imbalances and hormonal insufficiencies also come into play in the genetic landscape of intellectual disability. Metabolic processes and hormonal regulation are fundamental to the proper functioning of the brain and the nervous system in general.

Any disruption in these areas can have a direct impact on an individual's cognitive and functional development.

**Regarding environmental causes.**

On the other hand, environmental causes also play a significant role in determining intellectual disability. Traumatic brain damage, resulting from accidents or injuries, can have lasting effects on a person's cognitive abilities. Exposure to substance or alcohol use during the gestational period can interfere with foetal brain development, leading to cognitive difficulties throughout life.

Low birth weight, often linked to suboptimal maternal health conditions, can expose the developing brain to risks that impact its functionality. Lack of adequate medical care during critical stages of development can also have negative consequences on brain and cognitive formation.

In addition, malnutrition and infections represent environmental factors that can negatively influence cognitive development. Lack of essential nutrients can affect growth and brain function, while infections, especially during sensitive times of development, can cause brain damage that impacts cognitive abilities.

In summary, intellectual disability can be caused by one determinant or also by a complex interaction between different factors that affect cognitive and functional development. Both genetic and environmental influences can act independently or together, creating a diverse and multifaceted picture of how this condition originates.

## Manifestations of intellectual disability

The ramifications of intellectual disability generate a wide range of effects that can manifest in various spheres of a person's life. Among the most common consequences that emerge from this condition are a number of challenges ranging from cognitive to social and emotional.

In terms of cognitive development, delayed speech acquisition is often observed, which can hinder effective and full communication. The ability to learn may be compromised, resulting in difficulties in assimilating new information and retaining knowledge. Problem solving can become an arduous process, as the skills to analyse situations and find effective solutions may be limited.

Abstraction, a cognitive skill that involves understanding concepts beyond the concrete, can also be a challenge. The inability to grasp abstract concepts can impact the way a person perceives and relates complex ideas.

In the area of memory, difficulties in remembering information efficiently are a common feature of intellectual disability. This can influence the ability to learn from past experiences and apply those learnings in present and future situations.

In social terms, people with intellectual disabilities may face obstacles in relating to others effectively. Understanding social codes, norms and the subtleties of human interactions can be a difficult terrain to navigate.

The ability to plan and organise activities may also be limited, which can impact on autonomy and the ability to carry out daily tasks independently.

In addition to cognitive and functional challenges, people with intellectual disabilities may face difficulties in emotional management. Controlling emotions can be complicated, which can lead to intense or unusual emotional responses in certain situations.

Interpretation of figurative language and social concepts can be confusing, as these dimensions are often more abstract and based on cultural and social contexts.

Taken together, these consequences reflect the complexity of intellectual disability and how it can impact multiple aspects of a person's life. It is important to recognise that each individual is unique, so the effects of intellectual disabilities can vary widely in terms of degree and manifestation.

Despite the impact that intellectual disability has on a person's personal life, and the challenges that this entails, we must strive for the full integration of this group in social and public life. In order to do so, it is necessary to promote their employability, which helps to achieve a status of full rights and dignity. The employability of a person with intellectual disabilities opens up challenges for the employer, but it also means a range of new possibilities and added value both for the company and for the human team that composes it.

This document, addressed to all employers and human resources managers in European companies, details the needs and also the benefits of employability for people with intellectual disabilities. This document aims to help break down the existing barriers to employability for a group of people who are eager to demonstrate their added value in the world of work.

## 2. Employing people with disabilities: main advantages and benefits.

Let's start by analyzing the main advantages and benefits that a company can obtain by incorporating a person with intellectual disabilities into its human team. These advantages are many, but in this document we have grouped them into nine: Corporate Social Responsibility (CSR), marketing, raising awareness for employees on Human Rights, Cooperation with organizations of people with Intellectual Disabilities, supporting financial fundings for supported employment, involvement of soft services, opportunities for new products and innovative projects and new R&D opportunities.

Let's take a look at all of them one by one.

### **Corporate Social Responsibility**

By employing people with disabilities, organizations demonstrate their commitment to social inclusion and diversity, enhancing their corporate social responsibility image.

It showcases the organization's values and commitment to equal opportunities, fostering a positive reputation among stakeholders and the community.

### **Marketing**

Embracing disability inclusion can serve as a unique selling point for the organization, differentiating it from competitors.

Highlighting the inclusive workplace can attract customers who value diversity and inclusion, leading to increased brand loyalty and market share.

### **Raising Awareness for Employees on Human Rights and Active Citizenship**

Employing people with disabilities fosters a culture of respect for human rights and active citizenship within the organization.

It promotes awareness and understanding of the rights of individuals with disabilities, encouraging employees to be more inclusive and advocate for equality.

### **Cooperation with Organizations of People with Intellectual Disabilities (PWID)**

Collaborating with organizations that support and represent people with intellectual disabilities can provide valuable insights, resources, and partnerships.

It facilitates a stronger connection with the disability community, allowing for meaningful engagement and a better understanding of their needs.

### **Improvement of Skills - Personal Growth of Employees**

Employees working alongside individuals with disabilities develop valuable skills, such as empathy, patience, and adaptability.

Interacting with diverse colleagues can enhance teamwork, communication, and problem-solving abilities for all employees.

### **Supporting Financial Fundings for Supported Employment**

Many government programs and funding initiatives provide support for organizations that employ individuals with disabilities.

By employing people with disabilities, organizations may access financial resources and incentives, reducing recruitment and training costs.

### **Adaptation and Improvement of Soft Services**

Employing people with disabilities can lead to the adaptation and improvement of soft services, such as customer service, accessibility, and communication.

Understanding the needs and perspectives of individuals with disabilities can drive innovation and the development of inclusive products and services.

### **Opportunities for New Products and Innovative Projects Targeting Disability**

A company that hires employees with disabilities can inspire and inform the development of new products, services, and solutions that cater to the disability market.

Organizations can introduce a growing market, creating business opportunities and driving innovation.

### **New R&D Opportunities**

Employing individuals with disabilities can open up new research and development opportunities.

Organizations can invest in research and innovation projects aimed at improving workplace accessibility, assistive technology, and inclusive design.



### 3. Benefits of improved profitability, employee retention and improved corporate image of the company.

Although disability may be discontinuous, situational or compensated, it is rarely presented as beneficial to the company, even if it sometimes leads to an over-valuation of the people concerned, who are then described as willing and conscientious. This is in contrast to the concept of diversity management: while the business case remains the driving force behind diversity, any situation of disability is often perceived as an obstacle to the company.

There are many reasons to employ people with intellectual disabilities. People living with intellectual disability can and do make significant contributions at work when given the opportunity. Employing people with disabilities helps to promote social justice, diversity, corporate social responsibility and equal opportunities. However, data published in 2020 show that for people with intellectual disabilities employability is very low, only 32% compared to people without disabilities (Australian Bureau of Statistics, Disability and The Labour Force, 2020).

From an economic point of view, what employers often do not realise is that hiring from this highly discriminated workforce can also benefit companies.

Employers may need to make workplace adjustments to accommodate some employees' needs, such as:

- communicating in pictures rather than words
- breaking tasks down into simple steps
- specialised training for workers living with an intellectual disability, supervisors and co-workers.

These changes represent an initial cost. But the profound benefits of hiring people living with intellectual disabilities can include as well:

- improvements in profitability
- greater cost-effectiveness

- lower employee turnover
- high rates of employee retention, reliability, punctuality, loyalty, and benefits to the company image (The Conversation, 2022)

To achieve such results though, requires employee support, changes to work procedures, flexibility in supervision, and very important, an open mind. Once companies are aware of these potential economic benefits, they should be motivated to bring persons with disabilities into the workforce to thrive as never before. Hiring them also gives companies fresh insights into developing and marketing products and services that meet the needs and preferences of consumers with disabilities, which also represent a market, in the case of the United States, the third-largest market segment (Office of Disability Employment Policy, 2018).

## The situation in Europe

In Europe, the growing dissemination of the **diversity management's** concept and application has given rise to a number of approaches that are much more open to the employment of people with intellectual disabilities, even if the economic benefits are still less perceived and the employment rate is still very low. For many companies, disability is perceived as a constraint, or even as a necessity to meet **legal obligations**. Legislation remains the primary determinant of disability management and the integration of disabled people in companies.

In other words, disabled people are often recruited with a view to increasing the employment rate, and these companies take on disabled people for their disability. Some companies go so far as to develop specific partnerships to attract more disabled people; they are interested mainly in their quota. In these cases, questions about the position held or the skills provided are considered secondary. For example, it is not uncommon for companies to present the introduction of skill-based recruitment methods as a way of encouraging "diverse" recruitment.

What the European Commission, NGOs working with people with intellectual disabilities, and public institutions are trying to make companies understand is that hiring people with disabilities can provide companies with a source of highly qualified labour that is often overlooked by the labour market, thus offering an opportunity to acquire new skills and improve productivity.

Not only that, hiring workers with disabilities can lead to **greater diversity of cultures** and experiences within the company, thus improving the working climate and **collaboration between employees**.

Thirdly, hiring disabled workers in Europe, can generate **tax incentives** and reliefs for the company, tax deductions for hiring disabled workers, reduced **social security contribution** rates for employers who employ disadvantaged and disabled workers.

In addition, offering **corporate welfare policies** focused on the employment of disabled people can improve the company's reputation as a **socially responsible entity**, with a positive impact on the company's image, which is then reflected in greater attractiveness to potential customers and investors (Laborability, 2023).

**Empowered companies** should not merely be compliant to legal obligations. They should excitedly embrace the advantages that come with employing more creative, diverse, industrious and well-rounded people.

## The situation in the United States

In the United States, the employability is much more favourable for people with intellectual disabilities. A 2018 study by **Accenture** shows that businesses that actively seek to employ people with disabilities perform better than businesses that do not.

In fact, on average, businesses with a specific and targeted campaign to hire disabled people have double the net income of their peers.

The benefits of inclusion are several and they are not only, but also, an important part of the company's economic revenues.

Here listed some of them:

- **Increased Innovation**

People with disabilities tend to be creative to adapt to the world around them. For this reason, they develop strengths such as problem-solving skills, agility, persistence and a willingness to experiment, all of which are essential for innovation in a company nowadays.

- **Improved Shareholder Value**

Investor community monitors more and more company culture and diversity within it. Disability inclusion is a key component of these metrics, and mandatory reporting on them will enforce their reputation and respect of contracts.

- **Improved Productivity**

The study shows that working alongside employees with disabilities makes non-disabled individuals more sensitive and aware of how to make the workplace more inclusive and better for everyone. It also says that the staff turnover is also lower, by up to 30%. Work environments that are more inclusive of persons with disabilities often see improved productivity levels. More and more American organisations, in contrast with the European trend, are discovering that employing persons with disabilities is not as expensive or challenging as is often assumed.

- **Improved Market Share**

As previously stated, persons with disabilities represent a significant portion of the consumer market. This market expands when family members, caregivers and others who prioritise goods and services that are inclusive of persons with disabilities are counted.

- **Enhanced Reputation**

To conclude, companies that adopt inclusive marketing and advertising efforts tend to stand out from the competition (Accenture, 2018).

To summarise, we can say that in Europe, the employment situation of people with intellectual disabilities sees mainly economic benefits, and not the benefits that the United States and Australia experience. Furthermore, large companies tend to be more open to hiring policies, while smaller ones do not take this risk because they are afraid of the initial investments needed to adapt the company to an inclusive reality.

## 4. Resilience, perseverance and positive attitude when employing people with intellectual disabilities

Embracing the employment of individuals with intellectual disabilities goes beyond promoting social justice, diversity, and corporate social responsibility. It also presents a range of advantages for businesses and the broader community. To create a truly inclusive and supportive work environment, it is crucial to nurture resilience, perseverance, and a positive attitude in both employers and employees. This chapter has the aim of equipping employers and businesses with essential insights and practical strategies to foster these qualities when engaging with individuals with intellectual disabilities.

### Definition and Importance of Resilience

Resilience, in the context of intellectual disabilities, refers to the ability of individuals to bounce back and adapt in the face of adversity and challenges. It is a fundamental quality that plays a pivotal role in the workplace, enabling employees to navigate through difficulties and continue striving towards their goals. Resilience empowers individuals with intellectual disabilities to overcome barriers, grow personally and professionally, and contribute meaningfully to the workplace.

In the realm of employment, resilience is of utmost importance as individuals with intellectual disabilities may encounter various hurdles. These hurdles could be related to job tasks, communication, social interactions, or adjustments required to accommodate their unique needs. By embracing resilience, individuals with intellectual disabilities can approach these challenges with determination, creativity, and a positive attitude. One example that exemplifies the power of resilience is of a person with Down syndrome working at a retail store. Initially, they faced scepticism from some colleagues and customers who doubted their ability to perform tasks efficiently. However, they remained undeterred, and with the support of the manager and team, the worker persevered. Over time, resilience allowed them to build confidence, enhance their skills, and gain the respect of colleagues.

## Nurturing Resilience in Employees

Fostering resilience in individuals with intellectual disabilities is essential to help them thrive in the workplace. Here are practical techniques and strategies to support their development of resilience:

- Encourage Growth Mindset: Instil a growth mindset among employees, emphasising that challenges are opportunities for learning and growth. Encourage them to view setbacks as stepping stones rather than roadblocks.
- Set Realistic Goals: Help employees set achievable goals that align with their strengths and interests. Breaking larger tasks into smaller, manageable steps can boost their confidence and motivation.
- Provide Constructive Feedback: Offer regular feedback that focuses on strengths and progress. Constructive feedback can serve as a source of motivation and reinforcement, helping individuals with intellectual disabilities build their resilience.
- Build a Supportive Network: Cultivate a culture of support and camaraderie within the workplace. Encourage employees to seek help and advice from colleagues, fostering a sense of community.
- Implement Sensory-Friendly Practices: Consider environmental factors that may impact employees with intellectual disabilities. Implement sensory-friendly practices, such as noise reduction measures or designated quiet spaces, to enhance their comfort and focus.
- Offer Flexible Work Arrangements: Embrace flexibility in work arrangements, such as flexible hours or remote work options, to accommodate the needs of individuals with intellectual disabilities, promoting a healthier work-life balance.

Encouraging open communication and empathy is crucial in creating a safe and supportive work environment. Employers and colleagues must actively listen to the needs and concerns of individuals with intellectual disabilities, ensuring they feel valued and heard. Creating a space where employees can express their thoughts and emotions openly can foster trust and mutual understanding, thus contributing to their overall well-being and resilience. By defining resilience, recognizing its importance, and sharing inspiring stories, employers can create a work environment that values adaptability, perseverance, and a positive attitude.

Nurturing resilience in employees with intellectual disabilities involves providing practical techniques and fostering open communication and empathy. Employers must actively support the growth of their workforce, acknowledge their strengths, and celebrate their achievements. By sharing best practices from successful employers, this

module aims to inspire businesses to implement strategies that cultivate resilience, leading to a more inclusive and supportive work environment for all employees.

## Understanding Perseverance

Perseverance, a powerful trait in the face of obstacles and setbacks, holds great significance for individuals with intellectual disabilities in their employment journey. It is the unwavering determination and courage to keep moving forward despite challenges, setbacks, or discouragements. In the workplace, perseverance empowers individuals with intellectual disabilities to confront and conquer barriers, ultimately leading to personal growth and professional success.

### Highlighting Personal Growth and Professional Goals:

Perseverance plays a pivotal role in fostering personal growth and achieving professional goals for individuals with intellectual disabilities. As they face challenges and overcome obstacles, they acquire new skills, develop greater self-confidence, and build resilience. The determination to succeed not only benefits their career advancement but also enhances their overall well-being and sense of accomplishment.

To encourage perseverance in employees with intellectual disabilities, employers can implement the following practical strategies:

- **Individualised Support:** Provide personalised coaching and support to employees, identifying their unique strengths and areas for growth. Tailoring assistance to their specific needs empowers individuals to face challenges with confidence.
- **Clear Goal Setting:** Collaboratively establish clear, achievable goals with employees, emphasising incremental progress and celebrating milestones along the way. Recognizing their accomplishments boosts morale and fosters perseverance.
- **Positive Reinforcement:** Offer regular positive feedback and encouragement to individuals with intellectual disabilities, acknowledging their efforts and dedication. Positive reinforcement reinforces their commitment to overcoming obstacles.
- **Professional Development:** Provide opportunities for professional development and skill enhancement to boost employees' self-efficacy. Enabling access to relevant training programs and workshops helps individuals build their abilities and persevere in their roles.
- **Emphasising Recognition and Celebration:** Recognizing the efforts and progress made by individuals with intellectual disabilities is crucial in fostering perseverance. Celebrating their achievements, both big and small, demonstrates appreciation for their hard work and dedication. This recognition enhances their sense of belonging and motivates them to continue pushing forward.

Perseverance is a transformative quality that empowers individuals with intellectual disabilities to triumph over adversity in the workplace. By understanding the significance of perseverance and sharing real-life examples of triumph, employers can cultivate an environment that nurtures personal growth and professional success. Through the implementation of these strategies and insights from successful businesses, this module aims to inspire employers to create workplaces that foster perseverance and empower individuals with intellectual disabilities to thrive in their careers.

## The Power of a Positive Attitude

A positive attitude holds immense power in creating a conducive work environment for individuals with intellectual disabilities. It sets the tone for the workplace, fostering a supportive and encouraging atmosphere that allows all employees to thrive. A positive attitude not only benefits the individual with intellectual disabilities but also has a ripple effect on the entire team and organisation.

- Impact on the Work Environment: A positive attitude promotes a sense of inclusivity and belonging in the workplace. When individuals with intellectual disabilities feel welcomed and valued, they are more likely to be engaged and motivated in their roles. Moreover, a positive work environment enhances job satisfaction, which, in turn, leads to improved retention rates and increased employee loyalty.
- Enhancing Productivity and Collaboration: A positive attitude influences employee productivity and collaboration in significant ways. Employees with intellectual disabilities who experience positivity in their work environment tend to be more focused and enthusiastic about their tasks. Their sense of purpose and dedication result in higher levels of productivity and contribute to the overall success of the organisation.

To foster a *positive work culture* that values diversity and encourages positivity, employers can implement the following guidance:

- Diversity and Inclusion Training: Conduct workshops and training sessions that promote awareness of diverse perspectives and inclusion practices. Such initiatives create a workplace that respects and appreciates individual differences.
- Celebrating Achievements: Recognize and celebrate the accomplishments of all employees, including those with intellectual disabilities. Publicly acknowledging their efforts fosters a culture of appreciation and positivity.
- Employee Resource Groups: Establish employee resource groups that provide support and a platform for employees with intellectual disabilities to share their experiences and ideas. These groups foster a sense of community and mutual support.



- Promoting Open Communication and Mutual Support: Open communication is a cornerstone of a positive work culture. Employers should encourage regular feedback and ensure that employees feel comfortable expressing their thoughts and concerns. Building a culture of mutual support and teamwork fosters a collaborative environment where everyone's contributions are valued.
- Highlighting the Benefits of a Positive Work Culture: Businesses that have embraced a positive work culture have witnessed numerous benefits, including increased employee engagement, higher job satisfaction, and improved overall well-being. When employees feel valued, supported, and empowered, they are more likely to take initiative, contribute innovative ideas, and demonstrate dedication to their work.

## Conclusion

In conclusion, by incorporating the principles of resilience, perseverance, and a positive attitude into their employment practices, employers and businesses can pave the way for meaningful and fulfilling careers for individuals with intellectual disabilities. Creating a supportive and inclusive work environment not only benefits the individuals but also leads to a thriving and engaged workforce, contributing to the overall success of the organisation.

As we continue to strive for social justice, diversity, and equal opportunities, let us remember that employing individuals with intellectual disabilities is not just the right thing to do; it is a step towards building a more inclusive and compassionate society. By embracing these qualities, we can break barriers, build bridges, and empower individuals with intellectual disabilities to reach their full potential, creating a brighter and more inclusive future for all.

## 5. General situation and legal framework in the EU regarding the inclusion of people with intellectual disabilities in the labor market.

Access to employment for people with disabilities is a major challenge at both individual and EU level. In Europe, great efforts are being made to improve the data on inclusion and access to employment for people with disabilities; however, the data still show serious signs of discrimination and a large gap between people with and without disabilities in terms of employment. As stated by the European Commission itself:

- Only half of people with disabilities are in employment. The figures are much worse than for non-disabled people, with three out of four being employed.
- As a result of this lack of employment, 28.4% of people with disabilities are at risk of poverty or social exclusion, compared to approximately 18% of the non-disabled population.

In summary, in the European Union, 50.8% of people with disabilities are part of the labour market, while 75% of people without disabilities participate in the labour market. This figure is related to the number of people who are inactive, as only 17.6% of non-disabled people are inactive, compared to 37.6% of people with disabilities.

The situation with regard to people with intellectual disabilities in particular is even more worrying. Although there are no statistics on the employability of people with intellectual disabilities in particular, it is estimated that the data on labour market participation are even more worrying, mainly due to the greater severity of the disability in this group. Moreover, studies show that in most cases, the quality of employment of this group is worse, with part-time jobs and mainly assigned to "low status" responsibilities. There is also a gender difference, whereby men participate more than women in the free labour market (regular employment) .

The European Union is committed to reversing the situation and making access to employment for people with disabilities equal to that of non-disabled people. This has been demonstrated through the adoption by the European Union in 2006 of the United Nations Convention on the Rights of Persons with Disabilities. The EU and its member states are party to the CRPD.

In addition, in March 2021, the European Commission launched the Disability Rights Strategy 2021-2030, which aims to improve the quality of life in all areas, including work,

for people with disabilities in Europe but also in other regions of the world. This Strategy is a continuation of the previous one, implemented during the period from 2010 to 2020. One of the objectives of this strategy is to promote equal access for participation in society and the economy. Specifically, it reads as follows:

*"Principle 17 of this pillar underlines that people with disabilities have the right to income support to ensure a dignified life, to services that enable them to participate in the labour market and in society, and to a working environment adapted to their needs"* European Commission (2021)

More specifically, there are several regulations and directives addressing the employability of people with disabilities in general, including intellectual disabilities. Some of the main regulations are:

- Directive 2000/78/EC: This directive establishes a general framework for equal treatment in employment and occupation, prohibiting discrimination on the grounds of disability and requiring employers to make reasonable accommodation to ensure equal opportunities for people with disabilities.
- Directive 2010/41/EU: This directive focuses specifically on equal treatment between men and women in access to employment and working conditions, including provisions to protect the rights of people with disabilities.
- Directive 2013/34/EU: This directive sets out specific provisions related to non-financial reporting by certain companies, including information on policies, risks and performance in relation to equal opportunities and non-discrimination, including disability.

The European Union is also working on the [standardisation of accessibility criteria](#) for people with disabilities, with special emphasis on the accessibility of workplaces. The European Commission has urged the creation of standards in this area, resulting in the following:

- *Mandate 376 ICT accessibility resulting in European Standard EN 301 549.* This Mandate aims to ensure the physical and cognitive accessibility of technological work tools.
- *Accessibility to the built environment, leading to European Standard EN 17210,* which is currently in the process of consultation. With this standard, the EU aims to make workplaces and their surroundings physically accessible for people with disabilities, including people with intellectual disabilities, since in many cases this disability is accompanied by a physical disability. Furthermore, this guideline can also be used to promote the cognitive accessibility of workplaces.
- *Mandate 473 accessibility following "Design for all" standards,* resulting in European Standard EN 17161. The Standard specifies requirements that can enable organisations to design, develop and deliver products, goods and services that are accessible to a wide range of users, including people with disabilities.

The Design for All approach set out in the Standard can be used by both private and public organisations.

- *Mandate 420 accessibility of websites and mobile applications, updating European Standard EN 301 549.* Describes the standards that products and services using information and communication technologies (ICT) must meet to ensure accessibility for people with disabilities.

The European Union, through its institutions, is actively working for the creation of standards and directives that help the productive fabric in the process of employability of people with disabilities. However, there are no concrete and tangible policies aimed specifically at the specific needs for the employability of people with intellectual disabilities.

In addition to this, the final competences with regard to employment legislation and regulation lie with the institutions of the member states; the European institutions therefore participate more as promoters and incentives than as legislators of specific policies and regulations for companies.

### Interesting documentation

Strategy for the rights of persons with disabilities. [Link](#)

Report on the situation of people with disabilities, comparison between countries in Europe. [Link](#)

## 6. General situation and legal framework in different countries.

### Austria

Understanding the general situation and legal framework in Austria is crucial for employers and businesses seeking to hire individuals with disabilities, including intellectual disabilities. This module provides an overview of Austria's approach to disability employment, the current state of disability inclusion, and the legal provisions that support the rights and opportunities of people with disabilities in the workplace.

#### **Employment Landscape**

Austria's labour market is characterised by its stability and diversified industries. As one of the wealthiest countries in Europe, it boasts a relatively low unemployment rate compared to many other European nations. Key sectors driving the Austrian economy include manufacturing, services, tourism, and technology. According to recent labour market data, the employment rate in Austria has been steadily rising in recent years, reflecting the nation's economic growth. The country's labour force participation rate is relatively high, indicating a significant number of individuals actively seeking employment or engaged in the job market.

According to the Austrian Disability Council (Österreichischen Behindertenrat), people with disabilities in Austria continue to face a high level of exclusion from the labour market. Despite various efforts to promote inclusivity, the employment opportunities for this demographic remain limited, significantly impacting their overall societal participation and economic independence. The employment rates for people with disabilities in Austria highlight the existing disparities between this demographic and the general population. Recent data indicates that only 55.9 percent of people with disabilities in the working-age population are either employed or actively seeking work, in contrast to the significantly higher employment rate of 77.1 percent among individuals without disabilities. This substantial gap in employment rates points to the need for focused policies and initiatives aimed at fostering a more inclusive labour market. This situation is particularly challenging for individuals with intellectual disabilities, who encounter additional barriers in securing and maintaining stable employment.

#### **Challenges for People with Disabilities**

People with disabilities encounter numerous challenges when seeking employment, resulting in their underrepresentation in the workforce. Among the primary barriers are stigmatisation, lack of accessibility, and discriminatory practices. Negative perceptions about the capabilities of individuals with disabilities often lead to prejudice and reluctance among employers to hire them. Accessibility remains a critical issue, as many workplaces and job application processes may not be fully accommodating to people with disabilities. Physical barriers and limited availability of assistive technologies hinder their participation in various work environments.

Additionally, stereotypes and misconceptions about disability can contribute to a lack of confidence among job seekers with disabilities, impacting their willingness to pursue employment opportunities. Discrimination in hiring practices and during the recruitment process further compounds the challenges faced by people with disabilities. Employers may be hesitant to offer equal opportunities or reasonable accommodations, preventing qualified candidates from accessing suitable roles.

### **Intellectual Disabilities in the Labor Market**

Individuals with intellectual disabilities face distinct challenges in finding and maintaining employment within the Austrian labour market. The complexity of these challenges stems from the specific nature of intellectual disabilities, which can affect cognitive abilities, learning processes, and adaptive behaviour.

One of the primary barriers faced by individuals with intellectual disabilities is the stigma associated with their condition. Negative stereotypes may lead employers to underestimate their potential and overlook the valuable contributions they can make to the workplace. Moreover, the scarcity of appropriate support systems and accommodations further hinders their access to employment opportunities. People with intellectual disabilities often require tailored support and reasonable adjustments in the workplace to fully realise their capabilities.

Due to the specialised nature of their needs, finding suitable employment opportunities can be challenging for individuals with intellectual disabilities. Limited awareness and understanding of the potential contributions these individuals can make also contribute to their underrepresentation in the workforce.

To improve the situation for individuals with intellectual disabilities, there is a pressing need for targeted vocational training programs, inclusive hiring practices, and employer sensitization initiatives. By promoting greater understanding and dismantling barriers, Austria can create a more inclusive and supportive environment that empowers individuals with intellectual disabilities to participate more actively in the labour market. Additionally, fostering partnerships between businesses, disability organisations, and government agencies can facilitate the creation of diverse and accommodating workplaces that benefit both employers and employees alike.

### **Legal Framework in Austria**

Austria has implemented several legal provisions to support the employment of people with disabilities, aiming to create a more inclusive labour market. The Disability Discrimination Act (Behindertengleichstellungsgesetz) serves as a crucial pillar of the legal framework, ensuring that individuals with disabilities are protected from discrimination and have equal access to opportunities in various domains, including employment. This act emphasises the removal of barriers and the implementation of reasonable accommodations to facilitate the full participation of people with disabilities in the workforce.

Additionally, the Disabled Employment Act (Behinderteneinstellungsgesetz - BEinstG) is a key legislative instrument that focuses specifically on promoting the integration of people with disabilities into the labour market. The BEinstG obliges companies with at least 25 employees to hire a certain number of disabled individuals based on a ratio of 1:25. Those companies failing to meet this employment quota have the responsibility to pay an "Ausgleichstaxe" (compensation tax) that contributes to funding programs and initiatives to enhance the employment prospects of disabled individuals.

These legal provisions play a fundamental role in fostering an environment of equal opportunity and access to employment for people with disabilities. By placing legal obligations on employers and promoting positive measures, the Austrian government seeks to combat discrimination and enhance the labour market prospects for individuals with disabilities.

### **The UN Convention on the Rights of Persons with Disabilities**

Austria has shown a strong commitment to the rights and welfare of people with disabilities by ratifying the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). By becoming a signatory in 2007 and subsequently ratifying it in 2008, Austria demonstrated its dedication to upholding the human rights and dignity of people with disabilities. The UN CRPD outlines principles and obligations to promote, protect, and ensure the full enjoyment of human rights by persons with disabilities.

In the context of the labour market, the UN CRPD reinforces the importance of inclusive employment policies, reasonable accommodations, and non-discrimination practices. It urges states to create an enabling environment that enables people with disabilities to actively participate in all aspects of society, including the workforce. The Convention's principles align with Austria's broader goals of promoting social inclusion, economic independence, and equal opportunities for all citizens, regardless of their abilities.

### **Inclusive Employment Policies**

The Austrian government has undertaken various initiatives to promote inclusive employment policies that foster the integration of people with disabilities into the labour market. These policies are grounded in the principles of equal treatment, non-discrimination, and the provision of reasonable accommodations.

One of the prominent initiatives is the establishment of the Inclusion Fund, as envisioned in the government's commitment to the Regierungsübereinkommen (Government

Agreement) in 2019. The Inclusion Fund, jointly funded by the federal and regional authorities, is dedicated to financing initiatives that support the professional integration of disabled individuals on a nationwide basis. This fund aims to address the financial aspects of supporting people with disabilities in the workforce and creating equal opportunities for their employment.

The government's efforts also extend to supporting businesses that hire people with disabilities. To incentivize inclusive hiring practices, companies employing individuals with disabilities benefit from certain tax exemptions. These exemptions encompass the waiver of the employer's contribution to the Social Security system (Dienstgeberbeitrag), the additional contribution to the Social Security system (Zuschlag zum Dienstgeberbeitrag), the municipal tax (Kommunalsteuer), and the U-Bahn tax (Wien). These tax incentives serve as a valuable means of encouraging employers to create diverse and inclusive workplaces that embrace the talents and skills of people with disabilities.

Furthermore, the Austrian government actively collaborates with disability organisations and stakeholders to develop tailored support systems that facilitate the transition of individuals with disabilities into the labour market. Vocational training programs, job coaching, and workplace adaptations are some of the resources made available to bridge the gap between job seekers with disabilities and potential employers. Through a combination of legal provisions, international commitments, and inclusive employment policies, Austria strives to cultivate an environment where people with disabilities can actively participate in the labour market, access meaningful employment, and experience social and economic inclusion. By addressing the challenges, providing necessary support, and fostering positive engagement with employers, Austria endeavours to create a society that values the contributions of all its citizens, regardless of their abilities.

## **Conclusion**

Austria's general situation and legal framework surrounding disability employment demonstrate a commitment to creating an inclusive and diverse workforce. The country's initiatives, laws, and resources provide a supportive environment for individuals with disabilities, including those with intellectual disabilities, to participate in the labour market on an equal footing with their peers. Employers and businesses can leverage Austria's legal provisions and supportive services to foster disability inclusion in their workplaces. By providing reasonable accommodations, adhering to anti-discrimination laws, and embracing best practices, employers can create an inclusive work environment that empowers individuals with disabilities to thrive and contribute their unique talents to the workforce.



## Italy

In Italy, the general situation and legal framework of people with disabilities is fundamental to understanding the difficulties that they encounter when facing the labour market. This module provides an overview of the Italian approach to disability employment, the current state of discrimination against people with disabilities, and the legal provisions that support the rights and opportunities of people with disabilities in the workplace.

### Discrimination against people with disabilities

People with disabilities often experience situations of exclusion and disadvantage when seeking employment and in the workplace. In fact, it is the employment field where people with disabilities deal with the most obvious forms of discrimination. There are 1.6 million disabled people of working age in Italy, and of these 69% still do not have a job. The percentage of unemployed women with disabilities is even higher with gender discrimination having a multiplier effect on marginalisation. The pandemic period in Italy has plunged so many workers with disabilities into a state of great isolation. Inclusion for those with Down syndrome is even lower. If on average only 31% of people with disabilities are working, the numbers are even lower for those with Down syndrome.

Moreover, the health and psychological conditions of these people are very often precarious: 58.1% of people with severe disabilities say they are in poor health, and 6.2% complain of depression problems. Health problems are exacerbated by the difficulties with which people with disabilities have access to care, as evidenced by the fact that 15.7% have foregone health care or services in the past year for economic reasons. These people also very often experience the delay with which they access care; in fact, 21.3% of people with disabilities complain of this problem.

Approximately one-third of people with severe disabilities live alone; among those over the age of 75, the share rises to 42%. These are very worrying figures, as they reveal a widespread condition of vulnerability involving a large number of people who cannot rely on the help of a family member (Osservasalute Report 2021).

### Welfare Framework in Italy

Analysing the resources that Italy commits within the Social Protection System to the function of spending on disability, it can be seen that, in 2018, about 28 billion euros were spent. Italy has a ratio of social protection spending to GDP that is higher than the average recorded in the European Union (and similar to that of Sweden, Germany and the Netherlands) but allocates few resources to disability.

The Italian welfare model is characterised by a typology of interventions based on economic transfers, almost all of them pensions, rather than services, accounting for 96.4% of total spending. In major European countries, the share of transfers is around 70%.

Only 11.9% of people with disabilities are employed, the low participation in the world of work, thus the reduced ability to produce income, means that families in which people with disabilities live have serious economic problems. Moreover, as a result of the large expenses that families have to bear for care and assistance, the income is largely insufficient for their needs. In fact, 32.1% of people with disabilities are at risk of poverty or social exclusion and about one-fifth are in severe material deprivation. These are families who are unable to adequately heat their homes, face an unexpected expense of 800 euros, eat an adequate meal at least once every two days, or take a week's vacation.

#### Legal Framework in Italy

##### Italian Laws dealing with the unemployment of disabled people

In Italy, Law No.68 from 1999 promotes the insertion and integration of disabled people into the labour market through targeted support and placement services.

The system inserts people with disabilities into a workplace that has work and quality requirements compatible with the tasks and qualifications attributable to the person. The disabled worker is no longer seen as a tax to be paid, but as a resource that can fully and profitably become part, even if with support.

The law 68/1999 has established the possibility for companies to sign agreements with public services for the targeted placement of disabled people as well.

##### JOBS ACT: Disability Hiring Quotas

In 2018, in Italy, came into force the provisions on disability hiring quotas provided for Legislative Decree No. 151/2015.

The new provisions are aimed at public and private employers, including political parties, trade unions and no-profit organisations which work in the field of social solidarity, assistance and rehabilitation.

The Legislative Decree has introduced the obligation for companies with at least 15 employees to hire, within 60 days, a disabled worker enrolled in the job seeker's list. The quota envisaged by Law provides for companies with 50 employees the obligation to hire 2 disabled workers, while, if companies exceed 50 employees there is the obligation to reserve 7% of available positions in favour of disabled workers and 1% in favour of disabled workers families and repatriated refugees.

In the disability hiring quota are the workers, already hired by the company, with physical disabilities implying a reduction of working ability equal or higher than 60%.

##### Provisions on Assistance Benefitting Persons with Serious Disabilities Who Are Deprived of Family Support

In 2016, the Italian legislation established further measures for the benefit of persons with disabilities with the Law No. 112, Provisions on Assistance Benefitting Persons with Serious Disabilities Who Are Deprived of Family Support. The new Law provides for the assistance, care, and protection of persons with serious disabilities, whether caused by

natural ageing or medical conditions, and who are deprived of family support because they are either missing both parents or their parents are not able to provide adequate support.

The stated purpose of the new legislation is to promote the well-being, full social inclusion, and autonomy of persons with disabilities through the implementation of certain key principles set forth in the Italian Constitution: inviolable rights of the person, social dignity and equality before the law, the duty and right of parents to support, raise, and educate their children, health as a fundamental right of the individual and as a collective interest, and the rights of citizens unable to work and of persons with disabilities to welfare support.

The legislation also aims at implementing related provisions of the European Union Charter of Fundamental Rights.

#### New Financial Mechanisms

The new legislation creates mechanisms to facilitate its financial goals, including through contributions by private individuals, insurance policies, trusts and other special funds, and contracts for the custody and administration of a beneficiary's assets by another person or a non-profit organisation.

The objectives of the Fund are to:

- a. strengthen programs aimed at giving home care or care in apartment groups that reproduce the housing conditions and relationships of a family home, in order to prevent beneficiaries from suffering social isolation;
- b. facilitate the temporary residence of beneficiaries in housing outside the family home in emergency situations, in accordance with the will of the persons with serious disabilities;
- c. implement family-type accommodation solutions and co-housing, which may include the payment of purchase costs, leases, renovations, and installation of the necessary structures and equipment in existing housing, including modalities for mutual assistance among persons with disabilities;
- d. develop skills for the management of daily life, in order to have the beneficiaries achieve the highest possible level of autonomy.

To conclude, we may affirm that in Italy even if several step forwards have been made, the main difficulties to implement the legislation related to the employment of disabled people in companies are:

- 1) Prejudice: The prejudice that disabled people are not suitable for the labour market has to be counted: the disabled person is still considered sick and unproductive.
- 2) Inefficiency of the employment centres: The employment centres cannot correctly carry out checks at public and private companies, because they are understaffed and with obsolete IT equipment.

- 3) Economic crisis: The general economic crisis that has weighed on the labour market for years and consequently lowered the employment level.

## Greece

### **Implementation of EU directives in the Greek legislation**

The Law 4443/2016 concerns equal treatment in employment and work and comes to incorporate the following EU directives A) with number 2000/43/EC on the implementation of the principle of equal treatment of persons irrespective of racial or ethnic origin, B) the establishment of a general framework for equal treatment in employment and work with number 2000/78/EC of the Council of 27 November 2000 and C) the Council Directive 2014/54/EU of 16 April 2014 on measures to facilitate the exercise of workers' rights in the European Union.

Therefore in Article 1 of the above mentioned law specifies that, any form of discrimination on one of the grounds listed below is prohibited and the principle of equal treatment and the fight against discrimination is promoted:

- a) on the grounds of race, colour, national or ethnic origin, pedigree
- (b) on grounds of race, colour, nationality, descent, national origin, genetic origin, birth or descent; (b) on grounds of religion or other beliefs, disability or chronic illness, age, marital or social status, sexual orientation, identity or gender characteristics in the field of employment and occupation.

### **Compulsory employment of people with disabilities in private and public sector**

According to Article 2 of Law 2643/1998, enterprises or holdings, Greek or foreign, operating in Greece in any form, as well as their subsidiaries, if they employ more than fifty (50) persons, are obliged to employ persons with disabilities as defined in Law 2643/1998, in the proportion of eight percent (8%) of the total number of the enterprise's or holding's personnel.

A similar obligation is also provided for public sector entities, with the percentage of protected persons amounting to ten percent (10%). As provided for in Article 5, the placement of protected persons is carried out by the Committee of Article 9 of Law 2643/1998 and is mandatory for the employer. This placement is made according to the qualifications of the protected person and the composition of the personnel employed in the enterprise or holding or public sector body.

Depending on their qualifications, the persons placed are fully assimilated to the rest of the staff, as regards working conditions, remuneration, promotions and general working conditions, without prejudice to the specific provisions of Article 11 of Law 2643/1998 on the termination of their employment relationship.

**Incentives for infrastructure improvement in enterprises employing non-nationals**

Program No. 38839/838 of 22-08-2017 establishes a program for the subsidization of ergonomic workplace accommodation for persons with disabilities (PWD) . Many times, companies do not have the infrastructure required to welcome a disabled employee in their premises. This gives them the opportunity to adapt the workplace , based on the needs of the recruited person and depending on his/her disability. In this way they achieve not only ergonomics for the employment of a person , but the general upgrading of the premises of the company , making it disability friendly.

**Law on the employment of persons with mental and intellectual disabilities**

In a previous law (4488/2017 (A' 137) , it was not clearly qualified to employ people with mental disabilities or to include them in subsidized programs . It was conditionally allowed, essentially excluding people who really need work for psychosocial rehabilitation and social reintegration purposes. Also, if they worked , any benefits and allowances they were receiving were cut off and they were not entitled to be registered in the national register of unemployed persons. A new Law No. 4950 (Government Gazette A' 128/02.07.2022) in Article 56 corrects the above inequalities and protects sufferers of mental illnesses in employment. In particular , it abolishes the interruption, reduction of disability pension or death pension and welfare or other benefits when the beneficiary takes up work or self-employment. Preference shall be given to beneficiaries with mental or intellectual disability or mental and intellectual disability, with a percentage of fifty percent (50%) or more, provided that taking up paid employment or self-employment is appropriate for reasons of psychosocial rehabilitation and social reintegration and this judgment is certified by a certificate of a mental health unit, which will be valid for three (3) years, of the respective Mental Health Sector, in accordance with the provisions of Law No. 2716/1999 (A' 96). An important difference is that the assumption of gainful employment or self-employment of the above persons does not affect the relevant disability assessment judgment on the inability to perform any gainful employment, during the disability certification procedure by the KEPA.

**Registration in the unemployment register**

It is now possible to register in the Digital Register of the Public Employment Service, even if the disability certification indicates "incapacity for any gainful employment", persons of the categories with a disability rate of at least 50%, who have limited possibilities for professional employment due to any chronic physical or mental or psychological condition or damage (persons with disabilities). The above provisions fall under and are described in the existing revised Law 2643/1998 (A' 220), Article 2 on the provision for the employment of protected persons, Article 2 on the employment of persons with disabilities.

## Spain

In Spain, as in the rest of the world, the situation with regard to intellectual disabilities, in particular, is even more worrying than for people with disabilities as a whole. In Spain, and at present, only [one in ten](#) people with intellectual disabilities has a job. And it is not a lack of interest or motivation, as Plena Inclusión has found in its study, employment is the main concern for the future for 8 out of 10 young people with disabilities.

### The Spanish Hybrid Employability System

In order to promote employment among people with disabilities, Spain has developed a hybrid employability system that aims to guarantee access to a job for this group. Mainly, people with disabilities can benefit from two models: ordinary employment (with specific quotas for this group) or sheltered employment. Let us look at this in more detail based on the Ministry of Social Rights information on [employment and disability](#), obtained from the website of the Ministry of Social Rights and Agenda 2030, April 2023:

#### Ordinary employment

Ordinary employment is understood as all those companies, public or private, that follow a common pattern in which the majority of their workforce is made up of individuals without disabilities.

The long term goal must be that all people with intellectual disabilities are integrated in this ordinary employment; being people with disabilities equal to the rest of their peers. This must be the main objective.

In order to achieve this objective, different paths can be followed:

- Through a job reservation quota. This quota applies to companies with more than 50 employees. 2% of all employees must be a person with a disability. This quota has an exception: it can be replaced by alternative actions, as stated in Royal Decree 364/2005.
- Encouraging self-employment. The creation of business projects by people with disabilities is encouraged by granting subsidies for the creation of associated work cooperatives or labour companies.
- Promoting a system of supported employment. These are personalised guidance and support services carried out by professionals specialised in labour integration. These services are provided in the workplace to people with disabilities who face particular difficulties in finding employment in ordinary companies in the labour market.
- Generating public employment. Of the total public employment available in Spain, 7% is reserved for people with disabilities; in any public administration; on the basis of Law 7/2007.

## Sheltered employment

Sheltered employment refers to the work performed in Special Employment Centres, which have the mission to carry out productive tasks and compete in the market as any other company. Their main purpose is to guarantee employment for people with disabilities.

- Special Employment Centres (CEE), regulated by Royal Decree 2273/1985, can be private or public, and are centres in which paid productive work is carried out in an assisted manner, their objective being to employ as many people with disabilities as possible. Normally these Special Employment Centres ensure their economic viability through subsidies aimed at maintaining these jobs.
- Work enclaves: these are temporary transfers of people with disabilities working in EWCs to companies in the ordinary labour market, with the aim of facilitating the complete transition to ordinary employment. This is normally done through a service leasing contract between the EWC and the collaborating company. This is regulated by Royal Decree 290/2004.

The main objective of the combination of mainstream and sheltered employment is to adapt the system to the specific needs of each of the people with disabilities, creating safe and inclusive environments that allow personal fulfilment and self-valorisation of the group. In spite of the importance of both systems, it is in the ordinary employment where the greatest labour integration of people with intellectual disabilities must be sought; as it is the most inclusive way possible to bring this collective closer to the world of work, and therefore to the personal fulfilment.

From your company you can contribute to improve the quality of life of people with intellectual disabilities, incorporating them to your work team; moreover, your company and human team will also benefit, as we explain in the following points of this document.

## 7. Tax advantages of hiring people with disabilities

### Austria

In October 2017, the Federal Ministry of Republic of Austria - Social Affairs, Health, Care and Consumer Protection, made a plan called the “Inclusion Package” to help people with disabilities. The plan focuses on improving job opportunities and improving existing services. In this regard, particular attention is given to the sustainability and effectiveness of the measures, ensuring a balanced approach that supports both companies and individuals directly. Within the framework of the newly created inclusion support, for example, employers can receive support services from the Social Ministry Service when hiring eligible disabled individuals.

To shortly mention, the legal foundation for disability rights are formed by the Disabled Employment Act, along with the Federal Disability Act and the Federal Disability Equality Act.

It includes important regulations concerning:

- Employment of people with disabilities
- Compensation levy
- Beneficiary individuals with disabilities
- Disability representatives
- Protection against discrimination

#### **Employment obligation and compensation levy**

According to the Disabled Employment Act (§ 1 Abs. 1), all companies employing 25 or more individuals in Austria are required to hire one qualified disabled person for every 25 employees. Employees with certain severe disabilities (e.g., blind individuals, wheelchair users) count as two toward the mandatory quota.

Employers who hire qualified disabled individuals are exempt from municipal taxes, contributions to the family equalisation fund, chamber of commerce levies, and in Vienna, the subway tax. If the employment obligation is not met or only partially met,



the company must pay a compensation levy for each unfilled mandatory position per month.

Compensation levy in the year 2023:

- For companies with 25-99 employees per month and unfilled mandatory positions: **292 Euros.**
- For companies with 100 to 399 employees per month and unfilled mandatory positions: **411 Euros.**
- For companies with more than 400 employees per month and unfilled mandatory positions: **435 Euros.**

All the money collected through the compensation levies goes into a special fund called the Compensation Levy Fund. This money is used specifically to help people with disabilities find jobs and integrate into the workforce. Both the individuals with disabilities and their supervisors can receive financial support from this fund.

When a company hires an apprentice who belongs to the group of eligible disabled individuals, the company receives a bonus. This bonus amounts to EUR 292 per month, starting from January 1, 2023. The bonus is paid from the Compensation Levy Fund.

Both the compensation levies and the bonuses are processed for the entire Austria region at the Vienna Regional Office of the Social Ministry Service.

**Certain eligible disabled employees, that are counted as two towards the mandatory employment quota are:**

- Blind individuals
- Disabled individuals before turning 19 years old
- Disabled individuals during the duration of an apprenticeship (even after turning 19 years old)
- Disabled individuals after turning 50 years old, if and as long as their disability degree is at least 70 percent
- Disabled individuals after turning 55 years old, or
- Disabled individuals who are predominantly reliant on a wheelchair

*For Example:*

A company with 50 employees is required to hire two qualified disabled individuals as part of their employment obligation.

If the company fails to meet this requirement, they are subject to a fee. The fee amounts to EUR 292 per person they should have employed, starting from January 1, 2023. For companies with 100 or more employees, the fee is EUR 411 per person per month. For companies with 400 or more employees, the fee is EUR 435 per person they should have employed per month. This fee is known as the compensation levy.

All the money collected as compensation levies from these companies is pooled together in what is called the Compensation Levy Fund.

Based on specific guidelines, Austria receives funding from the federal government of up to 50% of the costs (maximum of €16.30) per hour of assistance. Applications for funding should be submitted to the Social Ministry Service.

### **Job Security**

Job security is improved for individuals with disabilities who receive benefits. Generally, employers can only end the employment of such individuals by providing a notice period of 4 weeks, unless a longer notice period is already required.

#### *For Example:*

For regular employees, there is a longer notice period of at least 6 weeks during the first two years of employment. However, this 6-week notice period must be followed.

For workers, a shorter notice period might apply based on the relevant collective agreement (except in seasonal industries, where notice periods and termination dates were aligned starting from October 1, 2021). Nevertheless, the longer 4-week notice period must be followed.

### **Beneficiary Disabled Individuals**

Austrian citizens with a disability degree of at least 50 percent have the option to apply for recognition as eligible for benefits as disabled individuals.

The following individuals, who have a disability degree of at least 50 percent, are considered to have the same rights as Austrian citizens:

- Citizens of European Union member states, citizens of contracting parties to the Agreement on the European Economic Area, Swiss citizens, and their family members,
- Refugees granted asylum, as long as they have the right to permanent residence in Austria, and
- Third-country nationals who are allowed to stay and work in Austria, provided that they are treated similarly to Austrian citizens regarding termination conditions under European Union law. This includes individuals, especially those who hold a combined residence and work permit.

Excluded from this are:

- Students,
- Individuals receiving permanent pension benefits under federal or state regulations (permanent incapacity for work or occupation, retirement benefits, or pensions due to reaching retirement age) and are not employed, and

- Individuals who are not in an active, socially-insured employment and cannot be employed in a sheltered workplace or an Integrated Company.

### **Beneficiary disabled individuals benefit from numerous advantages**

- Increased job security: Companies must seek approval from the Disabled Committee before issuing a termination.
- Vocational support: This includes various forms of assistance, from financial aid to specialised training and technical work tools.
- Additional leave: Additional leave is granted according to the collective agreement, service regulations, or company agreements.
- Tax deduction: Tax benefits can be claimed at the tax office for individuals with a disability degree of 25 percent or higher.

It is important to highlight that having a Disabled ID card does not automatically make someone a beneficiary disabled individual under the Disabled Employment Act.

To highlight the benefits of employers, it is crucial to point out the following subsidies from the Ministry of Social Affairs, which could be considered:

#### Salary subsidies

- Grants for wage costs due to reduced performance (wage support)
- Grants for wage costs in case of job endangerment (job security support)

#### Workplace and training-related subsidies

- Technical work assistance
- Adaptation and creation of work and training positions
- Training costs
- Training aids
- Sign language interpreter costs

Furthermore, there are financial aids available from the Public Employment Service (**Arbeitsmarktservice**) for:

- Reintegrate from work ("Come Back" reintegration support)
- Support for vocational training

It's important to note that there is no automatic right to receive these subsidies. It is important to submit an application using the provided form before starting the project. For assistance from the employment service, it is possible to get in touch with the local regional office.

## **Integrative Companies: A Successful Approach for Inclusion**

Integrative Companies (IB) are a special program regulated by the government to help people with disabilities find jobs in Austria. Right now, there are eight IBs spread across seven regions, providing job opportunities and training in various fields. These companies receive financial support from public funds to create about 1,700 full-time positions for people with disabilities. The main source of funding, about two-thirds of the budget, comes from the Federal Ministry of Social Affairs, Health, Care, and Consumer Protection (BMSGPK) through the Integration Tax Fund (ATF). The remaining funds come from the provinces and the Public Employment Service (AMS). This financial support helps IBs overcome the challenges they face when hiring people with disabilities and competing with other businesses.

To be part of an IB, individuals must demonstrate a minimum level of capability, which is at least 50% of what a standard worker can do. About 35 years ago, IBs were created as a new type of "Sheltered Workshop," designed to function like regular businesses, offering standard work conditions and stable jobs for people with disabilities. Over the years, the success of IBs in creating job opportunities and training for people with disabilities through public funding has been evident.

### Italy

In Italy, there are many economic concessions for hiring disabled workers. For the employment of persons with disabilities, the National Law 68/99, as amended by Legislative Decree No. 151/15, and other regional and national regulations provide employers with several incentives and facilities.

The Legislative Decree No. 151/15, 'Rules for the Right to Work of the Disabled' is often cited because it imposes an obligation on companies to hire a number of disabled workers proportional to the total number of employees. The law, however, also provides support to companies through the recognition of incentives for hiring workers with physical or mental disabilities.

With the entry into force of Legislative Decree No. 151/2015, the contribution to which the employer company is entitled is equal to:

35% of the gross monthly payroll, for permanent hiring of disabled persons with reduced working capacity between 67% and 79%. The bonus is payable for a maximum of 36 months.

70% of the gross monthly payroll, for permanent recruitment of disabled persons with reduced working capacity over 79%. The bonus is payable for a maximum of 36 months.

70% of the gross monthly payroll, for permanent or fixed-term employment (of at least 12 months) of disabled persons with reduced working capacity over 45%. The benefit is available for 60 months.

The procedures for accessing the subsidy are very simple: the company that hires the disabled person must submit an application to INPS and, if accepted, will benefit from the incentive with monthly contribution adjustments (IG SAMSIC, 2023).

### **Disabled hiring bonus 2023 under 35: how it works and beneficiaries**

A new hiring support has recently been established, in addition to those already in place, which currently facilitate companies that hire workers who fall into certain specific categories. The support was introduced with the Work Decree 2023, and is aimed at hiring young people under 35 with disabilities.

The main recipients of this particular contribution will be third sector organisations, i.e. social promotion, nonprofit and voluntary associations. To further intervene around the issue of disability, there will also be the draft enabling act for the simplification of administrative procedures.

Special attention is paid by the decree to the issue of disability, for which a disabled hiring bonus is proposed to third sector entities and organisations that hire, on a permanent basis, a disabled person under 35 years of age.

This new aid is in addition to those already in place, which incentivise companies to hire young people, unemployed women or unemployment recipients, and is in addition to the intervention planned around the inclusion cheque, which will replace the citizenship income.

#### Who can benefit from the new bonus:

Entities that hire young people with disabilities under the age of 35 on a permanent basis, and that fall into the following categories, will be eligible for the support third sector organisations;

- Voluntary organisations;
- Associations for social promotion;
- Non-profit organisations of social utility.

The new aid therefore differs from the current facilities in that it is not aimed at companies, but only at organisations and associations that fall into the categories set out here (Lavoro e Diritti, 2023).

## Greece

In Greece there is no specific plan regarding the employment of people, in relation to the degree and percentage of disability and functionality for people with disabilities.

The tax ones focus on how many discounts per disabled person the company employs there are experience programs, but with a certain degree of disability and above which

in this case the state offers to businesses on the total cost of payroll, It also gives the possibility of upgrading businesses and reconstruction as well as entry and exit of , and also by subsidizing construction costs.

### **Workplace reconstruction legislation**

With the program number 38839/838 of 22-08-2017, a workplace adjustment program is instituted, when a company wishes to hire Persons with Disabilities. Many times, businesses do not have the necessary infrastructure to welcome a disabled employee. Thus they are given the possibility to adapt the workplace, based on the needs of the hired person and accordingly his disability. In this way, they not only achieve the ergonomics for the employment of a person, but the general upgrading of the premises of the business, making it friendly for people with disabilities. They also have tax relief in paying value added tax as with the additional work above, they incur expenses.

### **Tax exemption per person employment**

With the Ministry of Foreign Affairs law NO. 3522, A 276/22-12-2006, which concerns the taxation of business income and for the calculation of taxable profits, regardless of the category of books they keep, is deducted from their net profits, which are determined in accordance with the provisions of the Code Income Tax, an amount of one thousand five hundred (1,500) euros, for each employed man or woman with a disability rate of sixty-seven percent (67%) or more.

### **Business grant programs for the employment of the unemployed**

With the joint ministerial decision 90097/2022, B' 5106/29.09.2022 In addition, a company that will employ a man or woman with a disability of 50% or more and for full-time employment, will receive a subsidy of 100% of the cost of payroll and contributions as well as tax relief as expenses of the amount of the monthly salary for 15 or 18 months. While for less than full-time employment, the subsidy is 75%. At the end of the contract, there is a commitment to the company to continue to employ the person or persons for whom it received the grant, for one more year. Then he has the tax relief with the above-mentioned law 3522, but there is no payroll subsidy.

Please find below the links for more information about the work and employment of people with disabilities in businesses.

<https://ypergasias.gov.gr/koinoniki-allilengyi/atoma-me-anapiria/>

<https://www.forin.gr/articles/article/64880/kua-90097-2022>

<https://www.taxheaven.gr/news/1749/h-eishghtikh-ekoesh-sto-nomosxedio-gia-th-forologikh-metarryomish?nomobile=1>

## Spain

*"Hiring people with disabilities is fair, responsible and profitable", says the Adecco Foundation.*

There are different tax advantages with the employability of a person with a disability, these tax advantages depend on the degree but also on the type of disability. The tax advantages are applied through reductions in social security contributions. In this section we are going to know what these tax advantages are in general terms but focusing more specifically on people with intellectual disabilities.

**General disability allowance and severe disability allowance**

The rebate on the Social Security contribution will vary according to the degree of disability of the employee. There are two different levels: the general disability rebate and the severe disability rebate.

- General disability bonus: for physical disability less than 65% or intellectual disability up to 32%.
- Bonus for severe disability: cerebral palsy, mental illness or intellectual disability equal to or greater than 33% or physical or sensory disability equal to or greater than 65%.

Depending on the bracket in which the person with a disability to be employed falls, the employer will receive a rebate on his or her social security contribution of between €3,500 and €6,000. This calculation also includes other factors such as gender, the age of the job and the type of contract (permanent or temporary).

For open-ended contracts, the bonuses are as follows:

General Bonus	Up to the age of 44	From the age of 45
Man	4,500/year	5,700/year
Woman	5,350/year	

Severe Disability Bonus	Up to the age of 44	From the age of 45
Man	5,100/year	6,300/year
Woman	5,950/year	

For temporary contracts, the bonuses are as follows:

General Bonus	Up to the age of 44	From the age of 45
Man	3,500/year	4,100/year
Woman	4,100/year	4,700/year

Severe Disability Bonus	Up to the age of 44	From the age of 45
Man	4,100/year	4,700/year
Woman	4,700/year	5,300/year

### New bonuses for employment contracts from September 2023

The new Employment Act of 2023 includes a number of [amendments](#) on the employability of people with disabilities compared to the 2013 law in force until then.

The main advantage included in this new Employment Act is the increased tax benefits included in the 33% disability that is automatically granted with permanent incapacity.

In the case of people with borderline intellectual disabilities, companies that hire a person of this group on an indefinite-term contract will benefit from a social security rebate of 128 euros per month for a period of four years.

### Where to find more information

The two main resources where you can find more information on this subject are the websites of the SEPE (Servicio Público de Empleo Estatal) and the Social Security.

- [Summary](#) of the SEPE on the tax advantages of hiring people with disabilities in Spain.
- [Social Security website](#)

Remember that you can always go to your nearest office if you need personalized attention.



## 8. How to get company and employee support for workers with intellectual disabilities.

Last but not least, this point lists six final tips to support the successful integration of the new employee with intellectual disabilities into the company. By following these six tips you will facilitate the new employee with a disability a correct incorporation into the workplace. The first days on the job are crucial for the person with intellectual disabilities. If those first days are satisfactory and pleasant for this person, the employer will ensure a committed and productive employee.

### **Employer's Cooperation with Relevant Bodies:**

Collaborate with organizations or agencies specializing in supporting individuals with disabilities to identify suitable job skills and candidates.

Seek their expertise in matching the skills of prospective employees with job requirements within the company.

Establish partnerships to facilitate ongoing support and communication throughout the employment process.

### **Preparing the Worker for the Working Environment:**

Offer employment-inclusion workshops or job preparation programs that provide training specific to the workplace and job tasks.

Focus on developing the necessary skills and competencies for success in the specific work environment.

Provide practical experiences, simulations, and real-world scenarios to build confidence and familiarity with job-related tasks.

### **Informing Staff on disability awareness:**

Organise disability awareness training for all staff members to create a supportive and inclusive workplace culture.

Educate employees about intellectual disabilities, dispel myths and misconceptions, and promote understanding and empathy.

Provide guidance on effective communication strategies and interaction with disabled coworkers, emphasizing respect and inclusion.

**Training of Employees:**

Offer inclusive training programs in order to provide employees with the knowledge and skills to effectively work with individuals with intellectual disabilities.

Provide training on inclusive teaching methods, communication techniques, and strategies for supporting the specific needs of coworkers with disabilities.

Ensure that training programs are interactive, engaging, and incorporate real-life scenarios to enhance learning and practical application.

**Support from Certified Employment Counselor:**

Engage a certified employment counselor or job coach who specializes in supporting individuals with intellectual disabilities.

The counselor can provide ongoing support, guidance, and mentorship to both the employee and the employer.

The counselor will also ensure the level of inclusion and accessibility of the workplace

**Psychological Empowerment by a Mental Health Professional:**

Employ the services of a mental health professional, such as a psychologist or counselor, who can provide psychological support and empowerment to the employee with an intellectual disability.

The professional can offer individual counseling, address mental health concerns, build self-esteem and self-confidence, and provide strategies for managing stress and anxiety in the workplace.

## Conclusions

In conclusion, the inclusion of people with intellectual disabilities in the workplace is not only an act of social responsibility, but also brings a number of tangible and positive benefits to companies. As organizations open up to diversity and equity, they find themselves with human potential that brings a unique perspective and inspiring determination. The presence of employees with intellectual disabilities fosters the creation of more diverse and cohesive teams, where different skills and viewpoints complement each other to drive innovation and creative problem solving. In addition, these hires drive a company culture of acceptance, empathy and respect, strengthening employee engagement and enhancing the company's reputation in the community.

As companies recognize and value the potential of people with intellectual disabilities, they also benefit from greater flexibility in adapting tasks and roles. The creativity to adjust roles according to individual abilities not only maximizes employee performance, but also opens the door to the creation of new employment niches. Likewise, hiring people with intellectual disabilities contributes to building a more inclusive society as a whole, encouraging other players in the business world to follow suit and contribute to building a working community where everyone has the opportunity to contribute and thrive. In short, by embracing diversity and providing opportunities for people with intellectual disabilities, companies not only reap the rewards of a stronger and more productive team, but also play an essential role in building a more inclusive and enriching working future for all.

## Bibliography

Bell, M. (2020). People with intellectual disabilities and labour market inclusion: What role for EU labour law? *European Labour Law Journal*, 11(1), 3–25.

<https://doi.org/10.1177/2031952519882953>: Link: [People with intellectual disabilities and labour market inclusion: What role for EU labour law? - Mark Bell, 2020 \(sagepub.com\)](#)

Beyer, S. (n.d.). Opportunities and Barriers of Different Employment Models. Retrieved from [https://www.easpd.eu/fileadmin/user\\_upload/Publications/s.beyer\\_report\\_-\\_opport\\_and\\_barriers\\_of\\_diff\\_employment\\_models\\_final.pdf](https://www.easpd.eu/fileadmin/user_upload/Publications/s.beyer_report_-_opport_and_barriers_of_diff_employment_models_final.pdf)

Citizen Network. (n.d.). SDS and System Design. Retrieved from <https://citizen-network.org/library/sds-and-system-design.html>

Come il welfare può aiutare a ridurre il costo del lavoro. 25 May 2023. Laborability. Link: <https://laborability.com/speciali/welfare-e-wellbeing/come-il-welfare-puo-aiutare-a-ridurre-il-costo-del-lavoro>

Communication from the Commission to the European Parliament (COM/2021/101). Link: [EUR-Lex - 52021DC0101 - EN - EUR-Lex \(europa.eu\)](#)

Cross, R. (2021, September 17). The secret to building resilience. *Harvard Business Review*. <https://hbr.org/2021/01/the-secret-to-building-resilience>

Disability and the labor force. July 2022. Australian Bureau of Statistics. Link: <https://www.abs.gov.au/articles/disability-and-labour-force>

Disability:IN. (2021). Disability Inclusion Employment Best Practices. Retrieved from <https://disabilityin-bulk.s3.amazonaws.com/2021/Disability+Inclusion+Employment+Best+Practices+Final508.pdf>

European Commission, Employment, social affairs and inclusion. Link: <https://ec.europa.eu/social/main.jsp?langId=es&catId=1137>

GETTING TO EQUAL: THE DISABILITY INCLUSION ADVANTAGE. 2018. Accenture. Link: [https://www.accenture.com/\\_acnmedia/pdf-89/accenture-disability-inclusion-research-report.pdf](https://www.accenture.com/_acnmedia/pdf-89/accenture-disability-inclusion-research-report.pdf)

Gleeson, B. (2020, November 4). 5 Top Reasons Resilience At Work Matters. *Forbes*. <https://www.forbes.com/sites/brentgleeson/2020/11/04/5-top-reasons-resilience-at-work-matters/>

Greek Ministry of Labour and Social Affairs. (n.d.). Persons with Disabilities. <https://ypergasias.gov.gr/en/persons-with-disabilities/>

Hiring People with Disabilities is Good for Business. December 27th, 2018. Disability:IN Link: <https://disabilityin.org/disability-equality-index/hiring-people-with-disabilities-is-good-for-business/>

Ineland, J., & Starke, M. (2020b). Factors associated with positive work experience among professionals supporting people with intellectual disabilities: a comparative analysis of three

welfare organisations in Sweden. *International Journal of Developmental Disabilities*, 68(4), 436–444. <https://doi.org/10.1080/20473869.2020.1794767>

International Labour Organization. (n.d.). Disability Inclusion in Employment: A Review of the Literature. Retrieved from [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---ifp\\_skills/documents/publication/wcms\\_316814.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_316814.pdf)

Low staff turnover, high loyalty and productivity gains: the business benefits of hiring people with intellectual disability. May 24, 2022. THE CONVERSATION. Link: <https://theconversation.com/low-staff-turnover-high-loyalty-and-productivity-gains-the-business-benefits-of-hiring-people-with-intellectual-disability-180587>

National Quality Framework. <https://nqf.gov.gr/en/index.php/ethniko-plaisio-prosonton/>

Office of Disability Employment Policy. Link: <https://www.dol.gov/agencies/odep>

Scheffers, F., Moonen, X., & Van Vugt, E. (2020). External sources promoting resilience in adults with intellectual disabilities: A systematic literature review. *Journal of Intellectual Disabilities*, 26(1), 227–243. <https://doi.org/10.1177/1744629520961942>

Scheffers, F., Van Vugt, E., & Moonen, X. (2020). Resilience in the face of adversity in adults with an intellectual disability: A literature review. *Mental Handicap Research*, 33(5), 828–838. <https://doi.org/10.1111/jar.12720>

Spanish Ministry of Social Rights and Agenda 2030. Link: [Ministry of Social Rights and Agenda 2030 - Employment and Disability \(mdslocalesa2030.gob.es\)](https://mdslocalesa2030.gob.es)

Theotokos Foundation. (n.d.). Link: <https://www.theotokos.gr/ypiresies/ergasiaki-apokatastasi-ergaxia/>

Yeka.gr. link: [https://kalo.yeka.gr/\(S\(dsl0ai3yv4ro1fl20vovriwm\)\)/login.aspx?ReturnUrl=%2f](https://kalo.yeka.gr/(S(dsl0ai3yv4ro1fl20vovriwm))/login.aspx?ReturnUrl=%2f)



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