



European Trade Union Confederation (ETUC)  
Confédération européenne des syndicats (CES)

## **ETUC-EDF Joint Declaration**

### **“Access to employment and training for persons with disabilities: a right still to be acquired”**

In connection with the activities for “2010 – European year for combating poverty and social exclusion,” the European Disability Forum and the European Trade Union Confederation organised a joint conference in Brussels on 10 and 11 March 2011 with the support of the European Commission and the European Economic and Social Committee on access to employment and training for persons with disabilities.

The participants from both organisations first analysed the situation and developments since their last meeting held in Lisbon from 26 to 28 October 2007.

### **Significant developments, even if a lot remains to be done**

Thanks to the actions pursued in recent years by both organisations, particularly since their last meeting, progress has been made which for many provides encouraging signs that the situation of persons with disabilities will be taken more into account, in particular as regards access to employment and vocational training and/or new opportunities on this front.

For instance, in November 2010, the Commission unveiled the EU’s action plan for persons with disabilities that sets out the initiatives it will take in the ten years to come (up to 2020). It announced in particular that a proposal for a “European accessibility act” would be published in 2012.

Furthermore, on 23 December 2010, the European Union ratified the UN convention on the rights of persons with disabilities, particularly its provisions relating to the employment of such people.

Article 26 of the Charter of Fundamental Rights of the European Union recognises the right of persons with disabilities “to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.” Following the ratification of the Treaty on the Functioning of the European Union (the Lisbon Treaty), this Charter has become legally binding.

There is also the European Disability Strategy 2010-2020 aimed essentially at providing persons with disabilities the means and resources they need to enjoy their rights on equal footing with other citizens and to remove obstacles that they encounter in their daily lives. It is also intended to contribute to the practical application of the convention’s provisions, at both the EU and the national level. This strategy supports and supplements measures taken by the Member States on disabilities, for which they are primarily competent.

On 25 March 2010, the social partners signed the agreement for “an inclusive labour market” under the auspices of the European social dialogue.

Other initiatives remain blocked at the Council, nonetheless, such as the proposal for a directive published by the Commission in 2008 and geared to widening legal protection

against discrimination to areas other than employment. The proposal has not been accepted by all the Member States, however.

The fact undeniably remains there has been heightened awareness at the European level and in most of the Member States.

A great deal remains to be done, however...

### **First, because of the crisis...**

In spite of would-be reassuring talk on purported “exits from the crisis” often used to justify or get imposed budget cuts accepted, the crisis continues... And, as always, the first to lose out are the people considered as increasingly more vulnerable, who are nonetheless in no way to blame!

The crisis is characterised particularly by:

**A reduction of social budgets** which top the list in austerity plans introduced in the Member States to reassure the financial markets first and foremost. The resources of social and health services and the organisations that manage welfare benefits are reduced, not to say cut down, so that said services and organisations are unable to perform their tasks. The concrete upshot is that the social protection systems have fewer and fewer means and resources to play their role in stabilising the effects of the crisis. The welfare state is thus being questioned, although it should remain the proper response through the establishment of a society of social cohesion and solidarity where everyone can find his or her place and develop.

**Job insecurity** (proliferation of part-time jobs taken out of need, jobs for a specified period, temporary employment, etc.). As a result, having a job nowadays is no guarantee against the risk of poverty.

**A rise in unemployment** due to the crisis that is hitting harder young people, but also older workers in companies, women, migrants and persons with disabilities – the very people who are already having difficulties to access the labour market, including training and equivalent skills.

### **Whence the need for greater mobilisation**

Persons with disabilities experience numerous barriers to social and economic participation, out of which barriers to employment are particularly problematic. Moreover, they face barriers related to prejudice at all levels and in all sectors, including those stereotypes regarding the assumed lack of competence or productivity.

Access to quality employment and decent salaries, is a precondition for social cohesion and economic well-being. In order to achieve social inclusion and to increase the employability and the employment rate of women and men with disabilities, ETUC and EDF call upon a shared responsibility of all actors in society, including economic decision-makers, to ensure:

- investments in inclusive education as well as life-long learning
- adequate social protection and social security measures that, on one hand, guarantee a decent revenue to those that do not have access to the labour market, and on the other provide support to families when needed
- development of community-based services and accessibility of goods and services.

Discussions held during the conference showed that all the participating organisations felt the need to continue and even strengthen their cooperation.

Said cooperation must be developed in five directions to get the Union and the Member States to go beyond the stage of talking to get down to action:

**The first** consists particularly of exerting pressure on European, national and local officials to implement existing European or international legislation, such as the UN Convention on the Rights of persons with Disabilities, Article 26 of the Charter of Fundamental Social Rights of the TFEU, as well as the European Social Charter of the Council of Europe; and to see to the monitoring thereof, in which the associations and social partners would be involved – by introducing qualitative and quantitative indicators.

**The second** is to enact strong and binding legislation at European and even national level, in particular as regards access to goods and services by all, especially by persons with disabilities (appropriate housing and transport, free-time activities, culture, education, employment, social and local services, etc.); and to implement procedures for monitoring and evaluation of these laws in order to assess the implementation and effectiveness.

**The third** consists of “securing legally” such services that would enable all to enjoy their fundamental social rights. This means ensuring that they do not fall under the legislation on the “internal market” by virtue of the “social service they provide,” which would mean being subjected to unfair competition from the providers on the market who very often confuse the “lowest bidder” and the “lowest performer.”

**The fourth** consists of developing services and even reception structures at the appropriate levels in the Member States to enable persons with disabilities to lead decent lives, which entails having a sufficient guaranteed income.

**The fifth** pertains to financing and is intended to counter budget cuts, particularly social budgets.

As regards access to employment and training in particular, two organisations have undertaken to implement, each in its areas of competence, the agreement of the European social partners of 25 March 2010 “for an inclusive labour market” and to seize all the opportunities to make it effective in the field.

Similarly, the participation rate of severely disabled people in the workforce is less than half that of non disabled workers and the proportion of women with disabilities is even lower. ETUC and EDF engage themselves in improving the employment situation of young people

and women with disabilities, believing that this is not only a matter of social justice, but also a cost-effective strategy in the light of a shrinking workforce due to demographic change.

### **Cooperation and dialogue must be continued and reinforced**

As the debates at this conference have revealed, whereas some progress has been made since the last meeting, such advancements are achieved only very gradually.

To be able to reach this objective of improving access to employment and training for persons with disabilities and, in general, to enable such persons and their families to live their lives fully, particularly by exercising their fundamental rights (health, education, housing, transport, culture, etc.), ETUC and the EDF have restated their determination to:

- Continue their cooperation at European level -- in particular through meetings and consultations by and between their respective secretariats so as to assess periodically the progress made on these common objectives;
- Ensure an effective implementation also at regional and local level.

Persons with disabilities and their associations as well as the social partners put their expertise at the disposal of employers and decision makers, to support them in making the labour market inclusive and accessible, notably in providing reasonable accommodation to fight discrimination, as foreseen by the UN Convention on the rights of persons with disabilities, investing in adequate infrastructures, in making effective use of European funds to achieve social cohesion and inclusion. They also agree, in the continuity of this Conference, and as the strategic disability plan progresses, to meet in order to assess the opportunity of new joint initiatives.

They are convinced that this joint and ongoing mobilisation will help us every step of the way in moving beyond the theoretical realm of talks and intentions to acts and the rights to which persons with disabilities are entitled.



avec le soutien de la Commission Européenne  
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