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RESEARCH FOR BEST PRACTICES OF INCLUSION OF ADULTS WITH DISABILITIES ON THE LABOR MARKET



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INTRODUCTION

In the context of a rapidly changing world, the future of work is an issue drawing the attention of many individuals and organisations. It is a global concern, posing important challenges that need to be addressed urgently. One such challenge is how to ensure that the future of work is inclusive, leaving no one behind, including the one billion persons with disabilities living on our planet. Ensuring an inclusive future of work is part of the 2030 Agenda for Sustainable Development, and the corresponding Sustainable Development Goals (SDGs), where there is explicit reference to persons with disabilities inclusion in the context of decent work and economic growth.

The rights based approach towards persons with disabilities reflected in the 2030 Agenda is aligned with the UN Convention on the Rights of Persons with Disabilities (CRPD). The CRPD will continue to provide an important framework for promoting inclusion and equal opportunities for persons with disabilities also in the world of work. This desk-top study in the framework of the Erasmus+ project “United in Inclusion for Employability” under the coordination of Faculty of Philosophy in Skopje, University Ss Cyril and Methodius in Skopje, with partnership of University of Nicosia, Cyprus and Professional School Amar Terra Verde from Portugal - focuses on providing information and data about adults with disabilities and their support for transition into the labour market from education and training, by: researching the definitions and classifications of persons with disabilities from European and national perspective (North Macedonia, Cyprus and Portugal); European and national policies about education, professional orientation and job training of persons with disabilities; Statistical data about employment possibilities and best practices; and makes efforts to provide some recommendations about re-thinking the organisation of the employment system of persons with disabilities in order for better integration and activity on the labour market.

1. Definition and classification of persons with disabilities – European perspective

According to CDC (Centers for Disease Control and Prevention), disability is defined as any condition of the body or mind (impairment) that makes it more difficult for the person with the condition to do certain activities (activity limitation) and interact with the world around them (participation restrictions). Although “people with disabilities” sometimes refers to a single population, this actually refers to a diverse group of people with a wide range of needs.

World Health Organization definitions for disability distinct three dimensions:

- **Impairment** in a person’s body structure or function, or mental functioning; examples of impairments include loss of a limb, loss of vision or memory loss.
- **Activity limitation**, such as difficulty seeing, hearing, walking, or problem solving.
- **Participation restrictions** in normal daily activities, such as working, engaging in social and recreational activities, and obtaining health care and preventive services.

The legal definitions of persons with disabilities also refers to individuals who have long-term physical, mental, intellectual or sensory impairments which, in conjunction with attitudinal and environmental barriers, may prevent them from fully and effectively participating in society on an equal basis to other people (Convention on the Rights of Persons with Disabilities, Article 1).

In 1980, the World Health Organisation (WHO) adopted the International Classification of Impairments, Disabilities and Handicaps (ICIDH) in which disability is understood as a person’s ability, or lack thereof, to perform the social, economic and civil roles required of everybody in their daily lives. This means that environment creates disability, although it does of course originate from impairment. The ICIDH therefore goes beyond the conventional medical model making up the International Classification of Diseases

(ICD) by highlighting the impact of environmental and social norms on the disability process. Based on Dr Philip Wood's model, the ICIDH combines three aspects of disability to formulate the social and medical model:

- *Impairment*: structural or functional anomaly in the body (e.g. amputation, spinal cord injury, auditory or optical nerve deficiency, paraplegia);
- *Disability*: restriction of the person's activities owing to a deficiency (e.g. inability to hear, walk, see, stand up or talk);
- *Handicap*: restriction of the person's ability to perform their social role in full (e.g. earn a living, study, work).

To take that further and unify the two disability models, the medical and the social, by creating a new three-dimensional model, the WHO replaced the ICIDH with the International Classification of Functioning, Disability and Health (ICF) in 2001. It combines biomedical, psychological and social models and creates a common vocabulary and descriptive framework for the term “functioning”.

The International Classification of Functioning, Disability and Health, known more commonly as ICF, is a classification of health and health-related domains. As the functioning and disability of an individual occurs in a context, ICF also includes a list of environmental factors. The International Classification of Functioning, Disability and Health uses the WHO framework for measuring health and disability at both individual and population levels. ICF was officially endorsed by all 191 World Health Organisation Member States in the Fifty-fourth World Health Assembly on 22 May 2001 (resolution WHA 54.21) as the international standard to describe and measure health and disability. ICF is based on the same foundation as ICD and ICHI and share the same set of extension codes that enable documentation at a higher level of detail.

The European Union is anchored in values of equality, social fairness, freedom, democracy and human rights. The Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union provide the basis to combat all forms of discrimination, establishing equality as a cornerstone of EU policies. President of the European Commission Ursula von der Leyen announced as one of the priorities of the Commission to build a Union of Equality in all of its senses. The adoption of the United Nations Convention on the Rights of Persons with Disabilities (UNCR-

PD or Convention) in 2006 marked a breakthrough in setting minimum standards for rights of persons with disabilities. The EU and its Member States are parties to the UNCRPD and are progressing with its implementation.¹

The European Pillar of Social Rights serves as compass for employment and social policies, jointly proclaimed in 2017 by the European Parliament, the Council, and the European Commission. Principle 17 of the Pillar underlines that persons with disabilities have the right to income support that ensures their living in dignity, services that enable them to participate in the labour market and in society and a work environment adapted to their needs. (Interinstitutional Proclamation on the European Pillar of Social Rights, 2017/C 428/09).

The European Disability Strategy 2010-2020 paved the way to a barrier-free Europe, fostering actions supported also by EU funds to make a difference for the life of approximately 87 million persons having some form of disability in the EU (Grammenos, 2020). The evaluation shows that it contributed to improving the situation in a number of areas, in particular accessibility for persons with disabilities and promoting their rights by putting disability high on the EU Agenda. However, persons with disabilities still face considerable barriers in access to healthcare, education, employment, recreation activities, as well as in participation in political life. They have a higher risk of poverty or social exclusion (28.4%) compared to persons without disabilities (18.4%).²

In the EU, the definition of disability varies drastically from one country to another owing to their different historical, cultural, economic and social contexts. When it comes to defining disability, therefore, some Member States adopt an entirely social approach, some a partly social approach, and others focus primarily or entirely on the medical aspect of disability. While the countries differ in their approach to disability, they also differ in their “codification”. Some Member States have established a legal framework which serves as a reference for all disability policies.

The definition of disability may also vary within one country according to the objective – social or professional inclusion, special education, compensatory aid, support for those in need – and the administration in question – employment, social affairs, health, education, etc. In the light of the difficulties encountered in adopting a common definition at EU level, the above question remains a matter for the Member States.

¹ <https://ec.europa.eu/social/main.jsp?catId=1137>

² Special Eurobarometer 493, Discrimination in the EU, May 2019.

Nevertheless, although there is no single definition of disability at either EU or national levels, the definition put forward by the UN in 2006 has been used as a common reference ever since. By ratifying the United Nations Convention on the Rights of Persons with Disabilities at the end of 2010, the EU actually accepts the definition provided by the UN, which is based on human rights and the principle of non-discrimination. It reaffirms that position in the Disability Strategy 2010-2020. Although the EU does not oblige the Member States to adopt a specific definition of disability, it must make sure that the definitions developed by the Member States are compliant with the prevailing ideas at international level. Every Member State has signed the Convention but the definition is only imposed on those, which have ratified it.

According to the Strategy for the Rights of Persons with Disabilities 2021-2030 the Commission of the European Parliament will work with Member States to complement and support national campaigns, to strengthen awareness-raising and to combat stereotypes around disability. It will continue organizing dedicated events, notably the European Day of Persons with Disabilities celebrating the UN International Day of Persons with Disabilities on 3rd of December. The Commission will reinforce structured dialogues with persons with disabilities and their representative organizations, ensure their representation in relevant political processes and their consultation on relevant Commission proposals. It will continue to finance work by organizations of persons with disabilities contributing to implement the UNCRPD through the Citizenship, Equality, Rights and Values programme. (European Commission, 2021)

2. Definition and classification of persons with disabilities (national contexts)

2.1. The case of North Macedonia

According to the Convention on the Rights of Persons with Disabilities, persons with disabilities are those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. (United Nations, 2006). Characteristic of this definition is that:

- 1) all types of disabilities and conditions in accordance with international documents are covered;
- 2) the social model of disability is accepted, which means that the obstacles for realization of all human rights and freedoms are found in the attitudes and environment of society.

Definitions of disability in North Macedonia usually follow the medical model which treats disability as an individual problem, directly related to illness, injury or some other health problem that seeks medical assistance and care provided by professionals.

The medical approach in defining disability is explicit in the Law on Employment of Disabled Persons,¹ where persons with disabilities are distinguished as persons with impaired vision, hearing, voice speech and language, a person with a physical disability, a person with intellectual disability and a person with combined disabilities (where depending on the degree of disability have specific needs in the work). The status of a person with a disability, to which the provisions of this Law refer, is determined on the basis of the Rulebook on assessment of the type and degree of disability of persons in mental or physical development. In this Rulebook, in addition to the already mentioned categories, special category of persons with disabilities are distinguished persons with autism and chronically ill persons. Furthermore, the Rulebook

¹ Law for employment of disabled persons (Official Gazette of RSM no. 44/2000, 16/2004, 62/2005, 113/2005, 29/2007, 88/2008, 161/2008, 99/2009, 136/2011, 129/15 147/15, 27/16, 99/18 , 103/21).

defines each of the categories of persons with disabilities, as well as the professionals responsible in the process of their rehabilitation.

The change of the approach in the definition from medical to social, can be noticed in the Law on Disability Organizations (Article 5) and the Law on Social Protection (Article 4) where for the first time in the process of defining, in addition to individual differences, the systemic barriers, negative attitudes, perceptions and exclusion by society are included as the determining factors that determine the person with a disability.

Regarding the terminology used in North Macedonia, the organizations in the country accept "persons with special needs" or "persons with disabilities" as the most appropriate terms, but there is great diversity and division among terminology (Mapping of disability persons organisations – Report, 2014). Other terms are also used, such as "persons with invalidity", "persons with handicap", "persons with atypical development", "persons with developmental disabilities", which are considered appropriate and non-offensive.

In order to assess the disability, it is necessary to submit a request from the person with a disability, his/her parent or guardian to several professional entities responsible for determining the disability, depending on the calendar age of the person.

For persons up to the age of 26, the Rulebook on assessment of the type and degree of disability of persons with mental or physical development, defines professional entities that provide specific assessment report about the specific needs of the disabled person.

For persons over 26 years of age, the competent entity is the Commission for assessment of working ability at the Pension and Disability Insurance Fund. The Commission gives an opinion and assessment on the status of disability - type and degree of disability, as well as assessment of working ability which recognises the rights of these persons in the field of employment, pension and disability insurance. After receiving official document for the type and degree of disability, the person with a disability register himself within the Employment Agency as an unemployed person with a disability - an active job seeker.

2.2. The case of Cyprus

According to the 2000 Disabled People's Act (N. 127(I)/2000) of the Republic of Cyprus, disability is defined as "any form of insufficiency or impairment causing permanent or of undefined duration physical, intellectual or mental barrier to a person, whose medical record and other personal data also

decrease or eliminate the possibility of completing one or more activities considered as normal and vital for the quality of life of each non-impaired person of the same age" (Ministry of Labour, Welfare and Social Insurance, 2000).

According to the 'Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions)' Law of 2009, "a person with disabilities" in Cyprus shall mean the person who, according to the evaluation by the special multidisciplinary commission, under the provisions of articles 5 and 6 of the Law, experiences any kind of insufficiency or impairment which cause permanent or long lasting bodily or intellectual or mental restriction substantially reducing or excluding the possibility to find and maintain an appropriate employment" (Ministry of Labour, Welfare and Social Insurance, 2009).

2.3. The case of Portugal

According to the Practical Guide: The rights of Persons with Disabilities in Portugal from 2019 (*Guia prático: Os Direitos das Pessoas com Deficiência em Portugal*), all people have their own characteristics that distinguish them from each other. The difference is thus a characteristic of people, therefore, of human societies. The recognition that all people are equal in rights, but considered and respected in their differences, it is a condition of inclusive, free and democratic societies, in which Portugal is included.

From the data of the 2011 Census in Portugal, around 18% of people residing in Portugal manifest some type of physical, intellectual or sensory limitation that inhibits them from a participation in the various dimensions of life and citizenship in equal way as the others. In this way, it is incumbent upon the whole of society in general and the public authorities, to create, maintain and develop conditions for the participation and development of all citizens.

According to the number of definitions in Portugal, following terms are accepted:

- *Disability* - represents any loss or alteration of a psychological, physiological or anatomical structure or function, of a temporary or permanent nature, with five major groupings having been adopted: psychic, sensory, physical, mixed disabilities and no disability in particular;
- *Inability* - consists of the restriction or lack of ability to perform an activity within the limits considered normal for a human being, which may be temporary or permanent, reversible or irreversible, progressive or regressive. It is always the result of a deficiency;

- Disadvantage (handicap) - the social condition of prejudice suffered by a given individual, resulting from a disability or incapacity that limits or prevents the performance of an activity considered normal for a human being, considering age, gender and sociocultural factors.

In order to classify the type of disabilities, Portugal, as many other countries, based this classification on the system presented by the World Health Organization, the ICF - International Classification of Functioning, disability and health.

Main objectives of this system are to:

- “Provide a scientific basis for understanding and studying health determinants, health outcomes and conditions;
- Establish a common language for the description of health and health-related conditions, to improve communication between different users, such as health professionals, researchers, politicians and decision-makers and the public, including people with disabilities;
- Allow data to be compared across countries, across healthcare-related disciplines, across services, and at different points in time;
- Provide a coding scheme for health information systems.” (Direcção-Geral da Saúde, 2004, p. 9)

3. Education, professional orientation and job training of persons with disabilities in Europe

Historically viewed as welfare recipients, persons with disabilities are now recognized under international law as rights holders with a claim to the right to education without discrimination and on the basis of equal opportunities. The Convention on the Rights of the Child (1989), the World Declaration on Education for All (1990), the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993) and the Salamanca statement and framework for action (1994) all include measures testifying to the growing awareness and understanding of the right of persons with disabilities to education.

Recognition of inclusion as the key to achieving the right to education has strengthened over the past 30 years and is enshrined in the Convention on the Rights of Persons with Disabilities, the first legally binding instrument to contain a reference to the concept of quality inclusive education.

Although inclusive education is commonly associated with the education of people with disabilities, it is in fact, applicable to *all* learners. The Committee on the Rights of Persons with Disabilities in General Comment has clearly defined inclusive education as a human right of every learner.

Inclusive education is based on the principle that all people should learn together, regardless of difference. Inclusive education recognizes the capacity of every person to learn, including people with disabilities, and acknowledges that each person has different strengths, requirements, and learning styles. Inclusion, therefore, takes an individualized approach with curricula, teaching, and learning methods that are flexible and adaptable. By taking into account differences among learners, inclusive education promotes respect for and value of diversity and seeks to combat discriminatory attitudes both in the classroom and society.

Article 24(1) of the Convention on the Rights of Persons with Disabilities (CRPD) lays out the aims of an inclusive education system:

- full development of human potential and sense of dignity and self-worth, strengthening respect for human rights, fundamental freedoms, and diversity;

- development of the personality, talents and creativity of people with disabilities, as well as their mental and physical abilities, to their fullest potential;
- enable persons with disabilities to participate effectively in society. (United Nations, 2006).

Inclusive education takes on particular features in application to people with disabilities. It seeks to address the specific barriers people with disabilities face in enjoyment of their right to education, through supports and accommodations, and ensure their effective access to education and fulfilment of their individual potential on equal terms to other students within a participatory learning environment.

Nowadays, inclusive education is a response to increasingly complex and diverse societies. It treats diversity as an asset which helps prepare individuals for life and active citizenship in increasingly complex, demanding, multicultural and integrated societies. Inclusive education aims to promote citizenship and the common values of human rights, freedom, tolerance and non-discrimination through education. It builds on innovative approaches and practices developed for the education of people with disabilities to design effective and equitable education systems for all learners in a lifelong perspective covering all aspects of education.

Despite the progress achieved, however, the Committee is concerned that profound challenges persist. Many millions of persons with disabilities continue to be denied the right to education and for many more education is available only in settings where persons with disabilities are isolated from their peers and where the education they receive is of an inferior quality.

Moreover, poverty rates amongst people with disabilities are 70% higher than average. More than 30% of people with disabilities over 75 years old are restricted to some extent, and 20% are severely restricted. The percentage of people with disabilities is set to rise as the European Union population ages. The European Union and its Member States have a strong mandate to improve the social and economic situation of people with disabilities.

On the education front, as per the EC communication referred to above, people with disabilities tend to attain lower educational levels than those without. Furthermore, people with disabilities participate less in education and have lower educational qualifications than those without disabilities:

- Only 63% of those aged 16-19 who were considerably restricted in their ability to work participated in education or training compared to 83% of those not restricted.
- Over 50% of those aged 25-64 who were considerably restricted in their ability to work had no educational qualifications beyond compulsory schooling, compared to 32% of those reporting no restriction.
- People aged between 16 and 24 who are considerably restricted in their ability to work have an employment rate of 27% compared to 45% for those with no such restrictions, but among the 55-64 group the employment rate of those considerably restricted was only 15% compared with 45% for those not restricted.
- As stated by the EC communication, barely 24% of people aged 16-64 who are considerably restricted in their ability to work are employed, versus 62% of those restricted only to some extent.

The European Agency for Special Needs and Inclusive Education verified that the enrolment rate of pupils with disabilities in mainstream education ranges from 92.02% to 99.97%, and the total average for the 29 EU countries is 98.64%. (European Commission, 2010)

This means that the actual trend of inclusive education in Europe consists in a full or partial inclusion of pupils with disabilities in mainstream education. The inclusion of people with intellectual disabilities into educational systems and labor market represents a continuing challenge for the European countries. The precious work of the European Agency for Special Needs and Inclusive Education shows that, despite the considerable efforts made by the members of the European Union, children and adolescents with intellectual disabilities face barriers and obstacles in the access to education, and young adults experience deep difficulties in finding a job that fits their capabilities and competencies. For this reason, national and European governments should make any efforts in developing policies and strategies aimed at facilitating paths of inclusion, and high schools and universities should project and implement specific trainings and courses aimed at providing people with intellectual disabilities with competencies that promote non only employment, but also the maximal proximal level of autonomy.

The current tendencies in the EU may be divided into three broad policies on inclusive education, as noted by the European Agency for Special Needs and Inclusive Education:

- A “one-track approach” to pupils with special needs. This approach includes policy and practices geared towards the inclusion of almost all pupils within mainstream education, and it is usually supported by a wide range of services focusing on the mainstream school. This approach can be found in Italy, Greece, Portugal, Sweden, Iceland, Norway, Malta and Cyprus.
- A “multi-track approach” to pupils with special needs. This approach offers a variety of services between the mainstream and special education systems. This approach can be found in Spain, Denmark, France, Ireland, Luxembourg, Austria, Finland, the United Kingdom, Latvia, Liechtenstein, the Czech Republic, Estonia, Lithuania, Poland, Slovakia and Slovenia.
- A “two-track approach”, with two distinct and disconnected education systems. In this case, pupils with special needs are usually placed in special schools or special classes and do not follow the mainstream curriculum among their non-disabled peers. This approach can still be found in Belgium, Netherlands, Germany, and Switzerland, even if Netherlands and Germany are progressively moving towards a multi-track system. (Meijer, Soriano & Watkins, 2003).

As the European Agency’s position paper states: “The ultimate vision for inclusive education systems is to ensure that all learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers” (European Agency, 2015, p. 1).

However, in recent years the concept of inclusive education has evolved and expanded towards the concept of the right to high-quality education for all learners, regardless of any individual or social characteristic. This right is multi-faceted, includes both individual and collective dimensions and builds on the combination of different components of inclusive education.

Learners with disabilities must receive the support to ensure the effective transition from learning at school to vocational and tertiary education, and, finally, to work. Inclusive education and inclusive vocation training should aim to develop learners’ capacities and confidence and provide learners with reasonable accommodation and ensure equality regarding their assessment and examination procedures. Certification of learners’ capacities and attainments on an equal basis with others should also be ensured.

The Committee has expressed concern about the lack of vocational training opportunities to enable persons with disabilities to gain access to employment. The Committee has called on States to implement training and

skills development programmes to facilitate the recruitment of persons with disabilities and to make them more competitive in the open job market. In this sense, mainstream services that exist to help job seekers to find employment should be inclusive of job seekers with disabilities. Of particular relevance are technical vocational education and training (TVET) services which should also include participation in workplace based learning schemes, including apprenticeship and internships schemes. (United Nations, 2019)

Still too often, States parties support specialised technical and vocational education and training (TVET) services targeting persons with disabilities. These services usually provide training in low skill occupations with very poor results in terms of employment generation and wages. Resources that are being used for these services should be reallocated to making the mainstream TVET institutions inclusive of persons with disabilities.

Equally important is to ensure that (public and private) mainstream employment services are inclusive of persons with disabilities. When disability-targeted employment services exist, these should be connected to the mainstream employment services for mutual referral.

3.1. Education, professional orientation and job training of persons with disabilities in North Macedonia

The educational part of rehabilitation is an integral part of the overall system of integrated rehabilitation, which defines specific models, methods, techniques, didactic approaches in the education of persons with disabilities as a general category, but also determining the specifics of the educational process in each of the categories.

Through inclusive education children with disabilities are provided with more diverse social relationships and social interaction, which increases their ability to learn and create a more adequate image of both, the reality around them and about themselves (Велишек, Вукелић, 2013). Attending public educational institutions is an important factor for the transition process to the labour market and employment. However, in the implementation of the inclusive educational approach, it is necessary to initiate numerous activities for preparation of the environment and the teaching staff, in order to create the most appropriate models of inclusive practice for students.

In parallel with the process of education, the process of professional orientation is conducted, which enables better acquaintance with oneself and one's own characteristics: intellectual, social, emotional and creative personal

abilities of each individual. In addition to the affinities and desires, the opportunities for future employment should be considered.

Professional orientation is defined as series of activities that are undertaken to gain insight into the abilities (personality traits, interests, inclinations) for further professional guidance. This is done and achieved on the basis of psychological examination of certain occupations, i.e. on the basis of a systematic and detailed study of the psycho-physical abilities and characteristics of the person. The solution of this problem should be in correlation with the specifics of the objective possibilities of the rehabilitators, conditioned by the needs of the organization, the goals and the tasks of the rehabilitation. (Ајдински et al., 2007)

The Law on Employment of Disabled Persons regulates in a separate chapter the right to job training of persons with disabilities (Article 12), which is further defined by a special Rulebook on job training of disabled persons. This Rulebook regulates:

- the manner and conditions for job training of an unemployed disabled person for the purpose of employment and job training of the employed disabled person for practical work for certain jobs in accordance with the needs of the employer and the disabled person;
- the rights and obligations of the employer and the unemployed or employed disabled person are further defined;
- the selection of the unemployed disabled person for work training; verification of the working ability of the disabled person; records of work training and other issues relevant to work training. (Правилник за работно оспособување на инвалидни лица, Службен весник на Република Македонија бр.54/2004 од 13.08.2004)

A person with a disability that applies for job training does not have the status of an employed person with the employer with whom he/she is trained, unless he/she is employed by him/her.

However, according to a recent Analysis of the regulations, approaches and methods of employment of persons with disabilities, the general conclusion is that this right has not been revived in practice, primarily due to insufficient legal regulation and omission of key elements of bylaws, insufficient promotion of this right by the Agency, old Rulebook that does not meet the real needs and circumstances, burden with extensive required documentation and low amount of funds allocated for job training of the person with disability. (Борнарова, Богоевска, 2021).

3.2. Education, professional orientation and job training of persons with disabilities in Cyprus

In 1999, the Law 113(I)/99 for the education and training of children with special needs was passed and was followed by the publication of its regulations (Regulations for the Early Detection of Children with Special Needs 185(I)/2001 and the Regulations for the Training and Education of Children with Special Needs 186(I)/2001) that govern the implementation of the act (Angelides et al., 2004). The two accompanied regulations regulate the implementation of the law as from September 2001. Special Education Law 113 (I)/1999 is the legislative framework which regulates: the detection of children with special educational needs; their assessment and development of an individual education plan; their placement in the most appropriate educational setting with provision of both teachers and educational resources to meet their needs and the on-going evaluation of the child's progress (MoECSY, 1999).

According to this law, all children with SEND have the right to be educated in their neighbourhood mainstream school (pre-primary, primary, secondary school (lower and higher levels), together with their age-mates, and with the support of teachers, special teachers and other specialists. According to the legislation, a child can only be considered as having special needs after becoming 3 years old. The state has an obligation to provide free special education and free special educational services to individuals with special needs from the age of 3 until their high school graduation (18 years of age). If deemed necessary, education may be extended up to the age of 21. It is worth mentioning that the law refers not only to children's with SEND education but also to their training which implies that the law expands the concept of special education beyond academic subjects. In particular, under the umbrella term 'training', self-help skills, social skills, vocational training and anything that may facilitate children's holistic development are included (European Agency for Special Needs and Inclusive Education, 2020).

According to the law, there are four types of attendance for students with SEND in Cyprus (MoECSY, 1999):

- 1) attendance in mainstream schools (which constitutes the priority of the educational policy) which are equipped with suitable infrastructure, according to the Special Education Law;
- 2) the attendance in special units in mainstream schools (that is to say a partial integration). These learners are assigned to a mainstream

class in which they attend inclusive lessons and participate in celebratory or festive events. In the 2001 regulation, special units are defined as places of “integration and inclusion into mainstream schools, which are comfortable and accessible for children with special needs” (p.6).

- 3) the attendance in special schools for more severe cases of SEND. These are equipped with the appropriate staff (psychologists, speech therapists, physiotherapists and other specialists, as well as auxiliary staff) to support and provide essential means to achieve their mission; and
- 4) the attendance in other places (for any medical reasons). In particular, if learners with special needs cannot attend school for a long period, due to health or other problems, education may be provided in places other than public or special schools, i.e. at home or in hospitals.

In the mainstream settings, special teachers and other specialists must co-operate and interact with the class teachers and the child’s parents in order to develop and deliver an individual education plan for each child with SEND. During the development of the child’s individual educational plan, staff will make every effort to ensure that the learner is fully involved in all school and class activities. The education team developing the individual educational plan will often determine what instructional methodology will be implemented for the learner. A typical individual educational plan contains details about essential facilities, infrastructure, modern technology and potential exceptions of the child from any course. If a child requires individual assistance outside of their classroom, this is arranged so as not to restrict their access to all subjects of the curriculum. In addition, in severe cases, an assistant helps the child with special needs, as well as the special educator or mainstream classroom teacher, during the learning process and breaks (MoECSY, 1999).

Unless there are exceptional circumstances, these services should be provided within a class at the child’s local school, which should have all necessary adaptations and resources. If school attendance in a mainstream classroom is not appropriate for the needs of the child, special education, speech therapy or attendance at a special unit within a mainstream school is provided. Special units provide more intensive special education to a small number of learners (usually up to six), while maintaining contact and inclusion with a specific reference class in the school (European Agency for Special Needs and Inclusive Education, 2020).

Learners attending special units within mainstream schools have the same school day as the mainstream classes. Depending on their individual needs, they may spend most lessons with their mainstream reference class. They also attend inclusive lessons and participate in celebratory or festive events with their reference mainstream class. The amount of time spent in the special unit depends on the learner's level of learning difficulty. This also determines the amount of differentiation that the learner's personalised curriculum will have from that of their peer group (European Agency for Special Needs and Inclusive Education, 2020).

In Cyprus, there are many institutions that operate as boarding schools and provide –among other services- pre-vocational training where they learn the rules of social behaviour and basic skills for undertaking a job. These institutions provide support to people from disadvantaged groups into employment within the institution as well as in the open labour market. Guidance counsellors work to undertake market research to find the proper location where a person with disabilities can work. Job opportunities in the open labour market -mainly for non-university graduates -include hypermarkets, fruit markets, nurseries and organisations in the broader public sector.

Some of the public and private bodies with an interest in this area in Cyprus include (information taken from Supported Employment and Career Development for people with Disabilities Project, 2015):

- **Centre for the Vocational Rehabilitation of Persons with Disabilities**

The Centre for the Vocational Rehabilitation of Persons with Disabilities operates under the Department for Social Inclusion of Persons with Disabilities and aims to design and implement vocational training programmes and to co-ordinate or provide funding for programmes that promote disabled people's employment, either in the open market or in sheltered workplaces. More importantly, the department is now working towards the development of a unified disability assessment plan, which is expected to facilitate disabled people's inclusion in different areas (society, education, employment). In parallel, the department continues to co-ordinate existing schemes targeting employers who wish to hire disabled people in their workplaces or disabled individuals who wish to establish their own business

(Department for social inclusion of persons with disabilities, 2022).

- **Agios Stefanos foundation**

The Agios Stefanos foundation operates a boarding school which offers housing and specialised care for people with intellectual disabilities. The aim of the foundation is to operate as a protect shelter and to take care of people with intellectual disabilities, with a view to de-institutionalise and to facilitate a smooth integration/inclusion into the society, claiming equal opportunities in life. The Day Care Centre of Agios Stefanos Foundation is a place of education and entertainment of people with intellectual disabilities. In the Day Care Centre people with intellectual disabilities gain pre-professional training, their capabilities are detected, and through programs of Special Education, they learn rules of social behaviour and being autonomous (Agios Stefanos Foundation, 2022).

- **Special School of Nicosia**

The Special School of Nicosia implements pre-vocational programmes within and outside the school area aiming to the vocational rehabilitation and integration of students with disabilities into the labour market. The aim of these programmes is to prepare students and help them acquire job skills and social skills that are necessary for finding and keeping a job. The pre-vocational programmes of the Special School of Nicosia include:

1. Programmes for pre-vocational education in workshops within the school:

- Recycling Paper and Aluminium
- Working at Photocopy centres
- Working at Car wash centres
- Working at Coffee shops
- Gardening
- Working as nursery Assistants
- Preparing snacks
- Knitting seats
- Hairdressing – Aesthetics

2. Programme for pre-vocational education in sheltered workshops in Christou Steliou Ioannou Foundation.

3. Programme for pre-vocational education outside school, in workplaces in the open labour market with the accompaniment and support of

school staff. This programme involves students who have completed fifteen years of age. Workplaces in the open labour market include hypermarkets, fruit markets, nurseries, and organisations of public sector. The Special School of Nicosia is constantly striving to expand its collaborations.

4. Part-time Schooling – part time employment programme: This programme aims to promote the placement and partial employment of students in positions in the open labour market with the support of job coaches (Nicosia Special School, 2022).

- **Christou Steliou Ioannou Foundation**

The objectives of the Foundation for personal fulfilment, social and vocational integration and a better quality of life are materialised through the programmes offered by the four basic Departments of the Foundation. The Employment-Rehabilitation Department is responsible for the provision of vocational training and occupation in the various Workshops of the Foundation, as well as, for the vocational rehabilitation of the inmates of the Foundation in the free market with the use of personal group (enclaves) or supported rehabilitation programmes. The Foundation has a total of seven Workshops where students are trained and work. One of them is a large Production Workshop which was built by the Association of Friends of this foundation for the productive occupation of individuals who cannot or are not yet ready to be employed in the open market. The basic professional sectors offered by the Foundation are Sewing, Weaving, Embroidery, Basketry, Carpentry, Repetition Work, Assembly, Packaging, Agriculture and Laundry. Those who work in the Workshops have the chance, whenever necessary, to attend supplementary education programmes to maintain and complement their knowledge. They also take part in all therapeutic, social, sporting, entertainment and other activities offered by the Foundation as part of its effort for the complete and multi-faceted development of the skills and personality of each individual.

The Employment-Rehabilitation Department is responsible for observing those who have already found their way to employment in the open market. Hotels, confectionaries, laundries, warehouses, petrol stations, building sites, furniture factories and other industries are some of the sectors in which former students of the Foundation are successfully employed.

With a broader perception of its role and mission, the Foundation does not limit its contribution to the confines of its programmes and services. In order to fulfil as many as possible of the interests of its students and offer opportunities for a better quality of life, the Foundation organises a wide variety

of events and activities including outing, tours, camping, journeys abroad, foreign exchanges, music, dance, drama, painting, sports and entertainment. It also organises staff training programs not only for its own staff but also for those who work at other schools and institutions in Cyprus, various kinds of events for parents and families and a wide variety of enlightenment activities aimed at the widest possible public information, in order to rid society of ignorance and discrimination and to promote the acceptance of people with mental disabilities (Christou Steliou Ioannou Foundation, 2022).

• **Skapaneas club**

The Skapaneas club was launched in 1997 by the initiative of Parents of Persons with Disabilities. Its main purpose is the Vocational Rehabilitation of Persons with Disabilities.

Its programmes include:

1. Programme of Daily Employment and prevocational training. It operates under the supervision of a social worker. The Daily Programme offers children various activities such personal hygiene, Theatre Workshop, Music, Art, Crafts, Visits, Recycling, gymnastics, dance therapy, music , linguistics and swimming during the summer.

2. Programme for the supported employment. The aim of this programme is to support the institution through which people with disabilities are given the opportunity to be placed and remain in employment in the open labour market. There are 3 programmes for the supported employment with 3 job coaches.

3. Programme for Entertainment and Socialisation. Within the context of a wider integration of the disabled people into society, the programme offers many activities, including trips abroad (Skapaneas Club, 2022).

• **Agios Lazaros Centre**

The Centre Agios Lazaros in Larnaca offers services to adults (over 18 years) with mild to moderate intellectual disabilities. Currently the Centre serves people through three programmes: Day Centre, the Community House and Vocational Rehabilitation.

The services provided are:

- finding a job according to the abilities, peculiarities, needs and problems of each person
- professional support persons

- support for families.

- **European social Forum of Cyprus**

The European Social Forum of Cyprus (ESFC) comprises a team of young people from Active Citizens experienced in the Social course of the Cypriot population in all levels. The ESFC as an institution consists of a Pan-cyprian Network of NGOs with non-profit targets. It aims at supporting its members with offering professional training for persons with disabilities, the acquisition of skills in order to improve their quality of life, consulting and instructive support for persons with disabilities, involvement of persons with disabilities into the society at all levels, etc.

- **Epiteygma – Computer Education Centre.**

One example of a private education centre that has a special department for the education of people with disabilities equipped with special supporting hardware and software.

- **Cyprus confederation of organisations for people with disabilities (KYSOA)**

KYSOA is a Member of the European Forum for people with disabilities. Its member organisations include: Cyprus Association of Blind People, Cyprus Paraplegic Organisation, Cyprus, Association of Parents of people with disabilities, People with Disabilities Employment Rehabilitation Centre, Cyprus Association of People with Multiple Sclerosis and the Federation of Deaf People. The organisation is active in National and European projects/initiatives.

Finally, the Cyprus Government Web Portal provides a special section for people with disabilities, providing links to many relevant organizations, activities, support actions, etc. (ViPi Survey Report, 2012)

3.3. Education, professional orientation and job training of persons with disabilities in Portugal

The Resolution of the Council of Ministers, nº119/2021, of 31st August, approves the National Strategy for the Inclusion of People with Disabilities 2021-2025. Throughout the ENIPD (Estratégia Nacional para a Inclusão das Pessoas com Deficiência - National Strategy for the Inclusion of People with

Disabilities) 2021-2025, Portugal assumes the objective of promoting and guaranteeing an inclusive society based on basic dimensions.

The exercise of full citizenship, in equality and equity, with the guarantee of non-discrimination, allowing participation in all areas of life, is part of an inclusive society. Thus, for this to happen, education must be adapted to the characteristics and specificities of each person, at any level of education, calling to work in conditions of equality and with dignity, freely chosen, access to vocational training and qualification and development of potential and guarantee of vocational and professional rehabilitation.

The National Strategy for the Inclusion of People with Disabilities (ENIPD) 2021-2025 is organized around 8 strategic axes. The 3rd one is dedicated to education and qualification, and for its implementation, the following general and specific objectives are defined:

1. First general objective - Strengthen the mechanisms to support learning and the consolidation of the current system of inclusive education, with specific objectives:

- 1.1. Reformulate Early Childhood Intervention into an approach aimed at full inclusion;
- 1.2. To deepen the Inclusive Education Model in terms of access to quality educational and training opportunities and the transition to post-school life.

2. Second general objective - Promote higher-level qualifications for people with disabilities, with specific objectives:

- 2.1. Improve access and attendance of people with disabilities to Higher Education;
- 2.2. Improve physical accessibility conditions. (Governo da República Portuguesa, Presidência Do Conselho De Ministros, 2021).

The report “*Inclusive Education 2020/2021 – Support for learning and inclusion*”, promoted by the Ministry of Education of Portugal, was recently published, conducted with the aim of knowing how schools organize specific resources to support learning and inclusion, namely the Multidisciplinary Teams of Inclusive Education Support and Learning Support Centres.

It is noted that schools are focusing their work on early intervention, mobilizing measures to support learning with a greater incidence in preschool and also in the first cycle; these measures are maintained, albeit with a lower percentage, throughout compulsory school.

In terms of numbers, 22,522 (28.8%) of students with special needs were enrolled in the 1st cycle, 16,169 (20.7%) in the 2nd cycle and 24,941 (31.9%) in the 3rd cycle, while 11,162 (14.3%) attended secondary education.

It should be noted that all students with special educational needs are accompanied by a Technical-Pedagogical Report (RTP) - a document in which selective and/or additional measures to support learning and inclusion for each student are identified.

In the third education level (university education) in the year of 2021, 364 students with disabilities were placed through the special contingent (considering the two phases of access to higher education), representing a slight decrease of -5.2% compared to 2020 (n = 384), but an increase of 16.3% compared to 2019 (n = 313) (*see Figure 2*)

Figure 1: special quota for students with disabilities – national competition for access to higher education (2016-2020)¹

Year	2016	2017	2018	2019	2020	2021
Place- ments stu- dents with disabilities	141	181	241	313	384	364

The Survey on Special Educational Needs in Higher Education Establishments (2020/21) carried out by the Directorate-General for Education and Science Statistics – DGEEC from 2021 shows that, in Portugal, the number of students with disabilities attending higher education is still growing since 2017/18: in the academic year 2020/21 the number increased by 11.7% (N = 2 582) compared to the academic year 2019/20 (N = 2 311).

Concerning the school dropout in higher education, the numbers also show that, of the students who attended higher education in 2019/20 (N = 2 311), only 13% (n = 300) did not enrol in 2020/21, in contrast to the 24.7% (n = 406) of dropouts registered in students enrolled in 2017/18 (N = 1 644).

The academic year of 2019/20 ended with 632 students with disabilities graduated, representing a growth of 55.7% (+226) compared to the previous year (N = 406) and of +108.6% compared to 2016/17 (N = 303).

¹ Source: DGES (2022). Data on the special quota for students with disabilities – national competition for access to higher education (2016-2020), available on <https://www.dges.gov.pt/p/t/pagina/regime-geral-ensino-superior-publico-concurso-nacional-de-acesso?plid=593>

It is important to add that students with 60% or more of disability can benefit from a grant: in 2020/21, nearly one in four students with disability in public higher education, and one in two students in higher education took advantage of the benefit of a grant to attend the respective level of education.

Regarding the resources and support provided by higher education establishments to these students (for example, specific regulations, accessibility of buildings, and residences, among others), the data collected show that, in 2020/21, most Portuguese higher education establishments (64.4 %; n = 67) had specific regulations available for students with special educational needs, corresponding to 76.5% (n = 26) of the total number of public education establishments (N = 34) and 58.6% (n = 41) of the total of private education establishments (N = 70).

Of course, improvements are still being made in all areas, mostly concerning the accessibility: in 2020/21, 68.3% (n = 71) of higher education institutions reported have accessible central buildings (N = 104). Additionally, 58.7% of these educational establishments had support services for students with disabilities.

4. Employment of persons with disabilities

Supported employment is a method of working with disabled people and other disadvantaged groups to access and maintain paid employment in the open labour market. This method of working is a proactive policy in accordance with the United Nations Convention on the Rights of People with Disabilities. Supported Employment is completely consistent with the concepts of empowerment, social inclusion, dignity and respect for individuals. According to Information booklet and Quality Standards of supported employment within Europe, agreement has been reached on the values and principles that should be present at all supported employment stages and activities and adhere to full citizenship rights of individuals:

- ***Individuality – Supported Employment*** regards each individual as unique, with his/her own interests, preferences, conditions and life history;
- ***Respect – Supported Employment*** activities are always age appropriate, dignifying and enhancing;
- ***Self-determination – Supported Employment*** assists individuals to improve their interests and preferences, express their choices and define their employment/life plan according to personal and contextual conditions. It promotes the principles of self-advocacy by service users Informed;
- ***Choice – Supported Employment*** assists individuals to understand their opportunities fully so they can choose consistently within their preferences and with an understanding of the consequences of their choices;
- ***Empowerment – Supported Employment*** assists individuals to make decisions on their lifestyle and participation in society. Individuals are centrally involved in the planning, evaluation and development of services;
- ***Confidentiality – The Supported Employment*** service provider considers information given by individuals to them as confidential. The service user has access to his/her personal information gat-

hered by the provider and any disclosure is at the discretion of and with the agreement of the individual;

- **Flexibility – Staff and organisational** structures are able to change according to the needs of service users. Services are flexible and responsive to the needs of individuals and can be adapted to meet specific requirements;
- **Accessibility – Supported Employment** services, facilities and information are fully accessible to all people with disabilities.

Around 80 million persons with disabilities live in Europe. Their labor force participation is significantly lower than that of the total population. Among those with basic disabilities such as visual or hearing impairment, communication or intellectual disabilities, only 47.3% of the EU's 28 states worked in 2011. That's almost 20 percentage points less than people without disabilities. The largest differences were found in the Netherlands (43% to 80%) and Hungary (24% to 61%). This gives a difference of 37 percentage points between these groups. In Luxembourg, there is the smallest difference with only 2 percentage points. These differences suggest that it is possible to counteract lower labour force participation through policy measures. In addition, in some European states some persons with disabilities are not even covered by the unemployment statistics because they are considered „unfit to work“. If they are employed in sheltered workshops, they are not considered as workers and receive only small pocket money, but no wages.

The European Union of Supported Employment promotes the concept of Supported Employment as a vehicle/methodology to assist disabled and disadvantaged people access their right to work. Whilst there are slight variations of the definition across the world, there remain three consistent elements that are fundamental to the European Supported Employment model:

- **Paid Work** - Individuals should receive commensurate pay for work carried out – if a country operates a national minimum wage then the individual must be paid at least this rate or the going rate for the job
- **Open Labour Market** – People with disabilities should be regular employees with the same wages, terms and conditions as other employees who are employed in businesses/organisations within the public, private or voluntary sectors
- **Ongoing Support** - This refers to job support in its widest concept whilst in paid employment. Support is individualized and is on a

needs basis for both the employee and the employer. The right of persons with disabilities to work on an equal footing is enshrined in Article 27 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The participants and the organizers of the conference „Employment for All“ in Vienna on September 27, 2018, are committed to ensuring that this right is implemented.

The above phenomenon considerably affects both economic growth and social inclusion levels in the EU, as the integration of people with disabilities in labour markets remains difficult. Alongside and in support of Member States' policies, the EU seeks to improve the employment situation of disabled people and has introduced a series of initiatives, actions and strategies to this end over a number of decades.

As over time the EU has paid increasingly closer attention to the situation of disabled people, the question of what would be the right legal basis for introducing a genuine EU disability policy also became increasingly important. The rights of persons with disabilities have been enshrined in the EU Treaties since 1997. Article 19 of the Treaty on the Functioning of the European Union (TFEU, ex-Article 13 TEC) stipulates that 'in defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation'.

EU initiatives in relation to the principles enshrined in the European disability strategy 2010-2020, the European Pillar of Social Rights and the European Semester, the EU supports a number of initiatives designed to assist disabled people as regards employment. These include: workplace adaptations, non-discrimination, public employment services, financial incentives, accessibility and EU funding.

- **Non-discrimination in employment.** Adopted in 2000, the Employment Equality Directive prohibits discrimination and harassment on the ground of disability (amongst others) as regards employment. The directive recognises that the failure to provide 'reasonable accommodation' in the workplace could constitute discrimination.
- **Public employment services.** Many of the powers relating to public employment services belong to the Member States. However, the EU network of public employment services, established in 2014, provides a platform for cooperation and exchange of good practices,

in particular, on disability. All the projects relating to public employment services receiving funding from the European Social Fund have to comply with accessibility and non-discrimination requirements. In addition, the information provided on the EURES portal and support services must be accessible to persons with disabilities.

- **Accessibility.** The 2019 Accessibility of Goods and Services Directive is also key in the promotion of accessibility for disabled people. This directive aims at improving the functioning of the internal market for accessible products and services, by removing barriers created by different rules in Member States. Even if the provisions concerning the built environment are not binding on Member States, they are encouraged to align their diverging requirements as much as possible. Persons with disabilities should benefit from fewer obstacles when accessing transport, education or the labour market.
- **Employment possibilities of people with disabilities.** Not only since the financial crisis of 2008 and the current Corona pandemic, people with disabilities face huge barriers when it comes to employment. As long as the current system and the related competitive labour market excludes and leaves behind people whether with or without disabilities, this is not going to change. The current Corona pandemic has a negative impact on employment opportunities in Europe and in other regions of the world. People with disabilities will most certainly be particularly affected by the rise in unemployment as in Europe their unemployment rate is already almost twice as high as that of the general population despite the policies implemented by the various European countries.

The influential and decision-making bodies must therefore now more than ever support the social structures and services that allow people with disabilities in their respective life situation to be supported in their efforts to access to work. The future general comment needs to play an important role by pushing and supporting the UNCRPD member states to:

- sustain already existing social infrastructure such as sheltered workshops as a basis of a comprehensive and permeable system of support measures and services for people with disabilities;
- further develop the services for people with disabilities in compliance with the UNCRPD.

The role of vocational rehabilitation

When it comes to the goal of full inclusion for people with disabilities, the most difficult and sensitive issue that remains to be resolved is the **participation in working life and the right to work**, as enshrined by Art. 27 of the United Nations Convention on the Rights of Persons with Disabilities. Even in countries with recruitment quotas and penalties, people with disabilities face huge difficulties in finding a suitable working environment. In view of these circumstances, it seems unrealistic, discriminating and dangerous to demand the closing of all facilities currently supporting people with disabilities, who have no access to work in open labour market conditions. This is even truer when it comes to people with severe disabilities who need long term support.

Vocational rehabilitation is a process which enables persons with health, functional, psychological, developmental, and cognitive disabilities to overcome barriers to accessing, maintaining or returning to work and other meaningful occupation.

People with disabilities, who due to the severity of their disabilities need particularly intensive support to perform in any kind of working process, or who primarily need a structured daily routine, are supported in day-care centres. These can be connected to or integrated in sheltered workshops, so that people who are able and willing to participate in working processes can transfer to the services of sheltered workshops.

People with disabilities can acquire skills in various vocational fields through measures of vocational education that are strictly person-centred and individually tailored. The goal is to identify and nurture talents and show every person with disabilities his or her individual occupational options. In some countries vocational education takes place within the services of sheltered workshops, in others it is a separate service.

Sheltered workshops provide a range of services that help people with disabilities, who cannot (or cannot yet) engage in any kind of employment on the open labour market, to participate in working life. The services of sheltered workshops give them the opportunity to be trained in several vocational fields, both through vocational education and practical experiences.

A supervised internship or an integrated workplace gives them the chance to see if they want, and are able to, work more independently. Other options include the services of supported employment or working in an inclusive enterprise. Those measures can be and are already carried out on the basis of the services provided by sheltered workshops.

Supported employment stands for providing support to people with disabilities, or other disadvantaged groups, to help them obtain and maintain paid employment in the open labour market. In many countries, this service is provided primarily to people with disabilities who do not need support over a long period.

Inclusive enterprises are usually small businesses (sometimes founded by sheltered workshops). Here, people with disabilities, sometimes former sheltered workshops users, who feel ready to work under everyday conditions, are employed and work together with people without disabilities. The share of people with disabilities among the employees must be at least 30 %.

The above-mentioned measures have to work seamlessly hand in hand to create a permeable system. Every offer is an important component of the system of vocational rehabilitation providing that each person with disabilities can decide freely, in a self-determined way.

There is a wide range of opportunities for people with disabilities to participate in working life. From day care centre to job without any support, all together they create an inclusive labour market. To safeguard that every individual can find the appropriate offer for his or her status and every step of his or her development, the services of vocational rehabilitation are indispensable.

The EU itself and its Member States have signed and ratified the UN Convention on the Rights of Persons with Disabilities¹ (UN-CRPD). They have committed themselves to implementing the rights of persons with disabilities defined in the convention. The right of persons with disabilities to work on an equal basis with other people is defined in Article 27 of the UNCRPD. This results in the obligation for all states parties, including the EU, to identify and eliminate barriers (including legal ones) to the inclusion of persons with disabilities. Where the elimination of barriers is not sufficient to enable participation, states parties have to implement supportive measures for people with disabilities.

Other legal framework and conditions that must be observed:

- The Convention of the International Labour Organization ILO 159 on occupational rehabilitation and on employment of persons with disabilities aims to ensure that appropriate occupational rehabilitation measures are available to all groups of persons with disabilities

¹ The UN CRPD was signed and ratified by the EU and Austria. In Austria, that happened already ten years ago. <https://broschuerenservice.sozialministerium.at/Home/Download?publicationId=19> ; (downloaded on 07.10.2018)

and employment opportunities in the regular labour market for persons with disabilities should be encouraged.

- In The International Covenant on Economic, Social and Cultural Rights of the United Nations all signatories recognize the right of all people to work and on fair working conditions.
- In the UN Sustainable Development Goals, the signatories recognize, among other things, the right to quality education and decent work.
- With the European Pillar of Social Rights, the member states of the EU have adopted 20 principles, which are divided into 3 categories: equal opportunities and labour market access, fair working conditions, and social protection and social inclusion.
- The European Disability Strategy aims on empowering people with disabilities so that they can enjoy their full rights and benefit fully from participating in society and in the European economy, notably through the Single market.
- The European Employment Equality Directive established a general framework for equal treatment in employment and occupation and had to be implemented in national laws of the member states.

4.1. Employment of persons with disabilities in North Macedonia

Dignified employment is an important indicator of an independent and self-sufficient life of persons with disabilities. Creating models for sustainable employment will enable people with disabilities to highlight their opportunities and abilities, while companies will be promoted as inclusive social actors.

The activities that can be performed by a person with a disability in the appropriate job position are determined by the Commission for assessment, established by the Ministry of Labour and Social Policy. A person with a disability can be an employer or work as a responsible person at an employer, if he/she receives a positive report from the Commission.

The Law on Employment of Disabled Persons provides the opportunity for employers to employ persons with disabilities in the private sector, in public enterprises, institutions, agencies, funds and other entities.

The Employment Agency of the Republic of North Macedonia (hereinafter EARNM), every year through its Operational Plan² publishes the current incentive measures and services on the labour market. In 2022, the following measures are active regarding persons with disabilities:

Self-employment program (entrepreneurship). This program aims to employ 2,000 people, i.e. to support unemployed persons to start their own business. The incentive measure is intended for socially vulnerable categories, including persons with disabilities. The amount of the grant is up to a maximum of 307,500 denars or up to 615,000 denars if a legal entity of two spouses is established. This Government measure offers online training on "Entrepreneurship and Business Skills Development" for those who will express a desire, as well as mentoring support of at least 120 hours for the development of positively evaluated Business Plans.

Support for creating new jobs. This Government measure encompasses unemployed people who find it more difficult to enter the labour market. The measure is envisaged for 1,528 unemployed persons, registered with the EARNM. The target group of this measure also includes persons with disabilities. The amount of financial support is 19,000 denars in total per month as a subsidy to the salary of the employee for a period of 3,6 or 12 months for employment of a person from the target groups.

Support for employment of persons with disabilities. This measure is related to the use of the Law on Employment of Disabled Persons and the provisions of the Rulebook on granting non-refundable grants from the Special Fund. Employers are required to submit monthly statements as proof of payment of wages to subsidized persons with disabilities. The purpose of the measure is to increase the employability and employment opportunities of the registered unemployed persons with disabilities. This measure envisages coverage of 350 persons registered in EARNM. It consists of:

- **Granting non-refundable funds for permanent employment** to an unemployed person with a disability in the amount of 20 average salaries paid in the country for the previous year before employment, i.e. 40 average salaries for employment of a blind person with visual impairment from 90 to 100% and a physical person with a disability who needs a wheelchair due to movement (or approximately 9,100 euros, ie 18,200 euros per person with a disability);

² ABPCM (2022): Оперативен план за активни програми и мерки за вработување и услуги на пазарот на трудот за 2022 година, достапно на <http://www.av.gov.mk/content/pdf/FINALEN%20OP%202022.pdf>

- **Adaptation of the workplace:** When hiring a person with a disability, the employer is obliged to create appropriate working conditions and adaptation to the workplace depending on the job, the type and degree of education and the type and degree of disability of the person being employed. The amount of the compensation for adaptation of the work place is up to 100,000 denars (approximately 1,600 euros) and they can be used again if required by the changes in the technical-technological process or the type and degree of disability of the person with disability;
- **Procurement of equipment,** for which funds are allocated in the amount of 200 average salaries paid in the Republic of North Macedonia in the previous year, where the basic criterion for the amount of allocated funds is the number of employees with disabilities.
- **Work assistant** for a person with a disability who is involved in on-the-job training, at his/her request or at the request of the employer. The financial compensation, as well as the conditions and the manner of providing the work assistant are prescribed by the Minister.
- **Job training** of employees and unemployed persons with disabilities.

The funds for improving the employment and working conditions of persons with disabilities, job adaptation and procurement of equipment are provided by the Special Fund for Improving the employment and working conditions of persons with disabilities. In the year 2022, 305 million denars have been provided through the Special Fund as financial support that will significantly help in the inclusion of persons with disabilities in the labour market.

The beneficiary of funds from the Special Fund must not reduce the total number of employees with disabilities for whose employment non-refundable funds have been used (within 3 years from the day of employment of the person with a disability for which the funds on the basis of employment have been used, unless the termination is by force of law or in case of death, or 3 years from the day of granting funds for procurement of equipment).

The following table 1 provides an overview of allocated funds from the Special Fund³ in the last five years (2016-2020). The latest data processed and published by the EARNM date from 2020.

³ Employment Service Agency of the Republic of North Macedonia (2021): Yearly reports, available at <http://www.av.gov.mk/godishni-izveshtai.nspx>

Table 1: Overview of allocated funds from the special fund for the period 2016-2020 (amounts are in Macedonian denars)

Year	For employ- ment of per- sons with dis- abilities	Workplace adaptation	Procurement of equipment	Total
2020	90,305,140 MKD (for 189 persons)	200,000 MKD (for 2 persons)	52,886,811 MKD (for 35 employers)	143,391,951 MKD
2019	104,120,220 MKD (for 230 persons)	197,456 MKD (for 2 persons)	65,164,170 MKD (for 40 employers)	169,481,846 MKD
2018	95,266,160 MKD (for 209 persons)	200,000 MKD (for 2 persons)	79,892,022 MKD (for 55 employers)	175,358,182 MKD
2017	94,376,100 MKD (for 223 persons)	569,927 MKD (for 6 persons)	59,216,181 MKD (for 36 employers)	154,162,208 MKD
2016	85,838,060 MKD (for 208 persons)	200,000 MKD (for 2 persons)	37,529,804 MKD (for 83 employers)	123,567,864 MKD

The Operational plan for 2022 envisages the following activities:

- **On-the-job training for a well-known employer.** The purpose of the measure is to acquire skills of the unemployed to perform work tasks in accordance with the needs of the employer. The target group is unemployed persons registered in the EARNM, as part of the possible beneficiaries are also persons with disabilities. The trainings are provided for 70 people.
- **Professional rehabilitation and inclusion in the labour market of persons with disabilities.** As a system of services, it will provide people with disabilities with individualized support, in order to fully integrate them into the open labour market. Under this model, services will be provided locally, in the client community. The model enables the implementation of a client-oriented approach that focuses on its individual potentials and is implemented within a local network of service providers - Reha centres, employment centres of the EARNM, civil society organizations, training

centres, educational institutions, employers, etc. The following services will be implemented within the envisaged measure: informing, identifying and registering persons with disabilities in the register of active job seekers, inclusion in active measures, mediation services in inclusion in trainings and employment, counselling and monitoring of their status in the process of activation, and employment.

An employee with a disability who has been diagnosed with a disability is exempt from paying personal income tax. The funds for contribution for pension and disability insurance, contribution for health insurance and contribution for employment for persons with disabilities are provided from the State Budget.

The Law on Employment of Disabled Persons also regulates the employment of persons with disabilities in protection companies. A protection company can be established and operate as a protection company if it employs at least ten people for an indefinite period, of which at least 40% are persons with disabilities out of the total number of employees. Employees of the protection company who are not persons with disabilities and labour disabilities are exempt from paying personal income tax and are provided with funds for pension and disability insurance contributions from the Budget of the Republic of Northern Macedonia. The protection companies are exempt from paying all profit taxes.

4.2. Employment of persons with disabilities in Cyprus

The first legislative documents about the employment of disabled people in Cyprus are dated from the mid-1980s and they were the result of pressures and negotiations of single impairment organisations with the state. As a result, for many years, there was piecemeal legislation, giving priority to hiring different groups of disabled people in the Civil Service. It was not until the year 2000 that a general piece of legislation was introduced, securing, among other things, disabled people's rights in employment (Supported Employment and Career Development for people with Disabilities Project, 2015).

The Disabled People's Act (N. 127 (I) /2000)

An important development was the enactment in July 2000 of "The Disabled People's Act" (N.127 (I)/2000). This Law protects disabled persons,

securing their rights and opportunities and promoting their social and economic integration, concerning recruitment, promotion in employment and vocational rehabilitation within the enterprise, protection in cases of termination of employment, equal treatment in the provision of goods services and facilities, transportation, communication and information. Moreover, the law provides for the establishment of the Rehabilitation Council, (an advisory body) several executive committees, as well as for the establishment of a Fund aiming at the social and vocational rehabilitation of persons with disabilities (Ministry of Labour, Welfare and Social Insurance, 2000).

The basic rights of disabled people, recorded in the 2000 Disabled People's Act (127(I)/2000) are: early identification and treatment, provision of personal support, accessibility in the built environment, educational integration, accessibility in information and communication, vocational training and rehabilitation, decent living conditions, establishment of personal and family life and participation in cultural, social, sports, religious and entertainment activities [article 4(2)].

Regarding employment, the 2000 Disabled People's Act (N.127(I)/2000) legitimises equal treatment regarding the procedure of applying for a job, hiring, promoting, firing, compensating and other terms and privileges concerning employment [article 5(1)]. It also encourages the development of vocational rehabilitation programmes to motivate prospective employers of disabled people and the establishment of new work positions for disabled people in the civil service [article 5(2)a].

The Recruitment of Persons with Disabilities in the Wider Public Sector Law (N. 146(I)/2009)

In 2009 a new policy was introduced regarding the employment of disabled people, in Cyprus. This important development was a new law named 'The Recruitment of Persons with Disabilities in the Wider Public Sector Law' (N. 146(I)/2009). The Law came into force on the 23rd of December 2009 and it aims to minimise the exclusion of disabled people from the workforce by introducing a hiring quota of 10% of disabled people in the public sector. Briefly, this law concerns disabled people who have an impairment that reduces the possibility of finding and maintaining a job. Applicants are expected to hold all the necessary qualifications for the job, to pass any written or oral exams necessary and to be able to respond to the duties entailed in the job.

The process, as defined by the law, necessitates that the applicants go through a committee set up by the Department of Social Inclusion of People

with Disabilities that is expected to assess their impairment. Then all the applicants are listed and 10% of the total number of applicants is selected for the posts available. Disabled people who are appointed to work for the public sector are entitled to assistive technology equipment and other arrangements that will facilitate their work.

The Department of Social Inclusion of People with Disabilities is responsible for the implementation of the law. It is also expected that the impact will be monitored and that all the necessary bodies such as the Council of Ministers, the House of Parliament and the Cyprus Confederation of Organisations of Disabled People will be kept informed (Ministry of Labour, Welfare and Social Insurance, 2009).

Efforts to improve the implementation of the Law

In 2012 efforts were made to improve the implementation of the law and eliminate weaknesses encountered during the first year of its implementation. Generally, the law functioned effectively by significantly increasing the number of people with disabilities who have been employed. Alongside the legislation described above, there are two pieces of legislation securing ways of funding vocational rehabilitation and employment initiatives for disabled people, in Cyprus.

1) Special Fund for the Centre for the Vocational Rehabilitation of Disabled People (N.103(I)/2000)

The establishment of this Special Fund aims in promoting vocational training and employment of disabled people through the development of relevant programmes falling under the jurisdiction of the Ministry of Labour and Social Insurance. In particular, the Special Fund sponsors training workshops of the Centre for the Vocational Rehabilitation of Disabled People, promotes self-employment for disabled people, sponsors teams of disabled people, who wish to run small businesses, supports any entertainment or sports activities held at the Centre for the Vocational Rehabilitation of Disabled People and sponsors any other initiatives that promote the vocational rehabilitation of disabled people trained there or elsewhere.

2) Establishment of Provident Lottery Fund Act (N.79(I)/1992)

The second legislation relates to funding: the Establishment of Provident Lottery Fund Act (N.79(I)/1992), which established a Provident Fund ai-

ming to provide further financial assistance to disabled people. This fund originates mainly from the release of a special lottery and from a governmental grant. The Ministry of Labour and Social Insurance allocates the necessary budget for education, vocational rehabilitation and evolution, social integration, financial aid and improvement of the level of living conditions of disabled people.

Employment and Vocational Training Schemes

A number of schemes and policies available in Cyprus directly or indirectly related to the employment of people with disabilities is provided by various governmental departments. These include legislative measures, hiring subsidies schemes for various groups of population (e.g. long-term unemployed, young people) and hiring subsidies specifically for people with disabilities.

Older approaches of employment of persons with disabilities in Cyprus through sheltered workshops (Source: Lifelong Learning Programme “Supported Employment – Empowerment and Career Development for People with Disabilities” (SUPPE, 2015)

The Centre for the Vocational Rehabilitation of Persons with Disabilities operates under the Department and provides employment in sheltered workshops. According to the 2012 Annual Report, there were two sheltered workshops in the Centre: a sheltered workshop for shoe making and a sheltered workshop for carpentry.

Through the department of Government Purchasing and Supply, orders are executed for manufacturing footwear mainly for police and prisons. In the sheltered workshop for carpentry there are disabled employees who manufacture various sizes of chairs. Some of the employees with disabilities perform a lot of work on machinery for the construction of frames. Also, they manufacture, upon request, chair frames that are sold to various institutions, like the institution "Apostolos Pavlos" and the Blind School.

Apart from the sheltered employment provided at the Centre for the Vocational Rehabilitation of Disabled People, there are two other sheltered employment workshops directed to people with specific types of impairments: sheltered employment for people with visual impairments who are trained to make items out of straw (i.e. baskets, bassinets etc.) and sheltered employment for people with hearing impairments who are trained in carpentry and furniture making.

Employment systems and programmes

a) The quota system

The main employment provision relates to the operation of the disability employment quota scheme in Cyprus under the Recruitment of Persons with Disabilities in the Wider Public Sector (Special Provisions) Law of 2009 (N.146(I)/2009). This stipulates that persons with disabilities shall be hired at 10% of the number of vacancies, provided that the number hired under this Law shall not exceed 7% of the total number of employees per Service.

b) Supported employment model

A few decades ago, the main avenue of employment of persons with disabilities in Cyprus was through sheltered workshops. However, it had been observed that in most cases the traditional sheltered workshops failed to integrate people into the open labour market and the society, in general (Partalis, 2013). In 1995, the Ministry of Labour and Social Insurance in Cyprus approved the institution of the supported employment of Persons with Disabilities.

Supported employment started in the USA during the 1980s (Beyer *et al.*, 2010, p. 130). One of the main targets of this programme was the change from passive programmes (benefit provision) to the professional employment of persons with disabilities (Beyer *et al.*, 2010, p. 131). The Ministry of Labour and Social Insurance in Cyprus recognises the importance of similar programmes and “has placed in high priority the issues refer to the employment of persons with disabilities. The Ministry aims to empower the training of persons with disabilities, skills and education, in order to offer them opportunities and greater chances for employment in the open market and indeed great opportunities for better quality of life” (Press and Information Office, 2009).

c) Programme for the self-employment of persons with disabilities

Another programme referring to the employment of persons with disabilities is the “Programme for the self-employment of persons with disabilities”. This programme aims to enhance the opportunities of persons with disabilities for employment, since it offers funding for setting up their own businesses. The Pancyprian Parents Association for People with Intellectual Disabilities (PASYGOKA) argued that similar programmes have to be upgraded in order to enhance people’s inclusion in the mainstream society (Panagi, 2011). However, the author raises his concerns, since even though there are many

programmes offered to persons with disabilities and adequate funding is offered by the State for the employment of persons with disabilities, there is a small number of persons with disabilities that take advantage of it. As a consequence, it can be argued that: employers are not willing to employ persons with disabilities in cases that there is not supplementary funding by the State; society is not yet ready to accept persons with disabilities in the labour market yet; and persons with disabilities are not motivated to search for employment. Therefore, the question raised at the moment is the extent to which supported employment programmes (and other programmes) achieve their aim which is to enable persons with disability to enter the employment market and/or retain their posts (Theotokos Foundation, 2009).

d) Job coaches for the successfulness of the programme for the self-employment of persons with disabilities

Supported Employment promotes and supports vulnerable and disabled people to secure and maintain a work position within the labour market. For this reason, personal support is provided through a special employment guidance counsellor, who is in charge of finding a suitable work placement, according to the individual's preferences and abilities, training the individual at the workplace, supervising and resolving any issues that may occur.

Specifically, the job coach investigates the market to find a suitable location where an individual with intellectual disability will be able to work. Then they monitor the progress and development of the individual in the workspace and contact the employer. Furthermore, they record the needs and responsibilities of the position in order to give individual guidance and training so that the relevant requirements are met. At the same time, they contact the family on a regular basis and inform them about the professional development and performance of the disabled individual.

e) Vocational Rehabilitation Schemes run by the Department of Labour of the Ministry of Labour, Welfare and Social Insurance (Mavrou and Liasidou, 2020)

Some other employment activation policies, promoted by the Department of Labour of the Ministry of Labour, Welfare and Social Insurance, and directly or indirectly relevant for people with disabilities in Cyprus are the following:

- Scheme Providing Incentives to Hire Young Unemployed People between 25 to 29 years old (Not in Education, Employment, or Training - NEETs). The Scheme is co-funded by the European Social Fund

(ESF). Beneficiaries are young people. The beneficiary should enter the scheme in the status of full-time employment for at least 10 months with additional 2 months without funding. The funding covers the 70% employment cost at a maximum of €8,400.

- Scheme Providing Incentives for the Employment of Persons with Chronic Diseases. The Scheme was co-funded by the ESF and ended in June 2020. Beneficiaries were persons with chronic diseases who are unemployed and are interested in both full-time and part-time employment and should remain in job for 12 months. The funding covered the 75% employment cost at a maximum of €10,000.
- Scheme Providing Incentives for the Employment of Persons with Disabilities. The Scheme is co-funded by the ESF. Beneficiaries are persons with disabilities defined by the 2011 ratification Law of the UNCRPD, and are currently unemployed. The total budget of the Scheme is €2,000,000 euros with the aim of 100 beneficiaries in total. Each employer needs to commit in a 24 months employment period of the person with disabilities, for a maximum 5 employees. The funding covers the 75% employment cost at a maximum of €20,000.
- Scheme for the Provision of Incentives for Recruitment Beneficiaries of Guaranteed Minimum Income (GMI) in conjunction With Three Month Training. This is a training Scheme for the period of three months after which the employer is expected to employ the trainee for a period of 12 months, and request 60% of the salary cost, with a maximum of €6,000.
- Scheme for Supported Employment, which aims to cover basic operating costs of disability organisations (e.g. Organisations of persons with disabilities or Organisations of the parents of persons with disabilities) and the expenses of a number of programs under which they employ support staff (including sign language interpreters) for people with disabilities that wish to work in the open market. The Scheme offers a funding of €13,500 per programme per year.
- Scheme for the Creation and Operation of Small Units for Self-Employment Purposes of Persons with Disabilities, which aims to provide an initial funding for people with disabilities to start their own small business units for self-employment. Funding raises up to €8,543.

- Scheme for the vocational training of people with disabilities which covers the cost of training up to € 1,708, providing opportunities to individuals with disabilities who face employment or advancement difficulties, with priority given to unemployed people with severe disabilities.
- Scheme for Funding Organisations for Vocational Programmes for Persons with Disabilities, with a maximum amount of €5,000 for each programme, provided to non-profit organisations involved in the vocational training activities for persons with disabilities.

4.3. Employment of persons with disabilities in Portugal

Legal Regime for the development of employment and support for the qualification of people with disabilities are: Decree-Law 290/2009, of 12 October, amended by Law n^o. 24/2011, of 16 June; Decree-Law 131/2013, of 11 September and Decree-Law n^o. 108/2015, of 17 June.

In developing the European Union's social *acquis*, Principles 3 and 17 of the European Pillar of Social Rights enshrine, in terms of the rights of people with disabilities, equal opportunities and access to the labour market and to fair and equal working conditions, adapted to their needs, which guarantee them personal and social fulfilment, a fair income level and a dignified life. Thus, for its implementation, the following general and specific objectives are defined by the National Strategy for the Inclusion of People with Disabilities 2021-2025 (ENIPD 2021-2025):

- General Objective 1: *To stimulate the support system for the professional insertion of people with disabilities* with specific objectives:
 - Know the dynamics and reinforce the intervention of employment services in the process of mediation and transition to employment or return to employment of people with disabilities;
 - Create conditions of accessibility for people with disabilities to the training offer developed in the Network of Professional Training Centers of the IEFP;
 - Reorganize the network of Resource Centers to support professional insertion, promoting its transition to a support network and support for participation articulated with the intervention of the public employment service.

- General Objective 2: *Create context conditions that promote the employability of people with disabilities* with specific objectives:
 - Promote programs, measures and support that facilitate employment;
 - Promote the construction of an inclusive environment that facilitates the employment of people with disabilities.
- General Objective 3: *Develop entrepreneurship and self-employment of people with disabilities* with specific Objectives:
 - Stimulating entrepreneurship and self-employment.

Besides that, several articles published in the *Diário da República*⁴ show that the training and professional insertion of disadvantaged groups, in general, and of people with disabilities, in particular, is a crucial issue into the extent that work and productive employment are of structuring importance for people, for the family and society as a whole:

- Decree-Law nº290/2009, of 12th October, amended by Law nº24/2011, of 16th June and by Decree-Laws nº131/2013, of 11th September, and nº108/2015 of 17th June;
- Order nº 8376-B/2015, of 30th July with the changes introduced by Order nº9251/2016, of 20th July.

• Benefits for employees and employers

It is essential to publicize the benefits for the employees and above all, for the companies who employed disabled people. According to the IEFP, the companies can obtain a financial support: there is the possibility of benefiting from a reduction in the contribution rate in terms of Social Security and support in terms of direct hiring incentives, insurance of accidents at work and in terms of adapting jobs and elimination of architectural barriers (Decree-Law Nº. 290/2009 of 12th October and Decree-Law Nº. 299/86, of 19th September)

Besides that, hiring and integrating people with disabilities, within the scope of an equal opportunities and benefits policy for companies, where they are once the values of inclusion and diversity are expressed, promotes the company's public image.

⁴ The official body for the publication of legislative and administrative acts in general, which only acquire validity with it. Here, the constitutional laws, the international conventions to which the Portuguese State is a signatory, the laws and decree-laws, as well as the decrees of the President of the Republic, the resolutions of the national and regional Parliaments, the results of the elections for the of sovereignty and a whole set of other elements.

We can add that when the company offers the necessary conditions for a person with disability can work and perform the functions and tasks for which he/she was contracted, this effort can favour the work environment, stimulating, for example, mutual assistance and teamwork, insofar as it allows the exchange of diverse experiences, humanizes the company and allows the growth professional and personal.

And finally, employing disabled people allows the enrichment and learning of workers, through mutual knowledge and the mobilization of the differences and similarities of each person for the benefit of the company. It also contributes to a positive social change and the sustainable development of the company.

- **Adaptation of the work environment**

Based on the IEFP, companies must provide all working people with reduced working capacity adequate working conditions, namely through training opportunities and professional development, along with “reasonable adaptations” of the place of work, adaptations that must be supported by the State.

Non-reimbursable financial support is granted to employers who need to adapt equipment or the workstation, according to the needs of the person with a disability. These supports are given to open-ended or fixed-term contracts with a minimum initial duration of 12 months.

5. Statistical data of employment of persons with disabilities in Europe

The employment rate of persons with disabilities in Europe was 47.3% in 2011, almost 20% lower than that of people without disabilities.¹ This situation has continued to deteriorate since the beginning of the economic and financial crisis of 2008. In order to end the exclusion of persons with disabilities from the labour market, increased efforts must be taken immediately. We also have to realize, that persons with disabilities still get low quality education and Vocational Educational Trainings. Low Quality education (often segregated) is leading to exclusion from the labour market.

Regardless of shortcomings in the definition of disability, it remains indisputable that a vast number of disabled people in the European Union are not employed, consequently face income restrictions and are at risk of falling into poverty. The OECD (2009a) background paper on sickness, disability and work states that in OECD countries the average disposable income of disabled people is 12 percentage points below national averages. Although numerous policies targeting the integration of people with reduced work capacity into the labour market were introduced in the past decade, participation rates have remained low and even decreased. Furthermore, the OECD analysis found a high dependency on sickness and disability benefits. The roots of this “benefits trap” are partly historical, as welfare systems were designed to shelter people with disabilities from the strains of labour market activity. Many welfare systems have yet to offer satisfactory flexibility which allows benefit receipt and employment to be combined in an appropriate way. The OECD background paper finds that disability benefits still contain perverse incentives which render taking up work unattractive – even for people with only partial incapacity. This “benefit culture” is viewed as particularly problematic as a new trend towards ever younger disability claimants emerges. Most health-related disability claims have so far been more likely to occur after a long employment biography. The report by APPLICA, CESEP and European Centre (2007), which

¹ Disability statistics - labor market access; https://ec.europa.eu/eurostat/statistics-explained/index.php/Disability_statistics_-_labour_market_access (downloaded on 07.10.2018)

compiles statistical data on disability, finds a rate of chronic illness and disability which moves progressively from 1 % among young people to 15 % at the age of retirement.

The EU-wide employment rate² of the disabled is approximately 20 percentage points lower than the rate of the non-disabled (see Table 1). For all European countries investigated, the employment rate of people with no limitations in activities because of health problems (65.1 %) is higher compared to the rates of people who are limited (52.4 %) or strongly limited (26.2 %). However, the EU average (excluding France and Malta) covers a variety of gaps in employment rates: of the 25 EU Member States analysed, 14 have a difference in employment rates between the non-disabled and the disabled which ranges above the average European difference. A particularly high difference is observed in Romania, where the non-disabled have on average an employment rate which is 31.0 percentage points higher than the one of the disabled.

Employment rate of people by type of disability, sex and age (2011)³

HLTH_PB (Labels)	Difficulty in basic activi- ties	No difficulty in basic ac- tivities	Limitation in work cau- sed by a health con- dition or difficulty in a basic activ- ity	No limita- tion in work caused by a health con- dition or difficulty in basic activi- ties
GEO (La- bels)				
European Union - 28 countries (2013-2020)	47.3	66.9	38.1	67.7
Belgium	40.7	66.4	33.4	67.3
Bulgaria	30.7	61.8	17.8	62.1
Czechia	38.6	68.5	34.5	69.3
Denmark	46.7	78.1	41.4	80.0
Germany (until 1990 former ter- ritory of the FRG)	51.5	72.1	35.8	72.4
Estonia	49.5	68.6	33.6	70.4
Ireland	29.8	60.9	21.6	62.2

² An individual is employed if having spent more than 7 months in employment (full-time and part-time work) during the income reference period.

³ https://ec.europa.eu/eurostat/databrowser/view/hlth_dlmo10/default/table?lang=en

Greece	35.5	58.5	29.8	58.9
Spain	44.3	60.5	33.8	62.0
France	56.2	66.1	59.6	68.0
Croatia	33.0	55.8	31.6	55.0
Italy	45.6	58.9	37.0	59.4
Cyprus	46.4	70.9	41.4	71.7
Latvia	50.8	62.6	40.7	63.1
Lithuania	40.4	63.2	32.5	63.9
Luxem-bourg	62.5	64.9	48.3	67.2
Hungary	23.7	61.1	18.1	60.9
Malta	34.4	59.2	29.9	60.5
Netherlands	42.7	80.1	39.4	80.4
Austria	60.3	75.6	48.2	76.4
Poland	33.9	63.9	26.2	63.9
Portugal	51.0	67.8	44.0	69.6
Romania	31.8	63.5	23.9	64.8
Slovenia	47.0	68.4	43.9	70.3
Slovakia	31.9	62.6	29.2	63.4
Finland	60.8	73.2	50.6	74.8
Sweden	66.2	75.7	61.5	76.6
Iceland	66.9	84.0	66.8	85.2
Switzerland	69.0	81.6	65.0	82.5
United Kingdom	47.6	75.4	36.0	76.0
Turkey	41.1	51.0	40.1	51.1

5.1. Statistical data of employment of persons with disabilities (national contexts)

5.1.1. The case of North Macedonia

EARNM conducts a constant statistical analysis of the employment rate of persons with disabilities. These statistics are the main indicators in creating the employment policy for people with disabilities, especially in creating the annual Operational Plan. The last published report of this agency dates from 2020.

The following graph shows the jobseekers. In all the presented years, the statistical indicators indicate a higher number of active in relation to passive job seekers. In 2020 we have the largest number of active job seekers. (Борнарова, Богоевска, 2021).

Figure 2: Overview of active and passive job seekers in North Macedonia in the period 2013-2020

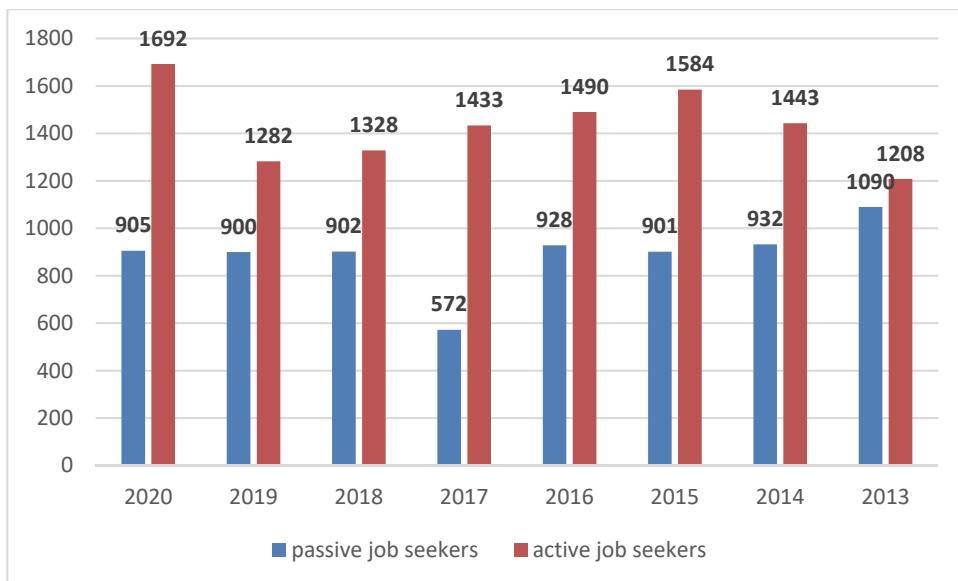


Table 2: Employees with disabilities in the period from 2012 to 2020

Year	Protective company	Public, state sector	Other company	Self-employed persons with disabilities	Total
2020	289	63	665	23	1040
2019	348	73	908	28	1357
2018	415	77	851	35	1378
2017	390	43	843	36	1312
2016	338	54	781	86	1259
2015	297	118	755	30	1200
2014	335	167	703	39	1244
2013	325	51	761	48	1185
2012	331	56	790	28	1205

We can conclude that in recent years the number of employees with disabilities is decreasing, while 2020 their number is the lowest. In 2020, there was a reduced number of employment of persons with disabilities in all employment models. Although the 2021 report has not been released yet, due to the pandemic with Covid 19 and the economic crisis, we do not expect positive changes in this segment, hoping that the steps taken under the Operational Plan will stimulate a tendency to increase the employment rate of persons with disabilities.

The official website of the EARNM provides a review analysis of the structure of unemployed persons with disabilities for 2021, the data are structured by gender, age structure, level of education and type of disability.⁴

Table 3: Overview of unemployed persons with disabilities by age structure

Age structure	Women (f)	Man (f)	Total (f)
15 -19	5	6	11
20-24	13	58	71
25-29	35	74	109
30-34	58	85	143
35-39	77	131	208
40-44	68	117	185
45-49	67	154	221
50-54	60	121	181
55-59	71	122	193
above 60	48	112	160
Total	502	980	1482

From the statistical indicators in the Table 3, we can see that most of the unemployed are aged 45 to 49 years. In terms of gender, the number of men is almost twice high compared to the number of women. Regarding the level of education, the largest number of unemployed persons are without and with primary education, 924 persons or about 62%. A detailed overview is given in Table no. 4.

Table 4: Overview of unemployed persons with disabilities by level of education

Level of education	Woman (f)	Men (f)	Total (f)
Without education and with primary education	301	623	924
Incomplete secondary education	78	168	246
Complete secondary education	105	169	274
High education (VI degree)	3	4	7
High education (VIII degree)	15	15	30
Master's degree	0	1	1
PhD	0	0	0
Total	502	980	1482

⁴ ABPCM (2022): Лица со посебни потреби, достапно на <https://av.gov.mk/lica-so-posebni-potrebi.nspnx>

Regarding the type of disability, most of them belong in a general category - persons with developmental disability, 677 persons or 46%. But this is not a specific category of disability, the term is essentially a synonym of the term people with disabilities, hence we can't know what disability these people face. Another category that remains undefined is "Other uncategorized types of disability", but it remains unknown what kind of disability it is, especially since they are highlighted as uncategorized (Table 5).

Table 5: Overview of unemployed persons with disabilities by type of disability

Disability	Women (f)	Men (f)	Total (f)
War disabled person	5	12	17
Labour disabled person	25	41	66
Visual impairment	28	65	93
Hearing impairment	42	54	96
Speech disorders	7	12	19
Physical disability	119	216	335
Persons with developmental disability	206	471	677
Persons with combined disabilities	38	66	104
Other categorized types of disability	9	17	26
Other uncategorized types of disability	22	21	43
Speech and hearing impairments	1	5	6
Total	502	980	1482

5.1.2. The case of Cyprus

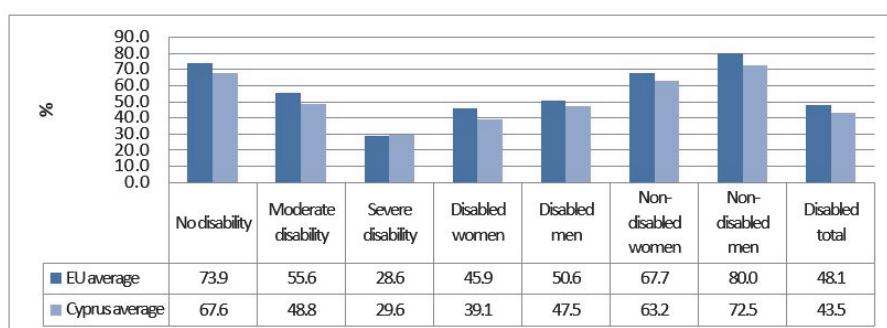
According to the available estimates from the European Union Statistics on Income and Living Conditions (SILC data), the disability employment rate in Cyprus appears slightly higher than might be expected from the EU

trend, across the life course, falling only just below the EU average and above it for those with severe disability (Mavrou and Liasidou, 2020). The difference from the EU average is higher for women (6.8 percentage points) than men (3.1 points). Indicatively both women do not seem to benefit from the general uplift in employment rates in Cyprus. At the same time, Cyprus has a high unemployment rate, with a disability gap higher for men (12 percentage points) than women (7.6. percentage points). It is possible that the generally difficult labour market conditions since the financial crisis of 2013 and the crisis of COVID-19 pandemic still mask the underlying extent of the disability challenge and, in its 2017 Concluding Observations, the UN Convention on the Rights of Persons with Disabilities (CRPD) Committee expressed concerns about the high level of unemployment.

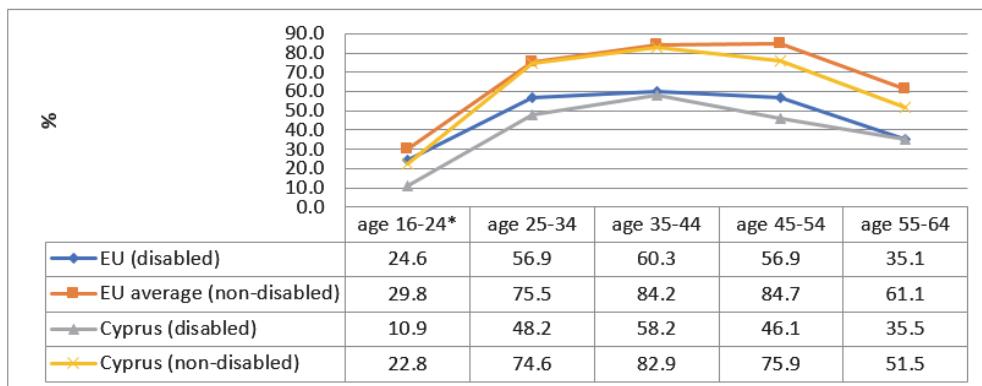
Mavrou and Liasidou (2020) argue that we need to be cautious in interpreting the headline indicators as small survey disability sample sizes in Cyprus may affect the reliability of data and making further disaggregation particularly challenging. As observed by the UN CRPD committee, there is 'lack of gender, age and disability disaggregated data regarding employment of persons with disabilities' in Cyprus. The Cyprus Government does not publish regular official statistics on disability and employment, and no such data is collected in its national Labour Force Survey. The only published data derives from the ten-yearly ad hoc modules to the EU-LFS (European Union Labour Force Survey), most recently in 2011, which indicated an employment gap of more than 24 percentage points for persons declaring basic activity limitations.

With respect to employment of people with disabilities, the Pancyprian Alliance for Disability Alternative report on the implementation of the UNCR-PD mentions that according to the Alliance member's archives, the percentage of severely disabled people who are excluded from the labour market reached 60% in 2011 and was estimated to approach 80% in 2016.

Figure 3: Employment rates, by disability and gender (aged 20-64)

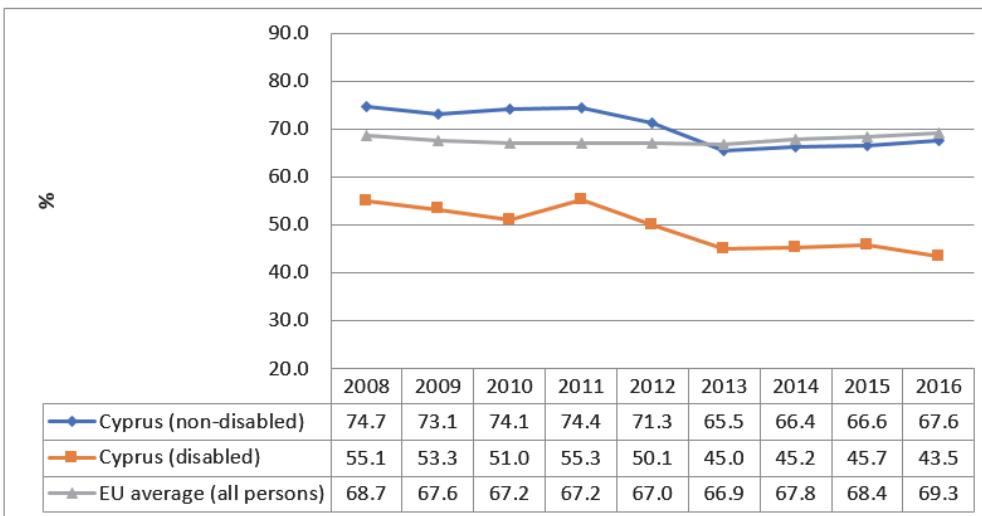


Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)

Figure 4: Employment rates, by age group

Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)

Note: It is important to exercise caution in analysis of the youngest disability age group, where the number of observations is less than 50 in Cyprus (an average of recent years may be more reliable).

Figure 5: Trends in employment by disability status (aged 20-64)

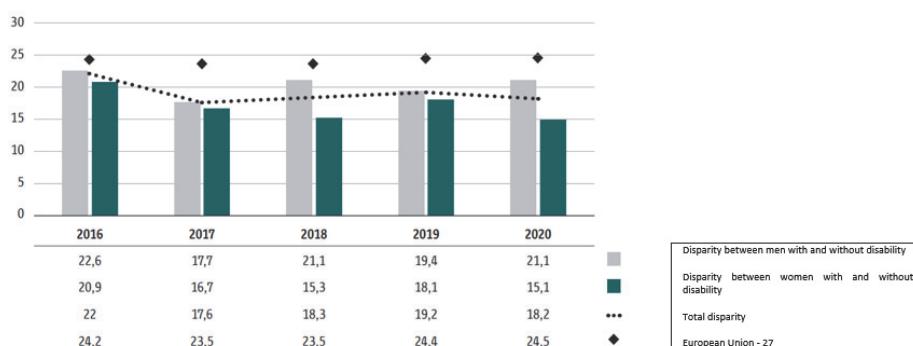
Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)

5.1.3. The case of Portugal

Based on Pessoas com Deficiência em Portugal - Indicadores de Direitos Humanos 2021 (People with disability in Portugal – Indicators of the Human Rights 2021) and data from the Survey on Living Conditions and Income

(ICOR),⁵ made available by the European Union Statistics Service – Eurostat, results show that in 2020 in Portugal, the difference in the employment rate between people with and without disabilities (“disability in employment gap”) was 18.2 percentage points. In evolutionary terms, it was found that, in Portugal, between 2018 and 2019 the disparity increased, but in 2020 it decreased again slightly (-1 p.p. compared to 2019). Over the past few years, the difference in the employment rate between people with and without disabilities has been lower in Portugal than the average for EU-27 countries, where, in 2020, the difference was 24.5 percentage points (see Figure 6).

Figure 6: Evolution of the disparity in the employment rate between people with and without disabilities, by sex, 2016-2020 (15-64 years old; Portugal; EU-27; percentage points)

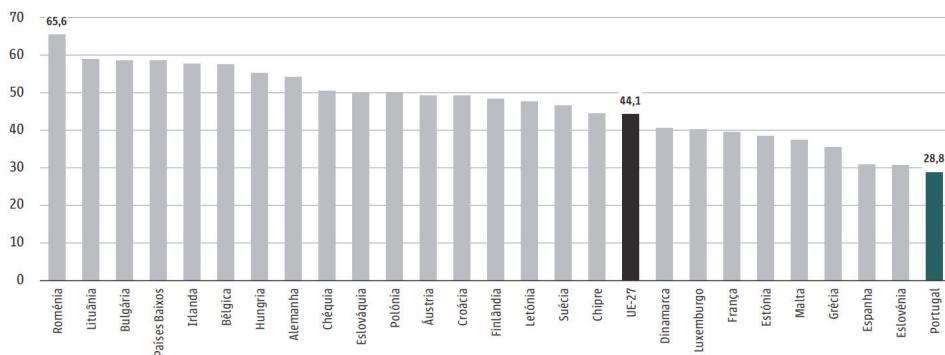


Fonte: Eurostat (2022a). Disability employment gap by level of activity limitation and sex (source EU-SILC). Disponível em: https://ec.europa.eu/eurostat/databrowser/view/hlth_dlm200/default/table?lang=en.

About differences by sex, there is always a greater disparity between men with and without disabilities than among women with and without disabilities, reaching, in 2020, the difference of 21.1 p.p. for men, and 15.1 p.p., for women. When analysing, however, this indicator, by degree of severe disability, it is observed that, in 2020, in Portugal, the gap between the population without disabilities and those with severe disability stands at 28.8 percentage points (see Figure 4). The disparity in the average of the countries of the EU-27 was much higher, at 44.1 percentage points; Portugal presents, otherwise, the lowest value among all Member States for this indicator, in contrast for example with countries such as Romania (65.6 p.p.), Lithuania (58.9 p.p.) and Bulgaria (58.6 p.p.).

⁵ In the Survey on Living Conditions and Income (ICOR) the following question is asked: “During at least the last six months, to what extent did you feel limited to perform activities considered usual for most people due to a health problem?”. Response options are as follows: (1) Severely limited; (2) Limited but not severely; (3) Nothing limited. The identification of the level of activity limitation is used as an approximation to identify people with moderate ('Limited but not severely') or severe ('Severely limited') disabilities.

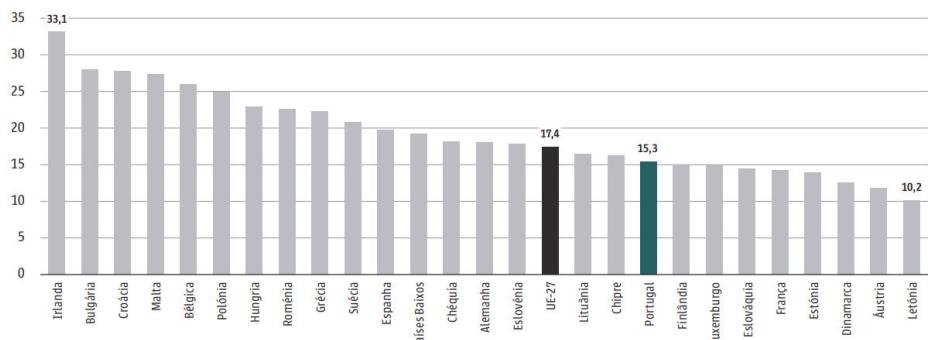
Figure 7: Employment rate gap between severely disabled and non-disabled people, 2020 (15-64 years; percentage points)



Fonte: Eurostat (2022a). *Disability employment gap by level of activity limitation and sex (source EU-SILC)*.
Disponível em: <https://ec.europa.eu/eurostat/databrowser/view/hlth_dlm200/default/table?lang=en> (dados sobre Itália não disponíveis).

Looking at the differences between the population without disabilities and those with moderate disabilities, in 2020, a change in the value of the disparity and, at the same time, of Portugal's relative position in the group of EU-27 countries: the disparity is reduced to 15.3 percentage points (see Figure 5), but Portugal drops from the first to the ninth position among Member States with the lowest disparity. Also, in 2020, the countries that recorded the greatest discrepancies were: Ireland (33.1 p.p.), Bulgaria (28 p.p.) and Croatia (27.8 p.p.). In contrast, the smallest differences between people with moderate and non-disabled were found in Denmark (12.6 p.p.), Austria (11.7 p.p.) and Latvia (10.2 p.p.)

Figure 8: Employment rate gap between moderate disabled and non-disabled people, 2020 (15-64 years; percentage points)



Fonte: Eurostat (2022a). *Disability employment gap by level of activity limitation and sex (source EU-SILC)*.
Disponível em: <https://ec.europa.eu/eurostat/databrowser/view/hlth_dlm200/default/table?lang=en> (dados sobre Itália não disponíveis).

6. Inclusive approach to employment of persons with disabilities - European practices

Combating all forms of discrimination against persons with disabilities is at the heart of the UNCRPD. The EU has put a comprehensive body of EU anti-discrimination legislation in place to ensure equal treatment regardless of sex, sexual orientation, racial or ethnic origin, age, religion or belief.¹ The Employment Equality Directive provides for specific measures to ensure equal treatment of persons with disabilities. A gap exists in EU law to ensure equal treatment of persons with disabilities outside the field of employment, such as social protection, healthcare, education and access to goods and services, including housing. Pending the adoption of a Commission proposal for a Council Directive on Equal Treatment,² persistent inequalities and discrimination underline the need for further progress in EU legislation. (European Commission 2000, 2006 and 2008).

Education creates the foundations for combating poverty and for creating fully inclusive societies. Persons with disabilities have the right to participate in all educational levels and forms including early childhood education and care on an equal basis with others.

Education institutions and the relevant legislation must provide the conditions for an inclusive approach. There is still a considerable need for action as demonstrated by the gaps in educational outcomes between learners with and without disabilities. More young persons with disabilities leave school early and fewer learners with disabilities complete a university degree. Many children and young persons with disabilities are enrolled in special schools which do not always offer effective bridges to the mainstream education system, continued training, or to the labour market. No sufficient systematic research has been carried out so far on the conditions necessary for learners with disabilities to succeed, including learners with invisible disabilities such as autism, dyslexia, or hyperactivity. Confinement measures during the COVID-19 pandemic added urgency to develop measures making inclusive and accessible remote learning an option for all.

¹ Racial Equality Directive (2000/43/EC); Employment Equality Directive (2000/78/EC); Equal Treatment Directive (2006/54/EC).

² Proposal COM/2008/0426 for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation

6.1. Inclusive approach to employment of persons with disabilities in North Macedonia

The inclusive approach is the only way to ensure increased participation and reduced exclusion from the social community and social (common and collective) conditions and opportunities.

Inclusive skills development policies that ensure that persons with disabilities, both women and men, have the same access to the labour market are more cost-effective and more successful in terms of results than specialized approaches. There are an increasing number of examples of mainstream vocational training services, including apprenticeship schemes that include persons with disabilities.

Youth employment is an area where more attention could be paid for improving inclusion of persons with disabilities. Initiatives in the areas of apprenticeship, digital skills and entrepreneurship are all essential for young women and men with disabilities. These mainstream initiatives share a number of common elements:

- Accessibility of premises, by ensuring that premises meet national or global accessibility standards;
- Workplace adjustments on an individual basis for a person with a disability;
- Accessible training materials;
- Accessibility of information materials;
- Staff that has been provided with disability awareness training;
- Outreach activities targeting persons with disabilities and their organizations. (ILO, 2018)

Current policies and the social environment have a side impact on the supply and demand. Creating an inclusive approach to the labour market is impossible without focusing on:

- Averting stereotypes;
- The legal framework, often combining anti-discrimination legislation and affirmative action measures;
- Disability benefits schemes, which should be designed to promote labour market participation;
- Assistive technology in the approach to work.

6.1.1. Inclusive approach to employment of persons with disabilities in Cyprus

The Ministry of Labour and Social Insurance of the Republic of Cyprus, founded a Department for Social Inclusion of Persons with Disabilities which established a new organisation, named the Organisation of Vocational Development and Rehabilitation. This organisation aims to design and implement vocational training programmes and to co-ordinate or provide funding for programmes that promote disabled people's employment, either in the open market or in sheltered workplaces. More importantly, the department is now working towards the development of a unified disability assessment plan, which is expected to facilitate disabled people's inclusion in different areas (society, education, employment) (Supported Employment and Career Development for people with Disabilities Project, 2015).

National disability strategies, plans and targets relevant to EU2020

In December 2017 the Department for Social Inclusion of People with Disabilities published the First Disability Strategy 2018-2028 and the Second Disability Action Plan 2018-2020, both of which were approved by the Council of Ministers. The documents were developed after consultation with disability organisations in Cyprus, although these expressed their disagreement even after the finalisation and publication (Mavrou and Liasidou, 2020)

The First Disability Strategy refers to a ten-year framework based on the strategic planning principles of the Ministry of Finance and is connected to the UN recommendations to Cyprus as well as the European Disability Strategy 2010-2020. The aim of the Strategy is to identify the vision, values and strategic objectives for national implementation of the rights of the citizens with disabilities, by providing guidelines to all competent agencies for actions that will add value to and further improve the quality of life of persons with disabilities (Mavrou and Liasidou, 2020).

The relevant strategy indicators (achievements and goals) are rather general and not quantified as targets in relation to the EU2020 headline indicators but can be considered as compatible in employment, education, poverty or social exclusion. In terms of employment, it is stated that 'integration to employment with the operation of vocational education programmes, employers and employees' incentives and provision for supportive mechanisms and incentives for self-employment'. (p. 4, par. 4.7).

The Second Disability Action Plan 2018-2020, that accompanies the First National Disability Strategy, includes 46 actions that are already in progress as well as 40 new actions (Mavrou and Liasidou, 2020). The main expected outcomes of the suggested actions involve the promotion of:

- independent living, social inclusion and social protection of persons with disabilities, relevant to the fighting;
- employment and professional education;
- education services;
- accessibility in physical and structural environment, in transport and in information;
- in health and rehabilitation service provision;
- in information and awareness regarding disability issues.

6.1.2. Inclusive approach to employment of persons with disabilities in Portugal

The IEFP (Instituto do Emprego e Formação Profissional - Employment and Vocational Training Institute) presented a Program of Employment and Support to the Qualification of Persons with Disabilities and Disability. This program seeks to support employment and qualification within the scope of professional rehabilitation that includes several modalities of support aimed at people with disabilities who have difficulties in accessing, maintaining and progressing in a job.

The Program comprises the following measures and modalities:

- Support for Qualification - measure that consists of development of initial and continuous training actions aimed at providing persons with disabilities and incapacities of the knowledge and skills necessary to obtain a qualification that allows them to carry out an activity on the labour market, keep their jobs and progress professionally in a sustainable way;
- Support for Integration, Maintenance and Reintegration into the Labour Market - measure that comprises a set of support that facilitates the integration, maintenance and reintegration of its recipients into the labour market.

It includes the following modalities:

- Information, assessment and guidance for qualification and employment – support for people with disabilities and inability to make an informed choice of their professional path through the identification of stages and the

most adequate means to raise their level of employability and to enter the labour market;

- Support for placement – promoting the insertion of people with disabilities in the job market work, through a mediation process developed by the resource centres of the support network of the IEFP, IP equating aspects related to accessibility, adaptation of the workplace, development of general employability skills, as well as raising awareness of employers for the benefits of hiring Program recipients, supporting the candidate in the support in active job search and self-employment creation;
- Post-placement follow-up – technical support to employers who hire people with disability and incapacity and to workers with disabilities and incapacity, aiming at maintaining the employment and career progression, through specialized interventions in the field of rehabilitation developed by the resource centres of the IEFP, IP support network, such as: adaptation to the functions to be developed in the workplace; integration into the company's social and labour environment; development of personal and social behaviours appropriate to the status of worker; accessibility for visits to the company's premises by workers with disabilities and incapacity;
- Adaptation of jobs and elimination of architectural barriers – financial support to employers who need to adapt the equipment or the workstation to the functional difficulties of the worker with disability and incapacity hired through an open-ended or fixed-term employment contract with a minimum initial duration of 1 year or who keep in their staff workers who have acquired disability, as well as eliminating physical obstacles that prevent or hinder access to the worker with whom they enter into an employment contract under the above-mentioned conditions at the place of work or their mobility within the premises.

7. Re-thinking organizational aspects of the employment system of persons with disabilities

The right to work and employment is a fundamental right enshrined in Article 27 of the UN Convention on the Rights of Persons with Disabilities. However, it is also far from being a reality for millions of persons with disabilities willing to work.

Across the EU, persons with disabilities are far less likely to be employed than persons without disabilities. The latest available EU-level data is from 2019 and shows that persons with disabilities in the EU are 24.4 percentage points less likely to be employed than persons without disabilities. Only 50.8 % of persons with disabilities are employed, compared to 75 % of persons without disabilities. The situation is even worse for women with disabilities. On average only 48.3% of women with disabilities are in employment. The figures are even lower when looking at full-time employment with solely 20.6% of women with disabilities and 28.5% of men with disabilities working full-time. Among the most affected are persons with psychosocial disabilities and persons with intellectual disabilities.

The barriers to quality employment add to the problem of poverty and social exclusion faced by persons with disabilities. The latest EU-level figures from Eurostat suggest that 28.4% of all persons with disabilities in the EU live in poverty.

For the European Disability Forum, guaranteeing access to employment and occupation in the open labour market is a key issue, as it is a crucial aspect for the economic and social inclusion of 100 million persons with disabilities in Europe.

Unemployment may lead to poverty and social exclusion. Barriers preventing access to the employment market are most of the times based on misconceptions and judgments on a person's abilities.¹ In the context of the implementation and assessment of the Europe 2020 Strategy, the EU Disability Strategy 2010-2020, and the European Pillar of Social Rights, it was organized the side event explored the risk of poverty and social exclusion for persons with disabilities when entering into employment, as well as the interplay between wages and disability benefits to ensure adequate incomes.

¹ <https://www.edf-feph.org/employment-policy/>

Through this side event, it was discussed how to guarantee that employment ensures both a sustainable route out of poverty, as well as contributes to the improvement of people's overall well-being and social inclusion.

The emerging recommendations to EU policy-makers:

- 1) Facilitate the freedom of movement of persons with disabilities when moving across borders to live and work. This could be achieved partly through an EU Directive harmonising recognition of disability assessment in all Member States. It could also be facilitated by creating a standard format of disability certification and agreed standards of recognition that are valid throughout the Union. This would mean that a person with disabilities moving abroad will automatically have their right for services recognised in their new country of residence and be able to take up professional activity faster and with less difficulty.
- 2) Facilitate the coordination of in-work benefits and services, to ensure better continuity in the support granted to a person with disabilities moving abroad. Existing EU social security coordination legislation, including Regulation 883 with regards to persons with disabilities, mostly focuses on those who are economically inactive. This must be expanded upon, as there are many economically active persons with disabilities who are able and willing to work, but require support services and reasonable accommodation for equal access to the labour market, including in cross-border situations while exercising their right to free movement.
- 3) Support Member States in facilitating entry to work by:
 - offering flexibility in disability benefits, to prevent the risk of people losing entitlement to future disability allowance once they have entered employment. A person's condition and ability to work might change over time, and they should not risk losing their safety net because they actively sought employment;
 - allowing for the continuation of disability allowance used to reimburse the cost of assistive devices, technologies, etc, while a person is in employment. The extra cost of living linked to having a disability should be minimised by the continuation of these benefits even when a person is employed;

- ensuring quality of work and employment, including living wages and access to trade unions, for workers with disabilities, including those working in sheltered workshops.

These points, which pertain to Member States' competences, should be underlined during the European Semester process, and explicitly mentioned in the Country Reports and the Country Specific Recommendations.

- 4) Ensure that workers with disabilities can remain on the labour market through providing adequate support and reasonable accommodation. Beyond ensuring that persons with disabilities do not face in-work poverty, assisting them in maintaining work is also a step to preventing the risk of poverty and social exclusion. It is key to ensure support from a long-term perspective. It means that the continuity of the support to workers should not only be ensured but also adapted and flexible to the evolution of the worker's need for support. The right to request flexible working time arrangement contained in the Work Life Balance Directive should be fully respected. Workers with disabilities should have access to career advancement opportunities on an equal basis with others. Furthermore, we think it would be necessary to have a Directive harmonising reasonable accommodation standards throughout the EU for workers with disabilities and older people.

7.1. North Macedonia

In order to improve the employment system of persons with disabilities, it is necessary to advance all relevant stakeholders involved in that process. For crucial changes in the system that encompasses persons with disabilities and their equal participation and inclusion in the labor market it is necessary to:

- Create solid base for equalization of the Laws and Regulations, important for the realization of the process of professional rehabilitation and employment of persons with disabilities. Implementation of the social model for definition and classification of persons with disabilities and their inclusion in the social environment;
- Stimulate employers for increased use of the means for adaptation at the workplace and job training, having in mind that the persons with disabilities will have the most benefits mostly from it;

- Implement the provisions for employment assistants of a disabled person as a right established by the Law on Employment of Disabled Persons;
- Strengthen the cross-sectoral cooperation of the relevant institutions in the employment process and further support of persons with disabilities;
- Encourage the employment of persons with disabilities in the open labour market through the development of incentive forms for their employment;

Regarding the increasing of the visibility of the persons with disabilities, it is necessary to provide:

- Assistance in job seeking, acquisition of basic skills for job seeking or employment mediation;
- Preparation for work by acquiring basic work habits, skills and competences (development of "soft skills", such as interpersonal communication skills, adoption of standards of professional conduct, timeliness and accuracy, appropriate dress code, interaction with superiors and co-workers in a particular job);
- Education and training - formal education and non-formal participation in training programs for various occupations in order to improve skills and increase employment opportunities;
- Creating an information platform that will connect on the one hand persons with disabilities as unemployed active job seekers and employers on the other hand;

Regarding the preparation of the inclusion of the immediate environment, it is necessary to continue with:

- Improving the awareness of employers about the benefits for supported employment of persons with disabilities in the labour market;
- Informing, affirming and raising awareness of the general population about the importance of the inclusion of persons with disabilities in the labour market and the benefits of their inclusion in the open labour market;
- Strengthening the human capacity to work with people with disabilities in all key institutions in the system.

7.2. Cyprus

Access to employment is a standout among the most troublesome issues confronted by disabled people in Cyprus, as more than 10,000 disabled people who have appropriate qualifications remain unemployed (Parlalis, 2013) introducing a series of adverse effects such as financial volatility and mental distress (Petasis, 2021).

As unofficial estimates on employment in Cyprus gathered from associated organisations, such as the Department of Social Inclusion of Persons with Disabilities, indicate registration of approximately 12,000 disabled people as unemployed (nearly 16% of the all 75,000 unemployed people out of the 428,000 working-age people) (Ministry of Labour and Social Insurance, 2013).

Petasis (2021) carried out a study that explored the unemployment and underemployment status of individuals with physical disabilities in Cyprus, through the collection of primary data. It was found that approximately 42% of the disabled people who participated in the study were unemployed.

The key finding contributing to the literature is the fact that the *type of disability* significantly associates with the employment status of disabled people in Cyprus, indicating that people with certain disability types (such as visual disabilities) have higher probabilities of being employed, compared to other people with different types of disability, such as paraplegia or dystrophy.

This finding is confirmed by Mavrou and Liasidou (2020), who investigated the Annual Reports of the Committee for the Protection of the Rights of People with Intellectual Disabilities, and found that the majority of adults with intellectual disabilities in Cyprus are unemployed (84%) or underemployed. Recent studies also indicate concerns on the prevalence of discriminatory attitudes towards persons with disabilities, both in the private and public sector.

Mavrou and Liasidou (2020) argue that the lack of data regarding the unemployment of disabled people in Cyprus makes the attempts that aim to measure the impact of the measures for people with disabilities difficult. Assessment of the impact of policy changes is hard to conduct because of the lack of a disability registry, disability related data or connected databases between the various social and public services. Even though the Department for the Social Inclusion of People with Disabilities has long suggested the intention to create a national data base on disability, it is still the case that there is little

progress towards this end. The new system for disability assessment is intended to lead towards the development of a national disability records system in line with Article 31 CRPD.

Figure 9: Unemployment rates by disability and gender (aged 20-64)²

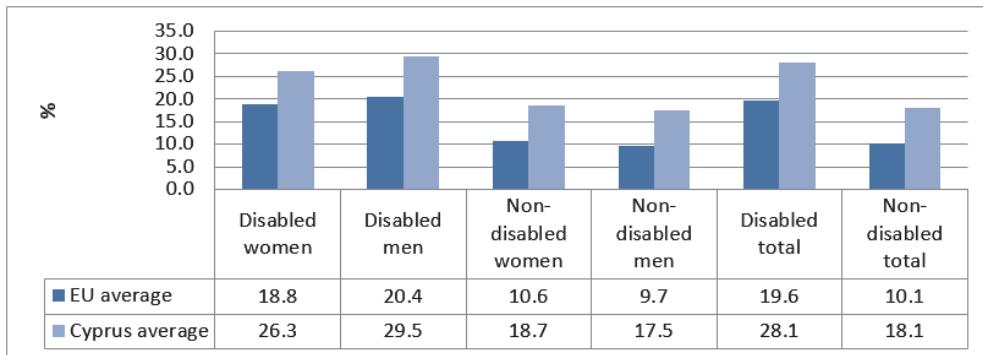
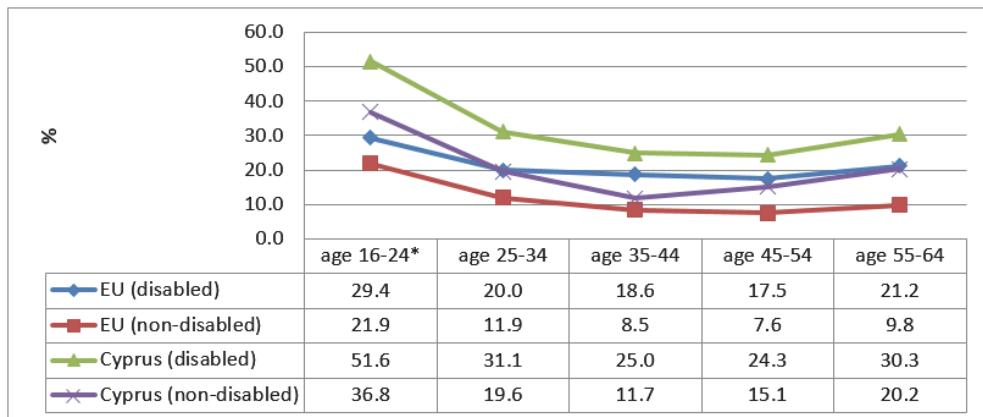


Figure 10: Unemployment rates, by age group³

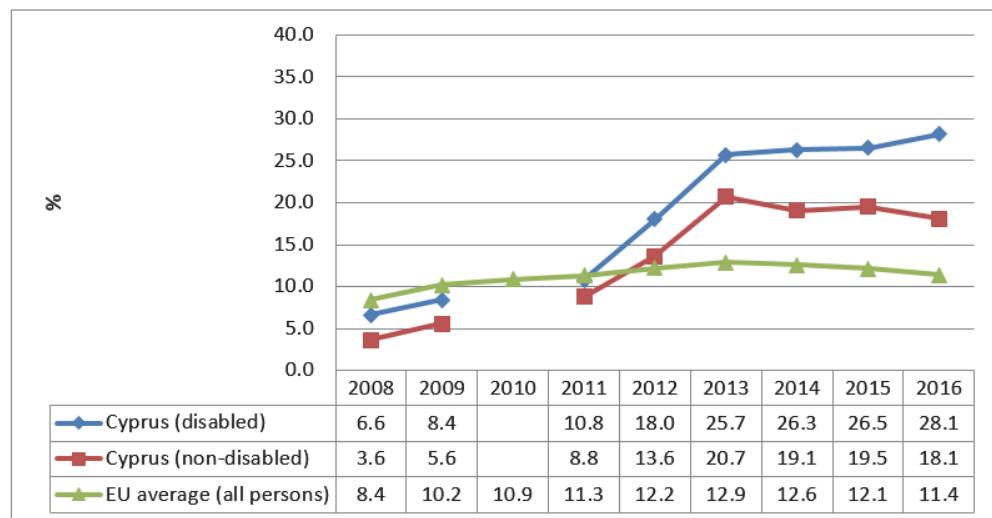


Note: It is important to exercise caution in analysis of the youngest disability age group, where the number of observations is less than 50 in Cyprus (an average of recent years may be more reliable).

² Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)

³ Ibid.

Figure 11: Trends in unemployment rate, by disability status (aged 20-64)⁴



Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)

Issues regarding the employment of people with disabilities in Cyprus

One of the disadvantages of supported employment in Cyprus is the limitation for job alternatives. The job coaches often find works to the disabled people in a fairly small area of employment and particularly the food industry. These jobs are often low-skilled jobs, such as assistant worker at supermarkets, warehouses, car laundries, garden cleaning etc. Thus, this enhances the risk of promoting negative images of disability by promoting the idea that these people can only succeed in these tasks. So, there is an urgent need to change the attitude of the state around the capabilities of individuals with developmental disabilities and the employers should not employ the people with disabilities having in mind their disability and not perceived their role in employing a disabled person as a charity. In this effort, one of the measures that can be taken is the creation of rehabilitation centres over the country with all necessary infrastructures that will provide vocational training in accordance to the needs of the labour market, and will take into account the employability prospects of each individual person (Supported Employment and Career Development for people with Disabilities Project, 2015).

In addition, job coaches receive limited training and complain about low salaries, which may lead to inadequate coaching skills and poor motiva-

⁴ Ibid.

tion for assuming the work of a coach (European Commission, 2012). Therefore, there is a need for qualified personnel to deal with the assessment of the skills, needs and interests of people with disabilities, in order to provide appropriate counselling and job opportunities (Supported Employment and Career Development for people with Disabilities Project, 2015).

Furthermore, Mavrou and Liasidou (2020) criticise the implementation of the Quota system in Cyprus. They argue that its implementation is not beneficial for a large number of people with disabilities and especially for those groups that face the greatest challenges in obtaining a recognised secondary education degree. Quota applicants are expected to hold all the necessary qualifications for the job, and to pass any written or oral exams required for the job and to be able to respond to the duties entailed in the job. These provisions exclude many people with disabilities, as many jobs require beneficiaries to have obtained a state-recognised secondary education graduation certificate, while qualifications of people with disabilities, including graduation from special schools, special units or mainstream schools under the status of observer are not recognised.

At the same time, even in the cases that people with disabilities have the opportunity to apply for a vacancy in the wider public sector, they will have to go through an assessment process (New System for the Assessment of Disability and Functioning) that according to disability movement representatives and academic research utilizes a conceptual framework informed by a medical approach to functionality.

In addition, the same researchers point out that the principle of reasonable accommodations is largely ignored by incumbent committees that have the final say in the recruitment process, as also criticised by the Pancyprian Alliance for Disability. In their Submission to the List of Issues of the Committee on the Rights of Persons with Disabilities in relation to the initial report of Cyprus (February 2017), the Pancyprian Alliance for Disability, state that the majority of DPOs have already expressed their disappointment that practical implementation of the Law does not take into consideration legal obligations to provide reasonable accommodations to prospective employees with disabilities.

Mavrou and Liasidou (2020) argue that the current Law needs to be revised and modernized in alignment with similar Laws in other European Countries. The Law is problematic as it does not apply to the private sector. The revision of the Law regarding the quota system was also mentioned by the Concluding Observations of the UN Committee in 2017, who recommended that ‘the private sector is also covered by a quota system’.

The ‘reasonable measures’ caveat articulated in the Individuals with Disability Law (N. 127(I)/2000), is contingent on financial considerations, which give legal space to employers to evade their legal obligations towards disabled individuals. According to the stipulations of the Law ‘Reasonable measures’ can be implemented only to the extent to which they do not place disproportionate economic burden on the employer concerned, which is also indicated by research data (Mavrou and Liasidoy, 2020). Existing provisions of the same law raise significant legal barriers to maximizing the employability level of people with disabilities and also legitimise the options for charity and donations vs the State’s obligation (Article 5(c)72(I)2(d)).

7.3. Portugal

In 2020, the disparity in the employment rate between people with and without disabilities was 18.2 percentage points, as referred previously in this report; in the same year, registered unemployment of people with disabilities in Portugal grew by +11.6% compared to 2019.

In this group, however, and contrary to what happened in the general population, in December 2021 the total number of people with disabilities registered as unemployed continued to increase (+1.2% compared to the same period last year), corresponding to 4.2% ($N = 13\,583$) of the total of unemployed. In absolute terms, the value recorded in December 2021 ($N = 13\,583$) was the highest since this indicator was recorded in the ODDH (since 2009; see Pinto & Pinto, 2019).

These data suggest a greater difficulty faced by people with disabilities in accessing to the job market, clearly showing a greater difficulty of women with disabilities in accessing employment. International literature (see for example Brown & Moloney, 2019; Moodley & Graham, 2015) has identified more labour market barriers for women with disabilities than for men, due to the combined effect of disability-based discrimination and in the gender.

- Over the last few years, there has been a "growing trend of increasing employability numbers of people with disabilities". Portugal has shown that the *question of inclusion of people with disability is a priority*; but still many improvements must be made, especially in the accessibility question;
- *Application of the law.* For example, the practice of a new system of employment quotas for people with disabilities, with a degree of disability equal to or greater than 60%, that obliges medium-sized

companies with a number of 75 employees or more to hire at least 1% of workers with disabilities, while large companies are obliged to hire at least 2%, is not being totally applied by many companies.

- The Secretary of State for the Inclusion of People with Disabilities explained that one of the measures planned is the preparation of a quantitative and qualitative *diagnostic study on the employability situation of people with disabilities*, with the aim of presenting proposals for changes.
- *Changing mentalities and promoting non-discriminatory attitudes.* In 2020, a total of 1023 complaints were filed in Portugal for discrimination based on disability or aggravated health risk, which represents a decrease of about 20% compared to 2019 (n = 1274), but such complaints still exist, when, in an inclusive – but perhaps too utopic world – discriminatory attitudes shouldn't exist.

Some *organizations* exist to support people with disabilities in different ways. Those should be more «publicized». On the other hand, companies should be more informed about the benefits of hiring people with disabilities.

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