



Employment of people with disabilities: Role of the public sector as an employer

European perspective

Research seminar

Paris, Maison des sciences sociales du handicap, November, 28th and 29th 2013

DRAFT:

The Convention on the Rights of Persons with Disabilities (2006) “recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities” (Article 27). This is currently one of the most successful forms of recognition of the rights of persons with disabilities at the global level. However, the way this issue is taking into account in national or local policies as well as the reality of disabled people employment may vary from one country to another (for example, at the European level, see the work from the Academic Network of European Disability experts).

Within this context, this research seminar aims at looking at employment policies from different countries and more precisely **to focus on the role of the public sector as an employer: do the specificities of the public sector, if they exist, involve a particular approach to occupational integration and/or to job retention by persons with disabilities within the public services?**

The discussions could be structured around one or several of the following issues:

- **To begin, definition of what is considered as public or private sectors**
 - This distinction is quite significant in France; does it have the same impact in other countries? If yes, in which way? What are the main specificities of each sector?
- **Employment policies for disabled people**
 - Do regulatory measures regarding people with disabilities and more generally labour law differ between the public and the private sectors? What are the reasons for these differences (or the absence of differences)?
 - In some countries, quota-obligations were implemented. Quotas may be the same for public and private employers or may differ (lower, higher or no legal obligations for private employers). Other countries refuse to implement this type of policies for both public and private employers. What are the reasons or assumptions underlying these choices?

- When the choice was not using quota-obligations, are the measures taken by the authorities to support the employment of disabled people similar for both the public and the private sectors? If not, how these differences can be explained?
- What are the criteria used to define who can benefit from these employment policies? Are they similar for public and private jobs?

- ***Governance and interconnection between the different levels of decision-making and of responsibilities***
 - How the link between the central or federal level (i.e. national or state level), the regional or local level is considered? How is it implemented? Do local authorities have to follow some rules required by the central level?
 - Regarding the measures to support the employment of disabled people, whether it is quotas, non-discrimination or others, are they influenced by the fact that countries may be more or less centralised or decentralised? Are the differences among regions important within countries that have a high degree of decentralisation?
 - Has the state or national level a role to play in equilibrating the means according to the local authorities when not all of them have at their disposal the same amount of resources?
 - In the case of high decentralised systems, what are the governance tools used by States to achieve consistency in the implementation of national policies?

- ***Staff recruitment procedures***
 - What are the procedures implemented in the public sector to recruit disabled people? Do specific procedures exist? What are the criteria to benefit from these specific procedures?
 - Are there categories, areas or domains, within public services, from which people with disabilities are explicitly excluded?

- ***Public services' position regarding disability within the framework of subcontracting or public contracts***
 - Are public services collaborating with sheltered employment (if it exists) or social enterprises employing disabled people? If yes, following which procedures?
 - Within calls for public tenders, does the fact that disabled people are taken into account play a role in the award of the contract?

- ***Sheltered sector and public sector***
 - In countries where sheltered employment exists, how does the public sector develop (or not) specific relations with this sector?

Without claiming to cover all the issues related to employment of people with disabilities in the public sector, this research seminar aims at prompting comparisons between the different countries that will attend the seminar; in order to document and analyse the role of the public sector, as an employer, within the employment policies for disabled people.

PRACTICAL INFORMATION:

This invitation-only seminar will take place the 28th and 29th of November, 2013 in Paris at the Maison des Sciences Sociales du Handicap (MSSH). The objective is, in the first place, to welcome representatives from different European countries. **It will be asked to each participant to produce a critical presentation of the situation in its own country in relation with the general issue of the seminar. The presentations will be discussed throughout the seminar. By the end of the two days, the aim is to start working on a collective paper in order to summarize the discussions** (this publication aspect will lead to further discussion during the seminar). Moreover, this seminar will also be an opportunity to discuss on potential future projects.

This research seminar is organised by the department of Human and Social sciences and Health Behaviour (Department SHS) from the Ecole des hautes études de santé publique (EHESP, French school of public health - <http://www.ehesp.fr/ecole/>). It takes place within a larger four-year research programme supported by the Fonds d'insertion des personnes handicapées dans la fonction publique (FIPHFP, the fund for the integration of disabled persons in public sector employment - <http://www.fiphfp.fr/>).

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