



## Report on the employment of disabled people in European countries

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### Background:

The [Academic Network of European Disability experts](#) (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the *Thematic report on the implementation of EU Employment Strategy in European countries with reference to equality for disabled people*. The purpose of the report ([Terms of Reference](#)) is to review national implementation of the European Employment Strategy from a disability equality perspective, and to provide the Commission with useful evidence in support of disability policy mainstreaming. More specifically, the report will review implementation of EU Employment Strategy and the PROGRESS initiative with reference to policy implementation evidence from European countries, including the strategies addressed in the EU Disability Action Plan (such as flexicurity and supported employment).

## PART ONE: GENERAL EVIDENCE

### 1.1 Academic publications and research reports (key points)

Most of research programs in disabilities field were managed by INEPCESPH and National Authority for People with Disabilities. The priority of researches are education and integration of disabilities people in community, elaboration of standards in services for disabilities, therapy and recuperation, attitudes and social representations about persons with disabilities.

The partner organizations (in alphabetical order) who are implicated in research programs: The Association of the Neuromotor Disabled of Romania (AHNR), The Romanian Association of the Blind (RAB) (AB), The National Association of the Deaf in Romania (NAD), RENINCO Association in Romania, "Estuar" Foundation, The National League of the Associations for the Support of the Mentally Handicapped in Romania, soon to become Inclusive Romania (NLASMHR), The National Organization of the Handicapped People in Romania (NOHPR).

These organizations (including the other ones who are, hopefully, going to join us) consider the unification of all the voices active for the benefit of the people with disabilities/handicap as being very important, and that this „new force” results in a correct information and communication, as well as in a better visibility and an increased impact in the social dialogue.

In order to change the social perception and attitude (often negative) regarding people with disabilities their voice must be listened and valued – „Nothing about us without us”.

The opinion of the organizations representing or defending people with disabilities must be respected. *It is important to strengthen the social role of these organizations and to encourage the defining of their most efficient way of organizing themselves.*



In the establishing and constant practice of equal opportunities, according to any social phenomenon, consecrated or new, it is necessary to also involve the organizations of the people with disabilities or of their representatives

*The wide diversity of the disabled population, from the point of view of relevance and value, must be respected, regardless the type or level of disability or the geographical location.*

The only official source of data for the number of disabled persons and their disabilities are the National Authority for Disabled Persons and the National Authority for Child Protection and Adoption. According to the statistics available to these bodies, as of March 31, 2008 in Romania there were 571,028 persons with disabilities (much below the share of 7-12% in the total population calculated for EU Member States). Out of these, 57,470 were children and 513,558 were adults. These information are contested by the organisations representing disabled people, mainly because the main information source for these statistics are the data collected by the authorities in the field, and they refer to the number of disability certificates issued by each territorial commission. These statistics would reflect reality only in case each disabled person in this country did hold such a certificate.

## **1.2 Employment statistics and trends (key points)**

Getting a qualified job is conditioned by the access of the person with disabilities to the educational, orientation and vocational training structures. The vocational training system and the job denomination catalogue are out of time. The catalogue risked not officially validates the training in some specialties which are not included in it.

At this moment in Romania, only almost 13000 people with disabilities have a job (representing 2.93% of the total number of people in this situation). This serious situation has several reasons, including the fact that at the chapter „Employment of people with handicap” from Law 509/2002 makes no reference to professional training and orientation, inclusive education, technical and individual support, so that the people with handicap can get a job. The existing legislation does not make the employee interested in an effective way, on the contrary, it makes him pay a fine and refuse the employment. The majority of the facilities are given to the existing accredited sheltered units (23 in Romania), but there is no facility for the start up and operating costs for a period of 6-12 months of other sheltered units (Ghergut, 2005).

In Romania there are an important number of people with disabilities in large residential institutions, in particular for people with intellectual and mental health (psychical disease). Community services are still at an early stage of development. Those offered by the organizations for the disabled are not sufficiently promoted and valued. There are rigid legal norms, excessively bureaucratic, the accounting system provisions – which prevent or limit without justification the development of such services. Lack of a coherent and durable finance for the services provided by NGOs is well known.

The sustainability of successful projects is not ensured, sometimes inefficient services are being promoted or they are provided by persons lacking the necessary experience or skills. Essential services do not exist, especially for those people who become handicapped at an adult age. In this context, it is important to mention the excessive centralism which still dominates the protection system (*The Disability Manifesto in Romania, 2003*).

1	TOTAL POPULATION IN ROMANIA	22,408,393	0.05 %
2	TOTAL NUMBER OF EMPLOYEES IN ROMANIA	4,411,400	0.28 %
3	TOTAL NUMBER OF DISABLED PEOPLE	416,286	2.93 %

(*The Disability Manifesto in Romania, 2003*).

Employers refuse to hire disabled people, claiming that their company's profile is incompatible with the condition of these people, and in many cases disabled people are forced to give up their jobs, because the adaptations they would require for their specific needs have not been made, or because their employers or colleagues have a negative attitude.

Very many disabled people living in the rural areas find themselves in the impossibility to travel to a workplace in the urban area.

The current law does nothing to make employers interested in hiring disabled people, and they prefer to pay a symbolic fine (amounting to the minimum wage in the economy) and refuse to employ them.

No facilities (credits) are granted that could justify and stimulate the establishment of new protected units, there are no incentives offered to employers to make them create new jobs for people with disabilities.

### 1.3 Laws and policies (key points)

A present, in Romania people with disabilities benefit mainly of some rights and facilities, in accordance with Law Nr.519/2002. This law has many gaps, makes differences between disabled people according to their age and the deficiency causing their handicap, does not remove the existing barriers and does not prevent the apparition of new barriers, people with disabilities can be confronted with: educational, access to goods and services, employment, independent living, etc. Other laws make little reference to people with disabilities or are not applied – for instance the mental health law, where a lot of provisions are not applied

After the restructuring of the State Secretary for the handicapped, the new responsibilities of the National Authority for the People with Handicap (NAPH) and of the Regional Inspectorates, the abolition of the Territorial State Inspectorates and the taking over of some of their responsibilities by the county councils, make the present law nr.519/2002 incomplete, difficult to be applied and partially nonfunctional. Taking into account all these changes, of the real social conditions and of the contemporary exigencies in this matter, adopting an adequate legislation is a must.

Although the national policies have started to provide the need for social dialogue, collaboration and integrating approach in the matters regarding the people with disabilities, in reality, in each social sector, the problems of the people with disabilities are treated separately; sometimes they are avoided or even ignored. In the disability field, lack of cooperation between various governmental bodies can still be noticed. The changes promoted at the level of the authorities and institutions dealing with the problem of the disabled, are not enough in order to determine a change at the community and at the society level at large.



## 1.4 Type and quality of jobs (summary)

Unfortunately, in Romania of this moment, the persons with disabilities are not respected yet as persons with equal rights and their value and human dignity are not fully recognized. An this moment, in Romania, the person with disabilities is confronted with a series of handicaps created by the societaty. The fundamental rights are being violated, not by the way they are formulated and stipulated in the law, but by the impossibility of having real access to them. .The people with disabilities form a disadvantaged, marginalized and seldom discriminated group...

The social perception and awareness continue to be dominated by the medical model – disability derives only from the individual in question, it is often regarded as a decrease – the model of mercy (charitable-philanthropic) and that of diminished citizenship. The largely spread concept is that people with disabilities are limited people, lacking the abilities to learn and participate at important events; consequently they are regarded as being dependent. Often people with disabilities are appreciated through the perspective of their social productivity only. Other frequent activities are indifference, contempt, or fear for the problem of disability (*The Disability Manifesto in Romania, 2003*).

## PART TWO: SPECIFIC EXAMPLES

### 2.1 Reasonable accommodation in the workplace

The people with disabilities do not have an adequate voice, at the level of designing social policies and are not given yet their rightful place, as participants and decision makers in the elaboration of the strategies for the development of the society. They are either not consulted at all or their points of view are not accepted or integrated, or are not informed at all.

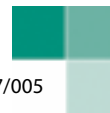
The individual does not often know, his/her rights and interests, feels lonely and isolated. There are few organizations orienting the disabled in an individual way.

The nongovernmental movement, affirming the dignity and the rights of the disabled is fairly strong and in development. *Nevertheless there are few networks and mechanism for dialog and collaboration at national leve*, and the existing ones do not receive enough support.

The relationships between people with disabilities and the professionals - giving support to the carrying out of the necessary conditions for their social integration and autonomy – are still tensed by authority and limited communication on behalf of the professionals, of lack of trust on both sides.

Although many positive experiences are known, the real partnership between the state organizations and the disabled organizations is still insufficiently developed: at decision making level at the service providing level and in providing orientation towards the necessary support forms and structures (Badescu & Osicescu, 2003).

The media often presents disability as being a „charity and philanthropic” matter, and as topic of observing fundamental human rights.



In spite of the fact that the promotion of a correct image and in general of the adequate policies regarding people with disabilities both at local and national level has started, we appreciate that ensuring their personal identity, of their autonomy of their participation at the social productive life, at the cultural, leisure activities, etc do not reach an international standard – including the policy level, attitudes and social practices

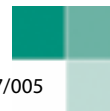
## 2.2 One example of best practice

Also, in Romania, there are isolated cases of successful and meaning employment of disabled people in the open market though the size of the phenomenon does not make them a “good practice”. It is often the individual manager who makes things happen rather than the system.

In the domain of **community services for disabled adults**, things have moved much more slowly. Law no. 519/2002 did create a legislative framework, but that framework was very general and failed to encourage the development of community support services. Ordinance no. 68 of 28 August 2003 on social services completed the framework, providing a legal basis for the supply of social services, also to disabled people. The Ordinance has come into force in January 2004, this being the first time when there is a legislative framework in Romania allowing the supply of social services by accredited NGOs with financing from the local budgets. Government Decision no. 1176 of 2 October 2003 on the performance of social services for the special protection of disabled people by non-profit-making private legal persons establishes the accreditation procedure for NGOs supplying services to disabled people.

The National Strategy for the special protection and social integration of disabled people in Romania, adopted upon the initiative of a group of NGOs, includes among its priorities the development of community support services and the prevention of institutionalisation by the establishment of family support services:

- Prevention / early prevention centres and services
- Emergency reception centres for disabled people
- Home recuperation (rehabilitation) services
- Distance education
- Respite care centres and baby sitting services
- Services for preventing child abandonment by monitoring, assistance and support for pregnant women
- Day care centres for training and recuperation for people with various types of disability: mental, neuro-motor, psycho-neuro-motor, etc.
- Protected housing
- Family-type residential services
- Centres for orthoses, prostheses, the adaptation and maintenance of equipment and devices (household appliances, architectural design, electronic devices) which make inclusion and the access to the physical environment possible
- Any other services that may contribute to the welfare of disabled people within their families.



According to the National Action Plan, all residential institutions with over 75 places will have to be closed by the end of 2006, and adequate community services will have to be developed in all counties.

Currently there are few community services for disabled adults, most of them having been created upon the initiative of local NGOs, with support from international NGOs. The disadvantage of services managed by NGOs is their financial insecurity in the medium term. There is an inequality in the financing of governmental services and the financing of NGO-managed services. The state can finance NGOs providing social services according to Law no. 34/1998. The maximum amount is ROL 600,000/month per beneficiary (EUR 16), but the amount is insufficient. Beginning with 2001, ANPH launched a project financing programme, which allows NGOs to apply for financing for the establishment and development of community services. The implementation of the provisions of Ordinance no. 68 of 28 August 2003 on social services is meant to reduce the financing discrepancies and to encourage the competitive development of the services supplied by NGOs. There are also initiatives concerning the establishment of a national organisation (federation) of service suppliers for disabled people.

The development of community services for adults with disabilities has been uneven around the country. There are areas where a network of community services has been developed. They include residential services (homes for groups and protected homes), employment services, respite care services, counselling services, advocacy and self-advocacy, community support, as well as recreational services. There are other areas in the country, however, where community services are completely non-existent.

## **PART THREE: SUMMARY INFORMATION**

### **3.1 Conclusions and recommendations (summary)**

Generally, disabled people in Est European Countries (including here Bulgaria, Romania) – are not included in the open labour market yet. Most of the employment activation policies affect positively people with disability status, who are not necessarily disabled (have no accessibility problems or difficulties in performing daily activities). In order to change the employment situation of disabled people new type of public support should be designed focusing on the individual needs of the disabled people. In addition, access to mainstream education should be wide open for children and young people with all kinds of impairments. And finally, the existing employment promotion programmes should be evaluated (from inclusion perspective) and amended in a way that would accommodate the needs of all disabled people, including those with the most severe disabilities.

Massive research should precede the process of revision suggested above. It should cover attitudes (on both sides – employers' and disabled people), levels of satisfaction and disabled citizens' aspirations.

### **3.2 References**

*The Disability Manifesto in Romania (Report of Romanian National Council of Disability)*, 2003, Bucharest.

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