

# Workability International

2013 Member Survey Report



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## Introduction

In June 2013, the Workability International (WI) Board of Directors commissioned a survey of its membership. The purpose of the survey was to gather information about existing employment-related systems, processes or methods that promote employment opportunities for people with disabilities in the public and private sectors in its member countries. A total of eighteen countries submitted responses. The intention of the WI Board is to share the survey results with its membership and in so doing provide them with information that may be helpful in lobbying their countries' governments to advance the employment of people with disabilities. Workability International wishes to thank all those who took the time to contribute to this report. Workability International also thanks SourceAmerica, and particularly Deborah Atkinson and Leejay Acham, for undertaking the production of this report.

## Background

The survey was deployed on June 13, 2013 using Survey Monkey, a web-based tool for conducting surveys. It was closed on August 16, 2013. A copy of the questionnaire is included in Appendix A – Survey Questionnaire. Members from the same country were asked to work together and submit one response per country. At the end of the field period, there were responses from 18 countries plus a summary of the employment policies within the European Union (EU). Countries that responded to the survey were Australia, Bangladesh, Croatia, Finland, Hong Kong, Iceland, India, Japan, Nepal, New Zealand, Northern Ireland, Norway, Spain, Sweden, Taiwan, Thailand, the United Kingdom and the U.S.A. Not all respondents submitted their input via Survey Monkey or in the format requested. The table below shows how data was received by the participating countries.

<b>Responded via Survey Monkey (12)</b>	<b>Responded electronically using Survey Monkey questionnaire format (4)</b>	<b>Responded in a different format to the Survey Monkey questionnaire (2)</b>
<ul style="list-style-type: none"> <li>• Australia</li> <li>• Croatia</li> <li>• Finland</li> <li>• Hong Kong</li> <li>• Iceland</li> <li>• India</li> <li>• Northern Ireland</li> <li>• New Zealand</li> <li>• Spain</li> <li>• Sweden</li> <li>• Thailand</li> <li>• United Kingdom</li> </ul>	<ul style="list-style-type: none"> <li>• Bangladesh</li> <li>• Japan</li> <li>• Norway</li> <li>• U.S.A.</li> </ul>	<ul style="list-style-type: none"> <li>• Nepal</li> <li>• Taiwan</li> </ul>

The survey questionnaire itself was divided into four (4) sections with each section covering a different topic:

1. Quotas or Quota Systems - Public Sector
2. Quotas or Quota Systems - Private Sector
3. Preference in public-sector procurement for organizations that hire people with disabilities
4. Incentives/subsidies/tax breaks to private sector firms

This report of the survey findings is organized around the aforementioned four topic areas. A high-level summary of the findings in the form of a matrix is provided on page 6. It is followed by highlights from member countries in each of the four areas. Detailed submissions by country are provided in Appendix B – Submissions by Country. Appendix B does not include countries that submitted their responses in a different format to the Survey Monkey questionnaire. References and links to additional resources are provided in Appendix C – Additional Resources.

## High-Level Summary Findings

Country	Quotas or Quota Systems – Public Sector		Quotas or Quota Systems – Private Sector		Preference in public-sector procurement		Incentives/subsidies /tax breaks
	National-level legislation/policy requiring the hiring of certain % of employees with disabilities	Local-level legislation/policy requiring the hiring of certain % of employees with disabilities	National-level legislation/policy requiring the hiring of certain % of employees with disabilities in private sector	Local-level legislation/policy requiring the hiring of certain % of employees with disabilities in private sector	National-level legislation/policy that allows or requires public-sector procurement of goods and services from organizations that hire PWDs.	Local-level legislation/policy that allows or requires public-sector procurement of goods and services from organizations that hire PWDs.	Incentives/subsidies/tax breaks/tax deductions to private sector firms that hire PWDs
Australia	No	No	No	No	Yes	Yes	Yes
Bangladesh	Yes	Yes	No	Yes	Yes	No	Yes
Croatia	Yes	Yes	No	No	Yes	No	Yes
Finland	No	No	No	No	Yes	No	Yes
Hong Kong	No	No	No	No	Yes	Yes	Yes
Iceland	No	No	No	No	No	No	Yes
India	Yes	No	No	No	No	No	Yes
Japan	Yes	No	Yes	No	Yes	No	Yes
Nepal	Yes	Not reported	Yes	Not reported	Not reported	Not reported	Yes
New Zealand	No	No	No	No	No	Yes	Yes
Northern Ireland	No	No	No	No	No	No	Yes
Norway	No	No	No	No	No	Yes	No
Spain	Yes	No	Yes	No	Yes	No	Yes
Sweden	No	No	No	No	Yes	Yes	Yes
Taiwan	Yes	Not reported	Yes	Not reported	Not reported	Not reported	Yes
Thailand	Yes	Yes	Yes	Yes	Yes	No	Yes
UK	No	No	No	No	Yes	Yes	No
U.S.A.	No	No	No	No	Yes	Yes	Yes

## Highlights: Quotas or Quota Systems – Public Sector

This section of the survey was designed to gather information about existing legislation/policy in WI member countries that requires the hiring of a certain percentage of employees with disabilities in the public sector, i.e., a quota.

Eight countries reported having legislation/policy at the national level and three countries reported having legislation/policy at the local level. Highlights from these countries are included below.

### Bangladesh

- **The Government had declared 10% quota for persons with disabilities along with orphans.** In 2003 PM had also declared 1% quota in all Cadre services. Though there is a limited awareness of employers about the potentialities of the disabled people, loophole in the system and lack of proper monitoring, the declared quota has been slowly implemented. But the Govt. is very positive and trying to assess the employment market to identify a suitable list of jobs for developing and implementing the policies.

### Croatia

- The most important legal document regulating employment of persons with disabilities is the Act on Professional Rehabilitation and Employment of Persons with Disabilities.
- It was first adopted in 2003 and amended in 2005 (two years before the UN Convention on the rights of persons with disabilities (CRPD) was ratified by Croatia).
- The Act envisioned establishing a fund for professional rehabilitation and employment of persons with disabilities and introduction of a quota system in the public sector (obligation on state and public bodies and companies to employ a certain number of persons with disabilities in relation to the total number of employees: starting with **1 person with disability per 50 employees until 31 December 2005 to 1 person with disability per 20 employees until 31 December 2017**).
- The Act envisioned establishing regional centers for professional rehabilitation but this has not been realized yet.
- No authority with a mandate of enforcing this provision has been implemented. Entities in violation of the provision, i.e., those that fail to meet the quota are obliged to pay a fine but no authority oversees whether all the fines have been paid.
- As a part of its mandate the Disability Ombudsman's office is an independent institution for monitoring, protecting and promoting the UN CRPD. It conducted a survey of state and public bodies to monitor compliance with this legislation. The results were published in the annual report for 2010 that the ombudswoman submits to the Parliament. However, the Office can only issue recommendations and warnings and cannot take any sanctions.

## India

- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, provides for **3% reservation in employment in the Ministries/ Departments of Government of India and Public Sector Undertakings.**

## Japan

- In Japan, public-sector organizations are required to achieve a statutory **minimum 2.3% (Board of Prefectural Education 2.2%) quota** of employees with physical / intellectual disabilities (Act on Employment Promotion etc. of Persons with Disabilities). On and after April 1 2018, persons with mental disorder will be targeted.

## Nepal

- Forty-five percent posts of the posts to be fulfilled by open competition shall be set aside and be filled up by having separate competition between the following candidates only, by considering the percentage into cent percent:
  - a) Women -Thirty Three Percent
  - b) Adiwasi/Janjati -Twenty Seven Percent
  - c) Madhesi -Twenty Two Percent
  - d) Dalit -Nine Percent
  - e) Disabled (differently able)-Five Percent**
  - f) Backward Area -Four Percent

## Spain

- Since 1982, the LISMI (the Ley de Integración de Social de Minusválidos - the Social Integration for People with Disabilities Act) has obliged **companies with more than 50 employees to employ 2% of people with disabilities.** Such employment is well compensated.
- If a company does not comply with this requirement as a result of justifiable causes, as established in the regulations, the company can apply the Alternative Measures provided for in Royal Decree 364/2005. These are substitution mechanisms enabling companies to comply with the regulations through the purchase of goods or services from Special Employment Centres, or through donations or sponsorship of activities that assist people with disabilities to have access to employment

## Thailand

- Government agencies with more than one hundred employees shall hire a person with disability who is able to work in any position with **a ratio of every one hundred employees without disability to one employee with disability.**



## Highlights: Quotas or Quota Systems – Private Sector

This section of the survey was designed to gather information about existing legislation/policy in WI member countries requires the hiring of a certain percentage of employees with disabilities in the private sector, i.e., a quota.

Five countries – Japan, Nepal, Spain, Taiwan and Thailand reported having legislation/policy at the national level and two countries, Bangladesh and Thailand, reported having legislation/policy at the local level. In the U.S., there are no quotas but federal contractors and subcontractors are required to meet certain affirmative action requirements that include the hiring, retention, and promotion of qualified individuals with disabilities. Highlights from these countries are included below.

### Bangladesh

- In the Constitution of Bangladesh Protibondhi Foundation (BPF) Article 4, it is mentioned that BPF has to be created income generating programs to empower the families. At present 141 families are enrolled in self-employment programs by providing cattle, rickshaws, vans, sewing machines, land lease etc. in six rural areas. A total of 7 youths from urban and 21 youths from rural areas are included in the Inclusive employment program with support of Job Placement, Brisbane, Australia.

### Japan

- In Japan, private-sector organizations that have 50 or more employees are required to achieve a **statutory minimum 2% quota of employees with physical / intellectual disabilities** (Act on Employment Promotion etc. of Persons with Disabilities). On and after April 1st, 2018, the persons with mental disorder will be targeted. Among employers, those who fail to meet the legally required employment quota (which is the equivalent of 2.0% of the employer's total workforce) must pay a levy for each person below the quota. The levy per month is ¥50,000 (¥40,000 for employers with more than 200 but not exceeding 300 regular employees as a limited-time special abatement) per person below the quota.

### Nepal

- In a factory with more than 25 employees, a minimal of 5% of the total employees must be the disabled and they have to employ according to their knowledge, physical ability, training, efficiency and experiences. These labors should get same remuneration and allowances as others. Those factories would be free from this rule if the provided work proved harmful to the health of the employed disabled

### Spain

- Since 1982, the LISMI (the Ley de Integración de Social de Minusválidos - the Social Integration for People with Disabilities Act) has obliged companies with more than 50 employees to employ 2% of people with disabilities. Such employment is well compensated. If a company does not comply with this requirement as a result of justifiable causes, as established in the regulations, the company can apply the Alternative Measures provided for

in Royal Decree 364/2005. These are substitution mechanisms enabling companies to comply with the regulations through the purchase of goods or services from Special Employment Centres, or through donations or sponsorship of activities that assist people with disabilities to have access to employment.

### **Thailand**

- From Section 33 of the Persons with Disabilities Empowerment Act, B.E. 2550 (2007)
  - For the purpose of promotion and development of life quality of disabled persons, employers and owners of business, and public agencies shall disabled persons to work in positions suitable to them in proper proportions of the entire number of their workforce. In this connection, the Minister of Labor shall issue its Ministerial Rules to specify number of disabled employees the employers or the owners of the business or the public agencies shall recruit as their workforce.

### **United States**

- In the private sector, federal contractors and subcontractors are required to meet certain affirmative action requirements.
- The Office of Federal Contract Compliance Programs (OFCCP) within the U.S. Department of Labor enforces the laws that have affirmative action implications, including:
  - Section 503 of the Rehabilitation Act of 1973
  - Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA)
  - Executive Order 11246
- Regulations enforced by OFCCP related to Section 503 of the Rehabilitation Act, as well as VEVRAA Section 4212 are expected to change in the coming months, to reflect an increase in the numeric hiring goals for organizations that do business with the federal government. These regulations have not been finalized or implemented.

## Highlights: Preference in public-sector procurement

This section of the survey was designed to gather information about existing legislation/policy that requires public-sector agencies to procure goods and services from organizations that employ people with disabilities.

Eleven countries reported having legislation/policy at the national level and seven countries reported having legislation/policy at the local level. Highlights are included below.

### Australia

- The policy is contained within Commonwealth Procurement Exemption 16: procurement of goods and services from a business that primarily exists to provide the services of persons with a disability.
- The exemption was introduced from 1 December 2008, to allow Commonwealth Government agencies to purchase from ADEs without the need for an open tender process. Without this exemption, Government agencies would be required to seek open tenders for purchases of goods and services above an \$80,000 threshold. Government agencies are now able to offer a simplified procurement process for ADEs on a value for money basis. The revised guidelines were in accordance with the Government's stated aim of promoting improved employment opportunities for people with disability.
- The exemption is rarely utilized and its use is not enforced. Government agencies are not required to report on the amount of business they conduct with ADEs. NDS has been in discussions with the Government and the Australian Public Service Commission to ensure that more concrete commitments to increased procurement from ADEs are not only made, they are mandated at some nominal level.

### Bangladesh

- The government has a policy to supply the mineral water in all government and non-government meetings and is requested to buy plastic goods from the sheltered workshop of government organization for persons with disabilities in Tongi, Dhaka, Bangladesh.

### Croatia

- The Act on Public procurement stipulates that purchasers can reserve the right of participation of sheltered employment organizations in public procurement or enable that contracts are carried out in the sheltered employment programs. The purchasers puts a note in the tender that a specific procurement is reserved for sheltered employment organizations which can engage subcontractors that do not employ the majority of workers with disabilities only to the maximum of 20 % of the value of the reserved contract.

### Finland

- Act on Public Contracts allows for the public unit the right to restrict the bidding to units which provide employment for people with disabilities. Furthermore, the legislation allows for the use different social criteria, including employment opportunities for people with disabilities. The act is binding for all public procurement over the national threshold level

except for cases separately explained in the act. Act on Public Contracts (in Finnish Laki julkisista hankinnoista) 30.3.2007/348,.  
<http://www.finlex.fi/fi/laki/ajantasa/2007/20070348#L7P41>, (An unofficial English translation is available as a pdf document)

## **Norway**

- The members are independent service providers, normally organized as joint-stock enterprises with the local municipality as majority shareholder. The companies are non-profit organizations. As an average the companies have 50% of their income as payment from the government/municipalities and 50% from sales of commodities and services on the open market.
- Municipalities can provide companies different types of tasks without the need for public tender. Municipalities have the opportunity to offer the companies mission, pursuant to the Public Procurement Regulations (FOA) § 3-12. Several municipalities have solved this by using reserved contracts or resolution of the board.
- This does also limit the competition between companies, if the municipality has ownership in more than one company.

## **Sweden**

- Sweden is a member state of the European Union(EU). There is an EU directive giving the EU member states the right to use social clauses within public procurement. This means among other things giving preferences for suppliers/contractors employing a certain number (percentage) of people with disabilities or reserve contracts for "sheltered/supported" workshops. Sweden has still not fully implemented these rules in the national legislation.

## **United States**

### **The Javits-Wagner-O'Day Act**

- The Wagner O'Day Act was passed in 1938 to address the employment needs of people who were blind. The act was amended in 1971 to include people with significant disabilities.
- The Javits-Wagner-O'Day (JWOD) Act provides a mechanism by which federal government agencies can procure goods (products) and services supplied by nonprofit organizations that train and employ people who are blind or who have significant disabilities.
- There is a small federal agency, the US AbilityOne Commission that has responsibility for developing and implementing regulations for the AbilityOne Program.
- The Commission has designated two central nonprofit organizations, SourceAmerica (formerly NISH) and the National Industries for the Blind to help administer the program.
- The program is implemented through a national network of approximately 650 nonprofit agencies geographically dispersed throughout the US.
- The Commission has the ultimate responsibility for enforcing the requirements of the program.
- The CNAs provide assistance to the nonprofits that help them to meet program requirements. The program is funded primarily through a funding fee that cannot exceed 4% of the price of the procured product or service.

- Congress provides funding to support the AbilityOne Commission as it is a federal agency. The program represents more than \$2 billion in sales to the federal government each year.
- Federal agencies are required to purchase products and services they placed on the program's procurement list, however, enforcement is sometimes difficult due to limited staff resources at the Commission.

### **The Randolph Sheppard Act**

- The Randolph Sheppard Act was enacted in 1938 and provides the opportunity for employment and self-support to people who are blind through a vending facility program. People who are blind are trained and licensed to operate cafeterias, snack bars and vending machines in federal properties.

### **Programs at the State-Level**

- States partner with the federal government in providing the Randolph Sheppard program. States have adopted state laws based upon this model. State Departments of Rehabilitation recruit, train, license, and place people who are blind to operate vending facilities in federal, state, municipalities and other properties. In 2007, there were \$713 million dollars in federal and state programs across the US.
- The majority of states have laws much like the JWOD Act that allow products and services to be purchased from people with disabilities or who are blind. Laws vary among the states.
- Forty-six (46) of fifty (50) states currently have legislation that allows the products and services provided by people who are blind or significantly disabled to be sold to state governmental entities.
- Forty-Six (46) of fifty (50) states have legislation known as "State Use" laws that authorize the purchase of products and services from community-based nonprofit agencies who employ people who are blind or significantly disabled.
- No two laws are identical, but all are based on the federal Javits-Wagner-O'Day Act. Some states have mandatory language, meaning that state departments and agencies shall purchase from nonprofits, while others use permissive language that state purchases may be made from the nonprofits. Additionally, the marketplace carved out by State Use legislation differs from state to state. While all of the states included state government department and agencies as customers of the nonprofits, many states expanded the marketplace to include county government, cities, municipalities, school districts and state universities as well.
- State use programs also operate under one of three models: 1) a "stand alone" central nonprofit profit agency (CNA) operates the program on a day-to-day basis with the State Use Program as its sole business enterprise; 2) State Use is a program of a statewide association of nonprofits providing services to people who are blind or significantly disabled, and; 3) the program is operated with the purchasing department of state government. The fee added to the cost of the contracts to operate the program varies greatly as well. In those states with programs operated by state government, there is usually no fee.

### **UK**

- EU Art 19 on Public Procurement which allows contracts to be set aside.

## Highlights: Incentives/subsidies/tax breaks

This section of the survey was designed to gather information about incentives, subsidies or tax breaks to private sector firms that hire people with disabilities. Sixteen countries reported offering incentives, subsidies or tax breaks to private sector firms that hire people with disabilities. Highlights from some of these countries are included below.

### Bangladesh

- Private sectors have their own incentive/allowance system; like BPF gives weekly wages according to their work output.

### Hong Kong

- Three incentives were mentioned:
  - Work Orientation and Placement Scheme (WOPS) was launched in April 2005 with a view to encouraging employers to offer job vacancies to persons with disabilities through trial placement. To further improve the employment opportunities of persons with disabilities, the HKSAR Government has enhanced the WOPS by raising the ceiling of the financial incentive to employers and extending the subsidy period (i.e. HK\$5,500 per month for the first to second month and HK\$4,000 per month for the third to eighth month).
  - On the Job Training Program for Persons with Disabilities and Sunnyway – On the Job Training Program for Young Persons with Disabilities. These two programs provide wage subsidy to employers to encourage them to provide job opportunities for persons with disabilities. In July 2013, the HKSAR Government enhanced the entitled programs by raising the ceiling of the financial incentive to employees and employers and extending the subsidy period (i.e. to increase the job attachment allowance from HK\$1,250 per month to HK\$2,000 per month for 3 months, the job trial wage subsidy from HK\$3,000 per month to HK\$4000 per month and extend the wage subsidy period from 3 months to 6 months.)
  - The SPED program was launched in 2013 and provides employers of persons with disabilities with a one-off subsidy up to \$20,000 in respect of each employee with disabilities for procurement of assistive devices and/or workplace modifications.

### Iceland

- In Iceland employers can get 75% of total cost of salaries to people with disabilities for one year; the second 50% and then 25%.

### India

- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 includes incentives for public and private sector companies that have at least 5% of their workforce comprising of disabled persons.

### Nepal

- Four examples were provided:
  - Government can provide whole or partial discount in the several tax for the disable

- assistive devices; equipment, tools or raw materials and for goods used in private employment among disabled.
- With an evidence of disability of a disabled and the organization working for the rehabilitation of disabled can be free of income tax and other taxes.
- The factories which employ the disabled can get tax-free import of equipment that is used to build disabled friendly environment; such factories can also get subsidies according to the number of disabled employed there.
- The social organizations, commercial and industrial institutions can get low interest loan from the financial companies and banks if they provide training and employment opportunities for the disabled.

### **New Zealand**

- Transition to Work Grant is a non-taxable, non-recoverable payment that can be made to clients (or their partners), providing flexible financial assistance to help meet the additional costs of entering into employment
- The Employment Transition Assistance is a non-taxable payment that is available for clients who have a reduced level of income after completing an Invalid's Benefit employment trial and need assistance to continue in employment. There are two parts to this package:
  - Skills for Industry – short industry-focused training for specific employment opportunities: funding is dependent on the needs of the client.
  - Flexi-Wage – two types of wage subsidy: Flexi-Wage Basic – a wage subsidy for those at highest risk of staying on benefit without support. Flexi-Wage Plus – a wage subsidy with the option of using some funding for other assistance that employers need such as training, mentoring or in-work support.

### **Northern Ireland**

- Wage offset Training allowance for up to 3 years Access to Work governmental funding

### **Sweden**

- Samhall AB is one of many labor market measures and programs specifically aimed at supporting jobseekers with disabilities and a reduced capacity to work. All those measures and programs are administered by the Swedish Public Employment Service. Of course jobseekers with disabilities also can get support from the general labor market measures aimed at people who have been unemployed for a long time, young people with problems entering the labor market etc.
- One example among the general measures is the program "New start jobs" in which an employer can receive payment equal to a normal employer's fee (31,42 %) up to a double fee related to the background of the jobseeker. Different kinds of wage subsidies to employers are the biggest and most common Swedish labor market measures supporting people with disabilities to getting employed. The wage subsidy program can be used by employers in both private and public sector. Here follows a very short information on some of the different labor market programs for people with disabilities.
  - Wage subsidies: The aim of wage subsidies is to support people in their development towards a regular job. Wage subsidies may be granted an employer for a maximum of four years and are subject to the Employment Protection Act. It's a

- flexible system and the amount of payment to the employer is influenced by two factors, the salary cost of the employee and the work capacity of the employee. When the employer is a public organization, a provider allowance may also be paid.
- Development employment: The aim of development employment is to offer individuals an opportunity to try to develop their work capacity through work and development initiatives. Development employment may last for a period of 12 months with a possibility of extension. The employer may receive an allowance in addition to wage subsidies.
  - Security employment : The aim of security employment is to offer individuals an opportunity to try to develop their work capacity through work and a range of development initiatives. The target group consists of people with disabilities whose needs cannot be met in any other way. Security employment has no duration limit and is subject to the Employment Protection Act. The employer may receive an allowance in addition to wage subsidies.
  - Samhall : People with disabilities may also be offered employment at Samhall AB, whose aim is to produce goods and services in demand and, by doing so, create meaningful and stimulating work for people with disabilities. In this case, the target group consists of people with disabilities whose needs cannot be met in any other way. There is no duration limit for employment at Samhall. People with disabilities referred to Samhall by the Swedish Public Employment Service
  - Assistive devices: Assistive devices in the workplace can be excellent tools, and are often all that is needed in a new job. This may entail adapting the workplace or acquiring a particular product, and support may be given to both the employer and the employee. Employers and employees may each receive support of up to SEK 100 000. If support is in the form of technology-based assistive devices, or if there are exceptional grounds, a higher amount may be paid.
  - Personal assistance: An employee may sometimes need to ask a colleague for help with certain tasks. In these cases, the employer may receive a contribution to offset any extra costs. Individual support from an SIUS consultant If a person needs a great deal of individual support to learn to perform their work tasks, employers can receive personal introduction assistance from a specially trained employment officer, known as a special introduction and follow-up support consultant (SIUS consultant). This support is gradually decreased over the support period and will end completely when the person is able to perform their tasks independently. Support from an SIUS consultant is not expected to last longer than six months. Follow-up support can be provided for up to one year from the commencement of employment.

## Taiwan

- There are subsidies for the employer who hires a person with disabilities that need job redesigning. To hire each person with disabilities or the self-employment that need job redesigning, the limitation of subsidies is NTD\$100,000 at the most per year.



## United States

- There are at least eight programs or incentives.
  - The Work Opportunity Tax Credit - A tax credit for businesses who hire individuals from certain qualified groups. The credit is calculated based on the target group of the person hired, wages paid and hours worked in the first year of employment. An employer who hires an individual who completed or is completing rehabilitative services from a state or the U.S. Department of Veterans Affairs is eligible for the credit (among other target groups).
  - VOW to Hire Heroes Act of 2011 –The VOW To Hire Heroes Act of 2011 makes available tax credits for employers hiring veterans, including veterans with disabilities.
  - The Disabled Access Credit - This is a tax credit for an eligible small business that incurs expenses in order to comply with the Americans with Disabilities Act of 1990. This includes the cost of removing physical or other access barriers to individuals with disabilities and the elderly. Eligible businesses employ 30 people or less and earned \$1,000,000 or less in the previous tax year.
  - The Architectural/Transportation Tax Deduction - Businesses of any size can claim a deduction of up to \$15,000 per year for expenses incurred in the removal of architectural or transportation barriers to individuals with disabilities.
  - The Mentor-Protégé Program, P.L. 102-172, Section 8064A – Qualifying organizations which employ the severely disabled as defined in Section 8064A in Public Law 102-172 may receive technical assistance in production, contract management, and financing when they sub-contract work with a Department of Defense Contractor acting as mentor. Both the mentor and protégé are eligible for reimbursement of qualifying expenses.
  - The Social Security Administration Employment Network Cash Provision – When an Employment Network (EN) consortium includes a private sector employer, the employer may be eligible to receive a portion of a formula-based cash incentive, contingent upon favorable employment outcomes for people with disabilities, who are then able to forgo Social Security (SSI and/or SSDI) benefits. The EN may obtain up to a maximum \$24,187 in payments over the 60 month period of a beneficiaries' eligibility for Ticket to Work.
  - On the Job Training (OJT) - Authorized by the U.S. Department of Veterans Affairs, Vocational Rehabilitation and Employment Service (VR&E), this program allows employers or unions who hire veterans with disabilities to pay a reduced “OJT apprenticeship” wage of around to 40% - 50% of established journeyman wages. Wages to employees are subsidized by benefits administered by the Veterans Administration, and are gradually reduced as the employer contribution to wages increases.

- Special Employer Incentive Program - Authorized by the U.S. Department of Veterans Affairs, Vocational Rehabilitation and Employment Service (VR&E), employers who hire veterans with service-connected disabilities who are approved for VR&E services may be eligible to receive up to 50% of the veteran's salary for up to 6 months.

## Appendix A – Survey Questionnaire

### **Quotas or Quota Systems – Public Sector**

*This section addresses whether or not there is existing legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the **public** sector, i.e., a quota.*

#### Country Example - Ireland.

The following information was obtained from the submission by Ireland to the UN Office of Human Rights Thematic Study on the Employment of People with Disabilities.

*In Ireland, public sector organizations are required to promote and support the employment of people with disabilities, and achieve a statutory minimum 3% target of staff with disabilities (Disability Act 2005, Part 5). The National Disability Authority (NDA) issues an annual report on compliance and can recommend specific action where a public body is in breach of these obligations for two consecutive years*

1) Is there any **national-level legislation/policy** in your country that requires the hiring of a certain percentage of employees with disabilities in the public sector?

Quotas or Quota Systems Public

2) Please describe the **national level legislation/policy** with as much information as possible. Include, at minimum, the following information name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced.

3) Is there any **"local" legislation/policy** (as opposed to national level? legislation/policy) that applies to your organization based on its geographical location?

4) Please describe **the "local" legislation/policy** with as much information as possible. Include, at minimum, the following information name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced.

## **Quotas or Quota Systems – Private Sector**

*This section addresses whether or not there is existing legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the **private** sector, i.e., a quota.*

### Country Example - Japan

In Japan, the Act for Employment Promotion of Persons with Disabilities requires all employers (both public and private sector organizations) with 50 or more employees to employ the legally required number or more of persons with disabilities

The requirements are 2.3% for government offices and 2% for private sector organizations.

There is a levy (i.e., a fine) and grant system in place applicable only to the private sector. Private sector organizations with 201 or more employees that fail to achieve the required quota must pay the levy. The Public Employment Security Office may order an employer who did not achieve the employment quota to develop a “Plan for hiring persons with disabilities”. Employers who do not comply with developing a plan may have the names of their companies publicly announced by the Minister of Health, Labour and Welfare. Private sector organizations with 201 or more employees that achieve the quota are eligible for grants to help offset the costs associated with facilitating the initial hiring and ongoing employment of persons with disabilities.

Organizations with 200 or less employees are not required to pay the levy. However, beginning in April 2015, the levy and grant system will be expanded to include employers with 101 or more employees.

1) Is there any **national-level legislation/policy** in your country that requires the hiring of a certain percentage of employees with disabilities in the private sector?

Quotas or Quota Systems Public

2) Please describe the **national level legislation/policy** with as much information as possible. Include, at minimum, the following information name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced.

3) Is there any **"local" legislation/policy** (as opposed to national level? legislation/policy) that applies to your organization based on its geographical location?

4) Please describe the **"local" legislation/policy** with as much information as possible. Include, at minimum, the following information name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced.

## ***Preference in public-sector procurement***

This section addresses whether or not there is existing legislation/policy in your country that requires public-sector agencies to procure goods and services from organizations that employ people with disabilities.

### **Country Example - Australia**

In Australia, there is a federal policy that allows sheltered employment organizations to not go through the tender (competitive bid) process for the supply of goods and services under \$200,000 in value provided the price quoted is competitive.

Note: Sheltered employment organizations traditionally are settings in which the majority of workers have disabilities and interaction with non-disabled counterparts is limited.

- 1) Please describe any national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.
- 2) Please describe any local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

## ***Incentives/subsidies/tax breaks to private sector firms***

*This section addresses whether or not there are incentives, subsidies or tax breaks to private sector firms that hire people with disabilities.*

### **Country Example Hong Kong.**

The following information was obtained from the Government of Hong Kong Special Administrative Region, Selective Placement Division (SPD) of the Labour Department website.

In Hong Kong, the "Work Orientation and Placement Scheme" (WOPS) serves to encourage employers to offer job vacancies and to enhance their understanding of the working capabilities of persons with disabilities, thereby facilitating open employment of the latter. An enhancement measure to WOPS applicable to employers hiring persons with disabilities who have employment difficulties and whose employment date commences on or after June 1, 2013 is described below.

#### Hiring job seekers with disabilities having employment difficulties

Employers who participate in WOPS are required to employ jobseekers with disabilities referred by SPD and having difficulties to secure or stay in jobs commensurate with their qualifications and/ or suited to their job preference. Employers are required to provide appropriate training, support and assistance for these employees.

#### **Allowance**

An eligible employer joining WOPS will be granted an allowance with a maximum amount of \$35,000 per employee with disabilities. Payment period will be up to a maximum of eight months. Details are as follows:

First and second month equivalent to actual salary paid by the employer to an employee with disabilities minus \$500 per month during the employment period (subject to a ceiling of \$5,500 per month)

Third to eighth month - equivalent to two-thirds of the actual salary paid by the employer to the same employee with disabilities per month during the employment period (subject to a ceiling of \$4,000 per month).

.Incentives/subsidies/tax breaks to private sector firms

1) Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible.

## Appendix B – Detailed Submissions by Country

Countries that did not submit their responses using the Survey Monkey questionnaire format are not included here.

### Australia



#### Point(s) of Contact:

Name: - Patrick Maher

Organization: - National Disability Services

Email Address: - [patrick.maher@nds.org.au](mailto:patrick.maher@nds.org.au)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?  
**No**
2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**
4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?  
**No**
6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The policy is contained within Commonwealth Procurement Exemption 16: procurement of goods and services from a business that primarily exists to provide the services of persons with a disability. The exemption was introduced from 1 December 2008, to allow Commonwealth Government agencies to purchase from ADEs without the need for an open tender process. Without this exemption, Government agencies would be required to seek open tenders for purchases of goods and services above an \$80,000 threshold. Government agencies are now able to offer a simplified procurement process for ADEs on a value for money basis. The revised guidelines were in accordance with the Government's stated aim of promoting improved employment opportunities for people with disability. The exemption is rarely utilized and its use is not enforced. Government agencies are not required to report on the amount of business they conduct with ADEs. NDS has been in discussions with the Government and the Australian Public Service Commission to ensure that more concrete commitments to increased procurement from ADEs are not only made, they are mandated at some nominal level.**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**In Australia, five states, NSW, Victoria, Tasmania, South Australia and Western Australia have specific procurement exemptions for ADEs. Queensland and the two**



Territories do not have specific exemptions that identify ADEs, however, in certain instances they may allow ADEs to engage in direct procurement opportunities (without tendering), usually on a value for money basis. As with the Commonwealth's procurement exemption, there is no set plan for utilization or enforcement of the exemption in Victoria, Tasmania, South Australia and Western Australia. In mid-2010, the NSW Government enacted legislation which enabled its agencies to procure goods and services directly from disability employment organizations. These organizations are collectively known as "Australian Disability Enterprises" (ADEs). The 2010 legislation was explained in the Premier's Memorandum 2010-6, relating to policy background and expected outcomes. The original legislation was further amended with the update of the Public Sector Employment and Management Regulation 2009. This exists as Clause 21B within that legislation. Clause 21B eliminates the need for NSW Government agencies to conduct open, competitive tenders, when engaging ADEs. In addition, NSW Government agencies can engage ADEs who supply goods and services listed in State Contracts without reference to State Contracts. This fits strategically with the NSW Government's stated approach that, "Tendering will no longer be the prescribed means for the supply of goods and services in every case". Since late 2010, NDS has been engaged by the Department of Family and Community Services Ageing, Disability and Home Care (ADHC) to provide advice and support to NSW Government agencies who wish to procure goods and services from ADEs. To assist in this process, NDS offers a contract management service for a small fee. The NDS contract management service assists NSW Government agencies to find the appropriate ADE (or ADEs) for their specific project. If requested, NDS can also manage the ongoing contract. Up to June 2012 there was a target set for each departmental cluster to have at least one contract with an ADE or group of ADEs of at least \$30,000. Departments were expected to report on this requirement. From July 2012, Departments could voluntarily enter into commercial arrangements with ADEs via the exemption.

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Disability Employment Services help job seekers with disability to access individually tailored employment services, with strong links to training and skills development, particularly in areas of skills shortages. Providers offer a range of free services to employers of people with disability, injury or health condition including:**

- professional recruitment advice and job matching
- help with job design for employees with disability

- **on-the-job or off-site support to ensure new employees with disability settle into their job**
- **ongoing support for as long as it is required, for employees and employers who require support to maintain their employment**
- **training information and awareness**
- **activities for employers and staff**
- **help for employees whose job may be in jeopardy as a result of their disability.**

**Disability Employment Services can also help employers to access a range of other financial support and incentives, such as workplace modifications, assistive technology, mental health first aid training and disability and deafness awareness training, Auslan interpreting, and wage subsidies including the Wage Connect Subsidy and Wage Subsidy Scheme and Enhanced Wage Subsidy.**

Bangladesh



Point(s) of Contact:

Name: - DR. Shamim Ferdous

Organization: - Bangladesh Protibondhi Foundation

Email Address: - [bpfkal@bangla.net](mailto:bpfkal@bangla.net)

or [shamim\\_bpf@yahoo.com](mailto:shamim_bpf@yahoo.com)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**Yes**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The Govt. had declared 10% quota for persons with disabilities along with orphans. In 2003 PM had also declared 1% quota in all Cadre services. Though there is a limited awareness of employers about the potentialities of the disabled people, loophole in the system and lack of proper monitoring , the declared quota has been slowly implemented. But the Govt. is very positive and trying to assess the employment market to identify a suitable list of jobs for developing and implementing the policies.**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Article 29(3) of the constitution: " Nothing in this Article shall prevent the State from - (a) Making special provision in favor of any backward section of citizens for the purpose of securing their adequate representation in the service of the Republic".**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**There are no existing Laws, but in private sectors, NGOs and Corporate sectors come forwards and enroll them in the jobs as part of their responsibilities. Few NGOs have been started self-employment program supported by the Donors. Govt. had declared Tax Exemptions for those Corporate sections that would enroll persons with disabilities.**

6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**In the Constitution of Bangladesh Protibondhi Foundation(BPF) Article 4, it is mentioned that BPF has to be created income generating programs to empower the families. At present 141 families are enrolled in self-employment programs by providing cattle, rickshaws, vans, sewing machines ,land lease etc. in six rural areas. A total of 7 youths from urban and 21 youths from rural areas are included in the Inclusive employment program with support of Job Placement , Brisbane, Australia.**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The Govt. has a policy to supply the mineral water in all Govt. and Non Govt. meetings and requested to buy plastic goods from the sheltered workshop of Govt. organization for persons with disabilities in Tongi , Dhaka, Bangladesh.**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have

deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Private sectors have their own incentive/allowance system; like BPF gives weekly wages according to their work output.**

Croatia



**Point(s) of Contact:**

**Name: - Branka Meic**

**Organization: - Disability Ombudsman's Office**

**Email Address: - [branka.meic@posi.hr](mailto:branka.meic@posi.hr)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**Yes**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The most important legal document regulating employment of persons with disabilities in Croatia, the Act on Professional Rehabilitation and Employment of Persons with Disabilities was first adopted in 2003 and amended in 2005 (two years before the UN Convention on the rights of persons with disabilities was ratified by Croatia). It was based on the National strategy of unified policy for persons with disabilities from 2003 to 2006 and among other measures and activities aimed at fostering employment of persons with disabilities: it envisaged establishing of the Fund for professional rehabilitation and employment of persons with disabilities and introduction of quota system in the public sector (obligation on state and public bodies and companies to employ a certain number of persons with disabilities in relation to the total number of employees: starting with 1 person with disability per 50 employees till 31 December 2005 to 1 person with disability per 20 employees till 31 December 2017. The Act envisaged establishing regional centers for professional rehabilitation but this has not been realized yet. No authority with a mandate of enforcing this provision has been envisaged by the Act. Entities in violation of the provision, that is those that fail to meet the quota are obliged to pay a fine but no authority oversees whether all the due fines have been paid. As a part of its mandate Disability Ombudsman's office as an independent institution for monitoring, protecting and promoting the UN CRPD carried out a survey of state and public bodies to monitor compliance with this legislation. The results were published in the annual report for 2010 that the ombudswoman submits to the Parliament. However, the Office can only issue recommendations and warnings and cannot take any sanctions.**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**There have been local action plans on employment of persons with disabilities developed as a part of an EU funded project in 8 out of 21 counties but they are not legally enforceable.**
5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?  
**No**
6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**
8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?  
**Yes**
10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**The Act on Public procurement stipulates that purchasers can reserve the right of participation of sheltered employment organizations in public procurement or enable that contracts are carried out in the sheltered employment programs. The purchasers puts a note in the tender that a specific procurement is reserved for sheltered employment organizations which can engage subcontractors that do not employ the**

**majority of workers with disabilities only to the maximum of 20 % of the value of the reserved contract.**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**In accordance with the Decision on the way of realizing incentives when employing persons with disabilities ensuing from the Act on professional rehabilitation and employment of persons with disabilities there are the following incentives available to employers both in the public as well as in the private sector (the Act does not envisage quota for private sector but they are entitled to incentives as well as self-employed persons with disabilities):**

- **Refund of the contribution towards the basic health insurance and refund of the contribution towards employment**
- **Co-financing of the decreased working efficiency (employer of a person with disability who cannot due to disability permanently carry out the scope of work defined in relation to the average capacities of 'healthy' workers is entitled to receive for that person a compensation for the difference till the full amount of salary, regardless of it being a normed or non-normed post**
- **Co-financing of the costs of personal assistant (another person who temporarily or permanently assists a person with disability in carrying out certain activities which a person with disability cannot carry out independently due to the level of disability)**
- **One-off payment for education of employed and unemployed persons with disabilities**
- **Refund of the cost of adjustment of the work place (architectural adjustment)**
- **Refund of the cost of adjustment of working conditions (technical adjustment)**



- **Co-financing of a part of interest on loans for tools, machinery and equipment on which PWDs work**
- **Co-financing the costs of work therapists (another person who assists a person with disability in managing the working process)**
- **Tax deductions refer to the lowering the taxable income for the amount of salary and contributions on the salary for workers with disabilities.**

Finland



**Point(s) of Contact:**

**Name: - Marjatta Varanka**

**Organization: - VATES Foundation**

**Email Address: - [marjatta.varanka@vates.fi](mailto:marjatta.varanka@vates.fi)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**No**

6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or

stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Act on Public Contracts allows for the public unit the right to restrict the bidding to units which provide employment for people with disabilities. Furthermore, the legislation allows for the use different social criteria, including employment opportunities for people with disabilities. The act is binding for all public procurement over the national threshold level except for cases separately explained in the act. Act on Public Contracts (in Finnish Laki julkisista hankinnoista) 30.3.2007/348,. <http://www.finlex.fi/fi/laki/ajantasa/2007/20070348#L7P41>, (An unofficial English translation is available as a pdf document)**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Some municipals have adapted the social consideration in their procurement policy**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Act on public employment and business service entitles people with disabilities – along with some other groups of people- to wage subsidy. The subsidy typically**

**covers 50% of the wage costs but can in specific case be higher. Wage subsidy can be granted for up to 24 months at a time (36 months in case the employer is a registered social firm) and can be renewed. The act also entitles job-seeking people with disabilities to up to 50 hours of job coaching services annually. Furthermore, the act entitles the employers to a subsidy for arranging working conditions when employing a person with disabilities. Act on public employment and business service (in Finnish Laki julkisesta työvoima- ja yrityspalvelusta) 28.12.2012/916, <http://www.finlex.fi/fi/laki/ajantasa/2012/20120916?search%5Btype%5D=pika&search%5Bpika%5D=laki%20julkisista%20palveluista#L7>, (An unofficial English translation is available as a pdf document) Act on Social Enterprises entitles an employer that is registered as a social firm to apply for a subsidy based on employment policy (see above). The subsidy is directed to starting-up costs of such a social firm. Act on Social Enterprises (in Finnish Laki sosiaalisista yrityksistä 30.12.2003/1351) <http://www.finlex.fi/fi/laki/ajantasa/2003/20031351> , in Finnish. (An unofficial English translation is available as a pdf document) Payable Employment Subsidies**

**1. Wage subsidy to employ disabled jobseekers**

- Normal amount 650-1.150 €/month, depending on the unemployment history of the jobseeker, but not more than 75 % of the salary costs
- For social firms, this can be increased to max 1.300 €/month, but not more than 50 % of the salary costs
- Normal maximum period is 2 years
- For social firm this can be extended to 3 years, a period which can be repeated according to the individuals needs for re-employment without any breaks in between

**2. Subsidy for the arrangement of working conditions**

- Max 2.500 € for placement of a person with disabilities (3.500 € in case of severe disabilities)
- Equipment, working conditions

**3. Subsidy for business development**

- For starting up expenses of a social firm (with a main goal to provide employment)
- Max 75 % of the total development costs
- No subsidy for operational costs

Hong Kong



Point(s) of Contact:

Name: - Kuo Chun Chuen

Organization: - Hong Kong Joint Council for People with Disabilities

Email Address: - [cc.kuo@hkcss.org.hk](mailto:cc.kuo@hkcss.org.hk)

or [reh@hkcss.org.hk](mailto:reh@hkcss.org.hk)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?  
**No**
2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**
4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?  
**No**
6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The government departments are encouraged to provide measures to facilitate the rehabilitation NGOs to bid the government tenders successfully, such as restricted tendering (the tenders are solely limited to NGOs to bid) or giving higher priority to NGOs to bid for the tenders.**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The government departments are encouraged to provide measures to facilitate the rehabilitation NGOs to bid the government tenders successfully, such as restricted tendering (the tenders are solely limited to NGOs to bid) or giving higher priority to NGOs to bid for the tenders.**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**“Work Orientation and Placement Scheme”: as mentioned in the Country**

**Example “Support Programme for Employees with Disabilities”:** The policy objective of the Government in assisting persons with disabilities to attain employment is to ensure that they have equal access to participation in productive and gainful employment in the open market. To support the employment of persons with disabilities, the Social Welfare Department (SWD) has launched the Support Programme for Employees with Disabilities (SPED) which provides employers of persons with disabilities with a one-off subsidy up to \$20,000 in respect of each employee with disabilities for procurement of assistive devices and/or workplace modifications. The SPED is to facilitate employees with disabilities in discharging their duties at the workplace and to enhance their work efficiency. For more information, please visit:

[http://www.swd.gov.hk/en/index/site\\_pubsvc/page\\_rehab/sub\\_listofserv/id\\_sped/](http://www.swd.gov.hk/en/index/site_pubsvc/page_rehab/sub_listofserv/id_sped/)

**“Financial Incentive Scheme for Mentors of Employees with Disabilities Receiving Subvented Vocational Rehabilitation Services”:** To facilitate the service users of subvented vocational rehabilitation services (namely, supported employment service, integrated vocational rehabilitation services centre, integrated vocational training centre, On the Job Training Programme for People with Disabilities and Sunnyway – On the Job Training Programme for Young People with Disabilities) to adapt to work smoothly, the “Financial Incentive Scheme for Mentors of Employees with Disabilities” (the Scheme) provides financial incentive to workplace mentors of employees with disabilities. The mentor, who has rendered workplace support and assistance to an employee with disabilities for a period of not less than one month or two months, would receive an incentive pay of \$500 or \$1,000 respectively from the Nongovernmental Organisations (NGOs) operating subvented vocational rehabilitation services. For more information, please visit:

[http://www.swd.gov.hk/en/index/site\\_pubsvc/page\\_rehab/sub\\_listofserv/id\\_cvrs/](http://www.swd.gov.hk/en/index/site_pubsvc/page_rehab/sub_listofserv/id_cvrs/)

Iceland



**Point(s) of Contact:**

**Name: - Kristján Valdimarsson**

**Organization: - Hlutverk - The Icelandic Union of Special Employment and Training**

**Email Address: - [kristjanv@kopavogur.is](mailto:kristjanv@kopavogur.is)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

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**NA**

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**No**

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**NA.**

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**No**



8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**No**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

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**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities.

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**In Iceland employers can get 75% of total cost of salaries to PWDs for one year, The second 50% and then 25%.**

India



**Point(s) of Contact:**

**Name: - RAMA PERUMAL**

**Organization: - SINAM**

**Email Address: - [sinamtn@gmail.com](mailto:sinamtn@gmail.com)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**Yes**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Disabilities Act 1995. The disabilities Act spell out the responsibilities of the various organs of the state and provides policy guidelines. It lays down specific provisions for the development of services and programmes for equalizing opportunity for the enjoyment of the right to education, work, housing, mobility and public assistance in case of severe disability and unemployment, to execute the mandated responsibilities, a Central Coordination Committee and state Coordination Committee have been envisaged in multi-sectoral mode representing major developmental ministries, members of parliament, disability NGOs and women with disability**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**No**

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**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**No**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

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**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities.

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Tax deductions are allowed in India by the Government to private sector firms that hire people with disabilities.**

## Japan



### Point(s) of Contact:

**Name: - Yuri YOSHIDOME**

**Organization: - Workability International Japan**

**Email Address: - [yoshidome@selpjapan.net](mailto:yoshidome@selpjapan.net)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?  
**Yes**
2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**In Japan, public-sector organizations are required to achieve a statutory minimum 2.3% (Board of Prefectural Education 2.2%) quota of employees with physical / intellectual disabilities (Act on Employment Promotion etc. of Persons with Disabilities). On and after April 1st, 2018, the persons with mental disorder will be targeted.**
3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**No**
4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**NA**
5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?  
**Yes**
6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**In Japan, private-sector organizations that have 50 or more employees are required to achieve a statutory minimum 2% quota of employees with physical / intellectual disabilities (Act on Employment Promotion etc. of Persons with Disabilities). On and after April 1st, 2018, the persons with mental disorder will be targeted.**

**Among employers, those who fail to meet the legally required employment quota (which is the equivalent of 2.0% of the employer's total workforce) must pay a levy for each person below the quota. The levy per month is ¥50,000 (¥40,000 for employers with more than 200 but not exceeding 300 regular employees as a limited-time special abatement) per person below the quota.**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**“Act on Promotion of Procurement of Goods, etc. from Employment Facilities, etc. for Persons with Disabilities by the State and Other Entities” was enacted on Jun20, 2012 and enforced April 1, 2013. The Act obliges the Japanese government, local municipalities, and incorporated administrative agencies to make efforts for preferentially procuring goods and services from employment facilities, etc. for persons with disabilities.**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Adjustment Allowance for Employing Persons with Disabilities: Employers with more than 200 regular workers who employ more than the stipulated quota (2.0%) of workers with physical, intellectual and/or mental disabilities can apply for an Adjustment Allowance for Employing Persons with Disabilities for the number of disabled workers exceeding that quota. The adjustment allowance per month is ¥27,000 per person.**

**Allowance: Employers with 200 regular workers or less whose total employment of persons with physical, intellectual and/or mental disabilities exceeds a fixed number (equivalent to the accumulative number in that fiscal year of 4% of all regular workers per month or 72 persons, whichever is greater) may receive a Reward (¥21,000 per month per person) for the number of disabled workers in excess of the fixed number.**

New Zealand



**Point(s) of Contact:**

**Name: - Ian Beker**

**Organization: - Southland DisABILITY Enterprises Ltd**

**Email Address: - [ian@sde.org.nz](mailto:ian@sde.org.nz)**

**Name: - Ralph Jones**

**Organization: - IDEA Services Ltd**

**Email Address: - [ralph.jones@ihc.org.nz](mailto:ralph.jones@ihc.org.nz)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

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9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

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**The New Zealand Local Government Amendment Act 2000 allows Govt Departments and Local Bodies to award contracts without tendering if it meets certain criteria. Namely for disadvantaged groups, beneficial to the environment, local community etc. Normally the councils would have a policy as part of their Annual Plan as well.**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.



## **Response 1**

Transition to Work Grant is a non-taxable, non-recoverable payment that can be made to clients (or their partners), providing flexible financial assistance to help meet the additional costs of entering into employment and The Employment Transition Assistance is a non-taxable payment that is available for clients who have a reduced level of income after completing an Invalid's Benefit employment trial and need assistance to continue in employment. Two Job Streams There are two parts to this package: Skills for Industry – short industry-focused training for specific employment opportunities: funding is dependent on the needs of the client. Flexi-Wage – two types of wage subsidy: Flexi-Wage Basic – a wage subsidy for those at highest risk of staying on benefit without support Flexi-Wage Plus – a wage subsidy with the option of using some funding for other assistance that employers need such as training, mentoring or in-work support.

Below are links to the subsidies offered:

[www.workandincome.govt.nz/business/develop-your-workforce/training-and-wage-subsidies/index.html](http://www.workandincome.govt.nz/business/develop-your-workforce/training-and-wage-subsidies/index.html)

[www.workandincome.govt.nz/manuals-and-procedures/employment\\_and\\_training/index.htm](http://www.workandincome.govt.nz/manuals-and-procedures/employment_and_training/index.htm)

## **Response 2**

The Mainstream Employment Programme provides a package of subsidies, training, and other support to help people with significant disabilities get work. By taking part in the Programme, employers are tapping into the benefits of employing someone with a disability and future-proofing their workforce. What the Mainstream Employment Programme provides:

- A 100% salary subsidy for the first year of employment, and 80% of the salary for the second year.
- Funding for external training for Mainstream participants and their direct supervisors.
- Funding to meet participants' adaptive technology or specialised assistance costs.
- An advice and referral service for employers and Mainstream participants.
- Follow-up support for participants and their direct supervisors.

## Northern Ireland



### Point(s) of Contact:

Name: - Sam Humphries

Organization: - USEL

Email Address: -

[shumphries@hotmail.com](mailto:shumphries@hotmail.com)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

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**No**

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13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities.

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Wage offset Training allowance for up to 3 years Access to Work governmental funding**

Norway



**Point(s) of Contact:**

**Name: - Dag Sandvik**

**Organization: - ASVL**

**Email Address: - [firma@asvl.no](mailto:firma@asvl.no)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

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**NA**

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**The members are independent service providers, normally organized as joint-stock enterprises with the local municipality as majority shareholder. The companies are non-profit organizations. As an average the companies have 50% of their income as payment from the government/municipalities and 50% from sales of commodities and services on the open market.**

**Municipalities can provide companies different types of tasks without the need for public tender. Municipalities have the opportunity to offer the companies mission, pursuant to the Public Procurement Regulations (FOA) § 3-12. Several municipalities have solved this by using reserved contracts or resolution of the board.**

**This does also limit the competition between companies, if the municipality has ownership in more than one company.**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**No**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**



**Spain Point(s) of Contact:**

**Name: - IGNACIO VELO**

**Organization: - FUNDOSA GROUP**

**Email Address: - [ivelo@fundaciononce.es](mailto:ivelo@fundaciononce.es)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**Yes**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Since 1982, the LISMI (the Ley de Integración de Social de Minusválidos - the Social Integration for People with Disabilities Act) has obliged companies with more than 50 employees to employ 2% of people with disabilities. Such employment is well compensated. If a company does not comply with this requirement as a result of justifiable causes, as established in the regulations, the company can apply the Alternative Measures provided for in Royal Decree 364/2005. These are substitution mechanisms enabling companies to comply with the regulations through the purchase of goods or services from Special Employment Centres, or through donations or sponsorship of activities that assist people with disabilities to have access to employment.**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**Yes**

6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Since 1982, the LISMI (the Ley de Integración de Social de Minusválidos - the Social Integration for People with Disabilities Act) has obliged companies with more than 50 employees to employ 2% of people with disabilities. Such employment is well compensated. If a company does not comply with this requirement as a result of justifiable causes, as established in the regulations, the company can apply the Alternative Measures provided for in Royal Decree 364/2005. These are substitution mechanisms enabling companies to comply with the regulations through the purchase of goods or services from Special Employment Centres, or through donations or sponsorship of activities that assist people with disabilities to have access to employment.**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Since 1982, the LISMI (the Ley de Integración de Social de Minusválidos - the Social Integration for People with Disabilities Act) has obliged companies with more than 50 employees to employ 2% of people with disabilities. Such employment is well compensated. If a company does not comply with this requirement as a result of justifiable causes, as established in the regulations, the company can apply the Alternative Measures provided for in Royal Decree 364/2005. These are substitution mechanisms enabling companies to comply with the regulations through the purchase of goods or services from Special Employment Centres, or through donations or sponsorship of activities that assist people with disabilities to have access to employment. Whilst this enables companies to comply with the regulations, it is an exceptional and transitory opportunity providing time to implement actions to achieve effective compliance with the LISMI and the LIONDAU (Ley de Igualdad de Oportunidades - Equal Opportunities Act). The objective of this is**



**to promote contact with workers with disabilities, even if indirectly, through the services they provide to the company, helping to prepare the company to become accessible and inclusive of diversity. From this perspective, which respects the spirit of the law, the alternative measures are a way of generating employment with direct impact on people with disabilities, even if this impact is indirect for the company. The LISMI and the alternative measures establish a reference regulatory framework that aims to promote employment and to put people with disabilities in a stronger position to access stable, dignified and quality employment. The alternative measures are part of a route to integration in which the final result is direct employment in companies not offering protected employment. The current economic crisis should not undermine companies' commitment to complying with regulations on the integration of people with disabilities. On the one hand this is not a good time to be fined by public administrations, while failure to comply with the regulations may result in lost opportunities, for example in public sector tenders; and, finally, and we believe most importantly, because people with disabilities are at increased risk of social exclusion at times of crisis**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Measures to support employers The 1982 Social Integration for Disabled People Act (Law 13/1982), as extended by the 2003 Non Discrimination Act (Law 51/2003), and the 2007 Equal Opportunities Act (Law 49/2007) are the main pieces of legislation regarding measures to support employers in Spain. A range of public funding schemes are available to employers who hire disabled workers, based on the type of work contract. Employers who hire a disabled worker on the basis of a permanent work contract are entitled to a grant of up to 901 Euros to adapt the premises, to a deduction of 6.000 Euros on Corporate Income Tax and to a wage subsidy of up to**

3.907 Euros per employee. Employers also receive a bonus reduction on social security contribution tax. The amount of the bonus is set depending on the profile of the employee, ranging from 4.500 Euros per annum for an employee with a disability rated under 65%, to 5.100 Euros for a disabled employee with a disability equal or superior to 65% and for a female employee with any disability and up to 5.700 Euros if the worker is over 45. These schemes require that the employer retain the worker for at least 3 years. Employers who hire a disabled worker on the basis of a temporary work contract are entitled to a bonus reduction on social security contribution tax. The amount of the bonus is set depending on the profile of the employee, ranging from 3.500 Euros per annum for an employee with a disability under 65%, to 4.100 Euros for a disabled employee with a disability equal or superior to 65% and up to 4.700 Euros if the worker is a woman or is over 45. Employers who hire a disabled worker on an interim work contract may receive a 100% bonus on their social security contribution tax for each disabled employee. These employers may also apply for a grant to adapt the premises if the contract is for 12 months or more. Employers who hire a disabled person on the basis of a traineeship work contract are entitled to up to a 50% bonus on their social security contribution tax per trainee. These employers may also apply for a grant to adapt the premises if the contract is for 12 months or more. Further bonuses can apply if the traineeship is later converted into a permanent work contract. Employers may also hire disabled workers under the Work Enclave system whereby workers from a sheltered employment center temporarily join the company. In this case, employers are entitled to a bonus of 7.814 per annum and per permanent contract and to a grant to adapt their premises. Further bonuses are applicable if the contract is full-time. Sheltered employment centers are supported under a specific scheme. Employers receive a 100% bonus on their social security contribution tax for each disabled employee, up to 1.803 Euros per employee to adapt the premises and a wage subsidy scheme (up to 50% of the Spanish minimal wage). They are also exempted from Value Added Tax on public subsidies. Centres where 70 to 90% of the workforce is disabled receive a bonus subsidy of 9.015 Euros, and up to 12.020 Euros if more than 90% of the workers are disabled. Compare with other countries

**Top Measures to support workers with disabilities**

The 1982 Social Integration for Disabled People Act (Law 13/1982), as extended by the 2003 Non Discrimination Act (Law 51/2003), and the 2007 Equal Opportunities Act (Law 49/2007) are the main legislations regarding disability-based discrimination in Spain. Disabled workers are entitled to a range of tax reduction. In 2008, the net worth taxable income was set at 3.264 Euros for workers with a disability rated under 65% and at 7.242 Euros for workers who require “third party assistance” or who have a level of disability equal or superior to 65% (this rate is applicable to all visually impaired employees). Under the 1990 Law on Non-Contributory Pension, disabled people who move from social welfare to low income employment may retain part their benefits. Compare with other countries

**Top Discrimination**

The 1982 Social Integration for Disabled People Act (Law 13/1982), as extended by the 2003 Non Discrimination Act (Law 51/2003), and the 2007 Equal Opportunities Act (Law 49/2007) are the main legislations regarding disability-based discrimination in Spain. Under

these legislations, both private and public employers must comply with nondiscriminatory processes in their recruitment procedures. Compare with other countries **Top Employment on the open labour market** The 1982 Social Integration for Disabled People Act (Law 13/1982), as extended by the 2003 Non Discrimination Act (Law 51/2003), and the 2007 Equal Opportunities Act (Law 49/2007) are the main legislations regarding employment on the open labour market in Spain. Under these legislations, both private companies and public offices must meet a 2 % disability employment target, irrespective of the volume of their workforce. Employers are provided with “alternative options” if they cannot meet the 2% target, which include: • subcontracting self-employed or sheltered disabled workers; • creating a “Work Enclave”, where workers from a sheltered employment center temporarily join the company; • the donation of funds to relevant organizations. A sanction system has recently been introduced to strengthen the existing legislation. The Spanish government offers a range of schemes and funding programs to support disabled employees, disabled self-employed workers and employers on the open labour market.

Sweden



**Point(s) of Contact:**

**Name: - Leif Alm**

**Organization: - Samhall AB**

**Email Address: - [leif.alm@samhall.se](mailto:leif.alm@samhall.se)**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**No**

6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

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8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or

stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Sweden is a member state of the European Union(EU). Since some years there is an EU directive giving the EU member states the right to use social clauses within public procurement. This means among other things giving preferences for suppliers/contractors employing a certain number (percentage) of people with disabilities or reserve contracts for "sheltered/supported" workshops. Sweden has still not fully implemented these rules in the national legislation. Public procurement in Sweden is governed by the Swedish Public Procurement Act (2007:1091 – LOU).**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Some Swedish local municipalities have started using social clauses in their procurement with references to the above mentioned EU directive on public procurement.**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Samhall AB is one of many labour market measures and programs specifically aimed at supporting jobseekers with disabilities and a reduced capacity to work. All those measures and programs are administered by the Swedish Public Employment Service. Of course jobseekers with disabilities also can get support from the general labour market measures aimed at people who have been unemployed for a long time, young people with problems entering the labour market etc. One example among the general measures is the program "New start jobs" in which an employer can receive payment equal to a normal employer's fee (31,42 %) up to a double fee related to the background of the jobseeker. Different kind of wage subsidies to employers are the biggest and most common Swedish labour market measures supporting people with disabilities to getting employed. The wage subsidy program can be used of employers in both private and public sector. Here follows a very short information on some of the different labour market programs for people with disabilities.**

#### **Wage subsidies**

**The aim of wage subsidies is to support people in their development towards a regular job. Wage subsidies may be granted an employer for a maximum of four years and are subject to the Employment Protection Act. It's a flexible system and the amount of payment to the employer is influenced by two factors, the salary cost of the employee and the work capacity of the employee. When the employer is a public organization, a provider allowance may also be paid.**

#### **Development employment**

**The aim of development employment is to offer individuals an opportunity to try to develop their work capacity through work and development initiatives. Development employment may last for a period of 12 months with a possibility of extension. The employer may receive an allowance in addition to wage subsidies.**

#### **Security employment**

**The aim of security employment is to offer individuals an opportunity to try to develop their work capacity through work and a range of development initiatives. The target group consists of people with disabilities whose needs cannot be meet in any other way. Security employment has no duration limit and is subject to the Employment Protection Act. The employer may receive an allowance in addition to wage subsidies.**

#### **Samhall**

**People with disabilities may also be offered employment at Samhall AB, whose aim is to produce goods and services in demand and, by doing so, create meaningful and stimulating work for people with disabilities. In this case, the target group consists of people with disabilities whose needs cannot be met in any other way. There is no duration limit for employment at Samhall. People with disabilities re referred to Samhall by the Swedish Public Employment Service**

#### **Assistive devices**

**Assistive devices in the workplace can be excellent tools, and are often all that is needed in a new job. This may entail adapting the workplace or acquiring a particular product, and support may be given to both the employer and the employee. Employers and employees may each receive support of up to SEK 100 000. If support**

is in the form of technology-based assistive devices, or if there are exceptional grounds, a higher amount may be paid.

**Personal assistance**

An employee may sometimes need to ask a colleague for help with certain tasks. In these cases, the employer may receive a contribution to offset any extra costs.

**Individual support from an SIUS consultant** If a person needs a great deal of individual support to learn to perform their work tasks, employers can receive personal introduction assistance from a specially trained employment officer, known as a special introduction and follow-up support consultant (SIUS consultant). This support is gradually decreased over the support period and will end completely when the person is able to perform their tasks independently. Support from an SIUS consultant is not expected to last longer than six months. Follow-up support can be provided for up to one year from the commencement of employment.

## Thailand



### Point(s) of Contact:

Name: - Duangdao Thaikum

Organization: - The Redemptorist Foundation for People with Disability

Email Address: - [duangdaoth@gmail.com](mailto:duangdaoth@gmail.com)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**Yes**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Employment quota scheme is 1 percent, any employer or entrepreneur that has more than one hundred employees shall hire a person with disabilities who is able to work in any position with a ratio of every one hundred employees without disabilities to one employee with disability mention in Ministry of Labor Regulation. B.E. 2554, Article 3. Government agencies with more than one hundred employees shall hire a person with disability who is able to work in any position with a ratio of every one hundred employees without disability to one employee with disability mention in Ministry of Labor Regulation. B.E. 2554, Article 4. Persons with Disabilities Empowerment Act B.E. 2550, Section 39. The Office shall have authority to announce the employers'/entrepreneurs' compliance or violation of Section 33, Section 34 and Section 35 to the public at least once a year. When the government or any government agency considers granting of concessions or credits, giving honors, awards, royal orders and decorations, promoting investments or any other benefits to any employer or business, the information mentioned in Paragraph One shall be taken into account. Persons with Disabilities Empowerment Act B.E. 2550 Section 33 For the benefits of the empowerment of persons with disabilities, employers, entrepreneurs and government agencies shall employ persons with disabilities to work in the positions suitable for them in proper proportions to the entire number of the employees in their work places. The Minister of Labor shall issue Ministerial Regulations to specify numbers of employees with disabilities that the employers, entrepreneurs and government agencies shall recruit in their work places. Section 34 Employers or entrepreneurs who do not employ persons with disabilities at the proper proportions as mentioned in Section 33 shall send money to the Fund pursuant to Section 24(5). The Minister of Labor shall issue Ministerial Regulations to specify the amount of money that the employers or entrepreneurs shall send to the Fund Employers or entrepreneurs who are obliged to send money to the Fund as mentioned in Paragraph One but violate**



the obligation or fail to do so in a timely manner, or fail to send the whole or partial amount, shall pay interests at the rate of seven and a half percent per annum of the outstanding amount. Employers or entrepreneurs who employ persons with disabilities or send money to the Fund as mentioned in Paragraph One shall be eligible for tax exemption at the certain percentages of the amount they pay as wages or salaries to employees with disabilities or of the amount they send to the Fund, as the case may be, as prescribed by the law. Section 35 In case any government agency does not want to employ persons with disabilities under Section 33 or in case any employer or entrepreneur does not employ persons with disabilities under Section 33 and does not send money to the Fund under Section 34, such government agency, employer or entrepreneur may, in substitution, grant concessions, arrange places for products or services of persons with disabilities, employ persons with disabilities under sub-contracts with other agencies, provide trainings or any other supports for persons with disabilities or caregivers according to the criteria and procedures stipulated in the Rules prescribed by the Committee. Person with Disabilities Employment, Ministry of Labor Regulation B.E. 2554 Article 3 Any employer or entrepreneur that has more than one hundred employees shall hire a person with disabilities who is able to work in any position with a ratio of every one hundred employees without disabilities to one employee with disability. In cases the excess number of employees is more than fifty, an obligation to the recruit an additional employee with disability shall be applied. Employee enumeration shall be conducted exactly on the 1st day of October annually, and in case any employer or entrepreneur has offices or office branches in the same province, enumeration of the employees shall be conducted by the method of counting the entire workforce in the offices or office branches in the same province. Article 4 Government agencies with more than one hundred employees shall hire a person with disability who is able to work in any position with a ratio of every one hundred employees without disability to one employee with disability. In case the excess number of employees is more than fifty, an obligation to recruit an additional employee with disability shall be applied.

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.  
**National level law, Persons with Disabilities Empowerment Act B.E. 2250, enforces to all areas of geographical in Thailand. The law authorized Local Government, approx. 7,500 units, to enact a regulation for specific area in details according to the main law. Local government registration is more practical and**

**under a control of local authority.**

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?

**Yes**

6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Same as public sector**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Same as public sector**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Legislation is currently being drafted**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Businesses who hire PWDs could double salary paid to PWDs for expenses before tax. Business who hire PWDs at least 60% of all employees could triple salary paid to PWDs for expenses before tax.**

## United Kingdom



### Point(s) of Contact:

**Name:** - Nigel Hopkins

**Organization:** - Remploy

**Email Address:** - [nigel.hopkins@remploy.co.uk](mailto:nigel.hopkins@remploy.co.uk)

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

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**NA**

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stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**EU Art 19 on Public Procurement which allows contracts to be set aside**

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The local legislation enshrines the EU Directive**

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**No**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

U.S.A.



**Point(s) of Contact:**

**Name: - Deborah Atkinson**

**Organization: - SourceAmerica**

**Email Address: - [datkinson@sourceamerica.org](mailto:datkinson@sourceamerica.org)**

**Contributors to this response included Cornell University's ILR School, Employment and Disability Institute; Goodwill Industries International; SourceAmerica; and Workability International U.S. members.**

1. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the public-sector, i.e., a quota?

**No**

2. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**In the U.S., public sector employers are held to affirmative action standards primarily via:**

- **Management Directive-715**
- **Executive Order (OE) 13163**
- **Executive Order (OE) 13548**

**MD-715 requires that all federal agencies design model recruitment and hiring strategies for people with disabilities and implement programs to retain these workers. To ensure transparency and accountability, agencies must report on their progress in hiring people with disabilities, and the Office of Personnel Management (OPM), a federal agency, posts the results of agencies' efforts online for public evaluation.**

**In 2000, President Clinton issued Executive Order 13163 to prompt the addition of 100,000 employees with disabilities to the federal workforce within five years. As a part of EO 13163, each agency was directed to prepare a plan to increase employment opportunities for individuals with disabilities at all levels and occupations within government. This included utilizing available hiring authorities, expanding outreach efforts, and accommodating individuals with disabilities.**

**In light of the lack of gains in disability employment following EO 13163, in 2010 President Obama issued another Executive Order recommitting to compliance with EO 13163, Executive Order 13548, recommitting to the unmet goals of EO 13163.**

**This recommitment emphasizes greater compliance and accountability. This includes performance targets, numerical goals and sub-goals for individuals that have targeted disabilities. Consequently, executive departments and agencies must improve upon their efforts to employ workers with disabilities through increased recruitment, hiring, and retention.**

**The Director of OPM was charged with designing model recruitment and hiring strategies for agencies and developing mandatory training programs for both human resources personnel and hiring managers on the employment of people with disabilities. OPM is also expediting the hiring process to fill vacancies within 80 days instead of 105 days.**

**Other components of EO 13548 include:**

- **Designation of senior-level agency officials to be accountable for developing and implementing employment goals in recruitment, training, and advancement of individuals with disabilities, including targeted disabilities.**
- **Utilization of the Schedule A Hiring Authority and increased participation in internships, training, and mentoring programs for individuals with disabilities.**
- **Institution of a reporting system to track agency progress in implementation of objectives.**

3. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?  
**States may have state laws and mandates. For example, in the State of New York, Executive Order 6, and Civil Service Law Section 55 provisions a, b, and c create affirmative action goals for state and local government employers. In addition, the Governor's Association that represents the Governors of the 50 states has an initiative addressing the employment of people with disabilities. It is possible that states could develop state level programs in support of this initiative. The initiative (A Better Bottom Line: Employing People with Disabilities) aimed at the employment of people with disabilities. Its purpose is twofold: 1) Create a blueprint for business and states that identifies best practices and outlines steps that can be put in place to increase employment of people with disabilities. 2) Heighten awareness and launch a campaign to help governors put in place practices that best fit their state's efforts to increase employment for people with disabilities. While it is too soon to know what the direction this initiative will take or its impact, it is possible that it could result in efforts in any of the areas covered by this survey.**

4. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**Executive Order 6:**

**Executive Order 6, signed by Governor Mario Cuomo in 1983, is a broad affirmative action effort to ensure equal opportunity employment for minorities, including people**

with disabilities. It requires each state agency or department to develop an affirmative action program, to appoint affirmative action officers, and to submit an annual report on affirmative action to the Department of Civil Service. This policy also specifies administrative responsibilities for the Governor's Executive Committee for Affirmative Action and the Affirmative Action Advisory Council, composed of the Affirmative Action Officers of each agency.

**Civil Service Law Sections 55a, 55b and 55c:**

The Civil Service Law extends the "non-competitive class" exception regarding the state requirement that hiring and promotion be based on competitive examination to the hiring of people with disabilities. Section 55-a allows local governments to allocate up to 700 non-competitive jobs for people with disabilities. State Vocational Rehabilitation agencies determine eligibility and qualification, and appointing authorities interested in appointing qualified workers with disabilities must request that the position be converted from competitive to non-competitive. Conversion is then completed by the local government civil service commission or personnel office.

CSL Section 55-b sanctions the state Civil Service Commission to convert up to 1200 state agency positions from the competitive to the non-competitive category. As of 2010, 1,050 such positions were occupied. CSL Section 55-c permits the Commission to convert up to 500 positions to non-competitive for veterans with disabilities who served in "time of war." 109 such positions were filled as of 2010. In order to be eligible for 55-b/c positions, a disability must be certified by a physician from the Department of Civil Service's Employee Health Service. The applicant must submit a questionnaire completed by a physician detailing the diagnosis, prognosis and a description of the impact the disability has on major life activities, as well as a statement submitted by the individual describing how the disability impacts her or his life and interferes with employment. Individuals determined to be disabled are issued a 55-b/c "Eligibility Letter" by the Employee Health Service. Eligibility is automatic for wartime veterans who were awarded the Purple Heart or received a Veterans Administration disability rating of 20% or greater. State agencies interested in offering an applicant a position can request the Civil Service Commission convert it from competitive to non-competitive classification, and the individual can be hired without the oral or written Civil Service examination.

5. Is there any national-level legislation/policy in your country that requires the hiring of a certain percentage of employees with disabilities in the private-sector, i.e., a quota?  
**In the private sector, federal contractors and subcontractors are mandated to meet certain affirmative action requirements by:**
  - Section 503 of the Rehabilitation Act of 1973
  - Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), section 4212
  - Executive Order 11246



6. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The Office of Federal Contract Compliance Programs (OFCCP) within the U.S. Department of Labor enforces the laws that have affirmative action implications, including:**

- **Section 503 of the Rehabilitation Act of 1973**
- **Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA)**
- **Executive Order 11246**

**Affirmative Action requirements vary depending on the size of the contract; larger contracts are subject to additional requirements.**

**Contracts of \$10,000 or More**

**Contractors with...**

- **15 or more employees AND**
- **Government contracts or subcontracts totaling \$10,000 or more MUST:**
  - ✓ **Take affirmative action to hire, retain, and promote qualified individuals with disabilities.**
  - ✓ **Include an equal opportunity clause in all nonexempt contracts and subcontracts or purchases of \$10,000 or more. The clause must promise that the contractor will not discriminate on the basis of race, gender, religion, national origin, disability or status as a Vietnam era or disabled veteran, and will take affirmative action to hire applicants and treat employees during employment without regard to any of those factors.**

**When a subcontractor has a contract that includes this equal employment clause, the same affirmative action obligations then become binding on the subcontractor.**

**Contracts of \$50,000 or More**

**Contractors with...**

- **50 or more employees AND**
- **Government contracts or subcontracts totaling \$50,000 or more MUST:**
  - ✓ **Follow the same requirements as outline above for contractors with contracts of \$10,000 or more**

- ✓ **Have formal, written Affirmative Action Plans for women and minorities, individuals with disabilities, and veterans.**
- ✓ **Plans for individuals with disabilities and veterans may be combined, and must set forth the employer's policies and practices for implementing affirmative action, but do not require specific numerical goals.**
- ✓ **Plans for women and minorities must set goals for hiring and promoting in job categories where women and minorities are underutilized.**

**The Code of Federal Regulations (CFR) provides guidance on the steps an employer must follow to develop a plan.**

**Regulations enforced by OFCCP related to Section 503 of the Rehabilitation Act, as well as VEVRAA Section 4212 are expected to change in the coming months, to reflect an increase in the numeric hiring goals for organizations that do business with the federal government. These regulations have not been finalized or implemented.**

**[OFCCP Frequently Asked Questions – Section 503 of the Rehabilitation Act – Notice of Proposed Rule Making](#)**

**[OFCCP Frequently Asked Questions – VEVRAA Section 4212 – Notice of Proposed Rule Making](#)**

7. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**No**

8. Please describe the "local" legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**NA**

9. Is there any national-level legislation/policy in your country that allows or requires public-sector procurement of goods and services from organizations that employ people with disabilities?

**Yes**

10. Please describe the national-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

### **The AbilityOne Program**

The Wagner O'Day Act was passed in 1938 to address the employment needs of people who were blind. The act was amended in 1971 to include people with significant disabilities. The Javits Wagner O'Day Act provides a mechanism by which federal government agencies can procure goods (products) and services supplied by nonprofit organizations that train and employ people who are blind or who have significant disabilities. There is a small federal agency, the US AbilityOne Commission, that has responsibility for developing and implementing regulations for the AbilityOne Program. The Commission has designated two central nonprofit organizations, SourceAmerica (formerly NISH) and the National Industries for the Blind to help administer the program. The program is implemented through a national network of approximately 650 nonprofit agencies geographically dispersed throughout the US. The Commission has the ultimate responsibility for enforcing the requirements of the program. The CNAs provide assistance to the nonprofits that help them to meet program requirements. The program is funded primarily through a funding fee that cannot exceed 4% of the price of the procured product or service. Congress provides funding to support the AbilityOne Commission as it is a federal agency. The program represents more than \$2 billion in sales to the federal government each year. Federal agencies are required to purchase products and services they placed on the program's procurement list, however, enforcement is sometimes difficult due to limited staff resources at the Commission.

**The Randolph Sheppard Act** was enacted in 1938 and provides the opportunity for employment and self-support to people who are blind through a vending facility program. People who are blind are trained and licensed to operate cafeterias, snack bars and vending machines in federal properties.

11. Is there any "local" legislation/policy (as opposed to national-level legislation/policy) that applies to your organization based on its geographical location?

**Yes**

12. Please describe the local-level legislation/policy with as much information as possible. Include, at minimum, the following information - name of the legislation/policy; its requirements or stipulations; how it is implemented; and how it is enforced. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**States partner with the federal government in providing the Randolph Sheppard program. States have adopted state laws based upon this model. State Departments of Rehabilitation recruit, train, license, and place people who are blind to operate vending facilities in federal, state, municipalities and other properties. In 2007, there were \$713 million dollars in federal and state programs across the US.**

In addition, the majority of states have laws much like the JWOD Act that allow products and services to be purchased from people with disabilities or who are blind. Laws vary among the states.

- Forty-six (46) of the fifty (50) states currently have legislation that allows the products and services provided by people who are blind or significantly disabled to be sold to state governmental entities.
- Forty-Six (46) of the fifty (50) states have legislation known as “State Use” laws that authorize the purchase of products and services from community-based nonprofit agencies who employ people who are blind or significantly disabled. No two laws are identical, but all are based on the federal Javits-Wagner-O’Day Act. Some states have mandatory language, meaning that state departments and agencies shall purchase from nonprofits, while others use permissive language that state purchases may be made from the nonprofits. Additionally, the marketplace carved out by State Use legislation differs from state to state. While all of the states included state government department and agencies as customers of the nonprofits, many states expanded the marketplace to include county government, cities, municipalities, school districts and state universities as well. State use programs also operate under one of three models: 1) a “stand alone” central nonprofit profit agency (CNA) operates the program on a day-to-day basis with the State Use Program as its sole business enterprise; 2) State Use is a program of a statewide association of nonprofits providing services to people who are blind or significantly disabled, and; 3) the program is operated with the purchasing department of state government. The fee added to the cost of the contracts to operate the program varies greatly as well. In those states with programs operated by state government, there is usually no fee. The fee in the other types of programs range from 45 to a high of 8%. Some programs have their fee set 1% higher for products than services, as commodities typically require more robust marketing than services. Some states, such as New York, Texas, New Jersey, and Oregon have very vibrant programs today, while other states such as Massachusetts, South Dakota, Alabama and North Dakota have antiquated legislation in need of updating before their programs can develop and grow. In 2012, just 16 State Use Programs reported employing over 37,000 individuals who are blind or significantly disabled. These individuals worked over 18 million hours and earned over \$154 million in wages while creating sales exceeding \$616 million to their government customers within their respective states.
- The state of Missouri is actively working to pass its first State Use legislation, while Massachusetts has introduced new legislation in its current session to update their antiquated legislation to create a robust program. Alabama and South Dakota are now in the early stages of rewriting their State Use legislation with an eye toward introducing it in their respective state legislatures in early 2014.

13. Does your country provide incentives/subsidies/tax breaks /tax deductions to private sector firms that hire people with disabilities?

**Yes**

14. Please describe the types of incentives/subsidies/tax breaks /tax deductions your country provides to private sector firms that hire people with disabilities with as much information as possible. We have deliberately used open-ended comment boxes so you can add all the relevant information you have.

**The Work Opportunity Tax Credit (<http://www.doleta.gov/business/incentives/opptax/>)**

**The Work Opportunity Tax Credit is a tax credit for businesses who hire individuals from certain qualified groups. The credit is calculated based on the target group of the person hired, wages paid and hours worked in the first year of employment. An employer who hires an individual who completed or is completing rehabilitative services from a state or the U.S. Department of Veterans Affairs is eligible for the credit (among other target groups). If the individual works at least 120 hours, the employer may claim a tax credit equal to 25% of the individual's first year wages up to \$6000. If the individual works at least 400 hours, the employer may claim a tax credit equal to 40% of the individual's first year wages, up to the maximum of \$6000. The employer's tax liability can be reduced up to \$2,400 for each new hire in their first year of employment.**

**VOW to Hire Heroes Act of 2011 (<http://benefits.va.gov/vow/index.htm>)**

**The VOW To Hire Heroes Act of 2011 makes available tax credits for employers hiring veterans, including veterans with disabilities. These returning Heroes and Wounded Warrior Tax Credits include:**

<b>For hiring a veteran...</b>	<b>An employer gets...</b>
unemployed for at least six months	a \$5,600 credit on wages of \$14,000
unemployed for at least four weeks	a \$2,400 credit on wages of \$6,000
with a service-connected disability and unemployed for at least six months	a \$9,600 credit on \$24,000 of wages
with a service-connected disability less than one year after having been discharged or released from active duty	a \$4,800 credit on \$12,000 of wages

**The Disabled Access Credit**

This is a tax credit for an eligible small business that incurs expenses in order to comply with the Americans with Disabilities Act of 1990. This includes the cost of removing physical or other access barriers to individuals with disabilities and the elderly. Eligible businesses employ 30 people or less and earned \$1,000,000 or less in the previous tax year.

**The Architectural/Transportation Tax Deduction** - Businesses of any size can claim a deduction of up to \$15,000 per year for expenses incurred in the removal of architectural or transportation barriers to individuals with disabilities.

**The Mentor-Protégé Program, P.L. 102-172, Section 8064A** – Qualifying organizations which employ the severely disabled as defined in Section 8064A in Public Law 102-172 may receive technical assistance in production, contract management, and financing when they sub-contract work with a Department of Defense Contractor acting as mentor. Both the mentor and protégé are eligible for reimbursement of qualifying expenses.

**The Social Security Administration Employment Network Cash Provision** – When an Employment Network (EN) consortium includes a private sector employer, the employer may be eligible to receive a portion of a formula-based cash incentive, contingent upon favorable employment outcomes for people with disabilities, who are then able to forgo Social Security (SSI and/or SSDI) benefits. The EN may obtain up to a maximum \$24,187 in payments over the 60 month period of a beneficiaries' eligibility for Ticket to Work.

**On the Job Training (OJT)** - Authorized by the U.S. Department of Veterans Affairs, Vocational Rehabilitation and Employment Service (VR&E), this program allows employers or unions who hire veterans with disabilities to pay a reduced “OJT apprenticeship” wage of around to 40% - 50% of established journeyman wages. Wages to employees are subsidized by benefits administered by the Veterans Administration, and are gradually reduced as the employer contribution to wages increases.

**Special Employer Incentive Program** - Authorized by the U.S. Department of Veterans Affairs, Vocational Rehabilitation and Employment Service (VR&E), employers who hire veterans with service-connected disabilities who are approved for VR&E services may be eligible to receive up to 50% of the veteran's salary for up to 6 months.

Guidance was released from the Department of Defense that requires some federal level contracts with large Department of Defense Prime Contractors to subcontract a portion of the contract to AbilityOne nonprofit organizations. The purpose of the subcontract is to provide employment opportunities to people with significant disabilities or who are blind.

## Appendix C – Additional Resources by Country/Region of the World

### The European Framework governing employment related activities for people with disabilities

#### Point of Contact

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#### Introduction

Workability International has conducted a survey about existing employment related systems, processes or methods that promote employment opportunities for people with disabilities and preference in public sector procurement for organisations that employ people with disabilities.

In the European Union, all of these areas are governed by legislation under the Treaty of the European Union (TEU), and the Treaty of the Functioning of the European Union, (TFEU), both in force since 2009. These constitute the legally binding framework for the twenty-eight member states of the European Union and incorporate the previously existing Maastricht Treaty from 1993 and the Treaty of Rome from 1958 in its amended version.

The TFEU sets out the areas in which the European Commission has the competences to propose directives and regulations that, if agreed in the legislative process with the European Parliament and Council, then have to be transposed into national law. It also binds the EU to the Charter of Fundamental Rights of the European Union, thus making non-discrimination and EU citizenship an integral part of the legal framework that constitute rights for all EU citizens.

It is important to understand that directives allow member states flexibility in transposing them into national law, whereas regulations must be transposed as stated in the respective text. They are therefore the same in all member states whereas directives usually provide frameworks with minimum standards that national governments then transpose into their respective legal system. The option to go further than the minimum standard can also be included.

This paper will explain the different relevant articles of the treaties and the related directives to provide context to Workability International's research project.

#### Employment-related systems

This part provides context for employment related measures such as quota systems and reasonable accommodation.

Article 19 of the TFEU provides the EU with the competence to take action to combat discrimination on a number of enumerated grounds, including disability.

The article provided the legal basis for the Employment Equality Directive 2000/78<sup>i</sup>, under the previous Maastricht Treaty, which prohibits disability discrimination, as well as discrimination on the grounds of sexual orientation, age and religion or belief, with regard to employment.

The Employment Equality Directive was the first legal instrument of direct relevance to people with disabilities. It obliges the Member States to take measures to eliminate direct and indirect discrimination and harassment on the ground of disability, among other grounds, with regard to employment, including recruitment and vocational training. It states minimum requirements and allowed member states that wished to do so, to go further in their national legislation.

The directive contains two important elements:

1. The obligation on employers to provide reasonable accommodation in order to meet the needs of individuals with a disability.

“Reasonable accommodation” means “appropriate measures should be provided, i.e. effective and practical measures to adapt the workplace to the disability, for example adapting premises and equipment, patterns of working time, the distribution of tasks or the provision of training or integration resources”.

2. The possibility of employing positive measures to compensate for the disadvantages historically experienced by persons with disabilities in the labour market.

This means, for example, special programmes to provide vocational training to disabled persons to help them find jobs in the open labour market.

The Directive had to be implemented by the EU Member States by the beginning of 2007 at the latest.

Following the expiration of this deadline, the Commission analysed the implementing measures adopted by the Member States and initiated infringement procedures for incorrect implementation against a number of them. By 2011, at least one case had been referred to the European Court of Justice for non-compliance with the disability provisions of the Directive.

“Employing positive measures to compensate for the disadvantages historically experienced by persons with disabilities” means the following in practice:

- Ten member states have specific disability legislation<sup>ii</sup> that legitimises the rights of disabled persons, including the right to employment, and forbids any kind of discrimination
- A number of member states<sup>iii</sup> established quota systems to foster employment of people with disabilities, with quotas ranging from 2%, or 1 person minimum, for a company of 20 plus employees in Malta to 6% for a company of 20 plus employees in France. Some countries only include the public sector in the quotas.
- All countries impose fines on companies and the public service if the quota is not met. These are then used towards financing of programmes for disabled persons.
- In the Czech Republic, France and Slovakia, companies and the public sector can buy goods and services from sheltered workshops instead of implementing the employment quota.
- In several member states<sup>iv</sup> the public employment services have special services for disabled persons. These either help disabled persons to find employment in the open



labour market or provide vocational training schemes that include work opportunities, to help disabled persons acquire the necessary skills to find employment in the open labour market.

- Seven member states<sup>v</sup> provide special employment programmes to bring unemployed disabled persons into work in the open labour market.

### **Incentives, subsidies, tax breaks**

The second important area regulated by the Treaties is state aid and what member states are allowed to financially support. This includes incentives, subsidies and tax breaks.

Article 107 of the TFEU stipulates that ‘any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market’.

However, there are exemptions to this rule to create more equal opportunities for disadvantaged groups, including people with disabilities. Governments can provide financial aid to support the employment or training of people with disabilities.

In particular, aid for employing disabled workers is allowed if the Member State can demonstrate that granting such aid pursues an objective of common interest, such as tackling social exclusion, and show the necessity and proportionality of such aid. The European Commission determines the ceiling for such aid based on a member state’s GDP income and member states can then decide for themselves what financial aid they wish to provide.

In practice, this translates into wage subsidies for people with disabilities and the possibility to establish sheltered workshops in all member states, as well as tax breaks in some member states.

### **Public procurement**

This final part covers the preference in public sector procurement for organisations that hire people with disabilities.

Current public procurement legislation in the European Union is governed by the two directives with number 2004/17 EC, coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sector and number 2004/18, coordinating the procedures for the award of public works contracts, public supply contracts and public service contracts.

Article 19 of 2004/18 allows public authorities to reserve contracts:

“Member states may reserve the right to participate in public contract award procedures to sheltered workshops or provide for such contracts to be performed in the context of sheltered employment programmes where most of the employees concerned are handicapped persons, who, by reason of the nature or the seriousness of their disabilities, cannot carry out on occupations under normal conditions. The contract shall make reference to this provision”.

As with any directive, it is up to individual member states, and eventually regional and local authorities, to apply this clause in public procurement procedures. Only the United Kingdom,

Denmark, the Netherlands and France have issued national guidelines on socially responsible public procurement.<sup>vi</sup>

The European Commission promotes socially responsible public procurement with a special guide that demonstrates how public authorities can use the public procurement procedure to “promote employment opportunities, decent work, social inclusion, accessibility, design for all, ethical trade and seek to achieve wider compliance with social standards”<sup>vii</sup>. Public authorities spend some 17% of the European Union’s GDP and are therefore major consumers that can have a big impact on socially responsible public procurement.

## U.S.A.

The Employer Assistance and Resource Network (EARN) [www.askearn.org](http://www.askearn.org)

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<sup>i</sup> See <http://new.eur-lex.europa.eu/homepage.html> for the texts of all the directives and the Treaties.

<sup>ii</sup> Cyprus, Ireland, Italy, Lithuania, Luxembourg, Malta, the Netherlands, Sweden, Slovenia, the United Kingdom.

<sup>iii</sup> Austria, Bulgaria, Cyprus, Czech Republic, Germany, France, Hungary, Luxembourg, Malta, Slovakia, Ireland, Portugal

<sup>iv</sup> Austria, Belgium, Bulgaria, Cyprus, Germany, Greece, Hungary, Luxembourg, Malta, The Netherlands, Poland, Romania, Sweden, Slovakia, Slovenia, the United Kingdom

<sup>v</sup> Bulgaria, Cyprus, Finland, Lithuania, Malta, Sweden and the United Kingdom

<sup>vi</sup> Study on the incorporation of social considerations into public procurement. July 2008

<sup>vii</sup> Buying social. A guide to taking account of the social considerations in public procurement. October 2010. Quote from page 5