



## EUROPEAN UNION OF THE DEAF

A European Non-Governmental Organisation in official liaison with  
European Parliament, European Commission and the Council of Europe

### **EUD Policy Recommendations**

#### **Access to labour market for deaf persons in the EU**

##### **Introduction**

Access to work and employment is a fundamentally important right. The empowerment through employment, self-employment or entrepreneurship is essential to the well-being of deaf persons and their full and active participation in societies and economy.

However, participation of persons with disabilities in employment remains low. According to the EU-level data collected in 2019, persons with disabilities in the EU are 24.4 percentage points less likely to be employed than persons without disabilities. Only 50.8 percent of persons with disabilities are employed, compared to 75 percent of persons without disabilities. Unavailability of EU-level data disaggregated by disability type<sup>1</sup> does not allow us to know how many deaf persons in the EU are currently included in or excluded from the labour market. Moreover, there is no official EU-level statistics disaggregated by disability type and other factors, such as gender, and this for instance, does not allow us to know how many deaf women are included in or excluded from the labour market.

In the EU, the United Nations Convention on the Rights of Persons with Disabilities<sup>2</sup> (UN CRPD), especially its Article 27, the European Pillar of Social Rights<sup>3</sup>, the European Disability Strategy 2021 – 2030<sup>4</sup> and the Employment Equality Directive<sup>5</sup> are key instruments that safeguard the right to work and employment of persons with disabilities at the EU level. However, legislation and principles must be meaningfully implemented and enforced at national level to ensure that such right is protected and fulfilled, and deaf persons can fully exercise it and participate in the labour market and an equal basis with others.

To understand how well the right to work and employment is realised in the EU for deaf persons and which barriers remain, in the beginning of 2022 EUD has developed a survey on labour market access for deaf persons and disseminated it among its thirty-one member organisations – National Associations of the Deaf (NADs). The survey was answered by twenty National Associations of the Deaf (NADs) in the EU and one National Association outside the EU. EUD has received the answers from National Associations of the Deaf in Austria, Belgium (Flemish NAD), Croatia, Czechia, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy,

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<sup>1</sup> Although in some Member States such information is available. EUD received information that for instance, in Spain, the employment rate of deaf people is 46.3%, 18 percentage points below that of the general population (64.3%), without considering the type of employment and its working conditions.

<sup>2</sup> <https://ec.europa.eu/social/main.jsp?langId=en&catId=1138>

<sup>3</sup> [https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights_en)

<sup>4</sup> <https://ec.europa.eu/social/main.jsp?catId=1484>

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0078>

Latvia, Lithuania, Poland, Romania, Spain, Sweden. From outside the EU, EUD received information from NAD in Iceland.

EUD asked National Associations of the Deaf, how well the EU Member States are implementing Article 27 UN CRPD for deaf person in their countries and what are the remaining barriers. EUD also inquired NADs about the EU level instruments such as the EU Strategy for the Rights of Persons with Disabilities, EU Pillar of Social Rights and Equality in Employment Directive and their impact at national level when improving access to work and employment.

EUD intends to use the information collected as the basis for policy recommendations that can inform the authorities at national as well as EU level when further targeting the unemployment of persons with disabilities in the EU. The information collected and presented in this report is only from the EU Member States. The information collected from the NADs outside the EU is not included in the analysis of this report.

## The right to work on an equal basis with others

All the EU Member States and the EU itself are States Parties to the UN CRPD, which means all the EU Member States and the EU itself, recognise the right of persons with disabilities to work on an equal basis with others.<sup>6</sup> Article 27 UN CRPD also highlights that all people with disabilities, including, deaf people have the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. Often, persons with disabilities cannot exercise their employment rights, as described in Article 27, if the workplace is not accessible or reasonable accommodation measures are not provided.

Due to the specific cultural and linguistic identity of deaf persons, “to fully exercise their linguistic human rights to participate in and contribute to the labour market, the accessibility and inclusion of the labour market itself through national sign languages must be guaranteed.”<sup>7</sup> This refers to all information pertaining to work - advertisements of job offers, selection processes and communication at the workplace that is part of the work process must be accessible through the deaf person’s national sign language via the provision of professional and certified sign language interpreting services. Accessibility of communication and information for deaf persons at the workplace can also include visual alarm systems, assistive technology such as captioning during presentations. In addition, Article 9 UN CRPD prohibits discrimination of persons accessing the labour market based on disability. In fact, a “refusal to adapt the workplace constitutes a prohibited act of disability-based discrimination.”<sup>8</sup>

## Article 27(1)(a) UN CRPD & Article 27(1)(i) UN CRPD

States Parties to UN CRPD are obliged to safeguard and promote the realisation of the right to work, by taking appropriate steps, including through legislation, to prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment.

Article 27(1)(a) provides with a non-exhaustive list and obliges State Parties to prohibit discrimination based on disability with regard to all matters concerning all forms of employment, including:

- conditions of recruitment
- hiring and employment
- continuance of employment
- career advancement
- safe and healthy working conditions

Discrimination on the basis of disability, according to the UN CRPD Article 2, means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise of the right on an equal basis with others. This would apply to all human rights and

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<sup>6</sup> Art 27(1) CRPD.

<sup>7</sup> General Comment no.2 on Article 9, p.1.

<sup>8</sup> Ibid.

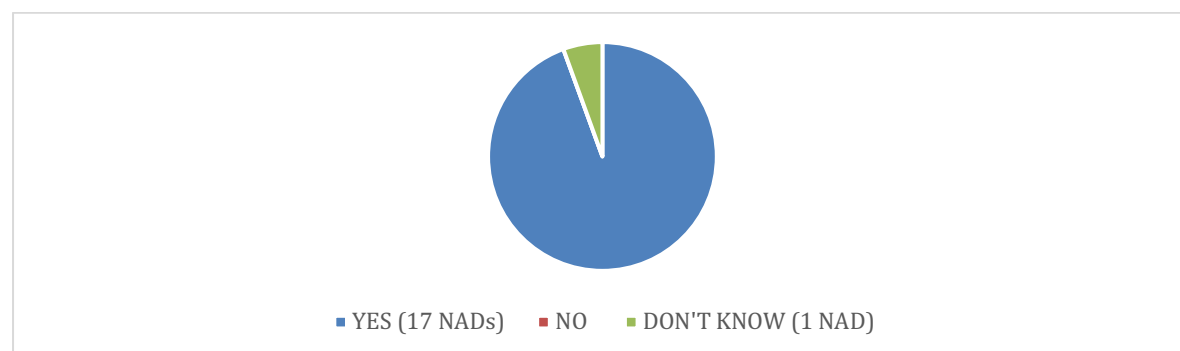
fundamental freedoms including the right to work, as well as all forms of discrimination, including denial of reasonable accommodation. Indeed, under Article 27 UN CRPD, persons with disabilities in the workforce have a legal right to reasonable accommodation, therefore, a rights-based approach is required.

Examples of discrimination based on deafness and denial of reasonable accommodation for deaf persons can include:

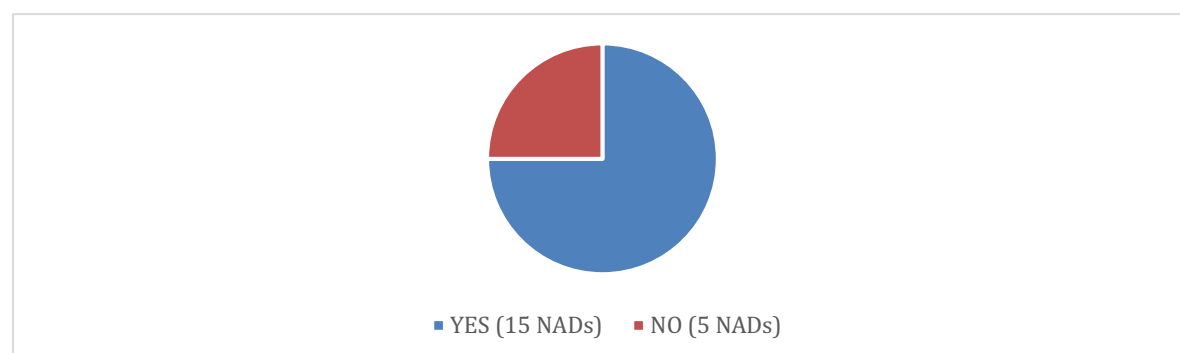
- Refusal by the recruiter to provide a qualified and professional sign language interpreter who is trained for the interview purposes, in the candidate's national sign language, for the interview process.
- Denial to full access of information and communication in the workplace<sup>9</sup>, meaning the deaf employee will not only be unable to sufficiently do their job, but also become excluded from social interactions with colleagues.
- Exclusion of a deaf applicant from the list of applicants due to a false preconception that a deaf person will not be able to do the job adequately due to their disability.

Even though all the EU Member States are obliged to prohibit discrimination based on disability with regard to all matters concerning all forms of employment, it is important to ensure it is implemented and enforced in practice.

In its survey EUD asked the National Associations of the Deaf (NADs) whether they are aware of the cases when deaf individuals are experiencing discrimination based on their disability in or when seeking for employment. National Associations of the Deaf answered:



EUD also asked NADs whether their national legislation protects the deaf persons' right to work on an equal basis with others in society. The National Associations of the Deaf answered:



Almost all NADs report that they are aware of the cases of discrimination while seeking for and/or when in employment. NADs report that mostly discrimination occurs in the conditions of recruitment and during hiring process, however NADs highlight that they are aware of cases of discrimination at all stages of employment (during the hiring process, in employment, when ensuring the continuance of employment, when ensuring career advancement). EUD has also received important testimonies from the National Associations of the Deaf:

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<sup>9</sup> EUD Accessibility of information and communication position paper - <https://www.eud.eu/eud/position-papers/accessibility-of-information-and-communication/>

*“We have received information about discrimination at various stages: during the hiring process, in the job itself, to ensure professional development and when choosing you because **sometimes companies give priority to a deaf person who speaks and has functional hearing loss, hearing aid or cochlear implant.** It is common for deaf people to be discriminated against, and this discrimination can occur at any time in their working life. From the job interview, incorporation to the job, job development, meetings and training offered by the company, as well as in professional development. **This is mainly because there are no sign language interpreters to make information accessible or that mostly the deaf people “who speak and hear” are wanted,** preventing deaf people from participating on equal terms. Another of the main reasons is the lack of awareness and knowledge from the companies of the human capital of deaf people.”*

*“The work application often requires the ability to speak and write fluently. If mentioning deafness in the job application the risk to being excluded is higher. Cost coverage for sign language interpreting is not enough - after a particular amount of hours the workplace must cover the expenses - **the deaf person is then seen as an economic burden.**”*

*“People (employers) may have prejudices and lack of knowledge.”*

*“In the work application and hiring process deaf people will face challenges. The Public Employment Services give guidance and support but require a lot of bureaucracy and paperwork - especially when navigating through the system. **The officials lack knowledge on support and service for people with disabilities and time.**”*

*“There is a case where the Swedish legislation violates UNCRPD”<sup>10</sup>*

*“The law exists **but in practice there can be discrimination.**”*

*“In Spain Royal Legislative Decree 1/2013, of November 29, 2013, approving the Consolidated Text of the General Law on the Rights of Persons with Disabilities and their Social Inclusion establishes guarantees of the right to work (Article 35, which establishes principles of equal treatment and non-discrimination); equal treatment (Article 36) as well as different measures to promote the labour incorporation of persons with disabilities, such as job reservation quotas or economic incentives for hiring (Article 36).”*

EUD highlights that even though discrimination based on disability is prohibited under the UN CRPD, there is a huge lack of implementation and enforcement of this right, as cases of discrimination continue to occur in all the Member States in the EU in practice and continue to be unreported and not addressed.

Moreover, Article 27(1)(i) UN CRPD obliges the State Parties to ensure that reasonable accommodation is provided to persons with disabilities in the workplace. Due to the lack of reasonable accommodation measures in the workplace, deaf people in employment often face several barriers. For instance, absence of qualified and professional sign language interpreters creates barriers to accessing information and communication at work as well as creates inaccessible social interactions. As denial of reasonable accommodation measures creates discrimination<sup>11</sup> against deaf persons, it is the responsibility of the State Parties to UN CRPD to create the conditions for reasonable accommodations to be provided in order to ensure deaf persons are not discriminated against.

Examples of reasonable accommodation measures for deaf people in the workplace, among others, can include:

- Provision of qualified and professional sign language interpreters when looking for work, when working and during social interactions at work.
- Adaptation of workplace infrastructure to ensure colleagues are visible to a deaf employee and alternative ways of communicating (e.g., through text) are used to facilitate communication.
- Use of modern technology is encouraged, e.g., speech to text AI technologies and automatic subtitling.

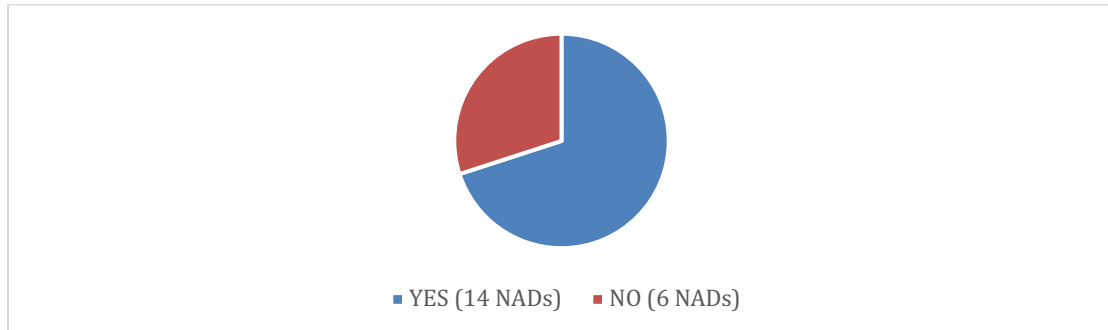
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<sup>10</sup>[https://www.independentliving.org/files/Communication%20to%20CRPD%20about%20Richard%20Sahlin%202018\\_0.pdf](https://www.independentliving.org/files/Communication%20to%20CRPD%20about%20Richard%20Sahlin%202018_0.pdf)

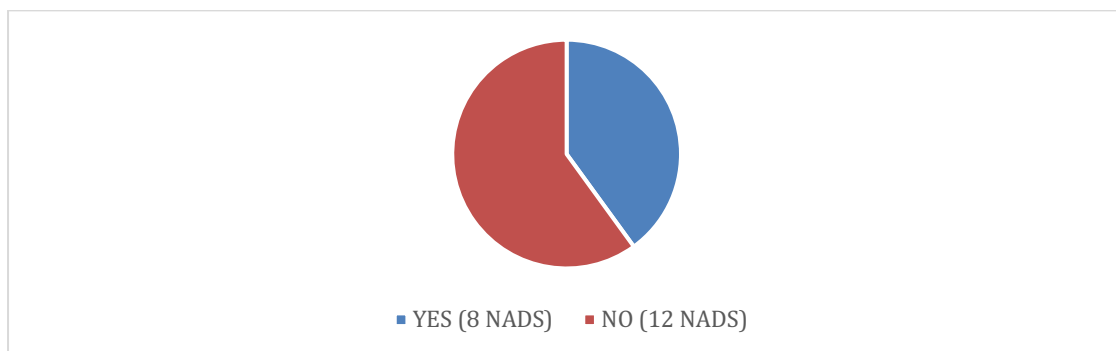
<sup>11</sup> Article 5(3) of the UN CRPD.

- Tailored and accessible career support services to ensure deaf employees have a place to raise any barriers they're facing in the workplace.
- The recognition of employers that reasonable accommodation measures must be tailored to deaf employees on a case-by-case basis.

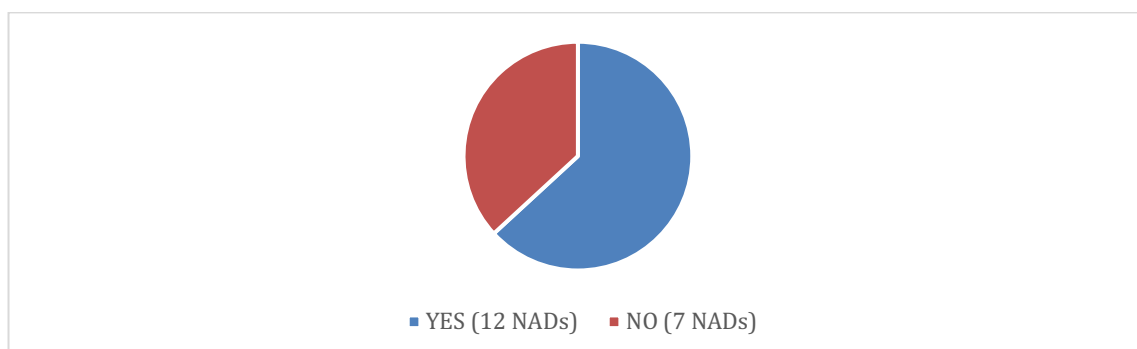
EUD asked the National Associations of the Deaf whether they think that deaf persons are aware that they have a legal right to reasonable accommodation and accessibility to enable them to do their job to the best of their ability. The National Associations of the Deaf answered:



Moreover, EUD asked the National Associations of the Deaf whether they think that deaf persons are aware that State Parties to the United Nations Convention on the Rights of Persons with Disabilities are obligated to provide reasonable accommodation and accessibility. The National Associations of the Deaf answered:



EUD asked the National Associations of the Deaf whether they think that deaf people in their countries have access to professional sign language interpreters in or when seeking for employment. The National Associations of the Deaf answered:



NADs highlighted that:

*"In Italy it varies from region to region."*

*“In Czechia the **disadvantage is the smaller number of interpreters than necessary**, but they are mostly provided in this area (job search), it is preferred field to provide with interpreter.”*

*“Yes, **sign language interpreter is profesional and government pays these services** in Lithuania.”*

*“In Poland the **Sign Language Act only applies to public entities, it does not apply to private entities**. In matters of employment, every deaf person has to ask for a sign language interpreter himself, or ask the employer to provide one, but the costs are covered by private funds.”*

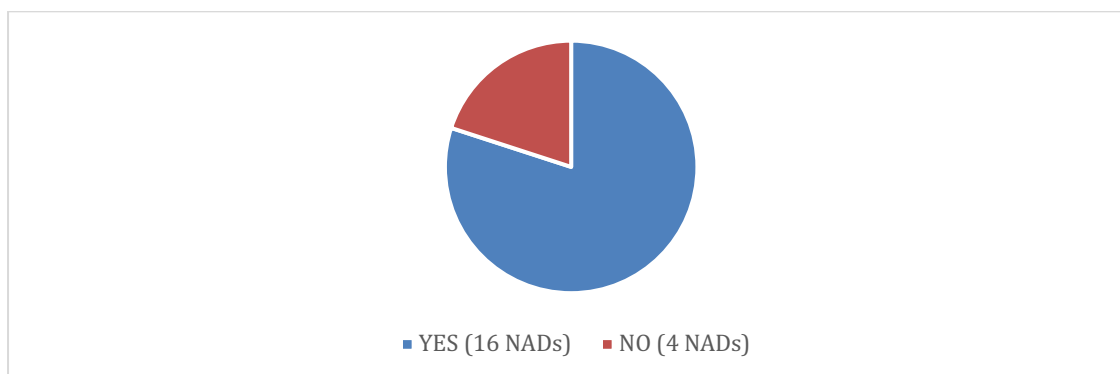
*“**Only a few interpreters in Austria are available.**”*

*“In Finland, it is **possible to have an interpreter with limitless hours.**”*

*“In Sweden the situation is mixed. In the interview process there is guaranted interpreters (provided that there are some available especially at short notice). But **the amount of the economic coverage for interpreting in the labour market for each individual is low**, thus the work place has to pay for the interpreters. ”*

*“**Not all interpreters are professional** in Croatia. ”*

Furthermore, EUD asked the National Associations of the Deaf whether they think that deaf persons face administrative problems when asking for additional support from employers. The National Associations of the Deaf answered:



The National Associations of the Deaf emphasised that:

*“Deaf people know what their rights are, but they are not always strong enough to fight, or they do not want to fight (they need a job, so they are willing to accept unsatisfactory conditions).”*

*“My organisation (in Poland) runs various projects to increase the participation of deaf persons. We are also preparing a special **video hotline to increase access to sign language interpreters for job seekers and employed people.**”*

*“In Austria, we are again **collecting anti-discrimination reports** since 2021, this helps us to have a better overview. ”*

*“**The lack of accessibility in the communication channels with the administration limits the autonomy of deaf people.** ”*

*“**Cost coverage for interpreters is an issue.** The UNCRPD is not strong enough in Sweden.”*

Considering all the above, EUD recommends the authorities to:

- **Prohibit discrimination based on disability and ensure, among others, the provision of reasonable accommodation** as well as the accessible working environment in **mainstream national labour legislation** and not only through disability-specific laws. It is essential to provide with stronger legal protection for the employment rights of persons with disabilities in mainstream labour laws. This would increase the visibility of the rights of persons with disabilities across sector-specific legislation.
- Pay particular attention to prohibiting **intersectional discrimination**. Take into account the additional discrimination and marginalisation faced by persons with intersectional identities (e.g. deaf women) when adopting disability-inclusive employment policies, legislation and programs, to progressively reduce the inequalities faced by deaf persons with intersectional identities to access an open, fair and inclusive labour market on an equal basis with others.
- Develop a strategy and a guidance document on increasing employment of all persons with disabilities and collect information on the availability and costs of **reasonable accommodation measures for each disability group**, to track how to use public funds to increase the funding for the necessary measures. The guidance document should also explain what steps are needed to take to increase the availability and affordability of such measures.
- Explain the reasonable accommodation measures in detail and **raise awareness about their role in empowering deaf persons to be economically active**. Often, it is misunderstood by the employers what reasonable accommodation measures are necessary for the potential deaf employees.
- Develop the strategies on increasing employment of persons with disabilities which should include clear timeframes and benchmarks and measurable goals and should be developed in coordination with organisations of persons with disabilities, including National Associations of the Deaf. Importantly for the deaf community the strategy on increasing employment of persons with disabilities should, among others, include plans to:
  - Develop a guidance document on how to **increase the availability of professional and verified sign language interpreters** as they are vital to ensure the reasonable accommodation for deaf persons in or when seeking for employment.
  - Develop a guidance document on modern technologies that can assist deaf people in the workplace (e.g. speech to text technologies).
  - Promote other good practices on how to make workplace more accessible and inclusive. E.g. encourage the employers to be more inclusive and provide them with free classes to learn sign language so they can communicate to their deaf colleagues.
- Ensure that the provision of professional and verified sign language interpreters is not an economic burden of an employer or employee and is publicly funded. **Good practice example can be seen in Finland where National Association of the Deaf in Finland reports, that when in employment deaf person has free and limitless interpreting. EUD notes that good practice example is also seen in Lithuania, where the interpreters are publicly funded and provided when seeking for and when in employment with no limits.** However, the shortages of the available professional and verified sign language interpreters are noticeable in almost all the EU Member States.
- Ensure the systematic participation of, and active consultation with, deaf persons and their representative organisations in the design, implementation, and monitoring of policies to promote their employment.
- Monitor the implementation of disability-inclusive labour policies through complaint mechanisms.
- Conduct **research which would explore the potential of persons with disabilities as a currently inactive work force which, once enabled, would significantly benefit economic and sustainable growth.**

## Article 27(1)(b) UN CRPD

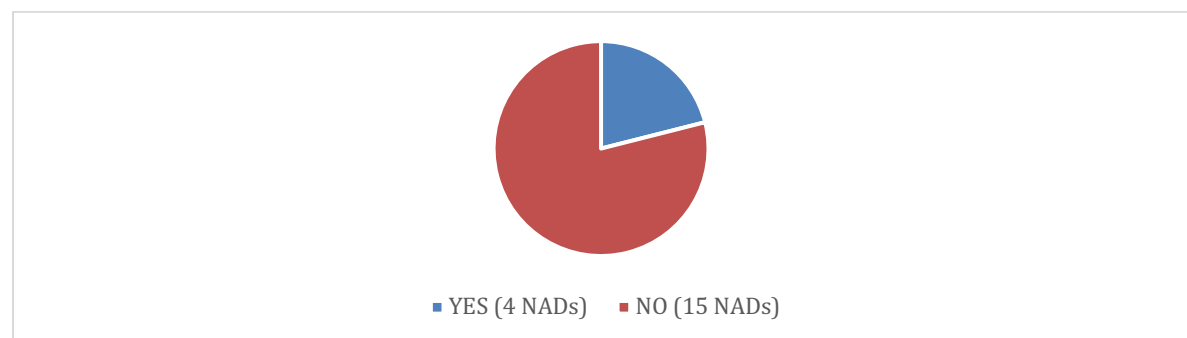
Article 27(1)(b) obliges the State Parties to UN CRPD to protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment.

The protection of the rights of deaf people on an equal basis with others, to just and favourable conditions of work means that deaf people must be treated in the same way as other people in the workplace with regards to opportunities, irrespective of their disability, such as promotions; pay, which reflects their job position; and working conditions, such as work health and safety issues inclusive of deaf people, as well as the prohibition of harassment based on their disability.

Examples of protection of the rights of deaf people on an equal basis with others, to just and favourable conditions of work can include:

- Equal remuneration for work of equal value, especially for deaf women, irrespective of their disability.
- Equal access to information about the opportunities of promotion which would include a pay rise to reflect the higher position.
- Equal access to career development.
- Provision of accessible workplace opportunities for deaf people such as training and development that offers the use of captioning during any training videos, for instance, or qualified interpreters who are trained to work in a training environment, in the national sign language of the deaf person.
- Ensuring the health and safety practices in the workplace are inclusive of deaf people e.g., the provision of accessible information on health and safety measures in a national sign language.

EUD asked the National Associations of the Deaf whether the organisations think that deaf persons in their countries are ensured with just and favourable conditions of work.



Even though some organisations reported that some progress is seen especially in legislation, majority of the National Associations of the Deaf report that deaf persons are not ensured with equal opportunities and just and favourable conditions of work in practice. The National Associations of the Deaf highlight that:

*“There is a **lack of appropriate legal regulations which would regulate access to sign language interpreters at every stage of employment**. So that the employer is obliged to provide an interpreter in every necessary situation.”*

*“In spite of having regulations on employment and inclusion of people with disabilities in general, and deaf people, there are still **barriers in access to training, employment, and development of the job**.”*

*“Many deaf persons **are not informed about the possibility to make career** or find it difficult to make a career in the job place. Some do assignments not corresponded to their job position. ”*

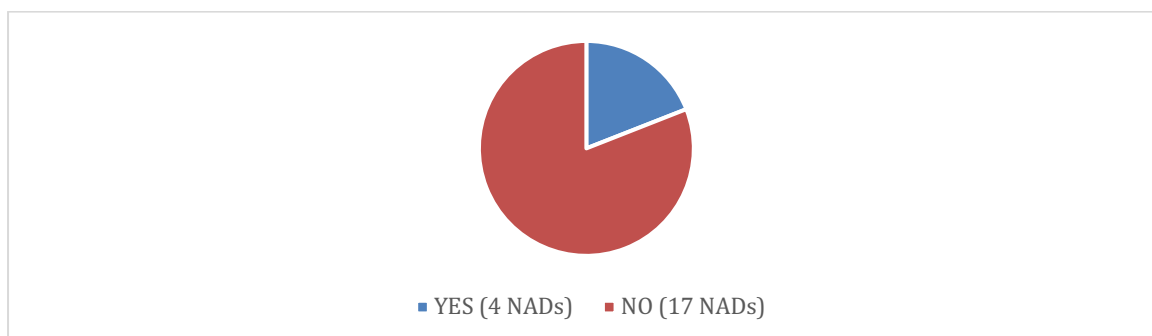
*“Deaf people **don't always have the same opportunities for advancement, and this affects salaries**.”*

*“Often deaf people are **not given the same opportunity to career development**.”*

*“There is **lack of inclusion socially** at the workplaces.”*



Moreover, EUD asked the National Associations of the Deaf whether the organisations think that deaf persons in their countries are ensured with equal opportunities.



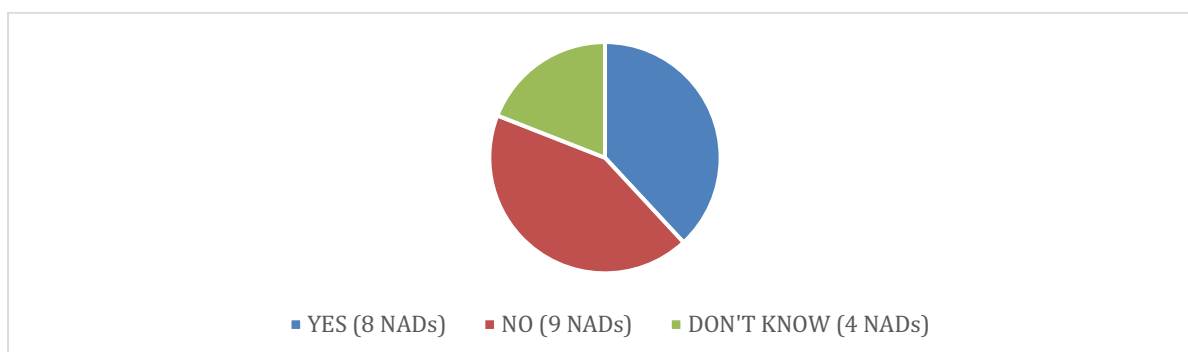
The National Associations of the Deaf highlight that:

*“Deaf people do not get many opportunities at all, due to the **barrier of communication**.”*

*“No access to equal opportunities, mainly due to the **lack of availability of sign language interpreters**. Therefore, my organisation plans to set up a videoline to provide access to sign language interpreters in the area of work and employment.”*

*“Deaf people are not ensured with equal opportunities, since there is **no equal access to education due to lack of bilingual education, severe shortage of sign language interpreters and lack of sound expertise framework to support deaf students**. Due to inclusion in regular education, deaf students are dispersed all over the country and often isolated. They lack the social and signing environment which is necessary for their mental well being and growing up.”*

Furthermore, EUD asked the National Associations of the Deaf whether the organisations think that deaf persons in their countries are ensured with equal remuneration for work of equal value.



The National Associations of the Deaf highlighted that:

*“There have been many cases where slightly **less pay has been paid for equal work**. Many employers claim that the deaf people receive support and pay less.”*

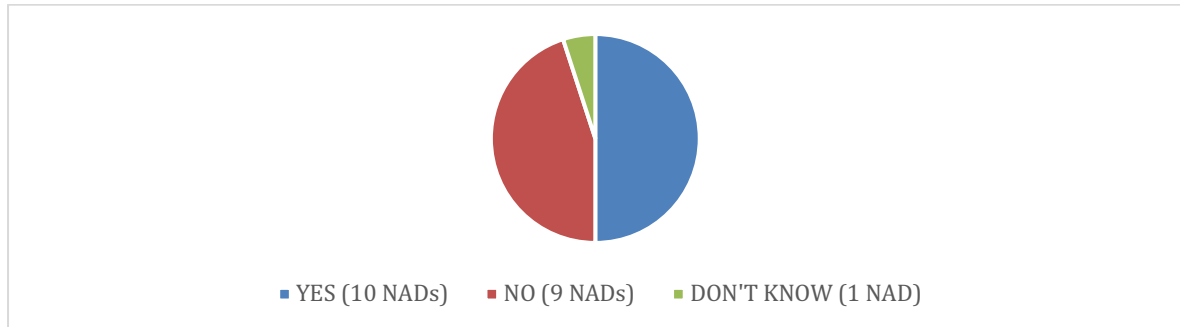
*“The pay for the job is at a similar level as for other people with disabilities. In some situations, **it may differ from pay for non-disabled people**.”*

*“There are not enough statistics on this issue.”*

*“Depends on the type of company. When deaf people are hired through Special Employment Centres, and even if they have the same professional profile, functions and working hours than in an ordinary employment, the **deaf person receives a lower salary in sheltered employment than in ordinary employment**.”*

*“In some sectors **employers are using financial support and the deaf people are still getting low pay.**”*

Finally, EUD asked the National Associations of the Deaf whether the organisations think that deaf persons are ensured with safe and healthy working conditions.



The National Deaf Associations highlighted that:

*“Many **deaf workers are rejected to do some assignments because there is no safe place for them.**”*

*“Employers might not know how to arrange working conditions e.g. **visual aids.**”*

Considering the answers and testimonies provided by the National Associations of the Deaf, EUD highlights that even though under the UN CRPD, all the EU Member States and the EU itself are obliged to ensure that deaf people are ensured with just and favourable conditions of work, access to equal opportunities, safe and healthy working conditions and equal remuneration for work of equal value, in practice such obligation is not yet well implemented.

EUD therefore recommends the authorities and employers to:

- Collect data on and address the underrepresentation of all persons with disabilities in high-paid, quality and sustainable jobs with high-responsibility and/or managerial positions and put in place measures to increase it.
- **Promote employment for all persons with disabilities, including deaf persons, in the open labour market and do not create segregated employment settings for persons with disabilities, regardless of their disability (e.g. sheltered employment, workshop, protected employment).**
- **Do not encourage segregated employment such as sheltered workshops, which do not ensure adequate working conditions or labour-related rights for persons with disabilities, nor pathways to the open quality and inclusive labour market, often receiving wages that are under the minimum wage or not getting a fair wage.**
- Put in place regulations that would ensure that deaf persons have full and meaningful access to reasonable accommodation measures, such as access to professional and verified sign language interpreting services **at all stages of employment**. Access to reasonable accommodation measures must not only be ensured for a deaf employee to get a job or perform his/her work functions, but also **when receiving training for career development and during social interactions with co-workers or when networking**. For such regulations to be effective, the availability of national sign language interpreters must be increased.
- Ensure that information about the possibilities of career development and growth must be equally accessible in national sign languages.

- **Develop trainings for employers of how to ensure their workplace is fully inclusive for people with all kinds of disabilities.** Consult various organisations of persons with disabilities, including National Associations of the Deaf, when developing such trainings.
- Develop standards how to ensure safe working environments for deaf employees, e.g. with regards to visual aids.
- Adopt measures to ensure and monitor that all persons with disabilities, including deaf persons, access **equal pay for equal work**, in line with legal regulations and market standards applicable to all other workers in the same category.
- Ensure a social protection system that enables deaf persons to access supports and cover their disability-related costs.

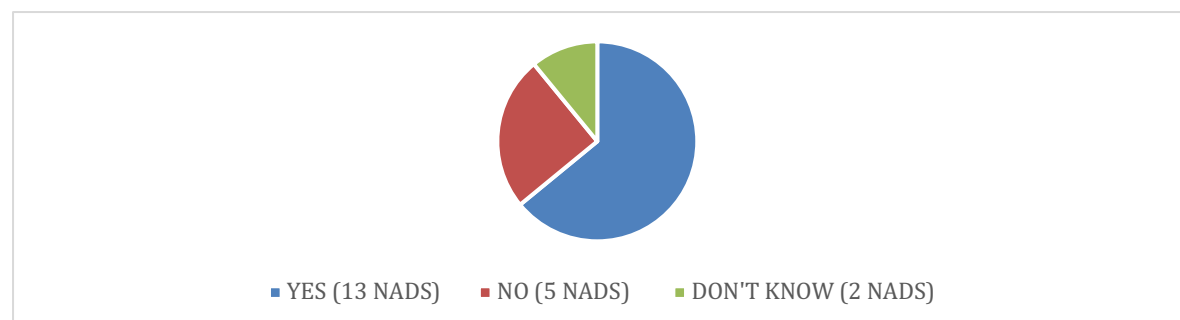
## Article 27(1)(c) UN CRPD

Article 27(1)(c) UN CRPD obliges State Parties to ensure that deaf people can exercise their labour and trade union rights on an equal basis with others. To ensure that deaf people can exercise their labour and trade union rights on an equal basis with others means that there are no restrictions to the right of freedom of association to form trade unions or workers' associations based on disability and the promotion of the inclusion of deaf people in trade unions and workers' associations. In practice, this this means that full accessibility of any information and communication regarding the involvement in trade unions must be ensured and work associations or support from the trade union that enables the deaf employee to be fully aware of their rights as a worker, on an equal basis with their colleagues is provided.

Examples of ensuring that deaf people can exercise their trade and union rights on an equal basis with others can include:

- Reasonable accommodation measures are provided to enable deaf people to exercise their trade union and labour rights in the national sign language(s) on an equal basis with others.

EUD asked the National Associations of the Deaf (NADs) weather the organisations think if deaf persons, can exercise their labour and trade union rights equally with others in their countries.



The National Associations of the Deaf highlighted the following:

*"The **meetings of trade unions are not accessible** for deaf persons; the service of interpreting is not provided. "*

*"Trade unions **do not always provide access to sign language.** "*

*"In theory yes but what about provision of sign language interpreters? Unions need to be educated regarding this and lead by example. "*

*“The main barrier they encounter is the **lack of sign language Interpreters.**”*

Considering the answers from the National Associations of the Deaf and their testimonies, EUD can conclude that even though deaf persons can exercise their labour and trade union rights, it depends on the availability of the professional and verified sign language interpreting service.

EUD therefore recommends the authorities to:

- Develop and share guidance and good practice on reasonable accommodation, such as provision of professional sign language interpreting service, among trade unions. Reasonable accommodation measures must also enable deaf people to exercise their trade union and labour rights in the national sign language(s) on an equal basis with others.
- Work with organisations of persons with disabilities, including National Associations of the Deaf, and trade unions to promote the effective inclusion and participation of deaf persons in unions and collective bargaining, to be able to exercise their rights in the workplace.

## Article 27(1)(d) UN CRPD

Article 27(1)(d) oblige State Parties to CRPD to enable persons with disabilities to have effective access to

- general technical and vocational guidance programmes
- placement services
- vocational and continuing training

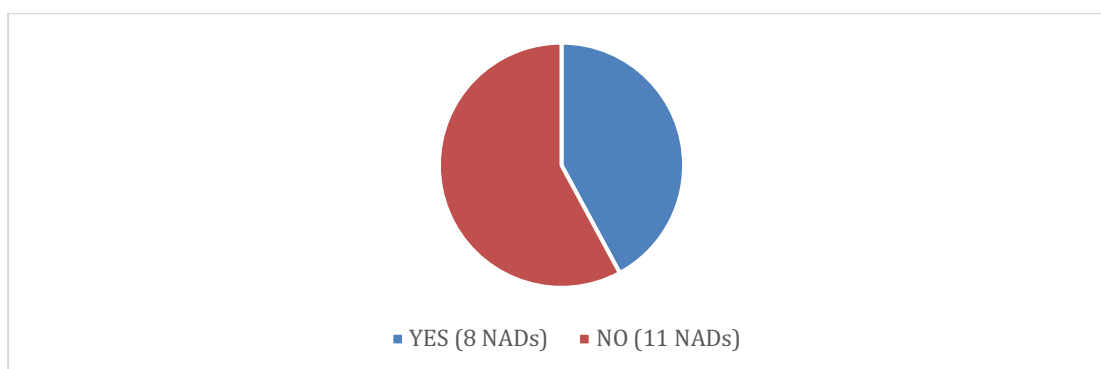
To enable deaf people to have effective access to general technical and vocational guidance programmes, placement services, and vocational and continuing training, such programmes and guidance must be made accessible to them. In this sense, mainstream services that exist to help job seekers to find employment should be inclusive of job seekers with disabilities and should provide reasonable accommodation for job seekers with disabilities, such as professional and accredited national sign language interpreters or be directly available in the national sign language(s) for deaf job seekers.

It is crucial that technical and vocational guidance programmes, placements, and trainings are made accessible to deaf people, in national sign languages and supplemented by other aids (such assistive technologies) where applicable, to enable them to become just as competitive in the job market as others, including to high-grade professions.

Examples of effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training for deaf people can include:

- Provision of technical guidance programmes which include the provision of reasonable accommodation measures such as professional sign language interpreting services, in a national sign language, who are trained to work in a training setting.
- Organising general technical and vocational guidance programmes and trainings directly in national sign languages, led by deaf experts.
- Vocational placements such as internships that are open, inclusive, and accessible (in terms of the accessibility, and reasonable accommodation measures described above) to deaf people involving the provision of tailored reasonable accommodation measures to ensure equal participation for the deaf person.
- Training programmes for high-skill professions inclusive of deaf people (in terms of the accessibility, and reasonable accommodation measures described above) so they can further their skills on an equal basis with others and are equally as competitive in the job market as others. This could involve the provision of qualified interpreting services, tailored to the deaf person’s specific situation, who are available outside of the main teaching hours in higher education.

EUD asked the National Associations of the Deaf whether the organisations think that if deaf persons have adequate access to general technical and vocational guidance programmes, placement services and vocational and continuing training in their countries.



The National Deaf Associations emphasised that:

*“Often the staff is not appropriately informed about deaf persons, then an adequate orientation is not provided. **It's difficult to have accessibility.** The situation varies by region.”*

*“**Training programmes are not available in sign language.** Deaf people find it difficult to gain new qualifications.”*

*“Deaf persons do not have adequate access to general technical and vocational guidance programmes, placement services and vocational and continuing training due **lack of knowledge of the needs of deaf employees.** Also due to **shortage of sign language interpreters.**”*

*“It depends. In Spain, deaf people have adequate access to general technical and vocational guidance programmes, placement services and vocational and continuing training if they are attended in the employment services of the regional deaf federations or in the Inserta Empleo of the ONCE Foundation. **If they are attended in the employment services of the public administrations, then deaf people don't have access.** Due to the lack of technical and professional guidance, the CNSE associative movement created the Red Emplea in 1997, which offers guidance and job placement for deaf people, taking into account the diversity of the group, not only in the communicative and cultural aspects, but also in training, age and work experience, sex, etc.”*

*“In Finland, deaf people can access all services with interpreter.”*

*“**Cost coverage for sign language interpreting makes it harder for deaf to get additional training.**”*

EUD therefore recommends the authorities to:

- Train the staff that organises and leads general technical and vocational guidance programmes and training how to ensure that their services are fully accessible to and inclusive of deaf persons and are available in national sign languages.
- Develop the general technical and vocational guidance programmes and training directly in national sign languages, led by deaf experts.
- Increase the amount of professional and verified national sign language interpreters who are fit to work in training settings.
- Ensure that access to professional and verified national sign language interpreters is not an excessive economic burden.

- Collaborate with National Associations of the Deaf when developing general technical and vocational guidance programmes, placement services and vocational and continuing training that is inclusive of and accessible to deaf persons.

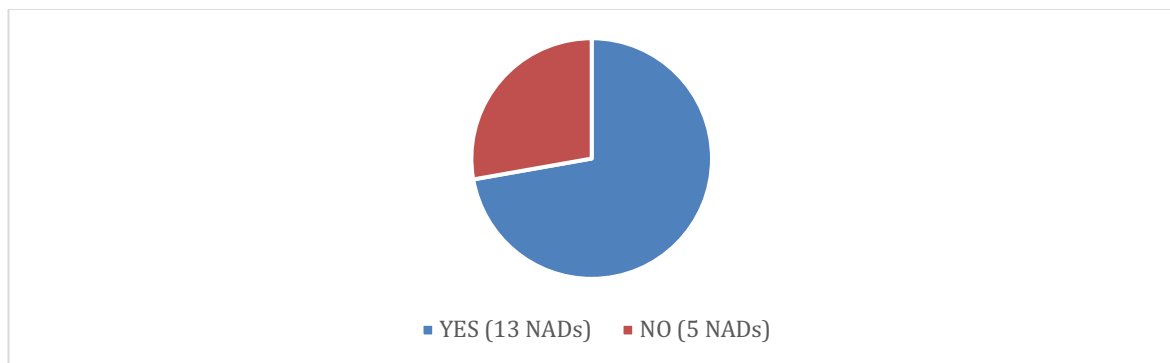
## Article 27(1)(e) UN CRPD

Article 27(1)(e) UN CRPD obliges State Parties to promote the employment opportunities and career advancement in the labour market for persons with disabilities. It also obliges to provide with assistance in finding, obtaining, maintaining and returning to employment.

Examples of promoting employment opportunities and career advancement in the labour market as well as assistance in finding, obtaining, maintaining, and returning to employment for deaf people can include:

- Awareness raising programmes and trainings on the importance of disability-inclusive employment and accessible as well as fully inclusive career advancement. Such trainings and awareness raising programmes should explore how to ensure inclusion from various perspectives.
- Awareness raising programmes combating negative stereotypes and prejudice, leading to discrimination.

EUD asked the National Associations of the Deaf (NADs) whether the organisations think that employment opportunities and career advancement is being promoted for deaf persons.



Although the responses were mostly positive, some NADs emphasised that:

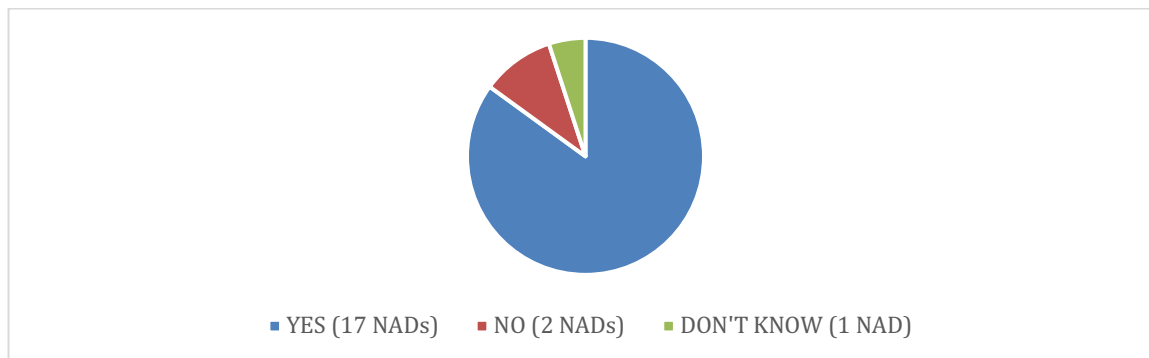
*“The state supports the wanted jobs (protected parts), but only financially and is not interested in the content of the work. These jobs are usually not suitable for deaf people, the **state does not support the creation of quality jobs and career growth.**”*

*“The state encourages participation in the open labour market, but **the approach of employers is not appropriate.**”*

*“There are public campaigns on the employment of people with disabilities. There is also a system of subsidies for employing people with disabilities. However, there is **no system to support the qualification and promotion of people with disabilities.**”*

*“Our government is offering pay subsidy for hiring a deaf person (paying half of their salary for 2 years).”*

EUD also asked the National Associations of the Deaf (NADs) if there are any assistance in finding, obtaining, maintaining and returning to employment offered in their country.



It was highlighted that

*“Even though such service exists, **it mainly offers vacancies with wages that do not guarantee a dignified living.**”*

*“Employment office that offers the service for persons with disabilities exists, but **often the workers don't have deaf awareness.**”*

*“In Czechia when consulting employment office assistance, deaf people can have **interpretation and social counselling free of charge.**”*

*“These are mostly programmes that are implemented with EU funds, both by NGOs and labour offices. There is a **lack of systemic solutions implemented by the State.**”*

*“In many cases **deaf people must explain and guide the administrators on the support and services for deaf persons.** The organisation (Public Employment Service) is too big - as the main part is to serve unemployed and the support/service for disabled at work are an inferior part of the authority. **Lots of bureaucracy.**”*

EUD therefore recommends the authorities to:

- Ensure that public employment services collaborate with National Associations of the Deaf to ensure that their services are inclusive of deaf persons. They must understand different perspectives and different barriers that persons from various disability groups encounter and how to combat them.
- Ensure that Public Employment Services are trained by organisations of persons with disabilities on how to become fully accessible and inclusive of various disability groups.
- Recognise the need to promote and raise awareness among employers of inclusive employment and accessible as well as fully inclusive career advancement. Explain what this means for each disability group.
- Collect data on how many persons with various disabilities are included in an open labour market and have *quality* jobs.
- Focus on not only placing deaf persons in employment that is often precarious but ensure that deaf persons have access to quality jobs and sustainable career that also provides with access to the equal opportunity for the career advancement.
- Collaborate with National Associations of the Deaf when de-stigmatising the capabilities of deaf people to eliminate false pre-conceptions of deaf people when selecting job candidates, ensuring deaf people have equal opportunity in the labour market.
- Organise specific conferences and events that enhance the understanding of the positive impacts, for businesses, of employing persons with disabilities.

- Promote and support the development of inclusive business networks. These can facilitate information sharing and showcasing of good practice to inspire others to take action.

## Article 27(1)(f) UN CRPD

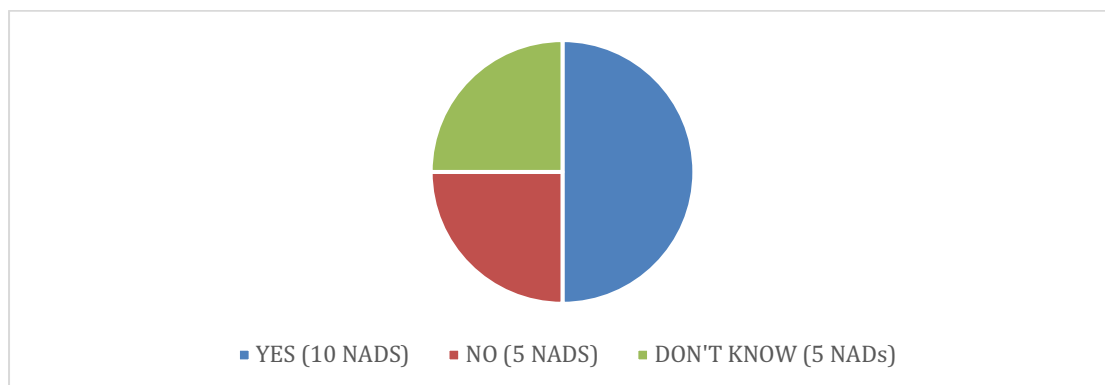
Article 27(1)(f) UN CRPD obliges State Parties to promote opportunities for

- self-employment
- entrepreneurship
- the development of cooperatives and starting one's own business

Services provided by public authorities, which support self-employment and entrepreneurship should be inclusive of and accessible to deaf people. This would mean, among others, ensuring the accessibility of materials, information and communication, courses, financing tools, as well as the provision of reasonable accommodation, when needed in a particular case. Ensuring equal opportunities to entrepreneurship is vital as it has the potential to bring about positive change in the lives of all persons with disabilities through increased autonomy, self-confidence, and personal achievement. However, there are many challenges to the entrepreneurship of persons with disabilities: there is a lack of necessary knowledge in starting and managing a business, e.g. operating, marketing, financing.

Successful deaf entrepreneurs can also become important deaf role models and contribute to diversifying the business leadership. This will contribute to the diversification of the entrepreneurship landscape, in addition to reducing negative stereotypes and stigma towards persons with disabilities, including deaf people.

EUD asked the National Associations of the Deaf (NADs) whether their country promotes opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business for deaf persons.



The National Deaf Associations highlighted that:

*"There are certainly such opportunities for all people. **There is no special support for deaf people.**"*

*"It is encouraged it, but it is difficult to implement in practice"*

*"**The cost coverage for sign language interpreters makes it hard to start own business** - as the person need to pay for the interpreters in the long run "*

*"With European funds, FONCE promotes the creation of companies by people with disabilities"*

EUD therefore recommends the authorities to develop and promote:

- Quality, high level uniquely designed, fully accessible (for deaf persons – in national sign languages), mentoring programs and courses, which would train persons for self-employment, owning and managing businesses.



- Fully accessible courses and training (for deaf persons – in national sign languages) for developing expertise and skill sets needed for self-employment, entrepreneurship or when starting a business.
- Raise awareness on the success stories, as successful deaf entrepreneurs are important role models and can contribute to motivating other deaf persons to undertake economic activities and combat negative stereotypes against persons with disabilities.

EUD also recommends the authorities:

- To ensure access to financial aid especially in starting phases which would not be equally accessible to persons with disabilities and adopt measures to prevent discrimination against persons with disabilities accessing affordable, low-rate credit and micro-credit to start their own businesses.
- To ensure an inclusion of people with disabilities in the COVID-19 recovery plans and policies to encourage self-employment.

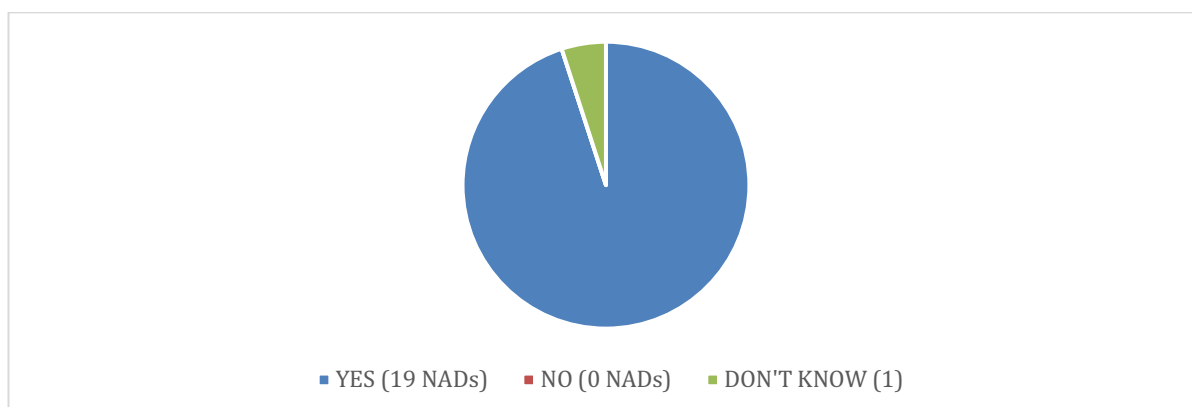
## Article 27(1)(g) UN CRPD & Article 27(1)(h) UN CRPD

Article 27(1)(g) obliges State Parties to employ persons with disabilities in the public sector. Employing deaf people in the public sectors means the removal of any existing barriers, to deaf people seeking to apply for work in the public sector. This could include lack of accessible pathways to entering the public sector for deaf persons, such as the denial of reasonable accommodation or discrimination based on disability. Deaf people should always be able to profit from the same opportunities for career progression as all other public sector employees.

Examples of employing deaf people in the public sector can include:

- Provision of specific pathways and employment programmes for persons with disabilities, where appropriate, including deaf people, into the public sector.
- Measures to promote the employment of persons with disabilities, including deaf persons, in the public sector, such as the establishment of national targets in the public sector for hiring persons with disabilities, including deaf people.
- Inclusive hiring processes providing full accessibility to information and communication at every stage of the process.
- Awareness-raising programmes that remove the stigma around the false conception of persons with disabilities in terms of their professional capabilities, in order to remove any form of discrimination based on disability when assessing the applications of persons with disabilities, including deaf people.

EUD asked the National Associations of the Deaf (NADs) whether their country employs persons with disabilities in the public sector.



The National Associations of the Deaf highlighted that even though all the countries promote employment in the public sector, it varies how many people are employed.

*“In Italy, many deaf persons work in the public sector thanks to **a law that promotes the hiring of the workers with a disability**. Many deaf people aim to work in the public sector.”*

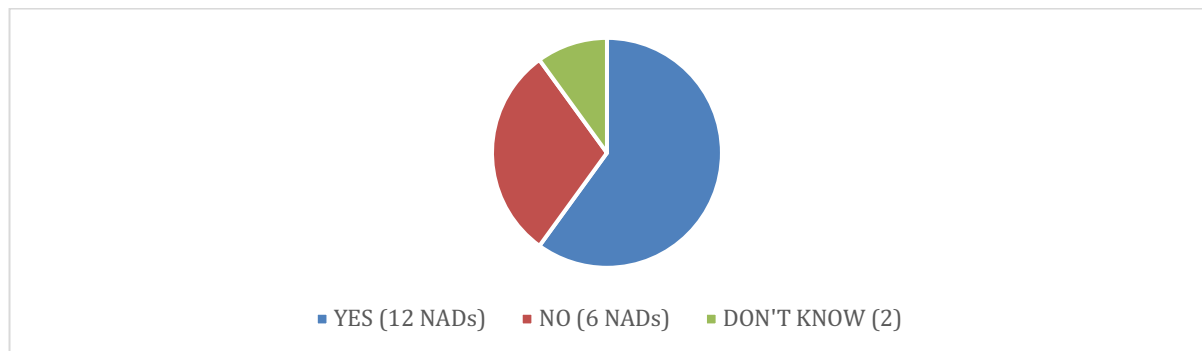
*In Poland, Czechia, Estonia it is not a large group of people that work in a public sector.*

*“In Spain Law 7/2007, of April 12, 2007, of the Basic Statute of the Public Employee, **establishes a reserve quota of 7% for people with disabilities in general**.”*

*“In Finland, usually with pay subsidy”*

Moreover, Article 27(1)(g) UN CRPD obliges the State Parties to promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes or incentives and other measures. Provision of incentives and specific measures to promote the inclusion of persons with disabilities, including deaf people could be quotas for the employment of persons with disabilities in the private sector, with the specific inclusion of deaf people.

EUD asked the National Associations of the Deaf (NADs) whether their country encourages the employment of deaf persons in the private sector.



The National Associations of the Deaf highlighted that:

*“In Estonia, **employers can pay less social tax if they hire a person with a disability**.”*

*“In Italy, there is a **fiscal incentive for enterprises that hire persons with disabilities**.”*

*“In Chechia **sheltered places (sheltered workshops) are supported, but individual places in the public space are not**.”*

*“In Poland, there is a **system of subsidies for employing people with disabilities**, financed from public funds, and there are also **support and internship programmes implemented from European Union funds**.”*

*“In Austria, there is a **regulation where companies must employ disabled people, otherwise they pay a fine in the form of a compensation tax** - but only for companies with 25 or more employees and private companies often prefer to pay fines than employ disabled people because of protection against dismissal.”*

*“In Finland, some projects (The Service Foundation for the Deaf) are serving guidance in Sign Language, and they will have funding from STEA Funding Centre for Social Welfare and Health Organisations (STEA) (Government).”*

*“In Sweden, the issue is the cost coverage for interpreters. **Small companies are more likely not to be willing/able to carry the cost**.”*

*“In Croatia the government provides **subsidiaries for employers who hire a person with a disability.**”*

EUD therefore recommends the authorities to:

- Adopt specific measures to promote the employment of persons with disabilities in the private and public sectors. This could include employment targets, quotas, fiscal, financial, and public procurement incentives, among others.
- Ensure that coverage of the costs of reasonable accommodation measures, such as qualified and professional sign language interpreters is not an excessive economic burden for employers.
- Incorporate accessibility, in all its dimensions, as a key element of occupational health and safety.

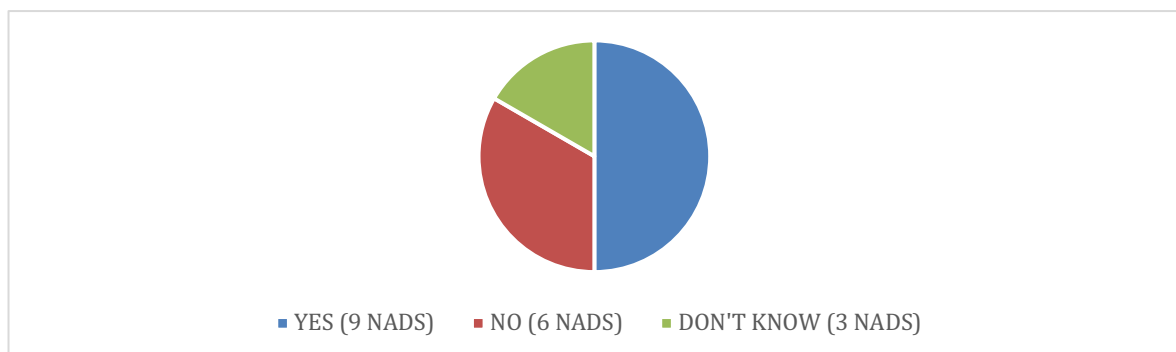
## Article 27(1)(j) UN CRPD

Article 27(1)(j) UN CRPD obliges State Parties to promote the acquisition by persons with disabilities of work experience in the open labour market. To promote the acquisition by deaf people of work experience in the open labour market means that there is the provision of inclusive and accessible work experience, such as traineeships, work placements or internships, for deaf people seeking opportunities to gain professional work experience that aim to develop their skills and confidence. Without the provision of such work experiences, deaf people seeking to gain professional skills to enter employment are at a disadvantage to others. Accordingly, deaf people must receive the support to ensure the effective transition from school level to vocational and higher education, and, ultimately, to the workplace. Tailored reasonable accommodation measures are a way of ensuring that deaf people, seeking to develop their skills for the workplace, have equal opportunity to accessing their desired professions, as others.

Examples of the promotion of the acquisition by deaf people of work experience in the open labour market can include:

- Work experiences for high-skill professions inclusive of deaf people, meaning there is full accessibility to information and communication, so they can become equally as competitive in the job market as others.
- Targeted work experience programmes for persons with disabilities, with the specific inclusion of deaf people.
- Provision of work experiences which flag on the role advertisement, that they include the option of reasonable accommodation measures on a case-by-case basis to ensure accessible pathways to applying for the role and within the role itself. This will reassure deaf people that they will be accommodated in the role and, therefore, will be an encouragement to apply. In the case of deaf people, this could include free professional and certified sign language interpreting services, in the deaf person’s national sign language, who are trained for this specific setting.

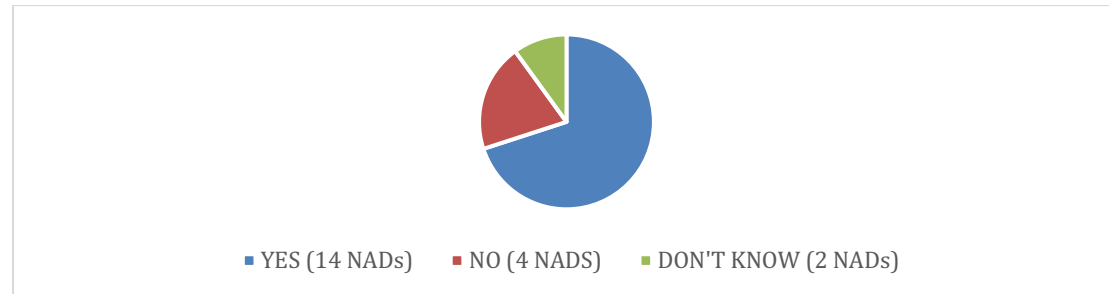
EUD asked the National Associations of the Deaf (NADs) whether their country promotes the acquisition by persons with disabilities, including deaf persons of work experience in the open labour market.



Many organisations highlighted that there is not enough information provided how to gain work experience in the open labour market.

*“We would like to have something similar to HBTQ certificate<sup>12</sup>. To encourage diversity by hiring qualified people with different background such as deaf.”*

Moreover, EUD asked National Associations of the Deaf (NADs) whether National Associations of the Deaf are aware of any schools/universities in their countries that provide with career advice for deaf students and young deaf people.



Often, the provision of such information is available in a written form, but not always in national sign languages.<sup>13</sup> It is extremely important for deaf students to receive full information in their national sign language to be able to make an informed choice about their future career. Information in a written form does not ensure full accessibility. It is often that during the informal discussions, orientations, workshops with employers at the universities, networking, and counselling sessions at the university students receive vital information that can help them make an informed choice about their career. Deaf students cannot be excluded from it. A few examples of ensuring that deaf students are not left behind would be:

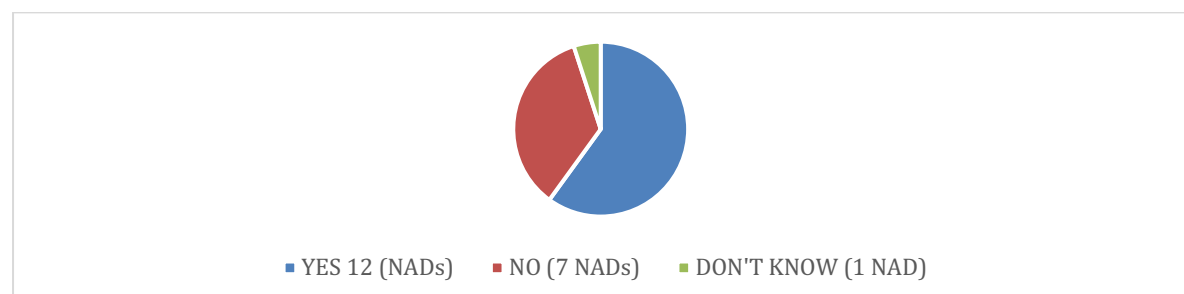
- Orientations at the universities, information sessions and meetings with the prospective students must be available in national sign language(s) if a deaf student attends them.
- Universities should employ counsellors that can sign and provide with all the relevant information directly in a national sign language for deaf students.

*“In Italy there are some universities that offer freshman **orientation with Italian Sign Language interpreters** for deaf students.”*

*“There are other organisations that can assist when seeking for information about employment, e.g. National Associations of the Deaf.<sup>14</sup> For instance, in Finland, **Finnish Association of the Deaf has an employee who is a Specialist in employment issues who is supporting deaf employees.**”*

*“In Estonia, Tallinn Deaf School, provides with career counselling, if necessary.”*

EUD also asked National Associations of the Deaf (NADs) whether National Associations of the Deaf are aware of if national or local government provide with information on how deaf students and young people can integrate into the job market.



<sup>12</sup> <https://www.rfslutbildning.se/s/hbtqi-certifiering>

<sup>13</sup> E.g. in Belgium, Centra voor Leerlingenbegeleiding.

<sup>14</sup> E.g. in Finland, Finnish Association of the Deaf, has an employee who is Specialist in employment issues (supporting deaf employees);

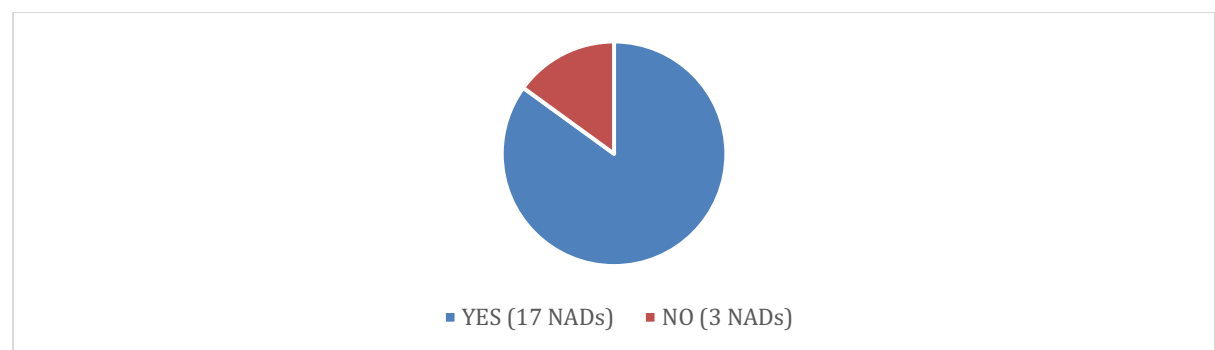
Not only universities and schools must provide with fully accessible information and communication on how deaf students and young deaf people can integrate into the job market. Public employment and integration services must be fully inclusive and accessible for deaf job seekers.

Additional comments from National Associations of the Deaf:

*“In Belgium, Public Employment Service of Flanders, VDAB has a good website with information about **job support, financial incentives for employers, provision of sign language interpretation & written interpretation.**”*

*“In Spain, **there is financing to social organisations for programs to support the integration of young people with disabilities into the labour market.**”*

Furthermore, EUD asked National Associations of the Deaf whether National Associations of the Deaf are aware if national or local government provide with support measures that help deaf students and deaf young people integrate into the job market (e.g. free interpreting services for job interviews and other actions).



The National Associations of the Deaf highlighted that:

*“In Estonia the Unemployment Insurance Fund offers **counselling and support to people with disabilities (including the deaf) in an accessible form.**”*

*“In Italy there are few **local governments who in collaboration of the ENS (Italian Association of the Deaf at local level) provide free interpreting service.**”*

*“In Austria there is **a special service and the budget for an interpreter when a deaf person is looking for a job.**”*

*“In Finland there are interpreter services available for free. Deaf people automatically have 180 hours per year and Deaf-Blind people 360 hours per year. **If that is not enough, they can always apply more hours and have e.g. 1000 hours per year. Interpreting for studies is different service and there is no hour limit.**”*

EUD therefore recommends the authorities to:

- Ensure that universities schools provide with fully accessible information and communication on how deaf students and young deaf people can integrate into the job market. Public employment and integration services must be fully inclusive and accessible for deaf job seekers.
- Employ deaf councillors in universities and public employment integration services who would be able to provide with an information and communication directly in a national sign language.

## Article 27(1)(k) UN CRPD

Article 27(1)(k) obliges State Parties to promote, for persons with disabilities vocational and professional rehabilitation as well as job retention and return-to-work programmes.

The promotion of vocational and professional rehabilitation, job retention and return-to-work programmes for deaf people means that if a person acquires a disability, while being in employment, there should be the provision of programmes that ensure they could retain their employment or return to work after having undergone the required health-related rehabilitation.

However, the NADs report that:

*“There are programs in general, but **no one addresses their accessibility for the deaf**, so they usually don't get to them.”*

*“The Act on Vocational, Social and Health Rehabilitation of Disabled Persons is in force in Poland. There are no special conditions for deaf people in the Act.”*

*“There are good services for all and deaf people can always have interpreter. But they don't have service in their mother tongue.”*

EUD therefore recommends the authorities to:

- Ensure that employment laws and policies guarantee the right of workers to remain in their post after acquiring a disability. It is essential to provide with reasonable accommodation if needed, relocation to another post or adjustment of work responsibilities, to remain in employment. Access to professional and technical readaptation programmes should be ensured to support this.

To conclude, the legal obligations under Article 27 UN CRPD need to account for the specific requirements of deaf persons. For instance, their unique cultural and linguistic identities, and use of national sign languages mean they require provisions tailored to their situation. It is, therefore, important to foster a holistic approach - to ensure genuine equality in employment for persons with disabilities. To create an equal, open and inclusive labour market, the implementation of Article 27 UN CRPD should be approached on a case-by-case basis, accounting for the specific requirements of different disability groups, including the deaf community.

## EU level initiatives

Employment is a pre-condition of social inclusion, however, as highlighted earlier in these policy recommendations, employment inclusion is one of the greatest challenges facing our societies. Concerningly, there is still a disproportionate unemployment rate of persons with disabilities in the EU.

The EU ratified the UN CRPD in December 2010, after which it became an integral part of the EU legal order, which means that all EU legislation, policies and initiatives must comply with its provisions. This is the first time that the EU has been a party to a comprehensive international human rights treaty, along with its Member States. Accordingly, this chapter outlines key pieces of EU legislation, and initiatives related to employment that have a common aim - the practical application of the legal obligations under Article 27 of the UN CRPD, in terms of how they can be used as tools to aid realising the right to work and employment for all persons with disabilities in the EU.

## Employment Equality Directive (EED):

The Council Directive 2000/78/EC (EED) was adopted on 27<sup>th</sup> November 2000. It establishes a general framework for equal treatment in employment in the form of “combating discrimination on the ground of religion or belief, disability, age or sexual orientation as regards employment, and occupation, with a view to putting into effect in the

Member States the principle of equal treatment.”<sup>15</sup> Chapter 1 sets out its scope and provisions, whilst chapter 2 regulates the implementation and reporting aspects.

Article 3 outlines the scope of the Directive - “conditions for access to employment, to self-employment or to occupation, (a) including selection criteria and recruitment conditions...promotion;” (b) as well as access to all types of vocational guidance such as training, (c) “employment and working conditions” which includes pay, and (d) the involvement in an organisation including access to any benefits.”<sup>16</sup>

**Article 5 of the EED, explicitly makes provision of reasonable accommodation for persons with disabilities an obligation, stating that in order to “guarantee compliance with the principle of equal treatment in relation to persons with disabilities, reasonable accommodation shall be provided.”<sup>17</sup>**

Regarding the implementation of the EED, better implementation is required, even though the EU Member States were obliged to adopt the provisions under this Directive by 2 December 2003.<sup>18</sup> Understandably, implementation at national level is diverse, however although most Member States have adopted some measures, it still is not enough to address the disability-based discrimination in the labour market, and the corresponding employment gap for persons with disabilities.

#### **EU Disability Strategy 2021-2030 – Employment/Access to the Labour Market:**

The overarching aim of the Strategy for the Rights of Persons with Disabilities 2021-2030 is to empower persons with disabilities and create the framework for a fair and inclusive society in the EU. One of its key objectives is to progress towards all persons with disabilities having equal opportunities, and equal access to participate in society and the economy.

Section 4.3 of the Strategy – Fostering Access to Quality and Sustainable – highlights that the “employment gap between persons with and without disabilities remains high: persons with disabilities have a lower employment rate, are disproportionately affected by unemployment, and leave labour markets earlier.”<sup>19</sup> The EU Commission calls on Member States to “establish, by 2024, targets for increasing the employment rate of persons with disabilities and reducing employment rate gaps between persons with and without disabilities...”<sup>20</sup> In this way, the Strategy highlights a crucial point, while the EED is “contributing significantly to promoting equal rights of persons with disabilities in employment including as regards reasonable accommodation at work, more needs to be done to ensure better labour market outcomes for persons with disabilities.”<sup>21</sup> In essence, the Strategy is a key tool to ensure that a *holistic* approach is taken to the rights of persons with disabilities in the labour market, addressing every aspect, from reasonable accommodation in the workplace to training, development, and promotions.

One of the Flagship Initiatives of the Strategy is the creation of the package to improve labour market outcomes for persons with disabilities, seeking cooperation with the European Network of Public Employment Services, Social Partners and Organisations of Disabled Persons. This will “shed light on skills needed on the labour market” as well as “step up the provision of guidance services, also for people in employment and for vulnerable groups, and on closing skills gaps, notably digital skills gaps, often in cooperation with social enterprises for labour market inclusion.”<sup>22</sup>

#### **EU Pillar of Social Rights (EPSR)**

Built upon 20 Principles, the EPSR is an initiative launched by the Commission to bring back the social dimension of the EU, and it is largely focused on the social aspects of employment. Although it is not a legal document, it is a tool which can be used to ensure a fair, inclusive, and equal society, placing social rights at the centre. The EPSR consists

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<sup>15</sup> COUNCIL DIRECTIVE 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, Chapter 1, page 3, IRL: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32000L0078&from=EN>

<sup>16</sup> Ibid, page 4.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid, Article 18, *Implementation*, page 6.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid, page 15.

<sup>21</sup> Ibid, page 14.

<sup>22</sup> Ibid.

of three chapters, the first - 'Equal Opportunities and Access to the Labour Market', the second – 'Fair Working Conditions', and the third – 'Social Protection and Inclusion', all of which include Principles relating to employment.

The EPSR has an accompanying Action Plan, launched in March 2021, which "serves as compass for employment and social policies, jointly proclaimed in 2017 by the European Parliament, the Council, and the European Commission."<sup>23</sup> It breaks down the 20 Principles clearly.

Importantly, under Chapter 3, Principle 17 directly focuses on the rights of persons with disabilities with regards to employment - "Inclusion of people with disabilities: People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs."<sup>24</sup>

There are several Principles with an employment focus:

- Principle 3 addresses 'Equal Opportunities' which mentions the right to equal treatment and opportunities regarding employment amongst other factors.
- Principle 4 addresses 'Active Support to Employment' which states that "everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the right to transfer social protection and training entitlements during professional transitions."<sup>25</sup>
- Principle 5 concerns 'Secure and Adaptable Employment' stating that "workers have the right to fair and equal treatment regarding working conditions, access to social protection and training."<sup>26</sup>
- Principle 10 - 'Healthy, Safe and Well-adapted Work Environment and Data Protection' - states that "Workers have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market."<sup>27</sup>

In chapter 3 of the Action Plan under the section 'Building a Union of Equality', the Commission condemns discrimination based on disability amongst other factors. Further, persons with disabilities are specifically acknowledged as facing "barriers in education, training, employment, social protection, housing and health."<sup>28</sup> Employment is highlighted as a particular area where progress is required.

EUD reminds the authorities that provision of reasonable accommodation at work is an obligation for employers under EU legislation (Directive 2000/78). As EUD survey revealed, even though some progress is seen, considerable gaps and challenges remain in practice.

To better understand this obligation and what it means for deaf persons in the EU Member States, the **authorities must collaborate with National Associations of the Deaf and address the issues that the deaf communities are facing across Europe, especially:**

1. The lack of means to provide with reasonable accommodation measures, especially the lack of qualified and verified sign language interpreters
2. The lack of accessibility of employment services in national sign languages

<sup>23</sup> COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030, 2021, 'Vision and Need for Action', page 1. URL: [https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2021/04/European-Strategy-2021-2030\\_EN.pdf](https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2021/04/European-Strategy-2021-2030_EN.pdf)

<sup>24</sup> European Commission, European Pillar of Social Rights, *Principle 17*, URL: [https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en).

<sup>25</sup> European Commission Webpage, *Principle 4, The European Pillar of Social Rights in 20 Principles*, URL: [https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en)

<sup>26</sup> Ibid, Principle 5.

<sup>27</sup> Ibid, Principle 10.

<sup>28</sup> European Commission, The European Pillar of Social Rights Action Plan, Chapter 3 'Building a Union of Equality', page 26, URL: [https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-action-plan\\_en#:~:text=The%20Action%20Plan%20sets%20out,for%20the%20EU%20by%202030](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-action-plan_en#:~:text=The%20Action%20Plan%20sets%20out,for%20the%20EU%20by%202030)



3. The lack of access to information and communication in national sign languages in employment integration services and when receiving information regarding all aspects of employment).

Moreover, EUD highlights that the authorities are committed to implement the principles of the European Pillar of Social Rights and encourages National Associations of the Deaf to use the Pillar as advocacy tool at national level when advocating for more accessible inclusive employment.

Furthermore, EUD emphasizes that actions foreseen under the EU Disability Rights Strategy 2021 – 2030, package to improve labour market outcomes for persons with disabilities, must address different barriers that each disability group is facing. For instance, when providing with guidance on reasonable accommodation the European Commission must explore, what are the specific barriers for each disability group and recommend how to remove them.

In its survey, EUD asked the National Associations of the Deaf what measures can improve access to employment for deaf persons. Among the National Associations of the Deaf The most popular answers were:

1. Full and meaningful inclusive education at all levels
2. Full access to professional sign language interpreters
3. Accessible support services for deaf people to find and maintain employment
4. Promotion of deaf awareness

However, almost all National Associations of the Deaf highlighted that all of the below mentioned measures for deaf communities are essential:

- Full and meaningful inclusive education at all levels
- Full access to professional sign language interpreters
- Relevant skills acquisition at educational settings and during extracurricular activities
- Professional development through technical and vocational guidance
- Accessible support services for deaf people to find and maintain employment
- Coaching on the job, training and job mentoring
- Enforcement of affirmative action, e.g. establishing quota system in companies
- Adaptation of workplace infrastructure
- Provision of funding for assistive devices and assistive technology
- Promotion of deaf awareness
- Programmes to learn sign languages for colleagues of a deaf employee
- Exercise of labour and trade union rights
- Employment of deaf persons in the public sector
- Promotion of the employment of deaf persons in the private sector
- Provision of reasonable accommodation measures
- Promotion of career support for deaf young persons entering employment

**When asked to rate the barriers that deaf people face/have faced when accessing employment National Associations of the Deaf indicated the barriers in the following order (from the most significant barrier to the least significant barrier):**

- 1. Discrimination based on a disability, despite having the necessary qualifications**
- 2. Discrimination based on disability, despite having necessary skills**
- 3. Lack of reasonable accommodation measures during interviews**
4. No access to inclusive education
5. No previous work experiences

6. No required qualifications
7. Not enough job opportunities
8. No required skills
9. No assistive devices for use at work
10. No support from the family and the community

**When asked to rate the barriers that deaf people face/have faced in employment National Associations the Deaf indicated the barriers in the following order (from the most significant barrier to the least significant barrier):**

- 1. Not enough reasonable accommodation and accessibility measures provided by the employer (e.g. no or not enough access to professional sign language interpreters)**
- 2. Inaccessible work-related social interactions that occur in informal conversations and when networking**
- 3. Physical and digital barriers (inaccessible websites, meetings)**
4. Lack of qualified and professional sign language interpreters
5. Negative attitudes of co-workers or employers who get frustrated with the added effort to communicate
6. Difficulty obtaining reasonable accommodation measures

## Conclusions

Addressing the barriers to inclusion of persons with disabilities in employment is essential for empowering all persons with disabilities and achieving Union of Equality. As EUD President Sofia Isari highlighted during the 15<sup>th</sup> Conference of State Parties to the UN CRPD equal access to the open labour market will not only empower persons with disabilities and unlock their potential and talents but will also be for the benefit of the economy and for the cohesion of the society as a whole.

However, to achieve this, much remains to be done as highlighted by this report. EU Member States and the EU itself must value all persons with disabilities as active agents who contribute to the economy, ensure access to decent work, including self-employment and entrepreneurship, adopt policies to promote employment in the open market, including affirmative actions, prohibit discrimination based on disability in labour laws, ensure the provision of reasonable accommodation at all stages of employment, end segregated and forced work, ensure access to labour and trade union rights, and ensure equal pay for equal work.

As indicated and recommended by this report, through legislation, close consultation with, and involvement of, persons with disabilities, awareness raising, training on inclusive workplaces, budget allocations, data collection and disaggregation, accountability and complaint mechanisms full and meaningful employment of deaf persons and all persons with disabilities will become a reality.