



A report on the right of persons with disabilities to work

**Written by the Office of the High Commissioner
for Human Rights of the United Nations**

An easy to read version



Disclaimer:

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This does not mean that Office of the United Nations High Commissioner for Human Rights agrees to everything written in this document.

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Who wrote this report

The United Nations is a group of states that works to make the world a better place. Almost all the states in the world are part of the United Nations.



The United Nations has an office which works on rights. It is called the Office of the High Commissioner for Human Rights. In short we call it 'OHCHR'.



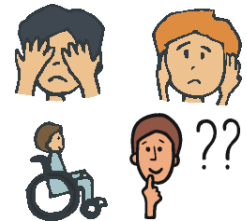
The OHCHR works to make sure that all persons have the same rights. Rights are things that should happen equally for everyone.



For example, persons with disabilities have the right to work just like anyone else. But persons with disabilities often find it hard to get a job or to keep it.



The OHCHR wants to make sure that persons with disabilities can use their right to work.



The OHCHR did a research to find out why is it hard for persons with disabilities to find work.

In this report, you can read what the OHCHR found out.



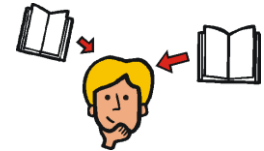
What is in this report

This report is about the right of persons with disabilities to work.



Work is important.

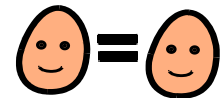
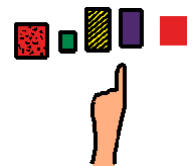
- When you work, you get paid.
This means you have money to pay for food, clothes, housing and other things you need.
- At work, you can learn new skills or get better at things you already know.
- When you work, you take part in the community.
You help to make the life of the community better.



The United Nations says that everyone has the right to work.
This also means that:



- Everyone has the right to choose how and where they want to work.
- Everyone has the right to be treated well at work.
- Everyone has the right to get help from the state when they cannot work.



There are many laws and agreements between states about the right to work.

For persons with disabilities, finding a job is not easy.
Many persons with disabilities are jobless.



In this report, you will read about:

1. Why is it hard for persons with disabilities to find work
2. What the United Nations says about the right of persons with disabilities to work.



In this part you will read about:

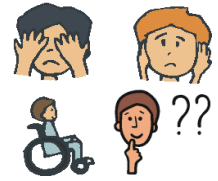
- The right to have a regular job
- Stopping discrimination
- Accessible workplaces
- Reasonable accommodation
- Having more companies hire persons with disabilities
- Fair working conditions
- Work training
- Self-employment
- Protecting persons with disabilities from abuse at work



3. What else needs to happen

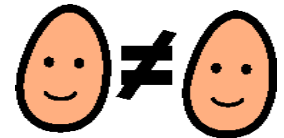


1. Why is it hard for persons with disabilities to find work



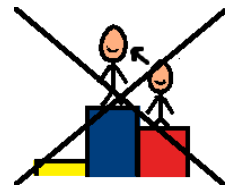
Persons with disabilities are more likely to be without a job than persons without disabilities.

Also, persons with disabilities usually get worse jobs than persons without disabilities.



This means, for example, that:

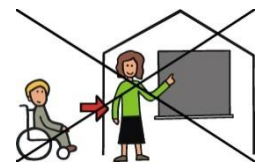
- Persons with disabilities usually get jobs which pay less money.
- Persons with disabilities are more likely to get a job for a short time only.
- Persons with disabilities are less likely to get a promotion than persons without disabilities.
Promotion is when your boss gives you a better job because you are doing well.



There are many reasons why persons with disabilities find it hard to get a job.



- Some people do not want to hire persons with disabilities. They think that persons with disabilities cannot do the same work as persons without disabilities.
- Persons with disabilities often have fewer chances to learn the skills they need to get a good job.
- Some state gives little support to persons with disabilities.
- Some companies simply do not think of hiring persons with disabilities.



2. What the United Nations says about the right of persons with disabilities to work



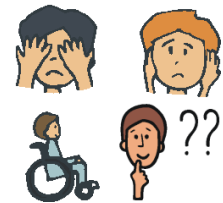
The United Nations wrote a document about the rights of persons with disabilities.

The document is called the Convention on the rights of persons with disabilities.



The Convention says what the states need to do so that persons with disabilities can use all their rights.

Many states in the world agreed to do what the Convention says.



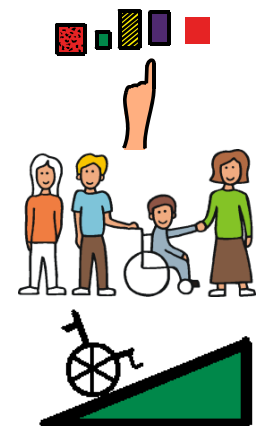
The Convention is made up of parts called articles. Each article is about 1 right.



Article 27 is about the right of persons with disabilities to work. The article says that persons with disabilities have the right to work just like anyone else.



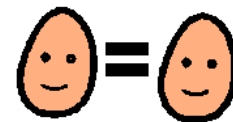
- They have the right to choose what job they want to do.
- They have the right to have a real job and work alongside persons without disabilities.
- The places where persons with disabilities work should be accessible. This means they have to be easy for everyone to get around.



The Convention also says what should happen in every country so that persons with disabilities can work.

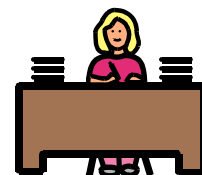


The states that agreed to the Convention now have to do what the Convention says. This means they have to make sure that persons with disabilities have the same chances to work as others. Every state should have a law about that.

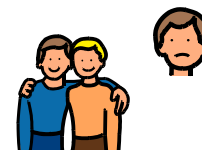


The right to have a regular job

The Convention says that persons with disabilities have the right to work just like anyone else. This means that persons with disabilities have the right to work alongside persons without disabilities in regular workplaces. But persons with disabilities rarely have regular jobs.



Very often, they work in special jobs for persons with disabilities.

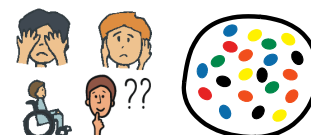


For example, many persons with disabilities work in 'sheltered workshops'.

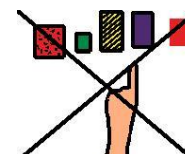


Sheltered workshops are places where all workers are persons with disabilities.

It is better when persons with disabilities work in regular jobs than in 'sheltered workshops'.

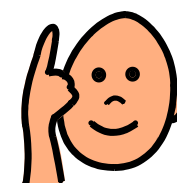


Sometimes, persons with disabilities have to work in 'sheltered workshops' because there is no other choice for them.



This is against the Convention.

The OHCHR says that 'sheltered workshops' can help persons with disabilities to prepare for real jobs in regular workplaces.



But the state should make sure that all persons with disabilities can work in regular workplaces.

Persons with disabilities can get support to work in a regular workplace. This is called **'supported employment'**.



'Supported employment' is when:

- Someone helps you to find the right job for you.
- Someone shows you how to do your job.
- Someone gives you support at work.



'Supported employment' in regular workplaces is good because it helps persons with disabilities to find real jobs.



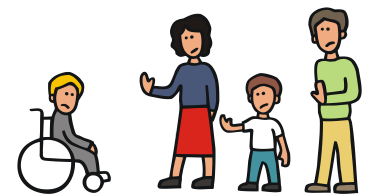
The state should talk to employers about the right of persons with disabilities to work.

For example in Peru or Serbia, the state tries to show employers that persons with disabilities are good workers.



Stopping discrimination

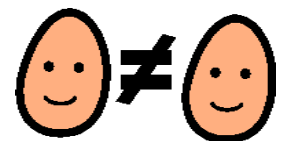
Discrimination is when persons with disabilities are treated unfairly because of their disability.



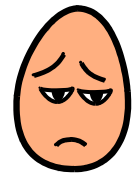
There are many kinds of discrimination.

For example:

- A company wants to hire a new person. They have to choose between a person with disability and a person without disability. The person with disability is better for the job but the company hires the person without disability. This is discrimination.



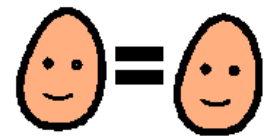
- Sometimes, the employer makes it harder for persons with disabilities to get a job. This is also discrimination.
- Sometimes, persons with disabilities get paid less than persons without disabilities for doing the same work. This is also discrimination.



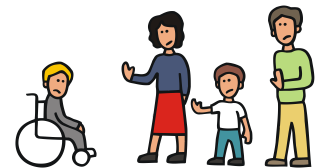
The Convention says that the state must protect persons with disabilities from discrimination.



It also says that workers with disabilities should be treated in the same way as workers without disabilities. This means that persons with disabilities should have the same rights at work as persons without disabilities.



Sometimes, persons with disabilities are treated unfairly for other things than disability. This is called 'multiple discrimination'.



For example, women with disabilities can be treated unfairly because they are women and because they have a disability.

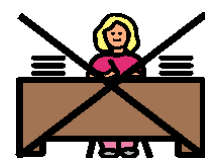
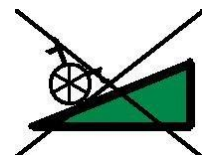


The Convention says that the state must protect persons with disabilities from 'multiple discrimination'.



Accessible workplaces

Many persons with disabilities cannot work because the workplaces are not accessible. For example, the company building or public transport is not accessible.



The OHCHR found out that many states try to make workplaces accessible for persons with disabilities.



Some states work to make buildings more accessible. In Andorra or Egypt, the government works to make the public transport accessible.



In Paraguay, deaf persons can get a sign language interpreter for a job interview.



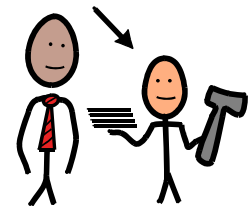
In Germany and Mexico, the law says that certain workplaces must be accessible.

The state should talk to employers about making workplaces accessible.

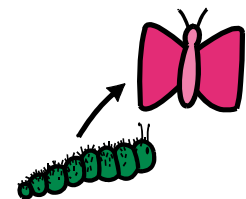


Reasonable accommodation

‘Reasonable accommodation’ means making changes to the job or workplace so that persons with disabilities can do their work.



For example, a blind person gets a special computer which reads all the text out loud. Persons with intellectual disabilities get information that is easy to read.

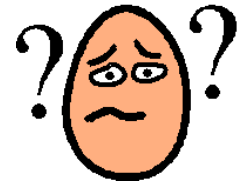


These changes must be fair to the employer. This means they have to be easy to make and they cannot cost too much money.

If the changes are fair, the employer cannot say ‘no’. It is the right of persons with disabilities to have these changes done. Every state should have a law about this.

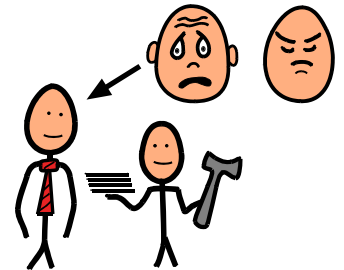


The OHCHR found out that in many states, persons with disabilities cannot get 'reasonable accommodation'.



Only few states have laws about 'reasonable accommodation'. Often, people do not understand well what 'reasonable accommodation' is about.

Some employers are afraid of having to make big or expensive changes. That is why they do not hire persons with disabilities.



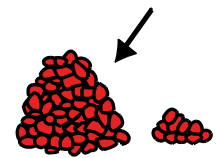
In reality, changes that workers with disabilities need are often very cheap.

The state must make sure that employers know about their duty to make changes for persons with disabilities. The state must help employers understand what 'reasonable accommodation' means.



Having more companies hire persons with disabilities

The state can do a lot to make sure that more companies hire persons with disabilities.



One way of having more companies hire persons with disabilities is called '**positive measures**'. This means that the state gives more help to companies which hire persons with disabilities.

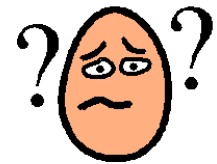


Here are some examples of positive measures:

- The state can make a rule that every company has to have some workers with disabilities.
- The state can help companies to pay the wages of workers with disabilities.
- Companies which hire persons with disabilities pay less tax.



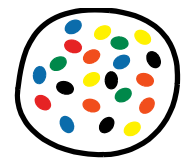
The OHCHR found out that some states find it hard to make ‘positive measures’ work well. For example, some people might complain that persons with disabilities get jobs only because they have a disability.



It is important that ‘positive measures’ help employers understand that persons with disabilities are good workers.

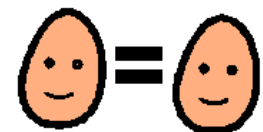


‘Positive measures’ must help all persons with disabilities, including women with disabilities, persons with intellectual disabilities and persons with mental health problems.



Fair working conditions

At work, persons with disabilities have the right to be treated in the same way as their colleagues.

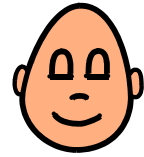


This means:

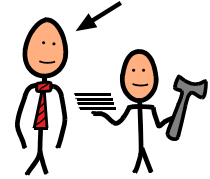
- Getting the same pay as persons without disabilities if they do the same work.
- Getting the same benefits as others.



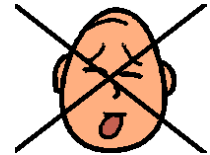
- Working in a safe and healthy place.
- Be treated well and with respect.



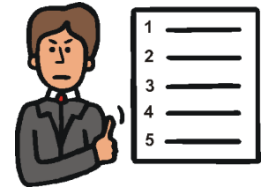
The employers must protect persons with disabilities from bad treatment such as harassment.



Harassment is when someone treats you badly. For example, harassment is when people call you bad names. The employer must make sure harassment does not happen.



All states should have a law about good working conditions. This law should say that persons with disabilities have the right to the same working conditions as anyone else.

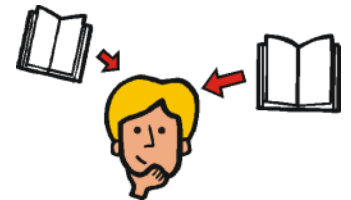


Work training

Training is important for persons to find and keep work.



Persons with disabilities have the right to get training and learn new skills just like their colleagues.

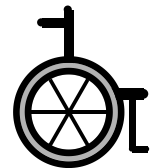


But persons with disabilities rarely have the same chances to take part in work training as persons without disabilities.

Every state should have a law to protect the right of persons with disabilities to learn new skills.

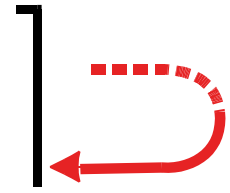


Work training is also important for persons who got a disability because of an accident or illness.



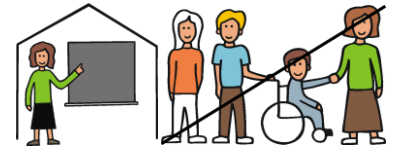
The state should help workers who got a disability to get back to work.

There should be laws which protect the jobs of persons who got a disability.



The OHCHR found that many states have work training especially for persons with disabilities.

Such training is only for persons with disabilities.



In these trainings, persons with disabilities rarely learn the skills they need to get a real job.

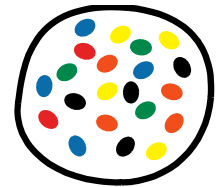


That is why it is important that persons with disabilities can take part in regular work trainings together with persons without disabilities.

This means that regular work trainings must be accessible for all persons with disabilities.

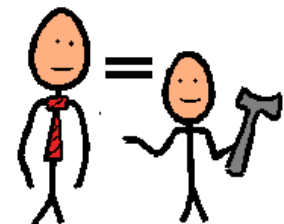


The state must make sure that all persons with disabilities can learn new skills in regular work training, including persons with intellectual disabilities and mental health problems.



Self-employment

Finding a paid job is hard for persons with disabilities. That is why many persons with disabilities are self-employed.



Self-employment means that you are your own boss. You run your own business.

For example, you make cakes and you sell them.

The Convention says that the state should help persons with disabilities to start their own business, for example by giving them money.



Some states encourage persons with disabilities to get together and start a business in a group.

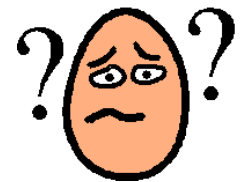


There are many programmes that help persons with disabilities with self-employment.

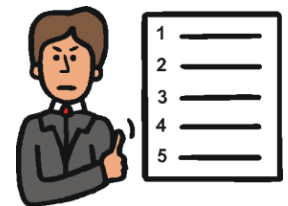
Still, many persons with disabilities cannot get help to start their own business.

For example, banks will not lend them the money they need to start the business.

This is discrimination.



The state should make sure that persons with disabilities have the same chances to borrow money and start a business as anyone else.

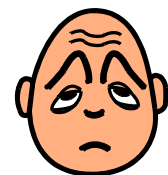


Protecting persons with disabilities from abuse at work

People cannot be forced to work against their will.

People cannot be forced to do things which can harm them or their health.

For example, people cannot be forced to work too hard or too long without a time to rest or eat.



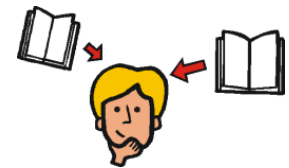
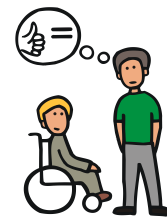
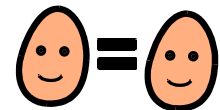
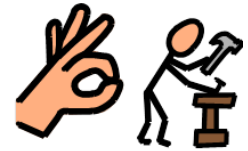
The state must protect persons with disabilities from being forced to work against their will.



3. What else needs to happen

Some other things written in the Convention need to happen so that persons with disabilities can have the same chances to work as other people:

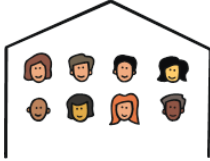
- The state should help people understand that persons with disabilities have the right to work and that they can do a lot.
- The state should make sure that places, services and information is accessible.
- Persons with disabilities must be treated fairly by the law. The law must respect the right of persons with disabilities to make their own decisions.
- Persons with disabilities must get the same rights and respect as anyone else.
- The state should make it easier for persons with disabilities to get around independently.
- Persons with disabilities must have the chance to learn new things together with persons without disabilities.
- The state should help persons with disabilities to stay in a good shape and live independently.



The OHCHR says that some other things can help to make sure that persons with disabilities can work:

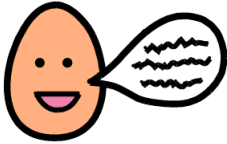


- Persons with disabilities must be able to take part in unions.
Unions are groups of workers that got together to protect their rights at work.
- Persons with disabilities must get help from the state when they lose their job.
- The state should keep track of how many persons with disabilities work.
- States should work together on helping persons with disabilities with jobs.

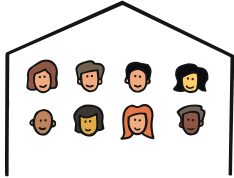


Having a say

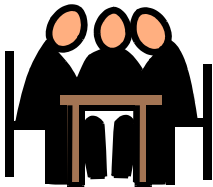
Persons with disabilities must be able to join unions and protect their rights at work.



Organisations of persons with disabilities should work together with the unions and the government on the rights of workers with disabilities.



In some countries, the state works together with companies, persons with disabilities and organisations to make sure that more persons with disabilities have jobs.



Getting help from the state

The state helps persons with disabilities with money. This money is called benefits. Benefits help persons with disabilities to pay or their living.



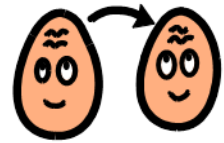
In many countries, persons with disabilities lose the right to some benefits when they start working.
In some countries, they cannot get those benefits back again when they lose their job.



Many persons with disabilities are afraid to end up without a job and without the benefits.
That is why they never start working.



The states must change the way they give benefits so that persons with disabilities are not afraid to work.



States should have information

The states should regularly check information on how many persons with disabilities work.
This will help them to see if things are getting better or not.



Persons with disabilities must have a chance to complain when they are treated unfairly.
The state must help them to get things right.



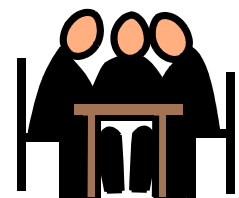
States should work together

The OHCHR found that it is good when states work together on helping persons with disabilities to work.



The OHCHR thinks that the states should work together on 2 things:

- Supporting persons with disabilities,
- Making sure that persons without disabilities can learn work skills in regular schools and trainings.



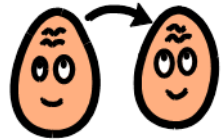
Summary

Here is the summary of the main things that the OHCHR found out in its research:

- Finding work is hard for persons with disabilities because many people think that persons with disabilities cannot work well.
This needs to change!



- Many states try to help persons with disabilities to find work.



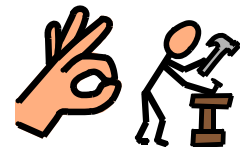
In some countries, persons with disabilities work in special workplaces only.
This is against the Convention.



The state should help persons with disabilities to work in regular workplaces alongside persons without disabilities.



The state should make sure companies hire persons with disabilities and that workplaces are accessible.

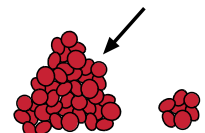


- The state must make laws to protect the right of persons with disabilities to work and to stop discrimination.

These laws must make sure that persons with disabilities can ask employers for the changes they need to do their job.



- The state should help companies hire more persons with disabilities.



It is important that people understand the rights of persons with disabilities to work. Companies need to realise that having workers with disabilities is good for their business.



The state should also help persons with disabilities to start their own business.

- Persons with disabilities should get the same work training as person without disabilities.



- The state should help persons with disabilities to find work and keep it. Persons with disabilities must be able to keep the benefits they need to live independently.



- The states must keep track of how many persons with disabilities work. They should have information on persons with every kind of disability.



The state must work together with organisations of persons with disabilities on the right to work.



To write this report, the OHCHR talked to many states, organisations and persons to find out about the right of persons with disabilities to work.

Here is the list of states, organisations and persons that took part:

States:

Andorra
Armenia
Australia
Austria
Azerbaijan
Belgium
Bosnia and Herzegovina
Colombia
Cuba
Egypt
Estonia
Finland
France
Georgia
Germany
Ireland
Lebanon
Mauritius
Malta
Morocco
Mexico
New Zealand
Norway
Paraguay
Qatar
Republic of Congo
Russian Federation
Senegal

Serbia
Slovenia
Spain
Sri Lanka
Sweden
Tunisia

Organisations:

European Union Agency for Fundamental Rights
International Labour Organization

All-Russian Federation of the Deaf
Agence de Diffusion du Droit International Humanitaire en Afrique Centrale
Amis des Etrangers au Togo
Association rélwendé pour le développement, Burkina Faso
Comité Español de Representantes de Personas con Discapacidad, España
Confédération Nationale des Plateformes en Droits Humains, Madagascar
Disability Council International
DPI Germany (ISL e.V.)
German Association of Blind and Partially Sighted Academics
International Disability Alliance
NCBI, Ireland

Centre for Equal Opportunities and Opposition to Racism, Belgium
Commission Consultative des Droits de l'Homme, Luxembourg
Commission on Human Rights, Philippines
Commissioner for Fundamental Rights, Hungary
Equal Opportunities Commission, Hong Kong
Danish Institute for Human Rights
Human Rights Centre, Finland
Human Rights Commission, Maldives
Human Rights Commission, New Zealand
Institute of the Commissioner for Human Rights, Azerbaijan
National Commission for Human Rights, Honduras

National Commission for Human Rights, India
National Commission for Human Rights, Rwanda
National Human Rights Commission, Thailand
Ombudswoman, Croatia
Ombudsman, Portugal
Procuraduría para la Defensa de los Derechos Humanos, Nicaragua
South African Human Rights Commission

Persons:

Mr. Tom Butcher, Essl Foundation
Mr. Ryosuke Matsui, Hosei University, Tokyo
Mr. Trevor Smith, New Zealand