Implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in light of the UNCRPD

2020/2086(INI) - 10/03/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 578 votes to 65, with 51 abstentions, a resolution on the implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in the light of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The UNCRPD entered into force in the European Union in January 2011. The Convention is binding upon the European Union, its institutions and its Member States, which have a direct obligation to fully implement it, including its Article 27 on work and employment. The Convention recognises the right of persons with disabilities to work on an equal basis with others, to freely choose their occupation, to be accepted and to work in an open, accessible and inclusive work environment.

Members recalled that the unemployment rate for persons with disabilities (17.1%) is nearly double that of the general population (10.2%). Only 50.6% of persons with disabilities are employed, compared with 74.8% of persons without disabilities in the EU. Women with disabilities continue to face multiple discrimination in all areas of life. Only 20.7% have full-time jobs.

Fully implementing the provisions of the UNCRPD

Parliament called on the EU institutions and Member States to reaffirm their commitment to achieving inclusive equality for people with disabilities and to step up their efforts to create an accessible and non-discriminatory labour market for them. They called for a rapid revision of the Employment Equality Directive to bring it into line with the provisions of the UNCRPD and to implement a participatory process aimed at ensuring the direct and full involvement of representative organisations of persons with disabilities.

For an inclusive and accessible workplace

The resolution called on the Commission and Member States to adopt universal design standards and guidelines for accessible environments, programmes, services and products, including workplaces, their equipment and facilities.

In particular, Member States are invited to:

- ensure reasonable accommodation for people with disabilities in the workplace without any cost being borne by workers, to prepare guidance material to this effect and to provide relevant training in accessible formats to employers and workers;

- use or consider the introduction of compulsory workplace diversity quotas with effective and proportionate sanctions for non-compliance, including fines, the amount of which should be reinvested in inclusion programmes; EU institutions should set an example by setting a diversity quota;

- support public and private companies in implementing annual diversity plans with measurable targets and periodic evaluations and help employers to recruit people with disabilities;

- adopt sustainable and inclusive employment policies, such as adapted recruitment procedures or flexible and customised jobs;

- use tax incentives and other financial support measures for companies recruiting people with disabilities, support inclusive enterprises through public procurement and promote corporate social responsibility in the employment of people with disabilities;

- urgently put in place measures to assess the key trends for the future of work from a disability perspective;

- continuously assess, together with representatives of people with disabilities, the characteristics and diversity of existing sheltered workshops and their effectiveness in providing people with disabilities with the skills they need to find employment.

For a non-discriminatory workplace

Parliament called on the Commission and Member States to launch awareness-raising campaigns on the contributions of people with disabilities, in accessible formats and sign languages, to eliminate stigma and prejudice against people with disabilities and to combat harassment and exploitation.

In particular, Member States are invited to:

- take specific measures to ensure non-discrimination for all, including people with disabilities, in order to ensure the accessibility of workplaces, transport and the built environment, and to provide reasonable accommodation at all stages of work, from recruitment to promotion, healthy working conditions and employment rehabilitation;

- take appropriate measures to ensure that reasonable and accessible legal advice and assistance can be obtained and provided to victims of discrimination at all stages of the legal process;

- address the current pay gap based on gender, disability and ethnic origin, and thus combat pay discrimination and the risk of in-work poverty for workers facing barriers to work and who are subject to multiple discrimination, in particular LGBTI persons, women, Roma and refugees;

- not to deprive people with disabilities of their disability entitlements, which cover their disability-related extra costs when entering the labour market or when surpassing a certain income threshold.

Further targeted actions and mainstreaming of disability rights

The resolution called on the Commission and the Member States to harmonise the definition of disability and to ensure mutual recognition of disability status between Member States. The Commission is asked to set clear, measurable and ambitious targets for diversity in the workplace in its post-2020 disability strategy.

Lastly, Members called for the EU-wide collection of disability data based on a human rights approach and including people with disabilities, who have so far been excluded from statistics.