

Modernising and activating measures related to incapacity for work

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1. Social security incentives to take up employment and control costs of incapacity/disability benefits

1.1 Conditions for entitlement to disability benefits

The availability of specific support measures is of course of high importance for people with disabilities. However, this may not always suffice to enter and progress in the labour market. Sometimes, people with disabilities need an extra boost to encourage them to take up work. The national reports reveal that various methods are used to suit this purpose. For example, the entitlement to disability benefits can be made conditional to active job search or the participation in training programmes or work-related activities, that intend to stimulate people with disabilities to move into employment. In countries where this approach has been adopted, this sort of measure is often linked up with sanction rules. In general, these rules will lead to a temporary or permanent reduction of the benefit level when the persons concerned refuse to cooperate with measures that aim to help them move into employment. Possible is also that the entitlement to claim the benefit is suspended for the period that the person concerned refuses to participate in vocational rehabilitation or training programmes or to perform work-related activities. In that case, the entitlement to the benefit will be reinstated as from the moment that the person concerned decides to cooperate.

1.2 Activating eligibility criteria for social benefits

People with disabilities can also be encouraged to take up work or to cooperate with measures meant to help them move into employment by adjusting the conditions for claiming invalidity benefits in order to make benefit recipients more aware of their remaining capacity to work. Often, this sort of measures aims at the same time at putting a stop to the previous practice of awarding invalidity pensions to persons who still have and/or can improve their ability to work. Some methods for the assessment of invalidity accentuate the importance of labour market participation for those with a remaining work capacity. In general, these method results in a lower benefit level which in turn puts beneficiaries under pressure to take up work in order to have a decent standard of living. Also in the Netherlands, the benefit system has been transformed into a system that provides a strong financial incentive to those who have remaining work capacities in order to encourage them to take up work.

1.3 Granting disability benefits on a temporary basis

Other countries opened the possibility to grant a disability benefit on a temporary basis in order to encourage those with remaining work capacities to participate in employment. The duration of the temporary benefit may vary. For example, in Hungary, a rehabilitation benefit was introduced which is granted for a period of three years. In Norway, on the other hand, temporary invalidity benefits can be granted for a period varying from one to four years, whereas in Austria people

with disabilities may be entitled to a temporary disability benefit for a period of two years. Where this system applies, a reassessment will follow after the period for which the benefit was granted, expires. The moment of 'labelling' a person as a permanently disabled person is thus postponed. For the persons concerned, this can serve as an incentive to make their remaining ability to work productive through employment during the period in which he or she is entitled to the temporary disability benefit.

1.4 Possibilities to combine work with receipt of social benefit

Another way of motivating people with disabilities to take up work or work-related activities is to allow benefit recipients to combine work or work-related activities with a continued entitlement to receive their benefit. Sometimes, there are no specific restrictions involved as to the amount which the person concerned is allowed to earn. But some systems make the possibility to combine work or work-related activities with benefit subject to certain conditions. For example, in several countries, there is a threshold above which earnings will be taken into account. In general, this implies that earnings exceeding the threshold will be deducted from the benefit.

1.5 Possibilities to suspend entitlement to the benefit

Taking up work may involve risks for people with disabilities. It may, for example, be regarded as an increase of the remaining earning capacity, which in turn may imply that the conditions for claiming a disability benefit are no longer fulfilled. In some countries this will require the person concerned to start a new procedure in order to reclaim the benefit when an attempt to take up work fails. Other countries created the possibility to suspend benefit entitlement for a certain period of time. This allows the person concerned to fall back on the benefit without having to start a new procedure. As such, this offers people with disabilities a certain period of time to test their ability to work without running the risk of losing their entitlement to the benefit when it does not work out. Such a 'trial period' may serve as an incentive to take up work.

2. Support measures for people with disabilities as active labour market programmes

This type of measures that have been implemented at national level to promote the (re)integration of people with disabilities reflect the features of the social dimension, albeit in different ways and to different extents. The direct support to people with disabilities includes services directly to the person as well as supported employment measures and financial allowances to compensate for disability-related costs.

2.1 Personalised support services

All European Countries avail of personalised support measures. In many cases, these measures are provided by the Employment Office on the basis of individual needs. In Norway a written 'service-guarantee' was introduced which obliges the Employment Office to provide immediate and effective personalised support to both the employer and the disabled person concerned. In

other countries, personalised rehabilitation plans are used as a means to specify the support to be provided in individual cases.

Almost everywhere, people with disabilities have access to vocational rehabilitation, vocational training, skills-upgrading in employment centres or on the job, personalised job search assistance and counselling and/or occupational guidance or job coaching, in order to find and/or retain an appropriate job. In most cases, these measures are designed to help people with disabilities to conquer a stable position in the labour market by addressing their personal barriers and by supporting them to realise their full potential. The support provided in this way, aims at enabling people with disabilities to fully participate in society without being discriminated. As such, this reflects the social model of disability upon which the Union's disability strategy is built. In general, this translates into a multidisciplinary, rights-based approach, and the availability of a wide range of services to promote social inclusion, primarily through employment or, if need be, in other way.

2.2 Supported employment opportunities

Several countries implemented measures that acknowledge the fact that for many people with disabilities, labour market participation is a two-staged process, which is one of the main strands of the Union's objective to promote active inclusion. In a number of countries, this resulted in comprehensive rehabilitation programmes which promote the gradual integration into employment by offering people with disabilities a ladder of opportunity to strengthen their employability and/or to enhance their personal development in specialised institutions. Sometimes, these institutions are qualified as special employment or rehabilitation centres and sometimes as sheltered workshops or social enterprises.

In other countries, this sort of support is also available, albeit primarily on the workplace. Often, personalised guidance and assistance on the job or a jobcoach are provided in order to help the person concerned to develop their full potential. In many cases, this also goes with workplace adaptations in order to adjust the workplace to the particular needs of the person concerned either through the provision of equipment or technical assistance or in the form of flexible working-time arrangements or flexible work conditions.

Supported employment or job retention schemes are often completed by the right to flexible employment arrangements. These provisions may include several rights, such as the right to training or skills-upgrading on the job, the right to adjust working-time, the right to additional breaks, the right to paid leave to participate in specific training or rehabilitation programmes and the right to work at home or at a workplace which is near to their home. In addition, restrictions may apply to the general rules in regard to dismissal. In principle, this sort of rights serve as a means to strengthen the employment position of people with disabilities. In general, these rights are embedded in the general labour law scheme, but it is also possible that these rights are incorporated in a special scheme for disabled persons.

2.3 Financial allowances to compensate for disability-related costs

The support provided to help people with disabilities move into employment often includes financial allowances to cover disability-related costs. In many cases, these allowances take the form of a financial compensation for additional costs associated with the participation in vocational rehabilitation or training programmes (such as cost related to transport, accommodation or a special treatment) or associated with employment or workplace adaptation (such as cost related to equipment to function well or cost related to personal assistance on the workplace). Sometimes, there are also financial allowances available that compensate for the cost related to education, or people with disabilities may be entitled to specific allowances which are meant to compensate for the cost of public transport.

In general, these allowances are paid by the competent authority to the person concerned on the basis of an assessment which proves that certain conditions are fulfilled and that the cost are actually made. In Germany and the Netherlands, however, persons with a disability may apply for of a 'personal budget' out which the rehabilitation- or work-related cost can be paid by the persons themselves. On the one hand, this method offers them, within certain boundaries, the opportunity to make their own choices as to the kind of support they wish. On the other hand, it also serves as a means to accentuate the personal responsibility of persons with disabilities in regard to their (re)integration into work.

3. How to support active ageing to enable elderly workers to stay longer in employment

It has been demonstrated in numerous studies that older workers are more at risk of disability and that their ability to work is declining especially if the right support mechanisms are not in place. Many services are needed to help disabled people to enter/return to work. These include: medical rehabilitation, vocational rehabilitation, job placement, guidance and counselling. In terms of delivery mode of these services, we can distinguish generic mainstream services, specialised and customised service for people with disabilities, and a combination of those which can be qualified as inclusive mainstream services. Following type of services are offered by the various EPR members:

- Provision of Social Employment Opportunities;
- Advice on Reasonable Accommodations/Workplace Reorganisation;
- Assistive Technology advice and support;
- Provision of Vocational Rehabilitation;
- Service to employers to train and advise them how to maintain elderly workforce with disabilities in their company.

Improving workability of elderly workers focuses first of all on the work itself (rather than on the person) and tries to improve work load and work environment (strenuous work, work posture, repetitive work movements, tools and work spaces, work climate, usage of machines,...). Secondly, the work community and organisation need to be optimised (possibilities for development, responsibility, management and supervisory work, feedback and support, use of

knowledge, work schedules, freedom,...). Finally, one will aim at improving functional capacity and promoting professional skills of elderly workers (Exercise, sleep and rest, diet and eating habits, smoking and alcohol consumption; hobbies and other exercise.

The EPR members in the various EU Member States also address the employers and HR managers. In terms of job recruitment, they should ensure that older workers have either equal or special access to available jobs. Moreover, they need to make sure that older workers are not neglected in training and career development, that opportunities are offered and that training methods are appropriate. Finally, employers should also buy into flexible working time practices which providing greater flexibility in hours of work or in their timing, making adjustments for work life balance for the older workers.