



European Trade Union Confederation (ETUC)  
Confédération européenne des syndicats (CES)

### **ETUC-EDF Joint Declaration**

The European Trade Union Confederation (ETUC) and the European Disability Forum (EDF) met in Lisbon from 26 to 28 October 2007 for a joint seminar, organised with the support of the European Commission as part of the European Year of Equal Opportunities for All. After taking stock of the present situation and of developments since their previous meeting, held in Thessaloniki from 1 to 3 March 2003, the ETUC and the EDF confirmed their commitment to engage in close co-operation with a view to promoting access to employment and vocational training for disabled persons in the mainstream workplace

#### **Significant developments, especially at European level...**

Indeed, developments since the 2003 meeting are seen by many as very encouraging signs that better consideration is being given to disabled persons, particularly in terms of access to employment and vocational training and/or new opportunities in this field.

The Member States, for example, have transposed into their national laws the directive on non-discrimination in access to employment. A number of States even took advantage of the transposition process to revise, often quite radically, their legislation on access to employment for disabled people.

This period also saw the start of the new programming of the European Social Fund, offering additional opportunities.

On the international scene, the Convention on the Rights of Persons with Disabilities was adopted on 13 December 2006.

#### **but there is still cause for concern!**

First and foremost is the fact that, in terms of employment at European level, persons with disabilities

- have twice to three times the unemployment rate of workers as a whole,
- account for only 16% of the working population,
- and the jobless rate among the most seriously disabled is 78%., as working conditions are not suitable and leave them no choice,
- do not always have the same rights as other employees
- are vulnerable to early retirement from the labour market, which conditions their right to a pension entitlement allowing them to live a dignified life.

Also at European level -because situations at the national or regional level can be less clear-cut - few tangible results have been seen in the field of vocational training for disabled people, and the progression of their careers.

Nothing has been accomplished to date, in spite of the European Disability Forum's campaign, which collected over a million signatures. Giving effect to the joint ETUC-EDF Thessaloniki appeal, the campaign calls for a specific directive to abolish discrimination in all areas other than employment, such as access to education, health, adequate transport and housing, goods and services.

With a view to the development of quality social and health services, the ETUC, on its side, has rallied considerable support, resulting in the recognition of the specific characteristics of social and health services and their removal from the initial proposal for a services directive. These must now be made more legally secure, in other words, they must be written into a separate framework directive, matched if need be with more specific directives.

### **Enhanced co-operation at both national and regional/local level**

In the joint declaration adopted at their meeting in Thessaloniki, the ETUC and the EDF agreed to step up their co-operation at European and national level.

The debates at the Lisbon meeting, illustrated by presentations on best practice, along with the responses to the questionnaire sent beforehand to the seminar participants, brought to light two significant elements.

First of all, co-operation at national and regional/local level has improved appreciably since 2003 and has resulted in joint initiatives taking the form of

- joint campaigns and publications,
- the organisation of conferences, meetings and seminars,
- the signature of collective work agreements between social partners,
- etc.

For the countries that have recently joined the European Union, accession has given them the opportunity to refer to legislation in progress, which has strengthened their common determination. Furthermore countries currently negotiating with the European Union in view of their accession are also reviewing their legal framework.

Similarly, the debates underlined the large involvement of the social partners in the implementation of their Joint Declaration for the European Year of People with Disabilities (20 January 2003), which is being put into effect through heightened awareness and measures to adapt workplaces and work stations.

### **The challenges ahead**

Without claiming to draw up an exhaustive catalogue of measures to be taken, and because not everything can be tackled at once and priorities need to be set, the European Trade Union Confederation and the European Disability Forum, and their respective organisations consider it necessary and urgent to implement the following measures.

#### *1. Continuing joint information initiatives*

Mobilisation and significant evolution in the area of improved qualitative and quantitative integration of disabled persons into the mainstream workplace necessarily requires greater awareness by society as a whole and by workers as to

- the will of the disabled to be fully integrated into the labour market and to have access to qualifying vocational training,
- the difficulties that still exist today.

## *2. Encouraging better inclusion of disabled persons at work*

Better inclusion means the active participation of disabled workers in trade union bodies and in workers' representative bodies.

Particularly prevention measures in the workplace for all workers should continue to be developed. Initiatives should be carried out to ensure that disabled people can keep their jobs.

Similarly, there is a need to providing training for staff and members of trade union organisations, so that the needs of disabled workers as well as those threatened by unemployment as a result of their disability will be better taken into account and to be in a position to assess properly the implications of the Directive on equal treatment in employment (2000/78)

Additional measures should be provided to ensure that more account is taken of the full range of needs of disabled workers.

## *3. Developing integrated employment and social inclusion policies*

The trade unions and organisations representing people with disabilities must mobilise on both employment and social inclusion. In particular, with respect to better integration, they must take into consideration the specific life situations of disabled people, with a view to providing responses, in terms of social legislation and social rights, to the families that care for a disabled person without forgetting "caretakers".

## *4. Achieving through social dialogue the objectives of the work programme of the European social partners (2006-2008)*

In their work programme signed on 23 March 2006 for the 2006-2008 period, the social partners consider the possibility of signing an autonomous framework agreement on the "integration of disadvantaged groups on the labour market". The ETUC and its member organisations in particular will work at the appropriate levels to see to it that this commitment is implemented following the consultation of organisations representing the disabled.

## *5. Ensuring total implementation of the Employment Directive (2000/78)*

The analysis by the ETUC and the EDF of transposition of the Directive on equal treatment in employment (2000/78) reveals that the task of guaranteeing proper implementation of this directive has not yet been completed. Both the ETUC and the EDF see transposition in many countries as unsatisfactory.

The ETUC and the EDF therefore stress that all articles must be correctly transposed and that the Commission's monitoring of implementation and effectiveness must involve the ETUC and the EDF as well as all their members, and ensure that they are informed of future strategy development, to improve employment for disabled people.

## *6. Building support for a 'specific' directive*

In the framework of the preliminary study the Commission will be undertaking on the development of a "non-discrimination" legal framework (outside of the sphere of employment), the member organisations of both the ETUC and the EDF, at both European and national/regional level, will continue to develop synergies and initiatives in order to achieve a specific "disability" directive, such as they have demanded for many years, allowing a response to be provided to the many problems encountered by disabled people (such as education, access to goods and services, etc.) .

#### *7. Ratifying the UN Convention as a matter of urgency*

The ETUC and EDF stressed the major positive contribution represented by the adoption by the UN General Assembly in late 2006 of the Convention on the Rights of Persons with Disabilities. They nonetheless agreed to join forces and to use all means at their disposal to see to it that the text is ratified as soon as possible in each member state (the ratification period was opened on 30 March 2007), so that the provisions of the Convention, notably those contained in Article 27, may be implemented.

#### 8. Enriching cooperation between unions and organisations of disabled people

The ETUC and the EDF, and their respective organisations are committed to fostering continuous dialogue at European and national level through an exchange of information relating to initiatives taken in the field of employment and training, particularly measures focused on disabled people.

More specifically, within the framework of following up and implementing the provisions of this declaration, officials within the EDF and ETUC responsible for these matters will meet at least once a year.

In addition, they will study the possibility of a joint raising awareness action for the general public on the rights of workers with disabilities by 2010, in view of submitting a proposal in that direction to their respective decision-making bodies.

#### **2010: a key target date**

Implementation of all these measures is likely to improve the integration of people with disabilities into mainstream workplaces and into society in general, and as part of the European Year of Equal Opportunities for All, should also mark a significant step towards access to full "citizenship" recognised and exercised by all.

The two organisations agree to set the objective of assessing implementation and progress achieved on the defined objectives in 2010, the European Year of Combating Poverty, and to promote disability mainstreaming.