# **The Rights-Reporting Podcast, Episode 1: Rights on the labour market**

**Speaker1:** [00:00:00] This podcast is supported by the Rights, Equality and Citizenship Programme of the European Union.

**Neven:** [00:00:17] Welcome to the right's reporting podcast. This is a show aiming to improve the rights of blind and partially sighted citizens in Europe, together with European experts from different countries. We will discuss and reflect on these rights and the relevance of international and European legal and political frameworks, such as, for instance, the United Nations Convention on the Rights for Persons with Disabilities, called UNCRPD and the European Commission's Strategy for the Rights of Persons with Disabilities. My name is Neven Milivojevic and I will be hosting today's episode, which will focus on an important right of having equal access to the labour market. The unemployment is huge amongst blind and partially sighted citizens in Europe. This, despite ambitious political frameworks, like European Commission Strategy for the Rights of Persons with Disabilities and also the European Pillar of Social Rights. For instance, a rich country like Sweden has had 50 percent unemployment for visually impaired for decades. No matter huge reforms on the labour market. And we know that the situation in other European countries is even worse. We will today make a touchdown in a European country and hear about their experiences. Let's first listen to Floris Ephraim from the Netherlands, who couldn't continue his work at a governmental department due to their lack of accessibility.

**Floris:** [00:02:13] My name is Floris Ephraim. In the past, I've worked for two Dutch national government departments. In my experience, they want you as an employee because of an agreement they made with other employers. In this agreement, the government has to hire a certain amount of employees who have a disability.

**Floris:** [00:02:37] And I got a good and interesting job to archive political amendments or motions for changing laws that were made. To do this, I had to use new filing system that I had just started to work with. The system itself was very secure, but it was totally inaccessible for me. The problem was you had to use a mouse to drag files from one place or another or click in a very small corner of the screen. This is impossible for me to do due to my partial sight. To give you an idea: with one eye, I see only 10 percent. With the other eye, even less. I was disappointed because I couldn't perform some of my duties.

**Floris:** [00:03:31] Another problem I ran into while working at the government was that I was only allowed to use one assistive program called Supernova, which wasn't able to work well with other software applications they were using. That was very frustrating because the applications didn't always work well together.

**Floris:** [00:03:56] It makes me wonder if they are hiring me for my abilities or are they?

**Floris:** [00:04:07] The government wants to be a very inclusive and social organization, and in some areas they do accomplish this, but the situations I mentioned do present a problem. If they want people who are visually impaired to work for them.

**Neven:** [00:04:23] I would like to welcome our guest for today's podcast, Ms. Katarina Bigovic Kulic, International Relations Advisor at the Union of the Blind of Montenegro. Welcome, Katarina.

**Katarina:** [00:04:37] Hello, Neven. Thank you for the opportunity to be part of your podcast.

**Neven:** [00:04:45] So tell me, how do you react when you hear Floris' story?

**Katarina:** [00:04:49] Unfortunately, it's not only the story where we can see that a lot of employers do not have ...that, a lot of visually impaired people do not have equal rights and that they have the lack of equal opportunities on the labour market. It's really difficult not only for Floris, but for all visually impaired, blind or partially sighted. If the persons, if the employers - in this case government - do not recognise the possibility of visually impaired persons. And do not recognise the rights of visually impaired persons and also, if they do not follow, as you mentioned, the UN CRPD Convention, in which, Article 27 of work and employment states: "All State Parties need to recognise the right of persons with disability to work on equal basis with others, and that also include the accessible workplace".

**Neven:** [00:06:06] And so could you tell me anything about what is the current situation in Montenegro when it comes to accessible workplaces?

**Katarina:** [00:06:15] When we talk about accessible workplaces, I want to say that in Montenegro we had some results in the last five years. First of all, I need to mention the law on vocational rehabilitation and employment of persons with disabilities in Montenegro. That law really creates conditions for increasing the employment of persons with disabilities and also enables equal participation in labour market and equal participation when we talk about workplace. The benefits from this law is also the right to adjustment; to make the workplace and working conditions accessible for the employment of visually impaired persons. I want to say a lot of visually impaired persons made workplaces accessible, so through this benefit, a lot of visually impaired persons can use assistive technology like software, laptops, mobile phones and also some kind of assistive technology like OrCam MyEye. All of these assistive technologies enable the same start position for all visually impaired persons and ensure equality from the beginning. It's really good that we have a good cooperation with the employment agency of Montenegro and also with the with the professional rehabilitation firms, and we discuss with them why visually impaired persons need iPhones, why visually impaired persons need some softwares, why visually impaired need OrCam MyEye, that enable that all information that is printed can be read by visually impaired persons. So, in Montenegro, we really have a good step up, but regardless, visually impaired persons do not work on a lot of work places and they can be only telephonists or, I don't know, lawyers. But this this adjustment for workplace really is a good step forward for visually impaired and also the diversity of workplaces.

**Neven:** [00:08:51] Mm-hmm. But would you say that these tools, the European, for instance, strategy on disability for persons with disability? Is this strategy of any use when you are trying to advocate for the rights to accessible workplaces in Montenegro?

**Katarina:** [00:09:11] Of course, in Montenegro, we first used the UN CRPD because Montenegro ratified it, and we have 12 years since we implemented it. But still, we do not recognise the measures from the UN Convention like minimal, minimal standards. We always, in Montenegro talk about maximum standards from the UN Convention, but we really need to raise up that the UN Convention is some kind of international umbrella document that we need to recognise. I also want to say that the Article 27 also states that "we need to ensure for persons with disability, to exercise their labour and trade union rights on the equal basis with others". And also, we need to promote employment opportunities and career advancement and also assistance in finding and obtaining, maintaining and returning to employment and really to promote and ensure the reasonable accommodation provided to persons with disabilities in the workplace. As you mentioned; we have a new EU Strategy for the rights of persons with disabilities from 2021 to 2030. And also, this strategy really recognises the problem because as in the strategy, it is mentioned that the persons with disability still face the considerable barriers in access to employment. And the high risk is mentioned, when we talk about accessibility of the workplace. Because if a person visually impaired persons do not have assistive technology and an accessible workplace, she or he do not have do not have equal basis and she or he cannot be productive like other other employees.

**Neven:** [00:11:27] But do you feel that the counterpart here, like the governmental departments, the governmental bodies; do they actually use these kinds of strategies? Do they take them seriously?

**Katarina:** [00:11:41] I think they use it, but not seriously, as you said. Because we have a lot of documents in Montenegro that mention UN Convention and the new EU strategy. But when we talk about implementation, we really are not satisfied. Because in implementation, we do not have a lot of consultation with the organisation of persons with disabilities and sometimes a lot, of not law but rule books or other legislation, can be adopted without the consultation of the Organisation of Persons with Disabilities, which is also one part of the UN Convention. But I want to say that this law on professional rehabilitation really gives us a step up. But if you know that the government made this law and the parliament adopted this law, we still we still have some difficulties because the parliament also does not employ persons with disabilities and does not have the willingness to employ persons with disabilities. And this is also due to prejudices, presuming that a person with disability cannot work like others, and they cannot be a productive worker.

**Neven:** [00:13:20] Well, finally, on this topic, implementation is always the main challenge. Do you have any recommendations? You mentioned for instance, the involvement of organisations with persons with disabilities in the process. But do you have other recommendations on how to improve the implementation of the different frameworks and political ambitions, which are presented in documents?

**Katarina:** [00:13:51] Of course. They need to focus on the visually impaired, on persons with disabilities and on the universal design, because as you know, for blind or partially sighted people, maybe we have different accessibility issues. And also, we might use different kinds of assistive technologies. Not only [there needs to be] cooperation and consultation with the Organization of Persons with Disability, but I think that every firm, every institution, government, parliament or organizations need to discuss with people with disabilities and ask them what they need in order to be equal in the workplace. I think that this is really good for advancing equality in the workplace for persons with disabilities. In Montenegro in the Union of the Blind, we made a portal, www.zaposliosi.me, with the aim to connect and enable efficient communication between employers and also unemployed people with disabilities. We made innovative, diverse but really rich content to encourage the employment of persons with disabilities, but also encourage employers to employ persons with disabilities. On that portal, all employers or unemployed persons with disabilities, can find a lot of information about legislation, as well as some examples on how to make the workplace accessible for people with disabilities and visually impaired people. In addition, we created a blog where individuals, people with disabilities and employers can share their stories. Because when you see, hear or read about some good examples, this can be really encouraging for others.

**Neven:** [00:16:25] Thank you very much, Katarina. Let's move over to another topic and talk a little about the employers. I mean, they are very key persons in this. A few years ago, for instance, there was a large and substantial survey made in Sweden. 1000 employers were interviewed about their willingness to employ blind and partially sighted persons. And the results? Well, they should be surprising, but we are not unfortunately, not for us or who know the situation, but for others, it might be a surprise. For instance, in this survey with one thousand people interviewed, I stress that two thirds did not believe that they could employ a blind and partially sighted person within their own department. And this is people who, in daily life work with employing people. Even 60 percent of employers believed that blind and partially sighted employees in general, cannot do a job as efficiently as a fully-sighted employee. 40 percent believed that there would be higher costs in employing visually impaired persons. So of course, in Sweden, with support to employers and employees is significant. It relates to different economic benefits that are connected to the employment of a blind or sighted person. It can be help with assistive technologies or other workplace-related adjustments. And still, eighty four percent of employers claim that they didn't have enough knowledge about this. So, it is maybe not so strange that we have all these prejudices amongst employers. And also, that is a very important key challenge in why we have so few blind and partially sighted people employed. So, I don't know, is this just attitudes in Sweden or Katrina, how is it in Montenegro when it comes to employers attitudes?

**Katarina:** [00:18:52] I think that the situation in our country is not only in Sweden and not only in Montenegro. Unfortunately, employers really have a lot of prejudices and stereotypes about visually impaired persons and persons with disabilities, and do not offer them a chance to be hired for their skills. This is the example in Montenegro: as I said, this law on vocational rehabilitation and employment of persons with disabilities has also a quota system. According to this quota system and Article 21, an employer with 20 to 50 employees is obligated to employ at least one person with a disability. An employer with more than 50 employees is obligated to employ at least five percent of people with disabilities in relation to the total number of the employees. If the employer does not employ a person or people with disabilities, the firm is obligated to pay a special contribution for non-employment of people with disabilities in the amount of 20 percent of the average gross salary in Montenegro. And in Montenegro, the legislation offers an alternative and a lot of firms and institutions rather pay this special contribution and not employ people with disabilities. And this is really bad because, according to the law, we have not only these benefits for accessible workplace, but we have also the right to a wage subsidy, as well as right to financial aid for personal assistance. So, we have really, really good benefits, but still, employers do not want to employ people with disabilities. I think that this is because a lot of employers do not have a knowledge and do not have a right approach to the visually impaired people and people with disabilities. And also, as we can see, over half of people with disabilities said at the European level that they personally felt discriminated when we talk about employment.

**Katarina:** [00:21:31] In Montenegro, we conducted a research and had bad results because 65 percent of visually impaired people said that they are discriminated in the field of employment. They really emphasize not only access to the labour market, but also the services and the possibility of training for some kind of lifelong learning. Therefore, people with disabilities do not have the opportunity to receive some informal education because they are not accessible and the materials are not accessible. When we talk about lifelong learning, a lot of materials are not accessible and the places where training is offered are not accessible. So, people with disabilities and visually impaired people do not have the opportunity to develop their skills and knowledge, and be in a position to change their careers. And also, a lot of our members said that they do not have the opportunity for self-employment because they cannot start their own business. They have a lot of barriers in the legislation, but also a lot of barriers in administration. So we really can say that unfortunately, the situation in the EU and also in Montenegro is still bad when we talk about employment because of these prejudices and stereotypes. And we really need to approach this from a human-rights perspective to enable people with disabilities an equal access to the labor market.

**Neven:** [00:24:03] Hmm. But I'm a little curious, so you have this quota system in Montenegro and I know some other countries have similar systems. In Sweden, we don't. Do you believe that this has achieved the ambition of actually including more people with disabilities in the labor market? Or has it created more uncertainty? And of course, those who are sceptical about this system also mention that there is a challenge in not really knowing why you are employed - is it because of your competence or is it because you are a person in a certain percentage to get into this quota? So, what is your opinion about that? Do you have any reflections about the differences?

**Katarina:** [00:24:57] Yes, we have some reflections when we compare the situation to five years ago. We really can say that now we have more visually impaired and more people with disabilities who are employed. But, we are not satisfied because we have still a lot of unemployed people with disabilities and a lot of women and young people with disabilities, according to the data of the Agency of Employment in Montenegro. So, we can say that 60 to 65 percent of unemployed people are women and also, we have a lot of young people with disabilities who are unemployed. Therefore, we cannot say that we are satisfied with the situation. We really can see that in the last five years there [has been some improvement], but we really need more because a lot of visually impaired people and people with disabilities still have unemployment status. Some of them have that status since years ago and do not have the opportunity to receive guidance, programs, services or training to access the labour market.

**Neven:** [00:26:35] Thank you, Katarina. Before we wrap up this podcast episode, I wanted to ask you, do you have anything more to add when it comes to the right of accessible labour market? Are there any other reflections you would like to share with us, Katrina?

**Katarina:** [00:26:53] I really want to share that COVID-19 really has emphasized a lot of these problems, because the various measures [taken during the pandemic] have also affected the area of employment, including [the employment of] people with disabilities. A lot of employers do not allow people with disabilities to have assistive technology at home, so they do not have equal basis to work at home in the period of COVID-19. I also want to mention that here in Montenegro, we have some training, which is part of a project called ADVISE by the European Blind Union and 24 visually impaired people have gone through this training process. It's a training process for job-seekers, and we are really sad to see that a lot of young, visually impaired people are not encouraged to be part of the open labour market, and always want to be employed by disability organizations or private firms. So young, visually impaired people are not encouraged to try to find jobs elsewhere. They always want to work in organizations of persons with disabilities or in some private sector, but not in the public sector. And this is really sad because we are sharing a lot of information and experiences, but still, the visually impaired are not encouraged to go to the open labour market.

**Neven:** [00:28:55] The very wise comments. Thank you so much, Katarina. Your thoughts have been really valuable for this podcast and by this dear listeners, thank you very much for listening to the Rights Reporting podcast. This show is a part of a European PARVIS project and is led by a European Blind Union, the Swedish Association for Visually Impaired and the Eye Association of the Netherlands. The project is supported by the Rights, Equality and Citizenship Programme of the European Union. So, did you get curious and would like to know more? Well, then you can find contact details in the show notes. Thank you also to Emiel Cornelisse, who is our sound master today, and the next episode of his podcast is planned to be aired in about two months. So don't forget to subscribe in your podcast app already now, so you don't miss out on this. Until then, we wish you good health and success in your commitment for an equal society.

**Speaker1:** [00:30:21] This podcast was supported by the Rights, Equality and Citizenship Programme of the European Union.

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