**Inclusive and accessible Trade Unions**

**ITUC conference**

**1st of June 2021**

Thank you very much for the invitation today

My name is Pirkko Mahlamäki and I am here today representing the European Disability Forum, or EDF as we call it for short.

We are the representative body of persons with disabilities to the EU institutions, and in Europe as a whole, covering all the countries in the Council of Europe.

We represent an estimated 100 million people in Europe.

We have 101 member organisations. Some are national disability councils, some are local organisations, some are European NGOs dealing with specific types of disability.

We define disability on the basis of the United Nations Convention on the Rights of Persons with Disabilities, which gives the following definition: “Those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others”

At EDF we are focusing increasingly on Trade Unions.

This is because when we look at the issues faced by people with disabilities in employment, we see not only issues in accessing the labour market but, even once there, we see problems regarding the quality of employment.

This is particularly the case for women with disabilities who are more likely first of all to be unemployed, but also to be working part time, with precarious working contracts and below minimum wage.

Meaningful Involvement in inclusive Trade Unions is one of the key ways to address the issue of poor quality employment.

I will begin by just talking you through what the United Nations Convention on the Rights of Persons with disabilities, to which the EU and all its Member States are States Parties, says about employment.

I will then share with you some thoughts on practical things that can be done to increase the inclusiveness and accessibility of Trade Unions for persons with disabilities.

### The UNCPRD’s Article 27 on work and employment talks about the need to ensure fair wages and reasonable working conditions

As we see it, workers with disabilities, no matter where they are employed, should be guaranteed the status of “employee”, and thus entitled to all the rights attached to this status in their country.

This means a guarantee of minimum wage in countries where this exists, or a wage equivalent to that generally received in their sector of work in countries without laws on minimum wage.

It also means entitlement to paid annual leave, sick leave, educational leave, unemployment benefits and all other social protection mechanisms, as well as the right to exercise trade union rights, again in line with the national norm.

### Article 27 also talks about the need to provide reasonable accommodation (or workplace adjustments)

The provision of reasonable accommodation should be driven by the requirements of the person with disabilities and not the preferences of the employer.

Reasonable accommodation should comprise options for flexible working arrangements, as well as support or adjustments to the workplace in line with the person’s needs.

Support should also be given for the provision of workplace assistance, mentoring and coaching if the employee with disabilities requires this. Furthermore, it should take into consideration the need for some employees to work in closed office spaces as opposed to open-plan settings because of sensory issues.

States Parties to the Convention should foresee financial support in the form of grants to help businesses make necessary adjustments to the workplace and/or purchase assistive devices and technology or employ support workers/interpreters/personal assistants when needed.

Employers should be encouraged to be flexible with working arrangements for employees with disabilities to facilitate entry into an inclusive labour market and reduce barriers.

This flexibility should be at the request of the employee and not imposed upon them. For example, an employee might request to work remotely. However remote/online working should never be imposed on an employee with disabilities as an alternative to making the workplace accessible.

### The Convention talks about protection from in-work poverty

Adequate income for persons with disabilities requires more than ensuring the respect of national or sectoral minimum wage policies. The extra cost of living for persons with disabilities, because of the need to pay out-of-pocket to compensate for inaccessible structures, is such that a salary alone is rarely enough to bring a person with disabilities out of poverty.

As such, the concept of “reasonable remuneration” needs to take into account the way salaries are compatible with social welfare systems. States Parties should allow persons with disabilities to retain entitlement to disability allowance when in employment, to compensate for the extra cost of living. Improving one’s quality of life by taking up paid employment should not be penalised by loss of support mechanisms and disability “benefits”.

### The Convention refers to career progression too.

States Parties must ensure the entitlement to career progression for workers with disabilities.

Particular effort must be made to ensure that training programmes are made accessible for persons with disabilities, and that workers are free from discrimination when it comes to promotions and pay-scale progression.

### And of course, the Convention speaks about the need for safe and healthy working conditions

States parties must make it an obligation for employers to ensure the health and safety of persons with disabilities in the workplace.

This will require taking measures to make emergency evacuation procedures accessible and usable by all staff, in a way that leaves nobody behind and puts no person at disproportionate risk because of their disability.

It should also require the accessibility of warning and alarm systems for emergencies and prioritise evacuations that can be done autonomously to the greatest extent possible.

Ensuring health and safety also means making sure reasonable accommodation is available so that tasks can be carried out by the person with disabilities without requiring excessive strain that could result in health issues or injury.

# So what are the points we want to see Trade Unions work on to become more accessible and inclusive of persons with disabilities.

1. Firstly, on how Trade Unions conduct their work and involve workers with disabilities.

Well, we would like to see Trade Unions improving accessibility and involvement of workers with disabilities by ensuring:

* accessible communication about how to get involved in Trade Unions, according to the requirements of the person with a disability, offering options for communication in Braille, sign language and/or easy-to-read information if needed;
* Ensuring that meetings and dialogues take place in physically accessible spaces and that support for accessible forms of communication is provided as requested during these meetings;
* Trade Unions should also welcome the involvement of organisations of persons with disabilities to offer wider inputs on requirements of workers with disabilities;

1. Secondly, on how Trade Unions can mainstream and internalize the interests and viewpoints of workers with disabilities in their work.

* Negotiations on working conditions and remuneration need to take into account that special regimes might be required to serve the interests of workers with disabilities (such as flexible working hours, the right to reasonable accommodation, access to social protection schemes that cover costs incurred because of lack of accessible services, what is considered adequate pay in light of the cost of living of persons with disabilities);
* The disability perspective is taken into account during discussions around health and safety in the workplace, including adjustments to protect the health and wellbeing of employees, and provisions for emergency evacuations of workplaces;
* Solidarity should be shown between workers with and without disabilities. Negotiations at the level of Trade Unions should not be considered complete if the requirements of workers with disabilities are not reflected in agreements, and disability-specific requirements should never be used as trade-offs to facilitate an agreement with an employer/sector/government;

EDF will be elaborating a guide with practical recommendations for including persons with disabilities fully in Trade Unions and collective bargaining. This will comprise practical guidelines on how to make meetings accessible for all.

We will keep you posted on this.

Thank you all for your attention.