

Report on the employment of disabled people in European countries

Country: Poland
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Background:

The [Academic Network of European Disability Experts](#) (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the *Thematic report on the implementation of EU Employment Strategy in European countries with reference to equality for disabled people*. The purpose of the report ([Terms of Reference](#)) is to review national implementation of the European Employment Strategy from a disability equality perspective and to provide the Commission with useful evidence in support of disability policy mainstreaming. More specifically, the report will review implementation of the EU Employment Strategy and the PROGRESS initiative with reference to policy implementation evidence from European countries, including the strategies addressed in the EU Disability Action Plan (such as flexicurity and supported employment).

PART ONE: GENERAL EVIDENCE

1.1 Academic publications and research reports (key points)

In the past, research on people with disabilities lacked complexity and, moreover used qualitative methods (except surveys conducted by the Central Statistical Office and some research conducted by the State Fund for the Rehabilitation of Disabled Persons in sheltered workplaces). However, recent years have brought some interesting research concerning the situation of disabled people in the labour market.

In 2005-2007 the Institute of Public Affairs together with the State Fund for the Rehabilitation of Disabled Persons (hereafter the State Fund for Rehabilitation) undertook a project within the framework of the Sectoral Operational Programme for Human Resources Development entitled 'Flexible forms of employment as an opportunity for the vocational integration of young people with disabilities'. The leading theme of this project was the opportunities for the vocational development of young disabled people in the traditional labour market. According to this research the low level of vocational activity among young disabled people in Poland is due to

various factors, including low levels of education and inadequate vocational qualifications.

One of the main reasons for the inadequate vocational preparation of young people with disabilities is the lack of early vocational guidance and appropriate profiling of vocational preparation. Schools often focus on teaching jobs and skills that are no longer required or marketable or are not appropriate for the specific disability. The lack of or limited access to information and the poor quality of existing information resources constitute one of the main institutional barriers that makes effective problem-solving for disabled people difficult.

The public institutions, which are important in the process of supporting young disabled people in employment (county labour offices, county family support centres and county assessments boards), conduct only fragmentary tasks without monitoring the whole process. Support from schools for young people with disabilities comes to an end when they complete their education. Employment of disabled people for most of the labour offices is a marginal issue and labour office personnel are not usually trained to provide services to them. In this situation, the main institutions supporting young disabled people on their way to employment are families and non-governmental organisations. However, many parents of young people with disabilities are not interested in employment for their children and NGOs operate mostly in urban areas. Therefore young disabled people living in rural areas are at particular disadvantage, as are young people with severe disabilities and low qualifications. The labour market for young people with disabilities is dominated by the sheltered employment sector which offers low-qualification jobs with little opportunities for vocational promotion and low salaries (Giermanowska, 2007).

The authors of another report prepared as part of a project conducted by the International Labour Organization (ILO) in 2007 state that 90 per cent of vocationally inactive people with disabilities are not interested in gaining employment and the social benefit system contributes to this problem. Disabled people fear losing their disability pension and legal disability status if they demonstrate that they can work. Some of the rules concerning disability pensions also provide disincentives to employment for disabled people. The 'inability to work pension' is reduced if the individual earns in addition more than 70 per cent of the average monthly wage and it is suspended if this income exceeds 130 per cent of the average wage. This can lead to situations where people with disabilities receive salaries below the level commensurate with their vocational qualifications in order to maintain the full amount of the pension and it can also reduce their interest in seeking employment.

This mechanism is even more visible in the case of people who are entitled to the social pension (in other words people who are totally incapable of working and have been since childhood). If a disabled person receives a monthly income (for example from employment) that is higher than 30 per cent of the average monthly wage, the pension is suspended. This means that such a person cannot undertake a full-time job.

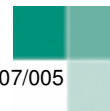
The report also states that there is a need to change the policy towards employers employing people with disabilities. Employers report problems in employing disabled people with proper qualifications. Large numbers of employers (86 per cent) claim that they have never employed people with disabilities simply because they have never received any job applications from disabled people. On the other hand only 20 per cent of employers are aware of the benefits of employing people with disabilities (Chłoń-Domińczak and Poznańska, 2007).

Another interesting piece of academic research was conducted within the framework of the European Social Fund and related to the situation of people with motor and sensory disabilities, mental health disorders and chronic illness. The main objective of this research was to gain knowledge about stereotypes and prejudice against disabled people and to identify the direction of changes in attitudes towards disabled people undertaking work, as well as to discover the barriers in the expectations of disabled people themselves, their families, employers and specialists.

It is highlighted here again that the benefit gap is one of the main institutional barriers to employment. According to this research, the employment barriers from the employers' perspective include higher costs of employing people with disabilities (shorter working time, higher levels of absenteeism, lower productivity and the need for assistance and adaptation of the workplace), instability of the law (the Act on Rehabilitation has been changed more than 40 times since 1997) and bureaucracy. Employers also pointed out the low levels of education and poor qualifications of disabled people compared to non-disabled people as well as lack of experience, passivity of people with disabilities, low sense of duty, low level of self-esteem and self-confidence, low level of social skills and low awareness of their rights. The research also showed that employers fear employing people with disabilities because they do not know what to expect from them. Another issue is the dishonesty of some employers who employ disabled people only for their own benefit and do not respect their rights. (Brzezińska, 2007, see more at http://www.swps.edu.pl/new_www/efs/)

Useful information on access to employment for people with intellectual disabilities can be found in the monitoring report prepared in 2005 by the EU Monitoring and Advocacy Programme (OSI/EUMAP, 2005).

There are also increasing numbers of publications featuring good practice in the area of employment of people with disabilities. One of these is the publication prepared by the State Fund for Rehabilitation, which includes detailed descriptions of ten projects realised by non-governmental organisations in Poland in the area of vocational rehabilitation and employment of people with different types of disability. These projects were prize-winners in the Good Practices Competition organised by the State Fund for Rehabilitation in 2005 (see www.pfron.org.pl/porta1/pl/ Follow link to Dobre Praktyki)



1.2 Employment statistics and trends (key points)

The most important statistics on disabled people and their situation are published by the Central Statistical Office (hereafter CSO). The data is up-to-date and easy to access on the website of the CSO (www.stat.gov.pl). There is, however, need for more consistent, complete and continuous statistics on the situation of people with different kinds of disability. Information about the situation of disabled people in the labour market can be found in the Labour Force Survey (LFS), which is carried out quarterly in Poland. Data on unemployed disabled people and those seeking a job and currently not employed can be found in the statistical reports from labour offices (MPiPS-07 report), however this is not available on the internet. Some information about employment of people with disabilities is also published by the State Fund for Rehabilitation.

The unemployment rate in Poland fell continuously until 1998, then virtually doubled (from ten per cent to almost 20 per cent) in the period of 1998-2002, before dropping steadily to 9 per cent at the end of 2007. However, between 2000 and 2006 employment of people with disabilities has not increased (see Table 1). In general, the situation of disabled people in the labour market in Poland is unfavourable.

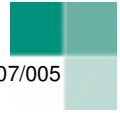
Table 1. Economic activity of people with disabilities and the general population in Poland (aged 15 and over) 1998-2007

Year	General population			People with disabilities		
	Activity rate	Employment rate	Unemployment rate	Activity rate	Employment rate	Unemployment rate
	in %					
1998	57.3	51.3	10.6	21.7	19.2	11.5
1999	56.7	48.8	13.9	19.7	16.5	16.3
2000	56.6	47.5	16.1	19.2	15.8	17.7
2001	56.3	46.1	18.2	18.5	15.3	17.4
2002	55.4	44.4	19.9	18.0	14.8	17.9
2003	54.7	44.0	19.6	16.5	13.7	16.8
2004	54.7	44.3	19.0	16.2	13.1	19.6
2005	54.9	45.2	17.7	16.2	13.1	19.3
2006	54.0	46.5	13.8	15.0	12.6	15.8
2007	53.7	48.5	9.6	16.1	13.9	13.7

Source: CSO, LFS, 2008.

The data presented in Table 2 shows that the activity rate of disabled people is very low and the vast majority of this group of people is excluded from the labour market. Disabled people show a very high level of economic inactivity, with 83.9 per cent of the population in this group. It can be estimated that in the last quarter of 2007 the number of disabled people aged 15 and over was 3,814,000, of whom only 529,000 (13.9 per cent) were employed. In general, people with disabilities have much lower activity rates and employment rates than people without disabilities.

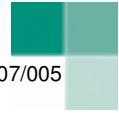
The situation of disabled women is more difficult than the situation of men. In the fourth quarter of 2007 only 10.3 per cent of disabled women were employed (compared with 17.6 per cent of men) and their unemployment rate was relatively higher (14.7 per cent compared to 13.1 per cent for disabled men). The employment rate is particularly low among people with disability status 'of a significant degree' (3.2% in the last quarter of



2007). There are also some differences in the economic activity of people with disabilities of different ages. Most disabled people who are economically active are aged 45 and over (72 per cent in the last quarter of 2007). As shown in Table 3, the lowest employment rate is in the group aged 15-24 and the highest in the group aged 40-44.

Table 2. Economic activity of people with disabilities aged 15 and over by selected features (in the last quarter of 2007)

Specification	Total	Economically active					Economically inactive	Activity rate	Employment rate	Unemployment rate
		Total	Employed persons			Unemployed persons				
			Total	Full time	Part-time					
Total	3814	613	529	318	211	84	3201	16.1	13.9	13.7
By gender										
Men	1849	375	326	204	122	49	1474	20.3	17.6	13.1
Women	1965	238	203	115	88	35	1727	12.1	10.3	14.7
By age										
15-24	141	23	15	11	.	8	117	16.3	10.6	34.8
25-29	97	35	25	15	10	10	62	36.1	25.8	28.6
30-34	112	33	24	20	.	9	79	29.5	21.4	27.3
35-39	120	35	33	26	7	.	85	29.2	27.5	X
40-44	135	46	39	25	13	7	89	34.1	28.9	15.2
45-49	291	81	69	53	16	13	210	27.8	23.7	16
50-54	513	121	104	66	38	18	392	23.6	20.3	14.9
55-59	646	124	110	55	54	14	522	19.2	17.0	11.3
60-64	453	66	64	33	31	.	387	14.6	14.1	X
65 and more	1306	48	47	13	34	.	1258	3.7		
By degree of disability										
Significant degree of disability	964	37	31	18	13	5	927	3.8	3.2	13.5
Moderate level of disability	1375	216	187	107	80	29	1160	15.7	13.6	13.4
Minor degree of	1475	361	311	193	118	50	1115	24.5	21.1	13.9



disability										
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Source: CSO, LFS, 2008

The level of economic activity among people with some kinds of disability fell well below that of people with other types of disability. For instance, as shown in Table 3, the employment rate of people with intellectual disabilities in 2000 was only 6.4 per cent (no recent data is available). There is no data on disabled people who are migrants or from ethnic minorities.

Table 3. Economic activity among people with disabilities in 2000 (by types of disability)

Specification	Activity rate	Employment rate	Unemployment rate
	<i>in %</i>		
Total	18.7	15.6	16.8
Motor impairment	16.5	14.3	13.7
Visual impairment	17.5	15.5	11.4
Hearing impairment	11.9	10.8	9.2
Circulatory system impairment	16.6	14.0	15.2
Mental health disorders	15.6	10.3	34.1
Intellectual disability	8.5	6.4	25.1
Neurological disorders	19.2	15.9	17.4
Others	18.3	14.5	20.7

Source: Kostrubiec, 2001.

1.3 Laws and policies (key points)

There are several laws relevant to the employment situation of people with disabilities in Poland. Some of them are of a general character (for instance, the Labour Code (1974) and the Act on the Promotion of Employment), while some are in the form of disability-specific legislation. The Labour Code describes the rights and duties of employers and employees and provides compulsory rules to protect the employees' interests. The Act on the Promotion of Employment and Labour Market Institutions (hereafter, Act on the Promotion of Employment) specifies the State's obligations to promote employment, mitigate unemployment and encourage vocational activation. This Act is a general regulation that applies to all citizens, however, it also provides for the application of special actions towards some defined categories of the unemployed, including disabled people who are registered at labour offices.

There are numerous other solutions in Poland of a specific character which aim at the promotion of employment among people with disabilities and which are directed purely at this social group. These activities are regulated by the Act on the Vocational and Social Rehabilitation and Employment of Persons with Disabilities (also known as the Act on Rehabilitation).

In recent years some important changes have been introduced to the legislation which is relevant to the situation of disabled people in employment. The amendments to the Labour Code and the Act on the Promotion of Employment have strengthened protection against discrimination in employment and in access to vocational training and counselling for people with disabilities. Changes introduced to the Act on the

Promotion of Employment and the Act on Rehabilitation allow people with disabilities who are registered at county labour offices as job seekers to use certain instruments and labour market programmes which were previously reserved only for disabled people who are registered as unemployed. These were important changes, because the previous rules limited access to labour market programmes and instruments for people with disabilities who have the right to ‘inability to work pension’ or to the social pension, as they cannot register as unemployed.

Recent changes in the legislation strengthened the principles, making them common and uniform for the open labour market, of reimbursement from public funds of the higher costs of employment of people with disabilities, in order to increase the number of disabled people in employment in the open labour market. Since 2004 new rules concerning subsidised employment have been in force, hence the new concept of ‘funds follow the individual’. An employer employing people with disabilities is now entitled to a monthly subsidy from the State Fund for Rehabilitation to finance their salaries (an open market employer is entitled to smaller amounts than a sheltered market employer). Previous rules referred only to employers managing a sheltered workplace. Introduced in 2007, provisions aimed at ensuring more support and equalising opportunities for disabled people, in both the open and sheltered labour markets, include the establishment of possible reimbursement of costs related to equipping work stations for people with disabilities of 15 times average remuneration; and the introduction of the reimbursement to employers of 60 per cent of the remuneration costs per year if they employ a disabled person who was previously registered at the county labour offices as unemployed or a job seeker not in employment (for more about the amendments introduced into the Act on Rehabilitation see: MG, 2007).

1.4 Type and quality of jobs (summary)

People with disabilities in Poland can be employed in regular or subsidised employment, in the context of a quota scheme or in a sheltered environment. Most disabled people in Poland participate in the open labour market, however, a number of people are employed under quota schemes. Poland has applied quota schemes in both the public and private sectors and all employers with 25 or more employees have to meet a quota of six per cent (with some exceptions).

Nearly 40 per cent of all employed people with disabilities in Poland work part-time. This form of employment is undertaken more frequently by disabled women (43 per cent of all employed disabled women) than men (37 per cent of all employed disabled men). More than 83 per cent of all employed people with disabilities work in the private sector (of whom 35 per cent in agriculture). See Table 4.

Table 4. Employed people with disabilities by employment status (in the last quarter of 2007)

	Total	Employees	Self-employed	

Specification	Total	Of which private sector		Total	In sector				Contributing family workers
		Total	Of which in agriculture		Public	Private	Total	Of which employers	
TOTAL	529	441	155	323	88	235	151	13	55
Males	326	279	94	196	48	148	106	10	24
Females	203	162	61	127	40	87	45	.	31
URBAN AREAS	288	222	7	245	66	179	41	10	.
RURAL AREAS	241	219	148	78	22	56	110	.	53

Source: CSO, LFS, 2008.

The highest numbers of disabled people are employed in agriculture, hunting and forestry, as well as in manufacturing (respectively 30 per cent and 19 per cent of all employed disabled people). They are also employed in real estate and business activities (15 per cent), trade and repairs (11 per cent), health care and social welfare (six per cent) and construction (five per cent). See Table 5.

Table 5. Employed people with disabilities in selected European Economic Sectors (NACE) (in the last quarter of 2007)

Specification	Total	Of which	
		Men	Women
		<i>in thousands</i>	
Total	529	326	203
Agriculture, hunting and forestry	160	99	62
Manufacturing	100	66	35
Construction	25	23	.
Trade and repairs	58	40	18
Real estate and business activities	78	47	30
Health care and social welfare	30	6	24

Source: CSO, LFS, 2008.

As mentioned above, disabled people in Poland can also be employed in a sheltered environment. There are two types of sheltered workplaces in Poland: sheltered enterprises (*zakłady pracy chronionej*) and occupational activity enterprises (*zakłady aktywności zawodowej*). Sheltered enterprises are created on the basis of a contract that the State makes with employers who commit themselves to fulfil certain obligations

and criteria. In return, employers receive a set of tax releases and subsidies, as well as support for financing the salaries of employees with disabilities. An employer can apply for the status of a sheltered enterprise if they employ at least 25 people. The employer must maintain between 30 and 40 per cent of disabled employees, depending on their degree of disability. These enterprises have to offer guidance and rehabilitation. There are approximately 2,000 sheltered enterprises in Poland which employ up to 200,000 disabled people (in other words approximately 40 per cent of all employed people with disabilities). However, statistics show a declining trend in the number of sheltered enterprises (see the statistics available on the Ministry of Labour and Social Policy website: www.mpips.gov.pl). Most of them are private enterprises and in 2004 only about 15 per cent were cooperatives. Male employees make up the majority of all disabled employees in sheltered enterprises. The proportion of women to men in 2004 was four to six among disabled employees. Most disabled employees in sheltered enterprises have a minor degree of disability (63 per cent); approximately 34 per cent have a moderate degree of disability and less than three per cent have a significant degree of disability (PFRON, 2007b).

Occupational activity enterprises offer employment to people with significant disabilities (and, from July 2007, also to people with moderate disabilities, autism and intellectual disabilities). Their purpose is to prepare people for life in an open environment, through social and vocational rehabilitation and support for a complete, independent and active life. At the end of 2007 there were 39 such enterprises with 1,420 employees with disabilities (Władyka, 2008).

In 2004, a new form of cooperative was added to the forms outlined in traditional Polish cooperative law: the social cooperative. The cooperative movement in Poland has a long tradition and, since the end of the Second World War, there have been cooperatives which provide employment for people with disabilities (although this tradition was to some extent destroyed during the communist period). The new social cooperatives were introduced into the Polish legal system by the Act on the Promotion of Employment in 2004. However, the 2004 law only gave legal recognition to the new cooperative form; detailed regulations for social cooperatives were outlined in 2006 with the Act on Social Cooperatives.

The introduction of the social cooperative in Poland is the result of close cooperation between the Polish Ministry of Labour and non-governmental organisations. Social cooperatives are an element of the government's policies aiming to create jobs and limit social exclusion and marginalisation. The objective of social cooperative activity is to run a common enterprise based on personal inputs from its members with the goal of supporting the occupational and social integration of its members. According to Polish law, social cooperatives can be established only by individuals from the marginalised social groups, including disabled people (the other groups are unemployed people and groups mentioned in the Act on Social Employment: in other words people who are socially excluded and unable to satisfy their basic life needs by themselves, and people living in poverty, which excludes them from social,

occupational and family life). At the beginning of 2008 there were approximately 120 social cooperatives in the database of the National Court Registry, although it is difficult to confirm how many of them are actually active and detailed information about them is not available (until 30 June 2008 the government was responsible for providing information to Parliament concerning the execution of the Act on Social Cooperatives).

Most of the social cooperatives (80 per cent) are involved in the service sector (for instance, in building and repairs, catering and care services) and only 12 per cent are involved in production (for example, fruit and vegetable processing, production of candles and garden ornaments). The main groups involved are the unemployed, homeless, disabled, alcohol/drug addicts, ex-prisoners released from penitentiaries and unable to integrate into their community, as well as refugees taking part in a personal integration programme (MPiPS, 2007, Sienicka, A., Van den Bogaert, A., n.d.).

There is no framework or system for supported employment in Poland, however, more and more initiatives for supported employment projects have recently been developed and implemented. Since 1 May 2004, new regulations have been in force, which were introduced in amendments to the Act on Rehabilitation. On the basis of these regulations, an employer employing a person with disabilities can be reimbursed from the State Fund for Rehabilitation for the costs of employing someone to provide assistance at work to an employee with disabilities.

This assistance may be provided in the form of facilitating communication or carrying out operations which are impossible or too difficult for the disabled employee to perform. The number of hours used solely for assisting the disabled employee cannot exceed 20 per cent of the monthly number of hours the employee works. However, this regulation is not commonly used in practice.

Since 2001 in Wrocław the Wrocław Assembly of Persons with Disabilities has been operating the Job Coach Project, which supports people with intellectual disabilities and mental health problems to find and maintain employment in the open labour market (OSI/EUMAP, 2005). A good example of this kind of activity is also the Centres for Career Counselling and Support for People with Intellectual Disabilities, which are already being run in nine towns in Poland by the Polish Association for People with Mental Handicap. These are training institutions and employment agencies operating within the area of work services, personnel consultancy and career counselling (Głaz, Gawron and Marcisz, 2006). At the end of 2007 a new targeted programme titled 'Job Coach – supported employment for people with disabilities' was launched by the State Fund for Rehabilitation and will continue until the end of 2010. One of its main purposes is to develop a model for an agency of supported employment. This programme is targeted at self-governing organisations (no more than 15) and at NGOs (no more than 15) (PFRON, 2007a).

PART TWO: SPECIFIC EXAMPLES

2.1 Reasonable accommodation in the workplace

Polish legislation lacks a definition of *reasonable accommodation*. The Labour Code specifies only that an employer is obliged to counteract discrimination in employment on the grounds, among others, of disability (Article 94.2b). The provisions of the Labour Code do not oblige the employer directly to provide reasonable accommodation in order to employ a specific disabled person. Improvement of the employment and working conditions for disabled people is promoted through economic incentives under the so-called System of Quotas and Penalties contained in the Act on Rehabilitation. This system is considered to be a form of reasonable accommodation in Polish law. The amendment of 20 December 2002 of the Act on Disabled Persons introduced the definition of a workplace adapted to the needs of a person with disabilities. This is a position which is suitably equipped and adapted to the needs arising from the type and degree of disability of the person (Article 2, Act on Rehabilitation).

The Act on Rehabilitation establishes a number of rights designed to accommodate disabled people in the workplace. These include limitations as to the maximum working time: eight hours a day, 40 hours a week in the case of a mild degree of disability, and seven hours a day, 35 hours a week in the case of a moderate or significant degree of disability. In addition, people with disabilities have the right to additional work breaks (15 minutes which is included in work time and intended for exercise or recreation) and people with a significant or moderate degree of disability receive additional vacation time (ten days per year) and the right to release from work for medical examinations and treatment, rehabilitation and to purchase or repair orthopaedic equipment without losing income. They can also take 21 days once a year for a rehabilitation holiday. People with a moderate or significant degree of disability have the right to a leave of absence from work of up to 21 days per year whilst retaining their right to remuneration.

According to Article 26 of the Act on Rehabilitation, employers who, for at least 36 months, employ disabled people (who were unemployed or seeking work while not employed, and were directed to work by a district labour office, or whose disability occurred while working for the employer, except when this disability was caused by a fault or infringement of regulations by the employer or by the employee) may receive from the State Fund for Rehabilitation reimbursement for:

1. adapting existing or creating workplaces for the needs of people with disabilities;
2. adapting space in the workplace;
3. adapting or buying devices that help people with disabilities to function at work;
4. recognising the needs of people with disabilities in relation to medical services.

The reimbursement cannot exceed the amount of 20 times the average remuneration.

In 2006 the State Fund spent PLN 3,799,655 (for 120 workplaces) on reimbursement for adapting workplaces (Task 1 in the list above). This was 37 per cent less than in 2005 (PLN 6,002,795 for 235 workplaces). The numbers were even lower in 2007,

when the State Fund spent only PLN 2,781,390 for 83 workplaces. However, it should be noted that the amendment of 15 June 2007 to the Act on Rehabilitation introduced additional regulation concerning the adaptation of workplaces for people with disabilities. According to this regulation, employers who, for at least 36 months, employ a disabled person who is registered at the district labour office as unemployed or seeking work while not employed may receive from the State Fund for Rehabilitation reimbursement of costs related to equipping workplaces for a disabled person up to 15 times the average remuneration (Article 26e, Act on Rehabilitation). In 2007, the State Fund spent PLN 3,591,169 on this task for 102 workplaces (for more information, see Table 6).

In the Act on Rehabilitation there are also some regulations concerning personal assistance at work for employers with disabilities. These were described in section 1.4 (Type and quality of jobs) in the paragraph on supported employment. This regulation is not commonly used in practice. However, the number of disabled people who benefit from this regulation is systematically increasing. In 2005, the State Fund reimbursed only PLN 23,431 (for 32 people with disabilities; on average PLN 732 per person). In 2006 the amount of reimbursement was PLN 143,041 (for 224 disabled people) and in 2007 the figure rose to PLN 241,222 for 329 people, mostly employed in sheltered enterprises (for more information, see Table 6).

According to the Polish Government (NRP, First Annual Report 2006), the situation in Poland as regards employment flexibility is relatively good. The reforms of the Labour Code have made flexible employment forms more popular. In Poland, employment forms are increasingly often diversified and they include:

- contract work (a characteristic feature: a clearly defined task, which may be performed at home, without defining a daily limit of hours, the place where the task must be performed or the availability of the employee);
- short term contracts;
- temporary employment (the employer being a temporary employment agency);
- self-employment of workers (concerns mainly simple work or, on the contrary, highly specialised work, not requiring supervision which can be performed by people working on their own account);
- teleworking (a major share of duties performed outside the company's premises);
- work at home (a major share of duties performed outside the company's premises, usually at home);
- employee lease (a kind of trilateral agreement – the 'subcontract' agreed between the current employer, employee and company leasing the employee);
- job sharing;
- on-call work and telephone work;
- variable working time for workers in permanent employment; and
- implementation of labour market programmes (employment of a specified number of people for the duration of a programme).

However, regarding people with disabilities, recent research shows that the use of flexible forms of employment is limited by current rules on supporting employment for people with disabilities and the fact that there is little knowledge about these forms of employment among employers, disabled people themselves and self-government representatives (Giermanowska, 2007). There is also very little data on flexible forms of employment and people with disabilities. In the last quarter of 2007 nearly 40 per cent of all employed disabled people in Poland worked part-time. This form of employment was undertaken more frequently by women with disabilities (43 per cent of all employed disabled women) than men (37 per cent of all employed disabled men). Self-employed disabled people constitute 29 per cent of all employed disabled people.

2.2 Other activation policies to encourage employment

In Poland the employment of disabled people is encouraged above all through the quota system and other legislative solutions, mostly incentives for employers or measures aimed at increasing self-employment among disabled people (governed by the Act on Rehabilitation). Most of them these measures are shown in Table 6. The State Fund for Rehabilitation also finances the salaries of disabled employees (the level of financing depends on the degree of disability and is more profitable for people with legal disability status of a significant degree who are employed in sheltered enterprises). The number of disabled people who benefit from this scheme has been increasing slowly but steadily. In March 2007 there were 217,718 disabled people of working age listed in the State Fund for Rehabilitation database whose salaries were subsidised within the framework of this scheme (of whom 18 per cent were employed in the open labour market and 82 per cent in sheltered enterprises). In comparison, in March 2004 there were 206,542 people (of whom only ten per cent were employed in the open labour market).

Table 6. Examples of tasks financed by the State Fund for Rehabilitation in 2007

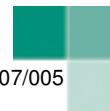
Task		Amount (in PLN)	Number of beneficiaries
Reimbursement of expenses incurred for the adaptation of workplaces and enclosed spaces for people with disabilities and the adaptation or purchase of equipment to facilitate their functioning (Article 26, Act on Rehabilitation)		3,662,262	X
Of which:	<i>for the adaptation of workplaces</i>	<i>2,781,390</i>	<i>83</i>
	<i>for recognising needs of disabled people in relation to medical services</i>	<i>13,516</i>	<i>7</i>
	<i>for adapting space in the work place</i>	<i>259,094</i>	<i>9</i>
	<i>for buying devices that help people with disabilities to function at work</i>	<i>608,262</i>	<i>15</i>
Reimbursement of costs related to equipping workplaces for a person with disabilities (available since fourth quarter of 2007), (Article 26e, Act on Rehabilitation)		3,591,169	102
One-off finance to start up business activity (Article 12a,		2,664,434	85

Act on Rehabilitation)			
Partial reimbursement of expenses for training organised by employers for disabled employees (Article 41, Act on Rehabilitation)		23,827	5
Training organised by labour offices (Article 40, Act on Rehabilitation)		5,450,543	3,666
<i>Of which</i>	<i>Number of people with disabilities who undertook employment</i>	X	523
Loans for start-up business activity (Article 12, Act on Rehabilitation)		8,991,986	226
Subsidies for payment of interest on bank loans taken to continue business activity (Article 13, Act on Rehabilitation)		599,292	75
Reimbursement for the costs of employing someone to assist an employee with disabilities at work (Article 26d, Act on Rehabilitation)		241,222	298
<i>Of which</i>	<i>in sheltered enterprises</i>	179,157	257

Source: State Fund for Rehabilitation (<http://pfron.bip.org.pl/?tree=426>)

Disabled people in Poland, like all Polish citizens, are entitled to use the services and instruments of the labour market, including career counselling and work service. These tasks are fulfilled mainly by labour market institutions on the grounds of the Act on the Promotion of Employment. The activities enumerated there are largely financed from the Labour Fund, which is a special state fund. Labour market institutions include public employment services (province and county labour offices), non-governmental employment agencies operating within the area of work service, career counselling, personnel consultancy and temporary work, training institutions and councils of employment. The Act on the Promotion of Employment also indicates additional labour market instruments to be applied to people who are in a specific situation in the labour market, including people with disabilities who have unemployed status (for instance, training, internships with employers and interventional works). These services and instruments can be also be used by disabled people who are registered at a county labour office as job seekers (while not employed). In 2007 the State Fund for Rehabilitation allocated for these tasks PLN 3,964,218 for 1,913 people with disabilities registered at labour offices as job seekers while not employed (see: <http://pfron.bip.org.pl/?tree=426>): data on people with disabilities registered as unemployed is difficult to obtain.

It should also be noted that people with disabilities very rarely participate in adult education. Available statistics show that only 0.5 per cent of disabled people aged 25-64 report participation in life-long education compared to five per cent in the case of non-disabled people (see Chłoń-Domińczak and Poznańska, 2007).



2.3 One example of best practice

This example of good practice introduces the Job Coach Project, the first supported employment programme in Poland. This programme has been functioning since 2002 in Wrocław and is grounded in many years' experience of supported employment agencies in the US (Mecklenburg Open Door, Charlotte, North Carolina) and Germany (Hamburger Arbeitsassistentz, Hamburg). The target of this programme is to obtain and maintain permanent employment in the open labour market for people with a moderate or significant degree of disability. The programme is aimed at people with intellectual disabilities and mental health problems aged 20-35 with a low level of education and no qualifications.

The main implementer of the programme is Wrocław Assembly of Persons with Disabilities. The Association OSTOJA, whose establishments constitute the therapeutic infrastructure of this programme, is also engaged in its implementation. The project has, since its early beginnings, been financed with resources from local government in Wrocław. In 2005 this project was awarded a prize in the Good Practices Competition organised by the State Fund for the Rehabilitation of Disabled Persons, which has been mentioned above. Non-governmental organisations and local governments in Poland are welcome to make use of the several years of experience of the Job Coach Project (and they do so).

The programme organisers' next plans include the creation of a network of supported employment agencies, which would operate according to the standards worked out within the Job Coach Project. By 2007, 38 disabled people had gained employment through this project (of whom 33 found permanent employment). The costs of the project for 2002-2007 are presented below in Table 7.

Table 7. Costs of the Job Coach Project, 2002-2007

Year	Costs (in PLN)		
	Total	of which	
		from the Municipality of Wrocław	from other sources
2002	78,264	70,615	7,649
2003	100,302	70,000	30,302
2004	97,820	79,200	18,620
2005	98,200	82,000	16,200
2006	123,027	79,800	43,227
2007	160,580	80,000	80,580

Source: <http://www.wson.wroc.pl/?idt=4&idl=52>

PART THREE: SUMMARY INFORMATION

3.1 Conclusions and recommendations (summary)

In the last a few years there have been numerous changes aimed at encouraging greater vocational activity among people with disabilities. Due to changes in the legislation, people with disabilities have been given better access to some active labour market policies which were previously reserved only for disabled people who were registered as unemployed (and, as has been mentioned above, people with disabilities often cannot register as unemployed due to their entitlement to disability pensions).

Nevertheless, the existing incentives schemes have not been successful in increasing significantly the number of people with disabilities who have entered the work force. Statistics and research show that people with severe disabilities, people living in rural areas, women and people with specific kinds of disability, particularly people with intellectual disabilities and people with multiple disabilities, are at particular disadvantage. More research is definitely needed, especially concerning people with different types of disabilities. Recently conducted projects include long lists of recommendations aimed at improving the situation of people with disabilities in employment.

There is certainly a need to review the disability benefit system to improve the incentive to work, to modernise education and training systems in view of labour market needs, as well as to make life-long learning more available to people with disabilities. People with disabilities should also have much better access to vocational counselling and other employment services. As stated in the OECD report (2006) there is a need for fundamental change in the entire structure of support.

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