



# Striving for an inclusive labour market in Finland

Positive actions and reasonable accommodation to facilitate hiring and employment of persons with disabilities involving employers and employer initiatives

*August 2022*

**EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion

Directorate D — Social Rights and Inclusion

Unit D3 — Disability & Inclusion

*European Commission*

*B-1049 Brussels*

# **Striving for an inclusive labour market in Finland**

Positive actions and reasonable accommodation to facilitate hiring and employment of persons with disabilities involving employers and employer initiatives

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This report has been developed under Contract VC/2020/0273 with the European Commission.

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Manuscript completed in August 2022

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## 1 Executive summary

The system supporting employers is centralised in Finland. Finland has a national organisation called TE Offices (*TE Palvelut*)<sup>1</sup> Public Employment and Business Services, whose functions are regulated by the Act on Public Employment and Business Services 916/2012 (*Laki julkisesta työvoima ja yrityspalvelusta 916/2012*). TE Offices offer support, information, handbooks and work ability coordinator services to both employers and employees.

### 1.1 Support and incentives directed at employers to promote the employment of persons with disabilities, including guides on good practice, websites and advice services

When hiring an unemployed person with disabilities, the employer can receive salary support for up to 24 months. There is financial support for a colleague to supervise, guide and train the new employee with disabilities. In addition, reasonable accommodation-related costs can be reimbursed to the employer by municipalities' employment departments. The employer has a duty to make reasonable accommodations.

Even though disability does not mean an incapacity to work, a negative attitude towards the employment of persons with disabilities is still quite prevalent in Finland today. In addition to attitudinal barriers, there are many structural barriers, due to which many persons with disabilities are unemployed for a long time or are engaged in employment activities but not in salaried jobs in the open market.

Organisations for persons with disabilities have advice services and employment focal points. They focus primarily on the employment of persons with disabilities. Several useful guidelines are available online.

A public research institution, the Finnish National Institute for Welfare and Health (THL),<sup>2</sup> has a handbook on disability services that has a section on employment.<sup>3</sup> The handbook presents various kinds of disability services for employment and employment activities,<sup>4</sup> and it also guides employers towards existing services.

The VATES Foundation published a guide entitled *Työn tukena* (Support for employment) on its website in 2019.<sup>5</sup> The Foundation focuses on the employment of persons with disabilities.

The Finnish Association on Intellectual and Developmental Disabilities published an online guide headed *Mahdollista! – pieni opas työnantajalle* (It's Possible! – A short

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<sup>1</sup> TE Offices (*TE palvelut*), *Työmarkkinatori* / Jobmarket, <https://tyomarkkinatori.fi/en>.

<sup>2</sup> THL, the Finnish National Institute for Welfare and Health, is an independent expert agency working under the Ministry of Social Affairs and Health.

<sup>3</sup> THL (2022), 'What is the Online Handbook on Disability Services?', <https://thl.fi/en/web/handbook-on-disability-services/contact/what-is-the-online-handbook-on-disability-services->

<sup>4</sup> THL (2022), '*Työ ja työtoiminta*' (Employment and employment-related activities), <https://thl.fi/fi/web/vammaispalvelujen-kasikirja/tuki-ja-palvelut/tyo-ja-tyotoiminta>.

<sup>5</sup> VATES Foundation (2019), *Työn tukena* (Support for employment), <https://www.vates.fi/media/projektit/tyon-tukena/ty-f6n-tukena-koulutusmateriaali-saavutettava-pdf1.pdf>.

guide for an employer) on its Vernerin website in 2018.<sup>6</sup> A similar guide was also written for job applicants with intellectual disabilities.

The Road Back to Work<sup>7</sup> (*Tie työelämään*) is an online portal supporting people with partial work ability. The website provides tools that are based on the concept of a national programme for persons with partial work ability (*Osku*). The site offers different methods to help with maintaining work ability and supporting those with reduced work ability. There is also a guide for employers, called *Iisisti töihin*. A handbook, *Easy Steps towards Working Life*, is available in English.<sup>8</sup> The Road Back to Work website is funded by the Ministry of Social Affairs and Health and is part of a key Government project on career opportunities for people with partial work ability. The Rehabilitation Foundation created the service in collaboration with the VATES Foundation and the Insurance Rehabilitation Association of Finland (VKK). The website was operational until 30 April 2022. A new site is under development, however: Jobmarket – Meeting place for people and jobs.<sup>9</sup> It provides information for employers about where and how to get support when hiring a person with partial work ability.

The THL Handbook has been widely used by persons with disabilities, their families, municipalities, service providers, organisations, companies, researchers and government officials when seeking information on any disability services. One advantage is that information is available online, with some guidance also available in easy read. One weakness is not to do with the guides themselves, but is related to the complicated nature of the disability services and support systems that too frequently differ from one municipality to another. This makes it hard for users and employers to receive the necessary and relevant services in a particular municipality in a timely manner.

The effectiveness of the pay subsidy was assessed in 2018 and the results are not promising. It was reported that pay subsidies were not found to be an effective instrument for improving access to and retention in the labour market.<sup>10</sup>

## 1.2 Support and partnerships available to employers to assist them in making reasonable accommodations

Reasonable accommodation is defined in the Convention on the Rights of Persons with Disabilities, as well as in the Non-Discrimination Act 1325/2014. All services provided by the TE Offices (Public Employment and Business Services) are available to both employers and employees. Reasonable accommodation costs of an employer are reimbursed by the TE Office or by the municipality through local government

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<sup>6</sup> Vernerin (2018), *Mahdollista! - pieni opas työnantajalle* (It's Possible! – A small guide for an employer), <https://verneri.net/yleis/sites/default/files/dokumentit/pdf/mahdollista-pieni-opas-tyonantajalle.pdf>.

<sup>7</sup> The Road Back to Work website was closed in April 2022 and the content has been transferred to <https://thl.fi/fi/tutkimus-ja-kehittaminen/tutkimukset-ja-hankkeet/tyokykyohjelma/tyokykyohjelmassa-julkautua/blogit-tie-tyoelamaan-palvelusta>.

<sup>8</sup> Easy Steps towards Working Life, <https://iisisti-opas.tietyoelamaan.fi/en/front-page/>.

<sup>9</sup> Työmarkkinatori/Jobmarket, <https://kokeile.tyomarkkinatori.fi/en/Etusivu/Tyonantajat>.

<sup>10</sup> Asplund, R., Kauhanen, A., Päälyssaho, M. and Vanhala, P. (2018), *Palkkatuen vaikuttavuus – palkkatukijärjestelmän ja sen uudistuksien arviointi* (The impact of wage subsidies – An evaluation of the wage subsidy system and its reforms), *Valtioneuvoston selvitys- ja tutkimustoiminnan julkaisusarja* (Government investigation and research publication series) 75/2018, <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161235/75-2018-Palkkatuki.pdf>.

employment pilots by up to EUR 4 000. A work ability coordinator is an expert in services offered to people with partial work ability, and their support is also available to employers.

Organisations of persons with disabilities have been advocating the provision of reasonable accommodation measures at work and have promoted the provision of advice to those who need it.

The VATES Foundation informs employers about the possibility and forms of support for employment and has developed cooperation among employers by applying the Disability Employment Forum concept. An annual event forms part of a dialogue and information sharing with employers on forms of support, services and practices to promote the employment of people with disabilities, people with partial work capacity and those with long-term illnesses.

TE Offices offer guidance, information and support. No actual evidence about the effectiveness of this support was available.

After the ratification of the UN CRPD, reasonable accommodation increasingly started to be recognised. However, it is still not well understood by many in society, as a result of which persons with disabilities have been largely left behind in their employment opportunities. The pay subsidy targeted to reasonable accommodation is not well known by many employers. In addition, the paperwork and bureaucracy hinder employers from applying for such subsidies, even when the employer is aware that such subsidies exist. Negative attitudes towards the employment of persons with disabilities also remain a significant barrier against them.

### **1.3 Illustrative examples of good employer practice for providing reasonable accommodations for persons with disabilities**

Handbooks and websites providing information about the support that is available for employers provide information about all the different types of support forms available. Therefore, the sources listed here are the same for 1.4.

*Iisisti työelämään* – the Easy Steps towards Working Life handbook – was published by a project financed by the European Social Fund. The project was coordinated by the Finnish Institute for Health and Welfare.<sup>11</sup>

The Office of the Non-Discrimination Ombudsman posted a guide on disability rights, including reasonable accommodation and accessibility, on its homepage. It states that reasonable accommodation promotes equality and refers to the fact that, in employment, reasonable accommodation can involve the adjustment of the workplace to accommodate the needs of employees with disabilities or providing them with different methodologies or technologies to do their jobs.<sup>12</sup>

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<sup>11</sup> *Iisisti työelämään* – Easy Steps towards Working Life, <https://iisisti-opas.tietyoelamaan.fi/en/front-page/>.

<sup>12</sup> Office of the Non-Discrimination Ombudsman (2022), *Vammaisten henkilöiden oikeudet* (The rights of persons with disabilities), <https://syrijinta.fi/vammaisten-henkiloiden-oikeudet#kohtuulliset-mukautukset>.



The VATES Foundation has published a guide on the employment of persons with disabilities that includes reasonable accommodation. It explains that reasonable accommodation can be provided for part-time employees with disabilities.<sup>13</sup>

The TE Office provides detailed information to employers on its 'Find an employee' website.<sup>14</sup>

The Road Back to Work<sup>15</sup> (*Tie työelämään*) is an online portal supporting people with partial work ability.

Jobmarket – Meeting place for people and jobs<sup>16</sup> – provides information for employers about where and how to receive support when hiring a person with partial work ability.

The Finnish Association on Intellectual and Developmental Disabilities has a website on the employment of persons with intellectual and developmental disabilities that contains several success stories.<sup>17</sup>

The THL Handbook has been widely used by stakeholders to search for information on all kinds of disability services. See above for its strengths and weaknesses.

No evidence on the strengths and weaknesses of good practice guides or any other sources of information directed at employers to assist them in making reasonable accommodations was available.

## 1.4 Recommendations

The authors recommend that employers learn more about existing public services and the financial support available to employ persons with disabilities and to take advantage of these services. More detailed recommendations may be found in Section 5.

### Recruitment and Hiring

The authors recommend that employers put aside their prejudices and provide opportunities to persons with disabilities on an equal basis with others or offer them positive treatment. Adjustment needs are usually one-off and relatively small. They should not be the reason for not hiring persons with disabilities. Part-time arrangements provide a suitable form of reasonable accommodation for many.

### Initial employment

The authors recommend that employers ask questions directly to persons with disabilities whenever there is anything unclear about reasonable accommodation or anything else, and that the necessary arrangements be decided upon together. When

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<sup>13</sup> VATES Foundation (2019), *Työn tukena* (Support for employment), <https://www.vates.fi/media/projektit/tyon-tukena/ty-f6n-tukena-koulutusmateriaali-saavutettava-pdf1.pdf>.

<sup>14</sup> Find an employee, <https://www.te-palvelut.fi/en/employers/find-an-employee>.

<sup>15</sup> The Road Back to Work website was closed in April 2022 and the content has been transferred to <https://thl.fi/fi/tutkimus-ja-kehittaminen/tutkimukset-ja-hankkeet/tyokykyohjelma/tyokykyohjelmassa-julkaistua/blogit-tie-tyoelamaan-palvelusta>.

<sup>16</sup> Työmarkkinatori/Jobmarket, <https://kokeile.tyomarkkinatori.fi/en/Etusivu/Tyonantajat>.

<sup>17</sup> Finnish Association on Intellectual and Developmental Disabilities (2016), 'Työ' (Employment), <https://www.kehitysvammaliitto.fi/kehitysvammaisuus/tyo/>.

a person has been unemployed for a long time or has never been employed, clear instruction is helpful.

### **Promotion and Career Development**

The authors recommend that promotion and career development are targeted to employees with disabilities when they are motivated and have shown capacity. Disability should not be a hindrance to promotion and career development.

### **Retention**

The authors recommend that employers use the available support and services in order to find the best solutions to make the required accommodations and work adjustments to enable the employee to continue working.

## **2 Support and incentives directed at employers to promote the employment of persons with disabilities, including guides on good practice, websites and advice services**

In Finland, national law does not provide a quota for the employment of people with disabilities.

### **2.2 Tax relief / reduced social security contributions / wage subsidies for employers employing persons with disabilities**

No tax reliefs or reduced social security contributions are available for employers.

The starting point for the subsidies granted by the TE Office (Public Employment and Business Services), namely the payment of subsidies and subsidising the arrangement of working conditions, is related to the unemployed person's needs. The Act on Public Employment and Business Services 916/2012<sup>18</sup> regulates pay subsidies, the purpose of which is to enhance the professional competence of prospective employees so that they may be hired by means of pay subsidies, and to help them find work in the open labour market. Pay subsidies offer an unemployed jobseeker the possibility to be hired, and they can be given to the future employer if the TE Office has assessed that the person's disability or illness has an essential, permanent or continuous effect on their work in the position offered. The TE Office makes a decision on the duration and amount of the subsidy on a case-by-case basis. The length of the subsidy period depends on the duration of the individual's unemployment, the impact of the disability or illness on their work performance, and on the employer. The maximum pay subsidy is set in the state budget. In 2022 the maximum pay subsidy is EUR 1 400 a month, in addition to which a percentage of holiday pay is allowed, up to the level of the pay subsidy decision. If the subsidy is granted due to shortcomings in the jobseeker's professional skills, the amount and duration of the subsidy are determined by the length of the unemployment period of the person hired for the job. The longer a person has been unemployed before receiving the pay subsidy, the higher the amount and the longer the duration of the subsidy.

Pay subsidies may be granted to private companies, to other communities, such as associations, foundations, congregations and registered religious communities, and to municipalities and joint municipal authorities, as well as to private households. The employer must agree to pay a wage according to an applicable collective agreement or, if no applicable collective agreement exists, a prevalent and reasonable wage for the job in question. Pay subsidies are not available for central government offices or agencies. A pay subsidy is income subject to a tax for all employers except for private households.

An employer is not eligible for a pay subsidy in the following circumstances:

- if the salary of the person hired with the subsidy is solely based on the outcome of their work: for example, the wage consists of a selling commission that includes no basic salary;

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<sup>18</sup> Act on Public Employment and Business Services 916/2012 (*Laki julkisesta työvoima- ja yrityspalvelusta 916/2012*), <https://www.finlex.fi/fi/laki/kaannokset/2012/en20120916.pdf>.

- if the work supported by a pay subsidy results in, or could result in, the employer terminating and laying off other employees or changing their contracts to part-time employment;
- if the subsidy distorts competition compared with others offering the same products or services;
- if the employer has substantially neglected the duty to pay salaries, tax payments or statutory charges;
- if the employment relationship for which the subsidy is intended started before the decision on granting the subsidy was made. The exception concerns granting a new subsidy period when the new period begins immediately after the previous period ends. The observation period for a new employee is 12 months from the end of the notice period;
- if the employer conducting business practices is a company in trouble, referred to by the General Block Exemption Regulations for EU state aid, or if the European Commission has issued a negative recovery order against the employer that declares the subsidy as illegal or unsuitable for the internal market. Pay subsidies should not impair the position of the employer's other employees.

Asplund, Kauhanen, Päällysaho and Vanhala (2018)<sup>19</sup> assessed the impact of wage subsidies in Finland. The results were in line with previous findings in international and Finnish studies on the impact of wage subsidies. Subsidies paid to private companies tend to improve the post-subsidy earnings of those hired via wage subsidies, and they increase their months of employment while decreasing their months of unemployment. The effects, however, are not large. Subsidies paid to the public sector or to other private-sector actors are not workable solutions in situations where the main target is to enhance open labour-market employment of those hired via wage subsidies. This raises the question whether differently planned and implemented wage subsidies or an entirely different measure would be a more effective solution for the two sectors.

When unemployed for a long time, one can be employed with salary support from municipalities' employment departments. The financial support differs depending on the reason for unemployment (such as disability or long-term illness) and the length of unemployment. For instance, when one is unemployed for less than a year, the financial support to the employer would be 30 % of the salary for up to six months. When one is unemployed for two years or more, the financial support would be 50 % of the salary for up to 12 months. However, when the background reason for unemployment is disability or long-term sickness, the financial support for the employer would be 50 % for up to 24 months. When the employer is a foundation or an organisation, the salary support is 100 %, with a maximum salary of EUR 1 800 per month up to 65 % part-time.<sup>20 21</sup>

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<sup>19</sup> Asplund, R., Kauhanen, A., Päällysaho, M. and Vanhala, P. (2018), *Palkkatuen vaikuttavuus – palkkatukijärjestelmän ja sen uudistuksien arviointi* (The impact of wage subsidies – An evaluation of the wage subsidy system and its reforms), *Valtioneuvoston selvitys- ja tutkimustoiminnan julkaisusarja* (Government investigation and research publication series) 75/2018, <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161235/75-2018-Palkkatuki.pdf>.

<sup>20</sup> Act on Public Employment and Business Services 916/2012.

<sup>21</sup> Pay subsidy, Public Employment and Business Services, <https://www.te-palvelut.fi/employers/find-an-employee/pay-subsidy>.

## 2.3 Reasonable accommodation

In Finland, the duty of the employer is to provide reasonable accommodation for people with disabilities. This is included in the Non-Discrimination Act 1325/2014.<sup>22</sup> According to Section 15(1) of this act, the employer must provide reasonable accommodation to ensure that a person with disabilities has equal access to employment and to allow them to manage their work tasks. The aim is to enable career advancement.

Section 15(2) of the act states that the following issues must be considered in assessing the reasonableness of accommodations:

- the needs of the person with disabilities;
- the size, financial position and the nature and extent of the employer's activity;
- estimated costs for reasonable accommodation measures;
- financial support available for reasonable accommodation measures.

The employer must also give a written explanation to a person with disabilities if they feel they have been discriminated against in a recruitment situation or during employment.

Employers have an obligation to make reasonable modifications in the work and working conditions that will eliminate an impediment to work caused by a disability, injury or illness. The employer can apply for a subsidy for arranging working conditions when a person's disability or illness affects their employment or their ability to retain a position. The aim is to support the employer if the company must procure work equipment or make alterations at the workplace because of the disability or illness of a person hired for a position or a person who already holds a position in the company. A subsidy can also be granted in cases where the costs entailed by the procurement or alterations are substantial considering the employer's financial situation. A subsidy for arranging working conditions may also be granted to compensate for the assistance provided by another employee.<sup>23</sup>

## 2.4 Other relevant actions targeted at employers

The VATES Foundation<sup>24</sup> is an expert organisation for the equal employment of people with disabilities, long-term illnesses and people with partial work capacity. Funding for the foundation is secured by an annual grant from the Funding Centre for Social Welfare and Health Organisations (STEA) and by applying for project funding from different sources. VATES is a third sector organisation established in 1993 by national associations and organisations. VATES works in co-operation with employment, rehabilitation and education stakeholders. A work coach can help with tailoring and familiarising suitable work tasks, for instance. VATES also informs employers about the possibilities and forms of support for employment. VATES has developed cooperation among employers through the Disability Employment Forum concept. An annual event forms part of a dialogue and information sharing with employers on forms of support, services and practices to promote the employment of people with

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<sup>22</sup> Non-Discrimination Act 1325/2014, <https://www.finlex.fi/fi/laki/alkup/2014/20141325>.

<sup>23</sup> On how disability or illness can affect employment, see <https://www.te-palvelut.fi/en/jobseekers/support-finding-job/disability-illness>.

<sup>24</sup> VATES Foundation, <https://www.vates.fi/tyonantajalle.html>.

disabilities, people with partial work capacity and those with long-term illnesses. The VATES Foundation has also produced a handbook to support employment.<sup>25</sup>

The Office of the Non-Discrimination Ombudsman and a centre of the national human rights institution, the Human Rights Centre,<sup>26</sup> organised an awareness-raising campaign in 2018 called *Maanantai kuuluu kaikille!* (Monday belongs to all!) to advocate for the employment of persons with disabilities in Finnish society.<sup>27</sup>

The Work ability programme is a project coordinated by the Finnish Institute for Health and Welfare, running from 1 March 2020 until 1 May 2023. The Ministry of Social Affairs and Health funds the Work ability programme, and municipalities and joint municipal authorities implement the development projects. The aim is to develop work ability support as part of future social welfare and health centre services and to increase the use of supported employment in promoting employment. The Finnish Institute for Health and Welfare (THL) is responsible for the practical implementation of the Work ability programme. The Finnish Institute of Occupational Health (TTL) is responsible for modelling and strengthening competence through supporting the work ability competence of professionals such as medical staff and social workers.<sup>28</sup>

*Iisisti työelämään* – the Easy Steps towards Working Life project – was implemented with support from the European Social Fund and was coordinated by the Finnish Institute for Health and Welfare. The Rehabilitation Foundation is one of the joint implementers of the project. From the beginning, several companies have been partners in the project: Lidl Finland, Lassila Tikanoja Oy, Leijona Catering Oy, Sato Oy and Espoo Catering Oy, as well as the Special Vocational College. The companies were provided with information on employing people with partial work ability. At the same time, a positive atmosphere was created for recruiting people with partial work ability. A guide was developed for the project, focusing on the smooth recruitment of persons with partial work ability and the utilisation of labour force potential in Finland. This guide is specifically intended for employers, work community developers and recruitment agents and agencies.<sup>29</sup>

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<sup>25</sup> VATES Foundation (2019), *Työn tukena* (Support for employment), <https://www.vates.fi/media/projektit/tyon-tukena/ty-f6n-tukena-koulutusmateriaali-saavutettava-pdf1.pdf>.

<sup>26</sup> The Human Rights Centre is an autonomous and independent expert institution that monitors and promotes the implementation of fundamental and human rights and increased cooperation and exchange of information between various actors. It is administratively connected to the Office of the Parliamentary Ombudsman.

<sup>27</sup> Office of the Non-Discrimination Ombudsman (2018), *Maanantai kuuluu kaikille – kampanja* (Monday belongs to all! campaign), <https://syrijinta.fi/maanantai-kuuluu-kaikille>.

<sup>28</sup> THL (2022), Work ability programme, <https://thl.fi/en/web/thlfi-en/research-and-development/research-and-projects/work-ability-programme>.

<sup>29</sup> *Iisisti työelämään* – Easy Steps towards Working Life, <https://iisisti-opas.tietyoelamaan.fi/en/front-page/>.



## 2.5 Examples of good practice

Pay subsidies can in some cases increase employment opportunities for persons with partial work ability. However, there are contradictory opinions<sup>30</sup> and research results on this matter.<sup>31</sup>

Pay subsidies to colleagues for providing guidance as well as reimbursement of reasonable accommodation costs might be helpful when provided swiftly. However, research has not been conducted on this issue.

## 2.6 Good practice guides, websites and advice services directed at employers

The system is centrally regulated, controlled and implemented. Some handbooks have been provided for development projects because the system is undergoing a structural change in 2024. In the local government employment pilots,<sup>32</sup> the services provided by the TE Office for some customers will be transferred via legislation to the municipality participating in the pilots. Regional pilots are ongoing from 1 March 2021 to 30 June 2023. The aim of the pilots is to boost the employment of unemployed jobseekers, to direct them towards training opportunities, and to make new solutions available to a skilled workforce. The pilots also aim to develop services that support jobseekers' opportunities to find employment and service models under which the customer's situation and service needs are considered individually. Other handbooks have also been produced by disability organisations and associations. TE Offices provide services to both employers and employees, and these can be found on the Jobmarket (*Työmarkkinatori*) website.<sup>33</sup>

*Verner*, a support website for persons with intellectual disabilities, provides a guide for employers in easy read.<sup>34</sup> This guide introduces some of the public support that is available for employing persons with intellectual disabilities and summarises advice about recruitment. The guide also includes three employment success stories. All of the three successful employees work part-time in salaried positions and top up their allowances (through work incapacity allowance). The authors do not know what effect the guide has had, but are aware that it was created based on surveys of 'disability-friendly' employers during a project by the Finnish Association on Intellectual and Developmental Disabilities, which administrates *Verner*. Some impact has been indicated, as good-practice companies appear with their real names, and this encourages others to do the same.

<sup>30</sup> *Linkosuo leipomon toimitusjohtaja arvostelee hallituksen mainostamaa palkkatukea: 'Verovarain työllistäminen on tekohengitystä'* ('The manager of the Linkosuo bakery criticises the Government's pay subsidy: 'It is like using artificial respiration when employing people by using tax funds.'), <https://www.aamulehti.fi/kotimaa/art-2000007549407.html>.

<sup>31</sup> Asplund, R., Kauhanen, A., Päälyysaho, M. and Vanhala, P. (2018), *Palkkatuen vaikuttavuus – palkkatukijärjestelmän ja sen uudistuksien arviointi* (The impact of wage subsidies – An evaluation of the wage subsidy system and its reforms), *Valtioneuvoston selvitys- ja tutkimustoiminnan julkaisusarja* (Government investigation and research publication series) 75/2018, <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161235/75-2018-Palkkatuki.pdf>.

<sup>32</sup> On the local government employment pilots, see <https://www.te-palvelut.fi/information/use-te-services/local-government-trials>.

<sup>33</sup> *Työmarkkinatori* / Jobmarket, <https://tyomarkkinatori.fi/en>.

<sup>34</sup> *Verner* (2018), *Mahdollista! – pieni opas työnantajalle* (It's Possible! – A small guide for an employer), <https://verneri.net/yleis/sites/default/files/dokumentit/pdf/mahdollista-pieni-opas-tyonantajalle.pdf>.

The 'Towards important and proper work' report describes the RATKO model, which was developed by the Supporting Foundation for Children and Youth with Disabilities (VAMLAS). It offers the employer a tool for supporting diversity in their organisation and helps find suitable work for persons with partial working capacity. This tool supports the employer and the workplace community when looking for suitable tasks for a person with disabilities or partial working capacity.<sup>35</sup>

The work ability coordinators at TE Offices work in cooperation with employers and networks in the surrounding area.<sup>36</sup> The coordinator helps employers to find solutions to their labour shortage, offering employment for persons with partial work ability. The coordinator helps employers to identify recruitment opportunities and to modify work tasks so that they are suitable for persons with partial work ability. The coordinator can also help employers to find workable solutions for people who are already employed, but whose work ability has changed due to illness or disability.

*Iisisti työelämään* – the Easy Steps towards Working Life project – produced the Easy Steps for Working Life website/handbook, which focuses on the smooth recruitment of persons with partial work ability and the utilisation of labour force potential in Finland. The handbook is specifically intended for employers, work community developers and recruitment agents and agencies.<sup>37</sup> The website is divided into several sections: 'Many types of different work abilities'; 'Coaching for successful recruitment'; 'Diversity as a resource'; 'Starting a job'; 'Putting work input to use by modifying work tasks'; 'Financial support for employers'; 'Recruitment process for persons with partial work ability'; and 'Further information on partial work ability and contact details'.

No evidence is available on how the guides, websites or advice services are being used by employers or on any effect they are having.

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<sup>35</sup> VAMLAS (2016), 'Towards important and proper work', <https://www.vamlas.fi/wp-content/uploads/2018/03/2017-06-21-ratko-towards-important-and-proper-work.pdf>.

<sup>36</sup> On work ability coordinators as support for the employer, <https://www.te-palvelut.fi/employers/find-an-employee/support-recruitment/work-ability-coordinator-employer>.

<sup>37</sup> *Iisisti työelämään* – Easy Steps towards Working Life, <https://iisisti-opas.tietyoelamaan.fi/en/front-page/>.



### 3 Support and partnerships available to employers to assist them in making reasonable accommodations

#### 3.1 Support available to employers for making reasonable accommodation

An employer may be eligible for an adjustment support and a subsidy for arranging working conditions if the disability or illness of the person to be employed or of an existing employee requires the procurement of new tools or furnishings or the implementation of changes in the workplace. The maximum amount of this subsidy is EUR 4 000 per employee. Compensation may also be paid for assistance by another employee up to a maximum of 20 working hours per month for a period of up to 18 months. The subsidy is EUR 20 per hour and is paid retrospectively each month. This support is provided by the Public Employment and Business Services (TE Office).<sup>38</sup> Some municipalities are taking part in a local government employment pilot, but the subsidy will also be provided by the TE Office in these cases. The application should be made within one month after renovations are made or assistive devices are purchased. There are no limitations concerning what type of employers can apply for the subsidy, but the support is discretionary. The limitations caused by the disability to a person's workability are estimated, and the financial situation of the employer also affects the subsidy.<sup>39</sup>

Modifying work tasks and building new job descriptions can make it possible for companies to successfully hire jobseekers with partial work ability, and companies can acquire new labour for their genuine needs. The modification of work tasks is also a viable solution in situations where an employee in the workplace experiences temporary or permanent reduced work capacity. The webpage 'Easy Steps towards Working Life' explains the means and methods for the modification of work. This project was implemented with support from the European Social Fund, and was coordinated by the Finnish Institute for Health and Welfare.<sup>40</sup>

A work ability coordinator is an expert in services offered to people with partial work ability. The coordinator works with both employers who employ persons with partial work ability and other service providers in the area. The coordinator helps people to look for solutions either for finding work or for staying at work. The work ability coordinator helps employers to find solutions to labour shortages, and offers employment to persons with partial work ability. The coordinator helps employers to identify recruitment opportunities and the tasks that are suitable for persons with partial work ability. TE Offices offer work ability coordinator services, which are available to all employers.<sup>41</sup>

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<sup>38</sup> Kyröläinen, A. (2020), *Vammaisten henkilöiden työllistymisen rakenteelliset esteet* (Structural barriers against persons with disabilities for their employment), <https://julkaisut.valtioneuvosto.fi/handle/10024/162325>.

<sup>39</sup> On adjustment support and subsidy, see <https://www.te-palvelut.fi/tyonantajalle/loydayontekija/tukea-rekrytointiin/tyoolosuhteiden-jarjestelytuki>.

<sup>40</sup> See <https://iisisti-opas.tietyoelamaan.fi/en/putting-work-input-to-use-by-modifying-work-tasks/>.

<sup>41</sup> On work ability coordinators as support for the employer, see <https://www.te-palvelut.fi/employers/find-an-employee/support-recruitment/work-ability-coordinator-employer>.

### 3.2 Partnerships to assist employers to make reasonable accommodations

Many organisations of persons with disabilities offer information and support to employers to employ persons with disabilities, including information on reasonable accommodation. The VATES Foundation focuses on the employment of persons with disabilities and compiles contact information on organisations and their employment focal points.<sup>42</sup>

The Finnish Disability Forum, the umbrella organisation of 30 national organisations of persons with disabilities, has a working group on employment. The Finnish Association on Intellectual and Developmental Disabilities offers support to employers, in particular by providing information on the sources of public financial support that are available from municipalities.<sup>43</sup>

The Disability Employment Forum was established by the VATES Foundation and aims to increase collaboration among employers. An annual event is organised for employers to exchange ideas and experience. At other times, employers maintain contact with one another via the Forum's social media spaces.<sup>44</sup>

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<sup>42</sup> VATES Foundation (2022), '*Järjestöjen työllisyyspalvelut*' (Employment services of organisations), <https://www.vates.fi/ammattilaisille/jarjestojen-tuki/jarjestojen-tyollisyyspalvelut>.

<sup>43</sup> Finnish Association on Intellectual and Developmental Disabilities (2016), '*Työ*' (Employment), <https://www.kehitysvammaliitto.fi/kehitysvammaisuus/tyo/>.

<sup>44</sup> VATES (2022), Disability Employment Forum, <https://www.vates.fi/vates/tapahtumat/disability-employment-forum-3.html>.

## 4 Illustrative examples of good employer practice for providing reasonable accommodations for persons with disabilities

The Finnish National Institute for Welfare and Health (THL in Finnish) has a handbook on disability services in Finnish, Swedish and three Sámi languages.<sup>45</sup> The handbook presents various kinds of disability services for employment and employment activities,<sup>46</sup> which can also guide employers to existing services.

The VATES Foundation has a guide on the employment of persons with disabilities that includes reasonable accommodation. For instance, it explains that working part-time is a way of providing reasonable accommodation for employees with disabilities.<sup>47</sup> The VATES Foundation also has a guide specifically for recruiting part-time workers with disabilities.<sup>48</sup>

### 4.2 Any other sources of information regarding good practice for employers regarding reasonable accommodation

The latest report to the Parliament by the Non-Discrimination Ombudsman clearly states that the right to employment of persons with disabilities is poorly implemented in practice. However, the Ombudsman does not have the mandate to intervene in the employment sector.<sup>49</sup>

The Road Back to Work website contains a page with accounts about employing persons with partial work ability, which provides good examples of successful experiences.<sup>50</sup>

### 4.3 Examples of individual reasonable accommodations which reveal good practice

#### 'Provision of reasonable accommodation measures is self-evident'

A lamp-manufacturing company led by a person with a disability has been employing and providing internship opportunities for people with diverse conditions, including persons with disabilities, refugees, old people and immigrants. The company has 20 employees. At any one time, around 30 % of the employees are from marginalised groups. Because the employer has a disability, 'Provision of reasonable

<sup>45</sup> THL (2022), 'What is the Online Handbook on Disability Services?', <https://thl.fi/en/web/handbook-on-disability-services/contact/what-is-the-online-handbook-on-disability-services->

<sup>46</sup> THL (2022), 'Työ ja työtoiminta' (Employment and employment-related activities), <https://thl.fi/fi/web/vammaispalvelujen-kasikirja/tuki-ja-palvelut/tyo-ja-tyotoiminta>.

<sup>47</sup> VATES Foundation (2019), *Työn tukena* (Support for employment), <https://www.vates.fi/media/projektit/tyon-tukena/ty-f6n-tukena-koulutusmateriaali-saavutettava-pdf1.pdf>.

<sup>48</sup> VATES Foundation (2021), 'Työnantaja, näin työllistät osatyökykyisen' (Employer, this is the way to employ a part-timer), <https://www.vates.fi/media/esitteet/ty-f6nantajaesite-2021-nettiversio.pdf>.

<sup>49</sup> Office of the Non-Discrimination Ombudsman (2022), *Yhdenvertaisuusvaltuutetun kertomus eduskunnalle 2022* (The Ombudsman's report to the Parliament 2022), [https://syrjinta.fi/documents/25249352/42720545/Yhdenvertaisuusvaltuutetun+kertomus+eduskunnalle+2022+\(pdf\).pdf/c83caf57-a7c4-a907-9a19-c37c61eec75e/Yhdenvertaisuusvaltuutetun+kertomus+eduskunnalle+2022+\(pdf\).pdf?t=1648705129557](https://syrjinta.fi/documents/25249352/42720545/Yhdenvertaisuusvaltuutetun+kertomus+eduskunnalle+2022+(pdf).pdf/c83caf57-a7c4-a907-9a19-c37c61eec75e/Yhdenvertaisuusvaltuutetun+kertomus+eduskunnalle+2022+(pdf).pdf?t=1648705129557).

<sup>50</sup> The Road Back to Work website was closed in April 2022 and the content has been transferred to <https://thl.fi/fi/tutkimus-ja-kehittaminen/tutkimukset-ja-hankkeet/tyokykyohjelma/tyokykyohjelmassa-julkaistua/blogit-tie-tyoelamaan-palvelusta>.

accommodation measures is self-evident', he says in our personal interview for this report (held on 1 April 2022). The employer has provided the necessary lighting and sight-enhancing equipment for employees with visual disabilities as soon as they have arrived. He did not apply for public financial or other support, 'because it is bureaucratic and requires paperwork, and takes time before the decision comes'. Reasonable accommodation has not been a barrier for persons with disabilities when starting their employment in this company.

### **Road Back to Work**

*Tie työelämään* – the Road Back to Work website – has collected accounts about employing persons with partial work ability that provide good examples from working life, from both employers and employees.<sup>51</sup>

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<sup>51</sup> The Road Back to Work website was closed in April 2022 and the content has been transferred to <https://thl.fi/fi/tutkimus-ja-kehittaminen/tutkimukset-ja-hankkeet/tyokykyohjelma/tyokykyohjelmassa-julkaistua/blogit-tie-tyoelamaan-palvelusta>.

## **5 Recommendations and guidance regarding good practice and reasonable accommodation**

### **5.1 Recommendations regarding good practice and reasonable accommodation in recruitment and hiring**

The authors recommend that employers put aside their prejudices and provide opportunities for persons with disabilities on an equal basis with others, or give them positive treatment.

Advertisements of vacancies could specifically welcome persons with disabilities to apply in order to encourage applicants with disabilities. They could also refer to a willingness to provide reasonable accommodation. This is an added value for the employer that clearly shows an understanding of disability rights.

The interview process needs to be accessible in every way so that applicants with disabilities can participate equally. An accessible venue needs to be selected so that anyone can be part of the process, and information needs to be accessible to all candidates.

Adjustment needs are usually one-off and relatively small. They should not be a reason for not hiring applicants with disabilities, especially since in Finland reasonable accommodation costs are reimbursed by the municipality. A part-time arrangement is a suitable form of reasonable accommodation for many persons with disabilities. Thus, flexibility of work arrangements is recommended.

### **5.2 Recommendations regarding good practice and reasonable accommodation in initial employment**

The authors recommend that employers ask newly recruited staff with disabilities directly whenever there is anything unclear about reasonable accommodation or anything else, and to decide on the necessary arrangements together with them. Employers are encouraged to actively seek information and to utilise existing public and organisational services and financial support for maximising the employment opportunities of persons with disabilities.

Employers are also encouraged to link with other employers who have already hired persons with disabilities in order to learn from their experiences. According to a Danish study,<sup>52</sup> employers who have already employed persons with disabilities are willing to take on more persons with disabilities.

When a person has been unemployed for a long time or has never been employed, clear instruction is particularly needed. Accessibility of information is of key importance.

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<sup>52</sup> Shamshiri-Petersen, D. and Krogh, C. (2020), 'Disability Disqualifies: A Vignette Experiment on Danish Employers' Intentions to Hire Applicants with Physical Disabilities', *Scandinavian Journal of Disability Research*, vol. 22, No. 1, pp.198-209, DOI: <http://doi.org/10.16993/sjdr.661>.

### **5.3 Recommendations regarding good practice and reasonable accommodation in promotion and career development**

The authors recommend that promotion and career development are targeted to employees with disabilities when they are motivated and have shown their capacity. When the new position requires different kinds of reasonable accommodation measures, the employer should take the initiative and responsibility to provide them. Disability and non-provision of reasonable accommodation should not be reasons for not promoting employees with disabilities. Many more leadership positions can be filled by persons with disabilities who have experiential knowledge on disability so that s/he/they can become a role model and so that the employment of persons with disabilities becomes more of an integral part of any workplace.

### **5.4 Recommendations regarding good practice and reasonable accommodation in retention, i.e. enabling people to stay in work if they develop an impairment or their impairment changes**

The authors recommend extending the retention strategy to employees who acquire an impairment and to those whose impairment changes, on an equal basis with others, as well as giving them positive treatment. Reasonable accommodation measures might enable those who acquire an impairment to retain the same job. A disability cannot be the reason for terminating their employment according to the Employment Contracts Act 55/2001, Section 7.<sup>53</sup> The employer should actively seek out information and take advantage of existing services and financial support to ensure reasonable accommodation. The employer is encouraged to link with organisations of persons with disabilities, municipalities' employment departments and other employers who already employ persons with similar disabilities.

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<sup>53</sup> Employment Contracts Act 55/2001, available in English translation at: <https://www.finlex.fi/fi/laki/kaannokset/2001/en20010055.pdf> and in Finnish at: <https://www.finlex.fi/fi/laki/ajantasa/2001/20010055>.

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