

Striving for an inclusive labour market in Latvia

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



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Striving for an inclusive labour market in Latvia

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

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1 Executive summary

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

An employer's duty to provide reasonable accommodation to a person with a disability is determined by Section 7 of the Labour Law. There are no tax credits for employers who employ persons with disabilities. The exception is social enterprises, which, under the Social Enterprise Law, may benefit from tax relief on property granted by the relevant local government, and from corporate income tax relief. From 2021, the state shall compensate, in a social enterprise, the employer's share of mandatory state social insurance contributions for persons with disability or mental impairments. However, from 1 January 2022, employers can receive a grant, within the scope of subsidised employment, to pay mandatory state social insurance contributions in proportion to the salary grant.

Latvia has not implemented a quota system. Employers who wish to hire or employ an unemployed person with a disability may receive State Employment Agency (PES) services as any other employer would. In order to promote the employment of persons with disabilities, PES provides advice to employers, organises Open-Doors Days, and provides financial support.

General information directed at employers is published in the 'Job offer' section of the PES website: https://www.nva.gov.lv/lv/piedavaju-darbu. More targeted information on the employment of persons with disabilities is available in the 'Employment of persons with disabilities' section: (see: https://www.nva.gov.lv/lv/personu-ar-invaliditatinodarbinatiba).

The Open-Doors Days initiative is a positive example of the promotion of the employment of people with disabilities, in which several support measures can be implemented together over a short period of time for employers and employees with disability: registration of vacancies and the possibility of hiring; the opportunity to be introduced to the job and to get to know a potential employee; and the opportunity to try out the job and to start work.

There is no evidence of the effectiveness/strengths and weaknesses of the available support. Experts at the World Bank have indicated that, 'Periodic evaluation and

¹ Labour Law (*Darba likums*), 2002, available at: https://likumi.lv/ta/en/en/id/26019-labour-law.

Social Enterprise Law (Sociālā uzņēmuma likums), 2017, available at: https://likumi.lv/ta/en/en/id/294484-social-enterprise-law.

Cabinet of Ministers Regulation No. 75 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures' (Noteikumi par aktīvo nodarbinātības pasākumu un preventīvo bezdarba samazināšanas pasākumu organizēšanas un finansēšanas kārtību un pasākumu īstenotāju izvēles principiem), 2011, Article 88(7), available at: https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

impact assessments are lacking, and it is hard to say anything about the impact of any program, including active labour market programs.'4

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

Employers who hire or employ a person with a disability shall be entitled to receive all services provided by PES⁵ in the same way as any other employer. Exceptional support for employers is provided in accordance with the Support for Unemployed Persons and Persons Seeking Employment Law⁶ and Cabinet Regulation No. 75 regarding active employment measures.⁷ Four services provided by PES (counselling, subsidised jobs, open days and the employment of unemployed persons with disabilities for an indefinite period) are targeted directly at employers employing persons with disability.

There are no partnerships providing coordinated support for employers in making reasonable accommodations. Closer cooperation between employers and PES arises in cases where employers hire unemployed persons with disability who have been registered with PES.

After evaluating the active employment policy in Latvia, the Organisation for Economic Co-operation and Development (OECD) indicated that, although the subsidised employment programme has a positive impact on employment and is well targeted at vulnerable groups, no effect on persons with disabilities has been identified.⁸ For other support measures, evidence of the effectiveness/strengths and weaknesses of (coordinated) support to employers is not publicly available.

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

Recommendations that could provide examples of good practice are published in the 'Employment of persons with disabilities' section of the PES website.9 Links to the Ministry of Welfare's 2020 roadmap for an inclusive environment; 10 to a 2017

⁴ World Bank (2020), Disability Policy and Disability Assessment System in Latvia, Report No. AUS0001961, p. 9, https://www.lm.gov.lv/lv/media/9799/download.

See: https://www.nva.gov.lv/lv/pakalpojumi-0.

⁶ Law on Support for Unemployed Persons and Persons Seeking Employment (Bezdarbnieku un darba meklētāju atbalsta likums), 2002, https://likumi.lv/ta/en/en/id/62539-support-for-unemployedpersons-and-persons-seeking-employment-law.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivobezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumuistenotaju-izveles-principiem.

OECD (2019), Evaluating Latvia's Active Labour Market Policies, Connecting People with Jobs, pp. 29-32, OECD Publishing, Paris, http://doi.org/10.1787/6037200a-en.

See: https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba.

¹⁰ Ministry of Welfare (2020), *leklaujošas vides ceļvedis valsts un pašvaldibu iestādēm. Pieejamības* nepieciešamība dažiem, ieguvums ikvienam (Inclusive Environment Guide for State and Local Government institutions: Accessibility – a necessity for some, a benefit for everyone), https://www.lm.gov.lv/sites/lm/files/content/pieejamibas_celvedis.pdf.

Ombudsman's Office publication (informative material for employers) entitled *Adjusted Working Environment for Employees with a Disability*;¹¹ and to guidelines for environmental accessibility developed by NGOs¹² and the 'Power is in Diversity' movement¹³ are available, while employers' experiences, reflections and observations when dealing with an employee with a disability are available in the 'Experience stories' section.¹⁴

There is no evidence of the effectiveness/strengths and weaknesses of the good practice guides or of any other sources of information.

1.4 Recommendations

Recruitment and Hiring

Organise on a regular and more frequent basis the 'Open-Doors Day' activities, in which employers have the opportunity to familiarise themselves with a potential employee with a disability within a short period of time and, at the same time, familiarise themselves with the employee's skills and suitability for specific work.

Initial employment

Introduce individualised support for employers in making reasonable accommodations for persons with disabilities, taking into consideration the number of persons with disabilities employed; the nature and severity of the disability and other conditions affecting the ability of the person with disabilities to work; and the employer's needs.

Promotion and Career Development

Provide employers who employ persons with disabilities and who want to receive support for employee training with the opportunity to receive relevant PES services, by strengthening PES with financial and labour resources as the leading institution from which employers can receive all the necessary information.

Retention

Establish a state-financed multidisciplinary early intervention system to offer employers and employees the necessary support in employment during a period of long-term illness, such as retraining the employee, adjustment of the workplace and revision of working conditions, combining such support with available social and health care services.

Provide employers with the opportunity to receive all necessary information regarding solutions for the retention of long-term sick persons and persons with disabilities in the enterprise (labour market) by strengthening PES with financial and labour resources as the leading institution.

Ombudsman of the Republic of Latvia (2017), *Pielāgota darba vide darbiniekiem ar invaliditāti* (Adjusted Working Environment for Employees with a Disability), https://www.tiesibsargs.lv/uploads/content/publikacijas/vadlinijas_dd_vides_pielagosana_1515490 591.pdf.

Liepaja Society of the Blind (2012), Vides pieejamības vadlīnijas personām ar funkcionāliem traucējumiem (Guidelines for Environmental Accessibility for Persons with Functional Impairments), https://redzigaismu.lv/files/VIDES-PIEEJAMIBAS-VADLINIJAS-Liepaja-2017-02-08.pdf.

¹³ See: http://www.videspieejamiba.lv/lat/pieejama_vide_attelos/.

¹⁴ See: https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba-pieredzes-stasti.

Develop cooperation between PES and local government to provide complex support measures to employers regarding reasonable accommodation.

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

2.1 Employment quotas

A quota system does not exist in Latvia.

The general public attitude to the quota system is ambiguous. SUSTENTO, one of the leading organisations representing persons with disabilities, argues for the necessity of quotas, emphasising that they should be determined in state and local government institutions and in state and local government commercial companies. Other organisations favour a more inclusive employment system, emphasising the need for supported work. In 2020, World Bank experts indicated that a quota system in Latvia would have a negligible impact on the employment of persons with disabilities because:

- a. the business environment is dominated by small enterprises¹⁶ that a quota system would not cover;
- b. changes in the state and local government sectors provide for the reduction of the number of employees and attraction of qualified employees;
- c. the introduction of a quota system is a complex administrative issue, entailing considerable costs.

The World Bank experts recommend developing a more integrated employment system.¹⁷

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

There are no tax credits for employers who employ persons with disabilities. All taxes, social contributions and sick leave certificates for employed persons with disabilities shall be paid by employers in the same way as for other employed persons.

An exception applies for a social enterprise: a limited liability company that has been granted the status of social enterprise and which conducts an economic activity that creates a positive social impact (for example, provision of social services, formation of an inclusive civil society, promotion of education, support for science, protection and preservation of the environment, animal protection or ensuring cultural diversity). ¹⁸ Under the Social Enterprise Law (2017), a social enterprise has the right to property tax relief, granted by the relevant local government, and corporate tax relief. Under

In 2017, there were 181 424 economically active companies. Of those, 90.8 % were micro-enterprises (0-9 employees) and 5 % were small enterprises (10-49 employees). Only 0.9 % were medium-sized, and 0.13 % were large companies. Consequently, the quota system could likely be applied to 1-2 % of companies if the minimum workforce size for implementing the quota system, based on the ILO review, was 20 workers (See World Bank report (2020), p. 154).

¹⁵ See: https://www.sustento.lv/nodarbinatiba/.

World Bank (2020), *Disability Policy and Disability Assessment System in Latvia*, Report No. AUS0001961, pp. 154-155, https://www.lm.gov.lv/lv/media/9799/download.

¹⁸ Social Enterprise Law, 2017, Article 2, https://likumi.lv/ta/en/en/id/294484-social-enterprise-law.

Section 8(1) of the Law, a social enterprise shall not include expenditure in the base subject to corporate income tax on:

- a. the provision of recreation and social inclusion measures for workers with a disability;
- b. the integration of persons with disabilities into the labour market and the improvement of quality of life;
- c. measures for the social integration of persons with disabilities;
- d. the acquisition of assets which serve the purposes set out in the articles of association of the social enterprise;
- e. donations to a public benefit organisation for purposes consistent with the objectives set out in the articles of association of the social enterprise.¹⁹

In 2021, a new form of support for social enterprises was introduced: compensation for the employer's share of mandatory state social insurance contributions for persons with disabilities or mental disorders. Social enterprises may receive this compensation within the Support for Social Entrepreneurship project framework, implemented by the Ministry of Welfare (MOW). Each quarter, after making all required contributions to the State Revenue Service, the company shall submit to the MOW electronically a request for a specific form and accompanying documents. Applications are checked, and within one month, the MOW issues a decision to grant compensation and makes a transfer to the social enterprise. Similarly, within the framework of this project, social enterprises may receive lump-sum wage compensation for the entire calendar month if a person with a disability has been registered with PES as unemployed when entering into employment relations with the social enterprise.²⁰ The project is due to expire on 31 December 2023, and it will only then be possible to assess the strengths and weaknesses of this measure and its impact on the employment of persons with disabilities.

Support for subsidised jobs is provided within the framework of the European Social Fund's 'Subsidised workplaces for unemployed persons' project.'²¹ Within the scope of the subsidised workplace measure, an employer may receive a grant of up to 1.5 times the minimum monthly wage²² for an unemployed person with a disability, or of the amount of the minimum monthly wage specified by the state if an unemployed person with a disability is employed in a low-skilled job.²³ As of 1 January 2022, it is

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¹⁹ Social Enterprise Law, 2017, Article 8(1), available at: https://likumi.lv/ta/en/en/id/294484-social-enterprise-law.

²⁰ See: https://www.lm.gov.lv/lv/par-projektu-0.

Project No. 9.1.1.1/15/I/001, 'Subsidised workplaces for unemployed persons' (duration from 2 February 2015 until 31 December 2023); see: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

From 1 January 2021, the minimum monthly salary is EUR 500. Cabinet of Ministers Regulation No. 707, 'Amendment to the Cabinet of Ministers Regulation of 24 November 2015 No. 656 'Regulations regarding the amount of the minimum monthly wage within normal working hours and the calculation of the minimum hourly rate' (*Grozījums Ministru kabineta 2015. gada 24. novembra noteikumos Nr. 656 "Noteikumi par minimālās mēneša darba algas apmēru normālā darba laika ietvaros un minimālās stundas tarifa likmes aprēķināšanu)*, 2020, https://likumi.lv/ta/id/319164-grozijums-ministru-kabineta-2015-gada-24-novembra-noteikumos-nr-656-noteikumi-par-minimalas-menesa-darba-algas-apmeru-normala.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, Article 88(1),

possible to receive a grant to pay for mandatory state social insurance contributions in proportion to the salary grant.²⁴

Information is available on the PES website, which states that employers should apply for the implementation of the 'Subsidised workplaces for unemployed persons' measure as follows: register a vacancy at PES, and submit an application to PES with accompanying documents (application forms and document forms are available on the PES website).²⁵ It notes that PES will examine the application and inform the employer in writing of the decision taken.

Between the start date of the project on 2 February 2015 and 31 December 2021, 1 939 subsidised jobs for persons with disabilities were created.²⁶ Studies on the impact of grants on employers' willingness to hire people with disabilities are not publicly available.

As part of the 'Subsidised workplaces for unemployed persons' measure or the 'Employment of unemployed persons with disabilities for an indefinite period' measure, employers may receive a grant for remuneration of a work manager of EUR 10 per day for every day of work management, for up to two months, or up to six months if the unemployed person's functional disability is a mental disorder,²⁷ and a lump-sum grant for the costs of the compulsory health examination up to a maximum of EUR 50 per unemployed person.²⁸

In assessing the measure on subsidised jobs, the OECD pointed out that, despite the positive employment impact of the subsidised employment programme and the fact that it is well targeted at vulnerable groups, no effect has been identified for persons with disabilities. The OECD also stated that 'heavy bureaucratic procedures and stringent conditions imposed on employers, may jeopardize their willingness to participate in the program, especially if the extent to which they benefit is considered

https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, Article 88(7), https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

²⁵ See: https://www.nva.gov.lv/lv/subsidetas-darba-vietas-atbalsts-bezdarbnieka-nodarbinasanai.

²⁶ See: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

²⁷ Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, Article 88(2), https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, Article 91(1), https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

to be low'. The following obligations on the employer were identified as the main bureaucratic obstacles:

- submit a list of documents, including those certifying the employer's compliance with tax and other duties, which PES can easily request through the online system;
- b. submit monthly reports on the hours worked;
- c. assign a qualified supervisor for every unemployed person hired through the programme.

With regard to the subsidised employment of persons with disabilities, the OECD recommendations focus more on improving the functioning of the PES policy, and include a recommendation 'to consider differentiating the conditions of the employment subsidy for persons with disabilities according to the degree of assessed disability, barriers to work and/or work capacity, for example, by:

- a. extending the duration of the subsidy and possibly reducing its amount for persons with severe disabilities for whom this is a unique way to get a job. In these cases, the subsidy should also be considered as a tool for social inclusion:
- b. reducing the duration of the subsidy for those with milder disabilities and strengthening the employment and social inclusion provided to them during the period on subsidised employment.'29

2.3 Reasonable accommodation

An employer's duty to provide reasonable accommodation to a person with a disability is determined by Section 7 of the Labour Law, on 'Principle of Equal Rights', which states:

'In order to promote the introduction of the principle of equal rights in relation to persons with a disability, an employer has an obligation to take measures that are necessary in conformity with the circumstances to adjust the work environment, to facilitate the possibility of persons with a disability to establish employment relationship, perform work duties, be promoted to higher positions or be sent to occupational training or further education, insofar as such measures do not place an unreasonable burden on the employer.'³⁰

This principle applies to any employer in the private and public sectors. If measures regarding reasonable accommodation place an unreasonable burden on the employee, there is no support for employers.

Labour Law, 2002, Section 7, paragraph (3), https://likumi.lv/ta/en/en/id/26019-labour-law.

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OECD (2019), Evaluating Latvia's Active Labour Market Policies, Connecting People with Jobs, pp. 29-32, OECD Publishing, Paris, http://doi.org/10.1787/6037200a-en.

2.4 Other relevant actions targeted at employers

In order to promote the employment of persons with disabilities, PES shall provide employers with three-hour consultations³¹ regarding the following topics:

- a. the specific nature of communication and employment of unemployed persons with disabilities according to the type of disability (disability of movement, vision, hearing, mental nature (including communication with persons with mental disorders) and others);
- b. reducing communication barriers and stereotypes within the enterprise staff;
- c. conflict and problem solving;
- d. other current issues related to the promotion of employment of unemployed persons with disabilities.³²

Consultations shall be organised within the EU-funded Project No. 9.1.1.1./15/I/001 on 'Subsidised workplaces for unemployed persons'³³ until 31 December 2023. The publicly available PES data show that in 2019, 249 employers and their representatives attended consultations on the employment of unemployed persons with disabilities. The largest number of employers and their representatives (91) participated in consultations in the Latgale region,³⁴ which has a high unemployment rate³⁵ and a high number of registered unemployed persons with disabilities compared with other regions³⁶ (for more detailed data, see Annex 1).

Since 2017, PES has organised the 'Open-Doors Day for People with Disabilities'. PES invites both employers who wish to apply for available vacancies and persons with disabilities who wish to work as part of the event. As a result, employers can provide information on the specific nature of the work and other work-related issues, while persons with disabilities have the opportunity to ask questions. During the COVID-19 pandemic, the event was held online, but before the pandemic people with disabilities could visit companies and institutions and familiarise themselves with the work environment, process, staff and work responsibilities.

In order to promote understanding among employers regarding the employment of persons with disabilities, the MOW is implementing several public awareness campaigns, the materials for which are available on a single website: https://cilveksnevisdiagnoze.lv ('Human, not diagnosis'). Within the framework of the campaign 'Doing differently – doing the same', implemented in 2021:³⁷

³¹ Consultations shall be organised on the condition that at least three employers have applied for them

³² See: https://www.nva.gov.lv/lv/konsultacijas.

³³ Project No. 9.1.1.1/15/I/001, 'Subsidised workplaces for unemployed persons' (duration from 2 February 2015 until 31 December 2023); see: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

³⁴ See: https://www.nva.gov.lv/lv/konsultacijas.

State Employment Agency (2021), *Public Report 2020*, p. 17. The registered unemployment rate on 31 December 2020 was 7.7 %; in the Latgale region, it was 15.4 %, https://www.nva.gov.lv/lv/publikacijas-un-parskati.

See: https://www.facebook.com/Nodarbinatiba. Data from 30 September 2021 indicate that of 8 307 unemployed people with disabilities registered with PES, 3 698 were registered in the Latgale region.

³⁷ See: https://cilveksnevisdiagnoze.lv/cilveki-ar-invaliditati-dara-citadi-izdara-tapat/.

- a digital photo exhibition was organised; a.
- a dedicated website was created, including information for employees and b. employers:
- a platform was created where employers who were prepared to employ people C. with disabilities could find employees for themselves, and people with disabilities could find work for themselves.

As part of the campaign, opinion pieces and interactive videos were prepared, and experience stories were published on the *Delfi* portal (the most popular news portal in Latvia). Three online discussions and a sociological survey were organised to ascertain the attitude of employees towards the inclusion of people with disabilities within their staff. An infographic with aggregated information on what to consider when employing and working with people with disabilities was prepared as part of the campaign.

The information is available free of charge. No precise details are available on how many employers have visited the website and used the information provided on it.

2.5 Examples of good practice

One positive example is the 'Open-Doors Day for People with Disabilities' to promote the employment of people with disabilities. It allows several support measures to be implemented simultaneously over a short period:

- job vacancies are applied for with the employer's registration; a.
- when expressing an interest in attending the event, a person with a disability b. shall also register with PES;
- within the framework of the measure, the employer shall become acquainted with C. the potential employee;
- d. it is possible for the employer to demonstrate on the spot the work to be performed, to provide information regarding the requirements and to become acquainted with an employee's abilities and suitability for the work;
- the worker can undertake a trial of the job and receive feedback directly from the e. potential employer;
- f. the employer can recruit a person with a disability;
- a person with disabilities can take up work. g.

PES data³⁸ indicate that employers' interest in Open-Doors Days is increasing. The number of persons with disabilities recruited is also increasing. The event is relatively new, and the years of the pandemic have introduced some adjustments, so data on the number of people with disabilities who have been hired after days organised online is not available. In 2022, PES plans to organise Open-Doors Days in the summer.

³⁸ In 2017, 62 employers and 207 persons with disabilities participated in Open-Doors Days; see: https://www.nva.gov.lv/lv/jaunums/atverto-durvju-diena-uznemumos-personam-ar-invaliditati. In 2018, 65 employers and 296 persons with disabilities participated; see: https://www.nva.gov.lv/lv/jaunums/nva-akcija-atverto-durvju-diena-personam-ar-invaliditatiuznemumos-piedalijas-65-darba-deveji-un-296-darba-mekletaji. In 2019, 69 employers participated; see: https://www.nva.gov.lv/lv/jaunums/sonedel-visa-latvija-norisinas-nva-akcijaatverto-durvju-diena-personam-ar-invaliditati-uznemumos.

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

There are no good practice guides. PES and the MOW are the two most important institutions in the employment arena, and they provide employers with some of the necessary information.

Information directed at employers is published in the 'Job offer' section of the PES website. Visitors to the site can learn about the following topics:

- a. registration of vacancies;
- b. wage subsidy support measure;
- c. selection of staff;
- d. training of required specialists;
- e. subsidised jobs:
- f. employment of persons with disabilities;
- g. schoolchildren's employment during summer;
- h. support in the event of collective redundancies;
- i. paid temporary public works;
- j. registration of the results of competitions for officials;
- k. employment of refugees and persons with alternative status.³⁹

The support measures included in these sections may apply to a person with disabilities as for any other person, employed or unemployed. However, more targeted information for employers on the employment of persons with disabilities is available in the 'Employment of persons with disabilities' section. ⁴⁰ In this section, PES experts, career counsellors and NGO experts provide recommendations regarding the support available to employers; what needs to be taken into account when employing people with different disabilities; and what adjustments are needed. It covers the following topics:

- a. a statistical picture of unemployed persons with disabilities, and information on where the employers can acquire such information, including current data regarding the number and proportion of registered unemployed persons with disability relative to registered unemployed persons as a whole, as well as data regarding the number of unemployed persons with disability by profession after their previous occupation;
- b. an appropriate working environment;
- c. PES support for the inclusion of unemployed persons with disabilities in the labour market:
- d. Open-Doors Days to promote the employment of persons with disabilities;
- e. consultations:
- f. employment of unemployed persons with disabilities for an indefinite period;
- g. subsidised jobs (support for employing an unemployed person);
- h. experience stories.

40 See: https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba.

³⁹ See: https://www.nva.gov.lv/lv/piedavaju-darbu.

The 'Suitable working environment' section⁴¹ contains information on what an employer should know when a worker with a disability has mobility, psychosocial, hearing or visual impairments or a general illness. For each type of impairment, its origin is identified. The type of work suitable for the person and the adaptation of workplace required is indicated. It also contains information on how to communicate with the employee, and PES experience of employing persons with specific impairments. Employers and employees describe their experiences of employing people with disabilities in the 'Experience stories' section.⁴² Other sections cover the services provided by PES, the duration thereof and links to more comprehensive information regarding the objectives of the measure, step-by-step application procedures (including electronic forms) and contact details for PES branches. The information on the PES website is available free of charge.

No precise details are available on how many employers have visited the website and used the information provided on it. Annex 2 includes detailed data on PES website visitors, including persons with disabilities, students and interested persons. The most-visited website sections are 'Subsidised jobs' (support for employing an unemployed person); 'Employment of persons with disabilities'; and 'Employment of unemployed persons with disabilities for an indefinite period'.

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⁴¹ See: https://www.nva.gov.lv/lv/piemerota-darba-vide.

The essential insights can be characterised by the following example headlines: 'Company has gained not only a positive employee but also the opportunity to ensure its services much faster and better'; 'Our company is open to workers who wish to work'; 'We are interested in recruiting people with disabilities'; 'Career counselling helped make choices, Open-Doors day – to find a job'; see: https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba-pieredzes-stasti.

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

3.1 Support available to employers for making reasonable accommodation

Support for employers to make reasonable accommodations for persons with disabilities is provided under the Support for Unemployed Persons and Persons Seeking Employment Law⁴³ and Cabinet Regulation No. 75 regarding the organisation of active employment measures.⁴⁴

Employers who hire or employ a person with a disability shall be entitled to receive all the services provided by PES⁴⁵ in the same way as any other employer.⁴⁶

Of four services⁴⁷ provided by PES that are targeted directly at employers who employ persons with disabilities, three include measures to support employers in making reasonable accommodations. These are as follows:

Consultations

Consultations regarding the employment of unemployed persons with disabilities for employers (any legal or natural person with the right to employ) or their delegated representatives are organised by PES if at least three employers have applied for this measure. Consultations are free of charge, last for three hours and focus on the specific nature of communication and employment of the unemployed with disabilities, taking into account mobility, vision, hearing, mental and other disabilities; reducing communication barriers and stereotypes among staff; conflict and problem solving and other topical issues related to the promotion of the employment of unemployed persons with disabilities. Support for the provision of counselling is provided within the framework of the ESF 'Subsidised workplaces for unemployed persons' project.⁴⁸ The number of employers consulted is not included in the publicly available monitoring

Law on Support for Unemployed Persons and Persons Seeking Employment, 2002, available at: https://likumi.lv/ta/en/en/id/62539-support-for-unemployed-persons-and-persons-seeking-employment-law.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

Registration of vacancies; wage subsidy support measure; selection of staff; training of required specialists; subsidised jobs; employment of persons with disabilities; schoolchildren's employment during summer; support in the event of collective redundancies; paid temporary public works; registration of the results of competitions for officials; employment of refugees and persons with alternative status.

⁴⁶ See: https://www.nva.gov.lv/lv/pakalpojumi-0.

⁴⁷ The four services provided by PES that are targeted directly at employers who employ persons with disabilities are: consultations, subsidised jobs, Open-Doors Days and employment of unemployed persons with disabilities for an indefinite period.

Project No. 9.1.1.1/15/I/001, 'Subsidised workplaces for unemployed persons' (duration from 2 February 2015 until 31 December 2023); see: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

indicators⁴⁹ to be achieved by the project on subsidised work. According to PES data⁵⁰ in 2019, consultations were held with 249 employers and their representatives.

Workplace adjustment

Employers can receive financial support for workplace adjustment as part of the 'Subsidised workplaces for unemployed persons' measure or the 'Employment of unemployed persons with disabilities for an indefinite period' measure. As an example, an employer might hire a person with a disability who was previously registered as unemployed with PES, and workplace adjustment may be needed. In that case, the employer can receive a lump-sum grant to purchase facilities and equipment and the manufacture and purchase (including supply and installation) of technical aids. The grant shall be made following the employer's submission to PES of a workplace adjustment estimate that conforms to the opinion of an occupational therapist. The maximum amount of the grant for adjusting one workplace is EUR 1 000.51 Businesses (except educational institutions, the principal task of which is the implementation of educational programmes), self-employed persons, associations (excluding political parties) or foundations and those within the scope of the term 'cooperative' may receive the grant. Information is available on the PES website; it states that employers should apply for the implementation of the 'Subsidised workplaces for unemployed persons' measure as follows: register a vacancy with PES and submit an application to PES with accompanying documents (application forms and document forms are available on the PES website).52 It notes that PES will examine the application and inform the employer in writing of the decision taken. Between the start date of the project (2 February 2015) and 31 December 2021, 1 939 subsidised jobs for persons with disabilities were created.⁵³ According to the information provided by PES, workplace adjustments have been financed in approximately 49.1 % of cases (for more detailed data, see Annex 3). Studies on the impact of grants on employers' willingness to hire people with disabilities are not publicly available. Information on cases where the workplace is not adjusted due to disproportionate burden is not available.

If the employer has engaged, for an indefinite period, a person with a disability who has been registered as unemployed with PES, support may be requested within one month of the commencement of the employment relationship. An occupational therapist attached to PES for workplace adjustment will monitor and evaluate the workplace and the suitability for the work and provide recommendations. The employer shall complete, by electronic means or by post, the application form and submit it to PES, which will examine it and take a decision. The application forms and other documents are available on the PES website.⁵⁴

⁴⁹ See: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

⁵⁰ See: https://www.nva.gov.lv/lv/konsultacijas.

Cabinet of Ministers Regulation No. 75, 'Regulations Regarding the Procedures for the Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for the Selection of Implementers of Measures', 2011, Article 88(3), https://likumi.lv/ta/id/225425-noteikumi-par-aktivo-nodarbinatibas-pasakumu-un-preventivo-bezdarba-samazinasanas-pasakumu-organizesanas-un-finansesanas-kartibu-un-pasakumu-istenotaju-izveles-principiem.

⁵² See: https://www.nva.gov.lv/lv/subsidetas-darba-vietas-atbalsts-bezdarbnieka-nodarbinasanai.

⁵³ See: https://www.nva.gov.lv/lv/projekts/subsidetas-darbavietas-bezdarbniekiem.

⁵⁴ See: https://www.nva.gov.lv/lv/bezdarbnieku-ar-invaliditati-nodarbinatiba-uz-nenoteiktu-laiku.

In addition to the PES services, employers may receive support through training by the Employers' Confederation of Latvia and organisations representing persons with disabilities. The Employers' Confederation of Latvia offers a six-hour practical elearning programme entitled 'Work-life balance in a company or organisation'. One of the topics that it covers is 'Measures for improvement of the physical and mental wellbeing of employees with disabilities, adjustment of the working environment'. The information provided on the Employers' Confederation of Latvia website shows that the training programme is being implemented with the support of the EU's 'Rights, Equality and Citizenship 2014-2020 Programme'. Details of the number of employers who receive training and the availability of the programme following the end of the project are not publicly available.

The non-governmental organisation Apeirons supports both employers and people with disabilities. Training on recruitment, communication and other support measures for people with disabilities is organised for employers. According to information provided by the head of Apeirons, in 2022, training has taken place, in cooperation with the Latvian Association of the Deaf and the See Me society, for employees of the National Opera and Ballet of Latvia and middle-level managers of the local government company Rīgas satiksme (Riga Traffic). Information on the impact of training on employers' decisions to employ persons with disabilities is not publicly available.

3.2 Partnerships to assist employers to make reasonable accommodations

Closer cooperation between employers and PES⁵⁷ arises in cases where employers hire unemployed persons with disability who have been registered with PES. PES has established an informal network of cooperation partners. Within that framework, PES informs companies of the available support measures, including subsidised employment, within the framework of which it is possible to receive grants, and new measures – for example, support for the employment of unemployed persons with disabilities for an indefinite period. According to PES, regional branches hold information about potential employers who can be approached, who wish to provide jobs to people with disabilities or who are willing to share their experiences. A public list of PES cooperation partner companies is not available. Information on the strengths and weaknesses of cooperation, the effectiveness of grant support and the impact on employers' willingness to hire employees with a disability is also not available.

Cooperation requires interest from all partners. Employers who already have experience of employing persons with disabilities are interested in recruiting persons with disabilities. However, in the case of subsidised jobs, such an interest indicates to an extent an employer's desire to attract additional funding. The experience of PES

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The topics includes the following issues: concepts; facts about Latvia and Europe; examples of support measures in enterprises to improve the physical wellbeing of workers with disabilities; examples to adapt the working environment; legislation relating to a worker with a disability; practical solutions: recommendations for work-life balance to improve workers' physical wellbeing and adaptation of the working environment; test: measures to improve the physical and mental wellbeing of workers with disabilities and to adapt the working environment.

See: https://lddk.lv/atbalsts-biznesam/e-apmacibu-programma/programmas/e-apmacibu-programma-darba-devejiem-par-darba-un-privatas-dzives-lidzsvara-wlb-aspektiem/.

⁵⁷ See: https://www.nva.gov.lv/lv/pakalpojumi.

shows⁵⁸ that the employment of an employee with a disability is usually terminated at the end of the grant period, when the employer will apply for support to create a new subsidised workplace for another person with a disability.

PES cooperation with local government is poorly developed. In assessing Latvia's active employment policy, one of the OECD's recommendations was to 'establish a regular and structured format for cooperation between PES and the municipalities'. ⁵⁹ Given that 43 municipalities are now operating instead of 119 local authorities following the administrative-territorial reform in 2021, it will take time for cooperation to develop with those new municipalities. Interest from all partners – employers, municipalities and PES – in cooperating in the employment of persons with disabilities is necessary. At present, information regarding the experience of cooperation in the employment of persons with disabilities is not publicly available, including from the organisation representing Latvian employers (Employers' Confederation of Latvia), ⁶⁰ on the PES website PES⁶¹ and the Association of Local Governments of Latvia (the organisation representing local government). ⁶²

World Bank experts have also stated that, 'In Latvia, a comprehensive, multidisciplinary assessment of needs of persons with disability matched with the service provision plan is lacking, contributing to institutional turfs, fragmentation, overlaps, inefficiencies and suboptimal results. Periodic evaluation and impact assessments are lacking, and it is hard to say anything about the impact of any program, including active labour market programs.'63

⁵⁸ Interview with a PES staff worker.

⁵⁹ OECD (2019), *Evaluating Latvia's Active Labour Market Policies, Connecting People with Jobs*, p. 31, OECD Publishing, Paris, http://doi.org/10.1787/6037200a-en.

⁶⁰ See: https://lddk.lv/.

⁶¹ See: https://www.nva.gov.lv/lv.

⁶² See: https://www.lps.lv/lv.

World Bank (2020), *Disability Policy and Disability Assessment System in Latvia*, Report No. AUS0001961, p. 9, https://www.lm.gov.lv/lv/media/9799/download.

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

4.1 Good practice guides for employers regarding reasonable accommodation

There are no good practice guides.

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

In the 'Experience stories' section of the PES website, there are 18 stories⁶⁴ published in which employers and NGO leaders share their experiences, reflections and observations.⁶⁵ They describe finding the required employee; how the person with a disability is fitting in with the staff and undertaking the work; and what support the employer has received. Similar insights permeate all stories:

- a. employees with disabilities are a good resource if the employee has a desire to work and develop him or herself;
- b. the financial support from PES wage grants and workplace adjustments is of the utmost importance;
- c. persons with disabilities perform their duties more conscientiously;
- d. when people with disabilities work, they become more confident about themselves.

One of the employers summed it up as follows:

'I assess it very positively to employ a worker with a disability. Like any other employee entering the collective. Every particular person's attitude towards work, themselves and colleagues matters. There must be a goal in life, in a given period of life. [...] I will continue to offer work to people with disabilities. I see no reason not to do it. I'm curious to work with them! I'm learning from them, too, and learning with them! I learn patience, love of life, and learn to appreciate what is given to us, given uniquely!'66

The established experience stories are published in the 'Job offer' section of the PES website, where information is targeted at employers. Although the headlines for the experience stories indicate the employee experience, the picture is less attractive when looking directly for employer experience. Information on how the guides are being used by employers and any effect they are having is not publicly available (For detailed data on PES website visitors, see Annex 2).

⁶⁴ See: https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba-pieredzes-stasti.

The headlines for the experience stories highlight the most important points: 'I am glad to see that my students with disabilities have learned something new'; 'We are interested in hiring people with disabilities'; 'Our company is open to employees who want to work'; 'I really like the profession and I do not plan to change it'; 'Getting involved has been very easy!'; 'Employee both knowledgeable and experienced'; 'The company has gained not only a positive employee but also the opportunity to perform its services much faster and with better quality'; 'I am always ready to learn new knowledge'; 'My job has become my hobby'; 'I come to work with pleasure'; 'More opportunities for clients – and for Andris's self-worth!'; 'The experience gave me much confidence'; 'Ligija is a professional!'.

⁶⁶ See: https://www.nva.gov.lv/lv/ieguta-pieredze-deva-gana-daudz-parliecibas-par-sevi.

Except for the experience stories published on the PES website, national sources of information on good practice for employers regarding reasonable accommodation are not available.

PES offers links to employers, and general advice on the accessibility of the environment and services is published on the websites of several institutions:

- a. On the MOW website, a booklet entitled *Inclusive Environment Guide for State* and *Local Government institutions: Accessibility a necessity for some, a benefit* for everyone is available. The booklet contains information on persons with disabilities and functional impairments; barriers to access and discrimination; and measures that can be undertaken to create an inclusive environment policy and document it, self-assess the accessibility of building environments, ensure access to information, train employees and invite customers and employees to provide feedback.⁶⁷
- b. On the Ombudsman of the Republic of Latvia website, employers can access a publication entitled Adjusted Working Environment for Employees with a Disability. This material provides information on adjustments regarding the culture of communication; reasonable adjustments for office work, work in the field of services and trade, factory work, work in agriculture, forestry and fisheries; and adjustments for employees in the most prevalent occupations for people with reduced mobility, visual impairments, total or partial hearing loss or autism spectrum disorders.⁶⁸
- c. On the Apeirons website, the 'Environmental Accessibility' section provides information on the requirements for accessible environments indoors (toilet, kitchen, corridor, doorway, lift, bathroom) and outdoors (ramp, door, windfarm, road, street, intersection, car park, stop, boat dock, bonfire site, tent site, campsite, nature trail, horse riding and ladder).⁶⁹
- d. The *Guidelines for Environmental Accessibility for Persons with Functional Impairments* publication is available on the Liepaja Society of the Blind website. Guidelines include information on the seven principles of universal design and basic ergonomic requirements to enable the accessibility of the external and internal environment for persons with visual, hearing, mobility or mental impairments.⁷⁰

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Ministry of Welfare (2020), *Ieklaujosas vides celvedis valsts un pasvaldibu iestadem. Pieejamiba – nepieciesamiba daziem, ieguvums ikvienam* (Inclusive Environment Guide for State and Local Government institutions: Accessibility – a necessity for some, a benefit for everyone), https://www.lm.gov.lv/sites/lm/files/content/pieejamibas_celvedis.pdf.

Ombudsman of the Republic of Latvia (2017), *Pielāgota darba vide darbiniekiem ar invaliditāti* (Adjusted Working Environment for Employees with a Disability), https://www.tiesibsargs.lv/uploads/content/publikacijas/vadlinijas_dd_vides_pielagosana_1515490 591.pdf.

⁶⁹ See: http://www.videspieejamiba.lv/lat/pieejama_vide_attelos/.

Liepaja Society of the Blind (2012), Vides pieejamības vadlīnijas personām ar funkcionāliem traucējumiem (Guidelines for Environmental Accessibility for Persons with Functional Impairments), https://redzigaismu.lv/files/VIDES-PIEEJAMIBAS-VADLINIJAS-Liepaja-2017-02-08.pdf.

4.3 Examples of individual reasonable accommodations which reveal good practice

Examples of individualised reasonable accommodations that have been made and which reveal good practice are not available.

5 Recommendations and guidance regarding good practice and reasonable accommodation

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

Organise on a regular and more frequent basis the 'Open-Doors Days' activities, in which employers have the opportunity to familiarise themselves with a potential employee with a disability within a short period of time and, at the same time, familiarise themselves with the potential employee's skills and suitability for the specific work.

5.2 Recommendations regarding good practice and reasonable accommodation in initial employment

Introduce individualised support for employers in making reasonable accommodations for persons with disabilities, taking into consideration the number of persons with disabilities employed, the nature and severity of the disability, and other conditions affecting the ability of the person with disabilities to work and the employer's needs.

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

Provide employers who employ persons with disabilities and who want to receive support for employee training with the opportunity to receive relevant PES services, like any other employer, by strengthening PES with financial and labour resources as the leading institution from which employers can receive all the necessary information.

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

Establish a state-financed multidisciplinary early intervention system to offer employers and employees the necessary support in employment during a period of long-term illness, such as retraining the employee, adjustment of the workplace, revision of working conditions, combining such support with available social and health care services.

Provide employers with the opportunity to receive all the necessary information regarding solutions for the retention of long-term sick persons and persons with disabilities in the enterprise (labour market) by strengthening PES with financial and labour resources as the leading institution.

Develop cooperation between PES and local government to provide complex support measures to employers regarding reasonable accommodation.

Kurzeme region

Latgale region

Zemgale region

Annex 1: Number of employers who participated in consultations in 2019

Source: State Employment Agency, https://www.nva.gov.lv/lv/konsultacijas

Vidzeme region

Riga region

Annex 2: Number of PES webpage visitors

Annex 2: Number of PES webpage visitors														
Month, year	Employment of persons with disabilities (1)	Unemployed with disabilities (2)	An appropriate working environment (3)	If the employee has a mobility impairment (4)	If the employee has a psychosocial impairment (5)	If the employee has a general illness (6)	If the employee has a hearing impairment (7)	If the employee has a vision impairment (8)	Experience stories (9)	PES support for the inclusion of unemployed persons with disabilities in the labour market (10)	Open-Doors days to promote the employment of persons with disabilities (11)	Consultations (12)	Employment of unemployed persons with disabilities for an indefinite period (13)	Subsidised jobs (support for employing an unemployed person) (14)
08.2020	221	50	31	0	3	4	1	2	21	96	0	43	116	1 444
09.2020	335	145	47	12	14	20	10	18	21	90	0	52	80	1 300
10.2020	226	90	30	7	5	10	3	3	3	58	0	29	35	1 136
11.2020	179	122	39	7	5	6	4	8	5	30	0	25	74	1 065
12.2020	98	59	14	4	4	6	2	2	23	18	0	11	31	539
01.2021	134	88	36	11	4	3	8	7	13	35	0	11	37	910
02.2021	124	85	6	0	2	4	1	1	3	21	0	11	52	1 198
03.2021	164	130	12	3	4	3	0	1	8	22	0	18	57	891
04.2021	206	115	33	9	3	6	4	11	14	48	0	15	65	898
05.2021	357	205	59	16	5	9	7	8	26	56	0	31	107	983
06.2021	252	133	40	7	3	5	2	9	15	49	0	29	56	946
07.2021	270	113	46	18	6	6	5	3	22	54	0	29	64	1 039
08.2021	360	171	52	15	5	10	9	7	57	77	0	31	153	1 119
09.2021	445	262	102	18	13	17	26	8	51	106	0	43	131	1 004
10.2021	352	161	65	17	11	13	25	8	47	95	0	35	123	901
11.2021	462	192	92	24	14	19	26	14	32	83	413	37	672	781
12.2021	369	235	71	22	18	19	21	12	27	82	21	38	130	80
01.2022	513	221	70	29	9	18	18	16	35	123	26	48	167	1500

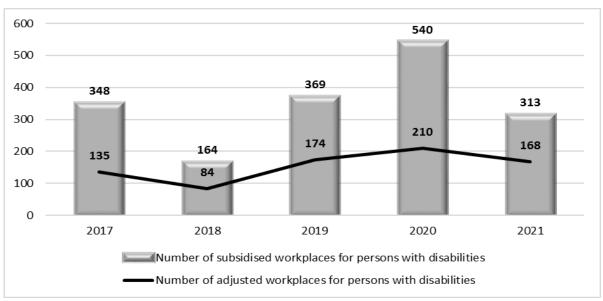
02.2022	536	240	118	36	26	15	14	23	30	90	19	44	146	2 498
03.2022	397	168	84	33	12	19	17	10	27	99	11	68	172	1 784

Links:

- (1) https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba
- (2) https://www.nva.gov.lv/lv/bezdarbnieki-ar-invaliditati
- (3) https://www.nva.gov.lv/lv/piemerota-darba-vide
- (4) https://www.nva.gov.lv/lv/ja-darbiniekam-ir-kustibu-traucejumi-0
- (5) https://www.nva.gov.lv/lv/ja-darbiniekam-ir-psihosocialie-traucejumi
- (6) https://www.nva.gov.lv/lv/ja-darbiniekam-ir-vispareja-saslimsana
- (7) https://www.nva.gov.lv/lv/ja-darbiniekam-ir-dzirdes-traucejumi
- (8) https://www.nva.gov.lv/lv/ja-darbiniekam-ir-redzes-traucejumi
- (9) https://www.nva.gov.lv/lv/personu-ar-invaliditati-nodarbinatiba-pieredzes-stasti
- (10) https://www.nva.gov.lv/lv/nva-atbalsts-bezdarbnieku-ar-invaliditati-ieklausanai-darba-tirgu
- (11) https://www.nva.gov.lv/lv/atverto-durvju-dienas-personu-ar-invaliditati-nodarbinatibas-veicinasanai
- (12) https://www.nva.gov.lv/lv/konsultacijas
- (13) https://www.nva.gov.lv/lv/bezdarbnieku-ar-invaliditati-nodarbinatiba-uz-nenoteiktu-laiku
- (14) https://www.nva.gov.lv/lv/subsidetas-darba-vietas-atbalsts-bezdarbnieka-nodarbinasanai

Source: State Employment Agency, information on request.

Annex 3: Subsidised and adjusted workplaces for persons with disabilities 2017-2021



Source: State Employment Agency, information on request.

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