



# Striving for an inclusive labour market in Romania

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 Romania**

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

Oana-Georgiana Gîrlescu

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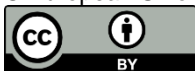
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## 1 Executive summary

### 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

In Romania, public and private entities with at least 50 employees have an obligation to ensure that at least 4 % of their employees are persons with disabilities. If they fail to do so, they may opt to pay a monthly fee to the state budget and/or purchase products and services made or provided by persons with disabilities in authorised sheltered workshops. Failure to comply with these provisions can lead to the fines ranging from EUR 5 050 (RON 25 000) to EUR 10 100 (RON 50 000).

The amounts collected from monthly fees or fines go to the general state budget, without being earmarked to be spent for a specific purpose. Employers of persons with disabilities can deduct certain related expenses, such as those related to reasonable accommodation, from their tax-deductible profit. Employers offering indefinite contracts to persons with disabilities can access wage subsidies for a period ranging from 12 to 18 months.

The legislation provides for a right to reasonable accommodation for persons with disabilities, and states that employers have an obligation to grant access to it. However, there is a lack of regulations on the implementation of these provisions in practice or on limitations that might apply.

Several awareness-raising campaigns targeted at employers who could work with persons with disabilities have been carried out in the past decade, most of them by non-governmental organisations or private entities.

Support services for employers looking into hiring or already working with persons with disabilities are mostly provided either by private companies or by non-governmental organisations and are usually not free of charge.

While many newspapers, companies and non-governmental organisations publish so-called guides for employers who want to work with persons with disabilities, most of these have only included information on the legal framework, and they fail to provide any practical advice or support.

The following guides are an exception:

- *Hiring young persons with disabilities. Guide on good practices*, published in 2020 as part of the Labour Market Employment for Young Adults with a Disability (LEAD) project, co-funded by the EEA and Norway Grants – the Fund for Youth Employment – and implemented by a transnational consortium led by the Health Action Overseas Foundation (Romania) and members from three other countries: Lithuania, Portugal and the UK;
- *Inclusive companies for persons with disabilities – challenges and recommendations*, published in 2020 by the Foundation for Civil Society Development, with funding from the private electricity company ENEL; and
- *Employment Guide for persons with visual impairments: Exercise to identify jobs for persons with visual impairments and practices for employers who want to*

*become inclusive*, published in 2020 by the Association of Alternative Methods of Social Integration (AMAIS) within a project carried out and co-funded by the Bucharest Community Foundation and ING Tech Romania.

These guides provide information on the available legal framework, but also on measures to be taken and examples of good practices in relation to different stages of the employment procedure and working with and supporting persons with disabilities.

There is no official data on the general number of working persons with disabilities in Romania, or on the number of persons employed following the adoption of support and incentives. No comprehensive assessment of the strengths and weaknesses of the quota and tax relief system, or of available guidance, has been carried out.

However, given that the general rate of persons with disabilities integrated into the labour market is small, and that most companies fail to respect the employment quota, it appears that the existing support system and guidance is not efficient.

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

The legislation contains a right to reasonable accommodation and obliges the employer to provide such accommodation. Failure to ensure access to such accommodation can lead to fines ranging from EUR 2 020 (RON 10 000) to EUR 5 050 (RON 25 000). At the same time, there is little guidance or support available to ensure these provisions are adequately implemented.

While the expenses related to providing reasonable accommodation are deductible when calculating the taxable profit of the company, the state does not currently provide any direct financial support to encourage companies to provide it.

County employment agencies have limited mediation capacity due to insufficient human resources. So do county social services agencies, which can provide some vocational training and counselling services. Other than this, the support available to assist employers in making reasonable accommodations is usually provided by private entities or non-governmental organisations.

While the available support is limited, those who do provide it offer information about the availability of services, but without going into too many details about what the provision of this service looks like in practice. No comprehensive assessment of the strengths and weaknesses of the available support has been carried out.

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

The only available guides are those already mentioned above, with no comprehensive guides specifically focused on reasonable accommodation being available.

Facilitating the Inclusion in the Labour Market of Persons with Disabilities,<sup>1</sup> an EU co-funded project, has led to the dissemination of information about reasonable accommodation and might lead to limited access to grants for employers to cover their expenses related to making reasonable accommodations.

Information on reasonable accommodation is also being disseminated, in a general manner, by public authorities such as the National Authority for the Protection of the Rights of Persons with Disabilities, the National Agency for Payments and Social Inspection and regional social protection agencies.

No evidence related to the impact of this limited support is available.

## 1.4 Recommendations

### Recruitment and Hiring

Adaptation of how interviews and negotiations are conducted, as well as of how the contract is signed and how the job offer is made, according to the particular needs of the person with disabilities.

### Initial employment

- Ensure the physical and informational accessibility of the workplace;
- Ensure access to assistive technologies, coaching and temporary post-employment assistance;
- Modification and/or adaptation of the work schedule, of the workload and of holidays;
- Ensure information is available in easy-to-read and easy-to-understand language;
- Reduce disruptive factors that affect the performance of some persons with disabilities (persons with mental health problems, autism, intellectual disabilities, etc.);
- Adapting means of communication with employees or customers to ensure everyone's access to clear and transparent information;
- More frequent meetings with employees, possibly one-on-one.

### Promotion and Career Development

Ensure reasonable accommodation is available during training and team-building activities.

### Retention

Permanent focus on ensuring accessibility of the company by, for example, nominating a disability focal point.

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<sup>1</sup> More information is available in National Authority for Persons with Disabilities (2019), *Facilitating the inclusion in the labour market of persons with disabilities*, available (in Romanian) at: <http://anpd.gov.ro/web/despre-noi/programe-si-strategii/facilitarea-insertiei-pe-piata-muncii-a-persoanelor-cu-dizabilitati/>.



## **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**

Law No. 448/2006, which is the framework legislation for the protection and promotion of the rights of persons with disabilities, provides that public authorities, public institutions and all legal entities (either public or private) which have at least 50 employees have an obligation to ensure that at least 4 % of their total number of employees are persons with disabilities.<sup>2</sup>

Article 2 of Law 448/2006, uses the following legal definition of disability:

‘Persons with disabilities are those persons for whom the social environment which fails to adapt to their physical, sensory, intellectual, mental and/or associated deficiencies totally prevents or limits their equal access to life in society, requiring protection measures to be taken in support of integration and social inclusion’.

While this definition appears to be wide and inclusive, its application in practice is much less restrictive. In order for persons to be eligible for employment under the quota, they need to hold a disability certificate, issued by the public authorities, after following a specific procedure (described in Articles 85 to 90<sup>3</sup> of Law 448/2006).

Public authorities, institutions and legal entities that are required to employ persons with disabilities and failed to do so may opt for one of the following options:<sup>3</sup>

- pay monthly, to the state budget, an amount representing the minimum gross basic salary multiplied by the number of persons with disabilities that they failed to employ;
- pay monthly, to the state budget, an amount representing the equivalent of at least 50 % of the minimum gross basic salary multiplied by the number of persons with disabilities that they failed to employ, and with the amount representing the difference to purchase products and/or services made or provided by persons with disabilities in authorised sheltered workshops.

These fees go to the general state budget; they are not earmarked to support persons with disabilities. There is no official data available regarding the number of persons employed on the basis of this provision or the number of employers complying with the

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<sup>2</sup> Article 78(2) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

<sup>3</sup> Article 78(3) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

requirement.<sup>4</sup> No comprehensive assessment of the strengths and weaknesses of the quota system has been carried out.<sup>5</sup>

Failure to comply with these provisions can lead to a fine ranging from EUR 2 020 (RON 10 000) to EUR 5 050 (RON 25 000).<sup>6</sup>

There is scarce action taken to encourage employers to comply with the quota scheme. Most companies appear to prefer to pay the fees, rather than to employ persons with disabilities.<sup>7</sup> So do public institutions with, for example, several ministries having reported that they did not employ the number of persons with disabilities they were required to or even that they did not employ any person with disabilities.<sup>8</sup> Some ministries invoked the COVID-19 pandemic as a reason for these deficiencies.<sup>9</sup>

According to the data provided by the National Agency for Fiscal Administration to a newspaper on 25 August 2021, in 12 out of the 41 counties in Romania, no public institution (with at least 50 employees) had persons with disabilities accounting for more than 4 % of its employees. Moreover, between October 2017 and January 2019, the amount collected from the state budget from the fees imposed for not respecting the quota exceeded half a billion euros.<sup>10</sup>

One example of a measure that could contribute to encouraging employers to comply with the quota system is Facilitating the Inclusion in the Labour Market of Persons with Disabilities, a project co-funded by the European Union and implemented by the National Authority for Persons with Disabilities, in partnership with the National Agency for Employment. The project was carried out from 23 May 2019 to 23 April 2022 and had a general objective of increasing the employment opportunities of persons with disabilities and their participation in the open labour market.<sup>11</sup>

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<sup>4</sup> European Commission, European network of legal experts in gender equality and non-discrimination (2021), *Country report: Non-discrimination: Romania*, Luxembourg, p. 66.

<sup>5</sup> Ministry of Labour and Social Protection and the World Bank (2021), *Diagnosis of the situation of persons with disabilities in Romania*, p. 119, available at: <http://anpd.gov.ro/web/wp-content/uploads/2022/03/Diagnosis-of-the-situation-of-persons-with-disabilities-in-Romania.pdf>.

<sup>6</sup> Article 100(c) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities (*Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap*).

<sup>7</sup> See Bungau, S.G. and others, '[Practices and attitudes regarding the employment of persons with disabilities in Romania](#)', *Quality – Access to Success*, 20(170):154, May 2019.

<sup>8</sup> *Libertatea*, 'State institutions do not employ persons with disabilities, although they are required to do so by law' (*Instituțiile de stat nu angajează persoane cu handicap, deși sunt obligate prin lege*), 26 April 2018; and Szabo, A.M. (19 May 2021), Integration of persons with disabilities in the workplace (*Integrarea în câmpul muncii a persoanelor cu dizabilități*), *Asociația Charcot Marie Tooth România* (Charcot Marie Tooth Association).

<sup>9</sup> Szabo, A.M., Integration of persons with disabilities in the workplace (*Integrarea în câmpul muncii a persoanelor cu dizabilități*), p. 5.

<sup>10</sup> G4Media.ro, 'The first employment competition for persons with disabilities in the history of the Chamber of Deputies, organised by the Committee on Labour and Social Protection' (*Primul concurs de angajare pentru persoane cu dizabilități din istoria Camerei Deputaților, organizat la Comisia pentru Muncă și Protecție Socială*), 6 November 2021, available (in Romanian) at: <https://www.g4media.ro/primul-concurs-de-angajare-pentru-persoane-cu-dizabilitati-din-istoria-camerei-deputatilor-organizat-la-comisia-pentru-munca-si-protectie-sociala.html>.

<sup>11</sup> More information is available in National Authority for Persons with Disabilities, *Facilitating the inclusion in the labour market of persons with disabilities*, <http://anpd.gov.ro/web/despre-noi/programe-si-strategii/facilitarea-insertiei-pe-piata-muncii-a-persoanelor-cu-dizabilitati/>.

The specific actions to be included in the implementation of the project include:

- stimulating the employment of persons with disabilities who are looking for a job by providing employer subsidies; and
- providing support to employers to enhance job accessibility.

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

Law 448/2006 provides that employers of persons with disabilities enjoy the following rights:<sup>12</sup>

- a) deduction, when calculating taxable profit, of the amounts related to the adaptation of protected jobs and the acquisition of the machinery and equipment used in the production process by the disabled person;
- b) deduction, when calculating taxable profit, of expenses for the transport of persons with disabilities from home to work, as well as of expenses for the transport of raw materials and finished products to and from the home of the person with disabilities when they work from home;
- c) reimbursement from the unemployment insurance budget of the specific expenses for training and professional orientation and for the employment of the persons with disabilities;
- d) a subsidy from the state as follows:
  - employers who, in relation to the number of employees, have fulfilled their obligation, according to the law, to employ persons with disabilities, as well as employers who do not have this legal obligation, if they employ persons with disabilities indefinitely and maintain employment or service relations for at least 18 months, will receive EUR 455 (RON 2 250) per month for each such person, for 12 months;
  - employers who offer indefinite contracts to fresh graduates with disabilities receive the same amount of EUR 455 (RON 2 250) per month for each graduate, for 18 months.

Employers who have employed a person in the two years prior to hiring the person again cannot access these funds. These amounts continue to be granted to employers in a situation where, during the period when they are being granted or when there is a legal obligation to maintain the employment, the persons with disabilities no longer fulfil the legal requirements to be awarded a disability certificate. Employers who terminate the employment or service relations with these persons before the term of 18 months are obliged to return the amounts collected in full, plus interest.<sup>13</sup>

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<sup>12</sup> Article 84 of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

<sup>13</sup> Article 85(3)-(4) of Law no. 76/2002 on the unemployment insurance system and the stimulation of employment ([Legea nr. 76 din 16 ianuarie 2002 privind sistemul asigurărilor pentru șomaj și stimularea ocupării forței de muncă](#)), available (in Romanian) at: <https://legislatie.just.ro/Public/DetaliiDocument/33919>.

The scheme applies to both public and private employers. No comprehensive assessment of the strengths and weaknesses of this system has been carried out.<sup>14</sup> As explained in Section 2.1, there is evidence suggesting that the take-up among employers is limited, with these provisions not having the desired outcome.

Reduced social security contributions are not available for employers of persons with disabilities.

### 2.3 Reasonable accommodation

Law No. 448/2006 defines reasonable accommodation at work as ‘all changes made by the employer to facilitate the exercise of the right to work of the person with disabilities; it involves the modification and/or adaptation of the work schedule in accordance with the functional potential of the person with disabilities, the purchase of assistive equipment, assistive devices and technologies and other similar measures’.<sup>15</sup>

Article 6(c) of this law provides that persons with disabilities have the right to accommodation at their workplace. Article 78 of Law No. 448/2006 provides that, in order to integrate persons with disabilities into employment, employers shall ensure that they have access to accommodation at the workplace, as required on a case-by-case basis, in accordance with their functional potential and adaptability. Moreover, this article provides that persons with disabilities are guaranteed equal opportunities in the performance of their duties and are ensured accessibility at work and the adaptation of tasks in accordance with their functional potential.

According to Article 83 of Law 448/2006, reasonable accommodation in the workplace is ensured both to persons with disabilities seeking a job and to those already employed, no matter the disability type. However, there is no provision for any limitation or restriction regarding persons entitled to claim reasonable accommodation, nor is there guidance as to how the disability will be assessed or what tests for reasonableness/undue burden are to be applied. The availability (or lack of availability) of financial assistance from the state is not taken into account in assessing whether there is a disproportionate burden.<sup>16</sup>

Law 448/2006 does not specifically state that failure to provide reasonable accommodation constitutes discrimination. The general anti-discrimination provisions have been applied in such situations without such an approach necessarily being generalised. For example, in several cases, the Romanian National Council for Combating Discrimination links the failure to provide reasonable accommodation with the general prohibition of direct discrimination, deriving from this a duty to provide reasonable accommodation.<sup>17</sup>

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<sup>14</sup> Ministry of Labour and Social Protection and the World Bank, Diagnosis of the situation of persons with disabilities in Romania, p. 119, <http://anpd.gov.ro/web/wp-content/uploads/2022/03/Diagnosis-of-the-situation-of-persons-with-disabilities-in-Romania.pdf>.

<sup>15</sup> Article 5(4) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities (*Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap*).

<sup>16</sup> As emphasised in European Commission, European network of legal experts in gender equality and non-discrimination (2021), *Country report: Non-discrimination: Romania*, p. 31.

<sup>17</sup> See European Commission, European network of legal experts in gender equality and non-discrimination (2021), *Country report: Non-discrimination: Romania*, p. 32.

## 2.4 Other relevant actions targeted at employers

Information about the quota and the available tax relief, as described above, has been published by many journals and civil society organisations. Most often, the information is provided as described by the law, with little information available on how it is to make use of the existing provisions.

Awareness-raising campaigns targeted at employers who could work with persons with disabilities have been carried out in the past decade. Usually they are carried out either by non-governmental organisations or by private entities.

For example, in 2020, the Foundation for Civil Society Development, with funding from the private electricity company ENEL, published a guide entitled *Inclusive companies for persons with disabilities – challenges and recommendations*.<sup>18</sup> The document was aimed at helping employers appreciate the potential benefits of employing persons with disabilities, as well as helping them to understand the relevant regulatory framework. It also offered concrete ideas and working tools for those intending to develop recruitment and retention policies for employees, with or without disabilities, in order to improve the ability of their teams to work with clients.

Another example is a report published under the Awareness4Change project, entitled *European Report on attitudes towards disability in employment context*.<sup>19</sup> The Awareness4Change project aims to contribute to changing employers' perceptions and to identify the aspects on which it is important to focus. A study was conducted as part of this project, showing that the focus should be on promoting the abilities of persons with disabilities on the labour market and providing information about available support.

There are also some private companies specialised in offering support for employers who want to hire persons with disabilities. One such example is that of JobDirect – the Agency for Placement and Assistance at Work of Persons with Disabilities. It offers assistance during recruitment and prepares and facilitates the person's participation in an interview with the employer. It provides job coaching and mediation services for three to six months after employment, both for the person with disabilities and for the employer. In addition, it runs an online platform where employers can promote the jobs they have, and where persons with disabilities can send their CV.<sup>20</sup> One other company offering similar services is UPA Solutions.<sup>21</sup>

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<sup>18</sup> Chiriacescu, D. and Constantinescu, S. (2020), *Inclusive companies for persons with disabilities – challenges and recommendations (Companii incluzive pentru persoanele cu dizabilități – provocări și recomandări)*, Bucharest, Foundation for Civil Society Development (*Fundația pentru Dezvoltare Societății Civile*), available (in Romanian) at: [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.p df](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.p df).

<sup>19</sup> Gomes, A.L., and others (2020), *European Report on attitudes towards disability in employment context*, Awareness4Change initiative, [https://www.awareness4change-project.org/uploads/1/2/3/6/123661942/awareness4change\\_report.pdf](https://www.awareness4change-project.org/uploads/1/2/3/6/123661942/awareness4change_report.pdf).

<sup>20</sup> Utildeco, 'JobDirect – an HR agency specialised in the employment of persons with disabilities' (*JobDirect – o agenție HR specializată în angajarea în muncă a persoanelor cu dizabilități*), 21 November 2020, available (in Romanian) at: <https://www.utildeco.ro/jobdirect-o-agenție-hr-specializata-in-angajarea-in-munca-a-persoanelor-cu-dizabilitati/>.

<sup>21</sup> See: [http://www.upasolutions.ro/wp-content/uploads/2018/01/Prezentare-servicii-plasare-si-mediare-pers-cu-dizabilitati\\_UPA-Solutions.pdf](http://www.upasolutions.ro/wp-content/uploads/2018/01/Prezentare-servicii-plasare-si-mediare-pers-cu-dizabilitati_UPA-Solutions.pdf).

Such services are also provided by non-governmental organisations, such as Motivation Romania, the Estuar Foundation, Corona and Caritas. The National Employment Agency provides accreditation for organisations offering support and mediation services for the integration of persons with disabilities into the labour market. Accreditation is granted for an indefinite period. All accredited providers are included in the National Register of Service Providers in the field of employment. Out of the total number of 1 637 accredited suppliers in the period 2010-2019, 20 providers are specialised in issues around persons with disabilities, with most of them being non-governmental organisations.<sup>22</sup>

## 2.5 Examples of good practice

As explained above, Romania has an employment quota and tax relief in place for employers of persons with disabilities. Some projects and awareness-raising campaigns are also being carried out. While the existence of these actions may be appreciated, it is hard to present them as examples of good practice, given their lack of impact.

However, three examples of promising practices are presented below in order to convey an idea of the level of support currently available for employers in Romania.

### **Promising practice 1: Together on the labour market – A project on the socio-professional integration of adults with disabilities<sup>23</sup>**

This project was launched at the beginning of 2022 and is being implemented by the Enabling Hope Foundation (*Fundația de Abilitare Speranța*). It is partially financed by the United Way Romania foundation and is aimed at supporting the creation of a diverse labour force by offering support services to employers, who will become better prepared to meet the needs of people with disabilities and provide reasonable accommodation.

The activities to be carried out within this project that are directed at employers include the following:

- events aimed at informing employers about the advantages of recruiting people with disabilities and the measures that can be taken for their inclusion in the workplace;
- developing informative materials for employers;
- an in-depth training session for employers and future colleagues of people with disabilities to support them in gaining knowledge about working with the target group and offering them support and integration measures that can be adopted at the workplace;

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<sup>22</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, pp. 47-48, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

<sup>23</sup> Enabling Hope Foundation (*Fundația de Abilitare Speranța*), *Together on the labour market: socio-professional integration project (Împreună pe piața muncii: proiect de integrare socio-profesională)*, 5 May 2022, available at: <https://www.fundatia-speranta.ro/2022/05/impreuna-pe-piata-muncii-proiect-de-integrare-socio-profesionala/>.

- forming partnerships with at least two professional training providers and with at least 15 employers willing to hire people with disabilities and/or to implement a job shadowing programme;
- events where people with disabilities are brought together with employers and other relevant stakeholders; relevant legislation and practices are to be discussed.

The first information event targeted at employers was held on 19 May 2022.<sup>24</sup>

### **Promising practice 2: National authorities organising a special booth for people with disabilities at career fairs**

While there is no evidence to suggest that this is a widespread practice, there have been instances where local social protection agencies, in collaboration with county employment agencies, have created booths for people with disabilities at career fairs.<sup>25</sup>

These booths are aimed at providing support to both people with disabilities and employers interested in working with them. They are set up to provide information about the measures that can be taken in order to provide support and reasonable accommodation for people with disabilities.

### **Promising practice 3: A project carried out by national authorities on including people with disabilities in the labour market<sup>26</sup>**

The National Authority for the Protection of the Rights of Persons with Disabilities, in partnership with the National Employment Agency, is currently implementing a project headed 'Facilitating the inclusion of persons with disabilities in the labour market'. The project is co-financed with EU funds and is to be carried out between 23 May 2019 and 31 July 2023.

Its general objective is to ensure access to the physical, informational and communication environment for people with disabilities, on equal terms with persons without disabilities, in order to widen their employment opportunities and to increase the number of people with disabilities participating in the general labour market.<sup>27</sup>

A variety of activities are carried out within the framework of this project. The most relevant activity directed at employers involves funds being made available for 200 employers so that they can provide reasonable accommodation for people with disabilities.

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<sup>24</sup> Available in Romanian at: <https://www.impactpress.ro/2022/04/27/piata-muncii-si-integrarea-persoanelor-cu-dizabilitati-dezbatere-cu-angajatori-si-autoritati-locale-din-timisoara-organizata-de-fundatia-de-abilitare-speranta-p/>.

<sup>25</sup> Example available at: <https://portalsm.ro/2022/05/satu-mare-stand-special-pentru-persoanele-cu-dizabilitati-la-bursa-locurilor-de-munca/>.

<sup>26</sup> See: <http://anpd.gov.ro/web/informare-referitoare-la-aprobarea-procedurii-privind-modalitatea-de-decontare-a-sumelor-de-bani-acordate-angajatorilor-pentru-adaptarea-rezonabila-la-locul-de-munca-pentru-persoanele-cu-dizabilitati/>.

<sup>27</sup> More information is available at: <http://anpd.gov.ro/web/informare-referitoare-la-aprobarea-procedurii-privind-modalitatea-de-decontare-a-sumelor-de-bani-acordate-angajatorilor-pentru-adaptarea-rezonabila-la-locul-de-munca-pentru-persoanele-cu-dizabilitati/>.

As mentioned in Section 2.3, domestic legislation does provide for a right to reasonable accommodation. Very little guidance is available, however, on how the costs of such accommodation are to be covered, what the limits are and whether there is any special financial support available for the employer.

In this context, the support provided within this project is very significant. While the implementation of the project was initiated in 2019, the procedure to be followed for accessing the funds was only adopted by the relevant ministry on 5 May 2022.<sup>28</sup>

Funding is available for employers who have at least one employee with disabilities with a contract concluded for an indefinite period. After obtaining the benefit, the employer has an obligation to continue the employment of the person with disabilities for at least 12 months.

The employer can request funds to provide reasonable accommodation for several individuals. The maximum amount to be awarded per position is EUR 3 225 (RON 15 900) excluding VAT, which is to be paid by the employer.

Eligible expenses include those related to making buildings or the workplace physically accessible (including fees to be paid to the authorities and those for technical or engineering design) and the costs of buying technical equipment or other assistive devices, such as laptops or video projectors.

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

Many newspapers, companies and non-governmental organisations publish so-called guides for employers who want to work with persons with disabilities.<sup>29</sup> Many of these guides only include information in relation to the applicable legislation, as detailed above: in particular, the legislation governing a mandatory employment quota and certain benefits. Therefore, while these guides contribute to raising awareness on the legislation, their impact is limited.

There are a few exceptions, however, with some guides being more comprehensive. Information about these guides will be provided below. Guidance on assistive service does exist, as detailed in Section 2.4. However, no public information which might be relevant, going beyond the information already provided, has been identified.

Besides the three guides described below, there was also a guide published in 2014 as part of the T-EST (Transfer of the Set of Methods for Supported Employment of Persons with Disabilities) innovation transfer project, funded by the European Commission through the Lifelong Learning Programme.<sup>30</sup> While this guide mostly retains current relevance, it was published eight years ago, so it will not be described in detail.

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<sup>28</sup> See: <https://www.ilegis.ro/oficiale/index/act/254852/data/2022-05-08/datal/2022-05-08>.

<sup>29</sup> See: <https://life.ro/ghidul-de-angajare-al-persoanelor-cu-dizabilitati-din-romania-ce-beneficii-si-obligatii-au-angajatorii-care-ofera-un-loc-de-munca-persoanelor-cu-handicap/>;  
<https://onphr.ro/ghid-angajatori-pentru-angajare-persoane-cu-dizabilitati/>;  
<https://www.linkedin.com/pulse/ghid-de-angajare-persoanelor-cu-handicap-dana-ioana-ionescu/?originalSubdomain=ro>.

<sup>30</sup> See: [https://t-est.eu/images/t-est/wp03\\_n17/wp03\\_n17\\_newsletter\\_03\\_en.pdf](https://t-est.eu/images/t-est/wp03_n17/wp03_n17_newsletter_03_en.pdf).



## **Good practice guide 1: Hiring young persons with disabilities. Guide on good practices<sup>31</sup>**

This guide was developed as part of the Labour Market Employment for Young Adults with a Disability (LEAD) project, co-funded by the EEA and Norway Grants – the Fund for Youth Employment. It was implemented by a transnational consortium led by Health Action Overseas Foundation (Romania) and members from three other countries: Lithuania, Portugal and the UK. The purpose of this guide is to support companies interested in employing persons with disabilities with advice and guidance.

This guide includes three chapters focusing on the following issues, as detailed in its introduction:

- Chapter 1 presents the benefits that companies gain when hiring young persons with disabilities. It describes the various ways in which employers can help prepare young persons with disabilities for integration into the labour market, from collaborating with educational institutions and bringing young persons into the organisation to providing opportunities to gain work experience and creating new employment opportunities. It also sets out the relevant national provisions, as well as the steps that employers must take when they decide to hire young persons with disabilities.
- Chapter 2 aims to raise awareness of general disability issues in the workplace and provides information, ideas, examples and suggestions on how existing systems and structures in the workplace can be adapted. It discusses the recruitment, hiring and retention of young persons with disabilities, looking at how recruitment practices can be adapted, how to approach the interview process and the various methods of solving common problems that may arise in the integration process (including conflicts, rejection by the team and differential treatment). Particular attention is paid to the role of the specialist in assisted employment in supporting the employer to successfully integrate a young person with disabilities.
- Chapter 3 presents some of the success stories of the LEAD project team. It describes the experiences of companies from Romania, Britain, Portugal and Lithuania that already benefit from working with persons with disabilities and who actively support their staff.

The guide provides examples of good practices in relation to different stages of the employment procedure and to working with and supporting persons with disabilities. Such examples include the following:

- Offering and / or developing mentoring and job shadowing programmes, where persons with disabilities have the opportunity to work with a senior worker and thus gain work experience. Offering internships and training opportunities. These enable young persons with disabilities to establish connections and to understand what they need in order to enter the open labour market (p. 9);
- Considering alternative interview formats. Many persons with disabilities get better results when they are accompanied by a supporter. If a supporter can draw up a solid professional profile, in tandem with the person with disabilities, this is

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<sup>31</sup> Health Action Overseas and others (2020), *Hiring young persons with disabilities. Guide on good practices (Angjarea tinerilor cu dizabilități. Ghid de bune practici)*, p. 1, available (in Romanian) at: [https://issuu.com/haoromania/docs/brosura\\_a4\\_q\\_60\\_pg\\_bt\\_8.06](https://issuu.com/haoromania/docs/brosura_a4_q_60_pg_bt_8.06).

very useful for the interview process. The supporter can facilitate the communication between the interviewer and the candidate, for instance by reformulating unclear questions. There are many other ways to make the interview format more inclusive, such as conducting a so-called work process, where the person is required to effectively perform the tasks they would have if they were employed;

- To ensure the inclusion of persons with disabilities, the instructions provided to them should be concise and specific; segregation should be avoided; objections should be clarified when necessary; gentle but direct feedback should be provided; training and monitoring should be offered. Details are provided regarding the implementation of each of these suggestions.

No information about how this guide is being used or about its impact is available.

### **Good practice guide 2: Inclusive companies for persons with disabilities – challenges and recommendations<sup>32</sup>**

This guide was published by the Foundation for Civil Society Development in 2020, with funding from the private electricity company ENEL. It is entitled *Inclusive companies for persons with disabilities – challenges and recommendations*.<sup>33</sup>

The guide was aimed at helping employers appreciate the potential benefits of employing persons with disabilities, as well as helping them to understand the relevant regulatory framework. It also offered concrete ideas and working tools for those intending to develop recruitment and retention policies for employees, with or without disabilities, in order to improve the ability of their teams to work with clients.

The guide starts by discussing what disability means and how it should be understood by employers. It argues that inclusive companies are more profitable, and it explains what an inclusive organisational culture should entail. It provides details on measures to be taken when hiring, training and retaining persons with disabilities on the labour market. It discusses reasonable accommodation and modalities for training and raising awareness on disability rights among other employees.

The guide is completed with a set of examples of good practices in Romanian companies, together with information about the company's allies in the community, such as non-governmental organisations, other persons with disabilities (mentors, peers, support groups) and other companies with a support role or with successful experiences in inclusion.

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<sup>32</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, pp. 47-48, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

<sup>33</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

The guide provides examples of good practices such as the following:

- General measures: the creation of an interdepartmental working group with a focus on persons with disabilities and with the involvement of the top-management; identifying experts who can provide solutions;
- Measures for persons with disabilities already employed in the company: an inventory of persons with disabilities already employed and identification of the types of needs they have; adapting the job description and the related tasks, including the ways of evaluating and establishing their salary;
- Initial measures to stimulate the employment of persons with disabilities: an inventory of job descriptions and tasks that can be adapted to persons with disabilities; creating positions with responsibilities and a programme adapted to persons with disabilities; changing staff recruitment procedures by integrating recruitment channels dedicated to persons with disabilities and training the persons who lead the recruitment process using an approach focused on the candidates' skills.

No information about how this guide is being used or about its impact is available.

### **Good practice guide 3: Employment Guide for persons with visual impairments: Exercise to identify jobs for persons with visual impairments and practices for employers who want to become inclusive<sup>34</sup>**

This guide was published by the Association of Alternative Methods of Social Integration (AMAIS), which forms part of the Shift + Lives1 initiative, launched in June 2018 by the Bucharest Community Foundation and ING Tech Romania. The guide was aimed both at helping employers to understand the potential of persons with visual impairments and at helping future candidates to identify the jobs they might be interested in to undertake appropriate training.

The guide starts with an introduction, describing the current situation when it comes to the employment of persons with visual impairment. The second chapter focuses on the reported experiences of persons with visual impairments who are currently employed. The third chapter is targeted at employers, detailing relevant legislation and strategic documents, as well as setting out some of the practical barriers to inclusion; it also describes good practices from abroad and modalities for integrating persons with disabilities in existing teams, as well as discussing reasonable accommodation.

The next chapter is targeted at persons with disabilities who are searching for jobs. The fifth and final chapter discusses specific jobs which could be accessed by persons with visual impairments – including programmer, human resources specialist, lawyer / legal adviser, content writer, teacher, psychologist and call centre operator.

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<sup>34</sup> Association of Alternative Methods of Social Integration (*Asociației Metodelor Alternative de Integrare Socială* (AMAIS)) (2020), Employment Guide for persons with visual impairments: Exercise to identify jobs for persons with visual impairments and practices for employers who want to become inclusive (*Ghid de angajare a nevăzătorilor. Exercițiul de identificare a meseriilor pentru persoanele cu deficiențe de vedere și practici pentru a angajatorii care vor să devină incluzivi*), available (in Romanian) at: [https://ghid.amais.ro/download/ghidul/?unlock\\_code=ae4746ea2e9f6673155bb69518fb64c3](https://ghid.amais.ro/download/ghidul/?unlock_code=ae4746ea2e9f6673155bb69518fb64c3).

The guide provides examples of good practices such as the following:

- changing the way the job is performed. This can be done by changing or updating the job description or reallocating or redistributing the secondary functions of a role that an employee cannot fulfil due to their disability. More importantly, when or how a task is performed can be modified or at least taken into account, whether it is essential or secondary;
- division of tasks between team members, redistribution and reallocation depending on skills, experience, employee education and other job requirements.

AM AIS also has a webpage dedicated to employers interested in hiring persons with visual impairments, which provides detailed information about relevant legislation and measures that may be taken to achieve this goal.<sup>35</sup>

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<sup>35</sup> See: <https://ghid.amais.ro/pentru-angajatori/>.

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

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

Law No. 448/2006 defines reasonable accommodation at work as ‘all changes made by the employer to facilitate the exercise of the right to work of the person with disabilities; it involves the modification and/or adaptation of the work schedule in accordance with the functional potential of the person with disabilities, the purchase of assistive equipment, assistive devices and technologies and other similar measures’.<sup>36</sup>

Article 6(c) of this law provides that persons with disabilities have the right to accommodation at their workplace. Article 78 of Law No. 448/2006 provides that, in order to integrate persons with disabilities into employment, employers shall ensure that they have access to accommodation at the workplace, as required on a case-by-case basis, in accordance with their functional potential and adaptability. The obligation to provide reasonable accommodation was introduced by Law No. 145 of 22 July 2020, which entered into force on 25 July 2020, modifying Law No. 448/2006.

Article 78 of Law No. 448/2006 provides that persons with disabilities are guaranteed equal opportunities in the performance of their duties and are ensured accessibility at work as well as the adaptation of tasks in accordance with their functional potential. Specifically, the law’s new provision concerns the employer’s obligation to ensure that persons with disabilities have access to a suitable job, in accordance with their professional training and work capacity, as attested by their certificate of disability, and the employer’s obligation to reasonably adapt their job.

According to Article 83 of Law 448/2006, reasonable accommodation in the workplace is ensured both to persons with disabilities seeking a job and to those already employed, no matter the disability type. Failure to respect this provision can lead to fines ranging from EUR 2 020 (RON 10 000) to EUR 5 050 (RON 25 000).<sup>37</sup> There is no provision for any limitation or restriction regarding the right of persons with disabilities to claim reasonable accommodation, nor is there guidance as to how the disability will be assessed or what tests for reasonableness/undue burden are to be applied. The availability (or lack of availability) of financial assistance from the state is not taken into account in assessing whether there is a disproportionate burden.<sup>38</sup>

According to Law No. 448/2006, the expenses related to providing reasonable accommodation are deductible when calculating the taxable profit of the company.<sup>39</sup> Other than this, the state does not provide any direct financial support to encourage companies to ensure access to reasonable accommodation.

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<sup>36</sup> Article 5(4) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

<sup>37</sup> Article 100(d) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

<sup>38</sup> As emphasised in European Commission, European network of legal experts in gender equality and non-discrimination (2021), *Country report: Non-discrimination: Romania*, p. 31.

<sup>39</sup> Article 84(a) of Law No. 448/2006 on the protection and promotion of the rights of persons with disabilities ([Legea nr. 448 din 6 decembrie 2006 privind protecția și promovarea drepturilor persoanelor cu handicap](#)).

A form of awarding financial support was proposed in March 2022.<sup>40</sup> It is related to the implementation of Facilitating the Inclusion in the Labour Market of Persons with Disabilities, a project co-financed by the EU, through which a limited number of such awards will be made available.<sup>41</sup> Such grants will be available for employers who have employed at least one person with disabilities and who have already finalised reasonable accommodation procedures. It is also required that employers accessing such grants keep the person employed for at least 12 months after receiving the grant. Through this programme, employers will be able to access up to EUR 3 200 (RON 15 900) excluding VAT (the tax being borne by the employer).

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

In order for persons with disabilities to be integrated into the labour market, a skills assessment is often required. This assessment is a specialised process that often requires the use of specific assessment tools, which take into account the support needs of persons with disabilities. It is carried out by a psychologist, social worker and / or occupational therapist trained in the application of specific skills tests (e.g. Ruward and CASPer tests).<sup>42</sup>

These evaluators also recommend support services that the person could use during employment for better adaptation to the workplace or in order to maintain optimal professional performance. Services such as skill assessments and the creation of professional profiles for persons with disabilities are offered by non-governmental organisations, although their costs often need to be covered by the employer. During the hiring process, many persons with disabilities will also require mediation on the labour market. County employment agencies have limited mediation capacity (due to insufficient human resources). For this reason, such services are also usually provided by non-governmental organisations.<sup>43</sup>

Once they are hired, many persons with disabilities will need some form of support services to exercise their professional activity, which will often constitute a form of reasonable accommodation (e.g. equipping workstations with assistive devices or facilitating devices for performing work tasks, such as speech synthesis applications for persons with communication difficulties, touch tapes on the floor for spatial orientation for blind persons, or an adapted keyboard or mouse). County social services agencies can provide vocational training and some counselling services, but only to a certain extent. Also, those who qualify can have access to a personal assistant funded from the state budget. All other services facilitating access to the labour market are provided by a small number of non-governmental organisations –

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<sup>40</sup> See: <http://www.mmuncii.ro/j33/index.php/ro/transparenta/proiecte-in-dezbatere/6534-facilitarea-insertiei-pe-piata-muncii-a-persoanelor-cu-dizabilitati>.

<sup>41</sup> More information is available in National Authority for Persons with Disabilities, *Facilitating the inclusion in the labour market of persons with disabilities*, <http://anpd.gov.ro/web/despre-noi/programe-si-strategii/facilitarea-insertiei-pe-piata-muncii-a-persoanelor-cu-dizabilitati/>.

<sup>42</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, p. 17, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

<sup>43</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, pp. 17-18, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

there are no more than 30 such organisations at the national level. Suppliers are usually located in the bigger cities, with access to such services for persons from small towns or rural areas being extremely limited. Moreover, these NGO services are currently funded only through donations and grants, and they do not receive funding from the state or local authority budgets.<sup>44</sup>

Other than this, the advice and information support available for employers remains limited to that included in the guides described in Sections 2.4 and 2.6.

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<sup>44</sup> Chiriacescu and Constantinescu (Foundation for Civil Society Development), *Inclusive companies for persons with disabilities*, p. 18, [https://www.fdsc.ro/library/files/companii\\_incluzive\\_pentru\\_persoanele\\_cu\\_dizabilitati\\_fdsc\\_2020.pdf](https://www.fdsc.ro/library/files/companii_incluzive_pentru_persoanele_cu_dizabilitati_fdsc_2020.pdf).

## **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**

For good practice guides on reasonable accommodation, please see Section 2.6. The guides in relation to which information was provided in that section are the only comprehensive relevant guides identified. They all include information on reasonable accommodation.

The *Qualitative research report on reasonable accommodation for persons with mental health problems*, produced by the Estuar Foundation, is a fairly comprehensive guide but, given that it was published in 2015, it will not be described in detail here.<sup>45</sup>

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

Facilitating the Inclusion in the Labour Market of Persons with Disabilities,<sup>46</sup> a project mentioned previously in this report, remains relevant because it makes grants available for employers who would like to have their expenses related to reasonable accommodation covered at least partially. Moreover, under this project, vouchers were made available directly to persons with disabilities who need access to assistive technologies in order to participate in the labour market. A free hotline where persons can access information related to assistive technologies was also set up, as information regarding providers of assistive technologies was not easily accessible otherwise.<sup>47</sup>

Reference to individual elements that are necessary when providing reasonable accommodation is often included in documents, press releases and campaigns carried out by the National Authority for the Protection of the Rights of Persons with Disabilities. Examples of such measures include the *Strategic Note with detailed Recommendations on the implementation of the 2021-2027 National Strategy for Persons with Disabilities*<sup>48</sup> and the materials used for workshops carried out under the 'Strengthening the coordination mechanism for implementation of the UN Convention on the Rights of Persons with Disabilities' project.<sup>49</sup>

Relevant information is also provided, in a general manner, by various other public authorities, including regional social protection agencies<sup>50</sup> and the National Agency for Payments and Social Inspection.<sup>51</sup>

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<sup>45</sup> Estuar Foundation (2015), *Qualitative research report on reasonable accommodation for persons with mental health problems (Raport de cercetare calitativă privind adaptarea rezonabilă a locului de muncă pentru persoanele cu probleme de sănătate mintală)*, available (in Romanian) at: <https://documente.net/document/raport-de-cercetare-calitativa-privind-adaptarea-rezonabila-a-locului-de.html?page=>.

<sup>46</sup> More information is available at National Authority for Persons with Disabilities, *Facilitating the inclusion in the labour market of persons with disabilities*, <http://anpd.gov.ro/web/despre-noi/programe-si-strategii/facilitarea-insertiei-pe-piata-muncii-a-persoanelor-cu-dizabilitati/>.

<sup>47</sup> See: <http://anpd.gov.ro/web/tehnologie-asistiva/>.

<sup>48</sup> See: <http://anpd.gov.ro/web/wp-content/uploads/2021/02/Nota-strategica.pdf>.

<sup>49</sup> See: <http://anpd.gov.ro/web/wp-content/uploads/2021/10/Z01.04-CDPD-cadrul-conceptual.pdf>.

<sup>50</sup> See, for example: [http://www.dgaspcebihor.ro/dgaspcebihor.ro/prest\\_drepturi\\_adulti.html](http://www.dgaspcebihor.ro/dgaspcebihor.ro/prest_drepturi_adulti.html).

<sup>51</sup> See: <https://www.mmanpis.ro/wp-content/uploads/2016/06/Rap.accesibilitati-2016.pdf>.



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

#### Computer operator

Paul (not his real name) is a person with visual impairments. Since January 2018 he has worked as a computer operator. He stated that his employer, an IT company, was very receptive to offering him reasonable accommodation from the day of the interview, making him feel at ease and treating the matter as nothing out of the ordinary.

When he was hired, he was told to go online to order the equipment that he needed in order to perform his tasks, with the costs being covered by the employer. He is given more flexible deadlines when he has to work on several projects simultaneously. He works mostly from home, given that public transport in Bucharest is not accessible for persons with visual impairments. When he has problems dealing with specific tasks (for example, because the software he uses cannot read certain type of texts), he receives support from colleagues without visual impairments.<sup>52</sup>

No information is available in relation to the size of the company he works in.

#### Call-centre operator

Carmen (not her real name) is a person with visual impairments. She works as a call centre operator, offering customer support in French and English. She used to work in a company with 400 employees. When she started that job, she asked her employer to be more patient and to offer her specific IT support to enable her to perform her tasks; these accommodations were immediately made available.

Carmen confesses that she was too shy to ask for more support, although she would have needed it. She was working full-time, in person, using public transport to get to work. When she was working late hours, her employer would provide her with a pre-ordered car.

She changed her job recently and is now encountering difficulties in obtaining office adjustments. She asked for the elevator to provide information vocally, a request accepted by the employer but yet to be implemented.

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<sup>52</sup> AMAIS (2020), interviews, part of the *Employment Guide for persons with visual impairments*, pp. 12-13, available (in Romanian) at: [https://ghid.amais.ro/descarca-ghidul/?unlock\\_code=ae4746ea2e9f6673155bb69518fb64c3](https://ghid.amais.ro/descarca-ghidul/?unlock_code=ae4746ea2e9f6673155bb69518fb64c3).

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

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

Recommendations (as provided in the materials referred to as good practices):

- adapting how interviews and negotiations are conducted, as well as how the contract is signed, for example by ensuring or allowing the presence of a sign language interpreter or an accompanying person;
- adapting the job offer according to the particular needs of the person with disabilities (e.g. covering transport-related expenses or changing the location of the job).

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

Recommendations (as provided in the materials referred to as good practices):

- coaching for performing tasks, in the form of support and advice for better adaptation to the work situation;
- post-employment assistance, for a maximum of six months after employment, for facilitating integration and preventing difficulties related to access, communication, relationships and professional activity;
- presence of a personal assistant to assist with daily tasks, or of a guide dog, as required;
- availability of interpretation services in sign language (for persons with hearing impairments) or tactile (for persons with visual and hearing impairments);
- equipping workstations with assistive devices or facilitating devices for performing work tasks (e.g. speech synthesis applications for persons with communication difficulties, touch tapes on the floor for spatial orientation, adapted keyboards or mouse, pencil gripper, Braille keyboard, voice control systems, etc.);
- ensuring the physical and informational accessibility of the workplace. Such adaptations are often needed for persons in wheelchairs or persons with intellectual disabilities who need simple, clear information, sometimes in the form of pictures or pictograms, for easy understanding of key messages. Under Romanian legislation, accessibility regulations can provide useful guidance in ensuring the physical accessibility of buildings and public spaces;
- wheelchair users will need wide access paths to and from the building, as well as inside the building. There must be no steps on the person's route, and if there are changes of level, ramps must be correctly installed (on a gentle slope, with intermediate rest areas if the ramp is very long), elevators should be available or electric lifts need to be installed on the staircase railings. Doors for offices, toilets, meeting rooms, cafeteria spaces etc. must be sufficiently wide to allow access to persons with wheelchairs. Switches, door handles and lift buttons must be placed at a height that wheelchair users can easily manage. There must be at least one accessible toilet in the building, easily accessible for persons with reduced mobility. Wheelchair users may request adjustments to the level of offices or

office equipment (e.g. scanners and printers) that they need to be able to use just like any other employee, without additional help. Avoid storing boxes and other equipment in spaces that would block movement for persons with reduced mobility or using a wheelchair;

- the physical environment needs to be accessible for persons with sensory disabilities. The access roads to the building must be clearly marked, and the corridors must not contain obstacles; contrast marking tape can be used;
- modification and/or adaptation of the work schedule according to the specific needs of persons with disabilities;
- social support should be made available (through the adjustment of workstations or workloads);
- adjusting holiday periods;
- adapting the company's internal procedures so that they are easy to understand for everyone;
- transport services adapted for persons with disabilities, if required;
- reducing disruptive factors that affect the performance of some persons with disabilities (persons with mental health problems, autism, intellectual disabilities, etc.);
- adapting means of communication with employees or customers to ensure everyone's access to clear and transparent information;
- more frequent direct meetings (possibly one-on-one) between employees and their supervisors or department heads to prevent anxiety syndrome, burn-out or mental exhaustion;
- creation of a specific budget dedicated to covering expenses related to providing reasonable accommodation.

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

Recommendation (as provided in the materials referred to as good practices):

If the company organises regular training or team building activities, it is important to gather information on whether some of the participants have certain diets or food restrictions or if they need supplementary reasonable accommodation in the location where these events are carried out (e.g. for accessibility and communication).

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

Recommendations (as provided in the materials referred to as good practices):

- permanent focus on ensuring accessibility of the company;
- ensure there is a disability focal point, who manages requests such as those related to reasonable accommodation; the company may decide to place this person in the human resources department or to make them independently responsible at the level of the company as a whole.

## GETTING IN TOUCH WITH THE EU

### In person

All over the European Union there are hundreds of Europe Direct information centres. You can find the address of the centre nearest you at: [https://europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en).

### On the phone or by email

Europe Direct is a service that answers your questions about the European Union. You can contact this service:

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696, or
- by email via: [https://europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en).

## FINDING INFORMATION ABOUT THE EU

### Online

Information about the European Union in all the official languages of the EU is available on the Europa website at: [https://europa.eu/european-union/index\\_en](https://europa.eu/european-union/index_en).

### EU publications

You can download or order free and priced EU publications from: <https://publications.europa.eu/en/publications>. Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see [https://europa.eu/european-union/contact\\_en](https://europa.eu/european-union/contact_en)).

### EU law and related documents

For access to legal information from the EU, including all EU law since 1951 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>.

### Open data from the EU

The EU Open Data Portal (<http://data.europa.eu/euodp/en>) provides access to datasets from the EU.

Data can be downloaded and reused for free, for both commercial and non-commercial purposes.

