

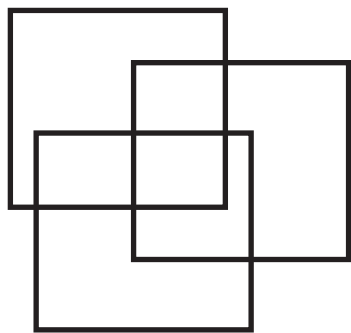
DISABILITIES AND DECENT WORK IN THE PACIFIC

The case for disability inclusive employment



DECENT WORK

A better world starts here.



International
Labour
Organization

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Disabilities and Decent Work in the Pacific: The case of disability inclusive employment

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Table of Contents

1.	Foreward.....	5
2.	The Global Challenge.....	6
3.	The human rights and business cases for hiring people with disabilities.....	6
4.	The International Labour Standards.....	7
4.1	Convention 159 and Recommendation 168.....	7
4.2	ILO Code of Practice on Managing Disability in the Workplace.....	8
5.	Disability in the Context of the Pacific.....	8
5.1	Priorities expressed by people with disabilities: lessons learned from Fiji and Vanuatu.....	9
5.2	Priorities expressed by policy makers in the Pacific.....	9
6.	Areas of ILO support to disability inclusion in the Pacific.....	10
6.1.	Support to reform the regulatory environment to improve application of C.159 and R.168.....	10
6.2.	Support to ensuring that equality of opportunity and treatment for persons with disabilities are mainstreamed into national training, employment and enterprise development policies and programmes.....	11
6.3.	Support employer’s organizations and their members to create waged employment opportunities for women and men with disabilities.....	11
6.4.	Support trade unions and DPOs to advocate for the rights of persons with disabilities to enjoy equality of opportunity and treatment in vocational training and employment.....	11
7.	Conclusion – advancing disability in the workplace in the Pacific.....	12
8.	Key Tools and Resources.....	13
	Annex 1 - Stories of workers with disabilities from Fiji and Vanuatu.....	14
	Annex 2 - ILO Convention 159.....	21
	Annex 3 – Mapping country priorities in the Pacific.....	23
	Annex 4 – ILO Disability Standards - National Assessment Matrix.....	25

1. Foreward

Today more than 800,000 people in the Pacific may be living with a disability. While statistical evidence in the Pacific is not always firm, we do know that people living with disabilities represent a significant portion of the working age population. We also know that most of them are young and that they all face great challenges accessing education, health services, and – importantly - jobs.

Most people with disabilities are able to work and want to work. Often they do not require any special support or accommodation: they just need access to the same education, training and employability services available to everyone. For those with more substantial disabilities, the right support or accommodation can mean that they are as productive as their non-disabled co-workers in the workplace.

Yet, the large majority of people with disabilities are less likely to be employed as compared to their non-disabled peers because of barriers in finding and retaining jobs. These barriers include unequal access to training and education, physical barriers and other forms of discrimination. In applying for jobs, barriers may include unnecessary or unfair job requirements or stereotypical negative perceptions of their abilities. On the job, disabled workers may have a more difficult time receiving fair treatment. They may lack a formal employment contract or fail to receive comparable wages and benefits. They may be the first to lose their jobs in the event of lay-offs.

People with disabilities also face pervasive prejudice and cultural stereotypes that label them as helpless. Negative attitudes exacerbate discrimination. The stereotypical view of disabled person as being helpless discourages employers from recruiting people with such challenges. In the rural areas, people with disabilities are not included in income generating activities and may be excluded from the decision making processes at all levels of the community. This leads to people with disabilities, especially disabled women, being the poorest and most marginalized members of the communities.

This publication aims to highlight some of the challenges faced by persons with disability in accessing decent jobs and to identify relevant labour standards and other policy interventions that could advance disability in the workplace and assist Pacific Island countries address these challenges.

It also celebrates the experience of eighteen people with disabilities in Fiji and Vanuatu who have been able to secure employment – sometimes against all odds and barriers. As employees or as self-employed persons, their stories emphasise the “business case” for hiring a person with disability. They are hard-working, reliable, loyal and productive workers. Through their own strong determination, access to education and vocational training, they have overcome the barriers to employment that too many other people face. They are a role model to all of us and show that it is not a person’s disability, but, rather, their ability, that makes them good employees and productive members of society.



David J. Lamotte
Director
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2. The Global Challenge

Despite major gains in recent years, people with disabilities still face discrimination and other barriers to full participation in social, economic, political and cultural life. Of an estimated 650 million people with disabilities, 470 million are of working age.

Throughout the world, people with disabilities are participating and contributing in the world of work at all levels. Yet, people with disabilities often face difficulties finding or retaining jobs and receiving fair treatment on the job. Statistically, they are twice as likely to be jobless when compared to someone without disabilities, and they will stay unemployed for longer. They are more likely to accept fixed-term contracts, are disproportionately affected by lay-offs, and are often employed below qualification level and in jobs with poor promotional prospects and working conditions, especially if they are women. Many work in the unprotected, informal economy. Few have access to skills development and other opportunities that would enable them to earn a decent living. The potential of many women and men with disabilities remains untapped and unrecognized, leaving a majority living in poverty, dependence and social exclusion.

People with disabilities are not a homogeneous group. They may have a physical or sensory disability, or an intellectual or mental challenge. They may have had a disability from birth, or acquired this in their childhood, teenage years or later in life, during further education or while in employment. Their disability may have little impact on their ability to work and take part in society, or it may have a major impact, requiring considerable support and assistance.

Promoting equality of opportunity for – and inclusion of – people with disabilities is central to social and economic development, emergence from the global financial and economic crisis and achievement of the Millennium Development Goals.

Some of the barriers facing people with disabilities are physical, such as inadequate infrastructure to accommodate their special needs. Some of the barriers, however, are cultural or attitudinal. It is common in many societies to perceive people with disabilities as being unable to work. This significantly limits their access to essential education and training.

3. The human rights and business cases for hiring people with disabilities

There is a strong human rights case for hiring people with disabilities, which suggests that people with disabilities should receive equal treatment and equal opportunity in the workplace and throughout society. These equality principles are enshrined in many international conventions and standards, including ILO Convention 159 and the UN Convention on the Rights of Persons with Disabilities (UNCRPD), which requires governments to recognize the right of persons with disabilities to work on an equal basis with others. This includes the right to the opportunity to gain a living by work freely chosen or accepted in the labour market and work environment that is open, inclusive and accessible to persons with disabilities.

The human rights case, however, is only part of the story about employing people with disabilities. There is an equally important business case. Excluding the persons with disability from paid employment carries a high cost for societies, in terms of their productive potential, the cost of disability benefits and pensions and implications for their families and carers. Globally, the ILO estimates that this exclusion may cost countries between 1 to 7 per cent of GDP.

Managing a diverse labour force, inclusive of persons with disabilities, provides significant advantages in improving a company's efficiency, productivity, competitiveness and overall success.

There is ample evidence of the benefits of employing people with disabilities, as experienced by many global companies. This evidence points to the following:

- People with disabilities make good, dependable employees. Many cases document comparable productivity, lower accident rates and higher job retention rates between employees with disabilities and a company's general workforce.
- People with disabilities are more likely to stay on the job, that is, they have higher retention rates.
- People with disabilities represent an untapped source of skills and talent, including technical skills if they have access to training and transferable problem-solving skills developed in daily life. People who become disabled while working often have valuable skills and experiences learned on the job, in addition to their formal skills qualifications.
- Consumers are likely to look favourably upon businesses that employ people with disabilities and would even consider switching brands on this basis.
- People with disabilities represent an overlooked and multi-billion dollar market segment that not only includes the person with a disability but his or her family and friends.

- Hiring people with disabilities can contribute to the overall diversity, creativity and workplace morale and enhance a company's image among its staff, community and customers.
- People with disabilities are often qualified for a particular job. Employers may also gain by expanding the number of eligible workers through continuing the employment of those who become disabled, since valuable expertise acquired on the job and through work-related training is retained.

4. The International Labour Standards

The ILO's Decent Work Agenda emphasises disability-inclusive employment and growth. Promoting equality of opportunity for – and inclusion of – people with disabilities is central to social and economic development.

The ILO has been an early international leader on disability and is actively involved in overcoming such barriers and implementation of counter strategies for the inclusion of people with disabilities by promoting international labour standards and non-discrimination from its onset. Promoting the rights of people with disabilities has been on the ILO agenda since 1925, when Recommendation No. 22 concerning the Minimum Scale of Workmen's Compensation, 1925, called for the vocational rehabilitation of injured workers and for the development of institutions providing these services. Since then the ILO has developed disability-specific standards with the purpose of achieving equal opportunities and equal treatment for people with disabilities in the workplace.

ILO standards, including the **Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)**, its associated **Recommendation (No. 168)**, the Human Resources Development Recommendation, 2004 (No. 195) and the **ILO Code of practice on managing disability in the workplace**, 2002, provide the framework for the ILO's response to requests for support for this target group, emphasizing the inclusion of persons with disabilities in general training and employment-related programmes and in the open labour market.

4.1 Convention 159 and Recommendation 168

The Vocational Rehabilitation and Employment (Disabled Persons) Convention No. 159, 1983 (C.159) is one of the crucial international labour standards fostering disability-inclusiveness in all aspects of employment. The purpose of C.159 is to enable persons with disabilities to secure, retain and advance in suitable employment and thereby to further such person's integration or reintegration into society. The full text of the convention is annexed to this document (Annex 2).

C.159 calls for governments to establish laws and policies to achieve equality of opportunity and treatment for all categories of people with disabilities and specifically to:

- Formulate a policy on vocational rehabilitation (career guidance, employment services) and employment;
- Promote equal employment opportunities in the open labour market;
- Use positive measures to promote equal opportunity (not to be considered discriminatory); and
- Promote use of regular services (inclusions or mainstreaming are current terms).

Building on C.159, Recommendation 168 (R.168) lists specific measures, both direct and indirect, to promote the rehabilitation and employment of disabled persons and thus guide the implementation of the Convention. Some of the employment promotion laws and policies it recommends include: quota schemes; equity or non-discrimination laws; job-retention laws and other positive measures. The Recommendation places emphasis on the purpose of such measures, which is to enable these persons to become integrated or re-integrated in ordinary working life.

Among other provisions, R.168:

- recommends community participation (employers', workers' and disabled persons' organizations) in organizing and operating vocational rehabilitation services;
- suggests specific measures to establish vocational rehabilitation services in rural areas and remote communities;
- covers the training and further training of vocational rehabilitation staff and suggests that persons engaged in vocational guidance, vocational training and placement of workers generally should have an adequate knowledge of disabilities and their limiting effects;
- provides guidelines on the contribution that can be made by employers' and workers' organizations, as well as disabled persons and their organizations, to the development of vocational rehabilitation services; and
- invites Members to bring national social security provisions into line with standards providing for the vocational rehabilitation and employment of disabled persons.

In the Pacific, Fiji is the only country that has ratified C159 and has disability inclusive development as part of their employment legislation and the Fiji Human Resources Development Strategic Plan (2011-2015). The ILO strongly advocates for broader ratification across the region through a suitably consultative process. However, while ratification of C.159 is instrumental to drive country level leadership in promoting disability inclusive employment, even where it is not ratified its content and guidelines can be leveraged to influence policy making around disability inclusion at national level.

4.2 ILO Code of Practice on Managing Disability in the Workplace

The Code of Practice on Managing Disability in the workplace (2002) outlines best practices that enable employers to utilize the skills and potential of people with disabilities within existing national conditions. It is increasingly apparent that disabled people not only have a valuable contribution to make to the national economy but that their employment also reduces the cost of disability benefits and may reduce poverty.

This code has been drawn up to guide employers – be they large, medium-sized or small enterprises, in the private or public sector, in developing or highly industrialized countries – to adopt a positive strategy in managing disability related issues in the workplace.

The code covers matters such as: the duties of employers and workers' representatives, and responsibilities of competent authorities; awareness raising; recruitment; work trials and placements; promotion and career development; employer-sponsored training; and adjustments for accessibility and workplace adaptations.

Public and private sector employers that need guidance on how to promote equal opportunity and equal treatment in the workplace are encouraged to review the Code of Practice. While this code is principally addressed to employers, governments – both as employers in their own right as well as regulators – play an essential role in creating a supportive legislative and social policy framework and providing incentives to promote employment opportunities for people with disabilities. Moreover, the participation and initiative of people with disabilities is important for the code to be achievable.

5. Disability in the Context of the Pacific

The recent World Report on Disability (WHO and World Bank, 2011) estimates that between 10% and 15% of the world's population are disabled. From this global trend, it can be inferred that there could be some 800,000 Pacific Island people living with disabilities. Whilst accurate figures on the number of people with disabilities are either not available or unreliable for most Pacific Island Countries, existing data shows that the number varies from country to country. For example, a survey conducted in Kiribati by Inclusion International in 2003-2004 identified 4.36% of the population as living with disability; another survey in the island of 'Eua in Tonga in 2007, put this number at 13%. A similar survey in Samoa revealed an incidence of disability of 2.2%. In Fiji, the 1996 Fiji census identified that 12,000 or 2% of Fiji's population as having a disability.

Regardless of country-specific numbers, there is ample evidence that people with disability represent a significant group in the Pacific. In addition, overall numbers may be on the increase due to high incidence of diabetes, accidents (traffic and industrial), ageing, and lack of proper intervention and referral services.

Pacific Islanders with disabilities, compared with their fellow countrymen and women without disabilities, have massively restricted life choices and opportunities. Physical barriers and limited access to education and vocational training opportunities are a most tangible manifestation of discrimination. Despite an increasing number of schools catering to children with disabilities, many children continue to be consistently excluded from the education system at all levels. In many situations, people with disabilities find difficulties in accessing basic health and welfare services. Service provision suffers from quality and accessibility issues, and those residing in rural areas in particular are often excluded. The needs of persons with disabilities are neglected to the extent that in many communities, workplaces, and schools, the infrastructural design does not create accessibility for people with special needs.

Discrimination in the Pacific is exacerbated by the negative attitudes, prejudice, ignorance and apathy of policy-makers and the community. People with disabilities are seen as helpless and in need of assistance rather than people who can effectively contribute to the economy and engage in community life.

Finding decent employment to cater for basic needs is a key challenge faced by many people with disabilities. The stereotypical view of disabled person being helpless discourages employers from recruiting people with such challenges. Even at the community level in the rural areas, people with disabilities are not included in income generating activities and related projects. They are also excluded from the decision-making processes at all levels of the community. This leads to people with disabilities, especially disabled women, being the poorest and most marginalized members of the communities.

Because of their status, people with disabilities in the Pacific are often seen as unable to engage fully in community activities. In some situations, disabilities are commonly viewed as an illness to be cured. Such perceptions have led to people with disabilities being administered special treatment. In the process, their rights are not recognized and the opportunities for them to participate fully in community activities are unintentionally suppressed.

There is an eminent need for initiatives to focus on marginalized groups such as youth, women and children in remote and rural areas, who suffer from physical, intellectual and multiple forms of disabilities.

Barriers remain deeply embedded in the social and cultural structures of communities, particularly for women with disabilities. Women in particular face various types of discrimination in the communities and their participation in society is often perceived as a function of their traditional roles as mothers and wives. Women with disabilities encounter added layers of discrimination as, in addition to the traditional gender biases that are often prevalent in the Pacific, they are considered incapable of participating in and contributing to community life. Young women with disabilities lacking work experience are particularly disadvantaged on the job market.

5.1 Priorities expressed by people with disabilities: lessons learned from Fiji and Vanuatu

The advancement of the disability inclusion agenda must begin by asking the key stakeholders – the people living with a disability – what their priorities are and what makes a difference in terms of employment access. To this end, the ILO has conducted interviews with eighteen persons with disabilities in Fiji and Vanuatu who have been able to overcome significant barriers to secure waged or self-employment. Their individual views and stories are highlighted in **Annex 1**. They make a powerful case for disability-inclusive employment. While these are workers from Vanuatu and Fiji, the lessons that can be gleaned from their experiences apply to many other workers with disabilities in the Pacific.

These key lessons can be summarized as follows:

“Employment has changed my life”.

Having access to employment has meant a greater opportunity for individual self-realization and a person's contribution as a community member. The people profiled in the research all echoed the same feelings of pride and self-confidence at being productive members of society, being able to provide for their families, and being able to prove that their disability does not affect their productivity and quality of contribution in the workplace.

“What people with disabilities need is access to education and vocational training”

Access to education and training is a key enabler for people with disability to access decent jobs. Formal education – including vocational training – plays a major role in fostering skills creation that can be attractive to employers. Further, additional career development and on-the-job training opportunities and investment can significantly increase the productivity and effectiveness in the work place.

“We make good, productive, and reliable employees”

All employers found their employees with disabilities to be hard-working, reliable, loyal and productive workers. They often become indispensable team members due to the proficiency acquired in a particular skills area. They respond well to training opportunities. They are also well-liked by fellow employees and customers alike, thus contributing to a harmonious work environment.

“The more awareness there is, the more opportunities for people with disabilities to work”

Educating and training persons with disabilities is not enough – awareness-raising is also needed at workplaces, among employers and fellow employees. There is even a greater need to create awareness amongst service providers, employers and community leaders that people with disabilities can actually benefit and contribute towards community life if opportunities are created.

“We do have special needs – but these are often easy to accommodate”

Employees with a disability whose employer invested (sometimes only modestly) on accommodating their special needs have thrived. Affordable technology can be a powerful enabler and one well worth investing on.

It must be acknowledged – as does the ILO Convention 159 – that equality cannot be achieved without special positive measures or accommodation (e.g. aids, devices and ongoing personal services), which must not be considered discriminatory against people without disabilities. This ‘accommodation’ is often misunderstood by employers and its cost overestimated thus discouraging opening jobs up to the disabled. For example, types of accommodation for a person with a hearing disability might include: a sign language interpreter; text telephone; a telephone headset; appropriate emergency notification systems; written memos and notes; work area adjustments; assistive computer software, etc.

“We are all different – and our needs are specific”.

Diversity amongst people with disabilities – e.g. hearing impairment vs. mobility impairment – must be acknowledged and recognized. It can bring additional challenges for training and skills development. This calls for the development of specific training for target groups of people with disabilities with a shared disability.

5.2 Priorities expressed by policy makers in the Pacific

As part of its drive to encourage Pacific Island Countries to advocate for the right of persons with disabilities to enjoy equality of opportunity and treatment in vocational training and employment, the ILO conducted a rapid prioritization exercise aimed at honing in on concrete country level priorities. The opportunity for such an exercise came in the context of the recent Regional Government Disability Focal Points Workshop, convened by the Pacific Island Forum Secretariat, held in Nadi, Fiji on 5-7 September 2012.

During the workshop, participants representing thirteen Pacific Island Countries, with varying existing regulatory environments with respect to workers with disabilities, identified the top three national-level priorities for action (**see Annex 3**).

While the specific priorities vary from country to country, the following consistently emerged from the gap analyses as key priority areas:

- *Mainstreaming ILO international labour standards on disabilities in existing national legislation and policy.* Even where a country does not intend to ratify Convention 159 or other relevant Convention, these standards can still be used to guide policy development and law reform to promote equality of opportunity for workers with disabilities.

- *Policy development.* Article 2 of Convention 159 calls for the formulation, implementation and periodic review of a national policy on vocational rehabilitation and employment of people with disabilities. At least eight Pacific Island Countries have identified the development of such a policy – to be undertaken in accordance with national conditions, practice and available resources – as a key priority.

- *Law review and reform.* Similarly, there is a shared consensus among Pacific Island Countries around the need to undertake a process of legislative review and amendment, to ensure that existing laws regulating labour relations, education, health and justice among others reflect disability inclusive measures as contained in the international standards.

- *Enhance coordination capacity* to carry out cross-sector activities, for example through the establishment of an inter-ministerial Disability Coordinating Committee.

- *Awareness raising,* both among the general public and, specifically, employers.

- *Data and information management* on people with disabilities, as well as on opportunities for them to access decent work and/or to access vocational training.

6. Areas of ILO support to disability inclusion in the Pacific

Across the Pacific, the ILO works with its member States to modernize their employment and labour laws and to support the institutions to carry out the needed reforms and their implementation. Since inception, this work has always involved taking account of discrimination concerns and the promotion of equal opportunities for all workers – including those with disabilities.

In addition to this work, and based on priorities identified through national Decent Work Country Programmes, the ILO is available to support its member States in the Pacific to create an enabling environment for people with disabilities to engage in decent, productive, and justly remunerated jobs, and to enhance their capacities and skills to do so.

In partnership with the ILO's social partners and the numerous organizations that work with people with disabilities, there are four key areas of comparative advantage guiding the ILO's engagement with its constituents across the Pacific:

- Support to reform the regulatory environment to improve application of C.159 and R.168
- Support the review and development of national training and employment policies and programmes to mainstream equality of opportunity for persons with disabilities
- Support employer's organizations and their members to create waged employment opportunities for women and men with disabilities in their organizations.

- Support trade unions and Disability Persons Organizations (DPOs) to advocate for the rights of persons with disabilities to enjoy equality of opportunity and treatment in vocational training and employment.

6.1. Support to reform the regulatory environment to improve application of C.159 and R.168

In partnership with the Pacific Islands Forum Secretariat -- the custodian of the Pacific Regional Strategy on Disability -- the ILO is contributing to designing the implementation plan of this human-rights based strategy, including training opportunities in 14 Pacific Island countries. This partnership creates a scope for the ratification of Convention 159 by the eight remaining member countries, besides Fiji.

The ILO is well-placed to provide technical assistance and foster multi-faceted initiatives around legislative reviews geared towards the prohibition of discrimination on grounds of disability in education, vocational training, employment and occupation. In turn, this review might lead to legislative reform to ensure the prohibition of discrimination, through provisions aimed at:

- Requiring educators and employers to make 'reasonable adjustments' to enable the participation of workers with disabilities as well as permitting certain positive measures for persons with disabilities, which would not infringe discrimination laws;
- Facilitating flexible working practices to enable persons with disabilities to participate in the workforce in accordance with their capacity;
- Introducing "quotas" for the employment of disabled persons by larger and/or public employers or whether a supported wage system could be established to incentivize the employment of disabled workers.
- Providing for occupational safety and health or workers' compensation and obliging employers to make any reasonable adjustments to enable employees injured at work to continue in their employment.
- Reforming the building code to impose standards for new buildings that improve access for persons with disabilities. Such standards could be implemented earlier or at a higher level for buildings utilised for public education, training or employment.
- Reviewing accessibility standards for public transport to ensure travel to and from education and employment is a practical reality for disabled persons.

Any of the above legislative review processes stemming from implementation of Convention 159 and its associated Recommendation 168 would need to take place through a participatory process involving the social partners and DPOs, which the ILO is well placed to facilitate.

6.2. Support to ensuring that equality of opportunity and treatment for persons with disabilities are mainstreamed into national training, employment and enterprise development policies and programmes

Within this broad area, ILO can assist in conducting a participatory review of key policies and programmes to mainstream equality of opportunity and treatment for persons with disabilities as reflected in Convention No. 159 concerning Vocational Rehabilitation of Employment of Disabled Persons, 1983, and the ILO Code of Practice on Managing Disability in the Workplace adopted in 2001. These policies and programmes typically include:

- Education and vocational training policies, institutions and programmes
- Enterprises development policies and programmes
- Youth and policies and programmes
- Rural development policies and programmes

Such reviews typically would lead to capacity building for policy makers and programme managers and the design of action programmes that address specific barriers that disabled people face in accessing the labour market.

When such reviews are undertaken in a participatory manner, this work can also lead to facilitating a coordination mechanism to ensure that public officials responsible for supporting disabled persons across Ministries responsible for health, education, employment, education and social welfare work together cohesively, to deliver the most effective and timely services for the full integration of disabled persons into society. In particular, coordination mechanisms would:

- support the productive involvement of the social partners and DPOs in the policy review and development process;
- support the membership of the social partners and DPOs on the boards and committees established to implement these policies, including those of vocational rehabilitation and training centres; and
- ensure that the special situations of young disabled persons, disabled women and disabled persons living in rural and remote areas are in particular considered.

6.3. Support employer's organizations and their members to create waged employment opportunities for women and men with disabilities

There are three main areas where employer organizations can and do provide services to promote a disability-inclusive workforce and workplace, to the benefit of businesses and disabled persons alike.

The first is **raising awareness and building capacity on disability inclusion**. Many employers are unaware of the benefits of hiring disabled people and not all employers are sensitized to

disability issues. Employer organizations can be engaged in raising their members' disability awareness and building their capacity on different aspects of disability inclusion, mainly by organizing workshops, training courses and programmes. Many organizations also organize member events to share information and experiences, and conduct publicity campaigns and promotional events to raise awareness on disability inclusion in the labour market.

The second is the **provision of technical advice** and advisory services that help employers to hire, manage and retain employees with disabilities as well as serve them as customers. These include disability facts and figures, best practice examples, and practical advice on topics such as disability-specific legislation, hiring and retention of disabled employees, managing disability at the workplace, reasonable accommodation, and accessibility.

Thirdly, employers and their organizations can **influence policy on employment** and training of people with disabilities. In addition to building their members' capacity to include them in the workplace, some of the organizations have been active in joint committees with government agencies and ministries to develop policies on education, training and inclusion of people with disabilities in society. Furthermore, a couple of the organizations have established corporate codes of practice on disability inclusion in order to encourage the development of company disability policies among their membership.

In support of the application **ILO's Code of Practice on managing disability in the workplace**, the ILO can support employers' organizations through the development of disability inclusive tool kits, success stories, including the ILO Global Business and Disability Network for them to understand the opportunities for employing disabled persons.

6.4. Support trade unions and DPOs to advocate for the rights of persons with disabilities to enjoy equality of opportunity and treatment in vocational training and employment

Because of their commitment to equity, solidarity and social justice, trade unions are in a unique position to promote equal opportunities for and equal treatment of workers with disabilities. Trade unions are fundamental to the work of the ILO.

As one of the social partners in the ILO tripartite structure, the trade union movement is a key actor in promoting standards for decent work and equal opportunities and treatment for all workers, including those with disabilities. International standards such as Convention 159 acknowledge workers' organizations as important actors: indeed, a central requirement of the Convention is that the social partners and disabled peoples' organizations participate in the process of developing, implementing, monitoring and the evaluating a policy on vocational rehabilitation.

The ILO is well-placed to develop the capacity of trade unions to represent a large and often unfairly treated segment of the workforce. In particular, the ILO could:

- Support trade unions to have non-discrimination provisions incorporated in collective agreements and workplace policies.
- Provide training to union and DPO advocates to make and litigate claims of disability discrimination in vocational training or employment, when requested to do so by a disabled member or client.
- Support disabled persons to join and seek office within trade unions to better advocate for disabled workers' rights.
- Support the role of unions in providing information about disability and employment in many different forms and build awareness and capacity on disability and the rights of disabled workers.

Further, the ILO can leverage its knowledge products and networks to share international best practices around the way trade unions around the world are involved in a wide range of activities to represent disabled workers and to address many of the work-related problems they face. In particular, unions can provide information about disability and employment in many different forms, ranging from a notice or a newsletter on their Web sites to major publications or ongoing campaigns. Trade unions can also hold seminars or conduct workshops to build awareness and capacity on disability and the rights of disabled workers.

7. Conclusion – advancing disability in the workplace in the Pacific

The Pacific is highly complex and diverse, as are the challenges faced by people with disabilities and the institutional capacities to address them.

There is a strong human rights case for employing people with disabilities as well as an equally important business case. Their exclusion from paid employment comes at a cost in terms of lost productive potential in particular.

In this regard, the ILO promotes disability-inclusive international labour standards and provides guidance for developing disability inclusive policies and measures, in accordance with national conditions, priorities and available resources.

Together with Pacific Island Countries and regional partners, the ILO has started to identify national level priorities to advance the disability inclusive agenda in the context of decent work. There is significant scope and demand for partnerships and actions that mainstream international labour standards on disabilities in existing national legislation and policies, increase awareness and coordination around the issues, and build the statistical and knowledge base around disabilities in the Pacific.

8. Key Tools and Resources

ILO Standards and tools

All ILO standards on disabilities, including **Recommendation 168** and the **Code of Practice on Managing Disabilities in the Workplace** are available at www.ilo.org.

In addition to the ILO standards, the following reference material may be of use:

- The ILO's Global Business and Disability Network (<http://www.businessanddisability.org/>). The Network is comprised of representatives from multinational enterprises, employers' organizations and business networks, and selected non-governmental and disabled peoples' organizations to assist companies include people with disabilities in the workforce from the perspective of business and human rights cases.
- *Disability in the Workplace: Employers' Organizations and Business Networks* – Working Paper No, 6, ILO Geneva (2011)
- Trade Unions and Decent Work for People with Disabilities – ILO's information sheet (<http://www.ilo.org/public/english/region/asro/bangkok/ability/download/tufact.pdf>)

Additional resources

- Buckup, S. 2009. *The price of exclusion: The economic consequences of excluding people with disabilities from the world of work*. Employment Sector Working Paper No. 43 (Geneva, ILO).
- Gilbert, M.; ILO Skills and Employability Department. 2008. *Count us in! How to make sure that women with disabilities can participate effectively in mainstream women's entrepreneur-ship development activities* (Geneva, ILO).
- ILO. 2008. *From rights to reality: Trade unions promoting decent work for persons with disabilities*. Video (Geneva).
- O'Reilly, A. 2007. *The right to decent work of persons with disabilities* (Geneva, ILO).

Annex 1 - Stories of workers with disabilities from Fiji and Vanuatu

This section presents the story of eighteen people with disabilities in Fiji and Vanuatu who have been able to secure employment. Through their own strong determination, access to education and vocational training, they have overcome the barriers to employment that too many other people face. Although they are by no means the only people with disabilities in these two countries who have been able to secure jobs, they are a representative group whose experiences illustrate the challenges, successes, and enabling factors around disability in the workplace in the Pacific.

The workers' stories presented here are based on a number of interviews with workers and employers which were conducted in late 2011. As such, the ILO originally published these stories in July 2012 in two separate booklets, which contain the full length interviews.

For the purpose of this publication, the interviews have been edited for content and format and the key messages highlighted.

As noted elsewhere in this document, people with disabilities are not a homogenous group. The nature and severity of individual disabilities are highly diverse. In an attempt to mirror this diversity, the profiles below include women and men with a wide range of physical and cognitive disabilities. For example, while some of those profiled are visually-impaired or have intellectual challenges; others either suffered from work-related accidents or from the effects of contracting polio or assuming Thalidomide; and so on.

Similarly, a range of employment experiences is also profiled, thus highlighting how people with disabilities work in business, as salaried workers or self-employed, as well as in the public and non-profit sector.

Lanieta Tuimabu, Customer Services Coordinator , Fiji

Lanieta is a mother of 2 from Kadavu. Since 1993 she has been working as Customer Services and Membership Coordinator for the Fiji Commerce and Employers Federation. She manages the switchboard and ably undertakes a number of key office management tasks that include ensuring telephones are in working order, updating membership database, and other general office duties. She is a USP graduate in Language, Literature and Communication Skills. Lanieta is visually impaired. At first her disability restricted her to answering calls. Her role has since expanded to other important duties. The key to her success has been the availability of training opportunities.



Computer technology has been a great help in her job, and in particular a software called JAWS (Job Access with Speech), on which she has received advanced training in New Zealand and Malaysia. Like any other worker, she also strives to make sure her skills are up-to-date and regularly attends professional courses on customer service. Lanieta's employer wants to lead by example to ensure equal opportunities. They saw her potential and understood the importance of making reasonable efforts to accommodate her special needs. The company Board decided to invest on a user-friendly computer and software to support her work performance and on training to enhance her professional profile. They redesigned her work station for easy access and mobility, installed an intercom at the front desk, to ensure her safety, and they routinely brief customers and employees on her special situation and valuable contribution in the workplace.

Leisiel Sope, Nurse's aid, Vanuatu

Leisiel is a 43-year-old who works as a nurse's aid in the maternity ward at Vila Central Hospital. She started working at the hospital 30 years ago. Access to supported education has been instrumental for her to secure a job: in the 1970s, she was the first child from Vanuatu to attend the Fiji school for children with disabilities, a severe hearing disability in her case. Leisiel received on the job training over the years. She is taught herself to lip read to overcome her communication challenges she faced. She considers her work environment as supportive. She would like to see more support and increased public awareness about the challenges faced by workers with disabilities. Leisiel is also the mother of a teenage daughter.



Noami Novoce, Gender and Youth Officer, Fiji

Noami, originally from the village of Tavualevu in Ba, is employed as a Gender Youth Officer at the Pacific Disability Forum as part of a programme team that focuses on youths and women with disabilities. Her main role as a Gender Youth Officer is communicating with stakeholders; representing the organization in meetings, writing reports.

She is a graduate with a Bachelor of Arts degree in Management & Public Administration and Tourism. Prior to her current job, she has worked as a Communications Supervisor at the Sofitel Fiji Resort and SPA at Denarau. She has always been an inspiration for those she has worked for. She also always aspired to give back to the community and serve those with disabilities.

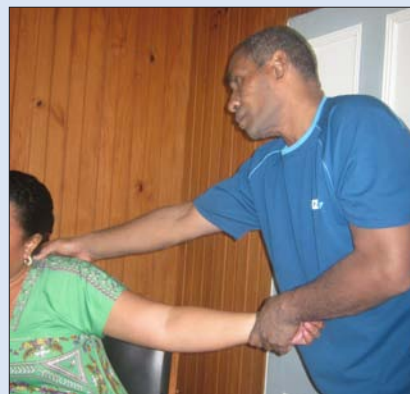
Noami, a wheelchair user, is passionate about her work with people with disabilities and firmly believes that technical and vocational education programmes and having access to training are crucial means for them to secure jobs. She encourages people with disabilities to actively seek career opportunities and overcome barriers by effectively developing their skills and talents.

**Tevita Susu, Masseur, Fiji**

Tevita, who hails from Kadavu, works as a self-employed masseur who provides Thai and Chinese massage services to local and overseas clients from his flea market based stall. He opened his own parlour after receiving massage training for two weeks in Korea and for two months in China. Access to credit and obtaining a business licence were two major challenges which he encountered while trying to start-up his own business. He also undertook relevant trainings to be accredited by the Ministry of Health as a Recognized Health Masseur and obtained a Certificate in Medical Massage and Pressure Points.

Despite having a visual impairment, Tevita has had a keen interest in learning about injury associated sports and finally ventured into sports and relaxation massaging. He holds a black belt in Judo and has represented his country as the lone visually impaired Judoka at the 2000 Sydney Olympics.

He is of the opinion that people with disabilities should have adequate access to education and employment.

**Freddy Mitchell, Operator - side lifter and Heavy Goods Vehicle Driver, Fiji**

Mr Freddy Mitchell has been employed as a full-time Driver and operator – side lifter and heavy goods vehicle driver at Williams and Gosling Ltd since 1992. His main role has been to work according to the booking schedules for pick-ups and drop-offs. He is an operations person and spends most of the working hours in the field. Despite his disability as a visually impaired (one eye), he is well respected by his co-workers and recognized as one of the best drivers for the company, mainly because of his ability to operate extra oversize vehicles safely.

One of the challenges faced by Mr Mitchell is that due to his disability, he has to keep night driving to a minimum. This mainly concerns the OHS component of the job, but he wears sunglasses to protect his eyes.

Mr Mitchell is of the firm belief that people with disabilities should never underestimate themselves and that their abilities and talents ought to be developed. He also encourages employers to recognize the capabilities of persons with disabilities and to create an enabling working environment to get the most of their abilities as employees.



Tuni Gaunavou, Office Assistant, Fiji

Tuni Gaunavou, works as an Office assist with William & Gosling Ltd and his main role is to liaise with clients via email, communicating with colleagues on radio telephones and mobile, and assisting other office staff. He suffered a workplace injury that resulted in the imputation of his left arm. He was then reassigned from his previous role as a labourer to that of an Office Assistant to perform light work. The main challenge challenged encountered by him was his low level of computer literacy and the lack of knowledge on how to operate office machines. The company has been accommodating in its approach to helping him acquire new skills and knowledge providing in-house training in basic computers and office functions to ensure existing barriers are overcome.

He acknowledges that his work colleagues and family have been supporting and encouraging following the injury. This has helped him come to terms with having only one arm and coping and learning to new thing in his new capacity.

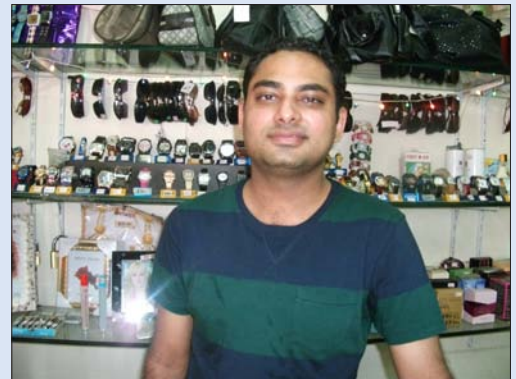
Tuni encourages persons with disabilities to strive for betterment in life and for employers to create an enabling environment that stipulates people with disabilities to work harder and become more productive.

**Karan Kumar, Shop Owner, Fiji**

Karan has been a self-employed shop owner for the past three years, working with his father in managing the family business. His main role is to manage the day-to-day sales for the shop with assistance of three sales staff. He has received neither formal education nor training in line of business but has instead acquired the traits of business through practical experiences learnt from his father.

Karan is hearing and speech impaired. He views this as ability rather than a disability. He uses behavioural techniques to attract customers to the shop and believes that clients respect him for who he is. His wife has a similar impairment and runs a beauty parlour. This has in one way has enabled the partners to diversity the business.

Karan is a believer in possibilities and encourages persons with disabilities to invest in education and to develop their skills and talents. He also urges that training and decent work opportunities to be accessible to persons with disabilities.

**Maneesha Karan, Beautician, Fiji**

Maneesha Karan is a mother of one and self-employed beautician who works flexi-hours to balance her career and family life. Her interests in being a beautician arouse from reading and watching television and as a result she learnt how to do threading, facials, and menhdi. She has not received any formal education or training in her area of work, but learned through practical experiences. She aspires to undertake further studies to further develop her skills and knowledge.

The break-through for her engagement as a self-employed beautician came as a result of her in-laws providing an opportunity for her to run a beauty parlour in their shop. Though, Maneesha has both hearing and speech impairment, she never saw her disability as a challenge. She expressed that most of her clients are from diverse ethnicity and they understand and respect her disability.

She encourages people with disability to develop their skills and talents and do what they do to the best of their ability.



Vinita Raju, Self-Employed, Fiji

Vinita Raju of Delainavesi is a self-employed tailor serving the tailoring needs of client in the neighbourhood from home. Sewing had been her hobby since childhood and much of the learning took place through observation. She started with simple embroidery, patching, tacking till the point she mastered the skills of sewing machine and there was no turning back. This experience enabled her to secure a job at a local garment factory in Suva and this continued till she decided to operate her own small business. Ms Raju brought a sewing machine off the savings accumulated from her work at the garments factory.

Vinita has attained a tertiary education in Accounting from the then Fiji Institute of Technology. However, she received no formal education or training on sewing. She acquired the skill of sewing through observation and hands on practice. .

She has a hearing impairment and is reliant on a hearing aid. Her disability is a result of an injury on the neck muscle, when she was young. She claims that the assistive device she has been using for the past seven years is an investment by her family. This job has enabled Ms Vinitato cater for her cost of living through creation and sale of some very beautiful outfits, including wedding sarees, sulu & jaba. She believes that there needs to be more awareness on the abilities of people with disabilities and seeks understanding and respect from people without disabilities. She goes onto encourage people with disabilities to have confidence and for employers to create opportunities for people with disabilities

**Elia Sarisoso Matawalu, Clerical Officer, Fiji**

Elia Sarisoso Matawalu is a father of three who works for the Ministry of Education as a clerical officer (Civil Servant). His main role at the Ministry involves recording and despatching of all incoming and outgoing correspondence; recording and updating leave applications from primary school teachers in the Lautoka, Yasawa and Nadi District; and assisting other offices.

Despite being a wheel chair user, he successfully secured this job through a workshop organized by the Fiji Disabled People's Association in the 1990s, which encouraged inclusion of people with disabilities in the civil service. Lack of higher education is one of the challenges that Elia faces. Thus had to pass the service examination to secure a permanent appointment and for promotion purpose in the future with the civil service.

Elia, who also represented Fiji at the 1996 Paralympics in Atlanta, encourages people with disabilities to be confident and not to underestimate themselves. He advocates for the authorities to ensure that an enabling environment is created for people with disabilities to fully put their abilities to use.

**Mary Ramil, Caterer, Vanuatu**

Mary is a 35-year old mother of three, including an adopted child. She has been working for the last four years with the Air Vanuatu catering unit in Port Vila, where she packs cutlery and headsets for airline passengers. She has never been to school, and has held a number of jobs in the past. She has faced discrimination at work on occasion, for example, when a former employer would not agree to pay the necessary social security deduction. To provide for her children, she also set up a kava bar and a sewing business, which help supplement her income. The support from the Vanuatu Society for Disabled People was instrumental for her to get her job. She regrets not getting a formal education, which she considers a significant asset for people with disabilities to get better jobs.



Francis Rurunavira, actor, Vanuatu

Francis is a 39-year old professional actor from Ambae island in Vanuatu. He has performed in more than 100 productions over 16 years, including the widely acclaimed TV series 'Love Patrol'. After several stints working as a secretary, a salesman, and a clothing store manager, Francis found work as an actor with the Wan Smol Bag Theatre in Port Vila. He had been passionate about acting since secondary school. Being an actor gave him confidence in his abilities and the opportunity to pursue what he loves. At One Smol Bag Theatre he found encouragement and an enlightened environment conducive to professional growth: he received professional training in acting as well as in other skills areas, such as computer skills. Coupled with his previous education and work experience as a secretary, this has led the theatre managers to entrust him with additional responsibilities, such as report writing and providing inputs to scripts.



Francis is an accomplished professional in spite of his disability. He is passionate about advocating for the inclusion of people with disabilities in all aspects of life. He twice represented Vanuatu at the Paralympic Games, in Sydney and Beijing. He believes that government and employers can collaborate to support people with disabilities access education and decent work. He remains a dedicated advocate of all people with disabilities in Vanuatu and plans to write about some of their stories to raise awareness about disability inclusion.

George Langa, tattoo artist, Vanuatu

George is a 24-year-old who recently started his own business as a tattoo artist based in Mele, on Efate island. George was fortunate in that he received formal secondary education. As a tattoo artist, however, he is self-taught: he became interested in tattoo art watching others artists and soon developed a talent for what amounts to a vastly important cultural tradition in Vanuatu. He creates his own designs and has ingeniously built his own safe tattooing equipment to improve the quality of his work and customer satisfaction. To integrate his income, sometimes George takes on casual jobs in construction, but his passion is his artwork. He thinks he could do more business if he could have a better venue and if he could advertise. Being a self-employed artist with a disability is by no means easy - and George is frank about the challenges of dealing with customers who do not pay or tease him about his disability.



He remains passionate about the rights of people with disabilities and community involvement: he would like to establish an artists' association and provide artwork training to young people.

Lionel Emile, Switchboard Operator, Vanuatu

Lionel is a 22-year-old switchboard operator working at the Port Vila Central Hospital. This is his first job after completing Year 8 in school and obtaining a certificate in basic computing. His responsibilities at work include screening incoming emergency calls, an important task requiring the ability to remain calm and obtain critical information from the caller. He receives on-the-job training from supervisors. At work, Lionel found a congenial and supportive environment, often in contrast with life outside work where sometimes he faces discrimination and ridicule. His work has given him confidence in his abilities and skills. He believes that education and training make all the difference for people with disabilities who wish to work.



Leitangi Solomon, Receptionist, Vanuatu

Leitangi is a 49-year-old from Nguna Island who has been employed continuously as a receptionist with the Provincial Health Office for the last 29 years. She comes from a large family and is the adoptive mother of a young woman. As a young girl herself, she was fortunate to attend the Fiji School for Children with Disabilities. The school's principal was instrumental in helping her find work when she returned to Vanuatu. Her responsibilities on the job have grown over the years. She now organizes the distribution of medical supplies to health centers in outer islands, she communicates with the centres to ensure vital supplies - such as oxygen and gas bottles - are refilled and ready for use, and coordinates the maintenance of health equipment and machines. Leitangi, who is a wheelchair user, acknowledges the support she has received. The government has provided her with housing and the necessary accommodations (such as access ramps and modified bathroom) to cater for her disability.



She regrets that on occasion physical barriers have prevented her from accessing training opportunities in the past, particularly when training venues were not able to accommodate her physical access. In spite of this, she remains a motivated and happy worker in an environment that treats her with respect and dignity. Having a job has been fundamental for her and those around her. Her job enables her to support financially her mother, daughter and brothers. She strongly believes that Vanuatu needs its own school for children, as education and vocational training is the key enabler for people with disabilities to access jobs.

Ruby Raymonds, Finance Officer, Vanuatu

Ruby is a 30-year-old from Tongoa Island who has been working as a Finance Officer with the Vanuatu Society for Disabled People since 2005. She was able to access a scholarship that enabled her to earn a certificate in Administration and Accounting. Her education has been a key to accessing her current job, which allows her to support financially her mother and numerous siblings. As well as her formal education, she has been able to access on the job training and was nominated to attend a women's leadership training course in Australia, the only person with a disability among 13 participants. Ruby is happy to be working, but she acknowledges the many funding difficulties that her employer – the Vanuatu Society for Disabled People – continue to face. She advocates for an increase in public awareness around the challenges faced by people with disabilities and sees access to education for children with disabilities as a key policy issue in Vanuatu.

**Freda Willie, hotel worker, Vanuatu.**

Freda is a 32-year-old student currently on work placement as a front-desk staff at a Port Vila hotel while she pursues her studies to obtain a certificate of Tourism. As a child, she was fortunate to attend the Fiji school for children with disabilities. This was a congenial environment, in stark contrast with the school system in Vanuatu where teachers do not have any special disability training and fellow pupils often mock children with disabilities. After returning to Vanuatu, however, she struggled to find work or pursue higher education. She showed determination and drive when she opened a sign language school. However, this had to close due to lack of support. She has since enrolled with the Australia-Pacific Technical College, and is very much enjoying her opportunity to work as part of a team at a leading hotel. She feels that lack of education opportunities and physical barriers prevent the advancement of people with disabilities in Vanuatu, and advocates for government policies and legislation to ensure their inclusion in society.



Tom Kalmet, Caterer, Vanuatu

George is a 48-year-old from Aneityum Island who too works in the catering unit of Air Vanuatu. He lost use of his left leg in a work related logging accident several years ago. His then employer never paid any insurance of compensation. He then came to learn about Air Vanuatu's leadership in employing people with disabilities in their catering unit, where he has risen to become supervisor of a team of 4. He has learned on the job and now trains fellow co-workers. He is happy with his job and feels that his employer is supportive of his interests, including his keen interest in sports: Tom twice represented Vanuatu at the Paralympic Games, in Athens and Beijing. Tom feels strongly that the lack of disability-specific legislation as well as limited education opportunities are impediments to the advancement of people with disabilities.

**John Suran, IT Officer, Vanuatu**

John is a 44-year-old from Port Vila who has been employed as an IT officer with the Government's Department of Customs and Excise. He is the only employee with a disability among the 80-strong staff of the department. He has had a number of jobs over the years, and has also experienced long spells of unemployment. He has had access to technical training both at the University of the South Pacific as well as in Australia. Some of these opportunities were sponsored by the Government, some by NGOs, and some he paid for himself. He noted that he is treated as an equal at work where he is appreciated because of his merits and skills. He is an outspoken advocate for the rights of people with disabilities, something to which he dedicates time and of which his employer is supportive. He has played a leading role in pushing for Vanuatu's ratification of the UN Convention on the Rights of People with Disabilities. He is also a successful entrepreneur, having started a security business. As a top priority, he feels strongly that a special needs school would be a very important means of supporting access to the job market by people with disabilities.



Annex 2 - ILO Convention 159

Vocational Rehabilitation and Employment (Disabled Persons)
Convention No. 159, 1983

Preamble

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-ninth Session on 1 June 1983, and

Noting the existing international standards contained in the Vocational Rehabilitation (Disabled) Recommendation, 1955, and the Human Resources Development Recommendation, 1975, and

Noting that since the adoption of the Vocational Rehabilitation (Disabled) Recommendation, 1955, significant developments have occurred in the understanding of rehabilitation needs, the scope and organisation of rehabilitation services, and the law and practice of many Members on the questions covered by that Recommendation, and

Considering that the year 1981 was declared by the United Nations General Assembly the International Year of Disabled Persons, with the theme "full participation and equality" and that a comprehensive World Programme of Action concerning Disabled Persons is to provide effective measures at the international and national levels for the realisation of the goals of "full participation" of disabled persons in social life and development, and of "equality", and

Considering that these developments have made it appropriate to adopt new international standards on the subject which take account, in particular, of the need to ensure equality of opportunity and treatment to all categories of disabled persons, in both rural and urban areas, for employment and integration into the community, and

Having decided upon the adoption of certain proposals with regard to vocational rehabilitation which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twentieth day of June of the year one thousand nine hundred and eighty-three the following Convention, which may be cited as the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983:

Part I. Definition and Scope

Article 1

1. For the purposes of this Convention, the term disabled person means an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognised physical or mental impairment.

2. For the purposes of this Convention, each Member shall consider the purpose of vocational rehabilitation as being to enable a disabled person to secure, retain and advance in suitable employment and thereby to further such person's integration or reintegration into society.

3. The provisions of this Convention shall be applied by each Member through measures which are appropriate to national conditions and consistent with national practice.

4. The provisions of this Convention shall apply to all categories of disabled persons.

Part II. Principles of Vocational Rehabilitation and Employment Policies for Disabled Persons

Article 2

Each Member shall, in accordance with national conditions, practice and possibilities, formulate, implement and periodically review a national policy on vocational rehabilitation and employment of disabled persons.

Article 3

The said policy shall aim at ensuring that appropriate vocational rehabilitation measures are made available to all categories of disabled persons, and at promoting employment opportunities for disabled persons in the open labour market.

Article 4

The said policy shall be based on the principle of equal opportunity between disabled workers and workers generally. Equality of opportunity and treatment for disabled men and women workers shall be respected. Special positive measures aimed at effective equality of opportunity and treatment between disabled workers and other workers shall not be regarded as discriminating against other workers.

Article 5

The representative organisations of employers and workers shall be consulted on the implementation of the said policy, including the measures to be taken to promote co-operation and co-ordination between the public and private bodies engaged in vocational rehabilitation activities. The representative organisations of and for disabled persons shall also be consulted.

Part III. Action at the National Level for the Development of Vocational Rehabilitation and Employment Services for Disabled Persons

Article 6

Each Member shall, by laws or regulations or by any other method consistent with national conditions and practice, take such steps as may be necessary to give effect to Articles 2, 3, 4 and 5 of this Convention.

Article 7

The competent authorities shall take measures with a view to providing and evaluating vocational guidance, vocational training, placement, employment and other related services to enable disabled persons to secure, retain and advance in employment; existing services for workers generally shall, wherever possible and appropriate, be used with necessary adaptations.

Article 8

Measures shall be taken to promote the establishment and development of vocational rehabilitation and employment services for disabled persons in rural areas and remote communities.

Article 9

Each Member shall aim at ensuring the training and availability of rehabilitation counsellors and other suitably qualified staff responsible for the vocational guidance, vocational training, placement and employment of disabled persons.

Part IV. Final Provisions

Article 10

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 11

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 12

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 13

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 14

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 15

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 16

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides-
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 12 above, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 17

The English and French versions of the text of this Convention are equally authoritative.

Annex 3 – Mapping country priorities in the Pacific

The table in this annex presents a summary of key country-level priorities for action. These priorities emerged through a prioritization exercise that the ILO conducted with thirteen Pacific Island Countries during the Regional Government Disability Focal Points Workshop held in Nadi, Fiji on 5-7 September 2012.

Country	Priorities
Cooks Islands	<ol style="list-style-type: none"> 1. Reform of current instruments (Disability Act and the Employment Relations Bill) to promote application of ILO's international labour standards 2. Mainstream ILO standards in national legislation and policy. 3. Raise public awareness of ILO disability standards
Federated States of Micronesia	<ol style="list-style-type: none"> 1. Establishment of a Disability Coordinating Committee 2. The Disability Coordinating Committee to review the national policy on disability to ensure that training, community based action, are included in the policy. 3. Capacity building of Employers organizations - Improve or create programmes that will enable the employers to employ PwDs
Kiribati	<ol style="list-style-type: none"> 1. Establish national policy to promote equality of opportunity for PwDs. 2. Promote vocational training and career guidance. 3. Support to welfare benefits for PwDs and Trade Unions for campaigning for vocational rehabilitation training and rehabilitation for PwDs
Republic of Marshall Islands	<ol style="list-style-type: none"> 1. Legislation and Policy development in the area of disability inclusion and employment for PwDs. 2. Vocational rehabilitation, employment and training opportunities for people with disabilities 3. Identifying costs for the implementation of the policies developed
Nauru	<ol style="list-style-type: none"> 1. Nauru is interested in ILO membership – More comprehensive information regarding the obligations due to the requesting country to be provided especially in the process of acceding to the Convention 159 and Recommendation 168. 2. Formulation of legislation and policies to ensure that disability issues, especially in employability of PwDs are strengthened. 3. Capacity building, awareness raising and advocacy for PwDs and potential employers in the open labour market.
Niue	<ol style="list-style-type: none"> 1. Improving implementation of the national disability policy. 2. Development of legislation that provides for equal opportunities in vocational training and employment and more specifically on prohibition of discrimination. 3. Improve public awareness of the rights of people with disabilities
Palau	<ol style="list-style-type: none"> 1. Law reform to promote equality of opportunity for workers with disability, inclusive of human rights and discrimination against people with disability. Enforcement of these laws are critical. 2. Raising awareness of benefits and means of employing workers with disabilities in collaboration with families, community leaders and relevant government departments. 3. Regulating for improved workplaces and introduction of vocational rehabilitation trainings to be accessible for workers with disability. 4. Establishment of programmes and strategies for students with disabilities to engage in productive following departure from high schools.

Country	Priorities
PNG	<ol style="list-style-type: none"> 1. Advocacy. PNG still needs to gather data and information since National Policy on Disabilities was launched. Challenge is to collect own stories 2. Legislation - Ratification of C159 through advocacy with support from DPOs. 3. Review and amend employment provisions in current Labour Act(s) around gender and disability inclusiveness
Solomon Islands	<ol style="list-style-type: none"> 1. Review existing Labour Act and laws– as it is not specific to disabilities. 2. National disability policy – needs reviewing and developing a new policy that should areas related to all strategies and related international conventions. 3. Raise awareness through advocacy on UNCRPD and C159 and training of people with disabilities
Samoa	<ol style="list-style-type: none"> 1. First priority is to implement activities under current policy for disability. The Strategy for the Development of Samoa (SDS) emphasises on community development including PwDs. 2. Law reform to promote flexible working condition/practices for workers with disabilities. 3. Inclusive employment – to create accessibility of PwDs to decent work and mainstreaming PwD into employment through national training employment development decision making.
Tonga	<ol style="list-style-type: none"> 1. Formulation of a national disability policy complying with UNCRPD and ILO Convention C.159. 2. Identify Disability Champions to advocate on disability inclusiveness and create barrier free environment and promotion of human rights issues. 3. Restructure of Ministries to strengthening partnerships and provision of adequate budget for Disability – mainstreaming. Suggestion that the newly established Ministry of Internal Affairs to take over the portfolio 4. Need to amend Public Service Act to be inclusive of disabilities 5. Raise awareness through education and training workshops to lobby and advocate on the social model of disability, mainly from a human rights and functionality of PwDs perspectives – community based 6. Establishing greater links between the ILO Convention 159, UNCRPD and Disability issues.
Tuvalu	<ol style="list-style-type: none"> 1. Law reform to promote equality of opportunity for workers with disabilities. 2. More education access and awareness are needed on labour issues on disability 3. Support in lobbying government to ratify UNCRPD and ILO C.159
Vanuatu	<ol style="list-style-type: none"> 1. Advocacy and awareness raising on issues of employability and employment of PwDs and other existing policies relating to disabilities. 2. Review and amend legislations (Labour, Education, Health, Justice and others) to be disability inclusive 3. Review and develop policies regarding employment for better coordination amongst line Ministries, DPOs, and other stakeholders

Annex 4 – ILO Disability Standards - National Assessment Matrix

Key ILO labour standards contained in Convention 159, Recommendation 168, and the ILO Code of Practice offer a practical means of assessing country-level gaps with the aim of identifying measures to improve disability inclusive employment at national level.

The table in this annex compiles key standards and presents them in a format that can be easily employed to conduct a national level gap assessment.

The tool was utilized by the ILO as part of the prioritization exercise conducted with 13 Pacific Island Countries during the Regional Government Disability Focal Points Workshop held in Nadi, Fiji on 5-7 September 2012, where for each of the standards the country representatives were asked to assess:

1. Current situation in own country
2. Proposed measures to improve application of ILO standards in own country
3. Person/department/organization responsible for proposed measures and ILO support requested.

ILO Standards: C.159 / R.168, Code of Practice	
ILO Area of Support 1: Support to reform the regulatory environment to improve application of C.159 and R.168	
1a. Law reform to promote equality of opportunity for workers with disabilities	<ul style="list-style-type: none"> Do laws promote equality of opportunity in vocational training and employment, for workers with and without disabilities? Do laws specifically prohibit discrimination on grounds of disability in the recruitment and dismissal of workers, as well as the selection of participants for vocational training and education? Are special measures permitted to promote the participation in training and employment of workers with disabilities, with these special measures not constituting unlawful discrimination? Are larger and / or public employers required to employ a prescribed "quota" of workers with disabilities? Are employers required by law to make 'reasonable adjustments' to enable workers with disabilities to carry out their position? Are 'reasonable adjustments' clearly defined and regulated? Are dispute resolution institutions established and sufficiently equipped to facilitate the determination of claims of disability discrimination by workers with disabilities, or their advocates?
1b. Law reform to promote flexible working practices for workers with disabilities	<ul style="list-style-type: none"> Are employers required to provide flexibility in work schedules for workers with disabilities, so that those workers can participate in the workforce in accordance with their capacity? Are employers required to review the job description or performance requirements for workers who acquire a disability, to support the worker's ability to fulfil them? Do laws facilitate opportunities for workers with disabilities to engage in 'work experience' or work on a trial basis to gain skills and knowledge? Are employers required to facilitate flexible working practices, including non-standard hours and additional leave, for carers of persons with disabilities?
1c. Regulating for occupational safety and health and workers' compensation	<ul style="list-style-type: none"> Does your country effectively regulate OSH, through laws and national or enterprise level OSH policies? Does your country have an effective workers' compensation system, protecting all workers made ill or injured by their work? Are employers required to maintain the employment of workers who acquire a disability while in employment, including through the use of reasonable adjustments to the worker's original position? Are ill or injured workers required to participate in 'return to work' programs, either to their original or an alternate position? Are employers required to provide vocational rehabilitation and training to enable this?

d. Regulating for improved workplace and vocational rehabilitation accessibility for workers with disabilities

- Do building regulations require workplaces and vocational rehabilitation centres to be accessible to persons with disabilities? Or are these standards at least imposed on buildings utilised for public education, training and employment?
- Is public transport required to be accessible by persons with disabilities, so that they can travel to/from education, training and employment?
- Are private transport providers, such as taxis, required to provide concessionary fares to persons with disabilities?
- Are employers required to take measures to address barriers to communication faced by persons with disabilities, in workplaces and vocational rehabilitation centres?

ILO Area of Support 2: Support to ensure that equality of opportunity and treatment for persons with disabilities are mainstreamed into national training, employment and enterprise development policies and programmes

- Does your country have a National Disability Policy which broadly covers Vocational Rehabilitation and Employment?
or
- Does your country have existing policies relating to:
 - Career guidance;
 - Vocational training;
 - Tertiary education;
 - Youth;
 - Enterprise development;
 - Cooperative development;
 - Rural development;
 - Vocational rehabilitation;
 - Human resource; and
 - Employment services?
- Do these policies promote equality of opportunity for persons with disabilities, including through reasonable adjustments and special measures?
- Do these policies specifically consider the needs of workers with disabilities who are women, young and / or living in rural and remote communities?
- Were Disabled Persons', Workers' and Employers' Organisations involved in the development of these policies? Do they have the capacity to do so?
- Are Disabled Persons', Workers' and Employers' Organisations representatives members of the boards and committees established to implement and monitor these policies? Do they have the capacity to do so?
- Have resources been dedicated to establish institutions and develop programmes to implement these policies?
- Has the effectiveness of these policies and programmes been evaluated?
- Are these policies co-ordinated with broader policies of social and economic development?

ILO Area of Support 3: Support for employers' organisations and their members to create waged employment opportunities for women and men with disabilities

3a. Raising awareness of the benefits and means of employing workers with disabilities

- Does the government conduct publicity campaigns or awareness raising activities for employers, promoting the economic and social benefits of employing workers with disabilities?
- Is capacity building around employing workers with disabilities provided to employer organisations, so that they can in turn train and educate their members?
- Are training materials and courses made available to employers to learn about different types of disabilities?
- Is training available for employers and managers of workplaces to assist them to understand the need for and use of reasonable adjustments and ensuring workplace accessibility?
- Is on-going technical support and advice available for employers who wish to, or have engaged workers with disabilities, to ensure their effective integration into the workplace?
- Do employer organisations have the capacity to contribute to the development, implementation and monitoring of vocational rehabilitation and employment policies for workers with disabilities?

3b. Incentivising and supporting employment

- Are effective and relevant vocational training, career guidance and job placement services provided by the government for workers with disabilities? Does the government require and provide adequate training for the vocational rehabilitation counsellors providing these services?
- Are employers supported to ensure in-house training is delivered flexibly, to maximise opportunities for participation by workers with disabilities?
- Does the government provide any form of supported wage for persons with disabilities?
- Are any tax or other concessions provided to employers who employ persons with disabilities?
- Is financial support available for employers seeking to provide reasonable adjustments to workplaces, job design, tools, machinery and work organisation, for workers with disabilities?
- Is support available to employers to establish 'sheltered workplaces,' to specifically employ workers with disabilities?

ILO Area of Support 4: Support for trade unions and DPOs to advocate for the rights of persons with disabilities to enjoy equality of opportunity and treatment in vocational training and employment

- Is training provided for trade unions and DPOs on advocating for the vocational rehabilitation and employment needs and rights of workers with disabilities – including through the incorporation of non-discrimination clauses in collective agreements and in acting to project positive images of the abilities of disabled persons?
- Is any financial assistance provided to trade unions and DPOs, to support their advocacy to raise awareness of the rights of workers with disabilities?
- Are workers with disabilities actively encouraged to join trade unions and assume leadership roles? Do workers' organisations have the capacity to effectively organise workers with disabilities?
- Do trade union and DPO officers have the capacity to represent and litigate for workers with disabilities, who have been discriminated against?
- Do trade union delegates and DPO officers have the capacity to contribute to the development, implementation and monitoring of vocational rehabilitation and employment policies for workers with disabilities?
- Is training provided for trade union delegates and DPO officers to then educate workers with disabilities about their rights and opportunities for vocational rehabilitation and employment and overcoming disability discrimination?

About this publication

Today, more than 800,000 people in the Pacific may be living with a disability. Most of them are young. They all face great challenges accessing education, health services, and – importantly - jobs. Most people with disabilities are able to work and want to work. Most do not require any special support or accommodation: they just need access to the same education, training and employability services available to everyone. Yet, the large majority of people with disabilities face unequal access to training and education and different forms of discrimination and attitudinal prejudice in their communities.

This publication highlights the experience and life stories of 20 workers with disabilities in the Pacific and identifies key priorities for policy makers who wish to increase disability inclusive employment in the Pacific.

About the ILO

The International Labour Organization (ILO) is the United Nations agency devoted to promoting rights at work, encouraging decent employment opportunities for women and men in conditions of freedom, equity, security and human dignity, and enhancing social protection. It is unique in that it brings together representatives of governments, employers and workers to jointly shape policies and programmes and strengthen their dialogue.

The ILO develops international labour standards and works with members States to ensure they are respected in practice as well as principle.

The ILO Office for Pacific Island Countries based in Fiji, provides technical assistance to nine member States (Fiji, Kiribati, Republic of Marshall Islands, Palau, Papua New Guinea, Samoa, Solomon Islands, Tuvalu and Vanuatu), as well as to non-member States in the region as required, on a wide range of areas including: labour migration; the elimination of child labour; promotion of gender equality; labour law reform; protecting seafarers; labour market statistics; occupational safety and health; HIV/AIDs in the workplace; youth employment; and entrepreneurship development.

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