



Opening Address to Congress Disability Seminar

October 10/11 2013

“Decent work for People with Disabilities”

John Douglas, Congress President

On behalf of Congress delighted to welcome all of you from North and South to the annual Disability Seminar. It is an important event in the trade union calendar, and it is essential that we continue to hold such events to ensure that we as a movement continue to strive towards being an inclusive movement that includes the voices of all of our members being heard – including people with disabilities.

The theme of “Decent Work for People with Disabilities” is an important and topical one. The fact that it is being held during the week of World Day for Decent Work is very appropriate as hundreds of such events with a focus on decent work are being held right across the globe.

As we embark on the seminar it is no harm to remind ourselves what we mean by decent work, which sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men – including People with Disability.

According to the latest estimates, there are approximately one billion people with disabilities worldwide. Between 785 and 975 million of them

are of working age. However, across the world, people with disabilities still face discrimination, especially when it comes to accessing equal job opportunities. We must all work to promote an inclusive approach to employment by focusing on a person's competencies, talents and skills for a specific job. Therefore, we find it important to increase disability awareness within the business community, and to improve the opportunities for persons with disabilities to have better access to training and employment opportunities now and in the future

Efforts to promote Disability Inclusion in Ireland and the World have been of course given a great boost by the adoption of The UN Convention on the Rights of Persons with Disabilities. Amongst its important provisions are that:

- States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
- States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
- In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.

Article 27 - Work and employment states that States Parties 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 a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of

employment, by taking appropriate steps, including through legislation, to, inter alia:

- a. Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- b. Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;

And a long list of other commitments, including, that, States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour

Ireland is one of just three EU member states yet to ratify the Convention on the Rights of Persons with Disabilities (CRPD) – the other two are Finland and the Netherlands. The **Assisted Decision-Making (Capacity) Bill 2013** published in July has been identified by the Government as a key step to ratifying the CRPD. This proposed new legislation relating to decision-making ability is a welcome improvement on the current 140-year-old law governing capacity, but needs some improvements if it is to adequately protect people's human rights.

A former speaker at this event, Prof Gerard Quinn, Director of the Centre for Disability Law and Policy Centre, NUI Galway, has said that: "The Bill innovates by introducing 'assisted decision-making agreements' which allow people to choose others they trust to help them with making

decisions. This is truly ground-breaking and the Government deserves credit for listening to the community and learning from emerging international trends”.

Congress hopes that this legislation will move quickly through the system so that we can ratify the CRPD without delay and get on with implementing our commitments in the wide range of areas covered in the Convention, including of course the area of employment.

The need for such action is very clear to us all. People with a disability are substantially less likely to be active in the labour market and are more likely to experience discrimination. In 2010, working-age people with a disability were less than half as likely to be active in the labour market (36% compared to 77% of other adults) and had a considerably higher unemployment rate (22% compared to 16% of other adults) than those without a disability, according to a report published in January by the ESRI and the Equality Authority. Last Week’s RTE Primetime segment on Sheltered Workshops reminded us all of the shameful treatment by some unscrupulous employers of people with disabilities in such settings and the need to adequately provide justice. Congress was instrumental in negotiating a code of conduct for the employment of people in such settings and when that code was shelved by Government wrote to the Equality Authority seeking an inquiry into possible discrimination against people in sheltered workshops – an inquiry that never happened. The HSE has since drawn up a new policy - New Directions - which proposes a move away from the current system of centre-based, segregated services, and from sheltered work, towards a model which is focused on supports to participate in mainstream community activities (including supports to employment). The emphasis of the new model is on independence, choice, and inclusion and I know that you will hear about good practice examples of employing people with disabilities in the open labour market during the course of the seminar. We are also lucky

enough to have an opportunity to consider in a workshop this afternoon the long awaited development of a Comprehensive Employment Strategy for People with Disabilities in the Republic of Ireland.

In Northern Ireland, people with disabilities face similar challenges in accessing the labour market; added to this is a rising unemployment rate, an incapacity benefit claimant rate which is ahead of any other UK region together with swingeing cuts to public services and the picture is bleak indeed.

It would be remiss of me to finish my remarks without of course referring to the current economic crisis we find ourselves in. Such a context means that finding decent work for people with disabilities in the open labour market is made all the more difficult. Speaking at this seminar last year, Congress General Secretary, David Begg said that a threshold of decency was needed to guide us through the economic crisis. Equality is about creating the conditions where everyone can lead a fulfilling life. People with disabilities and their families have been hit with cuts from every angle over the last five years and we join with disability groups in calling on the Government to prove their commitment to people with a disability in Budget 2014.

In Northern Ireland, Congress has been to the fore in campaigning for an alternative to the all too familiar austerity policies, calling for:

- A strong Bill of Rights offering comprehensive protections and rights for all of our citizens.
- An education system dedicated to the formation of independent minded and active citizenship, respectful of difference and possessed of the necessary skills for productive work in a modern global economy.

- Sustainable public services essential for the full development of all people, regardless of their age, or gender, or ethnicity, or perceived ability or background. The quality of those services should be accountable to the public which use them and deliver them.
- A welfare system that delivers equality and justice.

People with disabilities North and South face threats to their basic right to a fulfilling life with services – such as cuts to personal assistants, the threats to the mobility allowance, welfare reform in Northern Ireland – all of which empower people with disabilities to participate on an equal footing in society, and the quality of remaining services being hampered. Congress has consistently called upon George Osborne at budget time to cease from reinforcing his discredited austerity strategy which is causing such lasting damage to the NI economy and society. A report published this week by the Northern Ireland Council for Voluntary Action tells us the shocking statistic that reforms to the welfare system will take an estimated £750 million out of the Northern Ireland economy. Put bluntly, that's £650 a year less in the pockets of every adult of working age. And much of this will impact on the most vulnerable in society, the poorest and people with disabilities. I know that our delegates from Northern Ireland will consider these issues at a workshop on the impact of welfare reform for people with disabilities this afternoon.

In our Pre-Budget submission, Congress has pointed out that we are now in the sixth year of stagnation in the Republic of Ireland and after six years of doing the same thing, it is clear that we need a dramatic change of course if we are to pull the economy and wider society out of the mire.

We need a raft of growth and job-friendly measures included in Budget 2014. We need to stop doing further harm and to invest and inject life into the economy in order to stimulate demand and create jobs. Congress is also calling for the full use of the proceeds of the Promissory Note Deal

to reduce the size of the planned budget adjustment; a stimulus package of €4.5 billion over the next two years and tax increases targeted at the wealthiest sectors of society. Only with such a change in course will we be able to protect the most vulnerable groups in society – including people with disabilities.

Finally, let me finish by complimenting the work of our own Disability Committees under the leadership of Deirdre O'Connor and Berni McCrea. Your work in keeping the issue of disability on the trade union agenda is very important. The network of disability champions North and South continues to be a very valuable resource in promoting the employment and retention of people with disabilities and would not be in existence without your work. Your continued focus on the issue of mental health in the workplaces is a very important one in such difficult times. Your input to the Trade Union Commission making the case for continued and enhanced engagement with equality issues by the trade union movement; proposing the adoption of commitment to equality mainstreaming; and proposing enhanced ways of working to further profile the movement's commitment to equality was endorsed at the July Congress Biennial Delegate Conference. We are developing tools for trade union reps to ensure that those commitments become a reality and I assure you that I will use my term as Congress President to support such initiatives at the Executive Council.

I wish you well in the seminar. The programme is certainly a packed and interesting one with a fantastic array of great quality speakers. Enjoy it and use the opportunity to get as much as you can from it so that you return to your unions and workplaces reinvigorated and armed with new information and skills to continue your work.