

EMPLOYMENT OF INDIVIDUALS WITH DISABILITY: AN EXAMINATION OF UN'S DECENT WORK PRACTISES

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ABSTRACT

Working is one of the most fundamental right and freedom of the human being. Individuals should be able to use it in a freely and equally and in addition to this, it must also include humanitarian conditions. Therefore, decent work which is UN's one of the sustainable development goal (SDG), is a very important concept especially for the people with disabilities, by virtue of involves an applicable approach for all employees without any discrimination. Because people with disability, face social and economic disadvantages of disability ever since the past. Compared with non-disabled people, people with disabilities are much less likely to participate to the labour market. International organizations such as the UN, are one of the actors who have to reduce these negative effects and take steps about preventing them.

The aim of this study is to examine the practises applied to the individuals with disability and to determine the effectiveness of the UN policies towards the decent work implementations on labour mar-

ket participation. Due to this aim, firstly the conceptual explanation of disability was made and its socio-economic effects were scrutinized. Then the perspective of UN about the decent work for people with disability is represented. "What are the policies and attitudes of the UN on labor force participation of people with disability?", "What should UN do to promote the participation of people with disability as different from people with non-disability?", "What should UN do for the future?" questions are sought and literature review method was used in order to reach the aim.

Keywords: Disability, United Nations, Sustainable Development Goals(SDG), Decent Work

ENGELLİ BİREYLERİN İSTİHDAMI: BM'NİN İNSANA YAKIŞIR İŞ UYGULAMALARI HAKKINDA BİR İNCELEME

ÖZ

Çalışmak, insanlığın en temel hak ve özgürlüklerinden biridir. Bireyler bunu özgürce ve eşit bir

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şekilde kullanabilmeli ve buna ek olarak, çalışma insani koşulları da içermelidir. Bu nedenle, BM'nin Sürdürülebilir Kalkınma Hedefleri (SKH)'nden biri olan insana yakışır iş, hiçbir ayırım olmaksızın tüm çalışanlar için uygulanabilir bir yaklaşımı içermesi nedeniyle, özellikle engelli insanlar için çok önemli bir kavramdır. Çünkü engelli insanlar geçmişten beri engelliliğin sosyal ve ekonomik dezavantajları ile karşılaşmaktadırlar. Engelli olmayan insanlara kıyasla, engelli kişilerin işgücü piyasasına katılma olasılıkları daha düşüktür. BM gibi uluslararası kuruluşlar, bu olumsuz etkileri azaltma ve önlenme konusunda adımlar atması gereken aktörlerdendir.

Bu çalışmanın amacı, engelli bireylere uygulanan uygulamaları incelemek ve BM politikalarının işgücü piyasasına katılım konusundaki insana yakışır iş uygulamalarına yönelik etkinliğini belirlemektir. Bu amaç nedeniyle, öncelikle engelliliğin kavramsal açıklaması yapılmış ve sosyo-ekonomik etkileri incelenmiştir. Daha sonra BM'nin engelliler için insana yakışır iş hakkındaki bakış açısı açıklanmıştır. "BM'nin engellilerin işgücüne katılımına yönelik politikaları ve tutumları nelerdir?", "BM, engelli olmayan insanlardan farklı olarak engelli insanların katılımlarını teşvik etmek için ne yapmalı?", "BM, gelecek için ne yapmalı?" soruları sorulmuş ve amaca ulaşmak için literatür taraması yöntemi kullanılmıştır.

Anahtar Kelimeler: Engellilik, Birleşmiş Milletler, Sürdürülebilir Kalkınma Hedefleri (SKH), İnsana Yakışır Çalışma

INTRODUCTION

People with disabilities are the leading disadvantageous groups of the society because of the physical and social limitations that they experience. Although they constitute an important part of the total world population, people with disabilities are treated as "invisible citizens" in many areas of social life.

Throughout history, people with disabilities have been exposed to different attitudes and behaviors than other people. Over the years, individuals with disabilities have faced various limitations and difficulties in society due to their disability status. Insights such as disability and non-disability, normal and abnormal, and us and others, which are separated by the society, affect people with disabilities negatively. Today, although some prejudices have been break down but the problems of people with disabilities still obtain in the world, specially in undeveloped and developing countries.

Disability is a phenomenon that needs to be studied because of its negative effects. The main aim of this study is to try to draw attention to various points related to the subject, considering that the employment of people with disabilities is a notable matter. The aim of this study

is to examine the practises applied to the individuals with disability and to determine the effectiveness of the UN policies towards the decent work implementations on labour market participation. UN which is one step ahead of limitations of certain regions or countries has been scrutinized because it was seen as an organization which effectively operates the employment of people with disabilities in their policies and practices. The concept of decent work as an one of the three basis of this study, has been chosen because it forms the basis of UN's employment policies and is closely linked to the employment of people with disabilities. The method of literature review was used in order to reach to the objective that mentioned above.

In the light of this aim, firstly the conceptual explanation of disability was made and its socio-economic effects were mentioned. Later on, the history of UN and its practises about the disability such as The Convention of The Rights of Persons with Disability (CRPD), UNPRPD, SGDs (in speacial SDG 8) were explained. Then the perspective of UN about the decent work for people with disability is represented.

1. GENERAL OVERVIEW

Disability is a complex and multi-dimensional development and human rights issue. Persons with disabilities are one of the largest minority groups

in the world which represent over 15 per cent (approximately 1.5 billion people) of the world's population (UNDP, 2018).

Disability is a phenomenon that needs to be studied because of its negative effects. Today as a requirement of the social state and human rights, positive actions are carried out for the people with disability. Around the world, differently-abled people live in poorer health conditions, face lower education accomplishments, have lower economic participation and encounter higher rates of poverty than people without disability.

Employment is one of the biggest problems within these. People with disabilities are less likely to carry out their lawful socio-economic objectives or exercise their right to access decent work. The barriers they face are several and this unequal situation is a kind of threat from the point of securing work in dignity and decent conditions.

2. THE CONCEPT OF DISABILITY

According to the World Health Organization (WHO), disability is a hypernym and its containing impairments, activity restrictions and participation limitations. It refers to a problem in body structure or function (WHO). Disability is defined as a health condition or problem that has continuity and diminishes one's ability to exercise daily activities (CUPE, 2015). Disability is a phenomenon

that generally refers to the loss of any function of the individual.

According to the Convention of The Rights of Persons with Disability (CRPD), "disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others" (*Nations, 2006, s. 3*).

Also, it can be defined as an activity limitation which is a difficulty met by an individual in executing a task or action (WHO, World Health Organization). Disability is also shaped by physical, institutional and social barriers, including attitudes, judgements and assumptions about differences and impairments (CUPE, 2015). Thus, disability is not just a health problem. It is a complex phenomenon which reflecting the interaction between features of a person's body and features of the society in which people lives. Surmounting the difficulties encountered by people with disabilities requires attempts to eliminate environmental and social obstacles (*WHO*).

The definition of the individual with disability refers to a person who has lost various degrees of physical, mental, emotional, psychological and social abilities at birth or afterwards for any reason. individual with disability also cannotate to a person who has special needs different than peers. An indi-

vidual with disability is described as a person who has difficulties in fulfilling their daily needs and is adapting to the social life and who needs support services due to various degrees on loss of physical, mental, psychological, sensory and social abilities with congenital or subsequent reasons.

3. UNITED NATIONS

Nations were in ruins, as a consequence of World War II. After the War, the world wanted to reach peace. 51 countries gathered in the USA and signed a document which is called the Charter of UN in order to reach this aim. Thus, a new international organization was established after the massive destruction: The United Nations (United Nations (UN), 2015).

The UN was established in 1945 to protect world peace and security and to provide economic, social and cultural cooperation in the international area. After the War, the UN was focused on social development and highlighted social problems in its activities (*TOKOL, 2017*).

Today, 74 years later, the UN is promoting the development and assisting to those who indigent. The organization is maintaining international peace and security all around the world. Other functions of the UN are promoting democracy, preserving human rights and upholding international law. Today, the United Nations and its 193 Member

states are helping to build a better world together (United Nations(UN), 2015).

UN, produces and implements universal policies covering all people with the advantage of being a supranational organization. The organization which focuses on people around the world and their level of development has to apply the issue of disability to its conventions. It is one of the most important international organizations that work on the issue of disability, which still creates significant and noticeable problems in the world.

3.1. The Practises of UN on Disability

3.1.1. The Universal Declaration of Human Rights

According to the World Report on Disability, approximately 15 percent of the world's population live with some form of disability (UNPRPD, 2017, s. 3). Beyond doubt, people with disabilities have the right to enjoy all human rights and freedoms, as well as everyone else. However, people with disabilities face significant difficulties in exercising these rights and freedoms that are given to them as a birthright. With reference to this perspective, The Universal Declaration of Human Rights was adopted in 1948 and it considers equal recognition of all humanity under the roof of freedom, justice and peace.

3.1.2. The United Nations Convention on the Rights of Persons with Disabilities (CRPD)

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) came into force, in 2006. The Convention on the Rights of Persons with Disabilities is one of the core international human rights treaties and its covering all areas of life (Global Disability Rights Now). The aims of the convention are to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms of all persons with disabilities, and to promote respect for their inherent dignity (UNDP, 2018, s. 10). It represented a notable revision from a medical and charity model of disability to the social and human rights-based model. It is also guiding some principles including non-discrimination, non-exclusion, participation, equality of opportunity, respect and dignity and the respect for diversity (UNDP, 2018, s. 5).

The UN Convention of the Rights of Persons with Disabilities(CRPD) includes an effort on arousing the environmental barriers which creates exclusion. The Convention also promotes employment for people who suffer from a disability.

CRPD states the legal obligations on States to promote and protect the rights of individuals with disabilities. In other words it doesn't create new rights (Rao, 2010). Today 177 out of

193 United Nations Member States (or about 80 percent of countries) have ratified the CRPD (UN Department of Economic and Social Affairs, 2016). Once a country ratifies the Convention, it means that the country is legally bound to implement the core 33 articles and must report on their progress at certain intervals.

The Convention adjoins and works in hand in hand with previous international texts related to persons with disabilities: The Universal Declaration of Human Rights (1948), Human Rights of Persons with Disabilities (1975), Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1994), World Programme of Action on Disabled Persons (1982), Tallinn Guidelines for Action on Human Resources Development in the Field of Disability (1989).

3.1.3. The United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD)

The United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) is a collaborative effort that brings together UN entities, governments, or organizations of persons with disabilities and the society works to promote and adopt these possibilities into reality (UNPRPD, 2017, s. 3).

The UNPRPD supports 38 country-level joint UN programmes on disability rights. 80 percent of persons with disabilities live in UNDP

programme countries (OHCHR, 2015). UNDP plays a role in the development sphere with governments and stakeholders where it operates, UNDP has an important opportunity at the global, regional and country levels to strengthen disability inclusion through the SDG framework and its support to the implementation of the CRPD.

3.1.4. Sustainable Development Goals (SDGs)

The 17 Sustainable Development Goals (SDGs), which are a some kind of summons for going into action by all countries (including both developed and developing) in global. The 2030 Agenda for Sustainable Development, came into force by all United Nations Member States in 2015, provides a plan for maintain peace and prosperity for people and for the planet. Heads of States and Governments committed to building a better future for all people without any discrimination, specially millions denied the chance to lead decent, dignified and rewarding lives and to achieve their full-potential; succeeding in ending poverty, closing the gaps of inequalities. They recognize that all deprivations must work together with strategies that will improve health, education, economic growth, justice, peace and equality around the world (*United Nations, 2015*).

The Goals interconnect in order to leave no one behind. "Leave no one behind" is a matter of equal opportunity, inclusion, justice and economic

growth (UNDP, 2018, s. 5). CRPD and SDGs are mutually inclusive tools. The 2030 Agenda can be successful if all of the UN Member States include persons with disabilities in their national plans for implementation and observing.

4. THE LINK BETWEEN DISABILITY AND SDG'S

Societies will never achieve the SDGs without the full participation of everyone, including people with disabilities. Because none of the countries can afford to ignore or marginalize the contributions of 1.5 billion people. Upholding the rights of people with disabilities should be seen as a moral imperative, not an act of charity. The recognition of rights and their practices are very important in order to build healthy, sustainable societies for the benefit of everyone both with disabilities and without it. Together with the society, governments and civil organizations barriers can remove and awareness can raise. Thus people with disabilities can play a full role in every sphere of society, around the all world (UNDP, 2018, s. 9).

There is an substantial matter that needs to be emphasize on that is both the SDGs and the CRPD must be carry out as a whole. This means that countries can not choose single goals or articles, as all of them form part of an interconnected pattern.

5. SDG NUMBER: 8

All of the Sustainable Development

Goals are promote and provide welfare of the society, sustainable economic growth, decent work practices and upper productivity degree. UN, endeavours to involve responsible, policy maker and implementer organizations which are providing employment services to the implementation of the SDGs. The term of decent work appears at number 8 in the 17 SDGs that has a role to shape UN policies and it is closely connected with disability, The decent work concept is one of the core values of Sustainable Development Goals, with the purpose of "leave no one behind" attitude.

Governments, countries or societies benefits when more people are being inclusive and productive to their country's welfare and growth. Productive and inclusive employment and decent work are essential factors to achieving development enhancement, poverty reduction and fair globalization. In addition to these economic growth is not enough alone to ensure equity, social progress, welfare and to eradicate poverty. All employees around the world should also have decent working conditions. But unfortunately employment rates are lower for men and women with disabilities than their peers without disabilities. Persons with disabilities are at an increased risk of poverty due to this reduced access to employment and lower wages (UNDP, 2018, s. 9).

Sustainable Development Goals and in spesific Goal 8 are assist and

maintain sustainable economic growth, decent work implementations and upper stage of productivity. UN, endeavours to involve responsible, policy maker and implementer organizations which are providing employment services to the fulfillment of the SDGs. Goal 8 enhance inclusive and sustainable economic growth; full and productive employment and decent work for all (UNDP, 2018, s. 33). The notion of decent work, comprise improving living and working conditions alongside to the employment attendance of the most dis-advantaged groups within the society.

6. EMPLOYMENT OF INDIVIDUALS WITH DISABILITY: AN EXAMINATION OF UN'S DECENT WORK PRACTISES

Disability is a social problem that affects the individuals psychologically, socially, professionally and economically. One dimension of the realization of equal citizen participation of people with disabilities is to ensure the labour force participation of people with disabilities. Economic participation of people with a disability refers to support and encourage sustainable and inclusive economic growth, employment and decent work for everyone.

Work is a vital fact for the social integration, self-actualization, lead a decent life and maintain their mental health of people with disabilities as well as everyone. Because, besides

providing an income and economic independence, work increases self-confidence because of being a part of the society. It makes possible to participate in social life and to be respected by society. It enables to acquire new abilities and improvement of the individual (Bakırcı, 2005).

The right to work is accepted as a fundamental human right, including the right to free choice of employment, an open labour market, decent work and a safe working environment. There are many obstacles preventing exercise of these rights for persons with disabilities, including inaccessible workplaces and transportation services, absence of access to financial services, employment services, personal assistance, training, qualified education, discriminatory policies, low access to accessible information and negative attitudes or biases (UNDP, 2018, s. 33). Because of their situation and the socio-cultural formation of disability, people with disabilities are tend only to certain occupations. Even the hiring of individuals with disability is due to criminal sanctions or humane sentiment (charity approach).

Society benefits when more people are being inclusive and productive to labour market, with other words to their country's growth. Because decent work is main factor to achieving development enhancement, poverty reduction and fair globalization. Besides, unemployment can disrupt peace for the society if it remains

unsolved (UN). Nowadays, it can be clearly seen that the growth is slower, inequalities have increased, but however, job opportunities have not increased at the same rate as the growing workforce.

Labour market participation for people with disabilities is more challenging than others. When people with disabilities want to take part in the labour force; they are exposed to more discriminative attitudes in education or vocational training, hiring, distribution of professions, promotion, equal pay for equal valued work, equal participation in decision-making processes and dismissal (*Bakırcı, 2005*).

Around the world, differently-abled people live in poorer health conditions, face lower education accomplishments, have lower economic participation and encounter higher rates of poverty than people without disability (WHO & The World Bank, *World Report on Disability, 2011, s. 11*). One of the areas where discrimination against the disabled is very distinct is employment. People with disabilities have twice the rate for non-participation in the labour market as compared to individuals without disability (Bureau of Labour Statistics, 2019, s. 3). The unemployment rate for persons with a disability is about three times higher for persons without disabilities (*United Nations Department of Public Information, 2007, s. 1-3*).

Education is the first stop where discrimination begins and one of the

most important factors in the inability of people with disabilities to find work (*Bakırcı, 2005*). Work qualification of people with disabilities who have low opportunities for qualified education differs from those of other people. The jobs often they are employed have the characteristics of restrictive communication with the outside world, no progress opportunity, low skills and low wage income and low social benefits (*Yığıtoğlu, 2005*). Education (and vocational training) is of paramount importance for people with disabilities in finding a proper job that can lead a decent life (*Bakırcı, 2005*).

In employment 17 per cent of Europe's general population and about 15 per cent of the working population suffer from a disability. According to UNPRPD, employment rates for individuals with disability are %50-%75 lower in global (*United Nations Department of Public Information, 2007, s. 1-4*).

The concept of decent work with "leaving no one behind" aspect, comprise improving living and working conditions alongside to the attendance of the most vulnerable and disadvantaged groups within the society. Decent work means opportunities for everyone to have a job, get work for being productive and inclusive. It also infers a fair income, equality and security in the workplace and social protection for people, for families and better prospects for personal development (UNDP, 2018). In the light of this matter of fact, it is

also crucial that all people are given equal opportunities in the labour market and workplace (UNDP, 2018).

CONCLUSION

UN work for the increase the level of people with disabilities in all areas by the way of policy outputs and their implementation to the real life. And it is well positioned to promote and foster the importance of disability inclusive development at the global, regional and country levels.

UNPRPD and UN has also had marked success in bringing government and civil society actors together as required by the CRPD. Stakeholders, including government

partners, donors and organizations of persons with disabilities.

All in all, UN might not be the perfect international organization about the subject of people with disability, but still it is best option for the world, at least for now.

Besides, UN should create more integration between the counties, and organizations in global. Scope of UNPRPD should be cover all world, not only 38 countries. Reports should include latest statistics and rates, generate disability datas periodically and all reports should be shared with public. The organization also should strength the decent work call for all.

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