

# Assessing the policies to assist Disabled People to access Employment in Ireland

Edward Leonard, Geary Institute for Public Policy

## Introduction

Disabled people have consistently been encouraged to enter the workplace, but there are often obstacles for them to do so. These obstacles could include not having an accessible workplace, not being provided reasonable accommodations, or other societal impacts such as a lack of access to accessible housing. These can all cause disabled people to suffer more financial stress than non-disabled people (Emerson et al., 2021: P. 472). Disabled people therefore have less disposable income and are closer to the poverty line. This paper will look at the current levels of disabled people working in Ireland, examine what supports currently exist for disabled people in the workplace, consider the possible reasonable accommodations that employees could expect to make, and the grants available to them.

The paper will also examine other societal aspects that might prevent people from entering the workforce in the same way non-disabled people can. Lastly, this paper will explore the lessons learned from Covid-19 and examine whether the practices adopted during Covid-19 could allow disabled people to be more active in the workplace. The aim of this paper is to analyse if the current supports are fit for purpose. For the purpose of this article, the terms ‘disabled people’ and ‘people with disabilities’ will be used interchangeably.

## Current Levels of Disabled People in the Workplace

The 2016 census showed that there were 643,131 disabled people in Ireland, and this accounted for approximately 13.5% of the general population (CSO, 2017). In 2018, Ireland had one of the lowest rates of disabled people in employment (36%) in comparison to non-disabled people in employment (66%) (Economic Social and Research Institute and National Disability Authority, 2021). While there was a 5.7% increase in the rate of disabled people working, this was less than half of the employment growth rate of non-disabled people (Department of Enterprise, Trade and Employment (DETE), 2022: P. 15). Ireland has one of the lowest rates of disabled people in employment in the European Union (EU) (ibid: P. 74), indicating that there are other aspects which may be causing disabled people to not be active in the workplace. This fact, however, is not unique to Ireland, as high-income countries are reported to have “noticeable” gaps in unemployment rates between disabled people and non-disabled people (International Labour Organization, 2019). All this needs to be caveated with the fact that Irish people are less likely to declare a disability in comparison to other countries (DETE, 2022: P. 15-16).

Disabled people in Ireland are more likely to be placed in jobs that revolve around automation, meaning they are at a higher risk of being replaced by technology (Organisation for Economic

Co-operation and Development (OECD), 2021: P. 44-45). This is truer for men than women, as women are more likely to be working in “less routine service jobs” (ibid, P. 45). Interestingly, in 2018, disabled people were often less likely to be working remotely than people without disabilities (ibid: P. 49-50). Education plays a key point here, with more disabled people with medium education levels working more remotely than non-disabled people.

## **Current Supports for Disabled People in the Workplace**

The current supports for disabled people in the workplace in Ireland are based on the Disability Act 2005 and the Employment Equality Act 1998 (EEA). The EEA refers to what disabilities or inabilities might constitute and the obligations that employers have to ensure that disabled people are actively supported in the workplace. The Disability Act 2005 however provides a concrete definition of disability in terms of employment, where it defines a disability as:

*“A substantial restriction in the capacity of the person to carry on a profession, business or occupation in the Irish State or to participate in social or cultural life in the Irish State by reason of an enduring physical, sensory, mental health or intellectual impairment” (Disability Act, 2005, Art 2(1))*

The EEA prohibits the discrimination of people in employment under nine grounds, including disability (Boundless, 2022). The EEA is responsible for setting out the legal obligations that employers are to adhere to, including equal pay and equal access to employment (Boundless, 2022). Part 5 of the Disability Act 2005 sets out the legal obligations that public service bodies are obliged to adhere to. This includes the obligation that public sector bodies must commit to having disabled people constitute 3% of employees, which is to rise to 6% by 2024 under the Comprehensive Employment Strategy for People with Disabilities 2015-2024 (Government of Ireland, 2015). It is important to note that the Disability Act 2005 primarily relates to the public sector, so it would be interesting to see if similar criteria could be applied to private sector entities.

When it comes to social welfare supports, disabled people are entitled to receive variable rates of disability allowance, depending on their employment status. People with disabilities may be eligible to receive disability allowance depending on a means test of their weekly income (Boundless, 2022). Any income received up to €140 (excluding PRSI, pension contributions and union dues) is not considered income under the means test (Citizens Information, 2022a). 50% of income between €140 and €375 is considered as income, while any income above €375 is considered in full. Currently, people who are in receipt of a disability allowance receive €208 weekly, with an additional week’s Christmas bonus payment. Based on this assessment, a person can earn €465.50 per week (excluding PRSI, pension contributions and union dues) before they are ineligible to receive disability allowance (Citizens Information, 2022a). This means that anyone who receives an annual salary of over €24,406 would not be eligible to receive the payment. The weekly payment of €465.50 is 52.88% less than the average weekly wage (CSO, 2022).

While disability allowance recipients are entitled to receive some benefits, such as use of the Free Travel scheme for five years after their payment is discontinued, recipients who are just over the threshold of having their payments withdrawn may seek to work reduced hours or

withdraw from the labour force entirely. This would support the statement by Eurofound (2022, P. 1), which noted that people with disabilities often work reduced hours. In order to support disabled people's access to employment, there is a need to increase the *income threshold for disability allowance recipients who enter the workforce or to increase the duration that recipients can avail of the Free Travel scheme*.

Furthermore, there is a need to do more to enable disabled people to travel. For example, the Mobility Allowance scheme was designed to assist disabled people who cannot use public transport and who would benefit from leaving their home surroundings (Citizens Information, 2017). This benefit was intended for recipients of specific social welfare schemes (e.g., disability allowance) to claim either €208.50 or €140.25 per month (depending on whether they avail of the Disabled Drivers Tax Exemption Scheme). However, this scheme was closed to new applicants in 2013.

It would be useful to launch a similar scheme for workers with disabilities as it could provide disabled people who cannot use public transport the option of not having to work remotely. However, this scheme would need to make some key changes from previous schemes. For example, the previous grant value offered under the Mobility Allowance scheme would be insufficient for employees seeking to access their workplace on a full-time basis, as it really only covers one return trip to the office each week, depending on the distance the person lives from their workplace. Therefore, under a new scheme aimed at assisting workers with disabilities to access their workplaces, it would be necessary to increase the amount of the grant offered and to extend the period that disabled people are eligible to receive it after commencing employment, such as with the Free Travel Scheme.

## **Reasonable Accommodations**

Employees with disabilities are entitled to certain reasonable accommodations from their employers to ensure that they can work to their maximum ability. These accommodations can range from providing additional resources to employees, to facilitating them with flexible working. The Department of Social Protection (2019a) has a Reasonable Accommodation Fund where it provides a Workplace Equipment Adaption Grant that goes towards adaptations, such as equipment adaption or installing ramps so that the workplace is more accessible (Department of Social Protection, 2019c). There is no maximum amount that can be applied for, and this means that private sector employers should not be deterred as the grant can cover the full cost of adaptations, as opposed to only a percentage of the costs.

The Department of Social Protection also has a Job Interview Interpreter Grant that allows for an interpreter to attend an interview for an employee (Boundless, 2022; Department of Social Protection (2019a). The rate payable to the interpreter is €95 to €205, plus travel costs, but it will only cover three hours of work (Boundless, 2022). The Personal Reader Grant is similar as it provides visually impaired employees with a reader to assist them with carrying out their work (Boundless, 2022). However, the issue with the Personal Reader payment is that the government will only pay minimum wage to the reader and only cover 640 hours per annum.

Despite the aforementioned shortcomings with the Personal Reader scheme, it would be beneficial if a similar scheme was launched for interpreters in the workplace. If full-time interpreters could be hired to assist employees to carry out their work, this could encourage employers to take on disabled people with visual or hearing impairments, therefore allowing

them to become active members of the workforce. If employers do not cover the excess costs and the employee is compelled to cover the additional costs, it creates a further disincentive for disabled people to work full-time.

Employers are entitled to claim additional grants to support them taking on employees with disabilities. These include the wage subsidy scheme which allows private sector employers to claim an additional €6.30 per hour if the disabled person is employed for a minimum of 21 hours per week up to a maximum of 39 hours (Department of Social Protection, 2019b). This support is beneficial in multiple ways: i) it provides a greater incentive for private sector entities to hire disabled people, ii) it requires disabled people to earn the going rate for the job and, iii) it helps to ensure that disabled people can become fuller members of the workforce.

Under the EEA, remote working is another area where employers must take ‘appropriate measures’ to ensure that a disabled employee is provided with adequate support when working off-site. This includes ensuring that a disabled worker has equal opportunities and is offered the same resources and training as other workers. Remote working has gained significant attention since 2020 as the Covid-19 pandemic allowed for working from home to become a realistic scenario for employees. The advantages of remote working include removing the need for employees to commute to work and providing employees with a more flexible work schedule (Boundless, 2022). However, it is important to underline that while the EEA obliges employers to make reasonable accommodations to facilitate those who work remotely, employers do not have to take on a ‘disproportionate burden’ when providing reasonable accommodations, such as large financial costs (ibid). While employers are obliged to seek out the possibility of public funding or grants available, it is likely that many SMEs may not be able to support disabled people who require additional equipment such as speech to text software.

### **Other Aspects that Prevent Disabled People from Entering the Workplace**

Disabled people are often indirectly impacted when it comes to being prevented from entering the workplace. This can stem from being unable to find affordable and accessible housing or from having an inadequate housing supply. A lack of these can often make it impractical for disabled people to enter the workforce as their wage may not cover the transport costs or high rent. Gregoir and Maury (2013) refer to how social housing can affect the degree that a disabled person seeks to enter the labour market. Disabled people who are unable to source suitable housing and employment may be forced to seek social housing that is specially adapted for people with disabilities. It has been found that people with short-term disabilities who end up availing of social housing may have medium-term effects for disabled people’s job opportunities (Gregoir and Maury, 2013: P. 1136). The security that these people have can have indirect consequences on disabled people as they may fear that any employment income could cause them to lose their social welfare entitlements, including their eligibility for social housing (iBid). A similar approach to the free travel scheme where people may be entitled to hold onto their eligibility for social housing for a period after losing their social welfare (see Citizens Information, 2022(b)). An increase of the income that is not means tested or being able to deduct expenses such as medical or transport from income could allow for disabled people in full-time employment to be able to retain their social housing for an extended time.

A lack of disabled friendly housing (see Leonard, 2022), together with an insufficient transport options for disabled people, can similarly have a negative effect on people with disabilities

entering the labour market. The National Housing Strategy for Disabled People (Government of Ireland, 2022: P. 33) shows that currently 63% of disabled people are living with family members in contrast to 26% of disabled people living privately. A lack of disabled friendly housing on the market can result in making disabled people, who seek to live independently, not wishing to apply for jobs that are not remote as it may be impractical. A lack of suitable transport options can have a similar effect, as the disabled person may require accessible transport being constantly available (see Murray, 2022). While there are more opportunities for remote working than there was prior to the Covid-19 pandemic (CSO, 2021), disabled people could still be locked out of accessing specific employment opportunities due to having inadequate access to reasonable accommodations for their home working environment, or not having the skills to work in jobs that allow for remote working to be an option. An increase in the total accessible housing options available, together with making transport more accessible, is needed to ensure that reduce the indirect negative effect on disabled people seeking to enter the workforce.

### **Moving forward: What can assist disabled people from entering the workplace?**

As Ireland has one of the lowest rates of disabled people in employment in the EU, it is vital to look at policy measures to assist disabled people in accessing employment. This is also pertinent to examine as employers are assessing their workplace policies and models in the wake of the Covid-19 pandemic, which led many employers to realise that their employees may not need to work in the office full-time and that they could fulfil their same work obligations through working from home. A survey by the Central Statistics Office (CSO) in November 2021 found that, prior to the pandemic, only 23% of employees worked remotely at some point, but the pandemic changed this with 80% of workers reporting that they have worked remotely at some stage since 2020 (CSO, 2021).

Prior to Covid-19, people with disabilities were found to participate less in the labour market and forced to work fewer hours (Eurofound, 2022: P. 1). However, if more opportunities for remote working were available to disabled people, this would provide them with a greater opportunity to access the labour market. This is because, for many disabled people, working on site may not be practical due to their disability, or due to a lack of accessible housing options near their workplace, among other reasons.

The CSO (2021) survey found that 69% of respondents who were “unable to work due to their longstanding health problems” would consider entering the workforce if remote working was a possibility. Therefore, in order to assist disabled people to access the labour market, it is important that employers introduce measures to facilitate disabled employees to be able to work from home if this is something that the employee asks for, and if the nature of the tasks involved in the job can be done off-site. Employers should also provide reasonable accommodations for the employee in the home so they can work with the same productivity as in an office environment.

However, it is important to note that the ability to work from home varies by sector and by job. A report by the DETE (2022: P. 17) shows that only 34% of the jobs occupied by disabled people have the option of remote working as disabled people are often forced to work in service jobs wherein working from home may not always be an option. Therefore, it is important to also examine ways to improve disabled people’s access to jobs that can be done remotely, i.e. through increasing access to further education and training. Furthermore, due to the lack of

disabled accessible accommodation in Ireland (see e.g. Leonard, 2022), further research should examine what percentage of disabled people who are unemployed and who cannot access accessible housing, would seek remote working opportunities.

## Conclusion

Covid-19 has shown that some of the obstacles that disabled people face when it comes to entering the labour market can be fixed through allowing remote working, but not all. While there is a commitment to employing more disabled people in the public sphere, more resources are likely needed for private firms so that they can provide adequate accommodations to disabled workers. This is likely going to involve increases in the existing grants to support workers on site, but also for extending the requirement to support remote workers, most likely through reforming the Workplace Equipment Adaption Grant so that workers are not negatively impacted through a lack of resources at home. This could allow for workers to be employed for longer hours and leave them less reliant on social welfare support.

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