

# RECOMMENDATIONS ON COMPLIANCE WITH LABOUR RIGHTS OF PERSONS WITH DISABILITIES

Based on results of conducted focus groups



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**FIGHT  
FOR  
RIGHT**

# **RECOMMENDATIONS ON COMPLIANCE WITH LABOUR RIGHTS OF PERSONS WITH DISABILITIES**

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of conducted  
focus groups**

English edition:  
**RECOMMENDATIONS ON COMPLIANCE WITH  
LABOUR RIGHTS OF PERSONS WITH DISABILITIES.**

Based on results of conducted focus groups

Ukrainian edition:  
**РЕКОМЕНДАЦІЇ ЩОДО ДОТРИМАННЯ  
ТРУДОВИХ ПРАВ ЛЮДЕЙ З ІНВАЛІДНІСТЮ.**

За підсумками проведених фокус-груп

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# INTRODUCTION

Everyone has a right to work. It includes an opportunity to earn for living by work that he or she freely chooses or freely agrees to in accordance with the Constitution of Ukraine.<sup>1</sup> In addition, everyone has a right to proper, safe and healthy working conditions, and to wages not lower than determined by law.<sup>2</sup>

Therefore, within the framework of the research, it is important to find out what obstacles exist in the labour market and whether there are steps to overcome them, so that persons with disabilities can freely choose a job. Moreover, it should be found out whether the proper conditions created for selection of such work to be implemented on the open labour market.

The research should answer a question: whether reasonable accommodation<sup>3</sup> is provided for persons with disabilities to perform their professional duties. In addition, it is good to know about the ratio of wages of persons with disabilities to wages of persons without disabilities.

Certain components of right to work, including right of persons with disabilities, are defined by the [European Social Chapter of the Council of Europe](#). The Charter imposes an obligation on member states regarding the right to work for persons with disabilities. This means:

“ promote their access to work by all means which may encourage employers to employ persons with disabilities and to retain them in a normal working environment and to adapt working conditions to the needs of persons with disabilities, or, when this appears to be impossible due to the disability, by arrangement or creation of special workplaces taking into account the degree of disability. In some cases, such measures may require the use of specialised employment and assistance services. ”

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1. Article 43 of the Constitution of Ukraine.

2. Ibid.

3. Reasonable accommodation means that employers must take different measures where necessary in specific cases to enable persons with disabilities to obtain employment, to work or being promoted/trained. There is only in case if it does not impose a disproportionate burden on an employer. Regarding disproportionate burden: an employer must determine how many resources are necessary to provide a reasonable accommodation in a particular case. This should not lead to losses or violate a law (see Article 5 of [Directive 2000/78/EU on the establishment of a general framework for equal treatment in the field of employment and professional activities](#)).

In its practice, the European Committee on Social Rights defined standards of a legal act. The Committee points out the need to prevent and combat discrimination of persons with disabilities in labour market, emphasizing open labour market. In addition, the Committee insists on the need to provide reasonable accommodation.<sup>4</sup>

Although persons with disabilities in Ukraine face many different challenges when looking for work and employment, their experiences and requests in the field of employment remain understudied. This research was therefore designed to elicit the views of persons with disabilities on the status of their right to work in order to better understand their needs and challenges. It is aimed to fill a gap in understanding the challenges faced by persons with disabilities in finding decent employment, in order to serve as a basis for the development of appropriate government policies, recommendations for employment centres, employers and public initiatives that support the employment of persons with disabilities.

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4. Dr. Monika Smush-Kulesha. [Report on assessment of needs for review of policy and legal framework in field of ensuring rights of persons with disabilities in Ukraine](#); carried out within the framework of the Council of Europe Project „Development of social human rights as a key factor of sustainable democracy in Ukraine“, pp. 14-15.

# METHODOLOGY OF RESEARCH

A focus group research method was chosen to identify opinions of persons with disabilities in order to find out the aspects that concern persons with different types of disabilities regarding observance of their labour rights and access to employment. Taking into account the international and national standards of right to work, the questionnaire of the focus group research is built on the basis of stages of components of the right to work:

1. Receiving information about job announcements and vacancies. Reasons and conditions for choosing a particular employment opportunity.
2. Access to services of employment agencies.
3. Sending CVs and interviews.
4. Creating conditions at a workplace.
5. Wage level.

Focus groups were organised from 22 January to 15 February 2022 according to the types of disabilities of the participants. A total of 39 persons with disabilities aged 18 to 60 with different levels of education took part in focus groups: 11 participants with physical impairments, 10 participants with visual impairments, 5 participants with hearing impairments, 7 participants with psychosocial impairments, 4 participants with intellectual disabilities and 2 of their guardians. Residents of villages, urban-type settlements and cities from different regions of Ukraine were represented in the focus groups. Due to the COVID-19 pandemic, focus groups were held online on the Zoom platform. Anastasia Gerasymenko, an independent expert, acted as a moderator of the focus groups. In this report, the terms “respondent” and “focus group participant” are used interchangeably.

Respondents were asked to answer three thematic blocks of questions:

## **Job search**

1. How do you look for a job and what do you pay attention to when reading vacancy description?
2. Have you attended job search trainings or courses for obtaining an additional profession organised by public organisations, local self-government authorities, etc.? If so, which ones? Did they work for you?
3. Did you face other obstacles while looking for a job? If so, with which ones?

## **Employment**

1. Has an employer been interested in how to ensure the availability of work process for you in case of getting a job?
2. Have you ever been denied employment by an employer because of a disability/disruption? If so, what were your actions?

## **Work process**

1. Does an employer know that you have a disability/impairment?
2. How accessible and comfortable is the work process for you? What does it take to improve the accessibility of your workflow?
3. Do you feel that you are treated differently than other employees without a disability/impairment by your colleagues or management?
4. Do you feel that your disability/impairment affects your career opportunities? If so, in what way?
5. Was your disability/impairment a factor in choosing a profession or place of work?
6. Do you think your salary level is sufficient for a comfortable life?

# DEMOGRAPHIC INDICATORS OF RESPONDENTS OF THE RESEARCH

39 people participated in the survey. All of them reported that they have a disability. 46.8% of them are women, and 53.2% are men. The respondents of this research are economically active persons with disabilities, it means that they are employed or are looking for a job.

Accordingly, the age deviation of the research participants was as follows: 18-25 years – 20.8%, 25-35 – 41.6%, 35-50 – 20.8%, 50+ – 18.2%. 65% of respondents live in regional centres, 26% in other cities, and 10.4% in villages. 10.4% have completed secondary education, 13% have vocational and technical education, 20.8% have incomplete higher education, and 57.2% have completed higher education.

8% of respondents had a job at the time of survey, and 22% did not. Respondents who were not employed at the time of survey talked about their past employment experience. 44.8% of respondents had a registered employment contract, 33.8% worked unofficially, 13% were self-employed and 10.4% had a registered employment contract but did not actually work. 57.2% worked remotely from home, and 42.8% - from an employer's workplace. 41.6% of respondents worked in their specialty, and 58.4% did not.

5.2% of respondents had no work experience. 13% of respondents had 1–3 years of work experience, 18.2% had 3–5 years of work experience, 33.8% had 5–10 years of experience, and 31.2% of respondents had more than 10 years of experience. 63.6% of respondents had a monthly income from work below the minimum wage (6,500 hryvnias in 2022), and 36.4% - above this amount. 54.6% of respondents noted that they were refused to get a job or fired due to disability. 45.4% of respondents had no such experience.

# I. JOB SEARCH FOR PERSONS WITH DISABILITIES

## Methods of job search

In general, respondents indicated three main sources of information about vacancies that they use:

- **Employment websites**

Most of the respondents used [work.ua](#), [robota.ua](#). Some of them were also mentioned [ua.jobble.org](#), [olx.ua](#), freelance platforms and online resources that offer work with remote employment. In addition, participants working in the public sphere reported on using the sites of [Resource Centre GURT](#) and [Public Space](#). Majority of the respondents have also heard of or have themselves used job search websites for persons with disabilities or have heard of their existence. They called the following websites: [UTOG](#), [Vilno](#), [As equals](#). Some focus group participants were not familiar with such websites or had no interest in them.

- **Visual accessibility of job search websites**

The majority of respondents with visual impairments indicated that the sites were accessible to them. For example, one respondent reported the following:

“ There is accessibility for a person who has completely no vision and for a person with residual vision. I have residual vision and use enlarged fonts. There are difficulties due to the fact that windows are enlarged incorrectly. ”

At the same time, another respondent complained about an unavailability of job search websites:

“ They are completely unavailable for me. I looked at vacancies related to copywriting, writing texts, everything in this direction. ”

## 2. Acquaintances and direct offers to employers

Some respondents said that they themselves approached employers with an offer to hire them. One participant noted:

“ I started walking around the city on my own, looking for organisations and, roughly speaking, advertising myself. (...) And that’s how I found my first job. ”

A large part of the interviewees looked for a job among their acquaintances. For example, one participant said the following:

“ I was looking for a job among acquaintances. When I studied, I was on a good level with the teachers - they all knew me. Then, when I was already looking for a job after obtaining the disability, teachers, acquaintances, heads of hospitals and laboratories helped me. ”

## 3. Search through state employment centres

Most of the participants had experience of applying to employment centres. At the same time, some participants did not apply to them. One participant shared:

“ I did not use an employment centre because of negative recommendations from friends that they would offer you some computer courses and, unfortunately, I did not check how true this statement was. ”

Only a few participants had a successful experience of employment through the employment centre. One participant said:

“ I found a job through an employment centre, because at that time no one wanted to work there because of low salary. ”

Almost everyone who had experience with an employment centre could not get a job for various reasons:

- **Vacancies suitable for them were not offered or employers refused them**

A participant shared her experience:

“ I was registered at an employment centre for almost seven months in order to find a job. I was offered various jobs, which made me laugh, hurt and even ashamed. But at least I said that if you can't find me a job that matches my profession, my status, then it's better not to offer it at all. ”

- **Architectural inaccessibility of an employment centre**

Some respondents reported a lack of availability of employment centres.

A visually impaired participant said that an employment centre was visually inaccessible. She noted:

“ I had a big problem with information accessibility of an employment centre. All these beautiful pieces of paper and boards with news, which hung beautifully high up in a beautiful font that was not mine. That is, when our conversation started directly, they told me - here we have a lot of ads on the boards, maybe you will like something. I say - “I can't see them”. ”

A hearing-impaired participant spoke about lack of translation for those who have hearing impairments:

“ I wanted to officially register, but I failed, because you have to communicate. There was no sign translator. ”

A participant with physical impairment complained about an architectural inaccessibility of a road to an employment centre. According to her,

“ it was difficult to get to an employment centre - transport is not available. ”

- **Difficulty in finding a job due to problems in defining of disability status**

One of the participants had a disability, but she was not legally registered, and because of this, she had difficulties in finding a job.

She said the following:

“ In the following two cases, I already spoke about disability, and they told me - either register disability, or we will give you any other work for 8 hours. The problem is that they only offer me full-time work, and I am physically unable to work full-time. They tell me - I do not have an officially established disability, although my diagnosis meets this criterion - either you file for disability or you work 8 hours a day. As a result, my social payments were canceled, because I could not go to the jobs they offered me. ”

Another complained that he was forbidden by the Medical Social Expert Commission to work by specialization he had after higher education because of his disability. When he was offered vacancies at an employment centre, he was not interested in them. He said:

“ They proposed me a couple of vacancies. They did not correspond to what I was interested in and what I could do. The Medical Social Expert Commission wrote to me that I cannot work with a higher education, but I can work as a technician in the department. I'm not interested in this job, I don't want to work for it at all. ”

- **Negative attitude or unjustified refusals of employment centres due to disability**

Some of the respondents said that they faced insults or unjustified refusals of centre's employees to provide them with services.

One participant said:

“ I was faced with the misunderstanding of a manager of an employment centre, a woman looked at me and said: “Why do you register at an employment centre, you won't work anyway”. I said, well, maybe I won't work, but I'll try to find a job. ”

Another respondent complained about the rude attitude of an employee of an employment centre:

“ I changed a manager because a girl sitting at reception who worked with me was quite ill-mannered, or she simply despised persons with disabilities. Her attitude was unclear. I told her how many enterprises we have in Chernivtsi, there must be some enterprise that could create a comfortable workplace for a person who moves with the help of a wheelchair. At least they told me that they submitted applications, and I said: Well, show me, you submitted applications a month ago. They say they did it by phone. But if you send informational requests, you should receive answers to those requests. ”

## Certain aspects of job search for persons with disabilities

### 1. Indication of disability in CV

Respondents had different experiences and different opinions on this issue. Some of them report about disability on their CV. According to one participant, she always does this “so that it is not a surprise”.

Others said that they did not specify it, because otherwise they would not receive an answer to their CVs.

One participant shared:

“ Usually I don't indicate it in my CV. When I come to an interview, I tell about it, with the purpose to waste my time or the time of others. A couple of times I indicated it in CV, and then stopped. When I indicated, I received a message saying “we will call you back” and nothing happened. ”

One participant talked about a similar experience, but he continues to indicate a disability in his CV.

“ I didn't indicate it in my CV before and there were problems with that. Since then, I've started pointing right away, because I'm not interested in wasting my time. When I started to point it out, they stopped responding to my CV. ”

### 2. Attitude towards vacancies marked “for persons with disabilities”

The vast majority of respondents consider such vacancies. One participant noted:

“ If I am competent in this field, why not consider it. ”

An important reason why they consider such jobs was to find a job to start with, and then look for one that is more to their liking.

“ I would leave and continue looking for a job. I would stay there and look for it at the same time, if I found a job I liked, I would switch to it. For example, imagine - I graduated from university, received a diploma, everyone asks me about my experience, but I don't have it. I just got my diploma, how can I get it? I'm still looking, for example, I worked at McDonald's, I'm working and I'm still looking. If I have such experience, they are ready to hire me. ”

Two respondents said that they are not considering such jobs or are considering them less and less. One respondent said:

“ I am looking for a job that suits me. If there is just a note “for persons with disabilities” and it doesn't suit me, I don't apply. ”

### **3. Attitude to offers of fictitious employment to close the “quota” at an enterprise**

Some of the respondents are fictitiously employed or would not object if they were offered such a job. One participant shared:

“ Of course, they offered. I “worked” like this several times and now I am a person who is registered, but de facto I do not work. ”

On the other hand, some of the respondents never encountered it. According to one participant, she was “never offered so”.

Some respondents have heard about such practice. One participant said:

“ I saw an advertisement. I called there just out of curiosity. It was indeed a relevant advertisement, the remuneration was UAH 1,000. They had such a scheme - you had to take a picture of your face and they will check whether my group of disabilities would fit or not. I know such cases where people were offered remuneration ”

Some of the respondents received offers of fictitious employment, but they refused them. One participant said the following:

“ A man came home from a factory and said – we really need persons with disabilities to close the “quota”. I say, I could work – do you have an impressive vacancy there? No. I refused. I saw an advertisement in my city: we are looking for PWD, you don’t need to do anything, it is written directly in the text. It didn’t interest me at all, because I really like to work. ”

#### **4. Experience of attending job search trainings or courses for obtaining an additional profession**

Some participants did not attend any trainings. Some attend professional development training. One participant said:

“ Yes, if possible, I try to attend trainings for improving my job skills, I am not officially working now. I currently work as a sales manager, if there is training from a business coach; I try to be there even if it is paid. It is sufficient for me. ”

One participant spoke about an experience of attending a CV creation training from a private company:

“ I attended a professional development centre in Kyiv. It is a private company. They also taught how to write a CV. It was very interesting to me, because I learned a lot of new things for me. ”

Among those who applied to employment centres, some were not offered to attend any trainings at all. Some participants attended training events from employment centres and were satisfied. For example, one participant attended

“ both trainings and courses. The course on how to start a business lasted two months. In addition, I attended various one-day courses. About opening a business - it was useful, there was a lot of useful legal and accounting information. ”

Part of those who attended courses from employment centres remained dissatisfied. One participant said that she

“ went to their classes, to no avail. ”

## II. EMPLOYMENT PROCESS FOR PERSONS WITH DISABILITIES

### How does disability affect work?

We asked the respondents whether an employer was interested in how the disability would affect their ability to work.

Some of the focus group participants said that their employers did not ask them about it. One of the participants noted the following:

*“ When I was hired, they knew that I had hearing impairment. I came with an interpreter, the hearing impaired helped. It is important to be diligent, I can speak a little, and I read lips very well. I can write messages. I do not need special conditions. Employers did not specifically ask what needs to be provided. ”*

Others reported being asked by their employers about how their disability would affect their work. A participant with a physical disability said that at one interview he was asked if it would be difficult for him to walk up 2-3 floors. He noted that

*“ they saw that I was walking a little poorly. They saw that I could attend meetings and negotiations with suppliers without any questions. But they asked if it would not be difficult, if any additional conditions were needed. I refused myself. ”*

Another participant explained by her will how her disability would affect the work, because

*“ I really wanted to get a job. I say, let me work for three days, you will look at my work, first of all, not that I have any controversial moments. I stayed to work, we agreed on the schedule that I needed... The initiative came from me. ”*

## SUCCESSFUL EMPLOYMENT STORIES

Several participants shared stories of successful getting a job after an interview. One participant said the following:

“ They gave me a task, they saw that I did well - okay, you're good for this job. ”

A participant with hearing impairments shared his experience:

“ I was asked at the “Allo” store - I was offered to become a translator and I was asked many questions about how to communicate with you properly. Persons with hearing impairment know very little about some points and “Allo” want to convey some features of technology in sign language. A lot of people ask me how to do it the right way. (...) I think that I am lucky, because I have experience of communication with hearing persons, I have experience of working in the UTOG centre and in a specialized school. I am lucky and have many jobs. I was chosen because I have a large portfolio. ”

Part of the respondents had no experience of refusal due to the presence of a disability. One participant noted the following:

“ I didn't have it, and my wife didn't either, I don't know about such cases. I think it wasn't because everything was so good, but there were very few such situations both in my experience and in hers. ”

Another participant noted that she did not have such experience “probably because of my young age”.

## REFUSALS IN EMPLOYMENT DUE TO DISABILITY

Most of the respondents said that they had experience of being denied employment, which they attributed to their disability.

- **Rejections at the interview stage**

A large number of respondents complained that employers did not respond to their applications or did not call after interviews when they learned about their disability. One participant said the following:

“ No one says it face-to-face: “Sorry, you are not suitable for us because so-and-so”. Everyone is saying: we will call back, and that’s it. I asked once, maybe it’s because of a disability, and they were like: no, where did you get it from? It’s just that this is a problem in the country now, it’s difficult to get a job, many people want to get a job, so we have a big competition. No one specifically says that you are not suitable for us, because...”

One participant told of being turned down for a job at a bank because of his disability, despite he won a competition.

“ Once I passed a competition for a job, everything was fine, they were ready to hire me. Someone “smart” wrote in my employment book about the presence of a group of disability and I was not accepted there. They said that their company policy is this - it is a commercial bank. They said that they do not give loans to persons with disabilities, do not hire them. At that time, we had courses, after the courses there were exams, based on their results persons should be announced with whom a contract to be signed. I was announced, but when I submitted my documents, I was refused.”

Another participant said the following:

“ Not understanding of the fact that disability is different scares away employers. It happened that I went through training, showed good results, KPI is good. And they tell me: you know, we won’t be able to hire you. I ask: why? Well, you have a disability, we consulted with the manager - it won’t work. I’m like this: well, I’m sitting at home, I won’t have to go anywhere. And they absolved themselves of responsibility: that’s what they told us... It happened that they refused. Maybe 4-5 persons.”

One participant with hearing impairment shared the following experience:

“ As soon as they found out that I had hearing impairments, they refused. I wrote, asked, they reluctantly wrote, endured, and refused. The reason is that I have hearing impairment.”

Some participants associated refusals in interviews not with the disability itself, but with factors that are a consequence of disability. One participant with hearing impairment said:

“ There were refusals. It is difficult to say the reason, because there are many nuances. First, you need to write correctly. I make a lot of mistakes when I write.”

The visually impaired participant said that, in his opinion, the rejections were fair due to a lack of the necessary skills:

“ I had rejections, but they were completely fair. When I was looking for a job, I couldn't even use a computer well. ”

- **Inability to do work that they like because of disability**

Participants with visual impairments said that it was impossible for them to work with photos and illustrations. One respondent said the following:

“ I write well, but the SMM specialist has to post photos, illustrations, it is not affordable to me. There are very “tasty” vacancies in good places, but because of this obstacle I can't get a job there, it's very obnoxiously. Inability to do work that they like because of disability. ”

One respondent cannot work for a long time during the day due to health problems, which caused difficulties in finding a job.

“ As a rule, they (employers) also want an eternal employee who will work 12 hours, who will know everything, including fluent English and the 1C accountant program. It's impossible for me, because I can only work 4 hours at most due to my condition. ”

- **Impossibility of employment due to the unavailability of a work process**

Respondents referred to a lack of architectural or visual accessibility as a barrier to employment that they faced. One participant said the following:

“ It happened that I approached the employer for a non-remote job, but the architectural accessibility did not allow me to walk. ”

Another told about such an experience:

“ Once I had a really great interview - it was a sales project. A lady was there, asked to demonstrate how the screen access program works, but unfortunately they are working with some kind of system that doesn't have any voice. Maybe now it has already changed. Then they used a CRM and some other program, and they gave me all the keys and passwords to them. They gave me chance to try at home, but it didn't work. She told me: “I would be happy to hire you if you could use our program”. ”

- **Loss of job due to disability**

Some respondents said that they were forced to resign for various reasons related to their disability.

One participant was disabled due to a spinal injury and had to resign due to a lack of architectural accessibility:

““ *When I had my main job, I worked as the head of the appeals department of a state institution. When my employment contract ended, and I had already stopped moving freely, I went on sick leave and after that I was out of work. Because the institution where I worked was quite far from where I live. My office was on the second floor of a building without an elevator, that is, the administrative building was not equipped with accessibility elements. And I had to resign from work, as unfortunate as it was, but it happened. Even despite the status of a person with a disability and the age at which I could still work for a long time, but due to such circumstances I had to resign.*””

Another participant quit her job because it was too physically exhausting:

““ *I worked in a hospital for 4 years, I really loved my profession - laboratory biologist, a wonderful profession. But I had to admit that it was harming me, and I had to resign.*””

One participant said that he resigned due to the impossibility of career growth in an organisation due to his disability:

““ *I had an experience when I went to work at McDonald's Ukraine Ltd purely because they created a friendly image towards persons with disabilities, in particular those who use sign language I deliberately went there and I can't say that it was a wonderful experience. I worked there for three years, but it was an option where I could not grow there. I was purely at the initial level and it is impossible to grow there, because I was not put on the register to work with people, because suddenly I might not hear something and there might be a scandal.*””

### III. WORKING PROCESS OF PERSONS WITH DISABILITIES

#### Accessibility of a workplace

Majority of the respondents indicated that their workplace is accessible. Some of them work remotely and have set up their own workplace. One respondent noted:

“ I am currently working remotely, so there are no difficulties. Our office is accessible, but there is no need, because I work from home. ”

Others have accessible working places established by employers. For example, one focus group participant answered a question whether his workplace is accessible:

“ Absolutely. I move normally, I walk a little poorly. We don't have an elevator - there are two floors in the office, so there are no such questions. ”

Some other respondents said that their workplaces lacked accessibility. One participant shared the following experience:

“ I am currently working for two public organisations - these are two very short projects. I work in one organisation once every two months, and in another a little more often. No one thinks about accessibility for me. These are your problems, we need a website by the end of February. You can do what you want, we have a project - the donors said, you have to submit everything. I need people to be more flexible. ”

One participant noted that he lacks sign language translation for comfortable work with clients:

“ It would be good if there was an interpreter. There are customers, many come, they look at me: they can't hear, they are scared. But they know at work - the customer comes and what he does. And there are normal customers - well, they pass them to me, we write messages, and then at a distance - we talk via Telegram. There are few such people. Many people are scared - their eyes become big, many are getting far away. It is not normal. They reach other people and pass information to me. ”

- **An initiative to ensure an accessibility of a workplace**

Respondents had different experiences with employers regarding issues of workplace availability at the hiring stage. Employers asked some respondents how to arrange workplace accessibility for them. One participant with visual impairments said the following:

““ *My job involved moving around the city. We had an agreement from the first day of work that if I was assigned to even one point, then my working day would be over, because I needed more time to find and orient myself “in the fields”. I (worked) absolutely calmly for two years.* ””

And one of the participants with physical disability said that the employer

““ *asked - “are you comfortable, maybe something else needs to be done?” I say - no, it’s enough for me, there is a table at which I can sit and a counter at which I can stand. The job suited me very well.* ””

In the case where the respondents themselves asked to ensure an availability of their workplace, some of them received what they asked for. One participant said:

““ *I said that I would like it to be bigger - I will work faster if there is a big monitor, because while I look around, everything slows down. In this case, my colleagues helped me more. At one job, a colleague saw the problems I had with monitor with diagonal 17, and he had 19 or more, and he himself approached me at the end of the working day and said: “do you want to exchange monitors”?* ””

Another participant shared the following example:

““ *Now I’m lucky with my employer. It is difficult for me to work at a computer every day. I work for him for a month or a half, then I rest for a month, then I work again. It suits him in terms of money, because he has a very small salary, and it suits me in terms of time, plus I get some extra money.* ””

However, access was not provided to several respondents upon their request. One participant spoke about her experience:

“ You have to decide for yourself - do you spend your energy on changing something, arguing with someone, or do you recover and try to live happily for yourself. I quarreled a lot, wrote to social services, I fought a lot, but it takes a lot of time and energy. And at some point I decided to create for myself - to look for an employer where I would be happy, to look for conditions where I would be comfortable. If they don't want it, I'm leaving, I won't demand it. ”

### Attitude of colleagues or management due to disability

Some respondents reported that they did not notice special treatment and did not experience insults or jokes from colleagues because of their disability. One focus group participant said the following:

“ Regarding colleagues, I had normal relations with colleagues. At first, too, they learned what and how to ask correctly, and when they started to communicate, everything was fine. ”

One participant noted that the lack of negativity from colleagues is most likely related to the fact that he works remotely:

“ There is no personal interaction. If I worked in an office, I don't know how it would be. When I talk to people and they don't know about my disability, then everything is fine with many of them. When I told people about my disability, it changed a lot: both with girls and with friends. I'm already trying not to tell some people, because then I'll get nothing but negativity. ”

Other participants reported that they had experienced negative attitudes from colleagues because of their disability.

One respondent said the following:

“ Once upon a time, at other jobs, a manager had such an attitude. I couldn't work there for long - I just quit and that's it. There, the manager behaved rudely, there was a biased attitude, I was specifically hinted that I should leave. ”

## Impact of disability on career growth

The participants' opinions were divided on the question: does disability affect career growth? Some believed that disability either had no effect on career advancement or had an effect on the same level as other factors. One participant believes that she has achieved what she could in her career:

“ *As much as I wanted to grow, I grew to the extent of my capabilities. A person can grow a lot. But you just have to be able to want it. If a person does not want to or has a negative attitude towards it, refer to the fact that you are a person with a disability and you cannot - first of all, you need to know your capabilities and confidently go there to work.* ”

The majority of respondents believe that disability affects career growth. One participant noted that

“ *if it weren't for my disability, I definitely wouldn't be working at school as a history teacher.* ”

Participants noted the following general aspects of the impact of disability on career development:

- **Society's prejudices, due to which persons with disabilities have to make more efforts for career growth than persons without disabilities**

One participant noted the following:

“ *Our society is not ready for employment of persons with disabilities.* ”

Another participant believes that

“ *it is not easy to prove one's expertise. The first thing people see is, of course, a wheelchair, so it's quite difficult to prove what kind of specialist you are, because people have already made their first impression. It is possible to prove later, some time should pass.* ”

- **Financial limitations of career growth due to disability**

The participants said that disability requires financial costs, which under other conditions could be spent on strengthening competitiveness in the labour market. One participant reported that

“ disability has become the main component of my life and my employment, both today and in general. I believe that disability has defined my future life. Because if it hadn't been there for these 9 years, all these finances, which went to bring me to some more or less appropriate level, if I had spent them into career growth, education, just... I can't even imagine where I would be and how I would live.

”

According to the participants, disability significantly limits the opportunity to take advanced training courses and training at the workplace. The participant spoke about the impossibility of learning from other colleagues while working remotely:

“ I could learn in my job, and many persons without disabilities work remotely - I could learn from them, listen to their calls. You can't work next to people live, taking something from their work is not the same. When you work in an office, you hear how others work, you take something for yourself. It is such a working atmosphere, it is very helpful. Due to disability, we return to accessibility: I can't get to the office.

”

Also, the participants said that health disorders, which are the basis for having a disability, deprive them of an opportunity to perform the work required by higher-paid positions and professions. One participant said the following:

“ Before the injury, I was a freight forwarder, traveling from Kharkiv, Donetsk, and Luhansk regions. It was possible to feel comfortable while sitting. And now it is unreal for me to spend time on the road. If I find a certain job now, I won't be able to advance in my career - into some kind of management. Because you will need perseverance, negotiations, and for me it is very difficult. If it is part-time, then it is reflected on salary. If you don't perform any functions, it all affects your salary.

”

Another participant shared his thoughts on this matter:

“ I can and love technology, I can build machines, I can do a lot of things. But I do not see and cannot do what I can do intellectually. That is, if I were sighted, I would never go to an enterprise like UTOS, but I would go to another one, and I would even go abroad, earn money, and my family would be in a completely different status. ”

### Disability as a factor in choosing a profession or a working place

Respondents spoke about different experiences of how disability influenced their career choices. Several focus group participants said that disability was not a decisive factor for them. One participant said the following:

“ I wanted to work in pedagogy since early childhood. When I entered college, I thought of becoming a cook or a social pedagogue. I thought and chose what I wanted most - a social pedagogue. Then remedial education appeared - I wanted and I went there. I like it, my specialty is oligophrenopedagogy. I like working with children with intellectual disabilities. I enjoy working with children with autism spectrum disorders. It's mine, I found it for myself and it didn't depend on the level of my eyesight. ”

For the majority, however, disability was a determining factor for a number of reasons:

- **The choice of work or profession is directly related to disability**

One participant said the following:

“ I started burning on wood exercises because I broke down. I wanted to do something, and I needed to distract myself from all kinds of troubles. Began to engage in burning on wood, began to develop this direction. Because I needed remote work. ”

- **Choice of education is directly related to disability**

One participant said that if she did not have a disability,

“ I would have studied at another school, at a lyceum or gymnasium, and I would have had more opportunities. It influenced my choice of higher education - it was 2010. You understand what is available to you, and I thought that I don't want to work as a massage therapist - not because it is a stereotypical profession, but because I have other abilities and I want to develop them. ”

Another participant said that he wanted to be a choreographer:

“ But I can't, because I can't hear. My story is a bit complicated. When I was in school, at a graduation event I dreamed whom I wanted to be. And my head was empty. Now I regret that I realised late that I want to be a choreographer. I regret that I obeyed my mother. I went to Drahomanov Pedagogical University and finished my master's degree. I went among hearing people, they were surprised that a person with hearing impairment could be a choreographer. But I think that being a teacher-choreographer is not bad. You need to choose and try it, it's like a life experience. ”

### **Is the salary level sufficient for a comfortable life?**

Some respondents reported that they were satisfied with their salary level. One participant noted the following:

“ I have a very decent income. More than two minimal wages. We have really good wages; I personally have enough for a decent living. ”

Most respondents are not satisfied with their income. One participant said the following:

“ The income is very small, to be honest, my mother provides for my life, my treatment, rehabilitation. She is “a pillow of safety” for me. What I earn is for medicine, for little things. ”

One of the participants did not associate low income with disability:

“ Of course not, I would like to have much more. (...) When I worked in other places, persons without disabilities worked in similar positions - the salary was the same. ”

Another participant shared that he attributes his low income precisely to his disability:

“ I now receive practically the minimum wage. I definitely associate it with disability, because they try not to give me the intellectual part of the job, but to give me the technical part, which is paid much lower. I am a geography teacher by first degree, but my diagnosis prohibits me from working with children. Therefore, according to my first education, I cannot work. In addition, I have experience working as a conductor on a railway. But after the diagnosis, I cannot work as a conductor. ”

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## IV. PECULIARITIES OF EMPLOYMENT OF PERSONS WITH INTELLECTUAL DISABILITIES

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All focus group participants with intellectual disabilities were employed on a permanent basis. All noted that they like to work. One of the participants noted the following:

“ *What I like about this job is that there is a very pleasant and friendly team, with whom I am very happy to work. I do my job, I get paid accordingly. In principle, I work with ideal conditions and I am satisfied. There is still time to develop and learn 3D graphics* ”

One participant says that he does not like when there are no visitors in the cafe where he works:

“ *I don't like that there are no people.* ”

Most of the respondents work full working week. One of the participants works different number of days a week, depending on the workload:

“ *Sometimes, I go once a week. Sometimes I can be free for a whole week. Sometimes I can go a couple of times per week. Depending on the amount of work, what work and on what days.* ”

All participants get to work independently by public transport.

All respondents noted that their colleagues treat them well and respect them. One participant said the following:

“ *Colleagues are normal, no one offends, they are very helpful.* ”

Most of the focus group participants said that they had no experience in any of the jobs where they were insulted. Although one participant shared that he was humiliated at school because of his disability:

“ *There were no such cases (at work) before. There were such cases at school, sometimes boys mocked me, humiliated me publicly in front of everyone. But that's the way it is, I don't particularly want to mention or talk about it.* ”

The participants of the focus groups notes that their work is clear and that colleagues help when they do not understand something. One of the respondents, who works at an institution together with his mother, shared the following:

“ *Mother and colleagues. Everyone helps and everyone is kind.* ”

For the first time, when they just got a job, there were colleagues who helped them orient themselves. One participant said:

“ *I had an interview with my boss. She hired me, I came the next day, she explained my duties: what kind of work I had to do, where everything was, introduced me to the team and that's all. If there was a change in type of work, I simply approached my colleagues or the boss and asked them. They told me, and I immediately started to work.* ”

All respondents would like to continue working at the same place. One respondent said:

“ *I am satisfied with this job, I will stay here, because it is difficult to find. No matter where you go, they say: you have problems, we don't hire you.* ”

Another respondent stated that his job suited him, but he would like to have a higher salary:

“ Therefore, if I do not take into account this small salary that I receive there, everything suits me. Perhaps you can take some additional work for additional income, which I am thinking about and am studying in 3D graphics. I am generally a creative person - I like to draw, write poems, song lyrics. For a while I thought about taking up music, (...) but I realised that I have to sit with the instrument around the clock, learn gammas - at the moment I just don't have time for it. It is possible to find a more advanced and interesting job that would bring both satisfaction and income in life, and further development in this field ”

All respondents receive wages for their work. Relatives helped some in their job search. For example, one participant said that her grandfather helped her:

“ My grandfather knew the chief doctor, he used to say, if there was a will to work, please do so. ”

One participant said that he searched on his own:

“ Emmaus employees helped me with finding a job (...), and I'm also looking for a job on the Internet: various sites where ads are posted. Of course, I'm looking for it myself. ”

## CONCLUSIONS AND RECOMMENDATIONS

Focus group participants said that they usually looked for a job on special websites and among acquaintances. Many of them had the experience of applying to employment centres, but almost none of them managed to find a job with their help. Most often, they reported that they were not offered jobs acceptable to them or were rejected by employers.

Most of the respondents experienced refusal of employment because they had a disability, particularly at the interview stage. Some also experienced refusal of employment due to the inaccessibility of a workplace. Many respondents reported that their workplace is accessible to them, both those who at from home and those who work in an employer's office. Some of them asked employers to provide accessibility. In other cases, employers took the initiative in ensuring the accessibility of workplaces. At the same time, there were respondents whose employers refused to do so.

Most of the focus group participants are not satisfied with their income level and believe that disability has a negative impact on career growth due to employer prejudice and financial costs for treatment and rehabilitation.

Respondents told what, in their opinion, should be done to improve the quality and availability of employment for persons with disabilities.

In general, the participants expressed the opinion that it is necessary to adopt both worldwide and European experience in state regulation of employment of persons with disabilities.

In addition, some participants with intellectual disabilities work in separate enterprises for persons with disabilities. Therefore, according to the **concluding observations of the UN Committee on the Rights of Persons with Disabilities regarding the initial report of Ukraine**, the state must ensure transition from segregated workplaces to benefit of an open labour market for everyone, regardless of type of disability. In particular, the Association Agreement with the EU obliges Ukraine to regulate the situation on the labour market in accordance with European standards. Respondents with intellectual disabilities did not indicate that they were worried about the lack of access to the open job market, but caregivers admitted that finding a job was still an extremely difficult process with many obstacles.

Regarding practical recommendations, the respondents made the following suggestions:

### **1. Improvement of architectural accessibility in cities in general, as well as ensuring accessibility of workplaces**

Several participants expressed an opinion that architectural accessibility in settlements would contribute to the fact that persons with disabilities would be able to get a job, socialise and compete with colleagues equally.

### **2. Strengthening of competitiveness of persons with disabilities themselves of a labour market**

An important topic for some participants was self improvement of their competitiveness in the labour market. Participants shared a lot of observations in this regard:



*Persons with disabilities have developed such a stereotype – they won't accept me. They adhere to this stereotype and employers adhere to it – you won't be able to work, don't even try. And many are afraid because of that.*

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*I used to sit and wait, then, of course, no one hired me. And when you communicate, people see that this is not a problem. Those with hearing impairments sit, close in their shells and wait for someone to come to them – those without hearing impairments will not come. And if persons with hearing impairments take a step, then the hearing will definitely accept.*



### **3. Creation of supported employment programs for persons with intellectual and psychosocial disabilities<sup>5</sup>**

Persons with intellectual and psychosocial disabilities often work in segregated workplaces, apart from others. This type of employment is called “shelter work”. Often in such places, labour standards are not adhered, in particular regarding requirements for minimum wages and number of working hours.

Some of our respondents with intellectual disabilities work in this way, but say that there is often simply no alternative. In order for such an alternative to appear, it is necessary to implement programs of supported employment. This will allow people to integrate into society, be useful and be able to provide for themselves.

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5. You can learn more about supported employment [here](#).

#### 4. Conducting of educational events for employers on disability issues

Many participants noted that in order to fully involve persons with disabilities in the labour market, it is necessary to talk more about disability and how it affects employment opportunities. For example, one respondent shared:

“ I really lack some minimal education in other people. For me, they lack a general awareness that diversity is important. In my situation, all the criteria for which I can be discriminated combined: disability and homosexuality. So I feel confused most of the time. I don't know what will explode - one or the other. That's why I'm talking about diversity in general. It's about education and the level of social discussion. ”

During discussion on the motivation of employers to hire persons with disabilities, a visually impaired participant shared his vision:

“ Getting employers interested in image benefits - we employ persons with disabilities, that's cool. ”

A respondent with a psychosocial disability spoke about the stigma of this type of disabilities:

“ This often comes from the employer's misunderstanding that a psychiatric diagnosis is not a decrease in the level of intelligence, and that a person can work only with a mop and cleaning the floor. In Ukraine, there is a very low level of understanding of what psychiatry and mental illnesses are. ”

In order to effectively overcome the challenges related to the realization of labour rights of persons with disabilities on the same level as persons without disabilities, it is recommended to the authorities of Ukraine (according to results of the study) to:

1. Reform the system of job standards to ensure employment of persons with disabilities.
2. Create appropriate conditions for ensuring that persons with disabilities can freely choose a job in the open labour market.
3. Implement EU Directive 2000/78 on equality in the field of work, in particular, in terms of providing reasonable accommodation to persons with disabilities.

4. Create effective mechanisms for holding employers accountable for not providing reasonable accommodation to persons with disabilities.
5. Implement a social support service during employment and at workplace for persons with disabilities.
6. Prohibit the practice of shelter work for persons with disabilities.
7. Develop programs of supported employment for persons with intellectual and psychosocial disabilities.
8. Conduct information and educational campaigns regarding labour rights of persons with disabilities, non-discrimination and ensuring principle of inclusiveness in the field of employment.

Non-governmental organisation of persons with disabilities “Fight For Right” as part of the grant “From discrimination to inclusion: promoting right to work for all persons with disabilities in Ukraine”, produced in the framework of the project “Strengthening the access to justice through non-judiciary redress mechanisms for victims of discrimination, hate crime and hate speech in Eastern Partnership countries” conducted during January-February 2022 a series of focus groups with the participation of 39 persons with disabilities.

The research is aimed in particular at identifying obstacles existing in the labour market and ways to overcome them, so that persons with disabilities can freely choose a job, the possibilities of providing reasonable accommodation for them to perform their professional duties. Based on the results of the research, recommendations have been prepared to overcome the challenges associated with the realisation of the labour rights of persons with disabilities on the same level as persons without disabilities.

## FIGHT FOR RIGHT

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