

Procedure file

Basic information		
INI - Own-initiative procedure	2020/2086(INI)	Procedure completed
Implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in light of the UNCRPD See also Directive 2000/78 1999/0225(CNS)		
Subject 4.15.08 Work, employment, wages and salaries: equal opportunities women and men, and for all		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	EMPL Employment and Social Affairs	 LANGENSIEPEN Katrin	18/05/2020
		Shadow rapporteur	
		 RADTKE Dennis	
		 ANGEL Marc	
		 MAXOVÁ Radka	
		 DE LA PISA CARRIÓN Margarita	
		 ZAMBELLI Stefania	
		NI KÓSA Ádám	
		Committee for opinion	Rapporteur for opinion
LIBE Civil Liberties, Justice and Home Affairs	 ĐURIŠ NICHOLSONOVÁ Lucia	12/05/2020	
FEMM Women's Rights and Gender Equality	 ESTARÀS FERRAGUT Rosa	18/05/2020	
PETI Petitions	 PAPADAKIS Demetris	02/07/2020	

Key events			
27/05/2020	Committee referral announced in Parliament		
27/01/2021	Vote in committee		
03/02/2021	Committee report tabled for plenary	A9-0014/2021	Summary
08/03/2021	Debate in Parliament		
10/03/2021	Results of vote in Parliament		
10/03/2021	Decision by Parliament	T9-0075/2021	Summary
11/03/2021	End of procedure in Parliament		

Technical information	
Procedure reference	2020/2086(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
	See also Directive 2000/78 1999/0225(CNS)
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/9/02976

Documentation gateway					
Committee draft report		PE657.235	24/09/2020	EP	
Amendments tabled in committee		PE659.020	23/10/2020	EP	
Committee opinion	FEMM	PE655.669	03/12/2020	EP	
Committee opinion	PETI	PE652.561	04/12/2020	EP	
Committee opinion	LIBE	PE658.775	15/01/2021	EP	
Committee report tabled for plenary, single reading		A9-0014/2021	03/02/2021	EP	Summary
Text adopted by Parliament, single reading		T9-0075/2021	10/03/2021	EP	Summary
Commission response to text adopted in plenary		SP(2021)261	12/07/2021	EC	

Implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in light of the UNCRPD

The Committee on Employment and Social Affairs Committee adopted an own-initiative report by Katrin LANGENSIEPEN (Greens/EFA, DE) on the implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in the light of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Persons with disabilities are overwhelmingly excluded from the labour market and are denied the right to work on an equal footing with non-disabled people.

The unemployment rate for persons with disabilities (17.1%) is nearly double that of the general population (10.2%). Only 50.6% of persons with disabilities are employed, compared with 74.8% of persons without disabilities in the EU. Women with disabilities continue to face multiple discrimination in all areas of life. Only 20.7% have full-time jobs.

Members called on the EU institutions and Member States to reaffirm their commitment to achieving inclusive equality for persons with disabilities and to step up their efforts to create an inclusive, accessible and non-discriminatory labour market for people with disabilities. They considered that a revision of the Employment Equality Directive should take place as soon as possible with a view to harmonising it with the provisions of the UNCRPD and to implement a participatory process aimed at ensuring the direct and full involvement of representative organisations of persons with disabilities.

For an inclusive and accessible workplace

The report called on the Commission and Member States to adopt universal design standards and guidelines for accessible environments, programmes, services and products.

In particular, Member States are invited to:

- ensure reasonable accommodation for people with disabilities in the workplace without any cost being borne by workers, to prepare guidance material to this effect and to provide relevant training in accessible formats to employers and workers;
- use or consider the introduction of compulsory workplace diversity quotas with effective and proportionate sanctions for non-compliance, including fines, the amount of which should be invested in inclusion programmes;
- implement binding annual diversity plans with targets and periodic evaluations, and assist employers in recruiting people with disabilities, for example by establishing, on a voluntary basis, a list of job-seekers with disabilities from which new employees will be hired;
- accompany the introduction of quotas with training for employers on the content and scope of the applicable rules;
- adopt sustainable and inclusive employment policies, such as adapted recruitment procedures or flexible and customised jobs;
- use tax incentives and other financial support measures for companies recruiting people with disabilities, support inclusive enterprises through public procurement and promote corporate social responsibility in the employment of people with disabilities.

For a non-discriminatory workplace

Members called on the Commission and Member States to launch awareness-raising campaigns on the contributions of people with disabilities, in accessible formats and sign languages, to eliminate stigma and prejudice against people with disabilities and to combat harassment and exploitation.

In particular, Member States are invited to:

- take specific measures to ensure non-discrimination for all, including people with disabilities, in order to ensure the accessibility of workplaces, transport and the built environment, and to provide reasonable accommodation at all stages of work, from recruitment to promotion, healthy working conditions and employment rehabilitation;
- take appropriate measures to ensure that reasonable and accessible legal advice and assistance can be obtained and provided to victims of discrimination at all stages of the legal process;
- address the current pay gap based on gender, disability and ethnic origin, and thus combat pay discrimination and the risk of in-work poverty for workers facing barriers to work and who are subject to multiple discrimination, in particular LGBTI persons, women, Roma and refugees;
- not to deprive people with disabilities of their disability entitlements, which cover their disability-related extra costs when entering the labour market or when surpassing a certain income threshold.

The report called on the Commission and Member States to harmonise the definition of disability and to ensure mutual recognition of disability status across Member States to ensure free movement for persons with disabilities and the enjoyment of their EU citizenship rights.

Lastly, Members called for the collection of EU-wide disability-related data with a human rights-based approach, including on employment and VET, disaggregated by gender, age, disability type, race/ethnic origin, sexual orientation, including persons with disabilities, who have until now been left out of the statistics.

Implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in light of the UNCRPD

The European Parliament adopted by 578 votes to 65, with 51 abstentions, a resolution on the implementation of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation in the light of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The UNCRPD entered into force in the European Union in January 2011. The Convention is binding upon the European Union, its institutions and its Member States, which have a direct obligation to fully implement it, including its Article 27 on work and employment. The Convention recognises the right of persons with disabilities to work on an equal basis with others, to freely choose their occupation, to be accepted and to work in an open, accessible and inclusive work environment.

Members recalled that the unemployment rate for persons with disabilities (17.1%) is nearly double that of the general population (10.2%). Only 50.6% of persons with disabilities are employed, compared with 74.8% of persons without disabilities in the EU. Women with disabilities continue to face multiple discrimination in all areas of life. Only 20.7% have full-time jobs.

Fully implementing the provisions of the UNCRPD

Parliament called on the EU institutions and Member States to reaffirm their commitment to achieving inclusive equality for people with disabilities and to step up their efforts to create an accessible and non-discriminatory labour market for them. They called for a rapid revision of the Employment Equality Directive to bring it into line with the provisions of the UNCRPD and to implement a participatory process aimed at ensuring the direct and full involvement of representative organisations of persons with disabilities.

For an inclusive and accessible workplace

The resolution called on the Commission and Member States to adopt universal design standards and guidelines for accessible environments, programmes, services and products, including workplaces, their equipment and facilities.

In particular, Member States are invited to:

- ensure reasonable accommodation for people with disabilities in the workplace without any cost being borne by workers, to prepare guidance material to this effect and to provide relevant training in accessible formats to employers and workers;
- use or consider the introduction of compulsory workplace diversity quotas with effective and proportionate sanctions for non-compliance, including fines, the amount of which should be reinvested in inclusion programmes; EU institutions should set an example by setting a diversity quota;
- support public and private companies in implementing annual diversity plans with measurable targets and periodic evaluations and help employers to recruit people with disabilities;
- adopt sustainable and inclusive employment policies, such as adapted recruitment procedures or flexible and customised jobs;
- use tax incentives and other financial support measures for companies recruiting people with disabilities, support inclusive enterprises through public procurement and promote corporate social responsibility in the employment of people with disabilities;
- urgently put in place measures to assess the key trends for the future of work from a disability perspective;
- continuously assess, together with representatives of people with disabilities, the characteristics and diversity of existing sheltered workshops and their effectiveness in providing people with disabilities with the skills they need to find employment.

For a non-discriminatory workplace

Parliament called on the Commission and Member States to launch awareness-raising campaigns on the contributions of people with disabilities, in accessible formats and sign languages, to eliminate stigma and prejudice against people with disabilities and to combat harassment and exploitation.

In particular, Member States are invited to:

- take specific measures to ensure non-discrimination for all, including people with disabilities, in order to ensure the accessibility of workplaces, transport and the built environment, and to provide reasonable accommodation at all stages of work, from recruitment to promotion, healthy working conditions and employment rehabilitation;
- take appropriate measures to ensure that reasonable and accessible legal advice and assistance can be obtained and provided to victims of discrimination at all stages of the legal process;
- address the current pay gap based on gender, disability and ethnic origin, and thus combat pay discrimination and the risk of in-work poverty for workers facing barriers to work and who are subject to multiple discrimination, in particular LGBTI persons, women, Roma and refugees;
- not to deprive people with disabilities of their disability entitlements, which cover their disability-related extra costs when entering the labour market or when surpassing a certain income threshold.

Further targeted actions and mainstreaming of disability rights

The resolution called on the Commission and the Member States to harmonise the definition of disability and to ensure mutual recognition of disability status between Member States. The Commission is asked to set clear, measurable and ambitious targets for diversity in the workplace in its post-2020 disability strategy.

Lastly, Members called for the EU-wide collection of disability data based on a human rights approach and including people with disabilities, who have so far been excluded from statistics.