



The Role of Public Service Trade Unions in achieving Decent Work for Persons with Disabilities Conference Report

Background

On the 8th and 9th of December 2016, this PSI meeting was held in Geneva, Switzerland with ACTRAV and GED support. It builds on a survey conducted by PSI and ILO of PSI affiliates' initiatives on disability inclusion, and on ILO research giving a global overview of trade unions actions on disability inclusion.

PSI affiliates from a range of sectors and from around the world shared their experiences, alongside specialists in subjects related to labour. The conference raised awareness on disability issues, disseminated information on initiatives taken around the world, and helped to identify the way forward for PSI affiliates, PSI itself and the ILO.

Summary

This conference marked the opening of new ground at an international level: in terms of a global union federation in partnership with ILO exploring disability, and specifically in the role of the public sector and the public services. As a participant observed, there have been many cases of people with disabilities discriminated in government service across the world, and this initiative is part of a historical change in the position of disability and persons with disabilities.

Examples from around the world of trade union action on disability were featured, including advanced economies as well as low- and middle-income countries as well as those coming out of crisis or conflict. Even in countries where this would be challenging to introduce, or trade unions are fighting for their existence, there was a committed acknowledgement that disability should be treated as an integrated concern going forward.

Working on disability offers a win-win partnership with social partners, and is part of trade union action fighting against inequality and injustice, and protecting the most vulnerable. Understanding disability in this social sense also showed the importance of treating it in an intersectional way, particularly in its relation to gender and socio-economic status.

The issue of disability is of particular relevance to PSI and its priorities in terms of privatization and cuts to public services which have adversely affected persons with disabilities. Both of which have, in at least some cases, adversely affected persons with disabilities. With the public sector, different levels of the public administration, as well as different sectors will need different approaches, especially in terms of securing resources needed for implementation. Education was a key example, showing how the sector is both relevant as an employer of persons with disabilities as well as vital in providing services and inclusion of children with disabilities.



A clear result of the conference was in showing the relevance of disability to different dimensions of PSI and its affiliates, in their role as unions and public sector representatives, in particular:

- Mainstreaming inclusion of persons with disabilities and disability within trade unions and their activities;
- Public sector employment of persons with disabilities – important in fulfilling responsibilities and being a role-model for the society;
- Defending public services, through identifying and acting on the risks persons with disabilities face in challenges to public services;
- Promoting public services, through developing services inclusive of and accessible to persons with disabilities.

While PSI acts across arrange of contexts with affiliates in diverse situations, there is a common need for trade unions to reflect and deepen action on persons with disabilities. With this increased clarity on how disability fits into PSI and its programme of action, there is guidance on the issues to be explored further next year and in wider collaboration between PSI and ILO.

Trade union activities on disability inclusion

PSI and ILO representatives opened the meeting through noting the importance of disability and how this conference was exploring new territory for both ILO and PSI. The context of disability was set in terms of its inclusion in the Sustainable Development Goals, and the need to integrate disability through PSI's different priority areas and sectors of work. Trade union actions will be strengthened by making disability part of the strategic direction of each initiative.

[Presentation of mapping study of trade union activities related to persons with disabilities](#), by Peter Fremlin, ILO consultant

Peter Fremlin presented a global overview of trade union action on disability – the results of a research conducted for ILO and based on surveys from PSI and ILO. Trade union actions on disability are in the areas of their core activities, and disability offers an opportunity to develop new partnerships. Initiatives around the world were featured, showing that disability is relevant to countries in very different contexts. Working on disability can make a key contribution to decent work, and make positive changes to the union more widely. The way forward sees challenges both for trade unions as well as international organizations in supporting to develop work on disability.

Discussion around the presentation raised questions of how disability relates to productivity; the needs to sensitize workers at a grassroots level; good practice in public procurement; the need to make a further link between disability and OSH; assistive devices; and the productivity that disabled workers achieve when barriers are removed.

[Presentation on the global framework related to employment of persons with disabilities](#), by Stefan Trömel, followed by Q&A

Stefan Tromel described the role and relevance of the United Nations' Convention on the Rights of Persons with Disabilities (CRPD). The CRPD turns disability into a rights issue, and shows how universal human rights apply to persons with disabilities in a mainstream, not



segregated, way. Trade unions can build the way they work on disability through strengthening responsiveness to persons with disabilities within work, as well as supporting disabled people to enter work. Two important issues for the public sector are public sector employment of disabled people and public services inclusive of disabled people. There is currently a window of opportunity, with countries revising laws and policies, and disability organizations and trade unions seem to be natural allies going forward.

Discussion raised the importance of including organizations representative of persons with disabilities from the planning stage; the importance of not assuming rights will be realised from legislation alone; how to check if actions are being implemented; and the different parts of the public sector and resources at different levels.

Presentation of trade union activities and best practices related to persons with disabilities

- **Lauro Jr. Purcil, Public Services Labor Independent Confederation, Philippines**
PSLINK is raising disability issues and participating actively in disability networks. This is combined with other vulnerable groups, and the public administration has a responsibility to support services for minorities. It is hoped that employment of persons with disabilities will become common sense.
- **Fatou Diouf, Syndicat Autonome des Travailleurs de la Sénégalaise des Eaux**
There are many areas which do not have workers with disabilities. Disability in Senegal has been taken on actively by NGOs, and so far, less so by trade unions. It is important that we raise disability further going forward.
- [George Poe Williams, NAHWAL, Liberia](#)
Surveys show that 94% of disabled people in Liberia are living on charity and hand-outs. This can have negative effects on the family of the person with disability, too. The government has created two commissions on disability, but often assistance is not getting to the people that need it. However, one example of a computer school for the blind shows how blind people can be trained and get employment. Trade unions themselves are fighting for recognition and the situation of persons with disabilities is not really known to the unions. This conference is an “eye-opener”, giving a new sense of direction, and we will start the process of raising awareness for persons with disabilities.
- **Zahra Yusufli, Free Trade Union Republican Committee of the Azerbaijan Employees of Culture**
There are 323 members with disabilities among 55,188 workers in MIHIRK affiliates. Persons with disabilities are working in schools, culture clubs and other areas. Financial benefits are given to persons with disabilities, and there is collective bargaining in sectors (including education) that determine higher pay for persons with disabilities. We have not got away from the charity approach, and often there is emphasis on what disabled people can’t do, not how they can be part of the labour force.
- **Carmen Vveldhuis, Federatie Nederlandse Vakbeweging, Netherlands.**
A new collective agreement was obtained for workers in sheltered workplaces. Initially, local government was not interested to negotiate or to bargain on wages. There was a mobilization of workers from sheltered workshops, leading to a demonstration of 8,000 people and an occupation of the head office.



- **Darío Restrepo Valencia, Sindicato Nacional de Trabajadores al Servicio del Estado, Colombia.**
Social dialogue and collective bargaining in the public sector is covering national, regional and municipal levels. Committees on social dialogue are tripartite and also include representation of vulnerable groups, including persons with disabilities.
- **Rodrigo Manuel López García, Asociación Nacional de Profesionales en Enfermería, Costa Rica.**
Since 1996, Costa Rica has had a law on inclusion of persons with disabilities. The majority of public servants are contracted by one institution, and we've tried to talk to them to promote employment of persons with disabilities and also to protect workers who have injuries or health conditions resulting from work. Persons injured or who acquire disabilities have often faced discrimination and lost their jobs. We now realise the need to fight for these workers.

Challenges, Opportunities, and the Way forward

Challenges and opportunities for the employment of persons with disabilities resulting from the future of work.

- **Introduction by Baba Aye, Health and Social Services Officer, Public Services International**

Our first challenge is to understand disability, and not as an issue separate from other trade union concerns. It is not as if the medical model has stopped being dominant. Mobilization is an important space to utilize – things like Disability Awareness Month, which trade unions and the Department of Labour have used in the US. This gives us a win-win sense of working with social partners.

The dual role we have on disability is persons with disabilities becoming more involved in unions, and as public servants to follow and implement regulations around disability. The example of trade union action shows that work in this area can be done even when there are constraints and there isn't robust social protection for disabled people. As unions, and as organized labour, we have been agents of social change.

Disability is central in what we do – in our organization, our demands and what we do. It is not just employment; it is for equality and respect. The social model of disability gives us the leverage to canvass for respect. We will work to overcome challenges and build a better future for all.

- **Elisa Selva and Federico Negro, OIT- FSDR Group DEVINVEST/EMP**

In the future of work, we need to see fragile states, conflict or disasters in countries and the implications of crisis. Livelihoods are a source of social and economic recovery after crisis. The inclusion of persons with disabilities is done through a twin-track approach. In Haiti, work was done on accessibility; and in Philippines there were disability inclusion activities in emergency programs. Jobs and peace for resilience is a new flagship programme of the ILO.

Recommendation 71, on the transition from War to Peace, was adopted in 1944 and responding to the reorganization of employment after World War Two. The focus on employment and training was in response to demobilization of soldiers and conversion of



wartime to peacetime industry. Revision of the recommendation will include disasters and destabilizing situations of fragility, as well as including preparation and prevention of crisis. It will go beyond employment and training. Disability was in the original recommendation, and work is being done to expand this.

- **Phyllis Opuku-Gyimah, Public and Commercial Services Union, United Kingdom**
Disability is linked with other identities as well as having a complex relationship with capitalism. Disabled people also have gender, sexual, class, and ethnic identities. Class and socio-economic status are also important in seeing the root causes of discrimination.

Campaigns in the UK against government austerity measures have raised awareness and direct action protests have been one of the most powerful tools we have. Cuts to funding have been made by the government to the work of equality commissions and also at a local level, councils have cut services. Under the umbrella of the TUC, a Trade Union Manifesto for Disability Equality was made, and this includes the important of global alliances.

There is a risk that trade unions may also be discriminating on disability. Trade unions can “fight back”, linking with other organizations, organizing a meeting, linking with a disability campaign. It is important to amplify the voices of persons with disabilities.

- **Michael Whaites, New South Wales Nurses and Midwives' Association, PSI, People's Inquiry: the impact of Privatization on disability services**
The privatization of government services in Australia has created a series of negative impacts and risks for disabled people. Recruitment in the public sector has a fixed process and anti-discrimination measures; in the privatized services this transparency is lost. Both in the provision of disability-specific services as well as accessibility/inclusion measures in mainstream services privatization has offered threats. Accessible services like support teachers or sign languages may not be provided in the same way. A lack of regulation of services, together with increasing fragmentation and some unscrupulous behaviour by service providers has created negative consequences for users with disabilities.

Legislation and policy around disability in Australia also creates structural discrimination. Sheltered workshops with low-paid work were found by a court to be underpaying 10,000 persons with disabilities. A new National Disability Insurance Scheme, combined with privatization of services, has not in many cases led to the increase choices it was designed to. This differentiation especially happens across class or rural/urban divides.

Unions should contribute to establishing a decent standard, and work together in a coalition to achieve human rights.

Discussion.

- Governments do not target or prioritize disabled people, except when it comes to making cuts, where disability is prioritized.
- It isn't just austerity or cuts that are the challenge; sometimes resources there are misused.
- Incentivizing companies to hire persons with disabilities maybe sending a problematic message.
- Defending public services is integral to defending public sector unions. We need community and solidarity binding us.



- In the UK, there were seminars for self-organized groups, and accessibility was included in general mobilizations. Gathering data and seeing trends/challenges around disability and other identity issues allowed the union to respond. The TUC holds a big disability conference with 30 affiliates.
- We need to offer a viable alternative to the bad version of capital that is smashing our societies. It is incumbent on public sector unions to take a position on big societal unions.
- We are part of the government, so we need to be more clear about where cuts and challenges are coming from.

The role of global unions in the promotion of decent work of persons with disabilities, including reference to relevant initiatives

- **Nikola Wachter, Education International**

Education International is working on the rights of both children and teachers with disabilities. A series of resolutions since 2011 have included disability, and in 2015 a resolution was made on the rights of disabled children and teachers. Little attention has been given to teachers with disabilities. Work in these areas supports the SDGs across goals on education, gender, and employment.

Education International is currently doing a membership survey on best practices and support in inclusive education, as well as having collaborated with the ILO research on trade union inclusion of persons with disabilities. In 2017, Education International will conduct research on teachers with disabilities through a membership survey and case studies. As well as looking at teachers it will look at the broad range of professionals in education services.

Discussion:

- The resolution here is a useful model for PSI. It was brought about through a suggestion of affiliates.
 - Unions are at the forefront of advocating for better working conditions. But EI has a diverse membership – some are working to a holistic response on education and others are trying for basic conditions for teachers.
 - Currently there isn't much information on workers with disabilities.
 - Global unions could support with guidelines so that national unions could point to the global instruments to influence policy.
- **Zulum Avila, CEDPOL, ILO**
Public employment services have actions at macro, meso and micro levels. They have an important contribution to play in ensuring the diverse workforce essential to delivering sustainable development. The ILO is developing a background policy brief on public employment services inclusive of persons with disabilities. Worldwide, the profile of PES is quite variable, and along with this are the initiatives they take on disability. Despite these differences in contexts, there are initiatives on disability across the world. Three key factors to consider in making PES-inclusive of persons with disabilities are:
 - Increasing employability and autonomy.
 - Support employers and jobseekers in parallel.
 - Partnership-based delivery.
 - **Eric Carlson, GED, ILO**



The ILO and constituents are working towards developing an instrument on violence in the workplace. Violence and harassment are seen on a continuum of practices, and may be sexual, physical or psychological. Addressing them in different contexts also considering the different cultural and legislative contexts. Power relations across gender and culture are particularly important. Most existing literature on violence towards persons with disabilities is violence outside of the workplace.

What more can PSI and its regional, sectoral and national members do to promote decent work of persons with disabilities

- [Sandra Vermuyten, Public Services International](#)
Many affiliates of PSI have worked on disability, but PSI also has a strong diversity across the membership. The programme of action for PSI in 2013-2017 is to promote and defend public services, and identified a range of priority areas. Going forward we need to look at how to mainstream disability in these areas, how PSI itself can contribute, and what further cooperation is available with the ILO.

Ways-forward identified by group-work.

Four groups presented on ways forward in these three areas. Below is a compiled summary, putting together the different groups' suggestions.

Mainstreaming disability in priority areas

- Identify the situation in trade unions, employers, etc. Survey of persons with disabilities.
- Make sure persons with disabilities are participating in unions. Need to see if our own policies of recruitment and representation are non-discriminatory.
- Sensitization around disability. Education and awareness within trade unions.
- Connect public services with the debate on disability.
- Take care in using social model of disability. See disability an intersectional way, connected with other vulnerabilities. Affirm productivity and social insertion.
- Support implementation of laws through investing in supporting actions. Lobby for resources.
- Manifestos around disability.
- Skills retraining and development of workers with disabilities.
- Supports for workers with injuries.
- Ratification of Convention 159.

Role of PSI going forward

- Study on the effects of privatization on disability.
- Global Advocacy. Network of exchange and experiences around this.
- Support to unions in raising awareness.
- Improve accessibility of website and other materials.
- Tabling resolution specifically targeting disability issues.

Areas of cooperation with the ILO

- Facilitate regional meetings.
- Technical support.
- Produce materials that can be easily used.
- Courses targeted towards workers on disability. Inclusion of disability as a cross-cutting issue in other training courses.
- Influencing governments.



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ILO, Geneva, Switzerland – 8-9 December 2016**



- Support in mobilizing resources.