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Accessibility in Private Enterprises: Recommendations Based on International Experiences

Summary

The article based on the lecture at the conference in Warsaw organized by The State Fund for Rehabilitation of Disabled People (PFRON) and The Central Institute for Labour Protection – National Research Institute (CIOP-PIB) on November 20, 2019 summarizes the results of an international study of the German Ministry of Labor and Social Affairs. Since lots of the findings based on selected best practice models are transferrable to other jurisdictions and labor markets, the article concentrates of these outcomes, which cause a high value for enterprises, state-authorities and service providers in Poland. The main message is: The awareness-raising and the progress of making the working-life more accessible increase the rate of employability of persons with disabilities in a society.

Keywords: accessibility, participation, rehabilitation, working-life, international guidelines

Part I. Introduction

The following recommendations will run in global guidelines published by Rehabilitation International (www.riglobal.org) after the workshop in the World Congress on Rehabilitation in September 2021 in Aarhus/Denmark (www.ri-worldcongress2020.com). The golden rules based on an international study of the Federation of the German social accident insurers in Berlin (www.dguv.de) and commissioned for the German Ministry of Labor and Social Affairs (www.bmas.bund.de) are dedicated to enterprises in the private and first labor market, not mainly for the public authorities, but transferrable to many of them.

The study (2018/2019) and the outcomes aimed not to compare enterprises or nations, but to find single best practices in order to transfer tools for more accessibility in various private enterprises regardless of branch, size or nationality. In any case a progress in accessibility increases the chance and the rate of employing persons with disabilities all over the world. The following rules contribute to the implementation of article 27 UN-CRPD and article 32 (international relation).

The golden rules are divided in two sections. The first ten rules are addressed to the actors within enterprises. The subsequent seven rules focus on stakeholders in the society, mainly the government – transferable also to the Polish jurisdiction. Although the rules are not formulated for the use of single legislation, they could influence selected structures within enterprises and liabilities depending on political willingness. All 17 rules in this article are connected with each other in a holistic view.

Part II. Ten golden rules for stakeholders within private companies

1. Integrate accessibility in the enterprise's diversity strategy

Most of the enterprises representing best practice examples in order to reduce barriers in working life integrate accessibility in a superordinate strategy, which comprises diverse social elements within a company. Three major approaches are relevant: Corporate Social Responsibility, Sustainable Development Goals and Health and Safety. Regardless of age, sex, religion and nationality these enterprises reflect an inclusive society from outside in an inside of their organization. Part of this diversity are the occupational inclusion of persons with disabilities. These enterprises intend to retain employability by preventive oriented means of health and safety measures. And they point out their social and environmental responsibility of enterprises. Extending the requirements of accessibility as part of these approaches provides a synergetic effect. The personal and financial resources that are required in order to make sustainable and comprehensive changes within an enterprise can combined with progress in making working-places more accessible for persons with disabilities. *FLEX*, an American enterprise producing in China (www.flex.com), and *Capgemini*, a French consulting firm in Krakow (www.capgemini.com) supported by the university (www.moffin.eu), represent two of these kind of best practices companies.

2. Convince the top management to consider inclusion as a business case

Regardless of bigger and smaller enterprises the support of the top management in companies is one of the key factor when it comes to formulating a proper enterprise's structure in order to tackle accessibility in a holistic manner. The understanding of accessibility as part of a business case and not only as a charity approach encourages entrepreneurs/top managers to tap the potential of persons with disability as employees, experts and customers. Retaining the employability and the satisfaction of skilled workers cause a return on investment. Costs for providing accessible working conditions for workers with spe-

cial needs are efficient related to the outcomes, especially for these enterprises which are working with clients in the private services sector. Around 20 per cent of the population in each country is disabled and need the same accessible infrastructure than the workers. **Lloyds Bank Group**, an English Bank like other banks and insurance companies worldwide, represents one best practice example by using a strategy of providing workplace accommodation using the expertise of an external service provider like MICROLINK (www.businessdisabilityforum.org.uk).

3. Collaborate with competent external service providers

Particularly small and medium enterprises might not be able to provide the expertise and manpower needed to approach inclusion and accessibility in a holistic manner. Therefore, external service providers might be an option to get the support required. Based on their experiences and their resources, external service providers could assist small and medium enterprises both in identifying barriers in the operational processes or the working environment and in solving them. Especially some disabilities need a specific support from outside like persons with psycho-social disorders/mental diseases, whose behavior seems strange for colleagues without knowing the symptoms and who need sheltered working conditions for being included in an accessible open labor market. **Shekulo Tov**, an enterprise using a comprehensive service concept for these disability group in Israel (www.s-tov.org.il), represents a best practice example for transferring in and for other enterprises/countries.

4. Create a position for a person in charge for accessibility

Promoting accessibility in enterprises does not work out by initiating single initiatives or short-term campaigns. Making a profound improvement within enterprises requires the implementation of structures and the determination of responsibilities in order to mobilize personal and financial resources as well. Setting up a position on the top management level helps to include the matter of accessibility in the decision making process from the very early beginning. If accessibility is included in any kind of the decision process in a company, it will avoid or reduce the need of reasonable adjustments in a single case in a later stage, what makes investments mostly more costly. **Scandic** (www.scandichotels.com), a hotel chain based in Sweden, appointed one expert in a high ranked position in order to care for accessibility in the hotel buildings, who can provide his expertise also for accommodate working surrounding for hired persons with disabilities. In all enterprises with more than five severe disabled workers based in **Germany** at least one representative must be elected as member of the work councils. She/he is responsible for all disability-related issues at work including accessibility.

5. Initiate awareness-raising trainings for senior management and colleagues

Events where top managers get the chance to share best practices and existing experiences in a sheltered space reduce stereotypes against persons with disabilities and illustrate the potential that comes along with persons with disability. The conviction of the top-management is important but the understanding of the workforce is at least equally important, especially of colleagues who work directly with persons with disabilities. Misunderstandings, prejudices or uncertainties endanger the performance of the entire company. Personal experiences and open dialogues create an atmosphere where close collaborations are enhanced. Lots of service providers from outside, using disabled persons as teachers, can raise and change an internal awareness of the productiveness of persons with disabilities by breaking down barriers.

6. Involve persons with disabilities in fundamental decision making processes

Nothing about us, without us. This slogan starts during the legislative process of the UN-Convention of the Rights of Persons with Disabilities (CRPD). In alignment with the previous golden rule, it is inevitable having the perspective of persons with disability included in all decisions which provide services for workers with disabilities. In order to improve accessibility within enterprises and to make decisions about the improvement of employment of persons with disability, the experience and expertise of the respective persons must be included. This kind of peer-approach also helps by educating colleagues to understand the needs and abilities of their disabled co-workers with respect to the previous golden rule. *Fond-Deystvuv*, a service provider in Russia (www.fond-deystvuy.ru), trains employees in various enterprises how to manage the communication with blind or deaf co-workers so successful, because the trainer themselves are blind or deaf. *FLEX* (s.a.) employ its own staff with knowledge in sign language.

7. Utilize technical innovations to create new forms of working

Technical innovations, especially electronic communication equipment, can open up new business fields for persons with disabilities, particularly for people who can work from home using their accessible and familiar living conditions. Technical innovations bring also risks and chances to persons with disability and that is why the utilization of those innovations has to be deliberated well. Otherwise, technical innovations often are supposed to reduce structural barriers in buildings. Therefore, the needs of persons with any kind of limitation has to be considered in order to avoid the creation of new barriers. One enterprise founded in Malaysia (*Genashtim*) represents a best practice example (

nashtim.com), which systematically hire persons with disabilities and provides an inclusive communication in order to avoid segregation and isolation for those, who work from home. By taking this challenges into account tele-working can easily increase the number of accessible working paces and the rate of employed persons with mostly mobile limitations.

8. Re-design business processes with the help of consultants

Analyzing and streamlining business processes within enterprises is usually not a common social consultancy. Traditionally experts from unemployment agencies are knocking at the door of a company to ask for hiring a person with disabilities. Since some years the Netherlands state agency for unemployed started a paradigm-shift (www.uwv.nl). Experts open the door of enterprises, mostly in the health care sector like hospitals, to offer concrete methods to break down barriers that arise from not suitable tasks not fitting to the personal needs. This might be an opportunity to relieve skilled workers from tasks that are not assigned to the original task description. Furthermore, employers benefit from this new method of finding accessible workplaces as well since tasks are conducted in a more efficient way whereby additional resources for skilled workers arise. The result: More unexpected workplaces can delivered for persons with disabilities for increasing their employment rate.

9. Define accessibility by determining criteria and assess the status quo

In order to break down barriers affecting persons with disability in the private sector, it is important to locate them in each of the companies with specific conditions. Therefore, it is helpful to define criteria that assist in identifying potential barriers and in determining the status quo in order to formulate concrete measures based on it. Assessing the status quo facilitates the creation of a concrete action plan in accordance with the superordinate strategies mentioned above. Without defining the status quo and the defining the concrete measures by using a project management no progress in accessibility at working-places can be evaluated. The *DGUV* (www.dguv.de) in Germany as well as other enterprises in Germany decided and published such action plans for making their engagement in accessibility transparent and measurable. All action plans in the public and private sector (civil society) are published combined with the National Action Plan 2.0 in Germany managed by the Ministry of Labor and Social Affairs as focal point (www.einfach-teilhaben.de).

10. Use experiences of other enterprises in a structured and sustainable exchange

Exchanging good measures and best practices is a great opportunity to benefit from existing experiences in a multi-professional way. Creating and promot-

ing accessibility in enterprises is a cross-sectional task which demands the effort and the perspective of economy, politics and society. In order to face these challenges, it needs a common approach which has to be in alignment with the interests of various stakeholders. Multi-professional events that allow and encourage open discussions providing a frame which attracts enterprises by speaking their language, is a format which needs to be initiated. Emphasis needs to be put on the involvement of persons with disability. Based on the experience made in the past, it is supportive to have an initiator or moderator who is independent and takes on the responsibility of the required organization. However, an association of enterprises could also be the actor and initiator of those events and ensure an exchange on a regular basis. *MyAbility* in Austria (www.myability.org), initiated by the Essl-Foundation, brings employers together nationally and scan/collect inclusive projects by an international award.

Part III. Golden rules for governments and civil societies to promote accessibility

1. Assure foresighted legislation for general accessibility

Accessible working environment in the private business is a human right and a condition for developing countries. Without accessibility in the working world, no real inclusive society and no anti-discriminating access to the employment of persons with disabilities will be realized. There are several legal options for making enterprises liable for accessibility, realizing the European Accessibility Act. A first comparative legal study for selected jurisdictions are available by the author of this article designed by Dr. Delia Ferri (Ireland). The comparative study will published by the German Ministry in summer 2020 (www.bmas.bund.de). Anyway, a preventive, systematic and foresighted strategy to make enterprises more accessible should generally be preferred instead of investments in single cases based on the most frequent used legal term “reasonable accommodation”. This backward-oriented step-by-step progress in accessible working places used by nearly all countries in the world, mostly supported by social welfare/security institutions, must be overcome in the future. The change of jurisdiction and investing money in this kind of infrastructure is necessary for modern countries.

2. Lift enterprises in the focus of action as recipients of social welfare/security

Enterprises, mostly in the shadow of social services, which are dedicated nearly always to individuals with disabilities, should be lifted in the center of a federal and cross-ministry action plan conducted by the government in col-

laboration with social partners, like employers' associations and trade unions, as well as service providers in social welfare. Regional and local administrations should start best-practice models for a consensus-based approach by searching for win-win-situations for enterprises and the population. Ministries must collaborate, like the ministry of Social Affairs with the Ministry of Labor. Additionally agreements among groups of employers and disabled persons deliver the soil for a fruitful awareness raising process. The responsibility of institutions for health and safety at working places accepted by enterprises mostly in any part of the world can be used as an opener for an advanced progress of accessibility in the working-life.

3. Encourage enterprises through incentives

Do not let enterprises stay alone for investing in accessibility. Although accessibility is a return on investment, especially in the private service business, where services must be accessible not only for the employees but also for the customers, in some jurisdictions enterprises that do not fulfil the quota of employment of persons with disabilities are punished by paying a sum of money in a kind of a state fund. This tool provides an approach aiming to increase the employment rate of persons with disability. Despite quota, there are still a lot of enterprises not employing the legal-based number of persons with disability worldwide. Therefore, encouraging enterprises through financial incentives like tax benefits and other state subsidies combined with an enterprise-ranked system like in U.S.A. can initiate a paradigm shift from punishment towards positive-based activities within enterprises. This approach underlines the value of accessibility as a business case (see part II 2).

4. Provide enterprise-centered experts in accessibility

Most of the employers worldwide communicate the need of professional support and concrete contact persons accompanying the journey of being inclusive. Most employers face a lack of opportunities when it comes to creating and financing accessibility. Governments should care on the provision of qualified experts serving in or for the enterprises and establish a strategy of a closer consulting and managing accessible issues by using a concrete contact person for enterprises. This kind of one-stop-shop service helps to overcome a fragmented social welfare system and interfaces. A need of an additional tool for the employment of persons with disability is obvious: Efforts in qualifying them for the first labor market remain very important. Additionally, experts in accessibility or rehabilitation must fulfil the needs and speak the language of the enterprises. These experts/managers need skills not only in order to advertise persons with special abilities to employers but also to ask for chances of a re-design process within enterprises for breaking down barriers and creating new jobs for per-

sons with disability. The universities must be convinced to offer and expand more competence centers in accessibility issues.

5. Create systematical designed cooperation among enterprises

Legal tools such as agreements or cooperation contracts between enterprises and foundations or external service providers assist in establishing and formalizing collaborations. The practice proved that external experiences and expertise coming from various actors involved in rehabilitation and participation is particularly valuable for enterprises and saves resources of enterprises as well. A national and regional platform for the exchange of experiences for accessible enterprises can offer solutions for other enterprises. Sharing best practices and talking about good experiences in a multi-professional setting can raise awareness in terms of accessibility and inclusion. Getting showcased and demonstrated how competitors tackle issues and challenges in this context might be inspiring for other companies as well. Learning from each other and talking to persons who face similar tasks is a great way to extend the own horizon and to build up new notions. Beside the conviction of the management, the understanding and awareness of the entire workforce is important as well.

6. Find methods towards an open-minded society by long-term campaigns

Raising awareness and reducing prejudices are long-term aims that require long-term campaigns on different levels. Hence, it is crucial to establish structures and appoint experts dedicated to chase this goal. Initiating a paradigm shift in people's mind is an action that would not work out overnight by adopting one single initiative. In the opposite, it is a long-term process where all actors affected need to be involved to include various views and build up a holistic plan that must be evaluated after a certain time-period – based on analyzing the situation of accessibility in the business sector in a country. Consulting firms in economic issues payed by the enterprises should implement accessibility as a cross cutting topic in their consultation. Training the top-management how important accessibility is for their economic success brings additional awareness in countries' campaigns.

7. Use the potential of worldwide experiences and ideas

Implementing the article 32 UN-CRPD means to offer a national platform of international experiences of accessible enterprises and government strategies. This platform must be established mainly by the state and secondly by civil society organizations. All existing national events dealing with innovations within enterprises and congresses of social welfare and social service providers must be enriched by some examples of good practices in other countries. Best practice example: Germany started an international study which began in 2018 and fin-

ished in 2019 with the goal of finding enterprises and strategies worldwide in order to copy some appropriate results for enterprises located in Germany. But these examples are value also for other enterprises in other countries regardless of different jurisdictions.

Part IV. Outlook

The whole international study of DGUV is available in German language (www.dguv.de) by the author of this article and will be published officially as scientific document by the German Ministry of Labor and Social Affairs in the summer 2020 (www.bmas.bund.de). Since the World Congress on Rehabilitation in Aarhus/Denmark is postponed from September 2020 to September 2021 due to the corona-pandemic, the workshop on global rules of accessibility at workplaces in the private sector will postponed as well. The interested community in this topic should attend this workshop, which will close the discussion and find a consensus on global guidelines within Rehabilitation International. The program will be published in www.reworldcongress2020.com.

The European Union Accessibility Act 2016/2102 (www.eur-lex.europe.eu) decided and published by the European Parliament on October 26, 2016 set the legal signal on promoting accessible digital and communicative products in the public sector. This Act is binding for all EU counties and must have been transferred into national law until the end of 2018. The implementation will be controlled by EU authorities until June 23, 2022. In this context the discussion and awareness will rise for transferring the accessible standards also to the private sector. Like in other countries in the world the idea of universal design will bring new initiatives also in Poland because of the demographic challenge all countries in Europe are facing. Accessibility is not only important for disabled persons, but also for elderly people.

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