

**INCLUDED IN  
TRAINING AND  
WORK**

**LORENTZ CENTRE WORKSHOP 2017  
WORKING DOCUMENTS**



# **FACILITATIVE POLICIES AND GOOD PRACTICES**

**COPY THE 5 BLANK FRAMEWORK SLIDES FOR EACH NEW  
POLICY OR PRACTICE INVESTIGATED**

# BEFORE FLYING

- the importance of investigate and gage the meaning of the subject and agree on the content to discuss.
  - the personal connectors and motivators
- recognising that it is an option, maybe even a good idea to adapt the subject
- being frank sharing when not knowing how to proceed
- in this initial struggle, we saw a parallel with employer-employee inintial discussions on how to engage with each other and getting the right things done
  - double value
  - buying in to the process

# SUPPORTING FREELANCERS & FLEXWORKERS WITH DISABILITIES.

- Freelancers = Freelancers + entrepreneurs + self-employed
- Flexworkers = flexworkers + temporary contracts
- Disabilities
  - describes the interactions between person, body and the environment
  - alternative term ‘when impairments <sup>\*)</sup> are at work’ <sup>\*)</sup> at PWD and PnWD
- Intersectionality at play
  - not being fully able
  - not being permanent staff

# DISABILITY

- need work adjustment
- compensation (skills, effort, time)
- add'l non-formal task exchange
- reciprocity
- needs sensibility
- affects choices for short term efforts and long term investments
- sense of (in)security
- options for development

→ organisation has space to negotiate  
(supported by proper boundary conditions & skills policies, support, ...)

?positives

- employer benefits for PWD employees

# NON-PERMANENT

- recurrent negotiation
- outsider / not part of family
- limited dependence
- no access to secondary/tertiary benefits
- no influence on practices/policies
- lower barrier to disengage

→successful recurrent 'negotiation' is  
pre-requisite for freelancer/flexworker

? positives

# PREMISE

- The recommendations will be made with freelancers in mind. The rationale is that flexworkers are 'in-between' self-employed and employed and hence will benefit from freelance group advancements.
- It is premised that policies and practices for PWD in organisations will long-term have the 'side' effect that flexworkers and freelancers will be treated not differently from own staff
- The recommendation is about the transition until then..

# WORK SUPPORT FOR FWD

- individual support
  - job coach (work, credit, business setup)
  - generic training for skill building
  - sharing best practices
- group support
  - identify non-equality policies and practices
  - lobby for change in legislation (e.g. benefits, job coach )
  - improve access to regulation, support-arrangements & benefits
- organisation support
  - awareness programs targeting employers/managers
- *Impact on good outcomes for people with disabilities (summary)\**

# FWD WORK SUPPORT – EVIDENCE BASE

- [SEP programme](#) (British Columbia)
- [Chambers of Commerce](#) have practices with minorities that could be translated to disabled entrepreneurs
- [Incubator program in Arab world](#)
- [Background report](#)
- [OECD LEED programme](#), [OECD policy briefs](#)
- [Good practices \(Handicap International\)](#)

*\* Always highlight the quality and applicability of existing evidence:*

- *Is it a case study, small study or large study? Prioritise data from well-designed research over case studies.*
- *How long did the study last – if there is a claim for outcomes, was it long enough to see whether impacts were long-lasting? Prioritise studies where impact has been robustly investigated.*
- *Does the solution need to be culturally validated for use in different settings?*

# FWD– ADDITIONAL INFORMATION

- Is it applicable to all people with disabilities or for sub-groups?

Impairments vary widely in terms of type, severity, stability, duration and time of onset – these characteristics influence individual capacities and willingness to become entrepreneurs and to sustain such a status.

If policy-makers wish to support aspiring and established disabled entrepreneurs, initiatives must recognise this wide diversity of impairment conditions, if entrepreneurship is to be a serious long-term option of them. Given the numbers of disabled working age people in Europe, and the higher rates of self-employment amongst the labour market active disabled, policy-makers should arguably give serious consideration to entrepreneurship support programmes. (..)

Research on policy support for disabled entrepreneurs is limited, so little information is available on the kinds of initiatives that work, for whom, how and why they work in the ways they do, and the wider economic and social consequences of such support programmes. This makes it difficult to generalise with a view to recommending the transfer of particular policies to places and social contexts beyond those in which they originate.

From: OECD background report p. 19

<http://www.oecd.org/cfe/leed/background-report-people-disabilities.pdf>

# FWD - REFERENCES

Arnold, N. and Seekins, T. (2002) 'Self-employment: A process for use by vocational rehabilitation agencies', *Journal of Vocational Rehabilitation*, 17: 107-13.

Arnold, N. and Ipsen, C. (2005) 'Self-Employment Policies: Changes Through the Decade', *Journal of Disability Policy Studies*, 16, 2, 115-122.

Entrepreneurship and self-employment for people with disabilities

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AUSTRALIAN JOURNAL OF CAREER DEVELOPMENT Volume: 25 Issue: 2 Pages: 45-54 Published: JUL 2016

Boylan, A. and Burchardt, T. (2002) *Barriers to Self-Employment for Disabled People*, report for the Small Business Service, online at: <http://www.berr.gov.uk/files/file38357.pdf>

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Hagner, D. and Davies, T. (2002) "'Doing my own thing": Supported self-employment for individuals with cognitive disabilities', *Journal of Vocational Rehabilitation*, 17: 65-74.

Pagán, R. (2009) 'Self-employment Among People with Disabilities: Evidence for Europe', *Disability and Society*, 24, 2, 217-229.

Rizzo, D. (2002) 'With a little help from my friends: Supported self-employment for people with severe disabilities', *Journal of Vocational Rehabilitation*, 17: 97-105.

Roni, N. (2009) *Disabled Entrepreneurship: A viable route of opportunity for the disabled?*, MMUBS Doctoral Symposium, online at:

<http://www.ribm.mmu.ac.uk/symposium2009/Papers%2009/Roni,%20Naheed.pdf>

Spain, M. (2012) *Self-Employment and Micro-Enterprise for the Developmentally Disabled: "The Storm"*,

[http://ra.okstate.edu/stw\\_ssb/cepd/Conferences/2012Healthcare/Documents/1BEntrepreneurshipEducationandTraining/MichelleSpain.pdf](http://ra.okstate.edu/stw_ssb/cepd/Conferences/2012Healthcare/Documents/1BEntrepreneurshipEducationandTraining/MichelleSpain.pdf)

# ADDN'L REFS

- Application Of The ADA To Contingent Workers Placed By Temporary Agencies And Other Staffing Firms

ADA-based US rules regarding temp and agency workers: <https://www.eeoc.gov/policy/docs/guidance-contingent.html> includes examples of illegal/wrongful and best practices

Temporary workers and disability accommodations - UIS law <http://topics.hrhero.com/temporary-employees-and-employment-law/#>

Benefits lost by freelance/contract workers as opposed to employees:

<https://beta.theglobeandmail.com/globe-investor/personal-finance/household-finances/a-bigger-problem-for-young-contract-workers-is-health-care/article21658655/?ref=http://www.theglobeandmail.com&>

## ILO

<http://www.ilo.org/sector/activities/topics/temporary-agency-work/lang--en/index.htm>

Some stuff on incubator and entrepreneur support programs - specialist (first 2) and inclusive:

<http://entrepreneurswithdisabilities.org/about/some-key-acts/>

<https://startsomegood.com/DisabilityProjectEmpower>

<http://www.dhs.state.il.us/page.aspx?item=71470>

# ADDITIONAL INFORMATION/ REFS

[Self-employment for people with Mental Health Problems](#)

[Self-employment for People with Learning Disabilities](#)

[Inclusive employment. How to develop projects which promote the employment of people with disabilities and other vulnerable populations.](#) Policy paper. Handicap International.

(includes a part about 'Support to set up an income generation activity or microenterprise' and a part about 'Developing businesses and the capacities of entrepreneurs'.)

# EU regulations and info - references

[how do temp workers/entrepreneurs fit in?:](#)

[Employment & Recruitment Agencies Sector Guide on Implementing the](#)

[UN Guiding Principles on Business and Human Rights](#)

[EASPD - 10 BEST PRACTICES IN EMPLOYMENT SUPPORT FOR](#)

[European Association of Service PERSONS WITH DISABILITIES](#)

# How to convince employers on external workforce's rights?

## Common remarks from employers (excuses not to comply):

Why should I bother when the external workforce is not my liability?  
Why care when an external workforce only exists for a short period?  
Costs are increasing on other fronts.

Reasons for employers to shift business to developing countries, where they have greater flexibility (easier getting subsidies, less legal hazards, less restrictions)

There are special Economic Zones in developing countries where employers can use their own frameworks and policies. They get a piece of land from the government where they can do whatever they want, as long as the countries national income increases.

# **Employer perspective on external workforce: excuses**

There is too much cheap labour

**Employer perspective on external workforce: what do they gain by not complying to rules about external workforce rights?**

## Employer advantage by not complying:

- I want the freedom to hire and fire employees without hassles

- I can continue with tender system while leasing out work

(tender systems - they go for the proposal that is the cheapest, and then the peoples rights are ignored

With a tender an organization can cut costs.

Employers want their employee/workforce costs to be variable, and to cut costs on that.

Leasing out work = putting out work or projects)

- Profit maximalization

- Not a benefit for Corporate Social Responsibility: in case of disasters or when something happens to employees or workforce, it only effects CSR if the employees where of that organization. Otherwise they can say: 'they were not my employees, they are the responsibility of the independent contractor'.

- more rights leads to more legal consultations, more paperwork, more legal suits

- it does not add quality to my workforce: important projects are done inside the company; temporary work is not really innovative, but mostly predefined work. Innovative work (such as R&D) is not outsourced. With temporary work the company wants easier workmanagement, but it is not about increasing the quality of the work.