



FARming as an employment opportunity for people with Mild Intellectual Disability

# GUIDELINES ON PMID EMPLOYMENT IN RURAL AREAS

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## List of abbreviations

FARMID Farming as an employment opportunity for persons with mild intellectual

disability

MID Mild Intellectual Disability

PMID Person/people with Mild Intellectual Disability

MS Member state

ICD International Classification of Diseases

RWC Reduced work capacity

CVO Assessment and orientation centres in Spain

AMS Austrian Public Employment Service

SMS Social service providers (Austria)



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#### Introduction

Employing hard-to-employ people in agriculture has been a topic of theoretical discussions in Europe, and it has been becoming increasingly significant in recent years. We are aware of the fact that the needs of people with mild intellectual disabilities for employment have been growing, especially in the countryside. Available jobs on farms should be a direct answer to such needs. Specifically, with the shortage of working positions, be it in the countryside or nearby urban areas, many people from this category remain unemployed. Due to specific population structures in the countryside, new positions should be created there. In fact, that might be the only way to ensure permanent and high-quality working positions.

This is also one of the objectives of the FARMID project. We follow the idea of making a positive social impact and contributing to the development of local communities, increasing self-sufficiency and creating new jobs within the balanced development of the rural areas.

As we started the project, our first impressions were obvious: legislative aspects in the partners' countries are different, but the social perspectives and needs seem to be quite similar.

In National Guidelines, the legislative framework within the partner-countries in the FARMID project has been scrutinized and summarized. Considerable discrepancies have been found; therefore, it has been of utter importance to define terminology and the target group and to reach agreement on common denominators.

As seen in the National Guidelines, the framework for employment of people with mild intellectual disability differs within the range of the partner countries. However, following the guidelines we, the participants, should point out the importance of the implementation of best practices in our own countries. Naturally, these ideas should be based on each partner's guidelines.

The abovementioned National Guidelines present a summary of the factual situation and a motivational starting point for discovering similarities and differences among us. Consequently, we should be able to reach conclusions contributing to the benefit of the employment of people with mild intellectual disabilities at farms.

## About mild intellectual disability

Mild intellectual disability (MID) is the most common and least severe form of intellectual disability. In addition to MID, there are three more forms of intellectual disabilities; moderate, severe and profound intellectual disability (sometimes referred as mental retardation).

MID occurs before an individual's age of 18 years and shows in impairment in cognitive, academic, communicative, and adaptive abilities; however, adults with MID are usually able to work and maintain good social relationships.

PMID may have difficulties and deficiencies in memorizing – they may have hard times dealing with large amounts of new information; they have difficulties remembering rules; they often do not understand what they learn; they can have a hard time presenting what they have learned. Due to difficulties memorizing information, PMID might have problems to keep newly gained knowledge, difficulties in expressing and communication. They also may have problems with understanding abstract knowledge; their way of thinking is on a concrete level. The attention of PMID is ephemeral. Separation of essential and non-essential stimuli (selective attention) can be problematic. PMID can have difficulties with knowledge-and-skills transfer into new situations/environments; to accomplish that, they need guidance and support.

Persons with MID may have problems with executive functions: for example the organisation of work and time, self-regulation of feelings, planning activities, flexibility in thinking, etc. In physical development, PMID usually do not encounter many deficits; sometimes, they can face difficulties in coordination of movement or fine motor skills. Emotionally, PMID can be sometimes less mature; they can face difficulties in analysing other people's habits and behaviour. Depending on the expectations of the environment, they can often experience failures, which leads to frustration, personal problems, and difficult social adjustment. When it comes to less developed social skills, PMID can be less critical of others and tend to judge social situations in an immature manner.

Problems may also occur in communication, so it is recommended that when working with PMID in addition to oral guidance and explanation, we also use demonstrations, follow instructions with nonverbal signs and gestures. PMID may have difficulty expressing their opinions or feelings, so they may react to a stressful situation with inappropriate behaviour.

In addition to the above-mentioned possible deficiencies on the intellectual level, impairments in the area of adaptive capabilities are also possible. For example the transfer of academic knowledge into everyday life, difficulties in planning and active participation in leisure activities (in conjunction with the shortcomings in emotional behaviour), the formation and maintenance of positive social relationships (difficulties in recognizing and expressing emotions), self-initiative in employment search, behavior at the workplace, etc. However, problems (with appropriate support and a good example), do not appear in the daily work at home (cleaning, repairing, preparing food) and taking care of themselves. (Pirih 2016, ICD-10).

Irrespective of the deficiencies listed, PMID are distinguished by the flexibility and diligence in performing work for which they are trained and in which they are guided. Experience showed that PMID are diligent and adapted to the situations that they know. They are compliant in work. Particularly in the field of farm work, which they know and are accustomed to, they are reliable to a reasonable extent. They are good associates in a positive social and working environment. Within the knowledge and skills that they have gained, they are autonomous, and their need for guidance is minimal. They are known to be faithful colleagues.

## Obtaining disabled person status and what does it mean

It is necessary to know the procedures a person must undergo to obtain the status of a disabled person, especially for persons with intellectual disabilities. Due to communication barriers, low education level, deficits in adaptive behaviour and other factors, PMID are more likely to be unemployed than others are.

The process of obtaining disabled person status varies from country to country, as does the responsible authority to determine disability levels; for instance, in Slovenia, this is a responsibility of the regional Employment Service (with its dedicated special Rehabilitation Commission, appointed by the Ministry of Labour, Family, Social Affairs, and Equal Opportunities). In Spain, the responsible authority is Assessment and Orientation Centers, under a similar ministry. In Italy, a commission under the responsibility of Local Health Unit determines the level of disability, while in Austria this task is performed by a medical professional. Details on how to obtain the status of a disabled person in each country are described below.



#### Slovenia

In Slovenia, during their education, a PMID acquires decision on direction based on the Act on the Guidance of Children with Special Needs; however, after schooling, they are not automatically granted the status of a disabled person. Due to reduced intellectual capacity, they are generally not able to equally compete on the regular labour market. In this case, unemployed persons register with the regional <a href="Employment Service">Employment Service</a>, where they assert the right to employment rehabilitation. In the process of obtaining this right, the commission within the Employment Service makes a formal decision that they have similar characteristics as persons with disabilities. A person can be granted the status of a disabled person in accordance with the <a href="Act on Vocational Rehabilitation">Act on Vocational Rehabilitation and Employment of Disabled Persons</a>.

The level of disability is ranked based on the medical diagnosis (ICD) and difficulties and obstacles a person can face in a working environment. The criteria to evaluate disabilities include, amongst others, degree of motivation, knowledge, work experience, acquired skills, work performance and efficiency, self-acceptance, social skills, social network, ability to seek employment, disability itself (in terms of communication, motion), level of required workplace adaptations, independence in education and training etc.). The level is ranked as 'no disability' (<4%), mild (5-24%), moderate (25-49%), severe (50-95%) and full disability (>95%). In Slovenia, an employer of a person with impairment over 5% can benefit (described later) by employing a person with an impairment.



#### Spain

Spain has a decentralized system for the management of health and social policies; Assessment and Orientation Centres (CVO) are responsible for the assessment of the disability, determining its type and degree. They depend on each Autonomous Community of the Ministries of Equality, Health, and Social Policies.

#### Process:

- Presentation of the application (with the specified documentation in the register of the General Directorate of Social Services)
- They will be recommended for examination.
- A technical-facultative opinion will be issued.
- The resolution will be sent to the address of the interested party.

Regarding mild intellectual disability in Spain, it is assessed in persons with an IQ between 50 and 70, which corresponds to a disability level of 33-50% from the legal point of view, which is a threshold to the entitlement of subsidized employment



In Italy, similar to in Spain, a commission under the responsibility of the Local Health Unit is responsible for the evaluation of disability level. The evaluation is given, similar as in Slovenia, based on a medical diagnosis and the qualitative and quantitative evaluation of person's attitude, potential abilities, and rehabilitation programme, unified with the Social Security National Institute. A threshold for subsidized employment of PMID in Italy is 45% reduced work capacity.



In Austria, medical professionals assess the degree of impairment, and it does not matter if impairment was caused by illness or accident or whether it is innate. What is significant is the impact this impairment has on an individual's life: is the person able to fully engage in daily activities or work, or are they hindered by their impairment? If so, to what extent?

Legislation differentiates between people with a degree of impairment of at least 50% and those with a degree of impairment of less than 50%. The degree of impairment is assessed by medical professionals. This assessment is important, because it is used as a basis for making decisions about funding and support options. The more substantial the impairment, the greater the funding options.

People who are officially deemed to have a degree of impairment of at least 50% are referred to as 'eligible persons with disabilities'. These individuals have access to more benefits and permanent paid support.

## Employment incentives for people with mild intellectual disability

People with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others (UN Convention).

One of six people in the EU has a disability that ranges from mild to severe, and for people with disabilities the rate of poverty is 70% higher than the average partly due to limited access to employment (EC, EDS 2010-2020). The EU and its Member States (MS) have a strong mandate to improve the social and economic situation of people with disabilities. Every MS has the power to adopt legislation to address such discrimination. The full economic and social participation of people with disabilities is essential if the EU's Europe 2020 strategy is to succeed in creating smart, sustainable, and inclusive growth.

Within the European Disability Strategy 2010-2020, the EU has identified eight main areas for action: accessibility, participation, equality, employment, education and training, social protection, health, and external actions. For this project and summary guidelines, the most relevant actions are equality and employment. Council Directive 2000/78/EC of 27 November 2000 establishes a general framework for equal treatment in employment and occupation, Quality jobs ensure economic independence, foster personal achievement, and offer the best protection against poverty. However, the rate of employment for people with disabilities is only around 50%. To achieve the EU's growth targets, more people with disabilities need to be in paid employment on the open labour market; this is one of the goals set by the EC on European Disability Strategy 2010-2020.

In the previous chapter, we briefly mentioned the thresholds for subsidized employment of PMID in different countries. It seems Slovenia and Spain have the most options for subsidies, while in Austria and Italy, there are hardly any options for subsidized employment of PMID, due to higher demands regarding disability level. The regulations and legislation for each country are described below.



#### Slovenia

If a regular employer /company employs a PMID, the employer applies the quota under the Employment Rehabilitation and Employment of Disabled Persons Act and does not pay contributions for pension and disability insurance for a disabled worker, and has the right to be paid for the costs for adjusting the workplace and means of work according to disabled workers needs. In case of exceeding the prescribed quota for the employment of disabled persons, the employer receives a reward for exceeding the quota. If the employer offers a supportive service, he has the right to be paid for the costs of support services.

Employment in a company for the disabled (status granted by Ministry of Labour, Family, Social Affairs and Equal Opportunities, when at least 40% of people with disabilities are employed in the company) is for people with disabilities who have between 70 and 95% of working capacity. In this case, the employer has the right to exemption from the payment of contributions for pension and disability insurance for all employees, if at least 50% of the persons with disabilities are employed in the company. In the case that the non-disabled employee's salary exceeds three times the minimum wage, the difference in insurance contributions must be paid. In addition, the employer can claim a wage subsidy of a disabled person in the amount of 10 to 30% of the minimum wage, which depends on the assessment of the work capacity of a disabled person, issued by the Employment Service. More information about this (in Slovenian) is available at the site eVEM or in the Ordinance on Company for the Disabled.

An employment centre (the status is granted by Ministry of Labour, Family, Social Affairs and Equal Opportunities when the company has at least five people with disabilities and one professional worker) employs people with disabilities who have between 30 and 70% of working capacity. In this case, the employer has the right to exemption from the payment of contributions for pension and disability insurance for all employees. The salaries of disabled employees are subsidized in the amount of 30 to 70% of the minimum wage, depending on the assessment of the work capacity of the disabled person issued by the Employment Service. The salary of the professional worker(s) (specialized in working with the disabled) is determined according to the contract made by Employment Centre and the Ministry.

Read more in <u>Ordinance on Employment Centres</u> and <u>Act on Vocational Rehabilitation and</u> Employment of Disabled Persons.

Both Employment Centres and companies for the disabled pay reduced taxes on profits.

A social enterprise - one possible form of employment of PMID on farms - is also within the framework of social entrepreneurship, but it is necessary to know that the conditions for employing disabled people are the same as for the regular company, while taking into account additional requirements of social entrepreneurship. A social enterprise may also be entitled to other incentives, such as co-financing training and education in the first two years of operation, reserved public procurement, etc. Learn more about social entrepreneurship in Social Entrepreneurship Act (<u>ZSocP</u>) or <u>eVem</u> (in Slovenian).



#### Spain

#### <u>Public employment</u> (state-autonomous-local):

o In the public employment offers, a quota of no less than 7% of the vacancies will be reserved to be held by persons with disabilities. 2% of the jobs offered will be reserved for people with intellectual disabilities, and the rest will be covered by people who prove any other type of disability.

#### Private / regular employment:

- The public and private companies that employ 50 or more workers are obliged to have at least 2% workers with disabilities. The law in Spain stipulates some corrective measures for companies that fail to comply with the obligation to hire people with disabilities, including the prohibition of working with the public sector.
- Aid for the hiring of people with disabilities consists of the supplement of employer contributions to Social Security, for <u>permanent and full-time contracts</u> (70% under 45 years, 90% women and 90% all over 45).
- There are incentives to hire workers with disabilities from a 'work enclave', in order to favour the transition from protected employment to ordinary employment.
- Subsidies for the permanent and full-time hiring of people with disabilities.
- <u>Self-employment with disabilities</u>: People with disabilities greater than 33% who register as self-employed will have bonuses and deductions on their common contingency quotas of social security for five years. They will also be able to access competitive grants to finance interest on loans or capital grants, thereby financing investments that facilitate employability as a self-employed worker.
- <u>Supported employment</u> is understood as all orientation and individualized support actions in the workplace, provided by specialized job assistants/trainers, whose purpose is to facilitate the social and labour adaptation of workers with disabilities of particular difficulty. There are

grants (€2500 to €6600) for the hiring of job assistants/trainers in the framework of supported employment projects.

- The possibility of employment in organizational structures linked to protected employment:
  - The work enclave is the contract between a company in the ordinary labour market called a collaborative company and a special employment center for the execution of works or services related to the normal activity of the collaborative company and for which a group of workers with disabilities from the special employment center is moved temporarily to the work center of the collaborative company.

The special employment centres have the primary objective of carrying out a productive activity of goods or services, in order to ensure a paid employment for persons with disabilities and including the greater number of these workers in the ordinary activity (at least 70%). Aid of €9,015 for each permanent full-time position for people with disabilities is exempt from the VAT and is in the form of a subsidy for maintaining a monthly worker of up to 50% of the minimum wage, and 100% reduction of the business' contribution to Social Security.

The Professional Support Units are the multi-professional teams in the Special Employment Centres, who help to overcome the barriers, obstacles, or difficulties in the process of incorporation to a job. Within this structure of protected employment, there are multiple forms of aids and subsidies:

- Subsidies for technical assistance
- Subsidy of salary costs and/or Social Security
- Subsidies for investment (creation and expansion)
- Subsidies for adaptation of workplace
- Subsidies for financial balance and consolidation
- Subsidies for budget balance

Reference: <a href="http://www.odismet.es/es/politicas/">http://www.odismet.es/es/politicas/</a>

What is the level of disability that is entitled to subsidized employment?

- People with cerebral palsy, people with mental illness, or people with <u>intellectual disabilities</u> with a recognized degree of disability <u>equal to or greater than 33%.</u>
- People with physical or sensory disabilities with a recognized degree of disability equal to or greater than 65%.



The types of services, as well as the amounts and duration for which they can be claimed, depend heavily on the degree of disability and the individual. For this reason, it is not possible to make blanket statements about funding opportunities; each person must be considered on a case-by-case basis.

What are these services?

A distinction is always made between

- Direct financial support
- Support from social services

#### Direct financial support

Direct financial support is provided by the AMS or the Austrian Federal Ministry of Labour, Social Affairs, Health and Consumer Protection (SMS).

To qualify for subsidies from the AMS and SMS, the person must have a social insurance employment contract on the regular labour market and be an eligible person with a disability (n.b.: this is someone who has an impairment of >50%).

#### Integration subsidy ('Come back')

An application for an integration subsidy can be made through the AMS to hire someone with an impairment of more than 50%. This is a grant to cover labour costs and amounts to €4800 for nine months of full-time employment.

#### Salary subsidy

After the integration subsidy has ended, a further wage subsidy for salaries can be applied for through the SMS. The employee must also be an eligible person with a disability to qualify for this.

#### Tax benefits

There are tax exemptions for employers who hire eligible persons with a disability.

The funding programmes vary significantly in how they are structured. For one, the amounts can differ from one regional AMS office to another. Moreover, they may also be subject to several changes over time (often within one year).

Employers can also take advantage of the SMS services offered by service providers in their area when integrating and training people with disabilities. To qualify for this, the employees hired must have an impairment of 30% or more. This is described further in the next chapter



There is a general law, L. 68/1999, on the obligation based on the percentage of disabled on the total employees for companies with more than 14 employees: from 15 up to 35, 1 disabled employee; from 36 up to 50, 2 disabled employee; more than 50, 7% of disabled employee + 1% special categories (relatives of civil disabled and repatriated immigrants/refugees).

Furthermore, the National Decree 151/2015 (Jobs Act) has funded incentives for companies (all kinds), recruiting with open-ended contracts, also including part-time, disabled with reduced work capacity more than 79% (category I-III of the disability tables DPR 915/78) 70% of the total gross salary amount up to 36 months, between 67% and 79% (category IV-VI DPR915/78). For persons with a mental disability, there are incentives for workers with reduced work capacity more than 45%, 70% of the total gross salary amount up to 60 months for open-ended contracts and for contract duration in case of temporary contract.

## Alternative opportunities for people with mild intellectual disability (besides employment)

#### Vocational training and work rehabilitation

In addition to employment, there are several other options to place PMID on farms; for instance in Italy, there is a law for social agriculture (Law 05/08 n°141/2015) establishing social farms as work placements for persons with different kinds of mental disabilities and social problems. This kind of work placement favours the enlargement of space relationships, the empowerment of soft skills and vocational training based on practical and creative activities promoting talent discovery. Similar opportunities exist in Slovenia, where there is a great prospect for work rehabilitation, vocational training and the implementation of professionally guided practice for younger PMIDs, which can be later included in work processes. By doing so, these employment programmes fall into the field of deinstitutionalization and the creation of sustainable and high-quality jobs for PMID in rural areas.

Furthermore, in Austria, there is an opportunity for direct or indirect financial support for apprenticeship and vocational training assistance. The Austrian Public Employment Service (AMS) offers a lump-sum grant to individuals up to the age of 25 to cover the costs of the apprenticeship, to promote apprenticeships among adolescents with impairments. There is also an option for those adolescents with disabilities who are not able to complete a regular apprenticeship; it is called 'Vocational training assistance as part of an extendable or partial apprenticeship'. Vocational training assistants guide and support adolescents, training companies and parents throughout the apprenticeship, while also offering advice in difficult situations and helping young people to choose courses.

#### Temporary work

In Austria, opportunity is seen in hiring temporary workers with use of social providers. Some establishments send a worker or a group of workers accompanied by so-called work leader to farms to carry out certain jobs. In this case, the variety of activities carried out on farms must be discussed on a case-to-case basis. The farmer is responsible for paying for the work and remuneration is calculated according to job complexity. In some cases, this is a good foundation for temporary employment becoming a permanent job.

#### Work assistance and job coaching

In Austria, there is also an option for **support from social services** when integrating and training people with disabilities. Employees that qualify for this must have an impairment of 30% or more. These types of support are available as 'work assistance' and 'job coaching'.

Work Assistance advises companies and farmers who currently employ or want to employ people with disabilities, and it also supports people with disabilities who are looking for a job.

It acts as an agent for suitable employees and facilitates their integration into the daily work routine. The scheme provides on-site advice about legal and financial requirements. It can additionally assist in the grant application process.

Work Assistance even provides support if problems arise in existing employment relationships by looking for solutions and considering subsequent measures.

Work Assistance is free, voluntary, and non-binding.

The Job Coaching service is aimed directly at agricultural businesses. It provides personal support <u>at</u> <u>the place of employment:</u>

- Assistance during the introduction to the new workplace
- Assistance in business
- Structuring and testing the working day together
- Support during retraining
- Contact person for work-related and social questions
- Guidance in crisis situations
- Support in strengthening personal communication skills

The job coaches advise and offer guidance and support to enable people with disabilities to independently manage their working day. They also help employees if an improvement in performance or retraining is required in an existing employment relationship. The job coaches also help if other difficulties or uncertainties arise. They promote the employees' professional, communication, and social skills.

The length of time that job coaching assistance is required is agreed individually with the company; it can be used for up to six months. The assistance or support options are geared to people's individual needs, as well as to the requirements of the company.

In Spain, disabled workers are one of the groups that expressly benefit the Cooperatives and Labour Societies by incorporating them as partners or workers to these companies. For those companies of this type related to agriculture, there are additional incentives such as:

- Up to €10,000 for each employee with disabilities.
- The subsidy of €3,907 for each contract held full time.

The contract as a worker or work partner, full-time or part-time. Indefinitely. The minimum time of membership is three years; if it is shorter, it must be replaced by another worker with a disability.

## Benefits of employing a disabled person

The subsidies mentioned above are not the only benefit a farmer can have from employing PMID or any other person with a disability. Opening up their farms as part of the social support system can help farmers to 'reconnect' with their community; farmers can have increased sense of personal development and achievement and job satisfaction. Increased motivation to do the more tedious or mundane tasks when working as a team has also been noted: 'All these wee (small) jobs I had on the long finger I'm getting done' or 'I would look forward to the company, farming is a lonely occupation' are some of the farmers observations. Employing people with disability can also be edifying for farmers and their families, it gives them the ability to see beyond disability: 'It enriches our lives and the children's lives too' and 'The children see them too, not as people with a disability, they see them as farmers.'

Furthermore, employing people with disability can increase productivity and decrease employee turnover; people with disabilities, who fulfil the work requisites and find themselves in an accessible work environment, can work to their full potential. Moreover, employees with disabilities, when working under advantageous conditions, can show a great engagement as well as an above-average motivation. Employees with disabilities are fully aware of how difficult looking for a job can be, and often try to compensate their deficits through greater efforts. The many hurdles and limitations, which they might encounter on a daily basis, motivate them to accomplish even more. Therefore, they often show greater loyalty to their employer as well as more motivation. Another side effect is the lower turnover costs; indeed, employees with disabilities often stay longer with one employer and generate fewer costs.

A socially responsible employer shows his engagement and commitment to areas such as equality and anti-discrimination. This effect can be an essential element in purchase-decision processes. A good influence is shown for employees as well, who are more motivated to work for an employer of good reputation. Some studies also indicate that the good reputation of an employer significantly attracts new employees (Müller, 2013)

#### Conclusions

Mild intellectual disability affects over four million European citizens. Due to challenges in the cognitive, academic, communication and adaptive abilities of people with MID, they are more at risk of unemployment than people without disabilities. Farm activities have been identified to have positive effects on PMID in terms of social inclusion and/or therapy, but the potential of PMID as workers remains highly underrated.

FARMID project partners have investigated the possibility of the employment of PMID in their respective countries and prepared their national guidelines on which the Guidelines of this document are based. It has been shown that all countries have similar approaches to obtaining the status of a disabled persons, even though this varies somewhat from country to country.

We found the most significant difference that influences employment opportunity for PMID from country to country in the entrance disability level for financial support. In Slovenia, the starting point is 5% RWC in regular companies (or farms), where the taxes for disability and pensions are excluded, and a bonus for exceeding the disability quota is possible. There is also a possibility of establishing special companies for disabled with RWC between 5-30% or employment centre for people with RWC of 30-70%, although special terms need to be considered.

In Spain, similar to in Slovenia, there is a possibility of establishing employment centres for employing PMID and also establishing working enclaves, which can be a good opportunity for farmers who need some extra helping hands. In Spain, PMID generally falls between 33-50% of reduced work capacity, which also offers them employment opportunity within regular companies, with some tax deductions and social security payments.

In contrast, Italy and Austria are much stricter with regards to reduced working capacity and employment incentives, since in Italy, entrance level is 45% of RWC and in Austria 50%, and PMID generally do not fall in these disability levels. However, there are many alternative solutions of integrating PMID into working environment, that can, in the end, lead to enhanced employment options. For instance, in Italy, social farming is very well developed and offers vocational training on farms. Furthermore, in Austria, there is an opportunity for direct or indirect financial support for apprenticeship and vocational training assistance to individuals up to the age of 25. In Austria, there is a possibility to hire a temporary worker with the support of social service providers, and this can sometimes lead to a full-time job. There is also a possibility of support from social services when integrating and training people with disabilities. Employees that qualify for this must have an impairment of 30% or more. These types of support are available as 'work assistance' and 'job coaching'.

In these guidelines, our primary focus was on the legal arrangements for employing PMID on farms with financial subsidies for the farmer. However, there are other non-financial benefits of employing disabled people on the farm for the farmer as well as for the employees.

## References to entities dealing with employment of PMID



Employment Service of Slovenia: <a href="https://www.ess.gov.si">https://www.ess.gov.si</a>

Companies for vocational and professional rehabilitation for persons with fewer employment opportunities and special needs:

http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti pdf/invalidi vzv/SEZNA M izvajalcev ZR za obdobje od 2014 do 2020 azuriran 1.8.2017.pdf



### Spain

General Management for Disability Support Policies, belongs to the Ministry of Health, Social Services and Equality. National entity that manages benefits, services, subsidies and the protection of people with disabilities. http://www.msssi.gob.es/

IMSERSO. Social Security Management Entity of the Government of Spain responsible for the management of programs and benefits for the elderly and people in dependency situation. <a href="http://www.imserso.es">http://www.imserso.es</a>

The National Council on Disability. Inter-ministerial advisory body through which organizations represent people with disabilities. Their families participate in the planning, monitoring and evaluation of policies developed in the field of disability.

Disability Observatory. Technical instrument of the Ministry of Health, Social Services and Equality, for the collection, systematization, updating, generation and dissemination of information related to the field of disability. <a href="http://observatoriodeladiscapacidad.info/">http://observatoriodeladiscapacidad.info/</a>

Office of Assistance to Disability (OADIS). It is a permanent and specialized advisory body of the National Council on Disability responsible for promoting equal opportunities, non-discrimination and universal accessibility. <a href="http://www.oadis.msssi.gob.es/">http://www.oadis.msssi.gob.es/</a>

CERMI (Spanish Committee of Representatives of People with Disabilities). Platform of representation, defense and action of Spanish citizens with disabilities, to advance in the recognition of their rights and achieve full citizenship in equal rights and opportunities. <a href="http://www.cermi.es/">http://www.cermi.es/</a>

Plena Inclusión, Spanish Confederation of Organizations in Favor of People with Intellectual Disabilities. <a href="http://www.plenainclusion.org/">http://www.plenainclusion.org/</a>

Down-Federación. Spanish Institution for Down Syndrome. <a href="http://www.sindromedown.net/">http://www.sindromedown.net/</a>

Spanish Confederation of Autism. <a href="http://www.fespau.es/index.html">http://www.fespau.es/index.html</a>

FEDACE, Spanish Federation of Brain Damaged. https://fedace.org/

Inserta Empleo is the ONCE Foundation entity for the training and employment of people with disabilities. <a href="http://www.fsc-inserta.es">http://www.fsc-inserta.es</a>

PRODIS is a foundation committed to people with intellectual disabilities to help them in their personal development and in their labor inclusion. <a href="https://www.fundacionprodis.org">https://www.fundacionprodis.org</a>



https://www.cliclavoro.gov.it/Aziende/Incentivi/Pagine/Disabili.aspx

https://www.superabile.it/cs/superabile/lavoro/collocamento/strumenti-per-inserimento-lavorativo/il-collocamento-delle-persone-con-disabilita-all-estero.html

http://www.regione.toscana.it/-/diritto-al-lavoro-di-persone-con-disabilita

http://www.cittametropolitana.bo.it/lavoro/Engine/RAServePG.php/P/255411560404/T/Collocamen to-mirato-per-lavoratori-con-disabilita

http://www.provincia.perugia.it/guidetematiche/lavoroimpresaformazioneeuropa/cerchilavoro/disabiliecategorieprotette



Austrian public employment service: www.ams.at/

Network for occupational integration: <a href="https://www.neba.at/">https://www.neba.at/</a>



References to national legislation and other relevant documents with regards to PMID employment



Law on Vocational Rehabilitation and Employment of Disabled Persons, Official Gazette of the RS 16/2007: https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/78532#

Law on Social Entrepreneurship: <a href="https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/102703">https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/102703</a>

Ministry of Economic Development and Technology: Social entrepreneurship <a href="http://www.mgrt.gov.si/si/delovna">http://www.mgrt.gov.si/si/delovna</a> podrocja/socialno podjetnistvo/

eVEM, Forms of companies, Social entreprise: <a href="http://evem.gov.si/info/zacenjam/zelim-ustanoviti-podjetje/poslovne-oblike-podjetje/socialno-podjetje-sop/">http://evem.gov.si/info/zacenjam/zelim-ustanoviti-podjetje/poslovne-oblike-podjetje/socialno-podjetje-sop/</a>

eVEM, Forms of companies, Company for disabled: <a href="http://evem.gov.si/info/zacenjam/zelim-ustanoviti-podjetje/poslovne-oblike-podjetjj/socialno-podjetje-sop/">http://evem.gov.si/info/zacenjam/zelim-ustanoviti-podjetje/poslovne-oblike-podjetjj/socialno-podjetje-sop/</a>

Ordinance on Employment Centres: <a href="https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/109476">https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/109476</a>

Ordinance on Company for Disabled: <a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV7400">http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV7400</a>

Managing disability in the workplace : ILO code of practice:

https://www.zdis.si/files/zdis\_kodeks2011.pdf

Exemption of payment pension and disability insurance: http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/oprostitev-placila-prispevkov-za-pokojninsko-in-invalidsko-zavarovanje/

Supportive service payment: <a href="http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/placilo-stroskov-podpornih-storitev/">http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/placilo-stroskov-podpornih-storitev/</a>

Payment for adjusting workplace and means of work <a href="http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/placilo-stroskov-prilagoditve-delovnega-mesta-in-sredstev-za-delo/">http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/placilo-stroskov-prilagoditve-delovnega-mesta-in-sredstev-za-delo/</a>

Reward for exceeding quota for employment of disabled: <a href="http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/nagrada-za-preseganje-kvote/">http://www.jpi-sklad.si/skladi/invalidski-sklad/pravice/nagrada-za-preseganje-kvote/</a>



Spain

Royal Legislative Decree 1/2013, of November 29, where it is approved the Consolidated Text of the General law on the rights of persons with disability and its social inclusion.

https://www.boe.es/buscar/pdf/2013/BOE-A-2013-12632-consolidado.pdf

ROYAL DECREE 290/2004, of February 20, which regulates work enclaves as a measure to promote the employment of people with disabilities. <a href="https://www.boe.es/boe/dias/2004/02/21/pdfs/A08386-08391.pdf">https://www.boe.es/boe/dias/2004/02/21/pdfs/A08386-08391.pdf</a>

RD 170/2004 of January 30 by which RD 1451/83 of May 11 is modified, regulate measures to promote the employment of disabled workers (BOE 01/31/2004).

https://www.boe.es/boe/dias/2004/01/31/pdfs/A04158-04159.pdf

Law 43/2006 of December 29 (BOE 12/30/2006), to improve growth and employment.

RD 870 / 2007, of July 2 (BOE of 07-14-2007) by which the employment program is regulated with support as a measure to promote employment of people with disability in the ordinary labor market. https://www.boe.es/boe/dias/2007/07/14/pdfs/A30618-30622.pdf

RD 469/2006, of April 21, (BOE 22-04-2006) by which the support units to the professional activity are regulated within the framework of the services of personal and social adjustment of the special employment centers.

Royal Decree 1971/1999, of December 23, on the procedure for the examination, statement and description of the degree of disability. <a href="https://www.boe.es/boe/dias/2000/01/26/pdfs/A03317-03410.pdf">https://www.boe.es/boe/dias/2000/01/26/pdfs/A03317-03410.pdf</a>

Royal Decree 156/2013, of March 1, which regulates the signing of a special agreement for persons with disabilities who have special difficulties in entering the labor market. https://www.boe.es/boe/dias/2013/03/02/pdfs/BOE-A-2013-2309.pdf

Royal Decree 2271/2004, of December 3, which regulates access to public employment and the provision of jobs for people with disabilities. <a href="https://www.boe.es/buscar/pdf/2004/BOE-A-2004-21221-consolidado.pdf">https://www.boe.es/buscar/pdf/2004/BOE-A-2004-21221-consolidado.pdf</a>

Order of November 2, 2000, of the Ministry of Labor and Social Affairs, which determines the composition, organization and functions of the Assessment and Guidance Teams dependent on the Institute of Migrations and Social Services and develops the procedure for the evaluation of the degree of disability within the scope of the General State Administration.

http://www.boe.es/boe/dias/2000/11/17/pdfs/A40084-40088.pdf

ORDER of October 16, 1998, which establishes the regulatory bases for the granting of public subsidies and subsidies aimed at promoting the labor integration of disabled people in special centers for employment and self-employment.

https://www.boe.es/boe/dias/1998/11/21/pdfs/A38411-38414.pdf

Order of June 12, 2001 on the creation, composition and functions of the State Commission for the Coordination and Follow-up of Degree Assessment.

RD 1368/1985, of July 17, (BOE 08-08-1985), which regulates the special employment relationship of disabled people working in the Special Employment Centers.

https://www.boe.es/buscar/pdf/1985/BOE-A-1985-16663-consolidado.pdf

RD 1451/83 of May 11, which regulates selective employment and measures to promote employment of workers with disabilities (BOE 4-6- 1983) <a href="https://www.boe.es/buscar/pdf/1983/BOE-A-1983-15813-consolidado.pdf">https://www.boe.es/buscar/pdf/1983/BOE-A-1983-15813-consolidado.pdf</a>

RD 2273/1985, of December 4, (BOE, 9-12-1985) by which the Regulation of the Special Employment Centers defined in art. 42 of Law 13/1982, of April 7, on Social Integration of people with disabilities.

Order of October 16, 1998 (BOE 21-11-1998) establishing the regulatory bases for the granting of public subsidies and subsidies aimed at promoting the labor integration of disabled people in special employment centers and self-employment.



https://www.cliclavoro.gov.it/Normative/Decreto\_Legislativo\_14\_settembre\_2015\_n.151.pdf

https://www.cliclavoro.gov.it/normative/legge\_12\_marzo\_1999\_n.68.pdf



Disability Employment Act (BEinstG) BGBl. No. 22/1970:

 $\underline{https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen\&Gesetzesnummer=10008}\\ \underline{253}$ 

Styrian Disabilities Act Act of 10 February 2004 on assistance for people with disabilities: <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=LrStmk&Gesetzesnummer=20000434">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=LrStmk&Gesetzesnummer=20000434</a>



## Other bibliographic references

Oblike zaposlitve oziroma najema delovne sile na kmetiji. KGZS.

http://www.kgzs.si/gv/pravo/pravno-svetovanje.aspx (Pridobljeno 29.1.2018)

Pirih N. Postopki pomoči in podpore dijakom z lažjo motnjo v duševnem razvoju. 2016. Univerza v Ljubljani. Pedagoška fakulteta.

The ICD-10 Classification of Mental and Behavioural Disorders. Clinical descriptions and diagnostic guidelines. http://www.who.int/classifications/icd/en/bluebook.pdf

Miguel Ángel Verdugo and Patricia Navas (2017): Todos Somos Todos. Derechos y calidad de vida de las personas con discapacidad intelectual y mayores necesidades de apoyo. Real Patronato sobre Discapacidad.

Antonio Jiménez Lara and Agustín Huete García (2016): Informe Olivenza 2016, sobre la situación de la discapacidad en España. Observatorio Estatal de la Discapacidad.

CERMI (2011): La discapacidad en las fuentes estadísticas oficiales. Examen y propuestas de mejora.

CERMI (2015): Derechos humanos y discapacidad. Informe España 2015.

Down España (2010): Evaluación, diagnóstico, tratamiento y servicios de apoyo para personas con discapacidad intelectual y problemas de conducta.

FEAPS (2015). El sobreesfuerzo económico que la discapacidad intelectual o de desarrollo ocasiona en la familia en España 2014.

Goñi, M. J.; Martínez, N. y Zardoya, A. (2007). Apoyo conductal positivo. Algunas herramientas para afrontar las conductas difíciles. Madrid: FEAPS

Martín-Cilleros, V.; Canal, R. and González-García, C. (2010). Apoyo conductual: cómo actuar ante la conducta problemática. Junta de Comunidades de Castilla-La Mancha, Consejería de Salud y Bienestar Social e INICO.

Hall, E. (2010). Spaces of social inclusion and belonging for people with intellectual disabilities.

Instituto Nacional de Administración Pública (2015). Libro blanco sobre acceso e inclusión en el empleo público de las personas con discapacidad.

Instituto Nacional de Estadística (2014). El empleo de las personas con discapacidad.

Martorell, A.; Ayuso, J. L.; Novell, R.; Salvador-Carulla, L. and Tamarit, J. (2011). Discapacidad intelectual y salud mental. Guía Práctica.

Berarducci M., Scivola G., Contardi A. Anch'io lavoro: tra esperienze e buone prassi. Quaderno AIPD n. 21 AIPD Nazionale, 2012, Roma

Canalicchio M. et Al. Inclusion is possible: Results of the SWANS project , ISBN 978-88-908958-0-7 March 2013. www.swans-autism.eu

European Commission DG Justice Results of four pilot projects on employment of persons with autism, ISBN 978-92-79-36222-4 2014.

http://ec.europa.eu/justice/discrimination/files/report pilot projects empl autism 2014 en.pdf

De Clercq H. Il labirinto dei dettagli. Iperselettività cognitiva nell'autismo, ISBN 978-88-7946-942-5 2006

Howlin P. et Al. An 8 year follow-up of a specialist supported employment service for high-ability adults with autism or Asperger syndrome, Journal of Child Psychology and Psychiatry, 2004

Keel J.H. et Al. TEACCH- Supported employment programme. Journall of Autism & Development Disorders 1997

Newton, R.W., S. Puri e L. Marder Down Syndrome: Current Perspectives Mac Keith Press, London, 2015

Peeters, T. L'autisme. De la compréhension à l'intervention. Paris: Dunod. ISBN 978-2-10-051799-2. 2008

Rondal J-A., Perera J., Spiker D. Neurocognitive Rehabilitation of Down Syndrome. The early Years Cambridge University Press, 2011

Flyer: Ein:blick 2: Work. Guidance on the topic of disability; Federal Ministry of Labour, Social Affairs, Health and Consumer Protection:

https://broschuerenservice.sozialministerium.at/Home/Download?publicationId=18

SMS: https://www.sozialministerium.at/site/Arbeit Behinderung/Menschen mit Behinderung/

Work and disability: <a href="https://www.arbeitundbehinderung.at/de/">https://www.arbeitundbehinderung.at/de/</a>

Transparency portal: <a href="https://transparenzportal.gv.at/">https://transparenzportal.gv.at/</a>

Help: www.help.gv.at

Müller S. 2013. Advantages of employing people with disabilities:

(https://www.myhandicap.com/en/information-disability-chonical-illness/school-and-employment/employment/diversity-management-advantages-enterprise/)

