

Article 27: Illustrative indicators on work and employment

ADVANCE VERSION

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Right to gain a living by work freely chosen in a labour market and work environment that is open, inclusive and accessible

| Attributes/ Indicators | Access to decent work and employment | Equal opportunities in the workplace | Protection from forced or compulsory labour |
|---------------------------|---|---|--|
| Structure | <p>27.1 Legislation enacted relating to all aspects of work and employment and training & employment services which are inclusive of persons with disabilities.ⁱ</p> <p>27.2 No provisions in legislation or regulations which directly or indirectly restrict employment on the basis of disability.ⁱⁱ</p> <p>27.3 Adoption of a national plan (mainstream or disability-specific) that promotes vocational training inclusive of persons with disabilities</p> <p>27.4 Adoption of a comprehensive national employment strategy and/or plan (mainstream or disability-specific) to promote the employment of persons with disabilities in public and private employment.ⁱⁱⁱ</p> <p>27.5 Technical and financial assistance for employers, employees, trade unions on provision of reasonable accommodation in the workplace and making work environments and communications accessible.^{iv}</p> <p>27.6 Social protection schemes providing benefits for persons with disabilities do not serve as disincentives and are compatible with work and employment.^v</p> <p>27.7 National accessibility standards adopted and applied to workplaces.</p> <p>27.8 National gender laws and policies relating to work and employment are inclusive of women with disabilities.</p> | | <p>27.9 All legislation and policies enacted to combat forced or compulsory labour is inclusive of persons with disabilities.</p> <p>27.10 All legislation enacted and policies to prohibit and eliminate the worst forms of child labor are inclusive of children with disabilities.^{vi}</p> |
| Process | <p>27.12 Number and percentage of persons, disaggregated by age, sex and disability enrolled in: vocational training, employment services, school to work transition programmes, lifelong learning, return-to-work programmes, and/or programmes promoting entrepreneurship, starting one's business, development of cooperatives, etc.</p> | <p>27.13 Number and percentage of persons, disaggregated by age, sex and disability benefitting from each of the following measures: job coaching, work placements and internships, workplace rehabilitation, microfinance projects & programmes,^{vii} and employment through an affirmative action measure^{viii} in both the public and private sector.</p> <p>27.14 Proportion of time spent on unpaid domestic and care work, by sex, age and location (SDG Indicator 5.4.1) and disability.</p> | |
| | <p>27.11 Statutory requirement for regular reporting on employment outcomes and use of employment-related services disaggregated by sex, age, and disability.</p> | | |

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| Process (Continued) | <p>27.15 Number and proportion of staff (public and private) of employment services, vocational training and micro-finance, trained on the rights of persons with disabilities, including the provision of reasonable accommodations.</p> <p>27.16 Awareness raising campaign and activities to promote inclusion and inform employers and individuals of their rights and responsibilities as they relate to employment and employment services.</p> <p>27.17 Consultation processes undertaken to ensure active involvement of persons with disabilities, including through their representative organizations, in the design, implementation and monitoring of laws, regulations, policies and programmes, related to any employment-related initiative.^{ix}</p> <p>27.18 Proportion of received complaints on the right to work and employment alleging discrimination on the basis of disability and/or involving persons with disabilities that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the government and/or duty bearer; each disaggregated by kind of mechanism.</p> | | |
| Outcome | <p>27.19 Employment rate of persons with disabilities compared to other persons and to overall employment rate, disaggregated by type of employment (public, private, self-employed) and kind of position (e.g. managerial/administrative), sex, age and disability.</p> <p>27.20 Unemployment rate of persons with disabilities compared to other persons and to the overall unemployment rate, disaggregated by age, sex and disability (based on SDG indicator 8.5.2).</p> <p>27.21 Rate of economic inactivity of persons with disabilities compared to other persons and the overall economic inactivity rate of the total population, disaggregated by sex, age and disability.</p> <p>27.22 Proportion of women in managerial positions (SDG indicator 5.5.2), disaggregated by age and disability.</p> | <p>27.23 Percentage of persons with disabilities engaged in the informal sector economy as compared to other persons and to the overall rate, disaggregated by sex, age, and disability.</p> <p>27.24 Percentage of persons with disabilities in part-time and temporary employment as compared to other persons and to the overall rate, disaggregated by age, sex and disability.</p> <p>27.25 Average hourly earnings of female and male employees, by occupation, age and persons with disabilities (SDG indicator 8.5.1).^x</p> <p>27.27 Number and proportion of persons with disabilities among total population of active persons with disabilities, engaged in work outside the open labour market.^{xi}</p> | <p>27.26 Number and percentage of persons in forced or compulsory labor, disaggregated by sex, age and disability.</p> |

- i Legislation related to work and employment covering all aspects and conditions of recruitment and hiring, continuance, career advancement, safe and healthy working conditions, salary/remuneration, self-employment and entrepreneurship and should include :
- the prohibition of discrimination on the basis of disability including the denial of reasonable accommodation;
 - the prohibition of and protection from forced labour, violence and harassment and against persons with disabilities;
 - promoting the employment of persons with disabilities through appropriate policies and measures, which may include affirmative action programmes, tax exemptions and other incentives and other measures;
 - equal opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business by persons with disabilities;
 - equal treatment in regards to trade union membership
 - equal rights to parental leave and leave entitlements
 - equal rights to financial services provided by mainstream financial service providers (loans, savings, insurance, remittances, etc.), notably to allow for self-employment, entrepreneurship and related.
- ii This includes no:
- limited access to employment or vocational training related to any type of impairment;
 - limited access to employment or vocational training related to status of legal capacity;
 - established exceptions to minimum wage based on impairment;
 - included impairment-based assessments such as capacity or fitness to work;
 - restricted categories of employment or vocational training for persons with disabilities
 - limited workplace(s) for persons with disabilities or maintaining segregated working environments (e.g. sheltered workshops)
- iii National employment strategy/plans should include provisions:
- for equal access to: employment services; self-employment, entrepreneurship, development of cooperatives and to start one's own business
 - to promote employment which may include: affirmative action programmes, incentives
 - on particular measures relating to youth and women with disabilities, persons with specific and multiple support needs, etc.
- iv For example, through guidance and support mechanisms-helplines, networks, etc.
- v For example, these schemes should not tie the granting of benefits to declaration of inability/incapacity to work, nor prevent seeking work/employment, nor permit arbitrary withdrawal of benefits on the basis of employment without addressing disability related extra costs such as those related to traveling to/from work.
- vi See ILO, Worst Forms of Child Labour Convention, 1999 (No. 182).
- vii This includes: having access to financial services offered by financial service providers (such as microfinance) and starting a business earning an income after having been enrolled in microfinance programmes.
- viii Affirmative action measures may include but are not limited to: quotas, subsidies and incentives for employers hiring persons with disabilities, subsidies, transition to work/livelihood programmes, etc.
- ix This indicator requires verifying concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4(3) of the CRPD and [General Comment no. 7](#) of the CRPD Committee, including consultation meetings, technical briefings, online consultation surveys, calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must
- ensure that consultation processes are transparent and accessible;
 - ensure provision of appropriate and accessible information;
 - not withhold information, condition or prevent organizations of persons with disabilities from freely expressing their opinions;
 - include both registered and unregistered organizations;
 - ensure early and continuous involvement;
 - cover related expenses of participants.
- x For a discussion on methodology, see ILO, "[Global Wage Report 2018/19: What lies behind gender pay gaps](#)" (2018), promoting the use of the factor-weighted gender pay gap, in the context of the right to employment of women.
- xi This includes persons with disabilities engaged in work (formal or informal) within segregated settings (e.g. "sheltered workshops", "atelier protégé", "trabajo protegido").