Integration and inclusion in the labour market in the European Union

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List of abbreviations

ALMP	Active labour market policy
ASD	Autism spectrum disorders
CEEP	European Centre of Employers and Enterprises providing Public Services
CRPD	Convention on the Rights of Persons with Disabilities
EASPD	European Association of Service Providers for Persons with Disabilities
EC	European Commission
ECRI	European Commission against Racism and Intolerance
EPSCO	Employment, Social Policy, Health and Consumer Affairs Council
ESF	European Social Fund
ETUC	European Trade Union Confederation
EU	European Union
EU-28	European Union with 28 member states
EURES	European Employment Services
GBER	General Block Exemption Regulation
GDP	Gross domestic product
ILO	International Labour Organisation
LFS	Labour Force Survey
LHPAD	Longstanding health problem and/or basic activity difficulty
MS	Member state
NEA	Nationals with a different ethnic affiliation
NEET	Neither in employment nor in education or training
NFB	Nationals with a foreign background
OECD	Organisation for Economic Co-operation and Development
OSH	Occupational Safety and Health
SAM	State Aid Modernisation
SME	Small and medium-sized enterprises

STEM	Science, technology, engineering and mathematics
UEAPME	European Association of Craft, Small and Medium-Sized Enterprises
VET	Vocational education and training
WHO	World Health Organisation
YfEJ	Your first EURES Job

Foreword

When we look at the initiatives taken and efforts made with regard to integration and inclusion in the labour market in Europe, this issue relates to target groups that have problems finding and holding down a job.
In this context the term "inclusion" stands for endeavours to create jobs for the disabled.
"Integration" refers to all other groups of unemployed people to whom the labour market is totally or partly closed.
That this matter is viewed as important by the partners in the network of the European Centre for Workers' Questions (EZA) is proven by the fact that ten projects on this issue alone were carried out in the 2015 education year.
A core value of our work is making people the focus of our activities. This is particularly true when it comes to integration and inclusion in the labour market. That is why the EZA commissioned this research report to identify which people are actually at risk of being excluded from the labour markets in Europe. The study shows that a re-think is required. Because, besides low-qualified and disabled workers, there are other groups that are easily forgotten: increasingly older workers, young people, the chronically ill, migrants – they all run the risk of losing opportunities to work and live in the European labour market.
We would like to thank our research partner HIVA for this study, which approaches the need for inclusion and integration from an academic angle, and points up from this perspective potential solutions and options for action for workers' organisations.
We hope that every reader finds this report stimulating and that it gives inspiration and ideas for creating and designing jobs for workers in need of integration and inclusion.

Königswinter, October 2016

Sigrid Schraml
EZA Secretary-General

Preface

The most important and overriding theme in the 2015/2016 training programme of the European Centre for Workers' Questions (EZA) is the Europe 2020 Strategy, in particular the chapters on integration and inclusion in the labour market.

Inclusive growth means, in the eyes of the EU, "Empowering people through high levels of employment, investing in skills, fighting poverty and modernising labour markets, training and social protection systems so as to help people anticipate and manage change, and build a cohesive society. (...) It is about ensuring access and opportunities for all throughout the lifecycle. Europe needs to make full use of its labour potential to face the challenges of an ageing population and rising global competition" (European Commission, 2010).

An inclusive labour market is one that allows and encourages all people of working age to participate in paid work and provides a framework for their development.

At present, groups such as migrants, women (and in some cases men), young people, older workers, people with disabilities of various kinds... often experience lower employment opportunities or remain underemployed in many activity sectors. They face higher risks of (in-work) poverty.

In the aftermath of the economic downturn in 2008-2009 with its high unemployment rates, with the vulnerable groups as the first victims, public spending was reduced and access to social security benefits was tightened, again affecting first and foremost the most vulnerable.

For this reason, EZA decided to commission a research project on the issue of inclusive labour markets from HIVA, a multidisciplinary research institute of KU Leuven (University of Louvain, Belgium), focusing on the various categories of (potential) workers at risk. The researchers who were involved in this interesting project would like to thank EZA for the opportunity to dig somewhat deeper into the issue of employment of a number of groups at risk and to contribute to the question on how workers' organisations can influence labour market prospects for them.

Introduction

A considerable proportion of the professionally active, or potentially active, population is either over 50 years of age, young and does not have professional experience, faces a number of employment restrictions (immigrants without papers, poor education etc.), or suffers from chronic health problems. The possible limitations for entering and staying in the labour market that these characteristics impose on those concerned range from rather limited to extensive, and from very specific to general in scope. These restrictions can be of a physical or mental nature, or can be due to innate characteristics or uncommon behaviour patterns. Some of these drawbacks render active participation in the labour market next to impossible, whereas others do not necessarily stop people from working. Employment prospects largely depend on the nature of the job to be done: a physical handicap can be insurmountable for a roofer or bricklayer, but may not impede employees from carrying out administrative tasks, whether by means of accompanying measures or not.

But facts and figures on the labour market also show that certain groups defined *by characteristics, which should not say anything about people's experience or skills (like gender, origin, religion etc.), are experiencing difficulties in entering and staying in the labour market.* For these groups, the employability, productivity and/or flexibility of the candidate are evaluated based on prejudices and stereotypes about his or her gender, origin etc. These target groups are also confronted with *prejudices and stereotypes* in fulfilling their job contracts. Thus, employers are often less inclined to invest in a worker from one of these target groups. They are often given fewer chances for training, less rewarding tasks and fewer opportunities for promotion. They are also often the object of stereotypical images or prejudices on the part of co-workers. This phenomenon is well known as *statistical discrimination*. So, possible limitations can be the result of characteristics on the *supply side* of the labour market (the target groups) but also of the structure, attitudes and behaviour on the demand side (the employers' side).

This EZA/HIVA project focuses on specific vulnerable groups. It places an emphasis on the (re-)integration of these vulnerable groups in organisations (micro-level) and how workers' organisations can contribute to this process.
In general, vulnerable groups in the labour market can be defined as cohorts of workers with a *lower activity rate/higher unemployment rate* than the country's average and/or, when in employment, workers who run the risk of *more precarious work* and enduring segregation at both the sectoral and occupational levels ('glass ceiling' and 'glass wall').
As a consequence, the groups this report will focus on are very heterogeneous, and the figures that will be presented cover a wide variance of individual cases, rendering it rather difficult to assess the extent to which the individuals belonging to a given category effectively have to cope with employment restrictions.
On top of that, cohorts of persons having or experiencing a certain 'vulnerability' in the labour market often overlap, e.g. a lengthy history of disease can all too often lead to physical or mental limitations, and will occur primarily amongst elderly people.
This report focuses on what workers' organisations can do. A long list of actions and measures on different levels can contribute to an integrated active inclusion policy towards groups excluded from the labour market. Within the framework of this project and report, choices had to be made, not only concerning the vulnerable groups included, but also concerning the possible measures, actions and levels of actions to be included. The choices were made based on the best contribution to the programme of the EZA seminars during the 2015/2016 education year and are therefore related to the topics and themes of the different seminars.
The subtitle of this report is 'Managing workplace diversity'. Our focus will be on the situation within companies, on the workplace and therefore on measures and strategies targeting the demand side of the labour market.
This report focuses on the labour market situation of (1) people with disabilities/chronic diseases, (2) the old and young and (3) migrants and ethnic

minorities. Attention will be given to the gender dimension and to the risks and prevention of in-work poverty across all chapters.
This report starts with a general introduction and literature/policy overview of the inclusion of vulnerable groups in the European labour markets.
The next chapters will focus on specific groups at risk, without claiming, however, to cover the whole issue. Recent figures are reported, and we will focus on the causes and consequences of the vulnerable labour market positions. Insights into how different member states (MS) try to lower the labour market thresholds for specific groups and into how workers' organisations are playing (or can play) a role in this process will be described.
A last chapter will draw some general conclusions, with special attention to key causes of labour market exclusion and the way workers' organisations can play a role to promote employment opportunities for these groups of (potentially) vulnerable workers.

1 Inclusion in the labour market: general overview

1.1 The European approach

1.1.1 The Europe 2020 Strategy

Like most other regions of the world, Europe is going through a transformation, exacerbated by the recent economic downturn that began in 2008 and has left its traces up to now, leading to *increasing risks of poverty and social and labour market exclusion* in many countries. This global crisis has led to a growing cohort of unemployed, an often substantial revision of social security systems and access to it, as well as a weakening of the bargaining power of trade unions.
All this came on top of other, long-standing evolutions in the western economy such as the ageing population, the inflow of migrant workers and persons without papers, increasing globalization, and pressure on natural resources.

In order to tackle these issues, the EU and its member states launched a strategy for sustainable growth for the coming decade: the Europe 2020 Strategy, dealing *"both with short-term challenges linked to the crisis and with the need for structural reforms through growth-enhancing measures needed to make Europe's economy fit for the future"* (European Commission, 2014). To measure progress in meeting these goals, five headline targets were agreed for the whole EU that need to be translated into national targets in each member state, reflecting different situations and circumstances. Two out of these five objectives, to be reached by the year 2020, touch directly on the central theme of this report:

- Target 1: By the year 2020, 75% of 20-64-year-olds are to be employed. This cannot be realized without *general participation* in the labour market, i.e. in the EU, only 63% of women are employed compared to 76% of men. And only 46% of older workers (55-64 years) are employed compared to over 62% in the US and Japan (European Commission, 2010).
- Target 5: By the year 2020, at least 20 million fewer people in or at risk of poverty and social exclusion, keeping in mind that it is generally acknowledged that work is the most effective way of combating poverty and social isolation.

The Europe 2020 Strategy ***promotes inclusive labour markets*** in order to:
- maximize the full potential of Europe's labour force;
- take into account demographic evolutions;
- anticipate the growing diversity among society at large;
- sustain social protection systems.

Promoting inclusive labour markets means:
- making it easier for people to *(re-)join* the workforce;
- removing *disincentives* to work;
- promoting *quality jobs* and preventing *in-work poverty,* focusing on:
    - pay and benefits;
    - working conditions;
    - occupational health and safety;
    - lifelong learning;
    - career prospects;
    - helping people stay in work and advance in their careers.

Achieving an inclusive labour market is:
- a *multi-faceted* challenge;
- **a key concern for public authorities, employers and workers (and their representatives), intermediate organisations, ...**

Because of the severe negative social and economic consequences and high costs of the economic and financial crisis with increasing risks of poverty, social and labour market exclusion in many countries[1] and increasing divergences within and between member states, the EU 'Social investment Package' 2013 - as a response to the crisis - urges governments *"to speed up their implementation of the Commission recommendation of 3 October 2008 on the active inclusion of people excluded from the labour market"*.

1.1.2 European Commission Recommendation of 3 October 2008

On 3 October 2008, the EC published a formal recommendation *on the active inclusion of people excluded from the labour market*. It states that *all member states should organize and implement* ***integrated active inclusion policies.***

According to the European Commission (EC), member states should adopt *measures* covering persons whose condition renders them *fit for work* to ensure they receive effective *support to (re-)enter and/or stay* in employment (work that corresponds to their work capacity), in accordance with the following *common principles:*

- *Address the needs* of all people *excluded* from the labour market, in order to
  - facilitate their *progressive reintegration* into society and into the labour market;
  - enhance their *employability;*
- Take the necessary measures to promote inclusive labour markets in order to *ensure access* to employment is an *opportunity open for all;*
- Promote *quality jobs,* including pay and benefits, working conditions,

1 The number of people at risk of poverty and social exclusion has increased since 2008 in 18 out of the 26 member states for which data were available in 2011 (Eurostat) (Source: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Towards Social Investment for Growth and Cohesion – Including Implementing the European Social Fund 2014-2020 Brussels, 20.2.2013 COM(2013) 83 final)

health and safety, access to lifelong learning and career prospects, in particular with a view to *preventing in-work poverty;*
- Tackle labour market *segmentation*.

Member states should implement these principles through the following *practical guidelines:*
- *Inclusive education and training policies:*
    - expand and improve investment in *human capital* through inclusive education and training policies, including effective lifelong strategies;
    - adapt education and training systems in response to new skills requirements, and the need for digital skills.
- *Active and preventive labour market measures (ALMPs),* including tailored, personalised, responsive services and support involving:
    - early identification of needs;
    - assistance for job seekers;
    - guidance and training;
    - motivation to seek a job actively.
- Continually review the *incentives and disincentives* resulting from tax and benefit systems, including:
    - the management and conditionality of benefits;
    - a significant reduction in high, marginally effective tax rates, particularly for those with low incomes, while ensuring adequate levels of social protection;
- Provide *support* for the social economy and sheltered employment as a vital source of entry jobs for disadvantaged groups, promote financial inclusion and microloans, financial incentives for employers to recruit, the development of new sources of jobs in services, particularly at local level, *and raise awareness of labour market inclusiveness;*
- Promote *adaptability* and provide *in-work support* and a supportive environment, including attention to *health and well-being, non-discrimination* and the application of *labour law* in conjunction with *social dialogue*.

Member states which are most successful in the active inclusion of people excluded from the labour market adopted a *comprehensive and integrated "active inclusion" approach* following (to some extent) the above principals and guidelines; an approach with policy characteristics similar to the active inclusion principles in which *active labour market policies (ALMPs, see below), employment activation measures, income support policies and high-quality public services* play an important role and are mutually reinforcing.

1.1.3 Active labour market policies

The recommendation on the active inclusion of groups excluded from the labour market called on member states *"to support access and return to employment through active labour market policies (ALMPs)"*[2].

ALMPs are government programmes aiming to increase employment opportunities for jobseekers. ALMPs are specific programmes to improve the balance between the jobs available (demand side) and the qualified (potential) employees (supply side). ALMPs ensure quality jobs, promote job retention and enable career advancement.

Three main categories of ALMP are usually distinguished:

- *Personalised support and guidance,* also support and guidance that meet the needs of those furthest from the labour market. These activities are generally assigned to public employment services (PES)
- *Learning and training* schemes, lifelong learning
- Employment *subsidies*.

ALMPs mostly focus on *avoiding long-term unemployment* by fostering re-employment.

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2 Staff Working Document of the European Commission on the "Social Investment Package", see: SWD(2013) 39 final, http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013SC0039&from=EN, 4.2

Evidence shows that *countries with the lowest level of long-term unemployment (DK, LU, FI, NL, AT) exhibit the highest level of participation in ALMPs*. As mentioned above, member states which are *most successful in the active inclusion of people excluded from the labour market* pursue a comprehensive and integrated 'active inclusion' approach with policy characteristics similar to the active inclusion principles in which ALMPs, employment activation measures, income support policies and high-quality public services all play an important role and are mutually reinforcing. It is therefore necessary to reinforce the efforts on ALMPs.

In addition, member states differ with regard to the degree to which ALMPs target certain groups, 'those furthest from the labour market'. Evidence shows that ALMPs and measures tailored to specific vulnerable groups *are the most successful*. As a response to the economic crisis, most governments recognise the need to step up efforts and to develop measures (ALMPs) tailored to specific vulnerable groups.

In order to reduce the risk of long-term unemployment, it is important to adapt the mix of activation measures and their institutional setting *to the situation and the groups targeted*. Results from evaluation studies show that a specific approach of different target groups is necessary to be most effective, focusing on the specific needs of each target group, the concrete unemployment (or inactivity) situation and/or stage that they are in, and the local (labour market) situation.

The involvement of trade unions and other workers' organisations is important: a number of authors (Boix 1998; Esping Andersen, 1990; Huo, Nelson et al. 2008) have argued that *"countries with stronger trade unions have more developed ALMPs"*.

1.1.4 Not enough

As already mentioned, the 2013 follow-up to the 2008 recommendation in the EU 'Social investment Package' (as a response to the crisis) shows a necessity to urge governments "to speed up their implementation of the Commission recommendation of 3 October 2008 on the active inclusion of people excluded from the labour market". Labour markets are not inclusive and the differences between and within MS are growing.

As evidence shows that the most successful EU member states in terms of labour market inclusion have adopted policies similar to the active inclusion principles (including ALMPs), more efforts on ALMPs are necessary. Figures show that only a small share of GDP (especially in eastern MS) is spent on ALMPs and there has been no rise in the funding of ALMPs in recent years. There are also differences between member states in the degree to which ALMPs target 'those furthest from the labour market'; the impact of the social and economic crisis stresses the need for measures tailored to specific vulnerable groups. As a response to the economic crisis, most governments recognise the need to step up efforts and to develop measures (ALMPs) tailored to specific vulnerable groups.

1.1.5 A framework advanced by the European social partners

Achieving an inclusive labour market is a ***multi-faceted*** challenge, requiring various measures, actions and/or negotiations at all levels, and is therefore a key concern for public authorities, employers and employees (and their representatives), intermediate organisations etc.

On 25 March 2010, the social partners' organisations on the EU level (ETUC, BUSINESSEUROPE, UEAPME and CEEP) concluded an 'Autonomous framework

agreement on inclusive labour markets' (BusinessEurope et al., 2010), starting from the statement that an inclusive labour market is *fundamental* in terms of fostering *economic development and social cohesion*.

Active inclusion depends (1) on the way the labour market and society are organized and (2) on the capacities, talents and motivation of individuals and organisations.
The focus needs to be on access, *return, retention and development* in the labour market, on achieving *full integration* of (1) individuals with difficulties in (re-)entering or integrating into the labour market or (2) at risk of losing their job.

This EU social partners' autonomous framework agreement provides an *action-oriented framework for workers, employers and their representatives*. It aims to *identify obstacles* to inclusive labour markets and solutions, and to increase the *awareness, understanding and knowledge* of employers, workers and their representatives of the benefits of inclusive labour markets.
The European social partners recognise that they have a responsibility to deepen their reflections and commit themselves to finding solutions and *mobilising their members*.

Member states should design and implement comprehensive policies to promote inclusive labour markets, and *social partners must be involved at the appropriate level*. More specifically, this framework lists the following options social partners can explore to promote an inclusive labour market:

- Organise, where relevant, awareness-raising campaigns and design action plans to improve and/or restore the *image of a sector or occupation(s)* in all aspects;
- Organise, where relevant, awareness-raising campaigns and design tools to promote the *diversity of the workforce;*
- Disseminate *information* about availability of *jobs and training schemes;*

- Co-operate with the 'third sector' to *support* those who encounter particular difficulties in relation to the labour market;
- Co-operate with *education and training systems* in order to better match the needs of the individual and those of the labour market, among others by tackling the problems of basic skills (literacy and numeracy), promoting vocational education and training and measures to ease the transition from education into the labour market;
- Implement specific and effective *recruitment methods* and induction policies as well as ensure the right working conditions to welcome and support *new entrants* in the enterprise;
- Introduce *individual competence development plans* (in line with the framework of action for the lifelong development of skills and qualifications) jointly elaborated by the employer and the worker, taking into account the specific situation of each employer, particularly SMEs, and worker;
- Improve *transparency and transferability,* both for the worker and the company, in order to facilitate geographic and occupational *mobility* and to increase the efficiency of labour markets:
- by promoting the development of means of recognition and validation of skills;
- by improving the transferability of qualifications to ensure the transition to employment.
- Promote more and better *apprenticeship* and traineeship contracts.

1.1.6 Conclusions

Member states which are most successful in the active inclusion of people excluded from the labour market pursue a comprehensive and integrated 'active inclusion' approach in which ALMPs, employment activation measures, income support policies and high-quality public services all play an important role and are mutually reinforcing.

But Europe has faced a major financial, economic and employment crisis since 2008. The most vulnerable in the labour market are the biggest victims. More efforts are therefore necessary and the impact of the social and economic crisis stresses the need for measures tailored to specific vulnerable groups.

Can labour market initiatives deliver enough answers to the core problem?[3] Achieving an inclusive labour market is a multi-faceted challenge, a key concern for public authorities, employers and workers (and their representatives). Member states should design and implement comprehensive policies to promote inclusive labour markets, and social partners must be involved at the appropriate level.

1.2 Vulnerable groups

The Europe 2020 Strategy boosts the impetus to promote inclusive labour markets in order to maximise the full potential of Europe's workforce, to take into account demographic evolutions and to anticipate the growing diversity amongst the employed and society at large. Achieving an inclusive labour market is a *multi-faceted challenge* and a key concern – not only for public authorities, enterprises and trade unions, but for intermediate organisations (promoting gender equality, defending immigrants' rights, advocating tolerance for religious minorities...) as well.

An inclusive labour market allows and encourages *all people of working age* and *fit to work* to participate in paid work and provide a framework for their development. Several factors and their combination can either encourage or discourage labour market participation. These are:[4]

3 For instance, in some member states there is an ongoing debate about the implementation of a basic income for all.
4 http://erc-online.eu/wp-content/uploads/2014/10/Final_implementation_report_Inclusive-Labour-Markets-Agreement.pdf

1. Contextual factors, i.e. characteristics that are linked to the economic and labour market environment, and may be of structural or geographic nature. Examples are: short-term economic prospects, the existence of care facilities and employment services, interplay between fiscal and social policies etc.;
2. Work-related factors, which include work organisation and work environment, recruitment processes, technological evolutions, training policies etc.;
3. Individual factors that are linked to aspects such as skills, qualifications and education levels, motivation, health status, professional experience etc.

Although these three categories of factors are equally important, discussions about inclusive labour markets usually take individual characteristics as a starting point used to define 'groups at risk', 'disadvantaged groups' or 'vulnerable groups' in the labour market. This approach will be followed in this report as well.

It should be taken into consideration, however, that personal features as a distinctive criterion to differentiate between 'regular' and 'vulnerable' cohorts of (potential) workers depend a great deal on the contextual and work-related factors. The gender criterion, for instance, can surface in a different way depending on the activity sector: in the construction industry, the employment rate of female blue-colour workers is extremely low, whereas male workers are a rarity in domestic and office cleaning companies, except for some specific functions such as outside window cleaning (Pauwels et al., 2012). A young man who is allergic to flour dust won't have any problem in a banking environment, but won't hold out long in a biscuit factory... As already mentioned, facts and figures on the labour market show that certain groups, defined by individual characteristics (like gender, origin, religion,...) which do not say anything about people's experience or skills or distance from the labour market are experiencing difficulties in entering and

staying in the labour market. For these groups, *the (future) employability, productivity and/or flexibility* of the candidate is evaluated as a function of certain stereotypes about his or her gender, origin etc. These processes of statistical discrimination are a fact in the labour market, and therefore actions not only towards the vulnerable target groups but also towards the employers are of utmost importance to lowering recruitment (and other) thresholds.
These target groups are also confronted with prejudices and stereotypes in their day-to-day work. Thus, employers are less inclined to invest in a worker from one of these target groups. They are often given fewer opportunities for training, less rewarding tasks and fewer opportunities for promotion. In addition, they are often the object of stereotypical images or prejudices on the part of co-workers.

Therefore, the list of individual characteristics that could lead to reduced prospects in the labour market is rather long, but does not apply to all enterprises or activity sectors.

At macro-level, vulnerable groups in the labour market could be defined as cohorts of workers with a lower activity rate/higher unemployment rate than the national average and/or, when in employment, workers who run the risk of more precarious work and enduring segregation at both the sectoral and occupational levels ('glass ceilings' and 'glass walls').

1.3 The societal dimension: general courses of action to boost the inclusion of groups at risk in the labour market

1.3.1 Introduction

Measures to enhance the employment of groups at risk can be roughly divided into *actions oriented toward the supply side (the target groups)* aiming at empowering and strengthening vulnerable groups and promoting their chances in the labour market, and *actions towards the demand side* of the labour market (employers, organisations, sectors etc.) aiming at lowering the thresholds for target groups.

There are two main approaches: actions and measures can be *preventive* (avoiding employees becoming less employable, unemployed, disabled or ill etc.) or *curative* (ameliorating and strengthening the situation of people in precarious jobs, promoting the employment and employability of vulnerable unemployed or inactive groups).
All EU member states have implemented various preventive measures to avoid, for instance, the outflow of older employees (see below). Most member states have also taken measures to prevent employees from becoming victims of substandard working conditions – and when they do, financial compensation is provided in most cases. All countries have a regulatory framework for occupational safety and health, protecting workers from injuries or occupational diseases.[5]
As a complement to these preventive approaches, various branches of the social security system have been put into place: health insurance, benefits for persons with disabilities, a compensation system for victims of occupational accidents (in nearly all EU member states) and of professional diseases (in most member states).

Some approaches basically apply to various categories of (potential) workers at risk, others are more specific and targeted. They will be discussed in the following chapters. The next section will focus *on some general approaches*

5 That was to some extent harmonized via the EU Directive 89/391 on the introduction of measures to encourage improvements in the safety and health at work (the so-called "Framework Directive"). Recently, the scope of this regulatory framework has, in many countries, been extended to include the psychosocial wellbeing of the individual at work, including regulations on undesirable behaviour at work (bullying, sexual harassment, violence) and general health promotion.

towards employers that are, in principle, applicable to all categories of (potential) workers at risk. As mentioned above, the focus of this report is more on the demand side of the labour market.

1.3.2 Wage subsidies for target groups

A policy oriented towards lowering labour costs can follow various routes. The entire available budget can be spent on reducing general labour costs of all workers, which would, however, result in an insignificant lowering of individual wage costs.

The available resources can be allocated more effectively when they are oriented to a limited number of few *target groups* so as to substantially reduce labour costs. Then again, there are two angles of approach. Firstly, governments can opt for selective hiring subsidies, i.e. an employer receives compensation when recruiting someone with specific characteristics (at the moment of hiring or during a fixed period after hiring). A second option consists in permanent subsidy systems, i.e. selective employment compensation that will be paid out as long as the person in question stays in service.

Hiring subsidies make sense for target groups that are believed to be less productive for a given period of time after hiring: in this sense, labour cost subsidies are meant to bridge the gap between the wage cost and the temporary loss in productivity. In these cases, it is also advisable to provide, alongside these hiring subsidies, incentives that make employers invest in productivity gains of the subsidised worker, such as for adapting the workstation or organising additional training sessions.

Selective long-term employment subsidies, on the other hand, should be installed for target groups that are considered to be less productive on a permanent basis.

Literature reviews (e.g. Coomans & Bollens, 2013) show that the efficacy of wage subsidies for target groups can be threatened by various undesirable side-effects. What has to be avoided is the *substitution effect:* hiring someone from a subsidized target group could be at the expense of jobseekers belonging to other cohorts that are not covered by the system. Another *form of substitution* should also be avoided: hiring a person belonging to a group at risk entitled to subsidies must not lead to making a 'regular' worker redundant. Apart from that, the so-called *deadweight effect* can threaten the viability of the approach: the subsidy system could be used for hiring workers who would be hired anyway – implying that the 'return on investment' of the subsidy system will be seen as poor and therefore prone to being dismantled. Close monitoring of these measures is therefore necessary.

In addition, a widespread comment is that in many EU member states the employment policy towards target groups has created a labyrinth of measures, subsidy systems and administrative procedures that can hardly be mastered by individual companies, first and foremost by SMEs. Companies often need to appoint a person responsible to keep track of the regulatory framework and corresponding subsidy systems, which can change quickly. The result is that most of these measures are more often used by larger companies.

1.3.3 Affirmative action

Affirmative actions are approaches to boost employment of cohorts of workers potentially at risk by lowering the threshold for hiring. *Positive discrimination* is the most well-known of these approaches. It is the process of giving preferential treatment, especially in employment, to vulnerable groups. 'Preferential treatment' does not mean that the individuals concerned will automatically be preferred to other candidates, but rather that, should two

candidates have equivalent qualifications, the one from the vulnerable group will be given preference. For example, should two candidates who have equivalent skills apply for a job and one is from a vulnerable group and one is not, positive discrimination means that the former candidate will be given the job.

A similar approach is the use of quotas. In many EU member states, public authorities have taken the lead in applying various forms of quotas. Other quota systems have been initiated by the social partners, e.g. via sectoral collective agreements.
Literature on the effectiveness of quotas is extensive, but focuses almost exclusively on gender issues, and is more specifically oriented towards the use of quotas within the political system to legitimise equal representation by female and male legislators in government, or the presence of a critical mass of female members on boards of directors or in top management in public or private enterprises. Quotas for the disabled, the elderly etc. were mostly introduced more recently and hardly seem to be studied. With these constraints, the general conclusion is that quotas undoubtedly have an impact and contribute to a more balanced composition of the target group, but that the rate of increase of the minority in question is usually below expectations (Onate, 2014). On the one hand, this may be due to the fact that quota systems rarely are legally enforced. On the other, there is widespread criticism that a quota approach undermines the principle of merit and can therefore leave companies at a competitive disadvantage (Benett, 2014).

1.3.4 Regulations on undesirable behaviour at the workplace

Since the late 1990s, some member states have introduced regulatory provisions that aspire to combat bullying, sexual harassment and violence at the

workplace. Often, these regulations are very detailed and were introduced on the basis of trade union demands, while employers' organisations sometimes strongly opposed. Although the shortcomings of these regulations are often debated, it is generally assumed that regulation can counteract the problem and redress the harm for victims. However, to succeed "it must consider the opportunity for sanctions to ensure compliance, and it needs to be supported by employers and trade unions alike as well as decisive enforcement authorities" (Hoe, undated).

To illustrate a case in point, the box below gives the example of the Belgian approach.

Combating undesirable behaviour at the workplace: the Belgian approach

Since the law on the wellbeing of employees at their workplace[6] was adopted in 1996, psychosocial risks have been seen as an inherent part of the general notion of wellbeing at work (together with occupational safety, occupational hygiene, ergonomics etc.). In 2002, another bill was passed[7] that aims at combating undesirable behaviour at the workplace – a generic term for reprehensible actions such as bullying, sexually tinted approaches and violence. This law originated in a particularly severe bullying incident having led to the suicide of a postman, which received a lot of national media attention.
In 2007, a new law revised those two laws[8], which was adopted as a result of several discussions in the Belgian parliament and based on the experi-

6 (Dutch) wet betreffende het welzijn van de werknemers bij de uitvoering van hun werk dd. 4 August 1996
7 (Dutch) wet betreffende de bescherming tegen geweld, pesterijen en ongewenst seksueel gedrag op het werk dd. 11 June 2002
8 (Dutch) wet tot wijziging van verschillende bepalingen betreffende het welzijn van de werknemers bij de uitvoering van hun werk waaronder deze betreffende de bescherming tegen geweld, pesterijen en ongewenst seksueel gedrag op het werk dd. 10 January 2007

ence gained in this field by the national social partners (in practice the trade union representatives). A main objective of this law was to emphasise that undesirable behaviour in the workplace was to be considered one of the many possible causes but also outcomes of psychosocial strain at work, and that any company policy in this respect should be based on formal risk assessments, taking into account the nature and extent of stress at the workplace.

Based on another set of discussions in the Social Affairs Commission of the Federal Parliament, two more bills and one royal decree were passed, all three in 2014[9]. These successive modifications of the regulatory framework have resulted in the fact that employers and joint committees in companies pay considerably more attention to psychosocial risks on the shop floor than used to be the case.

The general outlines of the existing regulatory framework with respect to preventing psychosocial strain in general, and more specifically undesirable behaviour at work, are as follows. Psychosocial risks at the workplace have to be assessed in a general risk analysis, covering all aspects of occupational wellbeing. This general risk assessment should lead to the definition of long-term targets (to be established over a period of five years), resulting in a number of actions defined in consecutive yearly action plans. To bring this to a successful conclusion, companies can get support from so-called prevention advisors on psychosocial aspects (professionals who have attended specific postgraduate courses). Some of these professionals are employed by large companies and institutions, but most of them work in so-called 'external prevention services'.

Within the regulatory framework cited above, prevention advisors on psychosocial aspects also have to intervene in cases of undesirable behaviour

9 (Dutch) wet tot aanvulling van de wet van 4 augustus 1996 betreffende het welzijn van de werknemers bij de uitvoering van hun werk wat de preventie van psychosociale risico's op het werk betreft, waaronder inzonderheid geweld, pesterijen en ongewenst seksueel gedrag op het werk dd. 24 February 2014 and the law dd. 28 March 2014 that arranges the in-court procedures on the issue. The royal decree dates from 10 April 2014 (Dutch: koninklijk besluit van 10 april 2014 betreffende de preventie van psychosociale risico's op het werk)

at the workplace. In doing so, they can be assisted by confidential mediators, who employers must appoint from amongst their staff and to whom employees can turn if they experience bullying, sexual aggression or violence. During a period of six months after having lodged a complaint, the employee in question cannot be made redundant.

Modifications to the existing regulatory framework, made in 2014[10]

The statute of prevention advisors on psychosocial aspects and confidential mediators has been modified, promoting their independence from the employer and company trade union representatives. Since 1 September 2014, every employer is obliged to appoint one or more confidential mediators if trade union representatives in the joint safety & health committee unanimously demand this; on top of that, these mediators have to attend a five-day training course.

The legislative amendments adopted in 2014 describe in detail how complaints and requests on behalf of one or more workers have to be handled. All companies have to set up a procedure, in which the prevention advisors on psychosocial aspects and the confidential mediators have to play a central role. Requests for psychosocial measures can be informal or formal, and of an individual or a collective nature. In all cases, it is the prevention advisor on psychosocial aspects (whether in-company or belonging to an external prevention service the company is affiliated with) who has to conduct an investigation and submit proposals for preventive and corrective measures in writing. In doing so, anonymity of the employee(s) who introduced the complaint should be guaranteed to the greatest possible extent.

10 Based on E. Baillien: "Psychosociale risico's op het werk", Nieuwsbrief Arbeidsveiligheid, Extra nummer bij nr. 11, week 22 (33), 8 pp., Ed. Kluwer

1.4 The company dimension: managing workplace diversity

Workplace diversity refers to the variety of differences between people in a company. Managing diversity is "a process intended to create and maintain a positive work environment where the similarities and differences of individuals are *valued*, so that all can reach their potential and maximise their contributions to an organisation's strategic goals and objectives" (Patrick & Kumaar, 2012).

Diversity management in companies has been the object of a whole range of scientific research. It is beyond the scope of this text to go more deeply into the details of how to manage diversity. A literature review showed that having a diverse workforce and managing it properly is perceived as a competitive strategy that can help not only to attract diverse customers but also employees who have different perspectives that can contribute to the companies' creativity. The review also indicated that researchers have found that an important reason for implementing diversity initiatives in companies is to improve corporate productivity and profitability (Wentling & Palma-Rivas, 1997).

The literature review also showed that there is a wide range of approaches, strategies or initiatives for managing diversity at work. No single initiative is comprehensive enough to solve all diversity issues or successfully manage diversity in organisations; however, diversity training is one of the primary and most widely used initiatives to address diversity issues. The information gathered also revealed that these issues will continue because the population will become even more diverse and companies more global.

The starting points for managing diversity are often a *formal declaration* (a Diversity Charter or a specific section in the corporate mission statement), on the basis of which concrete procedures are established and a formal

diversity coordinator is appointed. The framework often used is the adoption of *measures and actions* towards (1) opening *doors* (one of the more important elements of a formal diversity policy is the implementation of uniform, objective and effective recruitment methods), (2) opening the *procedures and practices* (objective career guidance, training opportunities, promotion principles, evaluation and rewarding procedures etc.) and (3) opening the eyes (awareness-raising campaigns on the value of similarities and differences, respect for other cultures etc.).

2 The employment of people with disabilities and/or chronic diseases

People facing long-term health problems or functional limitations are often excluded from the labour market. In addition, workers suffering from long-term health problems or functional limitations during their working life often receive benefits for extended periods and, in practice, are (partly) excluded from the labour market. Investing in keeping them employed or getting them back to work with their original employer, and thus avoiding a (permanent) withdrawal from the job market, is both an ethical and an economic necessity.

2.1 Definitions

The group of persons with chronic diseases overlaps with the group of people with disabilities. People with disabilities often have a chronic illness (condition or injury). But not all people with chronic illnesses can be classified as being disabled.

2.1.1 Definition of chronic illness

The World Health Organisation (WHO) defines chronic illnesses as follows: "chronic illness can be understood as all illness that means health problems requiring ongoing management for a period of years or decades". Chronic diseases are recurrent, long-lasting and persisting (ongoing).
They can be *physical* (diabetes, heart failure, asthma or chronic obstructive pulmonary disease (COPD), cancer, epilepsy, multiple sclerosis, rheumatoid arthritis, Crohn's disease, prolonged infectious diseases such as hepatitis

and HIV/AIDS)[11] or *psychological* (mental health problems, e.g. depression or alcohol/drug abuse).
The four main types of chronic diseases are typically cardiovascular diseases, cancers, chronic respiratory diseases and diabetes (Corral et al., 2015), but today mental health problems such as depression, burn-out and alcohol/drug abuse are increasing and should be considered a significant category. Moreover, this top five is nowadays completed with less common and often only recently emerging health conditions such as chronic fatigue syndrome, allergic reactions, chronic migraine, attention deficit disorders and many others.

Each illness has its own characteristics and symptoms and can affect individuals differently. Chronic diseases are affections of long duration and mostly slow progression, often incurable and requiring ongoing treatment for a period of years. In most European countries there is no specific regulatory definition of chronic diseases. A rule of thumb seems to be that a disease is considered as longstanding when the health condition lasts for at least three (mostly six, sometimes twelve) months, excluding acute health problems such as a broken leg, appendicitis or the flu. This implies that, in principle, the impairment can be temporary, e.g. workers coming back after a prolonged absence due to cancer, having been declared cancer-free but still not fully recovered.

Work-related affections, first and foremost 'recognised professional diseases', occupy a special place.

11 In principle, the notion of chronic diseases does not include communicable affections (that can be passed from person to person and can be considered contagious, such as AIDS or some forms of hepatitis), but within the framework of this report we will not make that distinction.

A special case: work-related diseases

A formal distinction has to be made between chronic illnesses as described above and formal professional diseases and health impairments that are caused (partly or wholly) by the working environment.

With regard to reintegration in the workplace, those countries that have a specific insurance system relating to occupational diseases, often subsidize professional reorientation and retraining, but this only applies to formally recognized professional diseases, and not, for instance, work-related absenteeism (such as psychosocial strain, backache, suffering from post-traumatic stress after aggression on the shop floor etc.).

As employers initially may have a positive attitude towards employees returning to work after a work accident (Prevent, 2001), the same most probably applies to persons suffering from the consequences of a work-related disease. Vague (or acute) feelings of guilt might have to do with this positive attitude.

2.1.2 Definitions of persons with disabilities

The UN Convention on the rights of persons with disabilities[12] defines disabled people as persons "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".

12 http://www.un.org/disabilities/convention/conventionfull.shtml

The difference in definition between persons with chronic diseases and those with disabilities is explained by different *levels of impairment* due to the illness or condition. Furthermore, definitions are often formulated in the light of the many potential purposes of classifying someone as disabled (determining levels of impairment, determining access to benefits and services, determining who is covered by anti-discrimination measures, *determining capacity to work etc.)*.

Persons falling under the category of "people with a disability" can therefore be segmented into the following three (four) cohorts[13]:

- Persons having *physical limitations*
- Persons having *psychic limitations*
- Persons having a *mental retardation*
- Persons suffering from a *combination* of these three categories of limitations.

Different statistical and operational definitions of disability are used. Disability statistics provide data on the number of disabled persons as well as on their involvement in society, through data related to living conditions, social inclusion, the labour market, health, or education. We will focus here on definitions and statistics used in the field of employment.

2.1.3 Special case: occupational accidents

Often, employers initially have a positive attitude towards employees returning to work after an occupational accident (Prevent, 2001). Vague (or acute) feelings of guilt might have to do with this, apart from the fact that most occupational accidents do not result in termination of an individual employ-

13 https://www.werk.nl/xpsitem/wdo_009587

ment contract – which might be the case for a longer absence caused by other reasons.

In most countries (the Netherlands are an exception), victims of occupational accidents receive a guaranteed income until they can return to work and their medical treatment expenses are reimbursed. If the injury leads to a permanent disability, in most cases additional compensation is paid (often in the form of a monthly benefit). The return to work of a victim of an occupational accident is encouraged by having him/her work part-time (during which the insurance system continues to provide financial support).

2.2 Facts and figures

Due to the lack of an EU-wide definition of *chronic diseases*, there are no aggregated data at European level on the employment of persons suffering from a chronic disease. Nevertheless, the picture is clear: "The participation of those with chronic diseases in the European labour market can be labelled as problematic as they have a high risk of unemployment and inactivity, and fewer opportunities to have a job" (Corral et al., 2015). According to Eurostat data for 2012, 20.1% of those employed in the EU-28 claimed to have a longstanding illness or health problem; this percentage increased to 26.4% for those who were unemployed, 58.2% who were retired and 31.5% among those in other inactive situations. This situation is found in all member states and Norway, though the presence of workers with longstanding illness or health problems *appears to be much higher in some countries (Estonia, Finland, France, Germany and Sweden) compared with others (Bulgaria, Greece and Romania)*.
Furthermore "Eurostat data suggest a higher presence of longstanding illness or health problems among employed women (21.5%) than among men (19.0%), as well as a clear influence of the age variable (10.2% and 12.0%

among people aged 16–24 and 25–34 years respectively, compared with 24.2% and 33.3% among people aged 45–54 and 55–64 years respectively)" (Corral et al., 2015).

In Europe, there are 80 million *people with disabilities* (EASPD, 2014). It is clear that their labour market participation rate (or activity rate) is significantly lower compared to the population as a whole. Due to the heterogeneity of the group of persons with disabilities, their employment situation is varied and has taken different directions over the years, according to variables such as the level of socio-economic development and the differing approaches to disability needs and requirements throughout Europe (EASPD, 2014).

Through the following statistics, we will present an overview of the employment situation of disabled people in Europe. The figures are based on the results of the ad-hoc module 2011 of the Labour Force Survey. Self-categorisation is used to define the group of disabled people in the labour market: *"Disabled people (in employment) are those persons having a* ***work limitation*** *caused by a health problem and/or difficulty in a basic activity (such as, seeing, hearing, walking, remembering, etc.)."*

2.2.1 Employment rate

In the EU-28, the employment rate for persons with a limited work capacity caused by a longstanding health problem and/or a basic activity difficulty (LHPAD) is significantly lower (38.1%) than the employment rate for people with no such limitation (67.7%).

Table 2.1 **Employment rate of disabled persons (2011)**

	People with limitation in work caused by a long-standing health problem and/or a basic activity difficulty (LHPAD)	People with no limitation in work caused by a health condition or difficulty in basic activities
European Union (28 member states)	38,1	67,7
Belgium	33,4	67,3
Bulgaria	17,8	62,1
Czech Republic	34,5	69,3
Denmark	41,4	80,0
Germany	35,8	72,4
Estonia	33,6	70,4
Ireland	21,6	62,2
Greece	29,8	58,9
Spain	33,8	62,0
France	59,6	68,0
Croatia	31,6	55,0
Italy	37,0	59,4
Cyprus	41,4	71,7
Latvia	40,7	63,1
Lithuania	32,5	63,9
Luxembourg	48,3	67,2
Hungary	18,1	60,9
Malta	29,9	60,5
Netherlands	39,4	80,4
Austria	48,2	76,4
Poland	26,2	63,9
Portugal	44,0	69,6
Romania	23,9	64,8
Slovenia	43,9	70,3
Slovakia	29,2	63,4
Finland	50,6	74,8
Sweden	61,5	76,6
United Kingdom	36,0	76,0
Iceland	66,8	85,2
Switzerland	65,0	82,5
Turkey	40,1	51,1

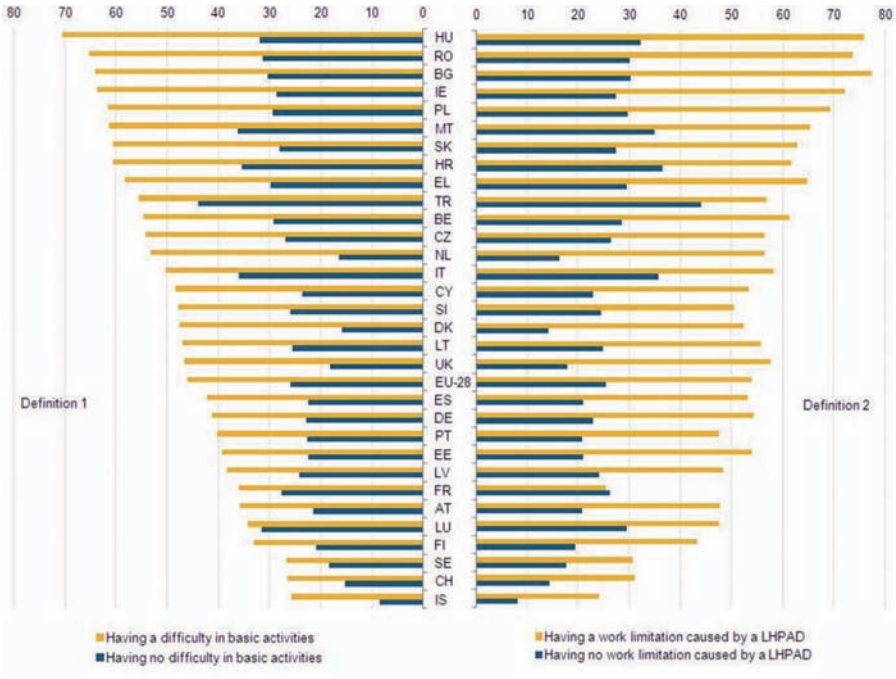
Source: Ad-hoc module 2011 of the Labour Force Survey (LFS)

Iceland, Switzerland, Sweden, France and Finland have the highest employment rates for people with work limitations caused by LHPAD. The lowest employment rates for this target group are found in Bulgaria, Hungary, Ireland, Romania and Poland.
The biggest gap (in percentage points) between people with limitations and without such limitations is found in countries like Bulgaria, Hungary, the Netherlands, Romania, Ireland and the UK. France, Turkey, Sweden, Switzerland and Iceland exhibit the smallest differences (in percentage points).
National situations vary considerably. Countries with similar employment rates for people without disabilities present large differences in the employment rates for disabled persons. This implies that national measures and policies can make a difference and there is possible scope for increasing the employment rate of people with disabilities (under certain conditions).

2.2.2 Inactivity rate

The inactivity rate shows the percentage of people between the age of 15 and 64 not participating in the labour market (not employed/unemployed and not searching for a job). More than half of the working age population with work limitations caused by an LHPAD in the EU-28 was inactive.
Again, the next figures show large differences between countries, with some having high rates of inactivity (more than 70%) for the target group (Hungary, Bulgaria, Romania) and others showing lower inactivity rates (Iceland, France). The gap between the two groups can also differ strongly between countries.

Figure 2.1 **Inactivity rate (2011)**



(Source: Ad-hoc module 2011 of the Labour Force Survey)

2.2.3 Unemployment rate

When people with limitations are participating in the labour market, they have a higher risk of being unemployed (EU-28 average). The unemployment rate for people with work limitations caused by an LHPAD is higher (17.4%) than for people not having any such work limitation (9.4%). Again, different member states show different situations.

Table 2.2 **Unemployment rate of disabled persons (2011)**

	People with limitation in work caused by a long-standing health problem and/or a basic activity difficulty (LHPAD)	People with no limitation in work caused by a health condition or difficulty in basic activities
European Union (28 member states)	17,4	9,4
Belgium	13,8	5,8
Bulgaria	21,7	11,1
Czech Republic	21,0	5,9
Denmark	13,2	6,8
Germany	21,7	6,1
Estonia	27,2	11,1
Ireland	22,9	14,6
Greece	15,5	16,6
Spain	28,2	21,6
France	20,1	7,9
Croatia	17,6	13,6
Italy	11,4	7,8
Cyprus	11,3	7,1
Latvia	21,5	17,1
Lithuania	26,9	15,0
Luxembourg	8,0	4,8
Hungary	25,0	10,2
Malta	:	7,1
Netherlands	9,5	4,0
Austria	7,9	3,8
Poland	14,9	9,3
Portugal	16,4	12,2
Romania	9,1	7,4
Slovenia	11,7	7,1
Slovakia	21,6	12,7
Finland	10,9	7,4
Sweden	11,4	7,0
United Kingdom	15,0	7,6
Iceland	12,2	7,4
Switzerland	6,0	3,7
Turkey	7,4	8,9

Source: Ad-hoc module 2011 of the Labour Force Survey (LFS)

2.2.4 And when at work...

There are few statistics available on the job quality of people with work limitations caused by an LHPAD. This section will focus on temporary employment and on the risks of in-work poverty.

2.2.4.1 Temporary employment

The next table shows the proportion of temporary employment among workers with and without a disability. The EU average shows no differences between both groups, but again, the EU average masks differences at national level. It is not easy to draw one set of conclusions, because the situation differs strongly between countries. It is to be expected that country-specific labour market policies for temporary employment and concerning people with disabilities explain the differences between countries.

Table 2.3 Temporary employment (in %) of disabled persons (2011)

	People with limitation in work caused by a long-standing health problem and/or a basic activity difficulty (LHPAD)	People with no limitation in work caused by a health condition or difficulty in basic activities
European Union (28 member states)	13,7	13,7
Belgium	10,7	8,4
Bulgaria	:	3,9
Czech Republic	11,9	7,6
Denmark	12,0	8,9
Germany	14,7	14,8
Estonia	:	4,4
Ireland	11,0	10,3
Greece	11,1	12,2
Spain	22,2	25,7
France	13,3	14,2
Croatia	9,4	13,7
Italy	13,7	13,6
Cyprus	4,9	15,1
Latvia	10,5	7,3
Lithuania	7,9	3,1
Luxembourg	6,0	7,4
Hungary	16,4	9,0
Malta	:	5,5
Netherlands	15,8	18,2
Austria	5,8	6,2
Poland	33,9	26,5
Portugal	18,4	23,2
Romania	:	1,9
Slovenia	12,0	18,4
Slovakia	11,7	6,3
Finland	16,2	15,1
Sweden	13,7	14,7
United Kingdom	6,3	5,3
Iceland	12,6	14,7
Switzerland	10,1	13,8
Turkey	24,2	12,2

Source: Ad-hoc module 2011 of the Labour Force Survey (LFS)

2.2.4.2 In-work poverty

Findings also show that people with limitations, when at work, have a slightly higher risk of in-work poverty. In general, being employed reduces the risk of poverty. In 2011 (EU-28), 9% of the *employed* population (older than 18 years) was at risk of poverty, but 11% of the *people employed with an activity limitation* was at risk of poverty (compared to 16% of all persons belonging to the same age group).
The highest values were observed in Spain (15% of the employed with an activity limitation at risk of poverty), Portugal (16%), Greece (22%) and Romania (25%). The lowest were in Finland (3%) and the Netherlands (5%).

2.2.4.3 Other aspects of job quality

The results of a recent Eurofound study on the employment situation of the chronically ill and/or disabled based on country experts' reports show that, when at work, "people with disabilities are confronted with more risks, more work-life balance problems, more stress, less social support and understanding from colleagues and supervisors and more precarious jobs" (Eurofound, 2015) than their colleagues with no limitations or chronic illnesses.
This study concluded that people with work-limiting, health-related conditions are more often employed in lower-level, manual and low-skilled jobs. Evidence also suggests a positive correlation between certain chronic diseases and some jobs and economic sectors. As already mentioned, workers affected by chronic diseases also face a higher exposure to risks and hazards at work than their healthy colleagues, as well as a more limited capacity to influence their workload or the length/organisation of working time. As a result, "they often experience work-life balance problems, higher stress levels and/or excessive overloads and time pressures" (Eurofound, 2015). Furthermore, workers affected by chronic diseases appear to be prone to discrimination and prejudices at work, often encountering a lack of support

and understanding from colleagues and supervisors. These workers more often have fixed-term/temporary and part-time contracts and limited access to training opportunities compared with healthy workers. These factors can all lead to becoming unemployed or inactive.

2.3 Causes and consequences of the vulnerable position in the labour market

2.3.1 Causes

The difficult employment transition paths can be explained by several specific problems experienced both by companies recruiting workers with chronic diseases and disabilities, and by people with limitations or chronic diseases trying to get a job.

The most important cause of the lower activity and employment rates is of course the *limited capacity* to work in the open labour market or even in sheltered workplaces (limitations in number of hours, in the type of work, mobility limitations concerning the journey to and from work etc.).
But studies show that there is *room for improvement:* not all workers who need *support* or could potentially benefit from support are actually supported (or legally recognised as unfit for work or limited in their ability to work).
'Made-to-measure'-actions are often necessary or desirable to lower the thresholds for employment but such measures are *not always available or are expensive*.
On the other hand, disabled persons without employment receive compensation or welfare benefits. In some countries there is a debate on how to use these benefits to activate, help and support people in the labour market (see below).

Causes are not only linked to the actual situation of disabled persons and their limitations but also to the employers' side of the labour market. Some employers perceive, sometimes without justification, certain *barriers to recruiting disabled persons* (Eurofound, 2015). As they do not always have a good understanding of the disease and the related risks or possibilities, they choose "to be on the safe side".
Other perceived barriers are *perceived poor productivity, additional costs* (the need to pay wages during periods of absence, existing legal obligations to facilitate the return to work, dismissal protection, the need to adapt work-places etc.). *Disinformation or misinformation, prejudices and (statistical) discrimination* are also possible important causes of the lower employment opportunities of people with disabilities.

A summary of literature on the employment of persons with chronic diseases (Corral, 2015)[14]

From a company perspective, the available literature identifies a number of reasons mentioned by companies that explain their reluctance to hire people with longstanding health difficulties and chronic diseases. UK and Slovak research shows that employers often think that people with long-standing problems are less productive and produce additional costs. However, Irish research in the healthcare, retail and hospitality sectors found little difference in overall job performance between employees with a disability and those without. Meanwhile, Swedish research showed that local employers are particularly concerned about the financial responsibilities that long-term sick leave means for their company, either in terms of paid wages during absence (Swedish employers pay the wage for the first two weeks of sick leave) or legal obligations to enable the return to work

14 Only recent research data are included. For the original references to the studies cited in this text box, please consult Corral (2015)

including workplace adaption requirements and limitations on dismissing people faced with these problems. Similar results are found in a Latvian and a Slovakian research report. A specific study on Hungarian workers affected by multiple sclerosis shows that Hungarian employers have a poor understanding of the disease and the possibilities of those affected by it to continue working, and so they often prefer to terminate their contracts.

Data from a 2012 survey showed that up to 14% of Dutch enterprises interviewed had consciously hired 'fragile workers' (including workers with chronic health problems), with 3.8% of companies stating that this was an explicit part of their strategy. A 2012 report from the Danish National Centre for Social Research indicated that employees are usually in favour of active strategies from their companies; 68% of respondents had a positive attitude towards their company initiating special working arrangements for employees on long-term sickness leave, and 66% felt positively about their employer hiring people with longstanding health problems. Chronic illness and disability often imply limited capacities to work and therefore 'made-to-measure' action (not only at the workplace but also supporting mobility and access to possible jobs) is often necessary.

From the workers' perspective, the limitations they experience in their daily capacities often have a negative influence on their full access to normal, full-time jobs outside their home. Czech and French data show that workers with long-term health-related problems were not only twice as likely to interrupt their working activity due to a health-related problem but also more likely to have longer periods of incapacity for work than people with no health problems. In Greece, a 2011 survey reported that 40.9% of those with long-standing health problems said they could only work for a limited number of hours, 41.4% stated there were limitations in the type of work they could do, and 20.1% reported there were limitations concerning their journey to and from work. The Estonian LFS ad-hoc module 2011 found that 29% of people with chronic diseases felt

their employment possibilities were limited due to the lack of a suitable job, 10% due to transport issues, and 8% due to lack of autonomy or flexibility in work arrangements. Recent surveys amongst Portuguese and Spanish workers with chronic diseases suggested that the main barriers to staying in the labour market were related first and foremost with the type of work they could perform, followed by the number of working hours per week, and thirdly difficulties related with mobility. For Spain, statistics for 2011 gave similar percentages of 33.4%, 23.2% and 12.9% respectively.

Given these barriers and the wide variety of disabilities and chronic diseases, workers affected by longstanding health problems require individualised solutions, ranging from customized workplaces to individual guidance and support and work assignments (see below).

2.3.2 Consequences

The main consequence of the vulnerable position of certain groups in the labour market is *the high risk of social exclusion and poverty*. While the rate of those at risk of poverty or social exclusion was 21.4% for non-disabled persons aged 16+ in the EU-28 in 2013, this share stood at 29.9% for disabled persons.

"Quality jobs ensure economic independence, foster personal achievement, and offer the best protection against poverty" (European Disability Strategy 2010-2020).

The ageing EU workforce leads to an urgent focus on the ***retention/integration*** of workers affected by chronic diseases in the labour market (and not only the current emphasis on the provision of financial compensation and benefits).

Re-integration in the labour market will not only offer this vulnerable group protection against poverty. From a macro-perspective, it will also lower the pressure on social security systems by reducing the budget needed for financial benefits. An ageing workforce with a higher prevalence of chronic diseases makes it vital to invest in retention and re-integration strategies for this target group. In doing so, any undesirable side effects for the target group as well as for the company must be avoided.

Efforts are needed to improve the health of the population and to enable people to remain active and healthier for longer. The focus needs to be on adapting workplaces and work organisation, including working time, workplace accessibility and company measures targeting older workers. Prevention and re-integration as well as preventive and curative actions are necessary. Prevention is always better than dealing with the consequences.

2.4 Towards action for people with disabilities (incl. chronic diseases); main policy measures

In most European countries, the focus of measures for persons with chronic diseases is on people with disabilities in general, and not specifically on those affected by chronic diseases; many of the policies favouring the employment situation and working conditions of people with disabilities are therefore similar to the ones established for workers suffering from chronic diseases. Meanwhile, people with chronic diseases who are not legally recognised as unfit for work are generally employed under the same terms and conditions as the rest of the workforce.

Action *on different levels and by different stakeholders* is necessary. Measures can be targeted towards the 'supply side' of the labour market (the vulnerable group in question) or towards the 'demand side' (companies and

employers, the sectors etc.). Actions focusing on the vulnerable group can be curative, focusing on the inactive and unemployed people with disabilities (chronic diseases), but also preventive, aimed at workers with disabilities (diseases), whether they are caused by work (or made worse) or not.
Measures can be situated at different levels: EU level, national/regional government, sectoral and company level.
Different *stakeholders* can be involved. This section focuses on the role and involvement of social partners on different levels.

2.4.1 EU Level[15]: the European Disability Strategy 2010-2020

In 2010, the EU Commission published its European Disability Strategy 2010-2020 that was given the subtitle "A renewed commitment to a barrier-free Europe".
This strategy focuses on eliminating barriers, and one of the areas for action touches on employment issues, starting from the observation that the rate of employment for people with disabilities is as low as around 50%.
The policy states, among others: "The Commission (...) will pay particular attention to young people with disabilities in their transition from education to employment. It will address job mobility on the open labour market and in sheltered workshops (...). The Commission will step up its support for voluntary initiatives that promote diversity management at the workplace, such as diversity charters signed by employers and a Social Business Initiative."

Employment is one of the areas of action in the Disability Strategy, with the key objective of promoting the employment of people with disabilities *in the open labour market*. A study on the *supported employment of persons with disabilities* in different states, published in 2011, makes various recommen-

15 Source: Commission staff working document (2014) Report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) by the European Union

dations with particular emphasis on the establishment of integrated and coherent systems for the co-ordination of supported employment in member states.

The EU directive 2000/78/EC of 27 November 2000 (the *'Employment Equality Directive')* establishes a general *framework for equal treatment in employment and education*. It aspires to lay down general minimum requirements in the field of employment. It aims to combat both direct discrimination (differential treatment based on a specific characteristic) and indirect discrimination (any provision, criterion or practice which is neutral on its face but is liable to adversely affect one or more specific individuals or incite discrimination). It is important to note that harassment, "which creates a hostile environment", is deemed to be discrimination.
The directive concerns the following areas:

- Conditions of access to employed or self-employed activities, including promotion
- Vocational training
- Employment and working conditions (including pay and dismissals)
- Membership of and involvement in an organisation of employers or workers or any other organisation whose members exercise a particular profession.

The directive applies to the public and the private sector, including public bodies, as well as to paid and unpaid work.

The Resolution of the Council of the European Union on the Follow-up of the European Year of Equal Opportunities for All (adopted at EPSCO Council on 5/6 December 2007) invited the European Commission and the member states to ensure the *mainstreaming of equality and non-discrimination issues* in the implementation of the Structural Funds, the European Globalisation Adjustment Fund, the Guidelines for Growth and Jobs, and the Objectives for Social Inclusion and Social Protection. In its July 2008 Communication, the

European Commission made a commitment to the systematic incorporation of non-discrimination and equal opportunity concerns into all policies.

The Agenda for new skills and jobs, one of the seven Europe 2020 flagship initiatives, is directly concerned with work and employment. In 2013, the member states endorsed a Council Recommendation on establishing a 'youth guarantee' whereby young people are assured a quality offer of employment, further education or training within four months of becoming unemployed or leaving formal education. This includes outreach strategies to ensure that young people with disabilities are included in the scheme and are registered with employment services. ESF funding is used to support a range of such schemes, including supported employment, work experience schemes, wage subsidies, temporary sheltered employment and other transitional labour market measures, and schemes promoting self-employment and co-operatives. Tailor-made training services and specific help to enter into employment will continue to be supported by the ESF in the current 2014-20 programming period.

EU health and safety legislation has been used as a means of requiring adaptations of the work environment for employees with disabilities. Thus, the 1989 Safety and Health Directive requires that workplaces are organised to take account of disabled workers, if necessary, in particular as regards doors, passageways, staircases, washbasins, lavatories and workstations used or occupied directly by disabled persons.

In 2012, with its Communication on State Aid Modernisation (SAM), the Commission launched a broad review of state aid rules. State aid enforcement should facilitate sustainable, smart and inclusive growth, focus on cases with the biggest impact on the single market, streamline the rules and provide for faster, better informed and more robust decisions. The review of the General Block Exemption Regulation (GBER) is at the centre of the SAM

reform and contributes to all these objectives. The GBER exempts from notification obligations *aid for the recruitment of disadvantaged workers and aid for the employment of disabled workers*. In addition, it covers aid for additional costs of employing disabled workers, such as the costs of adapting premises and equipment to disabled workers' needs and the costs of employing staff to assist disabled workers. The GBER may apply to support for the habilitation and rehabilitation of workers with disabilities, where such support constitutes state aid, with a particular focus on simplification.

Another way in which member states are permitted by EU law to favour disabled workers is through the use of disability considerations in *public procurement processes*. By virtue of Directive 2004/17/EC and Directive 2009/81/EC, public authorities may reserve the right to participate in contract award procedures to sheltered workshops and/or specify that such contracts should be carried out in the sheltered employment context. The revised public procurement directives, adopted in 2014, will broaden the scope for reserving public contracts to certain economic operators. This will concern not only sheltered workshops, but also economic operators whose main aim is the *social and professional integration of disabled or disadvantaged persons* (with at least 30% of the employees disabled or disadvantaged).

In addition to the above measures, the EU has engaged in a wide range of *awareness-raising* events and supported associated publications in its efforts to improve the employment prospects of people with disabilities. These include the disability-related elements of the 'For Diversity, Against Discrimination' campaign. In 2011 to 2013, at the request of the European Parliament, the Commission funded four pilot projects on the employment of persons with autism spectrum disorders (ASD) in Bulgaria, Germany, Denmark, Poland and Italy. All projects were based on an individualised approach using in-depth interviews, also with the families of persons with ASD.

The Disability Strategy acknowledges that there is a significant employment gap between persons with and without disabilities in all member states. Work intensity within households is a component of the Europe 2020 headline indicator 'population at risk of poverty or social exclusion', which is linked to the EU-wide agreed objectives to reduce the number of Europeans exposed to poverty and social exclusion by at least 20 million until 2020. in 2011, 25% of disabled persons lived in households with very low work intensity, three times as many as the 8% of persons without disabilities (rounded data; EU-SILC 2011).
The Europe 2020 Strategy sets a target employment rate of 75% of people aged 20 to 64 years in the EU to be achieved by 2020. Unless the employment rate of people with disabilities increases, the target will not be reached. The 2011 High-Level Group report focuses on the link between implementing the UN Convention on the Rights of Persons with Disabilities (CRPD) and achieving the Europe 2020 targets in the areas of employment, education and poverty reduction.

2.4.2 National/regional government level: legal framework and regulations

EU Directive 2000/78/EC of 27 November 2000 (the 'Employment Equality Directive') was adopted in 2000. All member states have transposed the directive into national law.

2.4.2.1 Measures and regulations adopted by governments and/or public institutions

This report presents an overview of the different measures and regulations that can be adopted by governments and/or public institutions.

Unfortunately, it cannot elaborate each of these measures in depth, or present evaluations of different measures taken in different countries.

- Equal treatment and preventing discrimination:
  - All countries have *labour laws promoting equal treatment and preventing discrimination* against people with disabilities or health problems.
  - Some countries use quotas, for instance for employment in the public sector (e.g. Cyprus, Slovakia, and Belgium installed a quota system for the recruitment of disabled workers)

- Provision of adapted working conditions/workplace adjustments
  - Some national laws include the provision of adapted working conditions or workplace adjustments for people with health problems. Portugal, Sweden, and Poland, for example, installed a labour code specifically establishing that workers with a disability/chronic disease may be exempted from a task if this affects their health or safety, providing shorter working weeks (see below) or obliging employers to modify labour conditions.
  - Some also include references to equality in terms of career progression and training.

- Financial support/compensation:
  - Direct financial support for the *individual*
  - Financial compensation to *employers:*
    - To cover the costs of training and prevention programmes, work adaptations etc.: grants for workplace equipment and adaptations are provided in e.g. Ireland, the Netherlands, Belgium;
    - For contributions to insurance;
    - (Long-term) employment subsidies for target groups

considered less productive on a permanent basis (e.g. Norway, Sweden);
        - *Subsidised sheltered employment* for people with difficulties in the 'regular' labour market. Installation of a specific system of sheltered workplaces for (first and foremost) people very remote from the open labour market (e.g. Belgium).

- Special working time arrangements/special absence arrangements etc. to increase the employability and return to work of people with disabilities or chronic diseases:
    - Regulations allowing flexible management of the employment situation of those with disabilities or chronic diseases;
    - There are examples of flexible arrangements to cope with diseases and attend treatment, regulations establishing the right to work part-time, for instance where oncological treatment is needed (e.g. Italy).

- Measures supporting the recruitment and return to work through integrated pathways combining:
    - Various forms of employability measures such as individualised support, counselling, guidance, access to general and vocational education and (re-)training;
    - Access to services (health and social services);
    - Support for employers:
        - Organising specific ALMPs targeting people with disabilities/chronic diseases to improve their (re-)integration in the labour market (guidance, (re-)training, re-integration programmes, adapted workplaces, disability managers, supported employment etc.);
        - Public institutions such as employment offices offer

guidance services, rehabilitation programmes and training courses;
  - Specific 'recruitment' platforms linking employers with workers who have a chronic disease or disability

- Campaigns:
  - To raise public awareness/sharing information;
  - Towards sectors and companies to tackle discrimination or to promote *diversity management* and *disability management*.

As already mentioned, *not only curative measure*s were installed. A lot of efforts are also made for prevention in several member states. Occupational safety and health (OSH) policies are introduced at the workplace. In all EU member states, employers are obliged to ensure working conditions correspond to occupational health & safety standards. In some member states, disabled workers and/or workers with chronic diseases have to undergo periodic medical exams, to be conducted by an occupational physician or a similar specialist (e.g. Belgium, France).

Furthermore, government policies *avoiding traps that discourage this group from entering the labour market* are under consideration in some countries, e.g. the so-called *'activation' of welfare benefits,* the monitoring of disincentives for entering the labour market and precaution incentives.

Wajong: the Dutch approach for young people with employment limitations

The "Wajong law" of 24 April 1997 has created a social security system intended for all citizens of the Netherlands. It is an insurance system that grants financial benefits to all people who became unfit for work before

their 17th birthday and for younger workers between 18 and 30 years of age who attended one form of education or other. These persons are granted a social security payment amounting to 75% of the legal minimum pay. On top of that, a whole range of approaches has been implemented to boost the labour market participation of this target group. When employers hire a "Wajonger", they benefit from a reduction in social security contributions. The pay of the first two months after hiring, during which the employer can see whether the person in question lives up to expectations, will be borne by the state. As long as the worker is not fully productive, his/her pay may be lower than a regular co-worker's wage, but the aim is that, after a transition period of up to five years, there will be no difference in pay. In addition, the amount of insurance pay in favour of the worker when s/he is on sick leave will be the same as for any other employee, but the employer gets an extra allowance borne by the authorities.
Furthermore, a service point for employers has been created that provides tailor-made advice (by specialised counsellors for companies, job coaches for the applicants). This platform also updates a website containing job offers. Subsidies are provided for investments in modifications on the level of workstations or company infrastructure (e.g. making the premises accessible for wheelchairs) as well as for the purchase of specific devices. Some of these auxiliaries can be personal, such as an adapted office chair or a magnifying device for workers with poor eyesight, and can be transferred to another employer.

However, in many member states, not all workers affected by a chronic disease who need support are actually supported yet or at least not at the level required, despite national laws and measures often giving them the right to, for instance, a reasonable adaptation of their workplace.

There are also circumstances in which people with health problems might see their employment situation in danger. In some countries, employers can terminate an employment contract when workers "cannot perform their duties" over a given period of time (e.g. Estonia, Latvia, and Greece) (Eurofound, 2015).

2.4.2.2 Policy pointers

The focus of government regulations and measures is often on the incapacities of persons with disabilities or chronic diseases and not on what capacities they have that are relevant to the labour market. Focusing on the abilities calls for a more integrated and individualised approach to policy measures. Instead of only providing benefits and financial compensation, more integrated pathways to labour market opportunities and participation need to be installed so that people are given the opportunity to participate to the best of their abilities.

Eurofound has examined employment opportunities for people with chronic diseases in the EU-28 member states and Norway. This study was compiled on the basis of individual national reports, drawn up by the countries in response to a standardised questionnaire in 2014. The synthesis report summarises the following *"Policy pointers"* (Eurofound, 2015):

- The use of the term 'chronic diseases' is rare in employment-related legislation while the concept of 'disability' is common. More could be done to develop specific regulations and policies on chronic diseases.
- Public policies should reinforce the focus on *retention/integration* of people affected by chronic diseases in the labour market, rather than the current emphasis on the provision of financial benefits. An ageing workforce with a higher prevalence of chronic diseases makes it vital to advance this type of policy.

- It is important that regulations and policies allow *flexible management of the employment situation* of chronically ill workers. Working time and workload could be adapted without reducing the entitlement to benefits and facilitating their active engagement in the labour market.
- More could be done to *promote* examples of companies that develop active retention policies for workers affected by chronic diseases, highlighting their positive results. Activities could also be developed to increase employers' and employees' sensitivity to and awareness of chronic diseases and their daily implications.
- Risk assessments could be stepped up to identify risk factors for chronic diseases among workers in certain sectors, occupations or enterprises while simultaneously providing information about healthy behaviour and prevention.
- Initiatives should be implemented to establish partnerships between business associations and trade unions, policy-makers and healthcare professionals to share information, develop strategies and mobilise resources to deal with chronic diseases both within a sector and between sectors.

2.4.3 Action at company and sectoral level

At sectoral and company level, favourable conditions for people with health problems can be agreed through social dialogue or in other formats, possibly registered in collective agreements. The involvement of *trade union and other workers' organisations'* can play an important role in the following matters:

Focus (clauses) in collective agreements on:
- Employment in functions compatible with their clinical status;
- Access to vocational training;

- Measures for the adaptation of workplace;
- Part-time work and training leave;
- Adequate working conditions and wages;
- Protection of sick leave among workers with chronic diseases/temporary incapacities.

In addition, (re-)integration actions can take place on company level:
- Creation of specific functions/departments with adjusted workplaces;
- Retention policy incl. adapted working conditions;
- In-house support team.

Companies often choose a combination of re-integration strategy and prevention strategy (occupational safety and health (OSH)). *Preventing is preferable to curing,* by investing in general health promotion, upgrading the general work environment, the psychosocial climate as well as investments in ergonomics. This has a positive effect on reducing the prevalence of physical and psychological complaints, the outflow of potentially vulnerable workers, and employment prospects for older workers/applicants with a health issues.

Other important actions at company and/or sectoral level are:
- Information exchange and mutual learning between the open labour market and sheltered/supported employment initiatives/guidance at the workplace;
- Information exchange to increase employers' and employees' sensitivity to and awareness of chronic diseases or disability and their daily implications;
- Promoting anti-discrimination policies/diversity management/disability management:
    - Trade unions and workers' organisations can negotiate with employers to ensure that discrimination in the workplace is eliminated and equal opportunities and diversity/disability manage-

ment are promoted;
- Supporting victims of discrimination;
- Monitoring, documenting and denouncing discrimination at the workplace.

The standard in-company approach: disability management

Job retention and the reintegration of employees with disabilities can be a part of a response to the desire of many companies to keep their staff fully productive. This policy, which is generally known as 'disability management', is to be elaborated on two levels. On the one hand, it requires the stimulation of employers to develop a policy that promotes the return to work of workers confronted with long-standing health problems or disabilities. On the other, job retention and integration processes need to become more tailor-made to help employees stay professionally active.

The disability management methodology has become an internationally accepted approach that, first and foremost, is oriented towards employees, but could easily be extended to the hiring and employment process of applicants with long-standing health problems or disabilities – or even, for that matter, older workers.

What is characteristic of this method is the *coaching of individual (potential) employees* faced with a prolonged absence from the job market due to their work limitations. Key concepts in the framework of an effective disability management programme are (Verjans et al., 2011):
- Ensuring there is early contact between the employer and the employee who had to leave work with an injury or illness;
- Accommodating the worker's needs at the workplace and in the work organisation;

- Stimulating the contact between the curative sector and the shop floor;
- Mapping the characteristics of the job;
- Co-ordinating the process of reintegration by a formally appointed Disability Case Manager.

The Disability Case Manager is not only an expert in supporting reintegration in the workplace. Indeed, in countries with a complex legal framework (such as the majority of Western European member states), co-ordinating a reintegration/retention process also implies a thorough knowledge of rules and regulations, the different compensatory systems and the various persons and institutions involved.

Making adaptations and installing a lasting surveillance of the reintegration process are by far the most labour-intensive and expensive activities. They usually have the following features:

- Offering adapted jobs: for instance a nurse with chronic back pain who was employed on the intensive care ward of a hospital could be transferred to a unit with physically lighter work, such as the sterilisation room or the reception desk;
- Adaptation of workstations: so as to have the tasks executed in, for instance, a seated position, purchasing additional and specific equipment;
- Adaptation of work procedures: adaptation of the desired output, the work rate, the specific order of the tasks, a modification of the job content;
- Medical surveillance.

Studies have shown that proactive disability management on the company level can lead to reduced frequency and duration of disability and that the benefits from assisting people to return to work outweigh the costs (Tompa et al., 2008).

2.5 What trade unions and other workers' organisations can do

Trade unions and other workers' organisations can and must play their role at the different policy levels (see above) by participating in social dialogue. Other initiatives trade unions and other workers' organisations can take include:

- Organising awareness-raising events and conferences;
- Mobilising members;
- Developing instruments;
- Offering support and training;
- Offering expertise;
- Collaborating with representatives from the stakeholders.

The next section focuses on the employment situation of elderly workers (55+). An ageing EU workforce can imply a higher prevalence of workers with chronic diseases or disabilities. Therefore it is important to:

- Reinforce the focus on retention/integration of people affected by chronic diseases in the labour market, rather than the current emphasis on providing financial benefits;
- Adapt workplaces and work organisation, including working time, accessibility and workplace measures targeted at older workers;
- Improve the health of the population and enable people to remain active and in better health for longer;
- Prevent and re-integrate, preventive and curative action, investment in decent work.

3 The elderly in the labour market (aged 55+)

3.1 Definition

The definition of who is an older worker remains vague. Unfortunately, inconsistencies in the definitions used to designate older workers make it difficult to compare and juxtapose demographic forecasts, research findings, and the analyses of policies. The international literature shows that the term *older worker* can apply to anyone aged 40 years and over, while the *OECD definition of an older worker is 55+ years*. Most international and local research defines the age band used to collect data in the respective study, but it is important to note that such studies often compare and contrast data across different age cohorts.

3.2 Facts and figures

It is to be expected that, in the future, the average age of people at work will gradually rise. This will be the result of the following general trends (which are, of course, interrelated):

- The gradual rise in average life expectancy;
- The gradual increase in the statutory retirement age in most EU member states, where an evolution towards 67 years seems to be the general rule. On the other hand, in some (mostly Anglo-Saxon) countries mandatory retirement age provisions have been eliminated in most private sector jobs, in part as a result of anti-age-discrimination laws;
- The abolition, or at least slowing down, of voluntary early retirement provisions, sometimes combined with strongly reduced retirement bene-

fits/pensions for those who nevertheless enter the system of early retirement;
- In some countries (Bulgaria, Greece, and Portugal), entitlement to disability pensions has been tightened in order to partially block that exit route for older workers (European Commission, 2011).

All European countries are facing an ageing population, and figures show declining activity and employment rates among the older cohorts. Policies aim to raise the general employment rate by extending working life.

3.2.1 Employment rate

In 2014, the average employment rate of the age cohort of 55-64 years was 51.8% (vs. total employment rate of 64.8%). The lowest employment rates for this age cohort were registered in Turkey, Slovenia, Greece, Malta, Croatia and Hungary, the highest in Iceland, Sweden, Switzerland and Norway.

Table 3.1 **Employment rate by age**

	15 to 64 years	55 to 64 years	65 years or over
European Union (28 member states)	64,8	51,8	5,3
Belgium	61,9	42,7	2,3
Bulgaria	61,0	50,0	3,8
Czech Republic	69,0	54,0	4,9
Denmark	72,8	63,2	7,1
Germany	73,8	65,6	5,8
Estonia	69,6	64,0	10,5
Ireland	61,7	53,0	9,8
Greece	49,4	34,0	2,5
Spain	56,0	44,3	1,6
France	63,8	46,9	2,4
Croatia	54,6	36,2	3,0
Italy	55,7	46,2	3,7
Cyprus	62,1	46,9	7,2
Latvia	66,3	56,4	6,9
Lithuania	65,7	56,2	5,7
Luxembourg	66,6	42,5	4,0
Hungary	61,8	41,7	1,8
Malta	62,4	37,8	5,3
Netherlands	73,1	59,9	7,3
Austria	71,1	45,1	5,2
Poland	61,7	42,5	4,7
Portugal	62,6	47,8	11,7
Romania	61,0	43,1	10,8
Slovenia	63,9	35,4	6,7
Slovakia	61,0	44,8	1,9
Finland	68,7	59,1	5,7
Sweden	74,9	74,0	9,4
United Kingdom	71,9	61,0	10,1
Iceland	82,9	84,8	36,8
Norway	75,2	72,2	10,9
Switzerland	79,8	71,6	11,7
FYR Macedonia	46,9	38,6	1,9
Turkey	49,5	31,4	11,2

Source: Eurostat, LFS 2014

Remarkably, the older cohorts in the labour market were less affected by the financial and economic crisis. Their employment rates since 2008 have remained stable or even increased in some countries. Young and middle-aged workers were strongly impacted by increased labour shedding and the scarcity of job openings. Older workers 'stay where they are' and remain there for longer because of the increase in the legal retirement age (some MS) or the restriction of early retirement schemes (some MS).

3.2.2 Activity rate

Table 3.2 Activity rate by age

	15 to 64 years	55 to 64 years	65 years or over
European Union (28 member states)	72,3	55,9	5,4
Belgium	67,7	45,1	2,3
Bulgaria	69,0	56,6	4,0
Czech Republic	73,5	56,8	5,0
Denmark	78,1	66,4	7,1
Germany	77,7	69,1	5,8
Estonia	75,2	67,7	10,8
Ireland	69,8	58,4	9,9
Greece	67,4	41,1	2,8
Spain	74,2	55,4	1,7
France	71,1	50,7	2,5
Croatia	66,1	41,0	3,2
Italy	63,9	48,9	3,7
Cyprus	74,3	56,0	7,3
Latvia	74,6	62,6	7,0
Lithuania	73,7	63,0	5,8
Luxembourg	70,8	44,5	4,1
Hungary	67,0	44,6	1,9
Malta	66,3	40,3	5,4
Netherlands	79,0	64,9	7,7
Austria	75,4	46,9	5,3
Poland	67,9	45,6	4,8
Portugal	73,2	55,3	11,9
Romania	65,7	44,6	10,8
Slovenia	70,9	38,4	6,7
Slovakia	70,3	50,1	2,0
Finland	75,4	63,8	5,8
Sweden	81,5	78,2	9,6
United Kingdom	76,7	63,6	10,3
Iceland	87,4	87,4	37,4
Norway	78,0	73,1	11,0
Switzerland	83,8	74,0	11,7
FYR Macedonia	65,3	49,9	2,0
Turkey	55,1	33,4	11,4

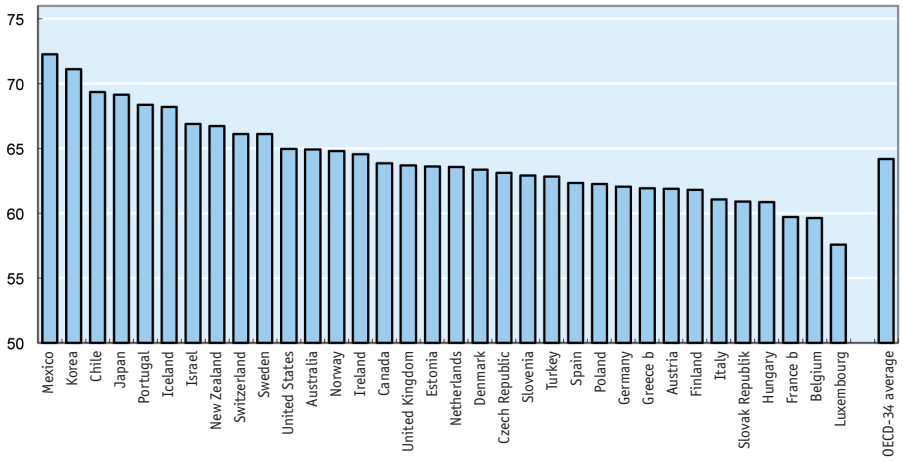
Source: Eurostat, LFS 2014

Figures show that the activity rate for the age cohort of 55-64 years was 55.9% in 2014: only five out of ten Europeans in this age cohort were active in the labour market (as employed or unemployed/job seeking). From the age of 55 onwards, people tend to withdraw from the labour market. This withdrawal is more pronounced and starts earlier for *women*.

There were again large differences between the member states. This can be explained by the significant correlation between the activity rate, the possibilities for retirement and the presence of an early-retirement culture.

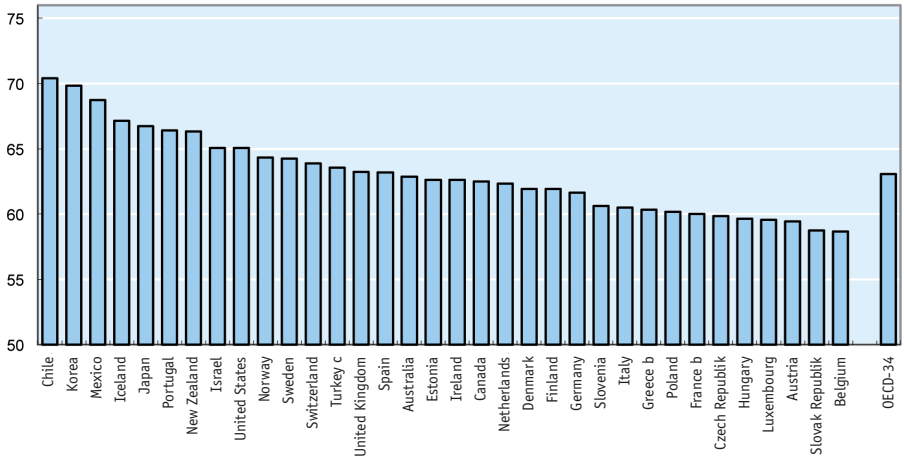
In most European countries, the effective retirement age is lower than the official age for receiving a full old-age pension. The biggest gaps can be found in Luxembourg, Belgium and France (men and women).
In some other countries, the effective retirement age is higher than the legal retirement age. This is the case for countries like Portugal, Iceland, Sweden, Switzerland and Turkey (for men) and Portugal, Turkey, UK and Estonia (for women).

Figure 3.1 Average effective rate of retirement 2007-2012: Men



Source: www.OECD.org: OECD estimates based on the results of national labour force surveys, European Union Labour Force Survey

Figure 3.2 Average effective rate of retirement 2007-2012: women



Source: www.OECD.org: OECD estimates based on the results of national labour force surveys, European Union Labour Force Survey

3.2.3 Unemployment rate

When active in the labour market, people older than 55 have a low unemployment risk. *But when they are unemployed, people aged 55+ years have very little chance of re-employment,* leading to long-term unemployment and explaining partly the high inactivity (early retirement) rates. They are 'given up' and become inactive. In some countries the little chance of re-employment after becoming unemployed is already significantly visible from the age of 45 (e.g. Hungary, Romania), in almost all member states, unemployed people over 50 have great difficulties in finding a new job.

Table 3.3 Unemployment rate by age

	15 to 64 years	55 to 64 years	65 years or over
European Union (28 member states)	10,4	7,4	2,3
Belgium	8,6	5,4	:
Bulgaria	11,5	11,7	:
Czech Republic	6,2	4,9	1,4
Denmark	6,8	4,8	:
Germany	5,1	5,1	1,0
Estonia	7,5	5,4	:
Ireland	11,5	9,3	:
Greece	26,7	17,2	12,3
Spain	24,6	20,0	5,7
France	10,3	7,5	5,3
Croatia	17,5	11,6	5,7
Italy	12,9	5,5	1,5
Cyprus	16,3	16,3	:
Latvia	11,1	9,9	:
Lithuania	10,9	10,7	:
Luxembourg	5,9	4,3	:
Hungary	7,8	6,4	:
Malta	5,9	6,3	:
Netherlands	7,5	7,7	5,7
Austria	5,7	3,8	:
Poland	9,1	6,8	:
Portugal	14,5	13,5	:
Romania	7,1	3,3	:
Slovenia	9,9	7,8	:
Slovakia	13,2	10,6	:
Finland	8,8	7,3	:
Sweden	8,1	5,4	2,8
United Kingdom	6,3	4,0	2,2
Iceland	5,1	3,0	:
Norway	3,6	1,3	0,7
Switzerland	4,7	3,3	0,8
FYR Macedonia	28,1	22,7	:
Turkey	10,1	6,0	2,4

Source: Eurostat, LFS 2014

3.3 Causes and consequences

3.3.1 Causes

It is largely accepted that the functional capacity of human beings gradually decreases from the age of 30 years. This deterioration in general health depends not only on the genetically determined risk profile, on living conditions and lifestyle, but also on the work environment and the prevalence of undesired incidents during or beyond working hours.
The decrease in general health is limited at first and passes mostly unnoticed, and is generally associated with a weakening of the cardiovascular (heart and blood vessels), respiratory (lungs) and musculoskeletal (muscles, joints and bones) functions. The most important decrease in functional capacity occurs between the age of 40 and 60, and can amount to 20%: the average physical capacity of a 65-year-old is usually estimated at about half of someone aged 25. Other functions such as social or mental capabilities remain the same till after the age of 50, but from that age on, research shows that these capabilities start decreasing as well.
A case in point is eyesight: workers older than 60 years need 50% more lighting intensity, expressed in lux, than their 20-year-old colleagues. Likewise, more than one in three 65-year-old workers suffers from hearing losses of at least 35 dB (Algemene Directie Humanisering van de Arbeid, 2006).

On the other hand, older people possess cognitive abilities ('crystallised intellectual abilities") and so-called *'tacit knowledge'* that develop over years. This pertains to occupation-specific and general knowledge, vocabulary, verbal and communication skills (Greller & Simpson, 1999). *Consequently, research results show that ageing does not necessarily lead to a decrease in productivity* (Kanfer & Ackerman, 2004). Older workers make up for and cope with their loss of physical abilities by using their experience, tacit knowledge and cognitive capabilities.

All this cannot justify lower employment opportunities for the elderly population. Despite this diminution of some physical and mental capabilities, in most activity sectors the working conditions and expected professional skills do not vary in relation to the age of the individual worker. Therefore, older workers risk being exposed to working conditions that approach or even exceed their maximum individual capacity. Studies have demonstrated that being repeatedly exposed to high levels of physical strain can induce fatigue phenomena and health problems, such as chronic muscle disorders, and this is not only the case for intense physical work but for administrative functions as well, such as working with a computer.

Literature also shows that the *individual differences* between workers tend to increase with age. This means that an individualised approach with respect to the physical and psychosocial work environment is getting ever more important as the workforce ages (Algemene Directie Humanisering van de Arbeid, 2006).

Shultz, Morton, & Weckerle (1998) describe *push and pull factors as factors explaining why people leave the labour market before they reach the legal retirement age*.
Push factors are negative elements that encourage people to retire early, pull factors are positive elements that make early retirement attractive. *Individual differences and preferences determine partly personal choices and opportunities*. Older workers whose children still live at home want to work longer than an older worker whose children have left home and whose partner is already retired. Financial needs and worries play an important role in people's decisions, too.

3.3.1.1 Push factors

Push factors can be:

- Limited career prospects, conditional access to vocational training, to certain teams or working groups;
- Health issues;
- Busy careers with little free time, feeling 'tired and burned out';
- (Generally internalised) Prejudices against older workers ("older workers are less flexible, less productive, less motivated, more absent");
- Employers' decisions: dismissal or forced retirement:
    - Older workers are more expensive (standard wages increase with seniority/age);
    - Prejudices: "older workers are less flexible, less productive".
- Intergenerational conflicts.

3.3.1.2 Pull factors

Pull factors are positive elements that make early retirement attractive. They are mostly linked to the existence of early retirement schemes and social and family life. Pull factors can be:

- Early retirement = standard;
- Availability of attractive early retirement schemes;
- More free time;
- Greater autonomy;
- Fewer financial needs.

To reduce early retirement, actions on relevant 'push' and 'pull' aspects are necessary. As long as attractive early retirement schemes are available, the effect will be minimal. Workers tend to take all the opportunities they have right now to retire early, because they are afraid that regulations will

become stricter during the next few years and that early retirement will no longer be possible so that they "would have missed the boat".

3.3.1.3 The wage structure

In some member states, salaries have a progressive basis and increase with the number of years worked. In addition, in some member states, older workers are entitled to more days off or are allowed to work fewer hours a week. These measures were originally established to enable and motivate older workers to work longer, but can be used against them.

Older workers are therefore expensive: "we can hire two youngsters instead of one senior employee". The wage structure often also plays a part in dismissal procedures.

3.3.1.4 Discrimination and prejudices

Older workers can face different forms of direct and indirect age discrimination. For instance, by using certain phrases in job advertisements (minimum and/or maximum age, life phase (for instance 'recently graduated'), a 'young and dynamic' team), age criteria are explicitly or implicitly mentioned. Stereotypes can also influence dismissal decisions.

Age stereotyping is one of the main reasons for age discrimination: "Older workers are not flexible, they have difficulties dealing with stress and do not know how to adapt, particularly to new technologies", "Older workers are slower, unable to learn new skills", "Older workers are sick more often", "An unemployed older worker is an incompetent older worker", "Older workers want a managerial and decision-making position", "Older workers are too expensive".

But research show a different picture and counters a lot of these stereotypes. Older workers tend to be more loyal, are more experienced, have tacit knowledge, are less stressed, more flexible etc. Employers fear that older workers will be more often absent (research shows that older workers are less often on sick leave than their younger colleagues, but also that when they are on sick leave, it is more often for a longer period of time).
Employers fear generational conflicts. Most of all, they fear that the higher wage cost is not proportionate to the allegedly higher productivity. A lot of considerations and prejudices are forming a threshold preventing many employers from hiring older recruits. Despite research showing that recruiting older workers leads to more flexible workers who are willing to invest in their new job opportunity and are not likely to leave the company soon again (older workers are not so-called job-hoppers), the re-employment opportunities for people over 50 years of age are very low. In addition, older unemployed workers today experience a lot of competition from younger candidates in a wide labour market (economic crisis).
As already mentioned, older workers do differ from younger workers and their physical and mental capabilities have diminished to some extent but they are stronger on other aspects. ***Again, it all comes down to managing these differences.***

3.3.2 Consequences

As a result of the high inactivity rate for people older than 55, the strain on the younger generation is very high. A small group of younger employed 'need to provide' for a large and growing group of older people receiving social benefits (higher dependency rate).

The strain on the social security system is very great: due to the low birth rate, the increase in life expectancy and the baby-boom generation reaching retirement age, fewer people are paying taxes and more people are receiving

public benefits. There is and will be an increasing demand for health and care services as more people get older.

More people, especially older people, need to be active in the labour market. This is why it is important to encourage the ageing population to stay in the labour market, rather than retire early. Actions are needed so that people are not only willing but also able to stay active for a longer period of time.

And finally, actions need to be taken to encourage employers to hire older workers in order *to facilitate the re-employment of older unemployed workers*.

3.4 Main policy measures

Measures such as collective (mostly part of collective agreements in the context of restructuring policies) and individual early retirement were originally promoted *to create more jobs for the young generation in the labour market*. Hence, at this time of economic and financial crisis with increasing youth unemployment, this is a dilemma for policy-makers. On the one hand, there is the need to address the high unemployment rates of young people. But on the other, it is necessary to tackle the labour market disadvantage of older workers, to extend working life, to respond to the aspirations of older people and to address the public finance and dependency issues.
Actions on all levels and for both target groups are necessary and are creating a challenge. This dilemma demands that policy-makers take an *intergenerational perspective* in assessing and responding to the needs of both age groups.

Job creation is crucial!

Again, actions on different levels and by different stakeholders are necessary. Social partners, trade unions and other workers' organisations need to

play their role at different policy levels and to work together to tackle these challenges at different levels.
Measures can be targeted towards the 'supply side' of the labour market (the vulnerable group in question) or towards the 'demand side' (companies and employers, the sectors). Actions focusing on the vulnerable group can be curative, focusing on the inactive and unemployed older people (challenge = re-employment, avoiding inactivity), or preventive, focusing on older people at work (challenge = staying in employment).
Measures can be situated at different levels: national/regional government, sectoral and company level. Different stakeholders can be involved. This report will focus on the role and involvement of social partners on different levels.

3.4.1 Policy measures on governmental/regional level

3.4.1.1 Staying in employment: mitigating push factors

The following sections will describe the most common measures member states take or consider to avoid early retirement due to negative aspects of the workplace.

a) Reducing fiscal or social security contributions for elderly workers
Many EU member states give incentives to maintaining older workers in employment by reducing fiscal or social security contributions for workers above a given age.

b) Levelling off seniority-based pay concepts
An important segment in the seniority-based pay systems is that in which the primary basis for pay increases is the employee's tenure. Seniority-based pay systems can take into account performance, but the

main factor is tenure. Some benefits of seniority-based pay include loyalty, retention, and stability of staff members, regardless of performance levels.

There are considerable differences throughout the EU and other countries in (seniority-based) pay systems. Portugal, Italy, Belgium, Luxemburg, and Spain exhibit a huge wage gap as a function of seniority, whereas the Scandinavian countries and the Netherlands have rather flat pay curves. In the UK, the average pay of people aged 50-59 years is even lower than the one for workers in the age cohort 30-39 years[16]. The same difference may exist between sectors: government bodies often continue to use seniority-based pay systems, whereas many manufacturing companies have set up performance-based scales, at least to a certain extent.

c) Protection from dismissal

Another measure to prevent older workers landing in the army of the unemployed or inactive is a 'reversed' quota system in the event of collective lay-offs.

When enterprises downsize, older workers who are generally more expensive are usually in the front row for being made redundant or encouraged to take early retirement. To reverse this trend, some countries have introduced the rule that lay-offs have to reflect the existing age pyramid in the company. This approach is usually called minority layoff protection, and could also be extended to other minority cohorts.

d) Job quality and general health promotion

Subsidising and supporting companies to invest in adaptive workplaces or in flexible (part-time) working arrangements can make jobs more workable for the older segment of the employees, e.g. adaptations of

16 http://trends.knack.be/economie/beleid/koppeling-loon-ancienniteit-blijft-arbeidsmarkt-verstoren/article-normal-435225.html

the working environment and equipment, in order to make them more compatible for older workers.

Subsidising and supporting prevention, e.g. by investing in occupational safety and health, in quality of life and work as well as in age and generation management are important aspects so that older workers are not only willing to stay in employment but also able to work longer.

General health promotion and awareness-raising campaigns contribute to the general health of all workers, avoiding chronic diseases or disabilities.

3.4.1.2 Staying in employment: mitigating pull factors

The most important pull factor is the existence of early retirement schemes.

a) Avoiding early retirement and extending working life
   By (gradually) raising the retirement age, and/or by abolishing early retirement schemes, by making work more attractive and the receiving of benefits less attractive, governments are trying to mitigate the most important pull factor, i.e. the positive aspects why older workers are leaving the labour market before they reach retirement age.

The most important task for policy-makers and social partners involved is avoiding adverse effects of the extended working life policies such as raising the retirement age and abolishing/disincentivising early retirement, making it less attractive for workers and employers to benefit from these measures and eventually change the existing early retirement culture:

Working longer needs to be possible in good circumstances (decent work)! And, when becoming unemployed, the chances of re-employment must be higher!

3.4.1.3 Re-employment of the unemployed/inactive

Many EU member states promote the recruitment of applicants above a given age by *reducing fiscal or social security contributions* for a fixed period after hiring. Subsidising and supporting companies investing in adaptations of the work environment and equipment in order to make them more compatible for elderly workers can also be helpful for enhancing the re-employment chances of the elderly unemployed.

Enforcing existing *anti-discrimination legislation* as well as following up and monitoring complaints is important to reduce discriminatory practices. Governments and public institutions can lower the threshold for employers as well as the elderly inactive and unemployed by organising *awareness-raising campaigns* against *prejudices* and *age discrimination*.

ALMPs specifically targeting the elderly unemployed/inactive are necessary to be most effective. Examples include:

- Job placement services, assistance in seeking a jobs and tailor-made counselling for the group of 55+ (or 45+ and 50+);
- Carrot-and-stick method: financial incentives, increasing the obligations linked to receiving benefits, reinforcing the sanctions.

By making work more attractive and receiving benefits less attractive, the older inactive or unemployed workers are also encouraged to take up work (e.g. by offering them a monthly supplement in addition to the wage). To avoid adverse effects of such policies, employers need to prove that they will not discriminate on the basis of the age of the applicant. Using the carrot-and-stick method for the elderly inactive and unemployed can only be effective and acceptable if employers and their representatives guarantee equal opportunities. They can promote positive action, targeting older applicants who are unemployed.

3.4.2 Measures on company level

3.4.2.1 Staying in employment: mitigating push factors

a) Job quality and general health promotion
At company level, attention to *prevention and ergonomics* can be crucial to preventing (older) workers from becoming ill or unable to perform their tasks:

- Health protection and promotion, company health & safety policy oriented towards ergonomics and psychosocial risks;
- Medical monitoring system to obtain a good view of the capacities of older workers and possible attention points;
- Workplace design, working conditions adapted to older workers but also for everyone in the organisation:
    - With close attention to shift workers over 50 years of age;
    - Flexible or part-time work arrangements → Safeguarding a better work-life balance is paramount for older workers, who usually prefer time off to higher revenues;
    - The necessity of workable jobs and sustainable working conditions that benefit everyone in the organization, so that people are able to continue working when they reach the age of 50 and over.

b) Age and generation management
Attention to *employment and career prospects* for older workers, for instance considering other roles or adapted functions in the company (e.g. trainer, formalising tacit knowledge) can help avoid early retirement:

- Employees should be able to perform tasks in the later phases of their working life that are in line with their particular occupational experience and knowledge. For instance, employers who employ (older) employees

for education or guidance of other employees (mentorship) can receive a reduction in social security contributions. The goal is to promote training in the workplace.

Lifelong learning and training should be the standard, also for older workers. Skill deficits are considered to be one of the employment risks associated with older employees, so companies should continue investing in training for these groups.

Close guidance and follow-up is important, for older workers in particular: appraisal and evaluation, career development, but also 'end of career' management.

But all these actions are not only important for older workers. Age management does not focus on older workers but on the needs of all employees, in different life phases. With good age management, early (voluntary and involuntary) exits can be avoided. *Age management is often nothing more than 'just good HR management'*.

Generation management

Since a lot of member states are struggling with the extension of working life, a new term often heard is 'generation management'.

More and more, companies are confronted with different generations in their workforce. Some companies experience increasing generational differences in their workforce. They assume therefore that problems can arise from differing mindsets, attitudes, communication styles and interests. There could be a risk that frictions are aggravated by new technology. Baby-boomers, generation Xers, generation Yers, millennials often need to team up at the workplace.

Whether we are talking about generation management or diversity management: it is a fact that the (age) diversity of the workforce is growing. The key to both is to be able to effectively address and value the differences in skills and capacities of each person.

c) Awareness-raising campaigns against stereotyping and prejudices
A literature survey (De Coen et al., 2007) showed that companies having hired 45+ workers or deployed actions to enhance employability of older workers generally have a positive image of the skills of this age cohort. Sensitizing employers to the added value of these employees and of a balanced age distribution can mitigate stereotypes and help break age-related standards.

Enforcing existing anti-discrimination legislation as well as following up and monitoring complaints is important to reduce discriminatory practices.

3.4.2.2 Re-employment of the unemployed/inactive

There is a lot employers can do to lower the threshold for older applicants and to stimulate the recruitment of older workers. At company level, the following measures can help create more opportunities for older jobseekers:

- Awareness of and fight against possible prejudices and discriminatory processes;
- Positive action, targeting older applicants who are unemployed;
- No age limits in job advertisements;
- An objective, well defined selection process, focused not on age but on acquired skills and professional experience;
- A good knowledge of public programmes and measures;
- Adaptations of the working environment and equipment in order to make them more compatible for older workers.

3.5 What trade unions and other workers' organisations can do

As already mentioned, the most important task is to avoid adverse effects resulting from the extended working life policies that raise the retirement age and abolish or discourage early retirement, making it less attractive for workers and employers to use these measures and eventually change the existing early retirement culture. Therefore, social partners need to monitor that policy measures ensure that:

- Working longer is possible *under good conditions!*
- *Workable jobs and sustainable working conditions throughout working life* are of utmost importance, benefitting everyone in the organization, so that people are able to continue working when they reach the age of 50 and over!
- When becoming unemployed, the *chances of re-employment* need to be higher!

In the Netherlands, the abolition of tax credits for early retirement schemes governed by collective labour agreements in various Dutch sectors and companies made early retirement financially less attractive for workers. However, they offered working lifetime arrangements instead.

When becoming unemployed, the chances of re-employment must be higher! Social partners, trade unions and other workers' organisations can contribute to this goal by organising *awareness-raising campaigns* on prejudices against (and discrimination of) the elderly unemployed. They can offer *support, training and expertise* for employers and employee representatives. They can contribute to the development of *good age management* and *actions lowering the thresholds* for older applicants.

In Greece, the wage subsidy and special placement programme for older workers is financed by the Social Partners Fund (LAEK - Account for Employment and Vocational Training). It supports private and public organisations hiring unemployed people who are close to retirement. 55 to 64-year-olds can also benefit from services placing them into enterprises of local authorities.

Focus on 'work-to-work' strategies: Belgium has a collective agreement for older workers, obliging employers to offer outplacement to older workers who are made redundant.

The Belgian Collective Agreement No. 104

On 27 June 2012, the Belgian social partners concluded a national collective agreement on the implementation of **an employment plan for older workers.**
Every company with more than 20 staff members is obliged to draw up in writing a policy document and employment plan to stabilise and, where possible, increase the number of workers aged 45 years and older (by hiring older workers).
This plan should contain specific measures that have to be submitted to the works council or trade union representatives for consultation. The employer has to give annual feedback on the status of these actions and their effectiveness.
The text of the collective agreement contains a set of suggestions that companies can implement to retain older workers, such as: hiring policies, opportunities for retraining.

4 The employment of young people (aged 15-24)

As a result of the evolutions described in the previous chapter, there might be less young workers entering the labour market in the years to come. In general, the size of the working-age population in the EU will decrease by some 20% from 2000 to 2050, and this is mostly due to demographic reasons (Foden & Jepsen, 2002). This evolution might be slowed down by in-migration of mostly younger migrants, but it is highly uncertain whether this will compensate for the dwindling working-age cohort, the more so given the tendencies to restrict certain types of immigration.

4.1 Facts and figures

4.1.1 Unemployment rate[17]

When active in the labour market, the age group of 15- to 24-year-olds faces a higher unemployment risk. The youth (15-24 years) unemployment rate was 22.2% in 2014, i.e. more than twice as high as the overall unemployment rate (10.4%), demonstrating a clear labour market disadvantage for the young.

The following table reveals *large differences between member states*. We can see a gap of 45 percentage points between the unemployment rates for this age category in Germany (with the lowest youth unemployment rate) and in Greece, Macedonia or Spain (with the highest unemployment rates). Greece, Macedonia and Spain are followed by other Southern European countries.

17 We focus on the unemployment rate, not on the activity or employment rate as a high percentage of this age group is still in education.

Table 4.1 **Youth unemployment rate**

	15 to 24 years	15 to 64 years
European Union (28 member states)	22,2	10,4
Belgium	23,2	8,6
Bulgaria	23,8	11,5
Czech Republic	15,9	6,2
Denmark	12,6	6,8
Germany	7,7	5,1
Estonia	15,0	7,5
Ireland	23,9	11,5
Greece	52,4	26,7
Spain	53,2	24,6
France	24,2	10,3
Croatia	45,5	17,5
Italy	42,7	12,9
Cyprus	36,0	16,3
Latvia	19,6	11,1
Lithuania	19,3	10,9
Luxembourg	22,6	5,9
Hungary	20,4	7,8
Malta	11,7	5,9
Netherlands	12,7	7,5
Austria	10,3	5,7
Poland	23,9	9,1
Portugal	34,8	14,5
Romania	24,0	7,1
Slovenia	20,2	9,9
Slovakia	29,7	13,2
Finland	20,5	8,8
Sweden	22,9	8,1
United Kingdom	16,9	6,3
Iceland	9,8	5,1
Norway	7,9	3,6
Switzerland	8,6	4,7
FYR Macedonia	53,1	28,1
Turkey	17,8	10,1

Source: Eurostat, LFS 2014

4.1.2 When at work...

The young do not only experience higher levels of unemployment, but when they are employed their *jobs tend to be less stable*. When employed, young people more often have a *non standard job*[18] - involuntarily.

- In 2013, 42.7% of young workers had limited-term contracts compared to 13.8% of the overall working age population;
- 31.9% had part-time jobs, compared to 19.6% of all workers.

In times of crisis, young graduates start more often in jobs below their qualifications and companies tend to provide fewer training opportunities to their staff (see below).

The conclusion based on the figures above and other statistical results is unequivocal: "(...) young people, and especially those with lower levels of education, are disadvantaged in the labour market. They often face unemployment, high levels of insecurity and low wages, and declining prospects of improvement of their position over time." (Keune, 2015)

4.1.3 The financial and economic crisis

The next table shows that the youngest cohorts in the labour market were hit hard by the economic crisis. Again, there are noticeable *differences between member states;* certainly young people in the southern European countries suffer a great deal from the effects of the economic crisis. Special attention and care need to be given to this group, to avoid the risk of creating a so-called 'lost generation'.

18 Source: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020 Brussels, 20.2.2013 COM(2013) 83 final

Table 4.2 **Development of youth unemployment rate**

	2011	2012	2013
European Union (28 member states)	21,4	23.0	23.4
Belgium	18,7	19,8	23,7
Bulgaria	25,0	28,1	28,4
Czech Republic	18,1	19,5	18,9
Denmark	14,3	14,0	13,0
Germany	8,6	8,1	7,9
Estonia	22,4	20,9	18,7
Ireland	29,1	30,4	26,8
Greece	44,4	55,3	58,3
Spain	46,2	52,9	55,5
France	22,6	24,4	24,8
Croatia	36,1	43,0	49,7
Italy	29,1	35,3	40,0
Cyprus	22,4	27,8	38,9
Latvia	31,0	28,5	23,2
Lithuania	32,6	26,7	21,9
Luxembourg	16,4	18,0	17,4
Hungary	26,1	28,1	27,2
Malta	13,8	14,2	13,5
Netherlands	7,6	9,5	11,0
Austria	8,3	8,7	9,2
Poland	25,8	26,5	27,3
Portugal	30,1	37,7	37,7
Romania	23,7	22,7	23,6
Slovenia	15,7	20,6	21,6
Slovakia	33,7	34,0	33,7
Finland	20,1	19,0	19,9
Sweden	22,8	23,7	23,4
United Kingdom	21,1	21,0	20,5

Source: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020 Brussels, 20.2.2013, COM(2013) 83 final

Furthermore, the share of the population in education has increased. Young people remain in education longer before joining the labour market, or return to education. But figures show that there is still a lack of progress in reducing early school leaving and failure to complete tertiary education. And the percentage of young people under 25 who are neither in employment nor in education or training (so-called NEETs) is rising.

4.1.4 NEET

The NEET status is more linked to low educational attainment and early school leaving. In 2011, 7.5 million young Europeans (an alarmingly high share of 12.9%) between 15 and 24 were NEETs. This is two percentage points more than four years earlier (EC, DG Employment, Social Affairs & Inclusion, 2013).
Indeed, the most problematic cohort amongst the young unemployed is the low-skilled fraction, both conceptually and in terms of numbers.

4.2 Causes and consequences

4.2.1 Causes

4.2.1.1 The financial and economic crisis

As already mentioned, competition in the labour market has been intense since 2008. When they have a choice, employers prefer workers who are immediately fit for work. Employers can 'choose' between numerous applicants, many of them with more experience than young school leavers who are immediately employable.

4.2.1.2 Early school leavers and dropouts

A high percentage of young people still leave the education system without a degree. As having a school-leaving certificate still is a very important factor determining the chances and opportunities in the labour market, this situation is worrying. Young people without a degree and relevant experience have a higher risk of becoming long-term unemployed and, when they find a job, they have a higher risk of precarious work.

Early school leaving has a lot of causes to be found *in the education system* and the way it is organized as well as in the societal vulnerable situation and position of a lot of young people. If they experience failures at school, they are at risk of slowly distancing themselves from the education system. They often face *multiple problems,* having a negative impact on their school attendance and school results.

4.2.1.3 Transition between education and the labour market

Another factor influencing the chances of young graduates and school leavers in the labour market is the *gap* between the knowledge acquired at school and the knowledge and experience required in the labour market; school curricula are not always up to date with the latest developments in the labour market. *Skill mismatches,* the gap between the skills and qualifications vs. labour markets needs, can be substantial, especially in certain sectors or activities.

Young people who have no opportunity to acquire relevant *experience* during their education are often 'lost' in the labour market. They lack the necessary skills that can often only be obtained through experience.

4.2.2 Consequences

4.2.2.1 False start

Young graduates and school leavers in times of crisis often start their professional career in jobs *below their qualifications*. Research shows that this kind of 'false start' is *hard to undo*. It takes these young starters longer to find jobs 'at their level' compared to their peers starting in a job which corresponds to their skills and competences. They stay for a longer period in jobs with lower wages and lower job quality.

Being *trapped* in a job below their qualification can be partly explained by a sort of 'locking-in effect'. Young workers have less time to look for another job. They tend to adapt to their situation. In times of crisis, they might opt for the security of the job they have and shy away from the risk of applying for and starting another, possibly more insecure job (risk aversion). Staying in a job below qualifications can also result in knowledge and skills becoming obsolete and acquiring less relevant experience. When applying for another job, there is also the risk that employers might see such a starting job below qualification level as a signal of 'lower ambitions'.

4.2.2.2 The scarring effects of unemployment

Research shows that not only getting off to a bad start at the beginning of a career can have long-lasting effects. There is also extensive evidence that becoming long-term unemployed can have scarring effects, certainly when becoming long-term unemployed at the beginning of one's career. Young graduates staying unemployed for a long time have higher risks of becoming long-term unemployed or inactive during their working life. There are also indications that they show lower (life) satisfaction levels and poorer psychological wellbeing throughout their career.

Being unemployed for a long time can result in knowledge and skills becoming obsolete ("Use it or lose it") and the young unemployed acquire no relevant experience. In selection processes, employers might see long-term unemployment as 'a sign of these candidates being less suitable' (statistical discrimination), lowering their chances of becoming employed just because of their unemployment.

As already mentioned, scarring effects are greater for workers unemployed at the start of their career than in later career phases (Bell & Blanchflower, 2011).

4.3 Towards action for young people

Actions on different levels and by different stakeholders are necessary. Measures can again be targeted towards the supply side of the labour market (the vulnerable group in question, skilled and low-skilled or unskilled unemployed young people, with possible multiple problems) or towards the so-called demand side (companies and employers, the sectors). Measures can be taken at different levels: EU level, national/regional government, sectoral and company level. Different stakeholders can be involved. We will be focusing here on the role and involvement of social partners on different levels.

4.3.1 EU level

4.3.1.1 The Youth Guarantee (April 2013)[19]

The Youth Guarantee is an approach to tackle youth unemployment by ensuring that all young people under 25 – whether registered with employment

19 Source: http://ec.europa.eu/social

services or not – get 'a good-quality, concrete offer' within four months after leaving formal education or becoming unemployed. The quality offer should be for a *job, apprenticeship, traineeship or continued education* and be *adapted* to each individual need and situation.
All member states endorsed the principle of the Youth Guarantee in April 2013. The European Commission has helped each EU country to develop its own national Youth Guarantee Implementation Plan and to start implementation. The Commission also supports awareness-raising activities on setting up the Youth Guarantee.

The priority now is effective and rapid implementation. In the context of the 2014 European Semester, the Commission has urged member states to combat youth unemployment through, inter alia, *ALMPs, reinforcement of public employment services, support for training and apprenticeship schemes and combating early school leaving,* all of which contribute to the delivery of the Youth Guarantee.

Developing and delivering a Youth Guarantee scheme requires *strong co-operation* between *social partners and all key stakeholders:* public authorities, employment services, career guidance providers, education & training institutions, youth support services, business, employers, trade unions etc.

Great financial efforts are necessary, but recent research rates the benefits much higher than the costs. Inaction would be much more costly. Young NEETs are estimated to cost the EU ¤ 153 billion (1.21% of GDP) a year – in benefits and lost earnings and taxes (source: Eurofound report on youth unemployment). And not all Youth Guarantee measures are expensive (e.g. greater co-operation between stakeholders is effective without requiring large budgets).

4.3.1.2 EU-level tools to help member states[20]

a) Improving apprenticeships and traineeships

Effective vocational education and training systems, in particular those that include a strong work-based learning component, facilitate the transition of young people from education to work.

How to improve apprenticeships and traineeships? To complement the Youth Guarantee, the Commission has launched two specific initiatives to help young people in this transition:
On the basis of a Commission proposal, the Council of Ministers adopted in March 2014 a *Quality Framework for Traineeships* to enable trainees to acquire *high-quality work experience* under safe and fair conditions, and to increase their chances of finding a good-quality job (see IP/14/236).
Launched in July 2013, the *European Alliance for Apprenticeships* brings together public authorities, businesses, social partners, vocational education and training providers, youth representatives, and other key stakeholders in order to improve the quality and supply of apprenticeships across the EU and change mindsets towards apprenticeship-type learning.

b) Helping firms recruit young people

The EU facilitates labour mobility, in particular by making young people aware of job opportunities in other EU member states. EURES provides information, advice and recruitment/placement (job matching) services for workers and employers as well as any citizen wishing to benefit from the principle of free movement of workers. The EURES Job Mobility portal provides access to about 1.4 million job vacancies and over one million CVs across Europe.

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20 Source: EC, Addressing youth unemployment in the EU

The European Commission has been testing a scheme called *Your first EURES Job* (YfEj) to help young people aged 18 to 30 to find a job in any of the 28 member states and to help companies recruit young people. The scheme combines information, recruitment, matching and job placement support with financial incentives. It finances language courses, other training needs and travel expenses for young job applicants (for job interviews and job settlements in other EU member states).

4.3.2 National/regional government and other public institutions and programmes[21]

We will present a first list of possible actions that can be taken on government level, to directly (curatively) *combat youth unemployment* but also *to avoid early school leaving* and *to ease the transition between education and the labour market*. Actions can be targeted towards the education system and labour market policies and stakeholders.

Possible measures and actions are:

- Adapting the education system to economic and social challenges of the future:
    - Skills forecasts;
    - Programmes should focus not only on technical skills but also on behavioural and social skills, and tackle the problems of lacking basic skills (language, literacy and numeracy);
    - Specific attention to STEM (and lowering the threshold for girls and women in STEM education);
- Investment in and partnerships between education and employment institutions:

21 Source: Centre Européen du Travail: Training and the socio-economic integration of the low-skilled, Brussels, 2015

    - The transition between school and labour market can be facilitated by creating integrated training pathways: alternating work and vocational training to meet the needs of businesses, using an approach that fosters social and occupational inclusion;
- Dual learning/dual education systems – apprenticeships and traineeships, focusing on acquiring high-quality work experience (under safe and fair conditions).

The education system can also benefit from and help avoid early school drop-out by using creative and innovative learning approaches, fostering a renewed 'appetite' for learning. This can be implemented through interactive learning tools, practical teaching approaches, and work placement.
Other policy recommendations to avoid early school-leaving or youngsters entering the labour market without a degree are access to validation of prior experience and achievements. Promoting the creation of social enterprises that focus on the labour market integration of young low-skilled persons can ease the transition from education to employment, and will offer work experience to youngsters without a degree in a guided environment.

Other measures are again the introduction of *ALMPs targeting young people:*
- Experience/apprenticeships, vocational education and training systems;
- Financial support/compensation and other support (guidance);
- Early intervention and activation:
    - Combination of unemployment benefits and the obligation to actively seek a job or at least to attend refresher or complementary courses.

Research findings show that adverse effects can be avoided by not forcing young people to immediately take on lower-quality jobs at the beginning of the job search (risks of locking-in). The scarring effects of long-term unemployment can also be prevented by looking for alternatives (training).

Other possible measures are campaigns to raise public awareness/sharing information:

- Campaigns towards sectors and organisations to tackle discrimination, to promote diversity;
- Campaigns towards sectors and organisations to promote lifelong learning;

And job creation is crucial!

4.3.3 Sectoral and company level

Organisations and sectors can play an important role in offering *apprenticeships* for students, fostering *exchange programmes* between companies and schools, allowing teachers to come to the shop floor and employees to teach in schools. They can invest in dual learning and apprenticeships.

Companies and sectors can offer *training and guidance* on the shop floor; not looking for or hiring people who are immediately fit for work but invest in education and training on the shop floor. Young people acquire the skills needed on the job or formal training programmes. By providing certain (re-)training programmes, focusing on vacancies which are hard to fill, sectors and organisations can improve the skill matching between young unemployed persons and the skills needed on the job.
Training programmes could not only be focusing on technical skills but also on attitude, social skills and even be tackling the problems of basic skills (language, literacy and numeracy). Guidance on the shop floor is important.

Companies can analyse if there are potential thresholds in their organisation, hindering the inflow and/or stimulating the outflow of young workers. They can look into possible thresholds at the company door (recruitment

procedures, job and selection criteria, prejudices against ('scarred') young people and elements of statistical discrimination).

Positive awareness and employment effects in terms of the inflow and careers of young people can be stimulated by raising awareness of and tackling possible prejudices against ('scarred') young people and by implementing diversity management, age management and/or generation management.

At sectoral level: the Dutch example[22]

Social partners and the government have made arrangements in a sectoral social agreement. This agreement consists of measures to tackle youth unemployment in the short term and a broad range of reforms to strengthen the functioning of the labour market.
From 2013 to 2015, a national ambassador was responsible for the reinforcement of these approaches and ensuring youth unemployment remained high on the agenda of all parties involved.

4.4 What trade unions and workers organisations can do[23]

Improving youth labour market participation requires an in depth understanding of country-specific employment and labour market issues. It is crucial to analyse youth labour markets, with particular emphasis on the issues that characterize the transition of young people from school to decent work, for determining country specific needs and for shaping policies and programmes. Initiatives should be based on a partnership between civil society,

22 http://www.youthpolicy.nl/yp/Youth-Policy/Youth-Policy-subjects/Education-and-Youth-Unemployment/Youth-Unemployment
23 Improving European social partners: Framework on actions on youth employment, 2013 (http://www.arbeitgeber.de/www%5Carbeitgeber.nsf/res/Framework_Actions_youth%20employment.pdf/$file/Framework_Actions_youth%20employment.pdf)

public authorities, educational and training bodies, the social partners and organisations.
Again, social partners need to play their part and take responsibility at the different policy levels they are involved in.

At European level, they need to be involved in further joint action vis-à-vis the Council and the European Parliament (e.g. Quality Framework on Traineeships). They can contribute to designing and setting up the EU Alliance for Apprenticeships. For instance, at national and sectoral/company level, they can participate in the monitoring and evaluation of education systems and vocational education and training (VET) in order to ensure smooth transitions between education and the labour market.
They can contribute to strengthening dual-track learning elements in existing work-based learning models. They can participate in the promotion and governance of apprenticeship systems and help to identify and address barriers to the development of apprenticeship systems. They can ensure that apprenticeship agreements clearly define the terms and learning objectives of the work-based part of the training and ensure that traineeships and apprenticeships are focused on acquiring high-quality work experience under safe and fair conditions.
They can contribute to adapting the education system to economic and social challenges of the future in order to improve the match between education and labour market, i.e. education which better meets labour market needs and young people's needs, whilst fostering young people's personal development and employability. They can invest in the promotion of STEM and help create a more positive image, especially among women.

They can ask for specific ALMPs to target the vulnerable group of young unemployed, finding the right approach to avoiding the scarring effects of long-term unemployment and getting off to a bad start in the labour market (see above).

They can invest in awareness-raising campaigns and in promoting and supporting lifelong learning, anti-discrimination policies, diversity and generation management at the workplace by providing expert support, instruments etc.

5 The employment of persons with a foreign background and ethnic minorities

Migration is a perennial phenomenon. In most EU member states, however, migrants come from a wide range of countries and ethnic groups; they are younger and more often female compared to other OECD countries.
The *recent refugee crisis* has brought very vulnerable groups to Europe. These refugees often see no hope anymore in their home countries and want to build a new future in Europe. They not only have to face lengthy asylum procedures but also need to rebuild their life from scratch. Even if they are allowed to work, they often do not speak the language or do not have the right (recognized) skills. Entering the labour market is therefore extremely difficult for this group. They face many problems (housing, income, family) and are often physically and/or emotionally scarred by the situation in their home country. In the next few years, extra attention is needed to integrate these groups in society and in the labour market.

5.1 Definition and statistics

The OECD differentiates between immigrants and persons with a migrant background. Immigrants are persons born abroad, who arrived as children or adults. Persons with a migrant background are either foreign-born or native-born with at least one foreign-born parent.
Different countries and EU member states use different definitions, and sometimes the definitions can vary depending on the context (for instance, the definitions used to describe the position of people with a foreign background in education can be different from the ones used to describe their situation in the labour market).

There are few official data available on *foreign background, origin or ethnicity (or religious affiliation)* in the member states and at EU level. A possible explanation for the lack of official data can be found in the ongoing debate on the use of sensitive data (Eurofound 2011). Although the European Commission against Racism and Intolerance (ECRI) declares that the collection of ethnic and religious data is beneficial, collecting this type of data is restricted or prohibited by a number of EU member states' national legal framework.

Some data sources use a proxy such as 'country of birth' but most official data only allow a distinction to be made based on *nationality*. But this leads to some **bias** in most of the findings and conclusions. Sometimes second and even third-generation migrants, born and raised in a EU member state and nationals of that member state, also face *similar employment handicaps* as first-generation migrants.

Within this group of first-generation migrants, it is important to take into account not only the ethnic background of the different groups, but also whether they migrated as a child or as an adult; someone who migrated as an adult has acquired qualifications and skills in a context and language different from the country of residence, while children who arrived at a very young age are raised and educated in the country of residence. But this information is mostly lacking in the statistics. It is important to bear this in mind when reading this chapter.

Some specific research data in some member states allow us to gain more insight into the labour market situation of *non-nationals, nationals* (by birth or by naturalization) *with a foreign background* (parents or grandparents) (NFB) and nationals with no foreign background. Furthermore, some research data have focused on the situation of other ethnic minorities *(nationals with no foreign background but with a different ethnic affiliation)* (NEA), for instance the situation of the Roma in some countries.

The results of several research projects indicate, for example, that native-born NFBs are performing better in the labour market (working in better segments) than their naturalised peers. But the same results also show that native-born NFBs also have to deal with inequities and have a less favourable position in the labour market than native-born nationals without foreign background. The latter group has the best chance of working in the better segments of the labour market. Non-nationals have the worst chances of being employed in the better segments.

It should be emphasized that people with a foreign background as well as ethnic and religious minorities should not be seen as homogeneous groups, since experiences concerning (discrimination in) employment vary strongly according to *ethnic and national origin* as well as the *social class* and *religious background*. Gender differences can also vary from group to group, as the following figures will show.

5.1.1 Employment rate (by nationality)

At European level, nationals in general have a higher employment rate than non-nationals. This is not true for all member states, however, as the examples of Eastern and Southern Europe show. In these countries the employment rate of non-nationals is higher than that of nationals, which can be explained by the immigration policies and profiles in the respective countries.

Comparing the group of non-nationals, the findings show that so-called third-country nationals (from outside the EU-28) are the most disadvantaged group. Again this is not the case in all member states. In addition, these figures do not show the *large in-group differences* (different regions, employment rates of men versus women, highly versus poorly educated, young versus older, depending on migration background).

The very low employment rates of non-nationals in Belgium, France, Croatia, the Netherlands, and Germany are remarkable. There are also large gaps in employment rates between nationals and non-nationals in the Northern European countries like Sweden, Denmark, and Finland.
The economic and financial crisis seems to have led to a disproportionate worsening of their labour market situation, with an increased employment gap between the ethnic minorities and the majority population.

The differences in employment rates between nationals and non-nationals can be partly explained by the combination of:

- Lower labour market participation (activity rate), especially of third-country women;
- Greater labour market integration difficulties, especially for third-country migrants (e.g. language barriers, discrimination etc.).

Available results on NFB suggest that NFB originating from EU-28 countries seem to have fairly good or average employment rates, whereas other groups originating from third countries seem to have lower employment rates. But again, in some countries the rates of NFB are quite different from those of nationals with no foreign background, while in others they do not differ that much.

Table 5.1 Employment rate by nationality

	Extra EU-28	Extra EU-15	Reporting country	Total
European Union (28 member states)	53,2	57,3	65,2	64,8
Belgium	38,0	45,6	62,9	61,9
Bulgaria	55,4	56,1	61,1	61,0
Czech Republic	75,4	74,2	68,9	69,0
Denmark	54,6	58,9	73,8	72,8
Germany	54,7	59,2	75,1	73,8
Estonia	64,8	65,1	70,3	69,6
Ireland	52,2	61,7	61,8	61,7
Greece	50,0	50,8	49,3	49,4
Spain	48,1	49,7	56,6	56,0
France	45,0	45,6	64,6	63,8
Croatia	35,2	38,9	54,6	54,6
Italy	56,7	58,3	55,4	55,7
Cyprus	75,3	75,7	60,8	62,1
Latvia	61,6	61,7	67,0	66,3
Lithuania	72,9	72,4	65,6	65,7
Luxembourg	53,5	61,5	63,7	66,6
Hungary	69,9	71,3	61,7	61,8
Malta	62,8	62,8	62,5	62,4
Netherlands	49,1	53,7	73,9	73,1
Austria	54,2	60,5	72,3	71,1
Poland	62,4	65,7	61,7	61,7
Portugal	59,0	59,2	62,7	62,6
Romania	:	:	61,0	61,0
Slovenia	54,1	54,4	64,2	63,9
Slovakia	:	78,3	60,9	61,0
Finland	47,6	54,1	69,2	68,7
Sweden	47,8	51,7	76,2	74,9
United Kingdom	59,9	67,8	72,2	71,9
Iceland	82,3	85,6	82,9	82,9
Norway	56,7	67,6	75,5	75,2
Switzerland	64,1	65,7	81,2	79,8
FYR Macedonia	:	29,1	46,9	46,9
Turkey	:	:	:	49,5

Source: Eurostat, LFS 2014

5.1.2 Activity rate (by nationality)

In Europe, nationals in general have a higher activity rate than non-nationals. Again, large differences exist between member states and within the various groups (not in table). We have already mentioned that especially non-national (and especially third-country) women participate less in the labour market: the activity rate is much lower for non-national women (especially third-country nationals) than non-national men.

Table 5.2 Activity rate (by nationality)

	Extra EU-28	Extra EU-15	Reporting country	Total
European Union (28 member states)	66,9	70,4	72,3	72,3
Belgium	55,0	60,7	68,1	67,7
Bulgaria	59,1	59,5	69,0	69,0
Czech Republic	79,0	79,2	73,4	73,5
Denmark	64,8	69,6	78,6	78,1
Germany	62,3	66,4	78,8	77,7
Estonia	74,7	74,8	75,3	75,2
Ireland	61,1	71,5	69,5	69,8
Greece	75,5	75,5	66,8	67,4
Spain	76,9	78,7	73,7	74,2
France	60,6	61,6	71,5	71,1
Croatia	50,5	53,3	66,1	66,1
Italy	68,7	70,4	63,2	63,9
Cyprus	82,3	84,3	73,2	74,3
Latvia	72,5	72,5	74,9	74,6
Lithuania	82,8	81,1	73,7	73,7
Luxembourg	65,8	72,1	66,2	70,8
Hungary	72,9	76,1	66,9	67,0
Malta	69,6	69,6	66,3	66,3
Netherlands	59,6	63,7	79,6	79,0
Austria	63,6	69,4	76,0	75,4
Poland	72,8	74,7	67,8	67,9
Portugal	75,1	76,2	73,2	73,2
Romania	:	:	65,7	65,7
Slovenia	67,6	67,6	71,0	70,9
Slovakia	:	79,2	70,2	70,3
Finland	60,4	66,3	75,6	75,4
Sweden	67,5	70,2	82,2	81,5
United Kingdom	66,2	73,3	76,9	76,7
Iceland	90,8	93,9	87,1	87,4
Norway	65,0	75,3	78,0	78,0
Switzerland	74,2	75,3	84,1	83,8
FYR Macedonia	:	35,6	65,3	65,3
Turkey	:	:	:	55,1

Source: Eurostat, LFS 2014

5.1.3 Unemployment rate (by nationality)

When active in the labour market, non-nationals face *higher risks of unemployment*. In Belgium, Sweden and Finland in particular, there is a large difference in unemployment risks between nationals and non-nationals (and especially third-country nationals). In most EU countries, the employment gap between nationals and non-nationals has widened slightly since the 2007-08 economic and financial downturn.
Again, there are large in-group differences: e.g. high levels of education improve non-nationals' and NFB prospects of entering the labour market (compared to their lower educated non-national and NFB peers), but in general they still experience more difficulties than their native peers.

Table 5.3 Unemployment rate (by nationality)

	Extra EU-28	Extra EU-15	Reporting country	Total
European Union (28 member states)	20,4	18,6	9,7	10,2
Belgium	30,8	24,7	7,5	8,5
Bulgaria	:	:	11,4	11,4
Czech Republic	4,6	6,3	6,1	6,1
Denmark	15,7	15,3	6,0	6,6
Germany	12,0	10,7	4,5	5,0
Estonia	12,8	12,7	6,5	7,4
Ireland	14,5	13,8	10,9	11,3
Greece	33,9	32,8	26,0	26,5
Spain	37,4	36,8	23,0	24,5
France	25,8	25,9	9,7	10,3
Croatia	:	:	17,3	17,3
Italy	17,4	17,1	12,2	12,7
Cyprus	8,4	10,2	16,6	16,1
Latvia	14,6	14,5	10,3	10,8
Lithuania	:	:	10,7	10,7
Luxembourg	18,4	14,6	3,7	5,9
Hungary	:	:	7,7	7,7
Malta	9,6	9,6	5,6	5,8
Netherlands	17,5	15,6	7,2	7,4
Austria	14,7	12,7	4,8	5,6
Poland	:	:	9,0	9,0
Portugal	21,5	22,4	13,9	14,1
Romania	:	:	6,8	6,8
Slovenia	19,9	19,5	9,4	9,7
Slovakia	:	:	13,2	13,2
Finland	21,2	18,5	8,4	8,7
Sweden	29,1	26,4	7,0	8,0
United Kingdom	9,5	7,6	6,0	6,1
Iceland	:	8,7	4,7	4,9
Norway	12,6	10,2	3,0	3,5
Switzerland	13,5	12,8	3,3	4,6
FYR Macedonia	:	:	28,1	28,0
Turkey	:	:	:	9,9

Source: Eurostat, LFS 2014

5.1.4 When at work...

When employed, there are indications that non-nationals more often have *precarious jobs* (part-time, temporary work) and/or undeclared work (because of obstacles in the regular economy).

Several studies confirm the existence of ethno-stratification in the labour market: people with a foreign background are more often employed in more precarious jobs and sectors.

Again, the general trend also hides differences. This is not the case in all member states. And the employment situation also depends a great deal on the migration and overall labour market situation in the respective country, and on the profile of the different groups (migration history, average level of education and qualifications, age structure, percentage of men).

5.2 Causes and consequences

5.2.1 Causes

The more vulnerable situation of persons with a foreign background on an EU level (and in most of the member states) can be explained by different factors.

Several 'groups' of people with a foreign background exhibit – sometimes for different reasons – systematically higher-than-average rates of unemployment:

- Prevalence of stereotypes, prejudices and negative attitudes (sometimes deep-rooted xenophobic, prejudiced and/or racist attitudes)
- Since 9/11: more about religion than about origin

- Discrimination
- Lack of access to (certain) professions
- Legal status
- Labour market competition
- Lack of education and training, lower educational attainment; lack of adequate skills for the job market
- No recognition of skills, previous job experience and educational qualifications in the host country
- Lack of language skills or knowledge of the host country's language
- Lack of information/network, lack of knowledge about the legal and administrative requirements; lack of knowledge of their rights (and the possibility of taking their complaints further)
- Lack of integration policies
- Disincentives through welfare systems.

Migrants and ethnic minorities are no homogeneous group and do not all face the same difficulties.

- Differences between highly and poorly educated people:
    - High levels of education improve non-nationals' and NFB prospects of entering the labour market, but in general they still experience more difficulties than their native peers;
    - Statistics have no specific category for 'expats': highly educated non-nationals, often from other EU or Western states who are headhunted by large companies;
- Differences between young and old, between men and women;
- Differences between generations (newcomers versus second/third generations);
- Differences between regions of origin: skin colour, dress codes, religious beliefs, culture;
- Legal status: people without papers versus asylum seekers versus legal immigrants;

- Nationals (by naturalisation or by birth) with a foreign background versus non-nationals: nationality (naturalisation) can make a difference;
- Nature of migration: economic migration, marriage migration.

Multiple discrimination, e.g. gender and age, can have an impact on how likely a person is to suffer from discrimination. For example, young male immigrants from an ethnic minority tend to report high levels of discriminatory treatment.

5.2.2 Consequences[24]

The risk of poverty or social exclusion for people with a foreign background (non-nationals and NFB/NEA) remains much higher than for the EU population in general.

The risk of poverty or exclusion for people aged 18+ born outside the EU-27 stood at 37.8% in 2011, compared to 20.8% for those born in the country and 22.2% for those born in another EU country (EC, DG Employment, Social Affairs & Inclusion, 2013).

The great failure of all Western European immigration policies has been their inability to ensure that migrants find and keep work.

The consequences are social exclusion, higher poverty rates, and the risk of having *several so-called 'lost generations'* facing multiple problems.

24 Sources:
R. Hansen (2012): The Centrality of Employment in Immigrant integration in Europe, Transatlantic Council on Migration, Migration Policy Institute Europe
EC Employment, Social Affairs & Inclusion (2013), Social Investment Package. Key facts and figures

5.3 Main policy measures

Again, actions on different levels and by different stakeholders are necessary!

Measures can again be oriented towards the 'supply side' of the labour market (the vulnerable, *highly heterogeneous group* in question, often facing multiple problems) or the 'demand side' (companies and employers, the sectors).

Measures can be taken at different levels: the EU level, national/regional government, sectoral and company level. Different stakeholders can be involved. This report will focus on the role and involvement of social partners on different levels.

5.3.1 EU level: Anti-discrimination legislation

The European Union has taken a *variety of initiatives on combating discrimination*. Two legislative initiatives are part of a broader policy framework: the EU Racial Equality Directive and the Employment Equality Directive. EU Directive 2000/78/EC, also known as the Employment Directive, establishes a general framework for equal treatment of individuals in the EU, regardless of religion or belief, disability, age or sexual orientation, as regards access to employment or occupation and membership of certain organisations. The Employment Directive specifically covers the field of employment and education, vocational training, and membership of employers' and workers' organisations. This Directive is part of a series of measures aiming to combat discrimination in the field of employment.

These Directives have been transposed into the national law of the member states, but not without challenges. Experiences in the field show that there remain inconsistencies in its implementation and protection mechanisms. Even though compliance with EU anti-discrimination legislation is crucial in tackling discrimination, it does not guarantee that discrimination is effectively tackled.

5.3.2 Government and other public institutions and programmes

a) Integration policies for newcomers
   At national/regional level, efforts are needed to create the right *institutional framework* for so-called *newcomers*.
   A difference should be made between legal immigrants and those without legal papers, including asylum seekers. In all countries socioeconomic rights differ according to the residence status, which gives rise to various access levels to social security systems, rights to housing and material support, access to training and education.
   Illegal immigrants, even those obliged to leave the country or living in temporary housing awaiting their expulsion, should be granted a range of fundamental rights: access to healthcare, school attendance, decent housing, financial or material support.

The main policy elements are generally well-known, and can be summarised as:

– Introduction of compulsory *integration and language courses* that are affordable to migrants. The problem here is that, for many newcomers, integration is less of a concern than finding work. All too often attending language courses or social education classes is hard to combine with having a job (Geets et al., 2007);

– Promoting access to various forms of *vocational training* – not only for migrants wanting to build their life in a new country, but also for those who might return to their native country. However, the range of vocational training courses is often rather limited, in particular for skilled migrants.

b) Implementation of EU anti-discrimination legislation in national law
Each member state should translate the EU anti-discrimination legislation into national law. This also includes the creation of bodies responsible for handling discrimination complaints.
Several research projects and studies show that discrimination still is a fact in the labour market and that the victims do not always file a complaint. National policies and legislation should lower the threshold for filing complaints and for targeted action against discrimination, including discrimination of people with a foreign background in the labour market.

Belgium is installing local contact points. To lower the threshold for filing complaints, the legislation has been amended so that the burden of proof is now on the employer instead of the victim having to prove that s/he was discriminated against (reversal of burden of proof).

There has been widespread discussion on the possible implementation of so-called 'audit studies' in the case of alleged discrimination in the labour market.

c) Specific public policies to tackle employment inequalities
Government and other public institutions and programmes oriented towards the supply side and the demand side of the labour market can

be created to improve the employment situation of people with a foreign background. For instance:

- Promoting diversity at the workplace by:
  - the instrument of 'diversity plans' (Belgium);
  - information, seminars and counselling (Denmark);
  - research, training and raising awareness for anti discrimination and diversity (Malta);
- Measures to enhance job accessibility and to improve labour market access, including specific ALMPs for the vulnerable group:
  - Subsidised employment, support for business starters (Bulgaria);
  - Persons with a foreign background as a target group for job coaching (Belgium);
  - Wage subsidies, reduced social security contributions, subsidising in-company integration measures (language courses, vocational training);
  - Offering specific ALMPs, for instance a combination of technical and language training (Belgium);
- Investments in the skills of the vulnerable groups (in the labour market), for instance:
  - language courses (Belgium, Bulgaria, Denmark, Estonia, and Malta);
  - specific training and apprenticeships (Denmark);
  - employability programmes (Malta);
  - integration policies and programmes;

Investing in education, in social cohesion, in tolerance, and the fight against racism are important to create a *positive context in order to guarantee more labour market opportunities* for the vulnerable group of people with a foreign background.

5.3.3 On company level

On sectoral and company level, all partners can promote different actions to lower the threshold for applicants with a foreign background, to guarantee decent work with a high job quality, good working conditions, training and career opportunities, for instance by raising awareness, promoting **diversity management as well as actions and/or policies to promote diversity and equality.**
The following list uses the conceptual framework for diversity management (Lamberts et al, 2002; Jacobs & Lamberts, 2014) to discuss possible actions. In this framework, we look at actions opening 'doors', opening 'practices and procedures' and opening 'eyes' at sectoral/company level.

1. **Opening "doors":** Lowering the threshold for new workers including persons with a foreign background:

- Awareness of and fight against possible prejudices and discriminatory processes;
- Positive action, advertisements targeting applicants with a foreign background, specific recruitment platforms;
- No explicit mentioning of the term 'mother tongue' in job advertisements;
- Objective, well defined selection process, focusing on acquired skills and professional experience;
- Good knowledge of public programmes and measures;
- Some stakeholders are promoting the use of quota/contract compliance.

2. **Opening "practices and procedures"**

- Adaptation of the work environment and procedures to make them more compatible for workers with a foreign background;
- Training programmes focusing not only on certain technical skills but also on social skills, language;

- Technical language courses;
- Guidance on the shop floor: mentoring – an experienced worker coaching or advising a more junior colleague – is increasingly recognised as a tool for advancing the labour market integration of migrants (and disadvantaged persons in general); focus also on development of social and cognitive skills, expansion of networks, more self-confidence and self-reliance;
- Career management: lowering possible thresholds.

3. Opening "eyes"

- Investing in a positive climate towards different backgrounds and cultures ('value through differences');
- Making people aware of and tackling possible prejudices against people with a foreign background, action against discrimination by, for instance, establishing principles and training sessions on respectful and non-discriminatory behaviour, the elaboration of procedures for reporting and investigating incidents with respect to racism, bullying etc.

5.4 What trade unions and other workers' organisations can do

Social partners can play an important role in actions and policies against discrimination and/or to promote diversity and equality at different policy and sectoral/company levels. For instance, they can organise and support awareness-raising campaigns. They can also actively participate (or give expert advice) in diversity policies, in the formal complaint procedures and in enforcing anti discrimination legislation.

They can play an active part at sectoral/company level by implementing anti-discrimination procedures and/or diversity management.

- Support the implementation of diversity management;
- Organize awareness-raising activities for employees, support an open culture towards people with a foreign background;
- Negotiating with employers to ensure that discrimination at work is eliminated and equal opportunities and diversity management are promoted;
- Supporting victims of discrimination;
- Monitoring, documenting and denouncing discrimination at the workplace.

Other possible initiatives by trade unions are, for instance:

- Organising awareness-raising events and conferences;
- Mobilising members;
- Developing instruments;
- Offering support and training;
- Offering expertise;
- Collaborating with representatives of the stakeholders.

Co-operation agreement in Portugal

In 2010, the General Confederation of Portuguese Workers (CGTP), the country's biggest trade union, and the High Commission for Immigration and Intercultural Dialogue (ACIDI) signed a co-operation agreement; it provides for campaigns to inform immigrants on their social and labour rights and encourage them to join a trade union.

Guidelines against Discrimination in Austria

The Austrian Trade Union Federation published a brochure called Guidelines against Discrimination, targeting workers who belong to vulnerable groups. It describes the different concepts and reasons for discrimination, lists possible remedies and describes what can be done to counteract discrimination. The brochure also mentions social partner organisations and NGOs specialising in anti-discrimination issues.

6 Conclusions

On the basis of the previous sections, we can draw some common conclusions about the possible role trade unions and other workers' organisations can play in promoting the integration and inclusion of vulnerable groups in the EU labour market and in managing workplace diversity.

First of all, achieving an inclusive labour market is a multi-faceted challenge, requiring various measures, actions and/or negotiations at all levels. It is therefore a key concern for public authorities, employers and employees (and their representatives) and intermediate organisations.

Trade unions and other workers' organisations need to play their part at **different levels.** At **European level**, they can be involved and contribute in joint actions vis-à-vis the Council and European Parliament (for instance, the European Quality Framework for Traineeships) to improve the situation of different groups in the labour market. They can focus on actions to guarantee decent work for all, but primarily for the most vulnerable in the labour market.

When European legislation is implemented in national laws, they can play their role at **national level**, contributing to the design of and participation in action plans and agreements on national/regional level. For regulations on the labour market position of vulnerable groups to succeed, they require not only decisive enforcement by the authorities but also need to be supported by employers and trade unions. Existing inequalities and vulnerabilities of certain groups can be reproduced if social partners do not take any interest in catering for these groups and reducing inequalities.[25]

25 Source: Identifying Policy Innovations Increasing Labour Market Resilience and Inclusion of Vulnerable Groups, National report The Netherlands, INSPIRES, 2013

Workers' organisations can advocate ALMPs focusing on the situation and needs of specific vulnerable groups (training, mentoring, progressive employment, adapted work opportunities, counselling and guidance). Well developed and targeted ALMPs can make a positive contribution to improving the situation of vulnerable groups in the labour market. But the emphasis on ALMPs, which might reduce the duration of unemployment and payment of unemployment benefits in particular, has had a mixed review in research using economic models to ascertain the impact on overall unemployment. Although there is little doubt that longer and generous unemployment benefits could discourage the search for work, the groups which are most affected by unemployment are also those who often have fewer rights to these types of benefits, given their precarious situation in the labour market. They are more likely to receive social benefits or compensation. And most of all, reducing their rights to employment benefits will not change anything if the threshold on the demand side of the labour market is too high for them and they do not have any opportunities.

Workers' organizations can indeed be the watchdog to ensure that certain measures do not create any adverse effects, for instance avoid pressure on young unemployed to take on jobs below their potential (risks of false starts and locking-in effect) but also see that young unemployed people have enough alternatives within an integrated approach to avoid long-term unemployment (risks of scarring effects). With regard to the position of older workers in the labour market, the most important task for policy-makers and social partners is to avoid adverse effects of the extended working life policies (raising the statutory retirement age and abolition/disincentive of early retirement, making it less attractive for workers and employers to benefit from these measures and eventually change the early retirement culture): staying in work longer needs to be possible under good conditions (decent work). And, when becoming unemployed, the chances of re-employment must be higher!

Furthermore, the efficacy of wage subsidies for target groups can be threatened by various side effects such as substitution: hiring someone belonging to a target group that is subsidized could be at the expense of jobseekers belonging to other cohorts that are not covered by the system, and could result in making another 'regular' worker redundant. It is therefore necessary to closely monitor these measures.

On the other hand, measures like positive discrimination or the use of quotas are also the subject of lively debates in many countries. There is a fear that such measures will weaken the position of non-vulnerable groups in the labour market. Therefore, trade unions and other workers' organisations should invest in information and awareness-raising campaigns promoting equal opportunities in the labour market.

It is clear that each target group needs specific measures, actions, and regulations. Collaboration with the stakeholders' representatives can ensure that policy-makers and social partners are better informed. Attention should be given to undesirable side effects resulting from this more categorical approach, inter alia by establishing and promoting a general framework on equal opportunities and anti-discrimination.

The focus of the EZA/HIVA project was on the (re-)integration of these vulnerable groups in companies (micro-level) and the question how trade unions and other workers' organisations could contribute to this process. Measures oriented towards the employment of groups at risk can be roughly divided into actions towards the supply side (target groups), aiming at empowering and strengthening the vulnerable groups and promoting their chances in the labour market, and actions towards the demand side (employers, companies and sectors), aiming at lowering the thresholds for target groups. It is clear that actions are necessary not only on the supply side of the labour market but also on the demand side (sector and compa-

nies): thresholds on the demand side of the labour market are often too high for vulnerable groups.
Trade unions and other workers' organisations can support the implementation of diversity management in companies. They can develop and promote instruments to be used by their representatives at company level. They can offer support and training as well as expertise on the matter. On company and sectoral level, they can pay attention to the matter in collective agreements.

Finally, trade unions and other workers' organisations are often confronted with different opinions within the group they represent. There are also prejudices and stereotyping against different groups among (future) co-workers and colleagues. Trade unions and workers' organisations therefore need to put a lot of effort into organizing awareness-raising actions and events and in convincing and mobilizing their members.

The challenge lies in finding the best combination of support and protection for various groups, and possibly in differentiating this mix according to the specific needs and circumstances of each group. This calls for well-designed and tailored combinations of measures to influence the interests and behaviour of social partners and employers concerning the social inclusion of vulnerable groups.[26]

26 Source: Identifying Policy Innovations Increasing Labour Market Resilience and Inclusion of Vulnerable Groups, National report of the Netherlands, INSPIRES, 2013

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