

Future Prospects of Employment of Persons with Disabilities

Katsunori Fujii
Executive Director, Kyosaren
Board Chairman, Japan Disability Forum

Introduction

- 1) Self-Introduction
- 2) Why is "to work" important?
- 3) How should we think of the relation between disabilities and labor?

1. Characteristics the Labor Policy for Persons with Disabilities of Japan (Fixation of the dual system)

- 1) "Employment in the welfare facilities" policy (The form of employment in a facility such as a sheltered workshop or a community workshop)
- 2) Employment policy (under the Law for Employment Promotion, etc. of Disabled Persons)

2. Current State and Problems of Employment Policy of/for Persons with Disabilities in Japan

- 1) Current State
 - a. The actual state of employment of/for persons with disabilities (Changes in actual employment rate by year, etc.)
 - b. The actual state of employment conditions of persons with disabilities who are working (conditions to be employed, wages, etc.)
- 2) Problems
 - a. The low legal employment rate compared to that of Europe. "Breach of (being illegal against)" the legal employment rate as a normal state.
 - b. The policy that "theory of companies" is given priority. It is not centered on persons with disabilities. (Superficial increase of the rate of employed persons)

with disabilities)

- c. Differences between the types of disabilities.
- d. No connection with the social welfare policy.
- e. The policy that relies on the levy.

3. Legal Grounds inside and outside Japan for Considering the Ideal Direction

1) International Grounds

- a. Conventions and Recommendations of ILO (Convention No. 159, Recommendations No. 99 and No. 168)
- b. Items concerning labor in "Standard Rules on the Equalization of Opportunities for Persons with Disabilities (the Standard Rules)" (Rule 7)
- c. Articles concerning labor and employment in the "UN Convention on the Rights of Persons with Disabilities" (Articles 2 and 27)

2) Grounds in Japan

- a. The Constitution of Japan (Article 27)
- b. The Labor Standard Law (Article 9)
- c. The Fundamental Law for Persons with Disabilities (Articles 15 and 16)

4. Prospects of Employment of Persons with Disabilities

1) Prospect in Terms of Policies

- a. Rectification of the dual system concerning the labor policies for the persons with disabilities. (Persons with severe disabilities should also be approached in terms of employment policies.)
- b. Legislation and realization of "reasonable accommodation"
 - A. Establishment of "protective employment system"
 - B. Establishment of "Anti-Discrimination Law"

2) Practical Tasks (What is required to the actual workplaces)

- a. Grasp of needs of persons with disabilities themselves
- b. Amplification of the social partnership of companies (Approaching from the disability field to the Economic Organizations)
- c. Reform of awareness of those who are engaged in the "Employment in the

welfare facilities"

5. Main Measures to Be Taken Now in order to Realize the Prospect

- 1) Appeal to ILO on the "breach of ILO Convention No. 159 by the Japanese Government"
- 2) Ratification of the "UN Convention on the Rights of Persons with Disabilities" at a high level in terms of the policies.
- 3) Enhancement of international partnership (such as the activity of Workability International (WI))

6. Closing