



## **Irish Congress of Trade Unions Submission on Green Paper on Disability Reform:**

### **A Public Consultation to Reform Disability Payments in Ireland**

Congress notes the above consultation underway since September 2023 and the considerable attention and indeed upset it has caused among disabled people and their representatives – including our own Disability Committee. We very much welcome the Minister for Social Protection’s announcement on 12 April 2024 that the Green Paper proposals would not go ahead and welcome the opportunity to briefly comment in order to be included in the analysis and the preparation of future proposals.

It is our view that the Department, with other Departments, should completely reconsider the approach outlined in the Green Paper and develop an inclusive process that develops a UN CRPD based approach for disabled people, including a new strategy on employment.

It is our view that in the context of this review, two articles are particularly relevant.

- Article 28 - Rights to adequate standard of living, and continuously improving living standards, also to state support with Cost of Disability
- Article 27 – Right to employment, training, return to work, reasonable accommodation.

The public sector duty and our responsibility to implement the Sustainable Development Goals should also inform the way forward. SDG goal 8.5 states that “by 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value”.

The ‘welfare to work’ approach borrowed from our UK neighbours puts the responsibility on individuals rather than seeking to tackle the systemic and structural barriers faced by disabled people seeking to gain employment.

Among the key points to consider in moving forward are:

1 Capacity for work assessments should be decoupled from payments tiers and disabled people need to be involved in their own assessments

2 Congress welcomes the August 2023 publication of the report on the Review of the Reasonable Accommodation Fund and the Disability Awareness Support Scheme<sup>1</sup> and looks forward to the early implementation of the recommendations in the report and the updated scheme being in place.

3. No-one should be forced to work or undertake a training they do not feel capable of undertaking.

4. Any new proposal needs to present solutions to the many structural barriers that exist, in securing and retaining employment. While acknowledging that much work has been carried out in the context of the Comprehensive Employment Strategy for People with Disabilities, it is important to note that despite all of these initiatives, persons with disabilities are still significantly less likely to be employed than persons without disabilities. Only 51.3% of persons with disabilities in the European Union who are active and of working age are employed, compared to the 76% employment rate among their counterparts without disabilities. Ireland fares badly when compared with this average – with figures ranging from 33%<sup>2</sup> to 36%<sup>3</sup> of persons with disability, about half the employment rate for people without disabilities.

The average employment gap in the European Union is 27% with Ireland having the highest gap – 39%. This is despite the fact that almost two-thirds of those receiving a disability payment in Ireland say they are able to work.

Any new approach must have concrete suggestions in relation to policy areas that play a central role in supporting people with disabilities to secure employment and engage the necessary Government Departments in this regard.

We are still awaiting publication of the Action Plan 2022-2024 for the Comprehensive Employment Strategy (DCEDIY). In the absence of any explanation, and the failure to agree on the final 3-year action plan, our assessment is that part of the reason for the stalling of the CES is because there has been difficulty in agreeing cross-Government working and responsibilities. The NDA in their assessment of the CES for 2022<sup>4</sup> state that there was no reported progress on the provision of coordinated and seamless support to people with disabilities to access employment, the CES action commonly referred to as action 5.1. In addition, the NDA assessment stated there was no reported progress within the strategic area of supporting a return to work with actions to support the delivery of a national programme of vocational rehabilitation, although the NDA did provide an advice paper in 2021 on the matter to relevant departments for their consideration.

5. Finally, we believe that consideration should be given to the introduction of disability pay gap reporting, along the lines of the gender pay gap reports which large companies now have to compile and publish. Recent TUC analysis shows the [disability pay gap](#) has increased to 17.2% and that disabled people's [outgoings are likely to be higher than non-disabled people](#). Data is from the Office of National Statistics and it is our view that we need to explore possibilities of similar data for Ireland with the CSO.

Congress remains a strong advocate and fully committed to the inclusion of disabled people in our workplaces and in wider society and offer anything we can in order to make that a reality. Ireland's

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<sup>1</sup> <https://www.gov.ie/en/publication/c2c97-review-of-the-reasonable-accommodation-fund-and-disability-awareness-support-scheme/?referrer=http://www.gov.ie/rafassreport/>

<sup>2</sup> <https://www.edf-feph.org/publications/human-rights-report-2023-the-right-to-work/>

<sup>3</sup> <https://www.oecd.org/publications/procurement-for-better-value-a-case-study-of-ireland-ca1e6c47-en.htm>

<sup>4</sup> <https://nda.ie/publications/nda-independent-assessment-of-implementation-of-ces>

performance to date has been below par and we believe that working together with a wide range of stakeholders a real difference can be made and the goal of decent work for all can be realised.

**April 2024**