

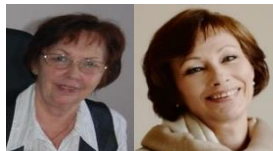
The equal rights of disabled people to employment: issues in Latvia

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Abstract

The equal rights of disabled people to employment in-depth and expanded stated into the legal and normative documents. It is in UN Convention "Convention on the Rights of Persons with Disabilities, in the Constitution of Latvia, in the labour laws and in other normative documents as a forecast of the employment strategy towards the EU Lisbon goals - to promote employment and social inclusion for all people. Unfortunately employment rate of disabled people do not have an inadequate compare with non-disabled. The aim of this research are focus on the realization of equal rights on employment of disabled people on a practice in Latvia. The research carried out by analysing the situation in Latvia, as well as by compiling the statistical data, the experts' opinions and performed review of literature. The conclusion that existing of the regulatory and policy framework has not had a significant impact on employment growth of people with disabilities and will be developed the real motivation mechanisms.

Keywords: disabled employees, employers, regulations, government policy, human rights, Latvia

1 Introduction

During in the last ten years significant changes are observed in employment of Disabled persons: it is a changing paradigm for disability policy making from compensation towards to human rights. Important contribution to these changes has been to ensure the development and improvement of the legal and regulatory frameworks of Latvia [1-5].

For to assess of the realization of equal rights on employment of disabled people on a practice in Latvia authors were carried out an analysing the situation in Latvia, as well as by compiling the statistical data, the experts' opinions and performed review of literature. A survey scale develops within this framework in order to determine the perspectives of managers and employers with regard to the employment of disabled people.

2 Study on realization of equal rights on employment of disabled people

Inclusiveness on employment of disabled people in the area of labour market Latvia's performance is clearly visible on compiling the statistical data. Analysing the situation in Latvia by compiling the statistical data according to the latest available data in early December of 2019 was registered 57 808 unemployed (their proportion around 6.2% from working age in the total number of economically active population [6] and 17929 registered job vacancies [7].

In comparison employment of disabled people in December 2019 was registered 7868 unemployed with disability (accordingly their proportion 13.6% of the total number of registered unemployed). These data ten years in retrospection in December 2008 were registered 4 458

unemployed with disability (accordingly their proportion 5.8% of the total number of registered unemployed). Therefore, in recent ten years the number of disabled persons has increased on 7.8% or has more than doubled.

The statistical data shows, that the unemployment rate of disabled people within the labour market is still very high. There is a negative tendency in the realization of equal rights on employment of disabled people in Latvia. The results of the statics data' analysis lead to the conclusion that in Latvia is gap between policy and practice for the employment of disabled people, which constantly has decreasing. This means that there are shifts into the legal and normative documents. It is a problem for the researches to do a better understanding the relationship on effective solutions of them.

Some of the practical issues have been discussed be: National Government of Latvia have adopted mainstreaming issues of disability within their policies however, at the same time they have set up parallel structures to implement separate disability programs instead of institutionalizing the same across all sectors. This has often led to confusion regarding mainstreaming, with various ministries not taking the ones of including people with disability.

Much has been written about the equal rights of disabled people to employment. Significant research has been carried out on the employment and integration strategy of people with disabilities in various aspects and levels in the EU and Latvia [8 – 15]. According to draw of the researchers' conclusions on the equal rights of disabled people to employment, there were stated that the simplistic approaches are not likely to solve the complex problem of employment and disability. Nevertheless, the main instrument for realization on practice of equal rights of Disabled People to employment has been to ensure the

development and improvement of the legal and regulatory frameworks of Latvia.

The predominant approach on anti-discrimination legislation in Latvia is the “mainstreaming model”. There is no one single comprehensive law and random anti-discrimination clauses are scattered throughout different laws. The assessment of the results of these regulations’ system do not to appraise unequivocally. The employment enhancing measures in all policy areas several empirical studies have suggested that the “mainstreaming model” reduces rather than increases employment opportunities for people with disabilities. For example, the Labour law was intended to protect people with disabilities [16, article 109 and 17]. It has become an obstacle for the employer to employ disabled people, on the one hand, while it is a barrier for people with disabilities to enter the free labour market, on the other hand.

The problems occurring within legislation are: 1) Latvian still does not provide the hard ground in terms of employment of disabled people, especially in terms of its legal framework (legislation) and financial aid. 2) Lack of

one single comprehensive anti-discrimination law within the LR does not provide strong and enough financial aid for the employment means of disabled people. 3) Legislation does not foresee legal regulations about obligatory employment matters of disabled people.

3 Conclusion

The survey shows:

- Considerable number of problems in economic, legal and social sectors, which influence the realization of equal rights on employment of disabled people on a practice in Latvia;
- Appropriate changes in labour legislation are needed in order to serve both the employer’s and the employee’s interests;
- Motivating cooperation mechanism between the various stakeholders - state institutions, employers, local governments, and non-governmental organizations - should be created

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