

Peer Review on the Employment of PWDs in the Western Balkans

/Final report/¹

Introduction

The Peer Review on the Employment of PWDs was held in Belgrade, Serbia, April 19-20th 2018 as an event within Regional Peer Review meetings - an action under the “Employment and Social Affairs Platform” (ESAP). ESAP is a joint project of Regional Cooperation Council (RCC) and International Labour Organization (ILO) funded by the EU. The Project aims at strengthening regional cooperation and institutional capacities under a mutual learning scheme dedicated to initiating discussion and sharing of knowledge and experiences among the WB institutions responsible for designing and implementing employment policies. With this purpose, special events, i.e. Peer Review (PR) meetings are organized within the Region as the occasions for the country representatives to discuss their experiences with regard to relevant employment policies and challenges faced on the national labour markets.

Each PR meeting focuses on a topic selected by a host country presented in the form of the Host Country Case Study. It is discussed among Peer Countries based on their experiences presented in their Country Reports. Professional Rehabilitation and Employment of PWDs was selected by the Ministry of Labour, Employment, Veteran and Social Affairs (MoLEVSA) of the Republic of Serbia as the relevant topic to be discussed at the PR meeting in Belgrade, Serbia. The Host Country Case Study (Serbia)² and the PR Country Reports (Albania, BiH, the Former Yugoslav Republic of Macedonia, Kosovo* and Montenegro)³ were prepared by an independent expert appointed by RCC. The expert worked closely with the representatives of MoLEVSA and the National Employment Service (NES) in Serbia who provided relevant information and guidance in drafting the Host Country Case Study. Experts from RCC have kindly provided their assistance in data collection from other WB countries used for drafting the separate Country Reports.

The final report on the Peer Review on the Employment of PWDs in the Western Balkans provides main conclusions referring to findings presented in the Host Country Case Study as well as the Country Papers, discussed at the meeting. The report is structured into five sections,

¹ Prepared by Galjina Ognjanov, RCC appointed expert and submitted in August 2018.

² Included in the annex of the report

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including: 1) brief description of the applied method, 2) a review of the main characteristics of the national labour markets and position of PWDs in the WB countries, 3) a review of the regulatory framework in the WB countries, 4) an assessment of the employment policies toward PWDs within the Region, and 5) lessons learned over the mutual learning process and recommendations for further improvement.

1. Method

Professional Rehabilitation and Employment of PWDs was selected by the Ministry of Labour, Employment, Veteran and Social Affairs (MoLEVSA) of the Republic of Serbia as the relevant topic to be discussed at the PR meeting in Belgrade, Serbia. The discussion was based on documents prepared by independent expert appointed by RCC, including the Host Country Case Study and the PR Country papers.

The expert was responsible for conceptual development of the study as well as data collection, data analysis and discussion of results, listing the lessons learned and providing recommendation for the improvement of the policies and processes. The Host Country Report was prepared in close cooperation with the representatives of MoLEVSA and NES, who agreed on the design of the study and kindly provided the data requested by the independent expert. To prepare the Host Country Case study, the independent expert also collected other available data, including a number of reports prepared by civil society institutions and individual researchers/consultants supported by international organizations, legal documents and official statistics. In addition, the independent expert based the Home Country Case Study on the views and experiences of relevant stakeholders including policy makers participating in drafting the Law on Professional Rehabilitation and Employment in Serbia, ILO representative in Serbia, representatives of trade union *Nezavisnost* and an associate to the Commissioner for the Protection of Equality.

To allow unbiased comparison among the Host Country and the Peer Countries the expert has prepared an instrument – a questionnaire covering the most relevant issues to be addressed in the Host Country Case Study and discussed at the occasion of the PR meeting. The questionnaire focused on both quantitative and qualitative (i.e. descriptive) data referring to employment policy toward PWDs. In the quantitative part data on the number and structure of registered unemployed overall and PWDs, number of registered unemployed PWDs beneficiaries of ALMPs provided through NES, the number of beneficiaries employed as well as the funds spent on financing programmes and measures to enhance employment and employability of PWDs were collected. Descriptive data focused mostly on the development of the regulatory framework and implementation of the employment policy toward PWDs as well as other important details with regard to ALMPs directed at PWDs, ways of planning, implementing, monitoring and evaluation of these programmes and measures, collecting funds for financing the measures, budgeting and delivery of the funds, implementation of special forms of employment as well as the role of other relevant institutions, such are NGOs and associations of PWDs in the development and implementation of employment policy for PWDs. The questionnaire was

distributed to representatives in relevant institutions (i.e. Ministries and NES) in all Peer Countries. Experts from RCC kindly provided assistance to the independent expert in distributing the questionnaire and subsequent data collection from the WB countries (Albania, BiH, the Former Yugoslav Republic of Macedonia and Montenegro). Apart from the data received from the representatives of relevant institutions, other sources used for drafting the Country Reports included the legal acts in the field of protection of rights and employment of PWDs, official statistics and NES reports (annual plans and annual reports), as well as reports of other relevant international and local institutions and organizations, who provided their expert opinion in the field of development and implementation of employment policy toward PWDs in the WB Countries.

The Host Country Case Study and the Country Papers were the focal point of the two-day PR meeting held in Belgrade, April 19-20th, 2018, with **the main purpose to support further enhancement of employment policies and programmes directed toward PWDs and its implementation within the Region through mutual learning among peer countries.** Mutual learning is a two-fold process in which the host country prepares the case study and presents its experiences with the implemented practices among peers who share similar knowledge, values and problems concerning the matter to be discussed. The main benefits to the host country come from the comments and feedback on the implemented policies and programmes received from its peers as well as the new ideas on how to improve it in future. On the other hand, peer countries are offered opportunity to analyze and discuss positive experiences presented in the Host Country Case study while comparing it with their national practices presented in the Country reports and shared at the PR meeting. They may benefit from transferring success factors from the Host country and learning from other positive and/or negative experiences which may be taken into consideration in further development of the employment policy toward PWDs and/or improving its implementation on the national labour markets.

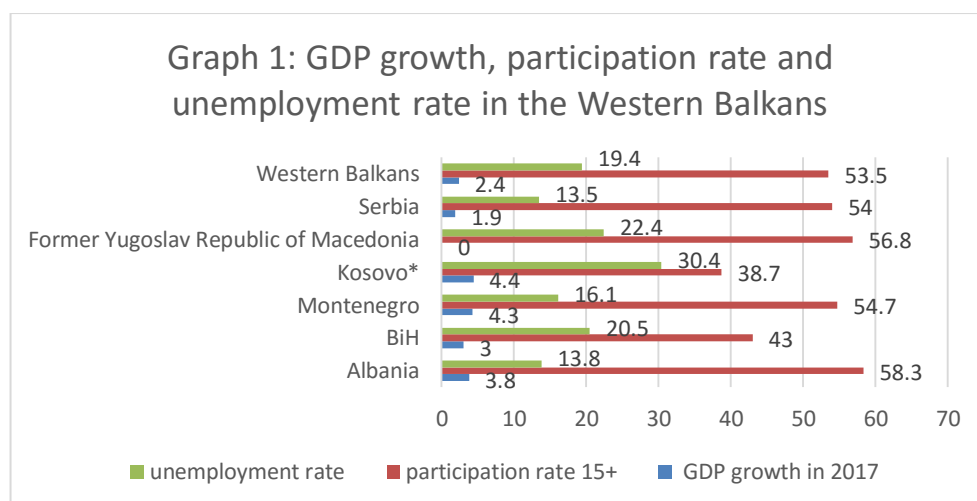
Against such a backdrop, specific objectives of the activity revolved around analyzing characteristics of each of the national labour markets, assessment of national regulatory frameworks, assessment of employment policies directed at PWDs, as well as assessment of the Host country success factors and their transferability among peer countries. The main goal was to list the lessons learned over the mutual learning process while providing recommendations for further improvements with regard to policy development and/or implementation of policies and programmes directed at PWDs.

2. Characteristics of the national labour markets and position of PWDs in the WB

Historical events in common and similar cultural and economic heritage of the Western Balkans has brought to a number of shared characteristics among the peer countries in both social and economic spheres, affecting the state and perspectives of their national labour markets and reflecting on the position of PWDs as well. Inherited problems referring to the countries' social and economic development are shared to high extent. Therefore, their labour markets have many

challenges in common, all of these resulting from the same structural problems, such as: low economic development, low economic activity, high unemployment and slow creation of new jobs. Simultaneously, position of PWDs in the Region is generally rather weak due to lasting stigmatization, institutionalization, limited access to education and many other places and/or social services as well as negative attitudes of employers toward this group. Under such conditions PWDs have been typically facing rather weak opportunities on the labour markets which keeps their participation at a rather low level.

Economic indicators in 2017 for the WB countries show similar level of economic development (Graph 1). The graph clearly shows that the overall economic growth for the WB was less than 3% (2.4% Regional average), followed by high unemployment (19.4% Regional average) and participation rate (15+) bellow 60% (53.5% Regional average)⁴. Highest economic growth was registered in Kosovo* (4.4%) Montenegro (4.3%) and Albania (3.8%). Unemployment was lowest in Serbia (13.5%) and Albania (13.8%), while Kosovo* with 30.4% unemployment rate stayed substantially over the Regional average. Participation rate (15+) was close to 60% only in Albania (58.3%) while it was lowest in Kosovo (30.4%) and BiH (43%).



Source: Western Balkans Regular Economic Report No.13, Spring 2018, World Bank Group

Long-term social exclusion, generally unfavourable economic position of PWDs and high risk of poverty in all WB countries have resulted in acknowledging their status of a vulnerable groups and developing public policies and adequate regulatory frameworks allowing protection of their rights and enhancement of their employability and employment. Throughout the Region PWDs have been considered a hard-to-employ group due to their generally lower qualifications, older age (higher share of individuals 35+) and deteriorating skills resulting from long-term unemployment. Therefore, the employment policies in all WB countries specifically focus on

⁴ Vulnerabilities Slow Growth, Western Balkans Regular Economic Report No.13, Spring 2018, World Bank Group, available at: <http://www.worldbank.org/en/region/eca/publication/western-balkans-regular-economic-report>

this group, offering special programmes and measures and/or priority treatment in participating in ALMPs delivered by the national employment services (NES).

While the most relevant labour market indicators including unemployment rate, employment rate and participation rate for PWDs are not available in any of the countries in the Region, it is believed that these indicators are even more unfavourable than for the overall population. Moreover, not only that the Labour Force Surveys (LFS) do not track position of PWDs on the national labour markets, but even the data on the size of this population segment are limited. Therefore, the number of PWDs is typically estimated based on the WHO definition according to which 10% to 15% of population in both developed and less developed countries suffer from various types of disability. In addition, most of the WB countries acquired the Washington group methodology (i.e. set of questions developed to measure disability within a society) which was first time implemented in WB countries through Census conducted since 2010. As a measure of functional disability, the set of questions focused on self-perceived disability, i.e. difficulties one may be facing while carrying out everyday activities. The collected data are thus used to estimate the number of PWDs population in the WB countries as well. The table below shows the size of PWDs population in the WB countries based on WHO estimates as well as Census data (WG methodology) where applicable.

Table 1: Population overall and PWDs in the Western Balkans							
	Albania	BiH	Montenegro	Kosovo*	Former Yugoslav Republic of Macedonia	Serbia	Western Balkans
Total population	2,831,741	3,531,159	620,029	1,739,825	2,022,547	7,186,862	17,932,163
Population PWDs (WHO 10%)	283,174	353,116	62,003	173,983	202,255	718,686	1,793,216
Population PWDs (WHO 15%)	424,761	529,674	93,004	260,974	303,382	1,078,029	2,689,824
% PWDs (Census - WG)	6.2	8.33	11	5.3	/	7.9	/
Data source	Census 2011	Census 2013	Census 2011	Census 2011	Census 2002	Census2011	
Notes	Census data on PWDs in Albania include population 15+ while the data for other WB countries refer to the total population. The total population for Kosovo* according to Census 2011 excludes population living in the northern part.						

As shown in the table above, PWDs population in the Western Balkans is close to 2 million. According to WG methodology Montenegro, BiH and Serbia record the highest share of PWDs

(11%, 8.33% and 7.9% respectively)⁵. On the other hand, due to lack of relevant labour market indicators collecting data on registered unemployed PWDs, their structure, number of ALMPs beneficiaries and registered employment served as the only possible solution to derive tentative conclusions on the labour market position of PWDs.

According to the official data on registered unemployed at NES⁶ the share of PWDs in the overall registered unemployed has been much lower. Therefore, although they are guaranteed equal rights to employment and given priority in almost all programmes and measures delivered through NES throughout the Region, their low representation in overall registered unemployed may indicate existing discrimination on the labour markets. Relatively small number of registered unemployed PWDs in all WB countries mostly results from limited access to public places (e.g. transport, NES premises), stigmatization and negative attitudes of employers toward employing PWDs, overprotection of other family members, but also from negative attitudes of PWDs toward searching for jobs and finding employment and stronger preferences toward receiving social benefits and using retirement schemes. The table 2 below shows the number of registered unemployed PWDs as well as their share in the overall registered unemployed in the WB countries.

Table 2: Registered unemployed PWDs in the WB countries					
	Albania	BiH	Montenegro	Former Yugoslav Republic of Macedonia	Serbia
Total registered PWDs	479	7,883 FBiH; 1,730 RS	1,640	1,490	14,905
Share in overall registered unemployed (%)	0.5	2.25 FBiH; 1.15 RS	4.36	1.43	2.3
Notes:	Official data obtained from public employment services (NES), received from countries representatives who filled in the questionnaire used for the purposes of the study, and/or data available on official websites. Data for Albania and BiH refer to end 2017, data for Montenegro for end 2015, data for Macedonia are on 31.12.2016., data for Serbia include actively PWDs actively seeking for job, annual average in 2017, % of registered PWDs in overall registered unemployed in Montenegro is estimated based on cumulative data for 2015-2017.				

⁵ Please note that the data are not strictly comparable due to different periods of Census data collections, coverage of population and slightly different approach in implementation of WG methodology and subsequent data analysis. Therefore, for Kosovo* the data refer to Albanian population while the ethnic Serbs mostly from the municipalities in Kosovo* north where they form majority population refused to participate in Census due to political reason. On the other hand, in the case of Albania the question on functional disability referred to population 15+.

⁶ The data were received from the representatives of relevant institutions (Ministries and NES) in each of the WB countries and/or collected from official websites of national employment services in the WB countries.

The table above clearly shows that BiH and Serbia have the highest number of registered unemployed PWDs, whereas their share in the overall registered unemployed in the two countries is similar (2.3% in Serbia and 2.25% Federation BiH). On the other hand, share of PWDs in overall registered unemployed in the Former Yugoslav Republic of Macedonia and Republic of Serbska BiH is closer to 1% and even less in Albania (0.5%). The highest share of registered unemployed PWDs was recorded in Montenegro (4.36%)⁷.

Gender, age and educational structure of registered unemployed PWDs in the WB countries is similar, with dominant share of male population, mostly adults and elderly (i.e. 35+) as well as extremely high share of individuals with no/low qualifications (over 50% in Albania, Montenegro, the Former Yugoslav Republic of Macedonia and almost 40% in Serbia). According to all listed general characteristics, registered unemployed PWDs substantially differ from registered unemployed in general. For example, while the share of registered unemployed female is over 50% throughout the Region⁸, the share of female PWDs is lowest in BiH (22% FBiH and 6% RS BiH) and highest in Montenegro (49%) and Albania (48%). Therefore, female PWDs clearly face twofold vulnerability on the national labour markets in the WB countries. An additional general characteristic referring to the vulnerable position of PWDs in the Region stems from their long-term unemployment status resulting in further deterioration of already low skills of this category of unemployed. In conclusion, apart from reduced accessibility, stigmatization, stereotypes, segregation, limited possibilities for education, economic problems and many other restrictions they have been facing, the above listed characteristics negatively affect their overall possibilities to find employment, thus contributing to their status of being particularly hard-to-employ group on all national labour markets in the WB.

3. Regulatory framework in the WB countries

Regulatory framework in the field of employment policy toward PWDs comprises of the legal acts setting ground for policy implementation as well as the strategic documents assigning specific goals and defining actions for their achievement. The WB countries have developed regulatory framework to meet international standards in provision of human rights of PWDs, including their right to work and employment. The UN Convention on the Rights of PWDs adopted in 2006 has been ratified by the national Governments throughout the Region⁹, thus making this document part of the national legislation framework. In several countries relevant legal acts have been adjusted to meet the standards set within the UN Convention and other important international documents. The level of harmonization of the national documents with international standards and documents has been analysed indicating actions that need to be

⁷ Comparing this figure with other countries calls for additional caution due to the fact that it was estimated based on cumulative data for three years period in the lack of data showing the share of PWDs in 2017 (annual average or end year figure).

⁸ Except the Former Yugoslav Republic of Macedonia, with 42% of registered unemployed female

⁹ With an exception of Kosovo* which has not ratified the UN Convention yet due to unresolved membership status in the UN. However, its definitions and provisions have been accepted and built in the local legal framework.

undertaken for further improvement of the regulatory framework. Table 3 below indicates the level of development of the regulatory framework within the WB countries, listing most important legal and strategic documents in the field of employment policy toward PWDs.

Table 3: Regulatory framework in the field of employment of PWDs in the WB countries			
	UN Convention on the Rights of PWDs	Special law in the field of employment of PWDs	Most relevant strategic documents in the field of protection of human rights and employment of PWDs
Albania	ratified	No	National Action Plan on Persons with Disabilities 2016-2020, June 2016
BiH	ratified	Yes	Policy in the field of disability in BiH(2008); Strategy for Improved Social Position of PWDs 2017-2026; Strategy for Improved Rights and Position of PWDs in Federation BiH 2016-2021
Montenegro	ratified	Yes	Strategy for protection of PWDs from discrimination and promotion of equality for period 2017-2021, Strategy for integration of PWDs in Montenegro 2016-2020 as well as National Strategy for Employment and Development of Human Resources 2016-2020
Kosovo*	on going	Yes	National Strategy for Protection of Rights of PWDs 2013-2023
The Former Yugoslav Republic of Macedonia	ratified	Yes	National Strategy On Achieving Equal Rights for the Persons with Disabilities in the Republic of Macedonia 2010-2018, National Strategy for Employment of the Republic of Macedonia 2016-2020
Serbia	ratified	Yes	Strategy for Improving the Position of Persons with Disabilities (2007), National Employment Strategy 2011 do 2020, National Employment Action Plans

The WB countries have adopted antidiscrimination laws regulating the rights of PWDs based on the affirmative action to enhance their position on the national labour markets and promote employment, as well as other by-laws, rulebooks, decrees, strategies and action plans in the fields of social policy and employment, focusing on employment and employability of PWDs as one of the main strategic goals in the approaching period. As can be seen in the table 3 above, special laws in the field of employment policy toward PWDs have been adopted in all countries of the Region with just one exception (Albania). In addition, strategic documents (i.e. strategies and action plans) in the field of social policy and employment have been issued in each of the countries of the Region. Comparisons among the regulatory frameworks in the field of protection of human rights and right to employment of PWDs in the WB countries point out at a number of similarities with regard to both the level of regulatory framework development, its harmonization

with international documents, but also with regard to its implementation. In general, it is certain that substantial improvement has been achieved all over the WB yet the space for further improvements is still large. This mostly refers to further harmonization of various legal and sublegal acts regulating different aspects of the rights of PWDs on national levels. In addition, implementation of the policies, reaching the targets and control mechanisms built in the regulatory frameworks has still remained the weakest point in all of the WB countries, which is also supported with the fact that many WB countries are late when it comes to drafting new versions of relevant strategic documents after the expiration of the previous planning period.

4. Employment policies toward PWDs in the WB countries

Employment policy directed at PWDs in most of the countries of the Region comprises of various programmes and measures aiming at enhancement and promotion of employment of PWDs on the open labour market as well as through special forms of employment. As previously noted (see table 3 above) the countries have adopted the special laws on the employment of PWDs setting legal ground for the implementation of employment policies and programmes directed at this vulnerable group on the national labour markets. Additionally, in the adopted strategic documents the national Governments have set specific objectives and targets with regard to employment of PWDs prescribing the necessary actions to be undertaken for the achievement of planned outcomes. In general, the employment policies toward PWDs throughout the Region revolve around the adopted quota-scheme, priority based targeting of PWDs in AMLPs offered by NES as well as allowing subsidies, tax reductions and other kind of benefits to support employment of PWDs. In most of the countries special Funds for Employment of PWDs have been created to support the implementation of ALMPs directed at PWDs.

For the purposes of the PR meeting aiming to allow mutual learning and contribute to further improvement in policy development and implementation in the WB Region, comparison among the countries was based on the Host Country Case Study. The Peer Countries Papers served as a reflection on the Case Study from perspective of national practices and experiences. The goal was to point out at success factors observed in the Host Country Case Study and discuss its transferability. However, successful practices in all peer countries have also been highlighted and discussed.

Implementation of the employment policy in the Host Country is based on two important instruments: 1) assessment of working capacities based on multidisciplinary approach built in the internationally accepted definition of disability incorporated in relevant legal acts on the national level as well as 2) established special Fund for Professional Rehabilitation and Employment of PWDs (the Fund). The employment policy toward PWDs regulated in Serbia by the Law on Professional Rehabilitation and Employment of PWDs¹⁰ revolves around four pillars, including:

¹⁰ The Law on professional rehabilitation and employment of persons with disabilities, Official Gazette of the Republic of Serbia No. 36/2009 and 32/13

1) professional rehabilitation, 2) active employment policy measures, 3) employment of persons with disabilities and 4) special forms of employment and recruitment. The policy is implemented through the Fund managed by the MoLEVSa and NES. Functioning of the Fund, i.e. delivery of ALMPs toward PWDs, allowing employment of PWDs on the open labour market as well as by special forms of employment (enterprises for professional rehabilitation and employment of PWDs) is assured through the introduced quota-levy scheme. The Fund delivered in 2017 was 9.7 mil EUR, which allowed better targeting of PWDs, increasing number of beneficiaries of ALMPs delivered through NES and contributed to increasing employment of PWDs both on the open labour market and by special forms of employment.

Assessment of the PR countries employment policies revealed many similarities with regard to the used instruments and implemented policy measures. However, most of the countries still lack the monitoring and evaluation systems, as well as other control mechanisms which reduces full implementation and effectiveness of the employment policies. Assessment of working capacities and the special Fund for employment of PWDs are the main instruments of the employment policies in other WB countries as well. However, assessment of working capacities is seen as a complicated procedure (e.g. Montenegro) and/or dominantly based on medical model rather than social model of defining disability (e.g. the Former Yugoslav Republic of Macedonia, Albania and Kosovo*). On the other hand, in some countries the Fund is not operating properly thus limiting delivering of ALMPs to PWDs. For example in Montenegro, until recently the total funds spent stayed much under those allocated for ALMPs for PWDs as the grant schemes accounting for the highest share of the overall Fund were not used by eligible organizations. Additionally, though envisaged by the Law in Albania the Fund actually didn't function due to lack of control mechanisms that would assure that the employers do comply with the set quota obligation even within public sector.

With regard to the four pillars built in the Host Country employment policy toward PWDs, employment on the open market promoted by acquired quota scheme, set of ALMPs directed at enhancement of employability (e.g. vocational trainings, job search related skills development) and promotion of employment (e.g. employment subsidies) as well as special forms of employment (e.g. sheltered workshops, working centres etc.) have also been implemented in most of the peer countries in the WB. On the other hand, only a few peer countries also envisage professional rehabilitation as an integral part of their employment policies toward PWDs. Table 4 below gives a brief overview of the employment policies toward PWDs implemented in the Western Balkans.

Table 4: Employment policies toward PWDs in the Western Balkans						
	Albania	BiH	Former Yugoslav Republic of Macedonia	Kosovo*	Montenegro	Serbia
Fund for Employment of PWDs	Envisaged by the Law but not implemented.	Established as public institutions in FBiH and RS BiH https://www.fond.ba and http://www.fondinrs.org/	Managed as a special account within NES, published on http://www.avrm.gov.mk/	na	Managed as a special account within NES.	Established as a special account comprising of two parts, one of which is managed by MoLEVSA and the other by NES.
Professional Rehabilitation	na	Implemented through special institutions for professional rehabilitation established by the Law in FBiH and RS.	na	Center for professional rehabilitation established within the Ministry is responsible for professional rehabilitation of PWDs.	The Ministry announces public call for recruitment and selection of organizations performing professional rehabilitation.	Professional rehabilitation is implemented through NES as well as special enterprises for professional rehabilitation and employment of PWDs.
ALMPS for PWDs	Job mediation, employment promotion and vocational training and retraining.	Prioritized access to all ALMPs provided by NES. Special public calls for co-financing employment and self-employment of PWDs.	PWDs are entitled to all programmes and measures provided by NES.	PWDs are entitled to all programmes and measures provided by NES.	PWDs have the right to participate in all ALMPs provided by NES. Special Grant schemes for PWDs.	Package of services for PWDs based on created individual employment plans.
Employment of PWDs: quota scheme	The Law envisages obligation to employ a PWD by every 25 employees. Employers failing to comply with the obligation must pay a contribution equal to one minimal monthly salary for each PWD they are obliged to employ.	In FBiH all employers with more than 16 employees are obliged to employ a PWD. Instead, they may comply with the obligation by a contribution equal to 25% of an average monthly salary paid to the Fund. In RS employers within public sector are obliged to employ PWDs. Alternatively, they may contribute to the Fund by paying 0.2% of total gross salaries. All employers with 16+ employees are obliged to pay a contribution to the Fund in the amount of 0.1% of total gross salaries.	There is no obligation to employ PWDs (quota scheme has not been introduced).	All employers are obliged to employ a PWD by each 50 employees.	One PWDs on each 20 to 50 employees, employers with more than 50 employees have the obligation to select 5% of their employees among PWDs. Employing a PWD with 80% disability is acknowledged as 2 PWDs employed.	All employers with between 20 and 49 employees have the obligation to employ one PWDs, those with 50 employees must employ 2 PWDs and an additional one by every 50 employees.
Special forms of employment	na	Establishment of enterprises for employment of PWDs, sheltered workshops and working centers is envisaged by the relevant Laws in FBiH i RS.	Trade companies (Sheltered companies) which employ at least 5 persons based on permanent contract, and at least 40% are PWDs.	Employment under special conditions within Center for professional rehabilitation, Sheltered workshops and Working centers, as well as through self-employment and employment in family farms.	Sheltered workshops with at least 51% employed PWDs, Sheltered shops and working centers for PWDs with substantially reduced working capacities.	Enterprises for professional rehabilitation of PWDs, job centers and social enterprises.

The table above shows greatest level of similarity between Serbia, BiH and Montenegro whose employment policies with no exceptions have been built upon the internationally recognizable definition of disability, assessment of working capacities, establishing the special Fund for Employment of PWDs as well as the quota-levy scheme. However, due to well established monitoring and control mechanisms as well as well-set responsibilities among MoLEVSA and NES the functioning of the Fund in Serbia has been more efficient as the difference between the allocated funds and delivered funds has been rather small over the years¹¹. Additionally, the effectiveness of the ALMPs toward PWDs is closely monitored and measured thus allowing

¹¹ Realization of the Fund in 2017 was 94%, for details please refer to the Host Country Case Study, available as a separate document.

precise outcome evaluation in Serbia, whereas such data sets and evaluations in all other peer countries are not available.

The success factors mapped in the Host Country Case Study revolve around: 1) recognition of rights to work and employment and assuring equal opportunities for PWDs based on recognized status of PWDs and assessment of working capacities, 2) development of four pillars of employment policy and 3) proper implementation of ALMPs for PWDs through NES. These factors have been taken into consideration while discussing employment policies in each of the peer countries and their transferability was analysed. Reflections of peer countries representatives have been considered as valuable inputs for further improvements in the employment policy implementation of the Host Country as well. Therefore, the mutual learning process based on analysis of prepared Host Country Case Study and Peer Country Papers, as well as the discussion among peer country representatives over the PR event in Belgrade have produced a set of lessons learned and recommendations that might be useful for all countries in the Western Balkans wishing to improve the implementation and effectiveness of their employment policies toward PWDs.

5. Lessons learned and recommendations

a) Lessons learned and recommendations referring to development and implementation of employment policy toward PWDs

Existing employment policies toward PWDs in the Region have mostly been adjusted to international standards and regulated by special Laws. However, in many cases the implementation of these employment policies makes a bottle-neck mainly due to stereotypes and negative attitudes toward employment of PWDs on both sides of the labour markets as well as the lack of control mechanisms initiated by the local states.

Further development and improved implementation of employment policies toward PWDs, should be enabled by introducing the following practices and/or instruments:

- 1) Adopting the international definition focusing primarily on social aspects of disability (Albania) as well as broadening its scope to cover different categories of PWDs without discrimination (Albania and BiH).
- 2) Setting legal grounds for implementation of adequate procedures of assessment of working capacities based on social definition of disability and establishment of Assessment Committees allowing interdisciplinary approach. Focus should be put on assessment of remaining working capacity instead of indicating inability for performing a job (the Former Yugoslav Republic of Macedonia, BiH, Albania, Kosovo*). Further improvements of established Assessment Committees in the WB countries are needed to make the procedure less complicated and more adjusted to social definition of disability.

3) Putting the Fund for Employment of PWDs into operations (Albania and Kosovo*), improving efficiency of its operations (BiH) and increasing the delivery of funds allocated for ALMPs for PWDs (Montenegro).

4) Introducing new measures and programmes to promote employment of persons with multiple disabilities severely affecting their working capacity and keeping it much lower (less than 50%) of the working capacity of a person without disabilities who belongs to the same age cohort and has the same qualifications. For example in Serbia the group of PWDs whose working capacity is assessed as level 3 has not been entitled to right to employment but can only be engaged in Work centres as a special form of employment and recruitment envisaged by the Law. On the other hand, employment of PWDs with severe disabilities is promoted on the open labour market in Montenegro through quota-scheme envisaging that employing one person with severe disabilities would be counted as occupying two PWDs places in an enterprise legally obliged to employ PWDs.

5) Adoption of quota-levy scheme (the Former Yugoslav Republic of Macedonia, Kosovo*) and envisaging new modalities to comply with the obligation through promotion of employment of specifically hard-to-employ PWDs on the open labour market (e.g. with multiple disabilities, severely reduced working capacities, facing multiple vulnerability such as Roma and female) as well as to promote employment of PWDs through special forms of employment by signing procurement/services agreement with enterprises employing PWDs, such as sheltered workshops, job centres, social enterprises and providing support to entrepreneurial initiatives of PWDs and self-employed PWDs (Montenegro, Albania).

6) Shaping ALMPs for PWDs to better suit their needs for professional rehabilitation as well as improvement of qualifications and skills required on the open labour market. Professional rehabilitation of PWDs should soon become an integral part of the employment policy toward PWDs in the Former Yugoslav Republic of Macedonia and Albania. On the other hand, stronger emphasis in all countries of the WB (including the host country Serbia, as well as the peer countries) should be placed on trainings for PWDs, including job search related trainings and trainings for acquiring skills and competencies required by the employers at the national labour markets (e.g. trainings for the labour market, on-the-job trainings, vocational training and retraining etc.).

7) Envisaging special forms of employment of PWDs in Albania and the Former Yugoslav Republic of Macedonia by setting legal ground for establishment of various types of enterprises, e.g. enterprises for professional rehabilitation, sheltered workshops, job centres, social enterprises etc. Special forms of employment foster employment of PWDs under special conditions. These may be supported through the Fund for Employment of PWDs as well as through adopted quota-levy scheme which would allow enterprises to comply with the obligation to employ PWDs through arranging various forms of cooperation with special enterprises for employing PWDs.

8) Development of monitoring and evaluation mechanisms based on advanced information systems allowing data collection and analysis on PWDs as an important category of registered unemployed, including access to data on their structure by age, gender, qualifications, participation in ALMPs as well as employment outcomes six months after completing the programmes. While the information system set up in the NES Serbia allows precise data analysis on the structure of registered unemployed PWDs, their participation in various ALMPs as well as evaluation of employment outcomes, such data analysis has still not been made available in other countries of the WB. The peer countries would thus certainly benefit from further development of ALMPs (e.g. package of services for PWDs) as well as setting up an adequate system of planning, monitoring and evaluation of the effects of these measures (Albania, BiH, Kosovo*, the Former Yugoslav Republic of Macedonia and Montenegro).

9) In general, throughout the Region, PWDs still represent an unknown segment of potential employees to employers who may not be familiar with their real abilities and strong motivation to work. Therefore, employers may often show resistance to engaging PWDs focusing on their potentially lower capabilities rather than on their competencies to perform a job. Moreover, employers typically show strong resistance to introduced obligation to employ PWDs (i.e. quota scheme). Successful implementation of the employment policy toward PWDs thus strongly depends on initiating social dialogue in all peer countries as policies and interventions agreed upon in social dialogue involving all interested parties are more likely to be accepted and fully implemented.

10) In support of successful implementation of employment policies for PWDs the policy makers and other relevant institutions (governmental, NGO-s, associations of PWDs and other interested stakeholders) should initiate educational and promotional campaigns changing focus from health issues to social barriers creating obstacles to performing a job, fighting against stereotypes of employers to start thinking of PWDs as motivated workers capable of efficiently performing various jobs and promoting the concept of corporate social responsibility among local employers. The campaigns should also address PWDs aiming to encourage them to start actively searching for jobs instead of applying for social benefits and/or retirement schemes.

b) Lessons learned and recommendations referring to mutual learning scheme through Regional PR events

As noted above, mutual learning process is of high importance for the WB countries facing similar economic challenges strongly reflecting on functioning of their national labour markets. PR events are thus considered excellent opportunities for sharing their experiences with regard to various aspects of the developed and implemented employment policies. The model which is based on presentation of the Host Country Case Study, comparable Peer Country Papers and the open discussion among peers is well shaped to meet the objectives of the mutual learning scheme under ESAP which is a joint project of RCC and ILO and funded by the EU.

For further improvements of the mutual learning process and organization of PR events, the following recommendations may be taken into consideration:

- 1) Host Country Case Study delivered to peers in advance to let them prepare their reflection papers based on it. The applied methodology for the reported PR event included delivering a questionnaire to country representatives prior to sending them the Host Country Case Study. However, it seems that better reflections would have been made possible had the peer countries read the Case Study in advance.
- 2) Instead of engaging one expert who would work on the Host Country Case Study and all Peer Countries Reports, it would be better to invite national experts to prepare the reflection papers from the position of each of the peer countries based on the Host Country Case Study. The national experts would need to be in direct communication with the representatives of invited institutions (Ministries and/or NES) to collect the necessary quantitative and qualitative data on the issue to be discussed at this PR meetings. Should this approach be implemented, the national experts would need guidance from the expert preparing the Host Country Case Study, who would propose the format of the paper and develop its structure by pointing out the main issues to be discussed in the peer countries papers and over the meeting. The Host Country Case Study would need to be sent before drafting the national reflection papers.
- 3) PR meeting should stay a two day event, but stronger emphasis should be put on presentations of the peer country experiences with the issue discussed. The presentations could be given by the national experts engaged, who would attend the meeting together with the peer countries representatives of relevant institutions. The meeting should keep more closed format of a workshop and/or small size focus groups facilitated by invited experts from the Host Country, RCC and ILO. Mainly country representatives and national experts should participate in discussion on the necessities for further development of employment policies and improvements of its implementation as well as on the possibilities for transferring success factors to national labour markets.
- 4) The Host Country Case Study, Peer Countries Papers as well as final report with lessons learned from the PR event should be made available to all participants and other interested stakeholders, by publishing it on RCC web site.
- 5) Follow-up seminar may be organized to discuss actions undertaken after the PR event and disseminate information among interested stakeholders.