Article 27: Illustrative indicators on work and employment

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<tr><th colspan="4">Article 27: Illustrative indicators on work and employment</th></tr>
<tr><th colspan="4">Right to earn a living through work freely chosen in a labour market and work environment that is open, inclusive and accessible</th></tr>
<tr><th>Attribute/type of indicator</th><th colspan="2">Access to decent work and employment</th><th>Equal opportunities in the workplace</th><th>Protection from forced or compulsory labour</th></tr>
<tr><td rowspan="2">Structure</td><td colspan="3">27.1: Legislation enacted related to all aspects of work, employment and training for employment services that are inclusive of persons with disabilities[a]
27.2: No provisions in legislation or regulations that directly or indirectly restrict employment on the basis of disability[b]
27.3: Adoption of a national plan (mainstream or disability specific) that promotes vocational training inclusive of persons with disabilities
27.4: Adoption of a comprehensive national employment strategy and/or plan (mainstream or disability specific) to promote the employment of persons with disabilities in public and private employment[c]
27.5: Regulations or mechanisms on technical and financial assistance for employers, employees and trade unions on the provision of reasonable accommodation in the workplace and making work environments and communications accessible[d]
27.6: Social protection schemes providing benefits for persons with disabilities that do not serve as disincentives and that are compatible with work and employment[e]
27.7: National accessibility standards adopted and applied to workplaces
27.8: National gender laws and policies related to work and employment that are inclusive of women with disabilities</td><td>27.9: Legislation and policies enacted to combat forced or compulsory labour that are inclusive of persons with disabilities
27.10: Legislation and policies enacted to prohibit and eliminate the worst forms of child labour that are inclusive of children with disabilities[f]</td></tr>
<tr><td colspan="4">27.11: Statutory requirement for regular reporting on employment outcomes and use of employment-related services, disaggregated by sex, age and disability</td></tr>
<tr><td rowspan="2">Process</td><td colspan="2">27.12: Number and percentage of persons enrolled in vocational training, employment services, school-to-work transition programmes, lifelong learning, return-to-work programmes and/or programmes promoting entrepreneurship, starting one’s own business, the development of cooperatives and so forth, disaggregated by age, sex and disability</td><td>27.13: Number and percentage of persons benefiting from each of the following measures: job coaching, work placements and internships, workplace rehabilitation, microfinance projects and programmes,[g] and employment through an affirmative action measure[h] in both the public and private sector, disaggregated by age, sex and disability
27.14: Proportion of time spent on unpaid domestic and care work, by sex, age and location (Sustainable Development Goal indicator 5.4.1) and disability</td><td></td></tr>
<tr><td colspan="4">27.15: Number and proportion of staff (public and private) of employment, vocational training and microfinance services trained on the rights of persons with disabilities, including the provision of reasonable accommodation
27.16: Number of awareness-raising campaigns and activities to promote inclusion and inform employers and individuals of their rights and responsibilities as they relate to employment and employment services, and proportion of population who gained access to those campaigns and activities, disaggregated by age, sex, disability and geographical location</td></tr>
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<tr><td></td><td colspan="3">27.17: Number of consultation processes undertaken on the design, implementation and monitoring of laws, regulations, policies and programmes related to any employment-related initiative, and proportion of persons with disabilities who participated in those processes, disaggregated by age, sex, disability and geographical location[i]
27.18: Proportion of complaints received on the right to work and employment alleging discrimination on the basis of disability and/or involving persons with disabilities that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the Government and/or duty bearer; each disaggregated by type of mechanism</td></tr>
<tr><td rowspan="2">Outcome</td><td rowspan="2">27.19: Employment rate of persons with disabilities compared to other persons and to the overall employment rate, disaggregated by type of employment (public, private or self-employed), type of position (such as managerial or administrative), sex, age and disability
27.20: Unemployment rate of persons with disabilities compared to other persons and to the overall unemployment rate, disaggregated by age, sex and disability (based on Sustainable Development Goal indicator 8.5.2)
27.21: Rate of economic inactivity of persons with disabilities compared to other persons and the overall economic inactivity rate of the total population, disaggregated by sex, age and disability
27.22: Proportion of women in managerial positions (Sustainable Development Goal indicator 5.5.2), disaggregated by age and disability</td><td>27.23: Percentage of persons with disabilities engaged in the informal economy as compared to other persons and to the overall rate, disaggregated by sex, age and disability
27.24: Percentage of persons with disabilities in part-time and temporary employment as compared to other persons and to the overall rate, disaggregated by age, sex and disability
27.25: Average hourly earnings of female and male employees, by occupation, age and persons with disabilities (Sustainable Development Goal indicator 8.5.1)[j]</td><td>27.26: Number and percentage of persons in forced or compulsory labour, disaggregated by sex, age and disability</td></tr>
<tr><td colspan="2">27.27: Number and proportion of persons with disabilities among the total population of active persons with disabilities, engaged in work outside the open labour market[k]</td></tr>
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[a] Legislation related to work and employment covering all aspects and conditions of recruitment and hiring, continuance, career advancement, safe and healthy working conditions, salary/remuneration, self-employment and entrepreneurship. It should include:

- Prohibition of discrimination on the basis of disability, including the denial of reasonable accommodation
- Prohibition of and protection from forced labour of, violence against and harassment of persons with disabilities
- Promotion of employment of persons with disabilities through appropriate policies and measures, which may include affirmative action programmes and tax exemptions and other incentives
- Equal opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business by persons with disabilities
- Equal treatment with regard to trade union membership
- Equal rights to parental leave and leave entitlements
- Equal rights to financial services provided by mainstream financial service providers (loans, savings, insurance, remittances, etc.), notably to allow for self-employment, entrepreneurship and related opportunities

[b] This includes no:

- Limited access to employment or vocational training related to any type of impairment
- Limited access to employment or vocational training related to status of legal capacity
- Established exceptions to minimum wage based on impairment
- Impairment-based assessments, such as capacity or fitness to work
- Restricted categories of employment or vocational training for persons with disabilities
- Limited workplaces for persons with disabilities or maintaining segregated working environments (e.g. sheltered workshops)

[c] A national employment strategy/plan should include provisions:

- For equal access to employment services, for self-employment, for entrepreneurship, to develop cooperatives and to start one's own business
- To promote employment, which may include affirmative action programmes and incentives
- On particular measures related to youth and women with disabilities, persons with specific and multiple support needs, and others.

[d] Through, for example, guidance and support mechanisms, helplines and networks.

[e] For example, these schemes should not tie the granting of benefits to the declaration of inability or incapacity to work, or prevent a person from seeking work or employment, or permit arbitrary withdrawal of benefits on the basis of employment without addressing disability-related extra costs, such as those related to traveling to and from work.

[f] See the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization.

[g] This includes having access to financial services offered by financial service providers (such as microfinance), and starting a business and/or earning an income after having been enrolled in a microfinance programme.

[h] Affirmative action measures may include, but are not limited to, quotas, subsidies and incentives for employers hiring persons with disabilities, subsidies, transition to work and livelihood programmes.

[i] This indicator requires verifying concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4 (3) of the Convention on the Rights of Persons with Disabilities and general comment No. 7 (2018) of the Committee on the Rights of Persons with Disabilities, including consultation meetings, technical briefings, online consultation surveys, and calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must:

- Ensure that consultation processes are transparent and accessible
- Ensure the provision of appropriate and accessible information
- Not withhold information or condition or prevent representatives of persons with disabilities from freely expressing their opinions
- Include both registered and unregistered organizations
- Ensure early and continuous involvement of persons with disabilities
- Cover related expenses of participants

[j] For a discussion on methodology, see International Labour Organization, *Global Wage Report 2018/19: What Lies Behind Gender Pay Gaps* (Geneva, 2018), which promotes the use of the factor-weighted gender pay gap in the context of women's right to employment.

[k] This includes persons with disabilities engaged in work (formal or informal) within segregated settings (e.g. sheltered workshops).