

GUIDE

Employment of people with disabilities
WHAT IS WORTH KNOWING?



We have created this guide for Employers, who are going to employ or who are currently employing people with disabilities. The purpose of the following information is to help employers understand the rules and regulations, the entitlement to forms of support to such employers and to understand that people with disabilities are in fact non-disabled workers who are only limited by some activities.

It often happens that, one of the reasons why people with disabilities are not employed is a lack of information employers have in this subject, as well as the fear whether such employees can find themselves in a given position and if they are able to cope with the tasks that will be entrusted to them, as well as the uncertainty whether they will be able to coexist in the company community, among colleagues.

Employment of people with disabilities – what is worth knowing?

An increasing number of employers, companies and enterprises employ people with disabilities into their ranks who are allocated to a variety of positions. The tendency to engage people with disabilities in professional life is increasing year by year. This is the case, among other things



thanks to the awareness of employers that people with disabilities are as valuable employees as non-disabled people. Thanks to the higher and higher level of education, courses and internships gained by people with disabilities, they are being put on a par with others. Many employers, who do not deal with disabled workers on a daily basis, deliberate on the various regulations, rights and obligations that will apply to them when they hire such a person.

In the section below, we would like to present some key information, which may be useful when employing people with disabilities. At the outset it is worth to note that thanks to such employment, the employer receives many privileges and subsidies, financial and visual (company image) benefits.



The most important financial benefits which are obtained by the employer through hiring an Employee with disabilities:

Over the numbers of forms of funding, employer who employs people with disability can equalize or completely reduce mandatory deposits to Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych – PFRON (State Fund for the Rehabilitation of the Disabled People).

Contributions to the Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych – PFRON (State Fund for the Rehabilitation of the Disabled People)
Each employer who employs more than 25 people and at the same time employs employees with disabilities in the Company which is equal or more than 6% is completely exempt from contributions to PFRON.

Need help? Apply to BPO Network – we will help you, we will calculate and present you the best solution for your company.

Costs related to employing the support worker

Any employer hiring employees with a disability seeing that they have a problem with certain activities, can hire a support worker/workers and the costs incurred in this way will be reimbursed to the employer.



Detailed information on the form of support for employers can be found at the link <https://www.pfron.org.pl/pracodawcy/>

As a result of the above, employers who decide to hire people with disabilities can gain significant financial benefits from it. It is also worth pointing out that not only material benefits are important in relation to the employment of people with disabilities. According to the latest research, including the research by the team consultants of the Employer Branding HRK team, employers and companies employing people with disabilities are perceived as caring and offering stable employment, which translates into increased empathy, loyalty, team integration and employee commitment towards the employer. In addition, there is a visible tendency among customers to be more willing to buy products or use services of those companies that are socially responsible. For example: "At the Ikea call center in Germany it was noticed that the visually impaired remember detailed informations better than the non-disabled and can provide them "on the spot", while in the company Carrefour Polska hearing impaired cashiers often achieve higher efficiency than their able-bodied colleagues – says Joanna Kotzian – Employer Branding HRK team manager. People with intellectual disabilities are very willing to engage in the performance of duties, which due to repetition, non-disabled people do not want to perform.

What else apart from the financial aspect, gains the employer by employing people with disabilities?

- A trustworthy employee
- An employee suitable for the position
- An employee with appropriate qualifications
- Often an employee with increased resistance to stress
- A brave worker who faced with common diseases will not quit his job or isolate from the environment.

Additional benefits from the presence of employees with disabilities in the company:

- Increased employee loyalty (abled and disabled)
- Increased integration among colleagues
- Increase in empathy in the company
- Increased employee involvement in relation to the employer
- Possibility of acquiring new clients from various social groups
- Possibility of acquiring a group of candidates from the labor market for future positions
- Overall improvement of the company's image
- Greater attractiveness of the company as a worthy cooperation
- Increased investor interest
- Increase of competitiveness
- Improvement in relations with local governments, state entities



It follows from the above information that the employment of employees with disabilities largely reflects the image of the company. Often, such advantages are definitely more beneficial to employers than financial benefits.

Facts to be told.

First fact:



A person with a disability is counted as disabled to the staff statement on the day she brings in the document certifying the degree of disability. A person with disability can be counted in staff statements, up to 3 months from the expiry of the relevant certificate, if the person applies for a new disability degree certificate.

Second fact:



Reduced working hours apply to people with a severe and moderate degree of disability. Namely, it is 7 and not 8 hours a day, which means it is 35 hours a week.

Third fact:

People with a severe and moderate degree of disability after working for a period of one year in a given organization, have the right 10 additional days of holiday leave to be taken.

Fourth fact:

For an appointment with a specialist, a disabled employee should be granted a leave which is not included in the L4 level, and neither for annual leave. This is called justified paid presence. In order to prove that an employee has visited a specialist, he/she must provide the employer with a letter/certificate confirming the visit. A visit that is settled in such a way can be made once a month.

Fifth fact:

A person with disability is entitled to an additional 15 minutes off time that is included in the full-time (7 hrs/day) work, i.e. the person has a breakfast break of 30 minutes. Plus, if he/she works at the computer, for every worked hour – 5 minutes break. When we count it all up, it will come out as: 5 min. \times 6 h (we finish work after the seventh hour, so we don't count it) = 30minutes + 30minutes of extra breakfast break = 1 hour. Calculations show that a person with a moderate or significant degree of disability will work 6 hours per day.

Sixth fact:

A disabled person has the right to participate in a rehabilitation turnus of max. 21 days, which means as follows: the first 11 working days are settled as part of the turnus, for the following days additional days of annual leave are used (i.e. the 10 additional days of annual leave entitled to an employee with disability). In practice, it looks like this: we have a referral for 2 weeks of the stay, that is, we use these 11 working days. If we have a longer term, e.g. 21 days, then these 10 additional days of leave are taken from us to settle the turnus.

- One should submit an application with the signature of the referring physician (preferably specialist) and a certificate of residence in a rehabilitation center also signed by the doctor working there. These documents – or scans of documents – shall be submitted in the human resources department.

ATTENTION! There is a distinction between a rehabilitation turnus, a stay in a sanatorium or a stay in a rehabilitation day centre etc. Therefore the name on the application form should be checked.

Seventh fact:



A person with disability can independently apply to buy a computer with software – especially if the person is blind or deaf. If the person is physically disabled, he/she can file an application for co-financing of the modernization of the car as a means of transport to work. Then the person with disability has priority in receiving such funding. It is necessary to check exactly when to submit an application.



Below we would like to present the most probing questions and answers bothering employers regarding the employment of people with disabilities.

1. What happens with an unused additional holiday granted to a person with disability?

- If in a given calendar year a person with disability will not use the additional holiday, the days will pass into next year, same happens with the annual leave. In accordance with applicable regulations of the Labour Code, the additional holiday increases the amount of annual leave that each employee is entitled to, from 20 to 30 days and from 26 days to 36 days.

2. Is a person with disability a subject to a preventive examination in the company of employment?

- A disabled worker as well as non-disabled worker is subject to all preventive examinations, as stated in Art. 229 of The Work Code. The legislator doesn't divide workers into non-disabled and disabled. Before admission to work, a person with a disability degree needs to go through:
 - preliminary examination;
 - periodic examination, which shall be performed after the validity of the preliminary examination (within the time limit indicated by the authorized physician);
 - control examination.

The last mentioned is performed in the case of an employee who was absent from work because of illness at least 30 days within the calendar year. It is worth noting that the legal preventive examination referral form does not provide information about the employee's degree of disability. Which means that the employer has no obligation to mention this.

It should be underlined that it is the employer's responsibility to refer a disabled employee to the examination. Furthermore, examinations are performed at the employer's expense.

3. What is the education level of the people with disabilities?

- The education of people with disabilities depends largely on degree and type of disability. People with intellectual disability have the poorest education, it is different when it comes to people with physical disabilities. Data shows that 10% of people with a certified degree of disability obtained a higher education diploma, and 70% vocational or college education. They have an education that allows them to perform office work and in some cases also physical work.

4. Can the future employer ask the person with a certified degree of disability about their disability in a process of recruitment?

- Yes at the first stage of recruitment. Referring to the disability of the candidate should not be related to the disease/dysfunctions itself, but to the limitations that arise from it and to summarise those limitations with the actual workplace conditions.

5. Who can become an assistant of a person with a disability at it's workplace?

- Anyone can be an employee who assists a person with a disability at the workplace, although educated professionals are best suited for this role. Since 2001, an assistant of a person with a disability is a separate profession that can be acquired by studying at a university or post secondary school. It is worth highlighting that an employee assisting a disabled employee can be another disabled person who has no problems performing the activities of assisting another disabled employee.

6. What are the degrees of disability and what is their specification?

- We can talk about disability when a certain person has restrained abilities or completely lacks abilities to perform activities in a manner considered as normal for human beings. These difficulties are due to the damage and impairment of the body's function.

Within European Union disability is categorised into 3 degrees, these are: light, moderate and significant. The degree of disability is determined by a certified medical physician, who takes into account restrictions in independence and individual and social functioning. A person can be born with a disability or it can be acquired following illness or an accident.

Disability causes are divided into:

- mental impairment,
- mental illness,
- hearing, voice and speech impairment,
- diseases of the optical organ,
- locomotive organ impairment,
- epilepsy,
- respiratory diseases,

- diseases of the digestive system,
- diseases of the urinary system
- neurological diseases,
- other for example metabolic,
- pervasive developmental disorder.

Correct name for disabled is a person with a disability. Every

day we can hear sentence - disabled person, but the person is not fully disabled. The person has disabilities.



7. There is a lot of bureaucracy involved in getting financial assistance for hiring people with disabilities, and the procedures are complicated.

- The employer can turn to the Employers' Association or other entities, such as various Foundations, Governmental and Non Governmental Organizations, which will explain and help in a very reliable and courteous manner.

8. When can we tell that a person has a disability?

- Some disabilities are visible to the naked eye, others are hidden and we only know about them when we find out from our co-worker. A visible disability is for example a limitation in limb function, and an invisible disability is for example an advanced diabetes.

9. What are the stereotypes surrounding disability? (cooperation in teams/friendly cooperation).

- There are a lot of myths about disability, mainly due to insufficient knowledge about it. These are mainly:

- People with disabilities need our help.

Everyone wants to be independent and this is true for both, healthy people and people with disabilities. Help if you are asked to.

- People with disabilities are ashamed of being different.

Everyone is different and everyone has a need to be seen in a positive light. Not disclosing a disability involves a zone of privacy. People with visible disabilities do not want to be seen as different. However, if

someone tells you themselves about their disability, don't be afraid to ask.

- All people with disabilities have mental retardation.

Types and degrees of disabilities vary and not all affect the mental sphere.

- A blind person cannot use a computer or telephone.

For the blind, there are many programs that allow them to use current technology. It happens that they are better at it than people with perfect vision.

- People with disabilities are only suitable for security and cleaning.

This is a very hurtful myth because people with disabilities have the right and ability to be educated just as much as healthy people. They are often masters, PhDs, working on a very high positions and doing very well.

- A person with speech problems should not be asked to repeat their sentence.

A person with speech problems is aware that sometimes they may not be understood and there is nothing embarrassing about asking them to repeat themselves.

- It is impossible to communicate with a person who is deaf.

People who are deaf know sign language and are often taught to read lips. There is no need to speak to them slower or louder. However, if you are uncomfortable talking to someone who is deaf, write to them.

10. How to talk about disability and how to react when you hear about it?

- Disability isn't something to be shy about and each person with disabilities wants to be treated normally, because they are normal people. Some healthy people are afraid of talking to people with disabilities as they think they might blunder. We don't use words cripple, invalid, sick, as they are negatively marked. The term person with disability means that this person has something and not that this person doesn't have it. To a visually impaired person you could easily say - see you, because that is the way we always say goodbye and it won't be a blunder. We don't say deaf, because it is a hearing impaired person. We don't say someone is chained to a wheelchair, because a

wheelchair gives freedom and it is a person who moves in a wheelchair. It isn't acceptable to say to someone "you spastic (spas)". If a person does not say anything about their disability do not bring up the subject, but if the person is open and tells us all herself, do not be afraid – just ask. Regarding all people – as well as non disabled and disabled – you should act in a way that would not affect their dignity in any manner and to demonstrate respect they deserve. Within relations with disabled people more understanding and acceptance is needed, but it's only because of their illness and the limitations that they are having because of it.

11. What is worth knowing about people with disabilities?

- Do not get annoyed if your coworker goes to the toilet and is gone for the past 20 minutes. If his disability is mobile he will need more time. If your coworker is a hearing or sight impaired person, ask if he/she needs any help or changes in work, for example in the layout of a table in Excel. If you are working with a person who suffers with Multiple Sclerosis or Infantile Cerebral Palsy, remember that this person will deal with stressful situations not as well as you would. Individuals whose hearing is impaired since birth may write slightly differently than you do, but it is still understandable and makes sense. Epileptic seizures are unstoppable; during the seizure all objects that can be a threat to the sufferer's head should be moved away; when the seizure is over the sufferer needs rest and time to recover.

To sum up the subject of employing people with disabilities, it is clear that every employer can benefit to a great extent, both financially and in terms of the company's image. It is necessary to begin to perceive employees with disabilities in a completely normal way. In Poland the employment rate of the group mentioned above is still one of the lowest in the European Union. Out of a population of 3.5 million people with disabilities, less than 0.5 million are working. Employers continue to perceive people with disabilities as "the worse sort", although this is changing. This is related to various negative stereotypes that have been present in Polish society for decades.

Times are changing and so are attitudes towards many issues, including the employment of people with disabilities. We need to move with the times,

to be open to what is new and unknown, and what seems worse and weaker can often be a pillar, a rock, a foundation. We have many valuable people in Poland who are just waiting to get a chance for decent work.

It's time for change.





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