

CONCEPT NOTE
PUBLIC DISCUSSION

Quota systems for employment of people with disabilities: advantages, disadvantages and affirmative actions based on international experience.

Background

ILO Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia of the is implementing project “Enhancing disability – inclusiveness of social protection system in Kyrgyzstan”, funded by the European Union within a framework of ILO/EU Global Programme “Improving Synergies between Social Protection and Public Finance Management”. The project aims to support the Government of the Kyrgyz Republic to design, cost, implement and monitor effective disability-inclusive social protection schemes and services, thus improving the overall system and enabling full participation of people with disabilities (PwDs) in the community and enabling their access to employment opportunities and labour market.

The project is aligned with the commitments of the Kyrgyz Republic to implement the UN Convention on the Rights of Persons with Disabilities (UN CRPD). Disability inclusion is prioritised in the National Development Strategy of the Kyrgyz Republic until 2040 and the National Development Programme until 2026. The Government is working on the development of the National Programme “Inclusive Country” for 2021-2024 to enhance disability inclusiveness of the environment, institutions and services. The Ministry of Labour, Social Security and Migration is making efforts to improve the implementation of and compliance with regulated quota system for employment of disadvantaged job-seekers, including persons with disabilities.

Quota systems vary from country to country in terms of the level of the percentage obligation, the size of economic unit required the meet the quota system, whether they are public and/or private sector employers. According to articles 314, 315 of the Labor Code of the Kyrgyz Republic and the Law "On the Rights and Guarantees of persons with disabilities", the Public Employment Service with the participation of organizations of people with disabilities develop standards for job quotas for people with disabilities. Local self-government bodies approve at least 5 percent of jobs in economic units with more than 20 employees for workers with disabilities. At the same time, due to this standard, it is allowed to provide part-time work. Quota system is a requirement for state-owned enterprises. For private economic units, such rules are more advisory in nature. And even in state organizations, the quota is rarely observed.

In this context, the Ministry of Labour, Social Security and Migration, requested ILO to share examples of good practices promoting employment of persons with disabilities using quota system or other affirmative actions in line with international labour standards. Given the policy level attention to employment of persons with disabilities a number of international and national organizations have either conducted legislation and policy reviews or have implemented pilot initiatives with lessons learnt that can inform next steps in policy design and implementation.

Objectives

- Present and analyze key features of the quota system and challenges in its implementation in Kyrgyzstan;
- Present overview of international experiences with quota systems and examples of countries that have made effective progress in setting up and implementing quota system (France) and example of regulation, implementation and enforcement of quota system and affirmative action (Spain);

- Identify practical steps that could support access to decent work for persons with disabilities in Kyrgyzstan in line with international labour standards.

Target audience:

- Representatives of Parliament of the Kyrgyz Republic (Jogorku Kenesh);
- Representatives of Ministry of Labour, Social Security and Migration of the Kyrgyz Republic;
- Representatives of Ministry of Economy and Commerce of the Kyrgyz Republic;
- Representatives of the Ministry of Finance of the Kyrgyz Republic;
- Representative of employer's organization: Business Association "JIA", International Business Council;
- Representative of worker's organization: Federation of Trade Unions of Kyrgyzstan;
- Representatives of organizations of persons with disabilities;
- Representatives of international developments partners of the Kyrgyz Republic;
- Persons with diverse disabilities, parents and supporters.

Format

Public consultation will be organised as a half day, hybrid format event with participants (presenters, constituents, organisations of persons with disabilities, civil society organisations, development partners) in Bishkek and international presenters joining virtually. Depending on the epidemiological situation the format of the event may shift to online mode. Furthermore, should there be a need/interest further discussion on specific topics may be organised in future.

The meeting will be structured around the following:

A. Presentation:

Presentation of key challenges and options for sustainable employment of persons with disabilities in Kyrgyzstan based on empirical evidence and legislation and policy analysis conducted by constituents and development partners. Each presenter will be invited to draw on their experience, share case studies and make practical recommendations relevant in Kyrgyzstan context.

B. Experience-sharing:

Presentation of i): real-life examples of application of quota system with accompanying legal, financial, institutional and partnerships requirements that need to be in place for compliance with the system; analysis of the impact on actual employment of persons with disabilities. Potential examples include France; ii) Regulation, implementation and enforcement of quota system and affirmative action, Spain.

C. Policy and practical reflection:

Participants will be invited to share their observations on elements of international examples and their potential to inform legislation, policy and practice in Kyrgyzstan. The focus of discussion will be on practical issues: *What needs to change? How can it be changed? Who needs to initiate the change? What type of support is needed by employers? What type of support is needed by job-seekers and workers with disabilities?* In addition, through chat window, participants may: raise questions to the presenters, share good practices on addressing the needs of persons with disabilities.

D. Reflections on the way forward:

Participants will share reflections on how governments and social partners as well as civil society organization could move forward in partnership to support employment of persons with disabilities in national context of Kyrgyzstan.



Date and time: September 23, 2022, at 13:40 PM (Bishkek time)

Format: hybrid

Working languages: English, Russian. Simultaneous interpretation provided.

Location: hotel Orion, Hall "Ak-Sai". Bishkek, Erkindik Boulevard 21

ZOOM link:

<https://us06web.zoom.us/j/83951385494?pwd=TUllOE1JbFYrdFBLdzlTM21SR2FFZz09>

Meeting ID: 839 5138 5494

Passcode: 111

DRAFT

