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**OBAVEZA ZAPOŠLJAVANJA
OSOBA SA INVALIDITETOM U SRBIJI
Primeri dobre prakse**

SEPARAT/RESUME

**OBLIGATION OF EMPLOYMENT
OF PEOPLE WITH DISABILITIES IN SERBIA
Examples of good practice**





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Projekat pod nazivom „*MIDWAY Faza dva – Uključivanje u obrazovanje dece sa teškoćama u razvoju i zapošljavanje osoba sa invaliditetom*“ se podržava kroz program „Inicijativa javnog zagovaranja građanskog društva“ (CSAI) kojim rukovodi Institut za održive zajednice (ISC).

Projekat je sproveden u partnerstvu organizacija Centar za samostalni život osoba sa invaliditetom Srbije (CSŽ), Centar za interaktivnu pedagogiju (CIP) i Catholic Relief Services – United States Conference of Catholic Bishops (CRS), kancelarija u Srbiji.

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CIL implemented this project in partnership with Center for Interactive Pedagogy (CIP) and Catholic Relief Services-United States Conference of Catholic Bishops (CTS), Belgrade office.

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1. UVOD

Ovo istraživanje i publikacija koja predstavlja njegove rezultate su realizovani u okviru projekta "Uključivanje u obrazovanje dece sa teškoćama u razvoju i zapošljavanje osoba sa invaliditetom" – MIDWAY. Projekat je realizovan uz finansijsku podršku Američke agencije za međunarodni razvoj USAID.

Glavni cilj projekta je doprinos integraciji muškaraca, žena i dece s invaliditetom u ekonomski i društveni život u Srbiji. Projekat je imao dva strateška cilja, a Strateški cilj 1. na čijoj realizaciji je radio Centar za samostalni život osoba sa invaliditetom Srbije (CSŽ), bio je da osobe sa invaliditetom (OSI) imaju povećane mogućnosti za efektivno zapošljavanje. Ovo istraživanje i publikacija, obuhvataju samo deo projekta koji je sprovodio Centar za samostalni život osoba sa invaliditetom Srbije.

Projekat je realizovan u dve faze. U prvoj fazi (od oktobra 2008. do jula 2010. godine) sprovedeno je prvo istraživanje koje je imalo za cilj da: (1) ispita postojeći pravni okvir za zapošljavanje osoba sa invaliditetom u Srbiji, (2) identifikuje postojeće podsticajne mere za zapošljavanje osoba sa invaliditetom, (3) ispita i analizira karakteristike nezaposlenih OSI kao ponudu na tržištu radne snage i (4) ispita kapacitete i spremnost poslodavaca za zapošljavanje OSI. Rezultati istraživanja objavljeni su u posebnoj publikaciji „Zapošljavanje osoba sa invaliditetom u Srbiji – Mogućnosti i izazovi“ (Beograd, 2010).

1. INTRODUCTION

This research and publication presents the results achieved under the project "Mainstreaming Inclusiveness for Disabled Workers and Youth" - MIDWAY. The project was financially supported by the US Agency for International Development USAID.

Its main objective is to contribute to the integration of men, women and children with disabilities in economic and social life in Serbia. The project had two strategic objectives and Center for Independent Living of Persons with Disabilities of Serbia worked on strategic objective 1 - increased opportunities for effective employment of persons with disabilities. This research and publications cover only part of the project which has carried out by CIL Serbia.

The project was implemented in two phases. The first study was conducted in the first phase (from October 2008 until July 2010) with aim to: (1) examine the existing legal framework for employment of persons with disabilities in Serbia, (2) identify existing measures for hiring persons with disabilities, (3) examine and analyze the characteristics of unemployed persons with disabilities in the labor market and (4) examine the capacity and willingness of employers to employ PWDs. The findings are published in a special publication "Employment of People with Disabilities in Serbia - Opportunities and Challenges" (Belgrade, 2010).

U drugoj fazi ovog projekta koja je realizovana od decembra 2010. do oktobra 2011. godine, Centar je sproveo novo istraživanje sa ciljem praćenja i prikupljanja primera dobre prakse u zapošljavanju osoba s invaliditetom. Ovo istraživanje je obuhvatilo: (1) Istraživanje uticaja na zapošljavanje osoba s invaliditetom stupanja na snagu člana 24. Zakona o profesionalnoj rehabilitaciji i zapošljavanju OSI i regulisanja obaveze zapošljavanja OSI od maja 2010. godine i (2) izradu pregleda primera dobrih praksi u zapošljavanju OSI.

Centar za samostalni život osoba sa invaliditetom Srbije je projekat realizovao sa mrežom svojih saradnika i lokalnih organizacija Centra u pet opština u Srbiji: Novi Beograd, Kragujevac, Leskovac, Niš i Novi Sad.

In the second phase of this project, which was implemented from December 2010 to October 2011, CIL Serbia conducted a study to monitor and collect examples of good practice in employing people with disabilities. This research included: (1) research the impact on employment of people with disabilities after the adoption of Law on professional rehabilitation and employment of persons with disabilities, especially the Article 24 and obligation which regulate the employment of persons with disabilities from May 2010 and (2) the review of examples of good practice in employing PWDs.

Center for Independent Living of Persons with Disabilities of Serbia has implemented this project within its network of associates and CIL local organizations in: Novi Sad, Kragujevac, Leskovac, Nis and Novi Sad.

2. REZIME ISTRAŽIVANJA

Centar za samostalni život osoba sa invaliditetom Srbije je u okviru druge faze projekta Uključivanje u obrazovanje dece sa teškoćama u razvoju i zapošljavanje osoba sa invaliditetom (MIDWAY) sproveo istraživanje pod nazivom "Obaveza zapošljavanja osoba sa invaliditetom u Srbiji – primeri dobre prakse". Istraživanje je obuhvatilo: (1) istraživanje uticaja primene odredbe o obavezi zapošljavanja OSI, Zakona o profesionalnoj rehabilitaciji i zapošljavanju OSI koja se primenjuje od maja. 2010. godine na zapošljavanja osoba sa invaliditetom i (2) prikupljanje i prikaz dobrih praksi u zapošljavanju OSI.

Istraživanje je zasnovano na sledećim istraživačko-metodološkim postupcima:

- (1) analizi dokumenata i statističkih podataka relevantnih za primenu Zakona o profesionalnoj rehabilitaciji i zapošljavanju osoba sa invaliditetom (desk istraživanje)
- (2) kvantitativna i kvalitativna analiza podataka prikupljenih anketom, intervjuima i diskusijama u fokus-grupama (kvantitativno i kvalitativno istraživanje).

Anketa je realizovana na uzorku koji čine 78 zaposlenih osoba sa invaliditetom i 44 poslodavca. Uzorak je bio namerni i kvotni, pri čemu su ciljane privatne kompanije, odnosno poslodavci, koji zapošljavaju više od 20 osoba, a koje predstavljaju potencijalne primere dobre prakse.

2. RESEARCH SUMMARY

During the second phase of MIDWAY project Inclusion in the education of children with disabilities and employment of persons with disabilities, Center for Independent Living of Persons with Disabilities of Serbia conducted a study entitled "The obligation of employing persons with disabilities in Serbia – positive examples". The study included: (1) research of influence of the provisions on the obligation of hiring people with disabilities within the Law on professional rehabilitation and employment of persons with disabilities – in practice from May 2010 and (2) the collection and presentation the examples of good practice in employing the PWDs.

The research is based on the following research and methodological procedures:

- (1) analysis of documents and statistical data relevant to the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities (desk research) and
- (2) quantitative and qualitative analysis of data collected by survey, interviews and discussions in focus groups (empirical research).

The survey was carried out on a sample consisting of 78 employees with disabilities and 44 private employers engaging 20 and more workers.

Istraživanje zaposlenih OSI je obuhvatilo:

Prikupljanje i analizu podataka o socijalno - demografskim obeležjima ispitanika, obrazovanju i stručnoj spremi; zapošljavanju i radnoj karijeri; karakteristikama radnog okruženja i potrebama za podrškom, proceni psihosocijalnih uslova rada i barijera za zapošljavanje, porodičnoj situaciji i životnom standardu.

Istraživanje poslodavaca je obuhvatilo:

Prikupljanje i analizu podataka o primeni Zakona i broju zaposlenih OSI, regrutovanju kandidata i prilagođavanju uslova rada, zadovoljstvo poslodavaca radnim kapacitetima i rezultatima zaposlenih OSI i planovi za budućnost u primeni Zakona.

Kriterijum za identifikovanje dobre prakse bili su: stabilnost radne karijere, zadovoljstvo osobe sa invaliditetom i poslodavca, pozitivan uticaj zapošljavanja na kvalitet života OSI i pozitivan stav poslodavca prema budućem zapošljavanju OSI.

Na osnovu rezultata ankete i kriterijuma za dobru praksu, obavljani su intervjui sa 17 odabranih zaposlenih osoba sa invaliditetom i njihovim poslodavcima, urađena kvalitativna analiza i dat opis primera dobre prakse u zapošljavanju OSI.

Diskusije u Fokus-grupama sa članovima koalicija u pet gradova u kojima je realizovan projekat poslužile su za dobijanje dodatnih podataka i definisanje preporuka za dalje unapređivanje zapošljavanja OSI.

The study of employees with disabilities covered:

Collecting and analyzing data on the socio - demographic characteristics of participants, education and professional qualifications, employment and careers, workplace characteristics and needs for support, assessment of psychosocial working conditions and barriers to employment, family situation and living standards.

The survey of employers included:

Collection and data analysis on law enforcement and the number of employees with disabilities, recruiting candidates and adapting working conditions, satisfaction of employers and working capacity of employees with disabilities results and plans for future implementation of the Law.

The criteria for identifying the good practice examples were: the stability of the working career, satisfaction of PWDs and the employer, the positive impact of employment on quality of life of persons with disabilities and a positive attitude towards future employer hiring PWDs.

Based on survey results and criteria for good practice, the interviews were conducted with 17 selected employees with disabilities and their employers, as well as a qualitative analysis and a description of examples of good practice in employing the PWDs.

Discussions in focus groups with members of the coalition of the five cities where the project was implemented were used to obtain additional information and definition of recommendations for further improvement of disabled employment.

Obaveza zapošljavanja osoba sa invaliditetom – okvir za monitoring

Obaveza zapošljavanja, u smislu Zakonu o profesionalnoj rehabilitaciji i zapošljavanju osoba sa invaliditetom (Službeni glasnik Republike Srbije, br.36/2009) jeste obaveza svih poslodavaca koji zapošljavaju 20 ili više lica u radnom odnosu, da zaposle određeni broj osoba sa invaliditetom. Poslodavac koji ima od 20 do 49 zaposlenih dužan je da zaposli jednu osobu sa invaliditetom, od 50 do 100 zaposlenih, dve i na svakih daljnjih 50 zaposlenih još po jednu OSI.

Zakon predviđa tri ravnopravna modaliteta za izvršenje obaveze zapošljavanja OSI i to: (1) zapošljavanje Zakonom utvrđenog broja zaposlenih OSI; (2) učešće u finansiranju zarada OSI u preduzeću za profesionalnu rehabilitaciju ili socijalnom preduzeću i (3) izvršavanjem finansijske obaveze iz ugovora o poslovno tehničkoj saradnji sa preduzećem za profesionalnu rehabilitaciju i zapošljavanje OSI.

Za neizvršavanje obaveze zapošljavanja predviđene su sankcije u vidu penala za neispunjenje obaveze zapošljavanja i kazni za nepoštovanje zakonskih normi.

Praćenje izvršenja obaveze zapošljavanja OSI utvrđeno je Zakonom i podzakonskim aktima (Službeni glasnik Republike Srbije“ br.33/2010), koji propisuju format i rokove za izveštavanje, koji se dostavlja nadležnoj jedinici Poreske uprave jednom mesečno.

The obligation of employing persons with disabilities - a framework for monitoring

In terms of the Law on Professional Rehabilitation and Employment of People with Disabilities any employer who employs 20 or more persons is obliged to employ a certain number of people with disabilities. An employer who has 20 to 49 employees is obliged to employ one person with disabilities, two PWDs on company employed from 50 to 100 employees and on each additional 50 employees – one more PWD.

The law provides three equal modalities for the realisation of employment of persons with disabilities: (1) Employment the certain number of PWDs in accordance with the Law, (2) participation in financing the salaries of people with disabilities who are on professional rehabilitation program or in social enterprise and (3) realisation the financial obligations from the contract on business and technical cooperation with the company for professional rehabilitation and employment of the disabled.

In case of failure the duties of employment there are sanctions in form of penalties for non-employment obligations and penalties for non-compliance of legal norms.

Monitoring the performance of employment of PWDs is established by the Act and by-laws which prescribe the format and timetable for reporting, submitted to the competent unit of the Tax Administration once a month. Reporting on monitoring the

Izveštavanje o praćenju primene zakona je u nadležnosti dva ministarstva: Ministarstva ekonomije i regionalnog razvoja i Ministarstva finansija. Primena obaveze zapošljavanja osoba sa invaliditetom stupila je na snagu 23. maja 2010. godine.

Podaci o ukupnom izvršenju obaveze zapošljavanja OSI u Srbiji

Praćenje primene Zakona zasniva se uglavnom na podacima Nacionalne službe za zapošljavanje i Ministarstva ekonomije i regionalnog razvoja.

Ponuda rada osoba sa invaliditetom je, prema evidenciji NSZ, u blagom opadanju ali i dalje predstavlja veliki obim nezaposlenosti. Pre početka primene Zakona, broj OSI koje su tražile zaposlenje iznosio je 21.733 lica. Nakon prvih šest meseci primene Zakona, broj nezaposlenih OSI je smanjen za 1.371. Posle godinu dana primene Zakona, broj nezaposlenih osoba sa invaliditetom je i dalje manji nego na početku ovog perioda za 1.007 lica. U odnosu na prvih šest meseci, u drugoj polovini godine primene Zakona broj OSI koji traži zaposlenje je uvećan za 364.

Jednu trećinu nezaposlenih osoba sa invaliditetom čine žene. Njihov udeo u nezaposlenosti je u blagoj tendenciji porasta. U prvoj godini primene Zakona, povećao se za 1,0% udeo žena u strukturi OSI koje traže zaposlenje.

Ponudu rada osoba sa invaliditetom karakteriše veoma nizak nivo stručne spreme. Više od 2/3 nezaposlenih osoba sa invaliditetom (77,7%) ima niži nivo stručnosti a od početka primene Zakona uvećan je udeo nezaposlenih OSI sa IV

implementation of the Law is the responsibility of the Ministry of Economy and Ministry of Finance. Obligation of employment of PWDs was mandatory from May 23, 2010.

Data on the overall realisation of duties of employment PWDs in Serbia

Monitoring the implementation of the Law is based mainly on data of the National Employment Bureau (NEB) and the Ministry of Economy and Regional Development.

Persons with disabilities who are unemployed, according to the NEB decreases but very slowly. Before the implementation of the Law, the number of persons with disabilities seeking employment was 21.733. Six months after the implementation of the Law the number of unemployed decreased by 1.371. After a year of implementation, the number of unemployed PWDs is still lower than at the beginning of this period to 1.007 persons. In the first six months, in the second half of the number of PWDs who were seeking employment is increased by the 364.

One-third of unemployed PWDs are women. Their share of unemployment is in mild tendency to rise. In the first year of Law implementation the structure of the share of women with disabilities seeking employment increased by 1,0%.

PWDs on the labor market are characterized by very low levels of education. More than two third of unemployed PWDs (77,7%) had a lower level of expertise. From the beginning of the Law implementation the proportion

stepenom stručne spreme, kao i u deo lica sa višim i visokim obrazovanjem. Iako su ove promene male i srazmerne ukupnom učešću visokoobrazovanih stručnjaka u ukupnoj ponudi rada osoba sa invaliditetom, ova tendencija je veoma značajna i indikativna za nove tendencije u obrazovanju osoba sa invaliditetom.

Na početku primene Zakona najveće učešće među nezaposlenim osobama sa invaliditetom imali su invalidi rada (43,6%), kategorisana omladina (21,3%) i vojni invalidi (19,4%). Nova tipologija stepena invalidnosti zasnovana je na proceni radne sposobnosti i rešenjima Nacionalne službe za zapošljavanje. Ona je ustanovljena samo za lica kojima je ta procena u međuvremenu urađena. U procenjenoj ponudi rada osoba sa invaliditetom prevladava prvi stepen invalidnosti (76,9%) što znači da 3/4 nezaposlenih OSI kojima je NSZ izdala rešenje o invalidnosti može da se zapošljava „pod opštim uslovima“ ili na „otvorenom“ tržištu rada. Zastupljenost trećeg stepena invalidnosti koji označava da su teškoće i prepreke za ove osobe višestruke i da se lice ne može zaposliti ili održati zaposlenje „ni pod opštim ni pod posebnim uslovima“, iznosi 4%.

Od početka primene Zakona sa evidencije NSZ zaposleno je 3.435 osoba sa invaliditetom, što je više nego u periodu pre početka primene odredbe o obavezi zapošljavanja, mada postoji značajna razlika u dinamici zapošljavanja. U prvih šest meseci primene odredbe povećan je obim zapošljavanja za 66,8% u odnosu na period pre primene Zakona, dok je u narednih šest meseci, dinamika

of unemployed PWDs with secondary school was increased, as well as the proportion of persons with higher education. Although these changes are small and proportional to the total participation of highly educated professionals in the total labor market offer of PWDs, this tendency is very significant and indicative of new trends in education of persons with disabilities.

At the beginning of Law implementation the highest share of unemployed persons with disabilities have been: disabled at work (43,6%), categorized adolescents (21,3%) and war veterans (19,4%). A new typology of the degree of disability is based on the estimation of labor capabilities and solutions to the National Employment Bureau – for persons who were assessed since Law adoption. The dominated number of people with disabilities with the first category/level of disability (76,9%) means that three third of unemployed persons with disabilities with the NEB verification on disability can be employed „under the general conditions“ or „open“ market. Persons with the third degree of disability - which means that the difficulties and obstacles for these people are multiple and that possibility for employment „under general or under specific conditions“, is 4%.

From the beginning of Law implementation NEB employs 3.435 PWDs from its register, which is higher than in the period before the Law, although there is a significant difference in the dynamics of employment. In the first six months of implementation the scope of employment increases for 66,8% compared to the period prior to Law implementation. In the second half of the year the pace of employment

zapošljavanja značajno usporena, mada je i dalje u porastu za 10,4% u odnosu na period pre primene Zakona. Ukupan obim zapošljavanja je nešto veći, jer se oko 10% osoba sa invaliditetom zapošljava a da se prethodno nije nalazio na evidenciji NSZ, ali takođe sa početkom primene odredbe o obaveznom zapošljavanju raste udeo zapošljavanja posredstvom NSZ koji je od 85,9% iz perioda pre primene Zakona povećan na 92,3% u prvih šest meseci primene Zakona.

U izveštajima Nacionalne službe za zapošljavanje međutim nedostaje skup podataka kojima se prati priliv na tržište rada OSI (broj novoprijavljenih, broj skinutih sa evidencije, broj prestanaka radnog odnosa) i potražnja rada osoba sa invaliditetom (prijavljene potrebe za zapošljavanjem koje su dostupne i za OSI), pa je tako broj OSI koji su evidentirani kao zaposleni u određenom periodu, veći od broja lica koji su „skinuti“ sa evidencije kao lica koja su tražila zaposlenje. Bez ovih podataka možemo samo da pretpostavimo, da je na sceni paralelni proces, porast odliva (zapošljavanja) i priliva (prijave za zapošljavanje) na tržištu rada koji je podstaknut otvaranjem perspektive za zapošljavanje osoba sa invaliditetom. To upućuje na pretpostavku da je primena Zakona uticala na pokretanje tržišta rada za osobe sa invaliditetom što jeste jedan od ciljeva u primeni odredbe o obaveznom zapošljavanju.

Celovitu sliku o primeni obaveze zapošljavanja OSI pružaju podaci o ukupnom broju zaposlenih osoba sa

slowed considerably, although it is still increasing by 10,4% over the period before the Law implementation period. The total volume of employment is slightly higher, as about 10% of people with disabilities, who were not in NEB register, was employed. It was also the beginning of implementation of the provisions on mandatory employment that influenced the growing share of employment through the NEB (from 85,9% in the period before Law to 92,3% in the first six months of its implementation).

Reports of the National Employment Service, however, lacks a set of data that follows the flow of persons with disabilities in the labor market (number of new, number of removed from the record, number of termination of employment) and labor demand of PWDs (reported hiring needs, which are available for persons with disabilities). So, the number of persons with disabilities who are registered as employed in a given period is greater than the number of persons who are "removed" from the records of such persons who are seeking employment. Without this information, we can only assume that there is a parallel process happening - the increase in outflow (employment) and income (employment applications) in the labor market that is driven by the opening prospects for employment of persons with disabilities. This leads to the assumption that the implementation of the law affected the start of the labor market for people with disabilities which is one of the goals in implementing the provisions on mandatory employment.

Complete picture of the employment obligations for PWDs provides data on total number of employed persons with

invaliditetom koju poslodavci dostavljaju Poreskoj upravi. Na osnovu ovih podataka može se direktno pratiti ispunjenost obaveze poslodavaca i, naročito, modaliteti ispunjenost obaveze zapošljavanja. Prema ovim izveštajima krajem aprila 2011. godine bilo je zaposleno 15.745 OSI. Zaposlenost osoba sa invaliditetom povećana je od juna 2010. godine, kada je bilo zaposleno 11.955 OSI, do aprila 2011. godine za 31,8%. Stopa zaposlenosti osoba sa invaliditetom povećana je, takođe, sa 2,0 na 2,8.

U izvršenju obaveze zapošljavanja OSI, poslodavci se u većini opredeljuju za modalitet zapošljavanja, a po poslednjem izveštaju udeo poslodavaca koji se opredelio za zapošljavanje osoba sa invaliditetom umesto uplaćivanja u Budžetski fond iznosio je 77,0%.

Rezultati ankete zaposlenih OSI i poslodavaca u uzorku istraživanja

Zaposlene OSI

U uzorku zaposlenih OSI je podjednako učešće muškaraca (50%) i žena (50%). Prosečna starost zaposlenih OSI iznosi oko 34 godine. Oko dve trećine zaposlenih OSI živi u gradovima.

Najveće učešće u uzorku čine osobe oštećenog sluha i osoba lakše ometenih u razvoju a zatim kategorije „ostalo“ koja obuhvata osobe sa različitim vrstama oštećenja kao što su: ozbiljne govorne mane, dijabetes, ozbiljnija oštećenja srca, kraći ekstremiteti i sl. Samo 20% anketiranih OSI je izjavilo da im je potrebna podrška u svakodnevnom

disabilities by employers to the tax authorities. Based on these data the fulfillment of the obligations of employers can not be directly monitored, in particular, the modalities of the compliance obligations of employment. According to these reports at the end of April 2011 there were 15.745 employed persons with disabilities. Employment of persons with disabilities increased from June 2010, when 11.955 persons with disabilities were employed, up to April 2011 by 31,8%. The employment rate of people with disabilities has increased also from 2,0 to 2,8.

In carrying out duties of employment persons with disabilities, employers mostly opt for the employment (77,0%) instead of payment in the budget fund.

Results of the survey of employers and employees with disabilities in the sample survey

Employees with disabilities

In a sample of employees with disabilities is equal participation of men (50%) and women (50%). The average age of employees with disabilities is about 34 years. About two-thirds of employees with disabilities live in cities.

The largest proportion of the sample consists of people with hearing impairments and persons with slight learning difficulties, then the category "Others" which includes people with different types of disability such as severe speech defects, diabetes, serious heart damage, shorter limbs and so on. Only 20% of respondents with disabilities said

funkcionisanju. Pri tome, ipak 30,8% zaposlenih OSI smatra da im je potrebna podrška na radnom mestu. Ona se odnosi pre svega na blagu podršku u obavljanju fizičkih aktivnosti, podršku u komunikaciji i na podršku tokom uvođenja u posao. Više od 2/3 anketiranih OSI u uzorku ima srednje stručno obrazovanje, što je značajno više od proseka u ukupnom broju nezaposlenih OSI na evidenciji NSZ.

Skoro polovina anketiranih osoba sa invaliditetom je imala prethodno radno iskustvo (44,9%). Osobe sa senzornim i mentalnim oštećenjima češće su imale radno iskustvo u odnosu na osobe sa telesnim oštećenjima. Čak 80% anketiranih OSI u uzorku je zaposleno nakon stupanja na snagu odredbe o obaveznom zapošljavanju. Prosečna dužina aktuelnog radnog odnosa iznosi 8 meseci, a najkorisnija institucija u procesu zapošljavanja bila je Nacionalna služba za zapošljavanje.

Zaposlene OSI najviše obavljaju pomoćne i fizičke poslove i poslove održavanja i obezbeđenja (71,8%) zatim pružanja usluga, a u najmanjoj meri su zastupljeni stručni poslovi. Uprkos tome, 69,7%, OSI smatra da poslovi koje obavljaju odgovaraju ili bar delimično odgovaraju kompetencijama koje poseduju i zanimanju za koja su se školovali.

Prilagođavanje radnog okruženja je, prema oceni anketiranih, potrebno za 57,7% OSI, a za polovinu od njih ovo prilagođavanje se odnosi na prilagođavanje organizacionih uslova

that they need support in everyday functioning. In doing so, however, 30,8% of employees with disabilities believe that they need support in the workplace. It applies primarily to support a mild physical activity, support to communication and support during the adjustment to a new job. More than 2/3 of respondents with disabilities in the sample finished secondary school, which is significantly higher than the average in the total number of unemployed persons with disabilities on the NEB.

Almost half of people with disabilities has had previous work experience (44,9%). People with sensory and mental disabilities were more likely to have work experience in relation to people with physical impairments. Up to 80% of people with disabilities in this sample were employed after the new Law and its provisions on mandatory employment. The average length of current employment is 8 months and the most important institutions in the recruitment process was the National Employment Bureau.

Employees with disabilities mostly performing basic jobs, support, maintenance, security (71,8%) and services, and least numerous are professional jobs. Despite this, 69,7% of PWDs believes that the work they perform meet or at least partially correspond to the competencies that they got through their education.

Regarded to respondents, adaptation of working environment is needed in 57,7% and half of them address adjustment to organizational conditions. Almost all respondents expressed satisfaction with

rada. U skladu sa ovim nalazom, skoro svi ispitanici su iskazali zadovoljstvo prilagođenošću radnog mesta (93,3%). Ovo bi značilo da je trećina radnih mesta (35,7%) već bila prilagođena u trenutku kada su se OSI zaposlile ili uopšte nije zahtevala prilagođavanje u trenutku zapošljavanja. Psihosocijalni uslovi rada, kako ih vide zaposlene OSI, su uglavnom dobri a na skali baziranoj na modelu zahteva i resursa posla (Job Demands-Resources Model) njihov skor je veći od prosečnog.

U 98,7% slučajeva zaposlene OSI se ne osećaju diskriminisano u svojoj organizaciji. Možemo osnovano pretpostaviti da zapošljavanje i uključenost u radnu zajednicu, smanjuje i, gotovo, isključuje subjektivni doživljaj diskriminacije. Nakon početka primene obaveze o zapošljavanju, a naročito kod osoba koje su se zaposlile, prevladava optimizam i osećaj sigurnosti u pogledu perspektiva za zapošljavanje OSI. Skoro polovina (42,3%) anketiranih se oseća sigurno u pogledu mogućnosti za zapošljavanje. Kod nezaposlenih OSI je prevladavao osećaj nesigurnosti.

Skoro 75% zaposlenih OSI je imalo zaradu ispod proseka u Srbiji. Distribucija zarade je u skladu sa obrazovnom strukturom i još više sa radnim mestima i radnim zadacima koje obavljaju zaposlene OSI. Najveći broj OSI (60,3%) ima mesečnu zaradu koja se kreće u rasponu od 15 do 25 hiljada dinara. Životni standard u domaćinstvima zaposlenih OSI, po oceni anketiranih, je prosečan jer najveći broj (46,2%) procenjuje da živi „osrednje“. Gotovo ravnomerno je raspoređen udeo porodica koje žive „dobro“ (17,9%) i koje žive „loše“ (20,5%). Ključna razlika je u zastupljenosti onih koji žive „veoma

the job adjustment (93,3%). This would mean that a third of workplaces (35,7%) had already been adjusted or does not require adjustment. Psychosocial working conditions are generally good and on a scale based on model requires - job resources (Job Demands-Resources Model) their score is higher than the average.

In 98,7% of employees with disabilities do not feel discriminated in their organization. It is to expect that employment and involvement in ones community, reduce and almost shut off the subjective experience of discrimination. After the new Law almost half (42,3%) of respondents feel safe in terms of employment and on the other hand for unemployed persons with disabilities prevailing sense of insecurity.

Nearly 75% of employees with disabilities in Serbia had an income below the average. The distribution of earnings is consistent with the educational structure but more with the jobs and work tasks performed by employees with disabilities. The largest number of persons with disabilities (60,3%) had a monthly salary that ranges from 15 to 25 thousand dinars. The standard of living in households of employees with disabilities, according to respondents, is average as the largest number (46,2%) live „moderately“. The share of the families that live „good“ (17,9%) and living a „bad“ (20,5%) is

dobro" (2,6%) i porodica OSI koje žive „veoma loše" (12,8%). Po sopstvenoj oceni, zaposlenih OSI njihovo zapošljavanje se odrazilo i na poboljšanje materijalne situacije u domaćinstvu i na životni standard celokupne porodice.

Poslodavci

Što se tiče poslodavaca, pre stupanja na snagu odredbe o obavezi zapošljavanja OSI, samo polovina anketiranih poslodavaca je i ranije zapošljavala osobe sa invaliditetom. Ipak relativno mali broj je i ispunio obaveznu kvotu (6,8%) zapošljavanjem OSI u tom periodu, dok trenutno preovladava zapošljavanje manjeg broja OSI od propisanog. Nešto više od 20% poslodavaca ima zaposlenu samo jednu osobu sa invaliditetom. Samo 11% poslodavaca je prilagođavalo radna mesta i procese rada potrebama osoba sa invaliditetom.

Najveći broj poslodavaca (50,0%) obavlja izbor OSI koje će zaposliti u saradnji sa NSZ. Jedan broj se opredeljuje da osim saradnje sa NSZ (16,1%) ima kontakte i saradnju sa drugim akterima u lokalnoj zajednici. To su uglavnom udruženja osoba sa invaliditetom, škole, klubovi mladih i sl. Jedna trećina poslodavaca se oslanja „na vlastitu procenu". Većina poslodavaca (71,4%) nije do sada koristila beneficije za zapošljavanje OSI.

Radni učinak i produktivnost novozaposlenih osoba sa invaliditetom kao zadovoljavajući ocenjuje 84,1% anketiranih poslodavaca. Najveća

almost even. The key difference is in the presence of families with disabled member(s) who live „very good" (2,6%) and families „very poor" (12,8%). According to employees with disabilities their employment is reflected in the improved financial situation of their household and the standard of living for the whole family.

Employers

As for the employers, before the new Law, only half of surveyed employers had previously employed persons with disabilities. Yet relatively few meet the mandatory quota (6,8%) employing persons with disabilities during this period. Currently situation is that there are still fewer PWDs are employed than it is prescribed. Just around 20% of employers have employed only one person with a disability. Only 11% of employers are adapting workplaces and work processes to persons with disabilities.

The largest number of employers (50,0%) selects candidates with disabilities in cooperation with NEB. Some of them decides, besides the cooperation with the NEB (16,1%) to contact and cooperate with other actors in the local community. These are mainly associations of persons with disabilities, schools, youth clubs. One third of employers rely „on their own assessment". Most employers (71,4%) was not used on benefits of hiring persons with disabilities.

Surveyed employers assessed performance and productivity of newly employed people with disabilities as satisfactory in 84,1% of. The greatest

potvrda za pozitivno iskustvo poslodavaca su njihovi planovi za budućnost. Većina anketiranih poslodavaca (70,5%) tvrdi da će nastaviti sa zapošljavanjem OSI, dok se za uplaćivanje u Budžetski fond opredeljuje tek svaki dvadeseti poslodavac. Preostalih 25,0% poslodavaca ili je uskratilo odgovor (15,9%), ili jasno saopštavaju da su neodlučni (2,3%) ili da još ne razmišljaju o tome (6,8%).

confirmation of the positive experience of employers is their future plans. Most of surveyed employers (70,5%) said they will continue the employment of PWD, while the payment in budgetary fund chooses one in twenty of employers. Out of remaining 25,0% of employers did not respond (15,9%), or said that they are reluctant (2,3%) or did not think about employing PWDs (6,8%).

Primeri dobre prakse

Na osnovu već pomenutih i utvrđenih kriterijuma za dobru praksu identifikovani su primeri dobre prakse sa kojima su obavljeni dubinski intervjui. Sačinjen je pregled dobrih praksi u uzorku koji je obuhvatio tri poslodavca iz Beograda (DELTA MAXI, Dom zdravlja dr Ristići ITM-Group) tri iz Leskovca (PRINT-UP COPY d.o.o., BIMTEX d.o.o., i Prima Nova d.o.o.), dva iz Niša (Jakov Sistem d.o.o. i SEAVUS d.o.o.) dva iz Kragujevca (SUNCE d.o.o. i FORMA IDEALE d.o.o.) i jedan iz Novog Sada (TRS-Swis Production d.o.o.)

Examples of good practice

Eleven companies were listed upon the above mentioned and set criteria for the examples of good practice and willingness to be included in in-depth interviews. There are three of the employers in Belgrade (DELTA MAXI, Health Dr Ristic and ITM-Group), three from Leskovac (PRINT-UP COPY doo, BIMTEX doo, Nova and Prima LLC), two from Nis (Jakov Sistem d.o.o and Seavus) two from Kragujevac (FORM SUN LLC and Idea d.o.o) and one in Novi Sad (TRS-Swis Production Ltd.)

Opšti zaključci

Početak primene Zakona o profesionalnoj rehabilitaciji i zapošljavanju osoba sa invaliditetom i zakonske obaveze zapošljavanje OSI doprineo je oživljavanju tržišta rada za OSI, koje odlikuju dva karakteristična procesa: nagli porast zaposlenosti OSI i blago opadanje broja nezaposlenih među osobama sa invaliditetom. Razlike u intenzitetu ovih procesa, može se osnovano pretpostaviti, duguju se paralelnom procesu odliva

General conclusions

The beginning of the implementation of the Law on professional rehabilitation and employment of persons with disabilities and legal obligations has contributed to the employment of PWDs. It also contributed to revival of the labor market for people with disabilities, which are characterized by two distinctive processes: a sudden increase in employment of PWDs and a mild decrease in unemployment among PWDs. We can reasonably expect the

(zapošljavanja) i priliva (prijave na evidenciju NSZ) na tržištu rada osoba sa invaliditetom.

U prvoj godini primene Zakona, poslodavci su u većoj meri zapošljavali osobe sa lakšim oblicima ometenosti u intelektualnom razvoju, oštećenjem sluha i različitim oblicima funkcionalnog invaliditeta (invalidi rada). Zbog takve orijentacija u zapošljavanju OSI poslodavci nisu imali izraženije potrebe za prilagođavanjem uslova rada. Ukoliko bi se takva tendencija nastavila, osobe sa invaliditetom kojima je potrebna podrška i pomoć za aktivnosti u svakodnevnom životu i prilagođavanje uslova rada i podrška na radnom mestu, bili bi i dalje u nepovoljnom položaju na tržištu rada.

Positivna promena nastala primenom Zakona, što se poslodavaca tiče, ogleda se, između ostalog i u širenju njihovog pozitivnog iskustva o radnim kapacitetima OSI i koristi od njihovog zapošljavanja, posebno ako se ima u vidu da polovina anketiranih poslodavaca nije zapošljavala OSI pre primene Zakona.

Što se tiče samih OSI koje su dobile zaposlenje, pozitivne promene postignute su na više nivoa, uključujući:

- smanjenje subjektivnog doživljaja diskriminacije
- povećanje osećaja sigurnosti u pogledu rada, zapošljavanja i radne karijere
- prepoznavanje i vrednovanje vlastitog doprinosa poboljšanju materijalne situacije u domaćinstvu
- poboljšanje životnog standarda celokupne porodice

differences in the intensity of these processes, due to the parallel process of outflow (employment) and income (the application of NEB) persons with disabilities in the labor market.

In the first year of Law implementation, employers were increasingly employing people with slight intellectual disability, hearing impairment and different forms of functional disability (disabled workers). Because of that orientation in the employment, employers did not have stronger need for adjustment of working conditions. If this tendency continues, people with disabilities who need support and assistance for activities of daily life and adapting working conditions and support in the workplace, would still be at a disadvantage in the labor market.

Positive changes related to implementation of the Law are reflected, among other things, in spreading their positive experience of working capacity of persons with disabilities and benefits of their employment, particularly bearing in mind that half of surveyed employers did not employ persons with disabilities prior to application of the Law.

Positive changes for PWDs have been achieved on several levels, including:

- Reducing the subjective experience of discrimination
- Increased sense of security in terms of labor, employment and working career
- Identify and evaluate their own contributions to improving the material situation of households
- Improving the living standards of the entire family

Preporuke za dalji rad

Preporuke uključuju sugestije za više ključnih aktera u daljem procesu unapređenja zapošljavanja osoba sa invaliditetom.

Nadležna ministarstva (Ministarstvo ekonomije i regionalnog razvoja, Ministarstvo finansija, i Ministarstvo rada i socijalne politike) da i dalje unapređuju sistem izveštavanja i da u odgovarajućim izveštajnim periodima informišu Vladu, zainteresovane aktere i širu javnost o primeni Zakona, kao i da se obezbedi podrška za razvoj radnih centra kao ustanova socijalne zaštite u kojima se pruža mogućnost za radno angažovanje osoba koje se ne mogu zapošljavati ni pod opštim i ni pod posebnim uslovima. Takođe treba raditi na podizanju svesti lokalne samouprave da podrže razvoj službi za podršku OSI (servisi personalnih i radnih asistenata) u procesu zapošljavanja OSI.

Nacionalna služba za zapošljavanje, treba da unapredi bazu podataka o OSI koje traže zaposlenje sa svim relevantnim podacima kao i u saradnji sa Poreskom upravom, obezbediti redovno izveštavanje o situaciji na tržištu rada za osobe sa invaliditetom, kontrolama, odnosno, učestalosti, obuhvatu, rezultatima i efektima u odnosu na izvršavanje obaveze zapošljavanja osoba sa invaliditetom.

Takođe treba unaprediti razmenu informacija sa poslodavcima i uz rešenje o procenjenoj radnoj sposobnosti, poslodavcima pružiti i neophodne informacije koje se odnose na prilagođavanje uslova rada i posebne oblike podrške, a u okviru strategije

Recommendations for further work

Recommendations include suggestions for several key actors in the process of improving the employment of persons with disabilities.

The relevant ministries (Ministry of Economy and Regional Development, Ministry of Finance, the Ministry of Labor and Social Affairs) to further improve the reporting system, to report in corresponding reporting periods the Government, stakeholders and the public about the implementation of the Law, to provide support for business development center as well as social care institutions in which the opportunity to work engagement of people who can not employ under general or specific conditions. It should be also worked on raising awareness of local governments to support the development of support services for persons with disabilities (personal assistants and labor assistants) in the process of hiring the PWDs.

National Employment Service, should improve the database of PWD - job seekers with all relevant information as well as in cooperation with the Tax Administration, to provide regular reporting on the situation in the labor market for people with disabilities, controls, or the frequency, scope, results and effects in relation to the performance of duties of employment of persons with disabilities.

The exchange of information with employers should be improved in the way of providing necessary information related to the adjustment of working conditions, work ability, specific forms of support, the strategy of „lifelong learning“, measures for upgrading and

„učenja kroz ceo život“ i mera za dokvalifikaciju i prekvalifikaciju pokrenuti inicijativu za uspostavljanje mehanizama za sertifikaciju neformalnog obrazovanja i omogućiti OSI da verifikuju svoja znanje i veštine koje su stekli izvan sistema formalnog obrazovanja.

Organizacije OSI, kao jedan od ključnih aktera, treba da vode kontinuiranu kampanju za promovisanje dobre prakse u zapošljavanju osoba sa invaliditetom i ohrabrivanje poslodavaca za zapošljavanje OSI sa procenjenim drugim stepenom za koje je potrebno prilagođavanje uslova rada i obezbeđenje personalne i/ili radne asistencije.

Istovremeno treba raditi na razvoju programa obuke asistenata za specifične potrebe OSI u raznovrsnom radnom okruženju.

Veliku ulogu organizacije OSI mogu imati i u informisanju i osnaživanju OSI za proaktivan odnos prema radu i zapošljavanju i obezbeđenju podrške za uključivanje u programe NSZ za aktivno traženje zaposlenja. Zajedno sa njima, NVO za ljudska prava i antidiskriminaciju mogu pomoći u obezbeđenju monitoringa zakona u koje su ugrađena načela ljudskih prava i antidiskriminacije za OSI i aktivno se zalagati da se uspostavljeni normativni poredak i ostvaruje.

Privredna komora i Unija poslodavaca mogu doprineti promovisanju primera dobre prakse i organizovanju javnih debata za razmenu iskustava poslodavaca o primeni pojedinih modaliteta u izvršenju obaveze zapošljavanja osoba sa invaliditetom.

re-start the initiative for establishment the mechanisms for certifying non-formal education and allow PWDs to verify their knowledge and skills acquired outside the formal education system.

Organisations of PWDs as one of the key stakeholders, should conduct a sustained campaign to promote good practice in employing people with disabilities and to encourage employers to hire persons with disabilities and do necessary adaptation of working conditions and provision of personal and/or labor assistance.

At the same time, personal assistants training program for specific needs of various disabilities in the workplace, should be developed.

DPOs can have major role in empowering persons with disabilities and their informing in proactive attitude towards work, employment as well as providing support for the NEB programs to actively seek employment. Together with them, NGOs working on human rights issues and anti-discrimination can help in monitoring the implementation of different laws as they incorporated the principles of human rights and anti-discrimination for persons with disabilities.

Chamber of Commerce and Employers can contribute in promotion the good practice and organization of public debates for the experiences exchange of employers in implementation modalities of employment of persons with disabilities.

O Centru

Centar za samostalni život osoba sa invaliditetom Srbije je nevladina, neprofitna organizacija sa mrežom članica, koja promoviše filozofiju samostalnog života i potencijale osoba sa invaliditetom, socijalni pristup invalidnosti i zagovara prava osoba sa invaliditetom.

Centar deluje kao resursni centar u kreiranju i nadgledanju sprovođenja politika u oblasti invalidnosti, testira i predlaže nova rešenja, sprovodi licencirane usluge servisa i edukacija i uspostavlja saradničke i partnerske odnose sa važnim socijalnim akterima na lokalnom, nacionalnom i međunarodnom nivou.

Organizaciju vode osobe sa invaliditetom, a delovanje se bazira na sledećim vrednostima: posvećenosti, poštovanju ljudskih prava, inovativnosti, partnerstvu, toleranciji i profesionalizmu.

About CIL

Center for Independent Living of Persons with Disabilities of Serbia is non-profit organization with a network of members, which promotes the philosophy of independent living and potentials of persons with disabilities, social model of disability and advocates for rights of people with disabilities.

Center acts as a resource center in creating and monitoring the implementation of policies on disability, test and propose new solutions, implement licensed services and education and establish cooperation and partnerships with important social actors at local, national and international level.

Organization is led by people with disabilities and CIL activities are based on the following values: commitment, respect for human rights, innovation, partnership, tolerance and professionalism.

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