

Background to Employment Law

A significant number of those affected by Epidermolysis Bullosa (EB) will have some form of disability that will affect their ability to secure employment.

Equality of opportunity in the area of employment is a guiding principle of the UN Convention on the Rights of Persons with disabilities. The convention states “that persons with disabilities have equal rights to work and gain a living. Countries are to prohibit discrimination in job-related matters, promote self-employment, entrepreneurship and starting one’s own business, employ persons with disabilities in the public sector, promote their employment in the private sector, and ensure that they are provided with reasonable accommodation at work (Article 27).” The convention entered into force in 2008 with some 144 countries having signed the convention and many others having ratified it.

However in practise, having a disability remains a key factor in determining a person’s ability to secure and maintain employment around the world. Of the 70 million persons with disabilities in India, only about 100,000 have succeeded in obtaining employment in industry. In a 2004 United States survey, it found that only 35 per cent of working-age persons with disabilities are in fact working, compared to 78 per cent of those without disabilities. This is similar to the figure in Ireland where the employment rate of people with disabilities, even at the height of an economic boom in 2006, was only half that for non-disabled people. Whilst it is illegal in Ireland to discriminate on grounds of disability in employment, promotion or training, making employment a viable option for many people with disabilities remains questionable.

Securing employment if one is disabled is a challenge, and one that is particularly difficult in those countries with high levels of unemployment. The ability of someone disabled by the effects of EB to gain employment will be similarly affected. The state of the national economy, the support structures developed by national governments and the national legal framework will all determine whether getting and maintaining employment is a viable option. Many countries have a number of different agencies working on employment and disability issues and finding one’s way around the system may be confusing. If you need assistance with employment related queries your first port of call should be your own national agencies and also contact your local DEBRA group. Whilst the local DEBRA group will not be an expert in the area of employment, they may be able to tell you who to talk to.