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Austria

Claudia Yngwe Lübbers



Introduction

This collection of country reports is part of the research on Digital Skills, Accommodation and Technological Assistance for Employment, conducted by the European Disability Forum (EDF) with the support of Google.org.

The aim of the study is to explore the situation of persons with disabilities in the open labour market, focusing in particular on the potential of digital skills training and the use of accessible and assistive technologies to foster inclusion in the workplace.

National experts from each EU Member State (with the exception of Luxembourg) and the UK analysed their respective national contexts. They outline policies and programmes to support reasonable accommodation as a Human Resources (HR) procedure, map trends in the use of accessible and assistive technologies in the workplace, and explain the main limitations experienced by employees with disabilities in acquiring accessible or assistive technology that meets their needs. They also analysed the barriers faced by persons with disabilities related to digital skills and highlight some good practices at national level.

The national reports cover the following countries: the UK, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden. Luxembourg is the only EU Member State that is not part of the study due to not finding a suitable national expert on the topic.

Glossary

Assistive devices: external devices that are designed, made, or adapted to assist a person to perform a particular task. Many people with disabilities depend on assistive devices to enable them to carry out daily activities and participate actively and productively in community or professional life.

Assistive technology: any item, piece of equipment, service or product system including software that is used to increase, maintain, substitute or improve functional capabilities of persons with disabilities or for, alleviation and compensation of impairments, activity limitations or participation restrictions.

Disability allowance: payments that persons with disabilities can receive from the State to cover basic living costs and services.

Discrimination: any distinction, exclusion or restriction on the basis of one or several grounds (sex, race, disability, sexual orientation, gender identity, etc.) that damages or nullifies the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field, on an equal basis with others.

European Union (EU): a unique economic and political union between 27 European countries, as it stands at the time of publication of this report.

EU Statistics on Income and Living Conditions (EU-SILC): a regular cross-sectional and longitudinal sample survey by Eurostat that provides data on income, poverty, social exclusion and living conditions in the European Union.

General Comment: a General Comment is a treaty body's interpretation of human rights treaty provisions, thematic issues or its methods of work. General Comments often seek to clarify the reporting duties of State Parties with respect to certain treaty provisions and suggest approaches to implementing those provisions.

Member State(s) (of the EU): the EU currently consists of 27 countries, also called "Member States". Each Member State is party to the founding treaties of the European Union and is therefore subject to the privileges and obligations of membership. Unlike members of most international organisations, the Member States of the EU are subject to binding laws in exchange for their representation within the common legislative and judicial institutions.

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Number of observations (n): indicates the number of employers each national expert managed to interview.

Open labour market: this refers to work in a mainstream or “regular” employment setting, as opposed to a setting that has been created specifically to employ a specific group of employees, such as persons with disabilities.

Organisations of Persons with Disabilities (OPD): represent the interests of their members with disabilities and have the mandate to advocate for the realisation of their human rights and lobby for the consideration of their interests.

Percentage points: this term expresses the arithmetic difference of two percentages, whereas percent (%) refers to the rate of change. For example, if Country A has an employment rate of 30% and Country B has an employment rate of 60%, Country B’s employment rate is 30 percentage points higher than Country A’s but is also higher by 100%.

Persons with disabilities: individuals who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

Reasonable accommodation: the necessary and appropriate modification and adjustments, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms. To be “reasonable”, the accommodation cannot impose a disproportionate or undue burden. Denial of reasonable accommodation is a form of discrimination.

The Digital Economy and Society Index (DESI): an index that the European Commission reports between 2014-2022, monitoring Europe’s overall digital performance and tracks the progress of EU countries in their digital competitiveness.

United Nations Convention on the Rights of Persons with Disabilities (CRPD): an international human rights treaty that reaffirms that all persons with disabilities must enjoy all human rights and fundamental freedoms. The CRPD clarifies that all persons with disabilities have the right to participate in the civil, political, economic, social and cultural life of the community in the same way as anyone else.

National Overview

Formally, Austria seems to have established the necessary legislation and services for the inclusion of persons with disabilities. As a federal state, however, Austria is facing difficulties with the consistent implementation of policies and services. While general legislation takes place at the federal level, Austria consists of nine federal states that are responsible for planning and funding services. All areas of disability policy that have not been explicitly delegated to the federal government are state competences¹.

As pointed out in the Austrian National Action Plan on Disability 2022-2030 (NAP), "The legal and statistical situation in Austria is characterized by the constitutional fragmentation of competencies (federal government, provinces, municipalities and cities, self-governing bodies), which makes sustainable and long-term planning more difficult"². Besides varying implementation of legislation and services, the differences between the federal states' definitions of disability and data collection are identified as a fundamental problem by all stakeholders.

When assessing the inclusion into the labour market, the current Austrian NAP refers to persons with the status "preferentially disabled"³ as regulated under the Disability Employment Act (Art. 2)⁴. Only this group is properly registered with social insurance and therefore gives relatively precise data. As of 31 December 2021, 125,771 persons had the status "preferentially disabled". Of these, 59,928 were employed and 3,746 self-employed. 383,760 persons had a disability pass⁵. In 2021, the unemployment rate for the "preferentially disabled" was 7.8%⁶.

Data on persons with disabilities categorised as "unable to work" is very vague. This group does not have access to support measures and remain excluded from the labour market. In 2021, around 25,000 persons were registered in state institutions working for pocket money, with only an accident insurance⁷.

Data from EU statistics on income and living conditions (EU-SILC) is referring to persons who self-report limitations in everyday activities and therefore differs from national data sources. It indicates an employment rate for persons with disabilities in Austria of 53.9% in 2020, compared to 76.0% for other persons. This results in an estimated disability employment gap of approximately 21 percentage points⁸.

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In addition, women with disabilities face multiple forms of discrimination in the workplace. The labour market participation of women with disabilities is lower than that of men with disabilities and also lower than that of women without disabilities. This means that there are a large number of women with disabilities in Austria at risk of poverty and exclusion⁹.

The most important legal basis for inclusion is the Disability Employment Act (Behinderteneinstellungsgesetz, BEinstG) which obliges all employers to employ persons with disabilities. Employers with more than 25 employees must meet a quota ("mandatory number") of one person with a disability for every 25 employees (4%). Anyone who does not meet the quota must pay a compensatory fee for each position that is not occupied by a disabled person. The Act also offers extended protection against dismissal. The dismissal of a beneficiary disabled person by the employer is only permitted with the consent of the Disability Committee. This protection enters into force after 4 years of employment. Organisations of Persons with Disabilities (OPDs) have criticized that the compensatory fee is too low (€200-€300), so most companies choose to pay the fee¹⁰.

Overall, OPDs assess that the inclusion of persons with disabilities in the labour market is not satisfying and needs more incentives or harder financial consequences for companies that do not employ persons with disabilities. It seems that only employers with personal experience with persons with disabilities choose to employ the latter. The labour market figures show that persons with disabilities are not benefiting from the post COVID-19 economic upswing. While general unemployment is falling, it has been rising again among persons with disabilities since the beginning of 2019 (Council for Disabled Persons). Also, in the Austrian Microcensus asking persons with disabilities in which area of life they experience the greatest problems, still 43% of persons with disabilities mentioned the workplace. This shows that inclusion in the labour market remains a major problem¹¹.

Digital Skills

According to the Digital Economy and Society Index (DESI) Report, Austria positions itself slightly above the EU-average in the categories for basic digital skills (63% versus 54% for the EU), above basic digital skills (33% versus 26%), and basic content creation skills (75% versus 66%)¹². There is, however, no statistical data on the level of digital skills of persons with disabilities. According to interviewed OPDs, the estimated level of digital skills is rather low. Especially middle-aged or older people have no digital training or basic computer skills¹³. Survey responses confirm that the lack of digital skills is a problem when planning to hire persons with disabilities.

According to a study on challenges for persons with disabilities when using digital tools, the media usage of persons with disabilities is significantly below that of the respondent's persons without disabilities, e.g. 47.3% of persons with disabilities use smartphones compared to 95,3% of persons without disabilities. The study also finds that there are few adequate offers (e.g. training, explanations in simple language, etc.) for persons with disabilities to gain knowledge about media use¹⁴.

Also, OPDs criticized the lack of initiatives aiming at the improvement of digital skills of persons with disabilities. None of the interviewees were aware of any training programmes for persons with disabilities and suggested that there might be only sporadic initiatives, mainly at universities or community colleges¹⁵.

A few examples were found through desk research.

- The Academy for integrative education (BIV) offers computer course for persons with disabilities.
- IT individual and group training for blind and visually impaired persons is offered by a centre for rehabilitation into the labour market (RISS-Grundrehabilitation).
- Another interesting initiative is a course on inclusive media practice, offered by ORF (Austria's public broadcaster). As a stepping stone into the labour market, persons with disabilities gain competence in storytelling, copywriting, social media and public speaking.

In a study conducted by the Austrian Ministry of Social Affairs on the impact of digitalisation on inclusion an interview mentioned "that government-provided training courses are often outdated and do not take into account the latest technological developments and opportunities."¹⁶ Survey replies

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indicate that some employers organise training for employees with disabilities at the workplace, including training on assistive technologies and general web applications.

A major problem concerning the lack of digital skills, is the segregation during school education. Children with disabilities are often placed in special schools, where digital competence is not part of the curricula, compared to general schools where digital skills are taught. This is considered as a major disadvantage for persons with disabilities when trying to enter the labour market. There is not only a lack of required skills for positions, but already the use of online job search and application platforms poses difficulties, especially as many Austrian websites are not yet barrier-free. To keep up with new developments, the importance of lifelong learning that enables persons with disabilities to access digital competencies and keep up with technological changes is emphasized. OPDs point out that there is a lack of awareness that persons with disabilities are willing and capable of learning digital skills and suggest that trainings should be developed with a participatory approach and on a peer-to-peer basis. It is further important that training on digital skills is organized in person and not online.

According to OPDs, digitalisation offers advantages and high potential for integration in society and the labour market, however, there is a lack of political will and commitment to include persons with disabilities in the digital change. This can be illustrated by Austria's new Digital Action Plan, which promotes "design education, training and continuing education to ensure everyone has basic digital skills", however, it is not directly addressing the inclusion of persons with disabilities¹⁷.

Based on the interviews and desk research, there seems to be a high awareness of the need to address the "digital divide" in society and the potential digitalisation may allow for a more inclusive labour market. However, there is a lack of large-scale initiatives addressing the needs of persons with disabilities. The Austrian Council for Disabled Persons formulated amongst other the following goals that are relevant in this context¹⁸.

- In 2022 there will be a nationwide offer (in every district capital) of free training courses for persons with disabilities that will enable them to acquire digital skills (including social media skills). This offer must be also available in simple language and be usable for the social environment of persons with disabilities (personal assistants, parents, etc.).

- Involvement of persons with disabilities in the areas of digitalisation and AI (this primarily means involvement in the Robotics Council and the Digitalisation Agency, but also in ethics committees that are yet to be created and that are to be set up when AI is used).
- In 2023 there will be a digital literacy campaign for persons with disabilities. The aim of this campaign is to make inclusive offers from the relevant providers available nationwide by 2025.
- By 2022 digital skills will be taught in the (inclusive) education system (from elementary school to adult education).

According to interviews with OPDs, none of these goals have been turned into action on the political level and there is a lot of catching up to do. Overall, it becomes clear that it is about digitalisation and persons with disabilities.

Assistive Technologies

With an aging society and the need to integrate persons with disabilities into the labour market, Austrian companies and the government are becoming aware of the market potential of assistive technologies. OPDs stress the importance of developing new technologies for persons with disabilities with a participatory approach, to make sure that special needs are actually met and to develop all new technologies barrier-free.

In Austria, access to assistive technologies that enable employment is required under the BEinstG¹⁹. In line with the UN Convention on Rights of Persons with Disabilities (CRPD), it states that "Employers must take the appropriate measures that are necessary in the specific case to enable persons with disabilities to access employment, exercise a profession, advance their career and participate in training and further education measures, unless these measures would affect the employer disproportionate burden. This burden is not disproportionate if it can be adequately compensated for by support measures under federal or state law".

The barrier-free adjustment of the workplace includes funding acquisition of and training on assistive technologies that are directly related to the exercise of the profession and compensate for the disability (Transparenzportal). This may, for instance, include special hardware or software for speech recognition, read-aloud functions, integrated user guidance or eye control.

The figures in this paragraph show the funding provided for assistive technologies for employment through the Ministry of Social Affairs Services between 2019 and 2022 (it does not include funding that has been provided at state level). Whereas the spending was close to €900,000 in 2019, it has reduced to less than €400,000 in 2022 (Transparentdatenbank). There is no information on which devices were funded and the reasons for the reduced spending.

The funding by the Ministry of Social Affairs Services is only available to persons with the "preferentially disabled" status²⁰. These are persons with disabilities who are employed or available for the job market. Persons with disabilities outside this status and the labour market often do not have access to assistive technologies at all. OPDs criticise that this is especially problematic for job seekers.

Both the employer and employee can apply for funding from the Ministry of Social Affairs Services. However, services are implemented on state level and

therefore differ between states. OPDs criticise that due to the inconsistent implementation, employers or employees struggle with varying regulations and funding application procedures. There is a difference between states in what is being funded. An example is the funding of smartphones. All OPDs interviewed mention that smartphones, in many cases, are an important technology. The average smartphone comes with accessibility options (high contrast and easier readability, speech output and voice control) and therefore should be funded. OPDs reported, however, that smartphones are considered as consumer goods, which may then also be used in private life and are therefore generally not funded. Nevertheless, one OPD reported a case where a smartphone was funded after a lengthy assessment and argument. The equipment of a working space at home is also not funded equally throughout the federal states. With the argument that the tools/devices may also be used in private life, many states do not provide funding.

OPDs did not express concerns about the availability of products once the funding has been granted. However, the Austrian Council for Disabled Persons expresses the need to revise the catalogue of assistive tools and that assistive technologies are also recognized continuously. This includes assistive technologies for all forms of disability, e.g. also communication aids for persons who cannot speak²¹.

According to the survey, the most used technologies are programs for persons with sensory disabilities, hearing aids, screen readers, enlargement programs, OCR systems, electronic magnifying glasses and Braille displays. Respondents reported problems with user friendliness and the accessibility of some software programs, non-accessible PDFs, lack of accessibility on websites and displays of various devices (e.g. printers). Some survey replies indicate good practices, such as one company regularly networking with experts in this area and holding workshops in companies to present the new technologies.

Despite the existing legal framework and funding options, data from the interviews and the survey show that access to assistive technologies in the workplace is not always given. One obstacle could be the lack of knowledge on where and how to apply for funding, another one the lack of knowledge on which technologies exist for special purposes and needs.

Reasonable Accommodation

As mentioned above, the BEinstG obliges Austrian employers to “take the appropriate and in the specific case necessary measures to give persons with disabilities access to employment, [...] unless these measures would burden employers disproportionately”. The formulation of the BEinstG only uses the term reasonable accommodation in the heading, otherwise it speaks only of “necessary measures”²².

The implementation of BEinstG Art. 6 Para. 1a requires action from employers, and not only omission of disadvantageous measures²³. It is, however, not clearly defined which measures the employers are obliged to take and whether the obligations exist only in relation to current employees or also in the sense of access to employment for not yet employed persons²⁴. Also, the criterion of proportionality, which decides on the specific obligation of the employer, is not clearly defined. However, BEinstG Art. 6 states that a burden is not disproportionate if it is sufficiently compensated for by federal or state support measures²⁵. If the granting of such a subsidy is an option, the employer is obliged to apply for it. Thus, employers cannot argue, that there is a disproportionate economic burden if they do not apply for funding²⁶.

The Social Ministry Service (SMS) and the Public Employment Service (AMS) provide financial support to employers with the following funds and services:

- Integration Aid (AMS)
- Inclusion promotion and inclusion promotion plus as well as inclusion promotion for women (support by the SMS with wage costs)
- Inclusion bonus for apprentices (support by the SMS with wage costs)
- Salary allowance (support by the SMS with wage costs)
- Job security subsidy (support by the SMS with wage costs)
- Training and education costs (SMS)
- Grant for barrier-free workplace adaptation for persons with disabilities and for companies (SMS)
- Support offered to persons who are hard of hearing or deaf (SMS)
- Start-up funding for the self-employed (SMS)
- Multiplier training (representatives for persons with disabilities and work councils on issues specific to persons with disabilities – SMS)

Survey replies indicate the insufficient implementation of reasonable accommodation measures. Some companies have implemented a barrier-free application process and onboarding. However, most respondents explain that personal and financial restraints do not allow for the provision of reasonable accommodation measures. One respondent from a public institution also explained that the workplace could not become completely barrier-free as the building is categorized as historical monument. Concerning the available funding measures, respondents express frustration about lengthy application procedures and uncertain commitments regarding financial support. The lack of knowledge of the assistive tools and thus unjustified refusals is also an obstacle. Heavy bureaucratic procedures and little understanding of the living environment of persons with disabilities were also mentioned.

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References

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2. Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). National Action Plan on Disability 2022–2030. p. 92.
3. Begünstigte Behinderte. Sozialministerium Service, from https://www.sozialministeriumservice.at/Menschen_mit_Behinderung/Ausbildung_Beruf_und_Beschaeftigung/Beguenstigte_Behinderte/Beguenstigte_Behinderte.de.html “Preferentially disabled” within the meaning of this federal law are Austrian citizens with a degree of disability of at least 50%. They are the only ones integrated in the labour market with access to support measures.
4. Behinderteneinstellungsgesetz – Disability Employment Act. <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008253>
5. Bundesbeschaffung GmbH – Procurement Service Provider (BBG). <https://www.bbg.gv.at/> (as of 28 February 2022)
6. Bundesministerium Für Soziales, Gesundheit, Pflege Und Konsumentenschutz (2022), op. cit., [endnote 2](#), p. 94.
7. Ibid.
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10. Behinderteneinstellungsgesetz – Disability Employment Act, op. cit., endnote 4.

- 11.** Ministry of Social Affairs (2018), op. cit., [endnote 1](#), p. 21.
- 12.** European Commission (2022a). Digital Economy and Society Index (DESI) – Austria. Shaping Europe’s Digital Future. p. 5. <https://digital-strategy.ec.europa.eu/en/policies/desi-austria>
- 13.** Ministry of Social Affairs (2018), op. cit., [endnote 1](#), p. 27.
- 14.** Lebenshilfe (2020). Forschungsbericht Herausforderungen bei der Nutzung digitaler Medien für Menschen mit Behinderungen. p. 37. <https://www.lebensgross.at/wp-content/uploads/2023/04/forschungsbericht-langversion.pdf>
- 15.** In general, the Ministry of Social Affairs Service offers a range of funding instruments for different projects and individual funding or a combination of both to support professional participation. Funds are available for this from the compensation tax fund and the European Social Fund (ESF). The Network for Vocational Assistance (NEBA) offers young people and young adults with disabilities or with a need for assistance numerous support services free of charge. The Ministry of Social Affairs has been focusing for years on the transition from school to work, which is often very difficult for this target group. According to interviews and desk research, there were no programmes including digital skills.
- 16.** Ministry of Social Affairs (2018), op. cit., [endnote 1](#), p. 58.
- 17.** <https://www.digitalaustria.gv.at/>
- 18.** Ministry of Social Affairs (2012). National Action Plan 2012–2020 – Strategy of the Austrian Federal Government for the implementation of the UN Disability Rights Convention. <https://broschuerenservice.sozialministerium.at/Home/Download?publicationId=225>
- 19.** Behinderteneinstellungsgesetz – Disability Employment Act, op. cit., [endnote 4](#), Art. 6.
- 20.** See [endnote 3](#).
- 21.** Österreichischer Behindertenrat. NAP Behinderung 2012-2020: Vorschläge für den Bereich Digitalisierung und KI. <https://www.behindertenrat.at/wp-content/uploads/2021/05/NAP-AG-Digitalisierung-und-KI.pdf>

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- 22.** Gumatz, S. (2020). Teilhabe von Menschen mit mit Behinderung am Arbeitsleben – Das schutzkonzept der Angemessenen Vorkehrungen. p. 33. <https://epub.jku.at/obvulihs/download/pdf/4791646?originalFilename=true>
- 23.** Behinderteneinstellungsgesetz – Disability Employment Act, op. cit., [endnote 4](#), Art. 6.
- 24.** Schrank, F. & Tormandl, T. (2006). Ausgewähltes zum neuen Behindertenschutz Das Zusammenspiel von Förderpflicht und Diskriminierungsverbot (ZAS 2006/31). p. 204.
- 25.** Behinderteneinstellungsgesetz – Disability Employment Act, op. cit., [endnote 4](#), Art. 6.
- 26.** Gumatz (2020), op. cit., endnote 22, p. 35.