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Malta

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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](https://www.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

While the employment rate for persons with disabilities in Malta is increasing, it is still one of the lowest in the EU. Persons with disabilities face weak labour market outcomes due to a lack of accessibility and reasonable accommodation in the workplace, as well as low levels of qualifications and educational attainment¹.

The main legislation protecting persons with disabilities' right to work is the Persons with Disability (Employment) Act of 1969, which also obliges employers with more than twenty employees to maintain a two percent quota of persons with disabilities². Employers who fail to adhere to the quota are obliged to make an annual contribution for every person with a disability they should be employing³. Nonetheless, there is no clear evidence that this quota is having its intended effect. Research commissioned by the Commission for the Rights of Persons with Disability (CRPD Malta)⁴ in 2020 on the situation of persons with disabilities and employment showed that more than half of the employers interviewed had not offered a job to a candidate with a disability⁵.

Various incentives are in place to encourage employers to employ persons with disabilities. Jobsplus⁶, the public employment agency, offers multiple schemes, namely:

An employer who employs a person with a disability is exempt from paying the employer's share of social security contributions for that employee. The employer is also eligible to claim a fiscal incentive equivalent to 25% of the disabled person's basic wage⁷.

The Access to Employment Scheme (A2E), where employers who benefit from this scheme receive a weekly subsidy for each new registered disabled person engaged⁸.

The Bridging the Gap Scheme enables registered disabled persons to engage in a period of work exposure. Employers participating in this scheme are exempted from social security contributions, wages, and sick leave benefits⁹.

Despite these and other initiatives – including disability equality training (DET)¹⁰ and awareness raising¹¹ by CRPD Malta and other entities – the employment rate of persons with disabilities in Malta continues to be substantially lower than that of the general population. Challenges are still faced by both employees with disabilities in being included in the workforce, as well as by employers (potential and actual) of employees with disabilities¹².

Digital Skills

Neither CRPD Malta nor the National Statistics Office (NSO) have data on the educational and training levels of persons with disabilities in digital skills¹³.

National research on barriers for persons with disabilities related to digital skills mostly emanates from student dissertations. Back in 2006, Debono highlighted the importance of making effective use of Information Communications Technology (ICT) to support disabled people in bridging the digital divide. The author argues that the digital divide between disabled and non-disabled people arises because disabled individuals and those whose decisions bear on disabled people's lifestyles fail to perceive the enabling qualities of ICT. Despite the fact that his dissertation was written almost two decades ago, many of Debono's observations are still valid today, such as the fragmentation of services in Malta. De Martino examines the role technology plays in the school experience and notes that while teachers need to be able to understand and empathise with students with autism, they are often unprepared for including an autistic student in their class because they cannot fully visualise the experience that the student goes through¹⁴. Diacono, meanwhile, looks at internet access for adults with visual impairments and observes that Braille's standing as the principal means of reading for people with visual impairments has been in steady decline, while text-to-speech technology has the potential of being a learning curve-free source of the published word¹⁵. The aforementioned research studies confirm the findings of the European Disability Experts 2021 report on digitalisation and persons with disabilities in Malta, which states that disability NGOs reported that ICT is beneficial for disabled people in their quest for independent living, education, and employment. The major barriers they encounter in this area are limited funding for access to ICT and related assistive technologies, and the lack of coordination and fragmentation of related services¹⁶.

The major entities (FITA¹⁷, ACTU¹⁸, Tech MT¹⁹, MDIA²⁰ and Jobsplus) working in related sectors have no information on any national programmes or initiatives on lifelong learning opportunities and digital skills for persons with disabilities. FITA, however, does provide training to persons with disabilities and to senior citizens on basic digital skills and the use of assistive technology at their premises and various local councils in Malta and Gozo²¹.

No open information on good practices and effective solutions for the acquisition of digital skills for employment is publicly available, nor could it be obtained from any of the entities mentioned in the previous paragraph.

From the survey of employers, half (ten) of the twenty participating respondents believe that a lack of digital skills is a burden when they plan on hiring persons with disabilities. This cohort of respondents includes all those working in financial and insurance services.

Among those who believe that the lack of such skills is a burden, the majority state that digital skills are an essential part of roles within their company, and thus any employee – whether with or without a disability – would be at a disadvantage or unable to do the job without digital skills. Nonetheless, only 30% of respondents develop training programmes related to digital skills for their employees. The majority of these do not focus specifically on the implementation of solutions for the acquisition of digital skills by employees with disabilities.

Representatives of OPDs interviewed as part of this study concur that FITA provides basic digital skills training for persons with disabilities, although it is not specifically targeted at employment²². These regular training courses consist of computer and online platform use for persons with visual impairments. Such training can also be requested on an individual basis or for a group of persons with specific impairments. However, such training needs to be promoted with OPDs, including through accessible formats such as sign language and subtitles. Persons with disabilities should also be made aware of what job opportunities they can apply for should they complete the training courses and how to look for such opportunities. FITA also supports persons with disabilities in ICT by removing/overcoming barriers, including ensuring the accessibility of websites and mobile phone apps.

Meanwhile, Jobsplus provides training – including that specifically for persons with disabilities and mental health difficulties – in preparation for employment. However, the agency does not have expertise in digital skills for persons with disabilities and does not provide such training.

None of the interviewed OPD representatives are aware of any specific programmes aimed at improving the digital skills and capacities of those who are further away from the labour market, such as people with intellectual or psychosocial disabilities or intersectional cases.

Assistive Technologies

Little research is available on this subject in the Maltese context. One key study, however, is Gauci's doctoral thesis, which explores the barriers in the field of disability, technology, and employment in Malta²³. The study confirmed the persistence of the same barriers (varying from environmental to attitudinal) for disabled employees in need of AT. While the majority of employers and colleagues were in favour of disabled people being included in the workplace, in practice they were still hindering them through attitudes based on stereotypes and assumptions about disability, lack of information to employers, and the fact that not all disabled employees were sufficiently self-determined to request the necessary technology and accommodations. Similar to findings mentioned in previous sections of this report, participants and the author call for – among other things – more detailed guidelines on employers' duties and responsibilities regarding accommodation at the workplace (an action which was addressed by CRPD in 2021 when it published guidelines for employers); more enforcement of the law; and cohesion of service provision which is still fragmented.

The national legal support framework on the use of accessible and assistive technologies in employment in Malta includes the following policies, strategies, and legislative acts, including ones that target technology in employment, but which do not necessarily include accessible and assistive technologies for persons with disabilities. Most generic or sector-specific government-led strategies on digitalisation and digital transformation do not directly tackle disability-ICT-related issues and, although they acknowledge disabled people's right to grow as e-citizens, they provide mostly generic recommendations, such as promoting accessibility and continuous e-skills learning for 'minority' or 'vulnerable' groups²⁴.

The National Research and Innovation Strategy 2020²⁵ acknowledges the important role that ICT plays in development and innovation through modernising the economy. However, the document contains no mention of persons with disabilities, implying that the disability sector is not high on the agenda where research and innovation are concerned²⁶.

The Innovative Technology Arrangements and Services Act of 2018, which provides for the regulation of designated innovative technology arrangements and services regulated by the MDIA, does not refer to persons with disabilities. Nonetheless, it specifies the need for easily accessible and legible formats of documents for users of innovative technology²⁷.

The Equality Policy for the Public Service of 2021²⁸ dedicates a section to persons with disabilities, where it outlines the government's commitment to inclusivity in the workplace and to implementing – as far as reasonably possible – the principles of the Equal Opportunities (Persons with a Disability) Act²⁹. Nonetheless, it fails to oblige the public service to ensure different formats of circulars so that employees with different types of disabilities would not be discriminated against³⁰.

The National Disability Strategy 2021-2030 does not address digitalisation or digital transformation and opportunities specifically. However, it addresses aspects of these throughout its other objectives, mainly regarding accessibility and access to information³¹.

The UNCRPD Act of 2021 makes provision for claims alleging discrimination on the basis of disability in respect of the UNCRPD³².

There is no data on the use of accessible and assistive technologies (AT) in employment in Malta. The survey for employers shows that only 20% of respondents are aware of the use of assistive technologies by employees with disabilities. From these four respondents, only one could cite an example of such employees using AT for their daily tasks: equipment to aid hearing in hearing-impaired persons.

With regard to the main categories of assistive technologies and devices used by employees with disabilities, 40% of respondents state that they do not know about this. Others cite IT systems, Zoom, text-to-speech systems, adapted keyboards, hearing aids, and mobility/dexterity aids. The main limitations in the AT field are identified by (half of) respondents as being the cost of technology, funding, knowledge, and training, among others. Notably, however, the other half of the respondents do not know what these limitations consist of.

Only 10% of respondents have policies implementing support for the acquisition and use of assistive devices and technologies by employees with disabilities. From these two respondents, only one explains how this support is granted: through any means and tools (provided by the employer) necessary to do the job. Finally, only 15% of respondents are aware of the public legal framework and/or programmes supporting the acquisition of assistive technologies.

The OPD representatives interviewed mention various assistive technologies – depending on the type of impairments of their members – needed by them to carry out their work, including touchscreen laptops which can be used with a pen held in the mouth, mobile phones which talk, speech-to-text devices,

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adapted keyboards, higher tables, emails/texting instead of phone calls, subtitles in videos/presentations, and Deaf-friendly emergency alarms (which flash light bulbs).

According to the interviewees, AT for persons with visual impairments is very expensive to buy. Often persons with disabilities who need such technology end up using their own personal devices (e.g. laptop, mobile phone) in order not to ask the employer to purchase it. And while the government does give financial assistance, it does not cover everything. There is other financial assistance (means-tested) for such technology through charity foundations.

Another limitation mentioned by OPD representatives is the lack of awareness – including by public agencies – in accommodations for persons with, for example, visual impairments, such as the continued use of printed material rather than electronic ones. Continued lack of subtitling and sign language interpretation also persists. For Deaf persons, this is a barrier further compounded by the lack of speech-to-text devices in the Maltese language, even though such devices are not expensive.

Reasonable Accommodation

The major research study on persons with disabilities in employment was commissioned by CRPD Malta. The report, published in 2021, included reasonable accommodation (including assistive technology) in the workplace in its questions to respondents with disabilities. Findings show that such accommodation was not high on the list of respondents' priorities in the workplace or challenges they encountered in the workplace. CRPD Malta, however, recommends, among other things, an increase in direct funding to companies employing persons with disabilities to enable the provision of reasonable accommodation for employees, including assistive equipment and technology in the workplace. It also recommends extending incentives such as financial aid and tax schemes to prioritise enhanced accessibility in the workplace.

Other research conducted on this topic includes dissertations, which generally concur with those of the CRPD study. Zammit, for instance, conducted interviews with persons with physical disabilities and HR managers and found that lack of accessibility is one of the reasons persons with disabilities are less likely to be employed than their peers without disabilities³³. Zammit recommends, among other things, better enforcement of reasonable accommodation and accessibility of job adverts. Similarly, Bonello found that employers are fearful of employing persons with disabilities due to, among other things, the additional costs of providing reasonable accommodation, and recommends that employers are provided with financial and technical assistance in this regard³⁴.

The Equal Opportunities Act of 2000, mentioned in an earlier section of this report, obliges employers to make reasonable accommodations for employees with a disability. There are also two main schemes which financially assist employers in providing such accommodations:

CRPD Malta administers the Workplace Accessibility Tax Deduction Scheme, enabling employers to make the necessary changes for their disabled employees. The scheme emerges from Legal Notice 428 of 2010 Income Tax Act³⁵, Deduction (Workplace Accessibility) Rules, 2010³⁶. The costs eligible for tax deduction include those incurred for: installation/modification of physical structures of equipment; removal of architectural and physical barriers; acquisition of devices; and work training of disabled employees³⁷. However, to date, CRPD Malta has received only one application for this scheme³⁸.

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In 2021, Malta Enterprise³⁹, the economic development agency, launched the Facilitating Work Life for Individuals with Disability Scheme, through which employers can apply for a grant towards the cost of adapting the workplace for employees with disabilities currently employed⁴⁰.

However, only 15% of the employers' survey respondents are aware of these schemes. Within these three respondents, none seem to be in a position to give any details – either legal or practical – of this support.

40% of respondents indicate that their human resources policy has reasonable accommodation of employees with disabilities as a standardised procedure. Nonetheless, none of these eight respondents appear to have a policy that specifically targets reasonable accommodation for employees with disabilities.

With regard to the accommodations companies currently provide for employees with disabilities, the majority (65%) of respondents do not indicate any accommodations. Others indicate that they provide flexible working hours and accessibility (three respondents), while two others state that their company provides accommodation on a needs-based basis.

The main limitations in providing reasonable accommodation are stated as being financial and physical (e.g. design of workspace), as well as lack of awareness/knowledge on what constitutes reasonable accommodation.

Interviews with OPD representatives confirm the findings from both desk research and the employers' survey. As indicated by OPD members, many employers are wary of the cost of accommodations and are under the impression that employing a person with a disability requires vast changes to the workplace. OPD representatives also confirm what was stated by one of the company representatives: some buildings (e.g. old ones) cannot be made physically accessible, even if the employer is willing to employ a person with a physical impairment.

Lack of accommodation can also be found during recruitment processes, where employers often fail to ensure interview accessibility, whether it be physical or otherwise. Speech-to-text services for Deaf persons, for example, are not commonly provided, even in legislation.

According to OPD representatives, the most common accommodations required by employees with disabilities depend on the type of impairment, with persons with physical impairments requiring physical accessibility, persons with intellectual disabilities requiring job coaches, persons with visual impairments requiring computers and apps, and persons with hearing impairments requiring speech-to-text services/subtitling and sign language interpretation. One of the most relevant potential technological and digital developments that could be made to improve reasonable accommodations, according to OPD representatives, are speech-to-text apps in the Maltese language and speech-to-text services for Deaf persons.

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