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Romania

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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

On 31 March 2023, the Ministry of Labour and Social Protection presented the latest data on the situation of people with disabilities: 886,950 persons with disabilities were registered in Romania¹. Currently, the number of persons with disabilities recorded by the Romanian authorities is 12 times higher than in 1992, when the number was 74,053. Persons with disabilities represent 4.7% of the total, usually resident population of Romania. Out of the total of 886,950 persons with disabilities registered in 2023, 870,661 are non-institutionalized (98%) and 16,289 receive services within the institutionalized system (2%). Out of the total number of persons with disabilities registered by the authorities, 810,848 were adults (91%) and 76,102 were children (9%).

Eurostat updated the statistical indicator describing the situation of poverty or social exclusion. For the time being, Romania is one of the poorest countries in Europe, with a share of 34.4% of people at risk of poverty or social exclusion. The situation is even worse for people with disabilities. In Romania, 45% of persons with disabilities aged 16 and over are at risk of poverty or social exclusion, compared to 30% of persons without activity limitations².

According to Eurostat, the disability employment gap in Romania was 32% in 2022, which is significantly above the EU27 average of 21,4%. Data presented in the European Commission's 2022 report on people with disabilities, as also cited by the European Disability Forum in its 2023 European Human Rights Report, show that in Romania the employment rate for persons with disabilities is 46.3%³. Eurostat data also show that 15% of employed people in Romania are affected by in-work poverty. Low pay, underemployment (part-time work), low education are among the causes influencing this aspect of work. Poverty, lack of jobs adapted to the needs of persons with disabilities, low digital skills, insufficient assistive technologies constitute barriers to employment to a higher extent than for individuals without any activity limitations. Although a job does not guarantee an escape from poverty, it does create conditions for improving the quality of individual life and the inclusion into the community⁴.

Digital Skills

According to the 2022 edition of the Digital Economy and Society Index (DESI), Romania ranks last among the 27 EU Member States in several indicators in the “human capital” category, with the lowest share of individuals with basic digital skills (28%)⁵. Currently, there are no available data (official statistics or research) regarding the level of education and digital skills training for persons with disabilities in Romania. The National Institute of Statistics (NIS) conducts an annual survey on the population’s access to information and communication technology⁶. According to the 2021 edition of the research, 80.8% of households in Romania have access to home internet, showing an increase of 2.6 percentage points compared to 2020. The COVID-19 pandemic has increased the population’s interest in internet connectivity and accessing online services provided by commercial or public digital platforms. Although Romania has a high-quality digital infrastructure (advanced equipment and high-speed internet are accessible to 80% of the households), over 70% of individuals aged 16-74 lack basic digital skills (including persons with disabilities). This situation creates a barrier for accessing decently paid employment in an increasingly technology-driven job market⁷.

In the National Strategy on the Rights of Persons with Disabilities ‘An Equitable Romania’, 2022-2027, there are no specific mentions regarding opportunities for developing digital skills for persons with disabilities⁸. This strategy is based on data and information from the report “Diagnosis of the Situation of Persons with Disabilities in Romania” – a document prepared within the framework of technical assistance provided by the World Bank⁹. The Diagnosis states that “Romania has the lowest employment rate compared to other European Union countries for persons with severe limitations (with a difference of over three times between Romania and the best-performing countries)”. Increasing the number of persons with disabilities having access to assistive technologies is a priority in the 2022-2027 Strategy. The National Strategy for Employment 2021-2027 aims to increase employment through measures targeting inactive individuals who are capable of work – unemployed individuals, especially the long-term unemployed, NEETs (persons Not in Education, Employment, or Training) and people with disabilities – with the goal of combating social exclusion and reducing territorial disparities¹⁰.

In Romania there is an online platform, called Digital Skills & Jobs Romania, developed with European funding, which includes a section on “best practices” on cybersecurity, offering IT training and internships for students, developing

mentoring skills and others¹¹. From this section we learn about impactful events for the ICT industry, such as the “Polifest 2023: digitalisation and decentralisation through Smart City technologies”; organisation of courses and mentoring in the field; the participation of around 6,000 students, teachers and coordinators from 200 schools in the activities of the iTech Skills and Skills for Tech Jobs projects, run with the help of Honeywell; best practices for digital skills with chatGPT; the ‘Student Hackathon: Romania without paper files’ through which students can contribute to reducing bureaucracy; the organisation of the first artificial intelligence course for pre-university education in Romania; the Informal IT School; the Teach for Future Mentoring Campus and the Google Summer of Code 2023 at Unikraft.

In the EDF employer survey, 10 respondents, representing 42% (n=24) of the companies/organisations, stated that they have an HR policy which includes some guidelines for hiring people with disabilities. Only 7 companies, representing 29% (n=24) of the respondents, have participated so far in a programme aimed at improving employment inclusion of persons with disabilities. The lack of digital skills is considered a burden when a company plans on hiring persons with disabilities by 10 respondents, representing 42% (n=24) of the respondents. Overall, the representatives of the interviewed companies do not reject the idea of hiring people with disabilities but condition their selection and recruitment on having the necessary skills required for the vacant jobs. Only 9 respondents (38%; n=24) stated that their company is developing training programmes for employees, related to digital skills. They consider that digital skills are necessary for the smooth conduct of work processes within companies and in communication with other partners (companies, organizations, institutions), considering the rapid technological advancement in most fields of activity. Currently, most departments within companies require employees with basic and advanced skills in the field of information and communications technology. Computer literacy, internet navigation and online communication are considered basic digital skills.

Interview respondents have appreciated that, in terms of digital skills related to internet usage and digital devices (such as tablets, smartphones, etc.), young people, including those with disabilities, have at least basic competencies. The process of developing/learning digital skills is often carried out independently or through knowledge transfer from individuals who already possess the required knowledge and skills to others who are willing to learn. The development of digital skills among people with disabilities is typically conducted within the associations/ organizations they belong to, rather than through formal

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training courses within the public education system. In addition to these programmes, there are vocational training courses offered through projects with non-reimbursable funding by various NGOs or employment agencies, where individuals with disabilities are eligible as a target group. To increase the employment of people with disabilities, the interview respondents propose the following steps:

- assessing competences and professional skills from a young age to identify the individuals' potential and guide them towards fields of activity where they can fully realize their potential;
- developing qualification programmes in a profession (trade) and continuous professional training, taking into account the socio-psychological assessments from the previous point.

Assistive Technologies

During the period of 2013-2015, Motivation Romania Foundation and Swiss Paraplegic Research – Switzerland implemented the project 'Abilities Matter – Implementation of the International Classification of Functioning, Disability, and Health (ICF) in social inclusion services for wheelchair users in Romania', funded by the Swiss-Romanian Cooperation Program¹². Within this project, the research 'Abilities Matter – Implementation of the International Classification of Functioning, Disability, and Health in social inclusion services for wheelchair users in Romania' was conducted. This research includes five case studies that present the functional status of individuals with spinal cord injuries or other locomotor disabilities from the perspective of the ICF. The results of these activities have contributed to changing the predominantly medical approach still present in Romania, which limits the opportunities for the social inclusion of people with disabilities, towards a biopsychosocial approach focused on the needs of people with disabilities.

Order no. 924/2022 of the Minister of Labour and Social Protection (amending the Methodology for granting and distributing vouchers exclusively for the purchase of assistive technologies and access technologies¹³, other than those financed through the National Single Health Insurance Fund within the social health insurance system, approved by Order no. 1263/2019 of the Minister of Labour and Social Justice¹⁴) provides that people with disabilities can benefit from vouchers with a maximum value of 23,000 lei (€4,600) if they fulfil the following conditions:

- the person with a disability has unemployed status or the status of inactive person seeking employment;
- the person with a disability is between 18 years and the retirement age;
- the person with a disability is not a young NEET (that is: not a person between 18-30 years old who is enrolled in a vocational training programme or in the education system)¹⁵.

Within the National Strategy on the Rights of Persons with Disabilities "An Equitable Romania" developed by the Ministry of Labour and Social Solidarity, priority is given to increasing the number of beneficiaries of access technologies and assistive devices that enable people with disabilities to achieve and maintain maximum autonomy, to develop their physical, mental, social, educational, and professional potential, for full integration and participation in all aspects of life¹⁶.

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In accordance with this document, assistive technologies are defined as any item, equipment, software application, or product used to increase, maintain, or improve the functional capabilities of persons with disabilities. Regarding employment and the integration of people with disabilities into the labour market, the provision of equal opportunities for employment is foreseen through the development of qualifications and competencies, in an occupation of their choice, within an inclusive, accessible, and adapted work environment.

In the EDF employer survey only 8% of respondents (n=24) were aware of the use of assistive technologies by employees with disabilities. The most common technologies mentioned by the respondents were adaptation devices for persons with locomotor disabilities and with hearing disabilities (application of facial-gestural interpretation). Some 25% (n=24) of companies/organisations had policies for the acquisition and use of assistive devices and technologies; only 29% (n=24) were aware of related legal frameworks and public support programmes. In this sense, the government programme "Facilitating the insertion of persons with disabilities into the labour market" implemented by the National Authority for the Rights of Persons with Disabilities, Children and Adoptions, in partnership with the National Employment Agency, is mentioned.

Adapting the workplace depends on individual needs and the specific nature of each person's disability. Equally important is the support provided to employers by experts in adapting the workplace for people with disabilities. The acquisition of assistive/medical equipment is still problematic, and the current legislation does not fully cover these needs. The reimbursement process is excessively bureaucratic, and employers do not make use of this reimbursement system. To enable individuals with disabilities to access vacant job positions, it is necessary to provide basic assistive devices, such as accessibility devices (ramps, low curbs, adapted restrooms), mobility aids, navigation/orientation/guidance devices in the environment, tactile materials for floors and stairs, hearing devices, including facilities for free and adapted transport from the person's home to the workplace. It is widely known that the associations promoting the rights of persons with disabilities in Romania do not represent a sufficiently unified, strong and coherent voice, capable of advocating for legislative changes. Additionally, the National Authority for the Protection of the Rights of Persons with Disabilities (ANPDPD), under the coordination of the Ministry of Labour and Social Solidarity, lacks the sufficient power to initiate and support proposals for public policies aimed at protecting the rights of persons with disabilities.

Reasonable Accommodation

The protection of rights, social assistance, services and benefits offered to people with disabilities are regulated by Law no. 448/2006 on the protection and promotion of the rights of people with disabilities. In summary, Law no. 448/2006 defines and regulates the following aspects:

- unrestricted access for people with disabilities to the physical, information and communication environment;
- the exercise of the rights and fulfilment of the obligations of persons with disabilities in society;
- measures for adapting (transforming) the physical and informational environment, products or systems to make them accessible to persons with disabilities;
- reasonable accommodation in the workplace, which refers to all the modifications made by the employer to facilitate the exercise of the right to work for a person with a disability (adjusting work schedules, acquiring equipment, devices and assistive technologies, and other measures);
- supported employment for persons with disabilities, which facilitates access to vacant job positions and provides support in job search, transportation, assistive technologies, training and specialization measures, as well as reimbursement methods for social and professional integration expenses for persons with disabilities.

Article 62, paragraphs (1)-(3) of Law no. 448/2006 provide clarifications regarding the reimbursement of adaptation/accommodation measures and technologies for persons with disabilities: "(1) Public utility buildings, access routes, residential buildings constructed with public funds, public transportation and its stations, taxis, railway passenger cars, main station platforms, parking spaces, streets and public roads, public telephones, the informational and communication environment shall be adapted in accordance with the legal provisions in the field, so as to allow unrestricted access for persons with disabilities. (2) Heritage buildings and historical buildings shall be adapted, respecting their architectural characteristics, in accordance with the legal provisions in the field. (3) The costs of the necessary works for the adaptations provided in paragraphs (1) and (2) shall be borne by the budgets of central or local public administration authorities and by the own resources of legal entities

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with private capital, as applicable.” Chapter V of Law no. 448/2006 regulates all aspects related to guidance, vocational training, employment and labour integration of persons with disabilities¹⁷.

In the EDF employer survey, 29% of respondents (n=24) stated that their company’s Human Resources policy had reasonable accommodation of employees with disabilities as a standardised procedure; 38% have a company policy regarding the accessibility of recruitment processes, which range from generic policies that stipulate that the company is an equal opportunities employer, to more defined and standardised hiring procedures to meet candidates’ needs. Only 6 respondents (representing 25%; n=24) declared that they were aware of the legal framework and/or programmes supporting the provision of reasonable accommodation in the workplace for employees with disabilities.

The limitations in the implementation of reasonable accommodations for persons with disabilities resulting from the analysis of the conducted interviews are summarized as follows:

- the system is bureaucratic and insufficient to cover the needs of persons with disabilities;
- there is a need to settle expenses related to education and professional qualification training, adapted to the needs of people with disabilities;
- there is insufficient information among employers regarding the legislation in force, or ignorance about the role played by people with disabilities in increasing employment;
- even if they show solicitude towards the problems of people with disabilities, public authorities do not solve many of their problems.

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