



The 14th ASAN & Japan High Level Officials Meeting on Caring Societies

Plenary session I

Facilitating the participation and
improvement for the accessibility for those
who needs a social support

Moderator

Nobuo Matsui
Bunkyo Gakuin University

Programme

Plenary session1 (10:35 – 12:15)

Facilitating the participation and improvement for the accessibility for those who need a social support

1. Moderator

Nobuo MATSUI, Bunkyo Gakuin University

2. Presentations

- Mr. Fons Leroy Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding (VDAB)
- Mr. Yasuhiro YAMAZAKI, Access Consulting
- Ms. Zulum AVILA, Employment Service Officer, ILO

3. Discussion, Q&A

Self-introduction

- Completed his M.A. in the Graduate School of Letters, Arts and Sciences at Waseda University. Specialized in vocational rehabilitation (rehabilitation counseling).
- Worked as a researcher at The Japan Institute for Labour Policy and Training (JILPT) between 1973 and 1990.
- Worked as a chief researcher at the National Institute of Vocational Rehabilitation (NIVR) between 1991 and 2003.
- Served as a professor at three universities between 2004 and 2016.
- Current duties at public organizations include:
 - Member of various committees and councils at the Cabinet Office, the Ministry of Health, Labour and Welfare and the Ministry of Education, Culture, Sports, Science and Technology
 - Chairman of a committee at a local government
 - Adviser of the Japan Society of Vocational Rehabilitation, Executive Director of the Japanese Association of Psychiatric Rehabilitation

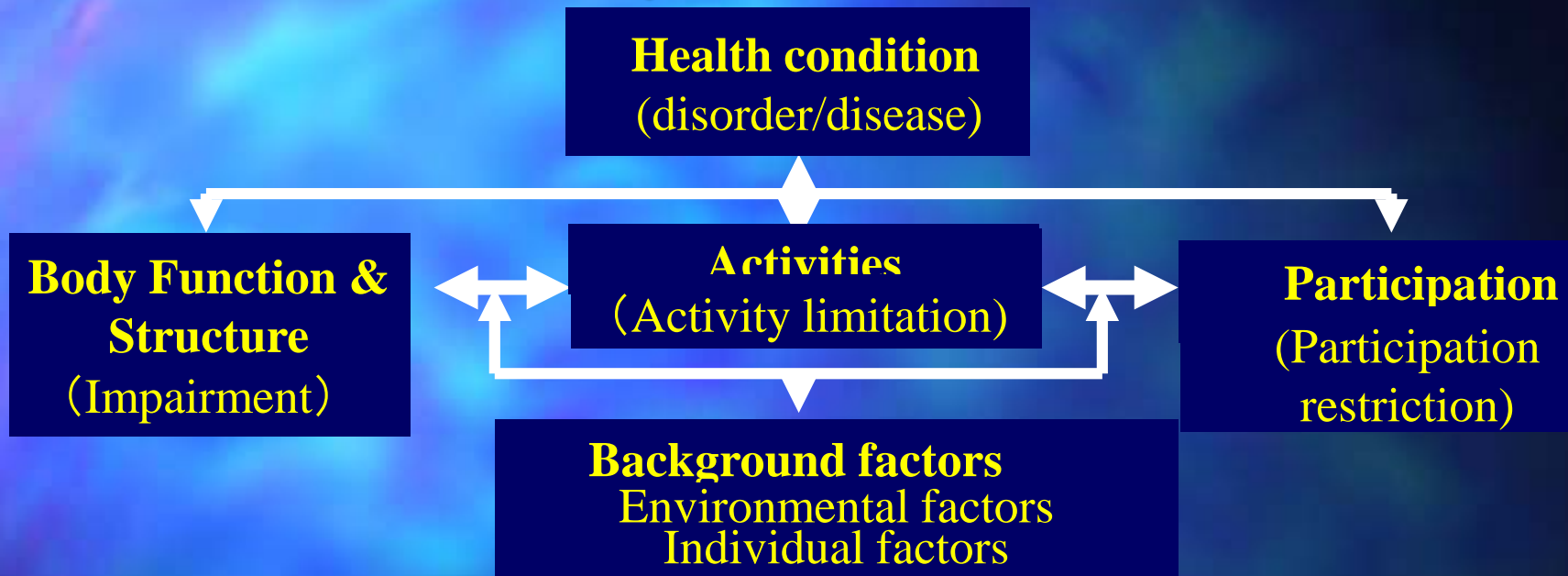
I have many years of experience in research and policy advisory with regard to the employment of persons with disabilities. In particular, I have in-depth knowledge and expertise on preparations for the enactment and amendments of the Act on Employment Promotion etc. of Persons with Disabilities, establishment and management of vocational rehabilitation centers and organizations, and development of vocational rehabilitation counselors, etc.



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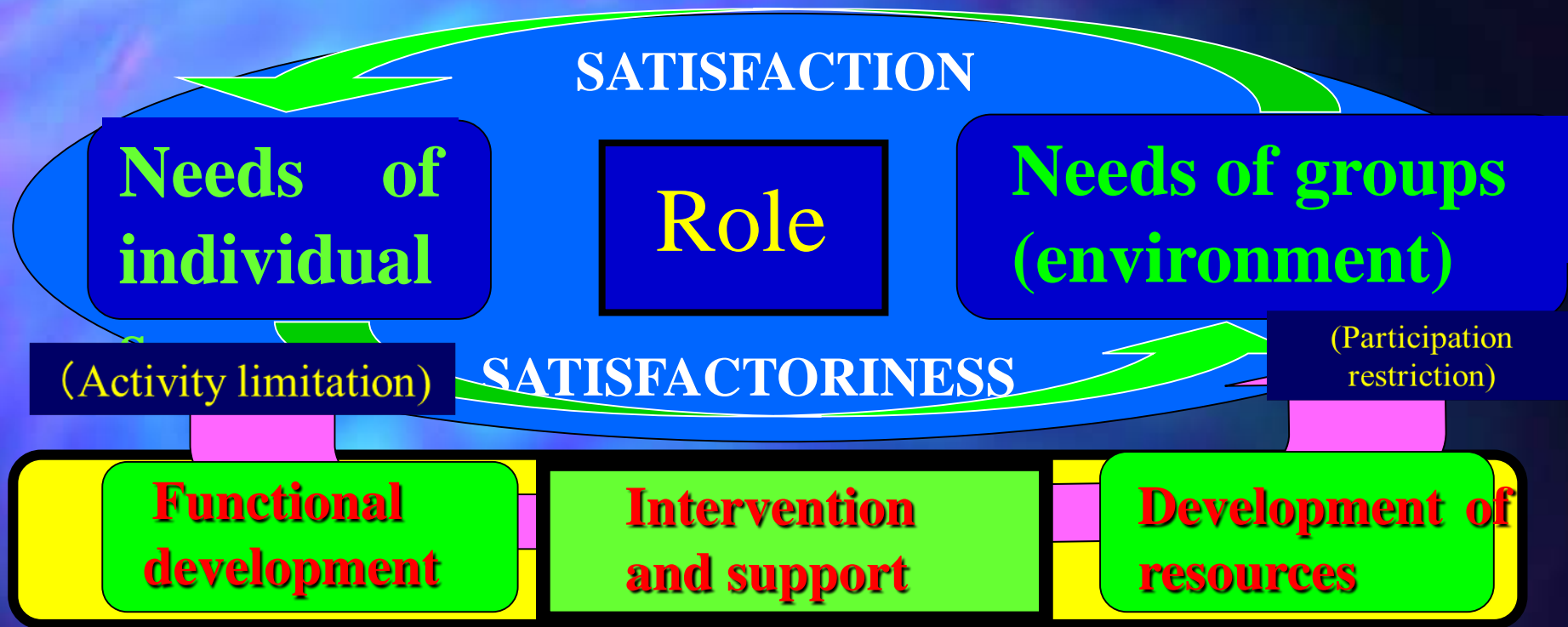
- 1. Relations of I.C.F & Voc.Reha.**
- 2. Employment measures for Persons with Disabilities in Japan**
- 3. Reasonable accommodations in Japanese Employment measures**
- 4. Summary**

International Classification of Functioning, Disability and Health (ICF)



- It is necessary to “promote social participation” both by eliminating “activity limitations” for individuals and by adjusting “environmental factors.”
- In order to promote the employment of persons with disabilities to facilitate their “social participation,” it is mandatory to provide support from both perspectives.

Concept Model of Vocational Rehabilitation



- Vocational rehabilitation activities are conducted both by supporting “functional development” for individuals and assisting the “development of resources” for the environment (organization).
- These actions correspond to the elimination of “activity limitations” and the adjustment of “environmental factors.”

Effective Intervention and support strategy

1. With individuals, the focus is on the development of functional traits.

- **Developing skills:** systematic education and development by training in skills yet to be acquired
- **Application of skills:** training in an existing skill to enable its use while working

2. With the environment, the focus is on developing resources used for support.

- **Adjustment of resources:** By selecting proper resources, adjusting the application method, and supporting the use of resources, various resource combinations will result.
- **Modification of resources:** Existing resources modified to suit the necessity and sense of values of those concerned.

- **Accessibility is a part of the development of social resources.**
- **That includes the adjustment of not only the physical environment but also the overall environment, including legal systems.**



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Act on Employment Promotion etc. of Persons with Disabilities.

Support for the Employment of Disabled Persons

1. Public Employment Security Office
2. Local Vocational Centers for the Disabled
3. National Institute of Vocational Rehabilitation
4. Employment and Daily Matters Support Centers for Disabled Persons
5. Facilities for Ability Development

Support for Employers to Promote Hiring Disabled Persons

1. The employment quota system of disabled persons
2. The disabled person's quota system
3. The Levy and Grant System for Employing Disabled Persons
4. Grants by the levy system
5. Grants to continue the employment of disabled persons
6. Grants to firms the employment development of specific disabled



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Act on Employment Promotion, etc. of Persons with Disabilities; Amendments

1. Countermeasures against ratification of the Convention on the Rights of Persons with Disabilities (starting in 2016)

- Prohibition of discrimination against persons with disabilities
- Obligation for the provision of reasonable accommodations
- Support for complaint handling and conflict resolution

2. Review of the basis for calculating the legally mandated employment rate (starting in 2018)

Persons with mental disorders will be added to the basis for calculating the legally mandated employment rate.

Guidelines Concerning the Prohibition of Discrimination

1. Basic concept

- The scope of disabled persons is persons with disabilities as specified in the Act on Employment Promotion etc. of Persons with Disabilities.
- The scope of applicable employers is all employers.
- The Guidelines prohibit direct discrimination.
- The Guidelines are aimed at promoting the acquisition of correct knowledge and understanding with regard to the characteristics of disabilities among employers and colleagues.

2. Prohibition of discrimination

- The Guidelines specify prohibited discrimination in accordance with categories, including recruitment, hiring, wages, assignment and promotion.
- It is not regarded as discriminatory to treat persons with disabilities differently as a result of proactive measures to rectify discrimination or appropriate assessment of the provision of reasonable accommodations, work capacity, etc.

Guidelines Concerning the Provision of Reasonable Accommodations

1. Basic concept

- Reasonable accommodations shall be provided in consideration of the individual circumstances of persons with disabilities and based on mutual understanding with the employer.

2. Procedures for reasonable accommodations

- At the time of recruitment and hiring, a person with disabilities shall ask his/her employer for reasonable accommodations.
- After hiring, employers shall check with the disabled person regarding whether there is a need for reasonable accommodations at the workplace.
- The employer and the disabled person shall discuss and decide on measures for reasonable accommodations.

3. Details regarding reasonable accommodations

- The government shall regularly gather and announce specific examples.

4. Excessive burden

- When reasonable accommodations are considered to be an “excessive burden” for employers, they shall not be required.
- Excessive burden shall be determined by employers on an individual basis in light of the overall situation, including the feasibility of measures taken by the company and the existence of public support.

5. Development of consultation system, etc.

- Businesses shall provide appropriate responses to requests for consultation from persons with disabilities and develop necessary systems.



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Summary—1

- According to the ICF, it is necessary to “promote social participation” both by eliminating “activity limitations” for individuals and by adjusting “environmental factors.”
- Promotion of the employment of persons with disabilities is the “promotion of social participation” of persons with disabilities.
- Vocational rehabilitation activities are conducted both by supporting “functional development” for individuals and assisting the “development of resources” for the environment (organization).
- Accessibility is the “development of social resources” and includes the adjustment of not only the physical environment but also the overall environment, including legal systems.
- Supporting “functional development” and the “development of resources” corresponds with the elimination of “activity limitations” and the adjustment of “environmental factors” stated in the ICF.

Summary—2

- Employment measures for persons with disabilities in Japan are implemented both through the provision of support for persons with disabilities and the employment quota system for disabled persons mandated for businesses.
- Provision of reasonable accommodations as part of the employment measures for persons with disabilities consists of adjustment of the environment.
- In Japan, enhancement of accessibility as a means of adjusting the environment in order to promote the employment or “social participation” of persons with disabilities is aimed to be achieved both through the employment quota system for disabled persons and securing reasonable accommodations.



THANK YOU

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