



Living conditions and quality of life

**The role of social partners in
facilitating reasonable
accommodation for persons with
disabilities at the workplace**

Author: Angelina Atanasova (Eurofound)

Research managers: Daphne Ahrendt and Angelina Atanasova

Eurofound reference number: WPEF26017

© European Foundation for the Improvement of Living and Working Conditions (Eurofound), 2026
Reproduction is authorised provided the source is acknowledged.

For any use or reproduction of photos or other material that is not under the Eurofound copyright, permission must be sought directly from the copyright holders.

Any queries on copyright must be addressed in writing to: copyright@eurofound.europa.eu

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127.

European Foundation for the Improvement of Living and Working Conditions

Telephone: (+353 1) 204 31 00

Email: information@eurofound.europa.eu

Web: www.eurofound.europa.eu

Contents

1. Defining reasonable accommodation: legal framework and policy background	1
2. Reported gaps in the implementation of reasonable accommodation	3
3. The role of social partners in facilitating the implementation of reasonable accommodation in the literature.....	6
4. Examples of social partners' actions supporting the implementation of reasonable accommodation	9
4.1 Trade union actions	9
4.2 Employer organisation actions	11
4.3 Other examples of social partners actions in support of the accommodation of persons with disabilities	12
5. The way forward: social partners and reasonable accommodation actions.....	15
5.1 Perceived importance of the subject.....	15
5.2 Organisational capacity	15
5.3 Planned future actions	16
ANNEX I: Examples of Collective Bargaining Agreements Clauses on Reasonable Accommodation	18
References	20

1. Defining reasonable accommodation: legal framework and policy background

The duty to provide reasonable accommodation for persons with disabilities in employment was introduced into EU law more than 25 years ago with the Employment Equality Directive (Council Directive 2000/78/EC). It requires employers to take appropriate measures to enable a person with a disability to access, participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer (*Article 5*). These could include different types of amendments of the workplace, including provision of assistive technology, personal assistance, adjusting workplace and providing flexible working hours, telework, flexible task arrangements, among others.

The obligation to implement reasonable accommodation by employers across the EU is further strengthened by the duty provided in the UN Convention on the Rights of Persons with Disabilities (UNCRPD), ratified in 2010 by the EU, and thus, constituting an integral part of the EU legal order. Article 2 of the Convention defines reasonable accommodation as “necessary and appropriate modifications and adjustments, not imposing a disproportionate or undue burden....to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”. The UNCRPD treats denial of reasonable accommodation as discrimination in its own right (UNCRPD, Article 2; Article 27); while Council Directive 2000/78/EC does not itself characterise a breach of that duty as discrimination or establishes corrective measures (Anglmayer, 2020).

The Court of Justice of the European Union has played a central role in further defining the meaning of reasonable accommodation, as well as aligning to some extent the definition provided in Directive 2000/78/EC with the UNCRPD's broader, social model understanding of disability and reasonable accommodation. In its landmark *HK Danmark* judgment (Joined Cases C-335/11 and C-337/11, judgment of 11 April 2013), the Court held that reasonable accommodation, read in light of Article 2 UNCRPD, refers to the elimination of the various barriers “to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”, and refers to the ‘broad definition’ of reasonable accommodation, beyond physical adjustments to the workplace, including changes to the pace or rhythm of work, such that a reduction in working hours (Joined Cases C-335/11 and C-337/11 *HK Danmark*, 2013). This landmark judgment changed the previous medical approach in defining disability, adopted by the CJEU in *Chacón Navas* (C-13/05, *Sonia Chacón Navas v Eures Colectividades SA*, 2006), for which the Court was criticized by disability rights stakeholders. The CJEU took a further step in the *Kaltoft* case (C-354/13, *FOA v Kommunernes Landsforening*, 2014) to cement the definition of disability as a “long-term physical, mental or psychological impairments which in interaction with various barriers may hinder the full and effective participation” in professional life on an equal basis with others. This has had a particular impact and opened a door to the question to broader interpretation by national legislation of chronic conditions at the workplace that prevents employees from performing their duties. Thus, also potentially extending the cases under which reasonable accommodation should be provided by employers.

The Court's more recent *Ca Na Negreta* ruling (C-631/22, *J.M.A.R. v Ca Na Negreta SA*, 2024) further clarified that Directive 2000/78/EC protects a worker from automatic dismissal where a disability arising during employment renders them permanently unable to perform their contractual tasks, without first providing or maintaining reasonable accommodation unless it constitutes disproportionate burden (European Commission, 2024). This built on the Court's earlier *HR Rail* ruling (Case C-485/20), which looked into the case of a trainee who was not capable of performing their duty, and held that reasonable accommodation extends to reassignment to a different post - including for workers not yet in a permanent position, such as a trainee - where the worker has become permanently incapable of performing the essential duties of their original role (Buchanan and Hammersley, 2023).

Most recently, in 2025, in *G.L. v AB SpA* (Case C-38/24), the CJEU extended the logic of discrimination “by association” - first ruled upon in *Coleman* (Case C-303/06), where anti-discrimination treatment was extended to a caregiver – in this case a mother caring for her disabled child. Thus, this concept was further applied by the CJEU referring to the obligation of an employer to provide reasonable accommodation, to an employee who is not themselves disabled but who is the caregiver of his/ her child with a disability. This case-law development is significant for this project's scope because it illustrates that the boundaries of the reasonable accommodation duty are still actively being defined by the Court two decades after the Directive's adoption, and that its practical reach continues to extend into new categories of workers, most recently to caregivers; and according to the latest Eurofound research, almost half “45% of the EU population provides unpaid care” and 61% of people providing unpaid long-term care are also in paid employment (Eurofound, 2025).

At EU policy level, the European Commission has paid particular attention to the concept in the current *Strategy for the Rights of Persons with Disabilities 2021–2030*, as part of the Disability Employment Package (European Commission, 2024). The Commission's *Guidelines and good practices on reasonable accommodation at work*, published as part of this Package, targets a broad number of stakeholders in addition to employers as the primary target group, among which social partners – employer organisations and trade unions, along with the public authorities, civil society and persons with disabilities themselves. The EC recognizes the important role of employer’ organisations as having the possibility to ‘foster a culture of inclusivity among their member organisations, and promote a shared philosophy of accommodation and equal opportunities’; and this of trade unions as ‘to advocate for more inclusive labour practices, heightening awareness and understanding of the vital need for reasonable accommodation’ (European Commission, 2024).

Moreover, the Guidelines were developed with the direct involvement of members of the [Disability Platform](#)¹ and social partners, who contributed examples of good practice.

Despite this comparatively well-established legal and institutional architecture, implementation of the duty of reasonable accommodation remains uneven across EU Member States and different company sizes. All 27 Member States have transposed Directive 2000/78/EC, and most provide some form of financial or logistical support for reasonable accommodation, but the design of that support, such as the type of accommodation subsidised, the proportion of cost covered, and the administrative burden of accessing it varies considerably across the EU-27 (European Commission, 2024). The European Disability Forum has similarly flagged that the reimbursement of

¹ Disability Platform available at <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3820>.

accommodation costs is, in most Member States, tied to employment relationships of a stable or permanent character, particularly relevant for workers on precarious or short-term contracts (European Disability Forum, 2024). Last but not least, the roles of different stakeholders in ensuring the implementation of reasonable accommodations across countries also vary significantly.

2. Reported gaps in the implementation of reasonable accommodation

Twenty-five years after the Directive 2000/78/EC's adoption, the persistent gap between the duty of employers to provide reasonable accommodation and its implementation is one of the most consistent findings across both EU policy evaluation and academic literature. In the last assessment of the Directive 2000/78/EC's implementation in light of the UN CRPD, the European Implementation Assessment prepared for the European Parliament, still the most up-to-date and comprehensive analysis of the implementation gaps, identifies reasonable accommodation, along with positive action, sanctions, the effectiveness of equality bodies and the limited disability disaggregated data, as one of five areas of particular difficulty in the practical application of the Directive (Anglmayer, 2020). The most recent data collected by Eurofound via the Eurofound European Working Conditions Survey in 2024, highlights that "some 17 % of employees with somewhat limiting conditions as a result of long-standing health issues and 23 % of those with severely limiting conditions report that they need workplace accommodation but do not have it, whereas between 34 % and 36 % in each group report receiving accommodation, but only partially" (Eurofound, 2026). The results further indicate the situation has largely improved since 2015 when almost 80% of workers in the EU with long-term limiting condition/ illness reported that they did not enjoy reasonable accommodation at the workplace. Some considerable differences across sectors are reported, such as full accommodation is most often provided in public administration, education and financial services sectors; whereas in the transport, health, commerce, hospitality and industry sectors, employees more often indicated either they do not have accommodation, get only partial, or do not know if such is provided (Eurofound, 2026).

In addition to the early transposition problems of the Directive in several EU Member States, by transposing the accommodation duty too narrowly, or omitting the duty from national legislation in the years immediately following adoption, prompting infringement proceedings in the case of Italy (C-312/11, *Commission v Italy*) (Anglmayer, 2020); the evaluation also identifies as structural problems the lack of data collection obligation. The latter entails that Member States and the Commission alike have limited systematic evidence on how often accommodation is requested, granted, refused, or litigated, complicating both monitoring and policy design (Anglmayer, 2020). The Eurofound EWCS, providing a comparative picture of the working conditions across Europe, by interviewing both employees and self-employed, covers a question on reasonable accommodation: 'Does your employer accommodate for your illness or health problem?', which partly fills in the gap. Yet, to gather systematic evidence on reasonable accommodation implementation company and national administrative data would be further required. This data gap is directly relevant to the present project's own scoping rationale, as social partners' organisational data, where it exists, could further fill in potential gaps concerning the implementation of reasonable accommodation.

Another key structural issue, as indicated by Anglmayer (2020), concerns the assessment of “disproportionate burden”, which has been interpreted with comparatively heavier weight placed on financial cost than the CRPD’s parallel “undue burden” test, which the Committee on the Rights of Persons with Disabilities has read more broadly (Waddington and Broderick, 2018). Moreover, despite the legal obligation, in the cases where a request for reasonable accommodation is denied, as earlier mentioned, this is not considered as direct discrimination under the Directive. Furthermore, data at national level on litigation practices and remedies addressing reasonable accommodation measures is lacking (Anglmayer, 2020).

Going beyond the redress measures, academic and policy literature has aimed to better understand the factors behind non-implementation of the duty to accommodate, as this is not to be assumed as lack of willingness but in many cases, due to limited awareness about the duty, limited understanding how to accommodate the needs of employees with disabilities, as well as lack of organisational capacity that vary among different company sizes and available HR resources. Some of the remaining challenges, identified by an earlier Eurofound (2020) research include the following: ‘lack of a direct link between fines linked to the non-observance of quotas and funding for adaptation measures’, ‘discrimination at recruitment stage linked to the perceived costs of workplace adaptation (and lack of employer access to public support for adaptations)’, ‘low levels of access to material and immaterial workplace adaptation (including spatial flexibility)’, ‘lack of government funding (or of knowledge of such funding) for workplace adaptation’, ‘lack of knowledge and understanding of the concept of ‘reasonable accommodation’, as well as more general ‘lack of knowledge of different conditions and misconceptions about limitations to work ability associated with them’, ‘low availability of accessible transport systems’ and insufficient reintegration returning to work following long medical absences, as well as the transition between sheltered and open labour market employment. The expert consultation to be conducted by Eurofound on the role of social partners in facilitating the implementation of reasonable accommodation (planned for September, 2026) will further contribute to filling in this gap of knowledge from the perspective of social partners – stakeholders that are in constant interaction both with employers and employees.

Later on, the European Disability Forum's 7th Human Rights Report, *The Right to Work's* findings support the above outlined gaps in the reasonable accommodation implementation at national level and added to these the following. (Buchanan and Hammersley, 2023) . First, at the time of that report's publication there was still no EU guidance on reasonable accommodation - a gap the Commission's 2024 Guidelines were subsequently designed to fill (Buchanan and Hammersley, 2023; European Commission, 2024) - and in its absence, national definitions of both ‘worker’ (for example, whether self-employed or unpaid workers are covered), ‘disability’ as well as the interpretation of the limits of ‘reasonable accommodation’, and ‘disproportionate burden’ varied considerably, resulting in different Directive 2000/78/EC’s implementation even where the underlying transposition was formally compliant. Second, the report flags that in some EU Member States, such as Slovenia, the accommodation duty is dependent on separate administrative eligibility decisions issued by the disability insurance or employment rehabilitation system, rather than understood as an overall duty covering all employees with disabilities. Third, the understanding of the needs as well as how and what adaptations could be made for persons with intellectual disabilities at the workplace goes even further (Buchanan and Hammersley, 2023), which places this group in less favourable position and may result in lower levels of employment. Furthermore, both the EDF report and academic literature (Brohan et al., 2012; Brouwers et al., 2020) report that persons with

psychosocial disabilities may be reluctant to disclose their condition to employers because of fear of stigma, and as a result may not even have the access to reasonable accommodation.

Finally, the European Disability Forum reports that while state funding mechanisms are available almost in all EU Member States to support partially or fully reasonable accommodation costs, there is a persistent evidence gap on the use and the *effectiveness* of the existing state grant schemes: in Ireland, for example, state grants for reasonable accommodation exist, but the report finds a lack of data on how effectively those schemes actually function in practice (Buchanan and Hammersley, 2023). The lack of awareness among employers about these grant schemes, as mentioned earlier, could be an additional hurdle. Such matters could be further addressed by the role of social partners in collaborating with employers and employees with disabilities on facilitating the implementation of reasonable accommodation at the workplace.

Set against these persistent gaps, both the Commission's 2024 Guidelines showcasing good practices on reasonable accommodation at work and the European Disability Forum's 2023 employer survey (conducted among 565 employers across 27 countries - 26 EU Member States (except for Luxembourg) and the United Kingdom) document a growing body of concrete, low-cost accommodation practices, especially with the widespread and low cost of use of artificial intelligence (AI). According to the EC guidelines, flexible or adjusted working hours and teleworking arrangements are among the most widely offered reasonable accommodation, as it does not require any specialised equipment and in most cases entail only minimal to moderate direct cost to the employer (European Commission, 2024).

At the same time, the European Disability Forum employers survey, notes that only around 30% of employers surveyed reported having a codified internal HR policy on reasonable accommodation, and 76% of employers were unaware of the public legal or financial support frameworks available to them (Lulli et al., 2024). Where financial support does exist, employers most frequently cited three challenges for implementing reasonable accommodation: **limited funding**, **excessive bureaucracy in accessing it**, and **limited information about what support exists** (Lulli et al., 2024). Interview evidence gathered for the Eurofound reasonable accommodation and social partners project echoes this argument, as employer representatives both in Ireland and Denmark independently identified retrospective funding, requiring an employer to hire and pay a worker before assistive technology or other costs can be reimbursed as an administrative obstacle, especially for SMEs. They have separately advocated for accommodation supports to be attached to the individual worker rather than the employer, so that entitlements travel with a person between jobs (interview with national employer organisations in Ireland and Denmark, June 2026).

The type of disability also reportedly impacts employers' confidence accommodating their employees. While accommodating physical or sensory impairments are more straightforward, as stated earlier, this is not the case for employees with psychosocial or intellectual disabilities. Moreover, the accommodation is disproportionately concentrated on retaining existing employees who acquire a disability rather than on recruiting new employees or interns with disabilities (Lulli et al., 2024; Bento and Kuznetsova 2018). Bento and Kuznetsova (2018) report that in the Norwegian case study they conducted, neither employer could identify having hired an employee with a disability requiring substantial workplace adaptation, even while reporting a general commitment to inclusion. In such cases, the support of social partners both by raising awareness among job applicants with disabilities and employers on their legal duties, as well as on sharing collective knowledge and peer learning support opportunities to employers could prove significant in

addressing such gaps, as the examples presented in the EC guidelines have showcased, for example, by adopting individualised recruitment approach for job applicants with autism and other psychosocial conditions

In addition, the European Federation of Hard of Hearing People's 2026 Hearing Loss Inclusive Employment Toolkit reports an EU employment rate of only 40–44% for hard of hearing people, against 75% for the general population, and finds that 53% of hard of hearing respondents were never informed of available workplace accommodations, even though 82% of those who did receive one found it effective (EFHOH, 2026). This gap between low awareness and high effectiveness supports the EDF employer survey findings discussed above, and reinforces the need for active awareness-raising - a role for which sectoral social partners and disability federations, working together, are well placed.

To sum up, the legal entitlement to reasonable accommodation is well established and over the years, has been substantially clarified through CJEU case law, and yet awareness both among employers and employees remain low. The implementation of reasonable accommodation measures is concentrated on employment retention rather than recruitment, and on visible or physical impairments rather than psychosocial, intellectual or non-visible conditions, largely defined by national social policies and disclosure dynamics of employees with disabilities. Yet, the evidence on the role of employer organisations and trade unions in facilitating the implementation of reasonable accommodation, for example, by sharing information, monitoring implementation, and building employer and worker capacity around reasonable accommodation remain limited to date. This is a research gap that Eurofound's project the role of the social partners in the implementation of reasonable accommodation aims to address.

3. The role of social partners in facilitating the implementation of reasonable accommodation in the literature

Reasonable accommodation implementation requires the efforts of a wide range of actors operating at different levels: EU and national policymakers setting the legal and policy frameworks; national governments, state institutions, including equality bodies responsible for transposition, enforcement, subsidy administration and monitoring; employers, who bear the primary legal duty under *Article 5*, Council Directive 2000/78/EC, as well as disabled persons' organisations (DPOs) and civil society, who advocate for the rights of persons with disabilities but also who play an important role supporting employers and national administrations with the design of measures and monitoring, and social partners - trade unions and employer organisations, whose work overall could provide the missing link between EU or national policies, employers and sectoral/ individual workplace practices and the experiences of the end users of these. When it concerns the role of the latter, academic literature on the topic highlights that there is limited empirical research across Europe examining social partners' role in supporting reasonable accommodation implementation (Masso et al., 2019).

The academic literature, reviewed for the purpose of this scoping paper, nevertheless, support the importance of the role of social partners in the process of reasonable accommodation

implementation via two distinct ways: through **collective bargaining** and as **intermediary stakeholders** that can address the information and capacity gap identified in the implementation of reasonable accommodation, and advocate for accommodating the needs of employees with disabilities. Nevertheless, literature also outlines that sometimes advocacy on the topic can present a **conflict** in the understanding of social partners for defending **the interests of an individual or small group compared to the 'collective good'** that they represent; as well as depending on the **organisational resources** and the **technical knowledge** required to tackle the topic could pose further hurdles on actively engaging with it.

First, **collective bargaining** is an available - and, explicitly even if not that often, claimed - channel for negotiating reasonable accommodation measures at the workplace (see an example in *Annex 1*). The European Trade Union Confederation's disability resolution frames the reasonable accommodation duty under Directive 2000/78/EC as both a worker's right and an employer obligation, for which implementation 'collective bargaining and social dialogue between employers and trade unions play a pivotal role' (ETUC, 2025). At sectoral level, in 2021, IndustriAll Europe's Executive Committee position paper, *Stepping up trade union action with and for persons with disabilities*, committed its affiliates to engage employers on reasonable accommodation, to 'review collective agreements through a disability lens', and to include persons with disabilities in negotiating teams, among other actions on tackling discrimination and increasing their advocacy efforts for 'for inclusive and open labour markets' (IndustriAll Europe, 2021).

The *EC Guidelines on Reasonable Accommodation* (2024) also explicitly encourage employers to engage trade unions on reasonable accommodation solutions through collective bargaining, and present the 2021–2023 ENEDIS professional integration agreement in France as a good practice example. In the ENEDIS professional integration agreement, the accommodation process itself, including adaptations for teleworking, was jointly negotiated between the employer and the trade unions and embedded in a company-level agreement with a dedicated disability budget (European Commission, 2024). The EC Guidelines further note that in some Member States, such as Spain, trade unions and employer organisations have signed framework agreements and collective agreements at national, provincial and company level specifically addressing accommodation and workplace relocation (European Commission, 2024). The online expert consultation to be conducted by Eurofound will further feed into the matter by inquiring national social partners on their views of reasonable accommodation in collective bargaining agreements at sectoral and company level, the effectiveness of these along with other policy measures; as well as about their organisational capacity to tackle these issues via collective bargaining.

Empirical literature on collective employment relations systems, however, suggests this potential is, at present, only partially realised, and it largely depends on the respective national institutional context. Masso et al.'s (2019) comparative study of Estonia, Hungary and Poland (EU Member States with "'fragmented, state-centred' industrial relations regimes", characterised by low collective bargaining coverage) found that none of the three countries had concluded binding collective agreements specifically regulating reasonable accommodation at the workplace, even though related matters such as occupational health and safety were commonly covered by collective bargaining in the same countries. The same study found that social partners in all three countries tended to view reasonable accommodation as a matter for central government regulation rather than their responsibility. The authors of this study noted knowledge-sharing measures, such as information platforms, awareness training, sectoral job registers as 'underutilised resource' by social

partners but of key importance for disseminating good practices and reaching positive results (Masso et al., 2019). Foster, Masso and Osila (2021), extending their research on the subject, attribute this pattern in Central and Eastern European Member States to a combination of historically weak enterprise-level industrial relations inherited from the socialist past of the countries in the region, and a “dead letter” pattern in which EU-level instruments exist on paper without being actively implemented at national or sectoral level (Foster et al., 2021).

By contrast, Holubová et al.'s (2024) comparative research covering Slovakia and Norway found that the Norwegian coordinated, corporatist system produced active coordination between unions and employers on disability work integration, whereas in Slovakia, institutional centrally governed measures, such as a quota-and-purchasing system, sheltered employment, focused disability work integration outside the social partners' remit overall (Holubová et al., 2024). This comparison suggests that a country's mode of statutory obligation may impact the role of social partners in supporting reasonable accommodation implementation at the workplace.. Furthermore, one should also consider the industrial relations model in place in the respective country, including the density of social partner organisations and the extent of collective bargaining coverage, which inevitably predetermine the overall role of social partners in such negotiations.

Second, **social partners are positioned as intermediaries** who can address the information and capacity gap identified in the implementation of reasonable accommodation. The European Disability Forum research among employers found that around three-quarters of employers were unaware of the public support available to them for reasonable accommodation (Lulli et al., 2024) (see *Section 2*). Sectoral or cross-sectoral employer associations and trade union are well placed to reduce through guidance, training and peer exchange this knowledge and capacity gap, especially in the cases of SMEs and low resourced companies (Masso et al., 2019). In similar regard, the EC Guidelines list trade unions and employer organisations among the stakeholders, alongside public employment services and civil society organisations, that can support individual employers in identifying and implementing appropriate accommodations (European Commission, 2024).

Third, the **conflict between individual and ‘collective good’** advocated for by social partners can sometimes prove vital for social partners to decide in favour of or against acting upon the topic. Bacon and Hoque (2015) surveyed the population of trade union “Disability Champions”² in Britain and found that their influence was substantially stronger on employers' willingness to conduct disability audits and improve general equality policy than on employers' willingness to grant specific individual accommodations. While this is an example from the UK, it presents an important consideration for trade unions – that sometimes, the support of reasonable accommodation might be perceived as support of approached focused on the outcome for individual employees, rather than for employees as a whole. This can lead to tensions in the role of trade unions overall between individual-outcome accommodation and unions' collective representation function (Basas, 2013). This has been partially supported by evidence collected during the interviews with EU-level social partners conducted for the purpose of this project.

Harpur's (2018) legal analysis, while not EU-specific and grounded primarily in a critique of the CRPD's promotion of self-employment and gig work under Article 27, found that disability-related

2 According to the definition provided by Bacon and Hoque (2015), ‘Disability Champions are a new type of lay workplace trade union activist, whose role is to encourage employers to audit and improve disability policies and offer independent advice and guidance on disability issues to employees.’

provisions were most likely to appear where bargaining agendas were shaped by an explicitly rights-advocacy orientation, and least likely where bargaining reflected either a narrow legal-compliance orientation or a majoritarian “collective good” orientation that could subordinate the interests of a numerically small group to majority priorities (Harpur, 2018; Basas, 2013). This suggests that the potential social partner organisation's engagement with reasonable accommodation may depend less on institutional factors, such as the formal presence of tripartite structures or sectoral bargaining coverage than on whether disability inclusion has been actively and explicitly adopted as an advocacy priority within that specific organisation (Bacon and Hoque, 2015; Basas, 2013; Foster and Fosh, 2010). The latter is a question that the upcoming Eurofound online expert consultation addresses with equal interest.

Finally, **organisational resources and technical knowledge on the subject** could play a substantial role in addressing the topic in more effective way (Bacon and Hoque, 2015; Foster and Fosh, 2010), and integrating it within the social partners' agendas. Interview evidence gathered in the context of Eurofound's project supports this statement with several interviewees bringing up the topic as technical. This organisation-level account does not contradict the institutional explanations above so much as suggest that institutional context sets the range of what is possible while organisational capacity and, as discussed below, individual advocacy commitment determine whether that potential could be realised in practice.

4. Examples of social partners' actions supporting the implementation of reasonable accommodation

This section draws on nine expert interviews conducted by Eurofound in May and June 2026 with EU-level social partners and disabled persons' organisations (DPOs) both in person and online as well as on original data collected from Eurofound's EU PolicyWatch and on and Eurofound project coding collective bargaining agreements clauses in selected low-paid sectors (2025), to showcase examples of how social partners are already acting on reasonable accommodation.

4.1 Trade union actions

At EU level, trade union federations have advanced reasonable accommodation mainly through advocacy structures that channel national experience into collective bargaining and EU-level positions, often in direct consultation with DPOs. For example, ETUC's Task Force on Workers with Disabilities channels national affiliates' priorities into ETUC's advocacy and disseminates EU-level developments back to members (interview with ETUC, May 2026). It has worked with the European Disability Forum (EDF) on reducing discriminatory recruitment practices, notably supporting EDF's advocacy for employers to make job vacancies public to increase accountability at the pre-employment stage, where proving discrimination is otherwise particularly difficult, and it has documented sectoral and company collective bargaining provisions on reasonable accommodation in Italy, Spain and Ireland that formally restate the employer's accommodation obligation (interview with ETUC, May 2026). In this regard, the interviewee highlighted the need for further academic and policy research on the coverage of disability-related issues in collective bargaining agreements.

Another trade union federation at EU level has defined their role mainly as “knowledge brokers” or those who provide “the forum for exchange” among national unions to share experiences and learn

from each other. It addresses disability through a horizontal Equal Opportunities Group that feeds into its collective bargaining and occupational health and safety structures (interview with trade union federation, May 2026). Its bargaining for equality project combined research with a workshop on how "experts who do collective bargaining in their own, like in their home unions, how they can take equality issues on board better", including disability-related issues in recruitment, career pathways and accommodation. It further promotes the idea of "diverse bargaining groups" at national and sectoral level, that include workers with different backgrounds, as well as workers with disabilities directly in negotiating teams. Furthermore, the interviewee has highlighted the importance of first and foremost "awareness raising among local shop stewards and giving people a voice" (interview with trade union federation, May 2026).

Another example of an action at EU level is the launch of IndustriAll first Diversity at the Workplace Award in 2023, to be awarded every two years to recognise outstanding local initiatives in the field of equal opportunities. This is defined as part of their commitment to "increasing equality in our organisation and on the shopfloor" with the acknowledgment that "the real work is done by local trade union officers and shop stewards" (IndustriAll Europe, 2022). The "Hanne project", Norwegian initiative, one of the projects submitted by the Norwegian trade union [Industri Energi](#), presents an example of an interesting low-cost practical adjustments reasonable accommodation. Occupational health and safety materials were redesigned from long text-based formats into visual formats after Glencore Nikkelverk's nickel, copper and cobalt plant in Kristiansand found that more than 10% of its workforce had dyslexia-related difficulties. Low-cost adjustments, such as symbol-based safety signage, and daily briefings in place of written memos were linked to the overall reduced rates of sick leave and improving workers' confidence, and were subsequently scaled into a national 2022 pilot project, named "Dyslexia-friendly Workplace", in which efforts were joined by eight different companies, the national organisation Dyslexia Norway, Industri Energi and the employers' federation Norwegian Industries (Industri Energi, 2026; Norwegian Ocean Industry Authority, 2022). This joint collaboration highlights the importance of the collaboration of different stakeholders – social partners, persons with disabilities themselves and organisations representing their interests, employers - for achieving positive results and inclusive working environments with overall better understanding for the needs of persons with disabilities.

The examples shared by another trade union federation, constitute disability-related provisions in sector-specific joint declarations with employers embedded by them, including in the finance and insurance sectors; and a new project under way to extend cross-sectoral guidelines covering disabled and neurodivergent workers (interview with EU-level trade union federation, 2026). At national level, some affiliate-led initiatives could be highlighted, such as the UK Communication Workers Union's disability education programme³ that offers hands-on case advice to members and reps, running awareness work on visible and hidden/invisible disabilities and neurodiversity (with a partnership with the ADHD Foundation); the French Force Ouvrière's Mission Handicap Confédérale⁴ structure, advocating individually and collectively for the rights of persons with disabilities, supporting negotiation of company- and sector-level disability agreements,, alongside a large-scale

3 For further information, see the official website: <https://education.cwu.org/equality/equality-strands/disability>, last accessed on 11 September 2026.

4 For further information, see the official website: <https://handicap.force-ouvriere.org/>, last accessed on 11 September 2026.

2023 UNI Europa survey of around 300 unions and 20 employer organisations on "Eliminating violence and harassment in the world of work", that covered extensively psychosocial risks. The trade union federation has further expressed its interest in connecting its disability-related work and going forward with research on the topic (Uni Europa 2024; interview with trade union federation, May 2026).

As discussed in Section 2, sometimes due to the technical terminology, reasonable accommodation is not recognised by social partners, even if applied in their practice. Another trade union federation which does not explicitly frame its work around reasonable accommodation had their domestic work affiliates negotiated a sector-level training fund, financed through social dialogue, as part of which they established "coach" roles allowing older or more experienced domestic workers to mentor new colleagues rather than continue in physically demanding cleaning and care tasks themselves — a *de facto* accommodation measure that reduces physical strain for retained older workers by amending their tasks. The initiative has, however, been scaled back to roughly 500 coaches nationally because the service-voucher funding model does not cover the cost of paying two workers where the client is billed for one (interview with a trade union federation, 2026).

4.2 Employer organisation actions

At EU level, employer organisations have also adopted actions and collaboration with EU stakeholders, including providing feedback to the European Commission, on updating policy measures and guidelines on inclusive workplace environments.

BusinessEurope has reportedly focused its advocacy efforts on reforming the interaction between disability benefits and earned income, so that people with disabilities are not penalised by the loss of disability allowance when they take up or increase paid work. The organisation also highlights the importance of the new technologies for providing reasonable accommodation and contributing to inclusive working places: "Telework has opened possibilities for people with disabilities, both for accessing [the] labour market and accessing employment, but also enhanced possibilities for reasonable accommodation, thanks to different digital tools, automation... and robots." (interview with BusinessEurope, May 2026).

Another employer organisation at EU level points out their contribution to the most recent input to the 2025–2030 continuation of the EU Disability Rights Strategy, where it prioritised proportionality for SMEs, such as cost-effective workplace adaptation, promotion of digital tools, non-binding practical guidance, and simplified access to financial support, reflecting the assessment that SMEs typically lack a dedicated HR function and must adapt existing premises rather than build accessible workplaces from scratch (interview with an employer organisation, May 2026).

An employer organisation in the hospitality sector, has jointly developed occupational health and safety guidance with its trade union counterpart in the sector, and collaborated on EU-funded accessibility projects for accessible tourism (interview with employer organisation, May 2026). Furthermore, it highlighted a national practice of one of their members, an Italian hotel employing people with physical, intellectual and sensory disabilities through a 12–18-month on-the-job training and mentoring model with existing staff before offering permanent contracts. This initiative was attributed to one owner's personal experience of disability (interview with employer organisation, May 2026).

In Ireland, a national employer organisation has developed, with trade unions and civil society partners, a "reasonable accommodation passport", a portable record of an employee's agreed accommodations that travels with them across roles and managers within an organisation and is periodically reviewed (interview with national employer organisation, May 2026). The passport reduces the need to repeat a personal disclosure conversation with HR and or management each time, which as highlighted by academic literature is one of the main reasons for non-take-up of reasonable accommodation, along with lack of awareness on one's rights. Another national example shared by the organisation is the Bank of Ireland's neurodiversity employment strategy and toolkit (interview with national employer organisation, May 2026). Furthermore, the organisation has advocated for reform of the state accommodation-funding model, which is currently retrospective, requiring an employer to hire and pay a worker before assistive technology can be funded, towards a model in which supports are attached to the individual and move with them between employers.

A Danish employer organisation interviewed alongside BusinessEurope described a joint statement issued with the Danish disability organisation on increasing employment of people with disabilities, and highlighted a colleague-mentor model in which an existing employee supports a new colleague with structure and integration; in the Danish system, accommodation is negotiated largely on a case-by-case basis at workplace level, consistent with an increasing emphasis on adapting the job to the person rather than the reverse – 'it's increasingly like the job should fit the person and not the other way around. So that's really the tendency.' (interview with national employer organisation, May 2026).

Employer-side implementation has also been shaped directly by DPOs working with individual companies. The European Disability Forum reported working, at the request of the companies concerned, with large multinational companies to improve their implementation of reasonable accommodation, in addition to its formal input, alongside ETUC to the European Commission's 2024 Guidelines through the EU Disability Platform consultation process (interview with EDF, May 2026). EDF highlighted job carving - restructuring an existing role by reallocating tasks from colleagues to create a position matched to a new employee's abilities - and workplace mentoring, particularly valuable for neurodivergent employees, as two accommodation practices it considers especially effective and adaptable to a wide range of support needs (interview with EDF, May 2026).

4.3 Other examples of social partners actions in support of the accommodation of persons with disabilities

In the context of different projects with focus on social partners' actions to promote diversity and inclusion, or support vulnerable individuals, of particular interest to this paper are the Eurofound *Collective bargaining beyond pay: An analysis of collective agreements in selected low-paid sectors* (2025) and the *EU Policy Watch database* of emergency actions aimed at alleviating the social and economic effects on citizens, workers and businesses.

Reasonable accommodation adaptation of workplaces in collective bargaining agreements

Reasonable accommodation collective bargaining agreements clauses emerged among the clauses on the protection of vulnerable workers in a recent Eurofound project conducting an analysis of collective bargaining agreements in three selected low-paid sectors, namely Manufacture of food,

leather, textiles, and clothes, Residential and social care, and Retail. The project compiled in a database 13 347 coded clauses from 94 agreements across the three low-paid sectors in Austria, Belgium, Finland, Portugal, France, Italy, the Netherlands, Norway, Slovakia, Czechia, and Croatia and Spain (Eurofound, 2025). Among the main emerging topics in the studied collective bargaining agreements are terms of collective agreements, terms of employment, wage and remuneration, allowances and bonuses, working time, leave, OSH, social protection and social security, work organisation and work transitions, work environment, training, labour relations, among other clauses. Reasonable accommodation appears as a sub-topic to the hub of the clauses clustered around the work environment topic (in total 379 references), namely as part of the references referring to protection of vulnerable groups of workers or anti-discrimination and inclusion clauses (Eurofound, 2025). More specifically, the clauses concerning equal treatment and inclusion in the labour market of persons with disabilities at the workplace are found in agreements coming from all three sectors examined in the report (namely, Retail, Manufacture of food, leather, textiles, and clothes and Residential and social care), from the following countries Belgium, France, Italy, Portugal and Spain; as there is one clause coded on the subject from Austria, Croatia, the Netherlands and Norway.

The majority of these⁵ provisions address disability collectively and focus on procedural issues, rather than granting an enforceable individual right to a negotiated reasonable accommodation. The most common clause type among these is the **quota-and-alternative-measures obligation** (Spain's 2% rule, France's 6% according to the OETH/Article L.5212-13 obligations, Belgium's spending on the training of workers and job seekers from risk-groups that include persons with disabilities), typically joined by **generic anti-discrimination language** that lists disability among a long roster of protected characteristics, such as most often gender, among others. Another element concerns the **procedural obligations**, for example, to consult works councils, appoint a contact person, produce an annual disability employment report, or partner with external bodies (Agefiph, Cap Emploi, WIDE Framework) for funding and placement support.

Nevertheless, among these, few clauses addressing reasonable accommodation could be identified. These target mostly **flexible or reduced working time, tasks reassignment and job retention and redeployment for workers who acquire a disability during employment**, such as Italy's provisions on recognition of support measures for promoting the rehabilitation and recovery of permanent employees, whose disability status has been ascertained by a public or affiliated health facility and who must undergo a therapeutic rehabilitation project⁶, and France's 'worsening disability'⁷ clauses

⁵ Data extrapolations should not be made based on this basis, due to the limited number of agreements that have been coded across three low paid sectors.

⁶ '....a) granting of unpaid leave for the entire duration of the recovery project at specialized structures; b) granting of unpaid daily leave; c) reduction of working hours with the application of the regulatory and remuneration institutions envisaged for part-time employment, limited to the duration of the project; d) the Institution, within the scope of its organizational autonomy in relation to the needs of the service, will evaluate the possibility of assigning the worker to tasks other than the usual ones.', CA-IT-1895-Cat10-5944888.

⁷ '....Employees whose disability worsens may request, after consulting the occupational physician, a reduction in their working time. The employer takes the necessary measures to grant this request as a priority based on work organization needs. This reorganization leads to a reduction in salary proportional to the length of work. An amendment to the employment contract is then signed between the employer and the employee. In the event of a real impossibility of maintaining the employee in his job in the absence of proven reclassification, the employer

are the clearest examples, offering reduced or part-time hours, unpaid leave, or reassignment, with dismissal framed as a last resort after "all possibilities" are exhausted. An excellent example about the commitment to **additional and/ or adapted training**⁸ comes from the Retail sector. Several of the coded clauses also refer to **physical workplace adjustments** that would make the workstations of employees adequate to their needs; or obligation to **individualised, workstation-specific adaptation** ("adapting the position," ergonomic studies, technical aids), framed as more advisory rather than obligatory text of the clauses. One could find two concrete examples in the original language and translated in English in Annex I.

EU Policy Watch: Emergency actions in support of disabled workers

Another Eurofound database where a few examples of measures concerning persons with disabilities, implemented with the support of social partners, could be found is the [EU Policy Watch](#)⁹. The Eurofound EU Policy Watch presents 36 policy measures¹⁰ undertaken by governments, companies and social partners addressed at 'disabled workers'. Considering the nature of the database, these entries represent mainly measures undertaken as crisis response since 2020, as the majority of these were adopted in response to the COVID-19 crisis.

These most often concerned Active Labour Market Policies (e.g., *Anti-crisis shield: Additional support for companies and NGOs employing people with disabilities implemented in Poland, Labour market re-integration for disabled workers in Slovakia; Financial support to hire workers with disabilities in France*). Only few of these measures represent in their nature a type of reasonable accommodation, such as **teleworking mode** (e.g., *Remote working extension for vulnerable workers in Italy; Exceptional support for the implementation of telework in France; Telework and workers with disability or impairment - exceptional and temporary measures in Portugal*), undertaken during the COVID-19 health crisis, or such requiring **specific equipment** for employees with disabilities during the COVID-19 period (e.g., *Exceptional aid to cover the extra cost of specific prevention equipment for the benefit of a deaf and/or hard of hearing person and for people with cognitive problems requiring lip reading for better oral comprehension in France*), and overall measures to target the **adaptation of workplaces** for persons with disabilities (e.g., *Workplace adaptation in favour of people with disabilities including in response to the COVID-19 health emergency in Italy*). However, most of these measures have been activated by local, regional or national governments; and only

must proceed with his dismissal according to the provisions provided for by the labor code.', CA-FR-2099-Cat10-6615523.

8 'To facilitate the upgrading of disabled people, companies ensure that the training organized as part of the training plan is adapted to their situation: duration of the course, equipment, specialized speakers, etc.', CA-FR-2044-Cat10-6610020.

9 For the full account of policy measures, please refer to the Eurofound EU Policy Watch available at: <https://static.eurofound.europa.eu/covid19db/database.html>

10 These are identified among 3294 policy measures in total, gathered between 2020 up to date across the EU. The identified policy measures are such implemented in response to alleviating social and economic effects on EU citizens, emerging from the different crisis as of 2020, starting with the COVID-19, and more recently with the energy crisis, the war in Ukraine, and price inflations. The stakeholders that activate and implement the measures range from social partners and companies to local, regional and national governments; while the target groups which are addressed represent different vulnerable groups, from children, young people, single parents, disabled workers, to pensioners, among others.

few of these measures address directly reasonable accommodation at the workplace. For example, *Working time account* in Slovakia¹¹ was directed at adopting working time flexibility, and was agreed upon by trade unions at company level. The role of social partners in the majority of these measures has been defined as solely consultation, rather than active involvement.

5. The way forward: social partners and reasonable accommodation actions

This section sums up the findings from the previous sections, including the interviews accounts conducted for this project, and outlines the way forward specifically with a focus on the actions of social partners.

5.1 Perceived importance of the subject

Interviewees' opinions varied considerably in how important reasonable accommodation is to their current agendas, varying from conducting regular work on it to depends on the European Commission's latest agenda matter on equality. Some of the interviewed stakeholders commented on the topic as a sustained priority, reflected in dedicated structures such as, for example, in the ETUC's Task Force, Equal Opportunities Group, or equality departments in their organisations (interviews with trade union associations at EU level, May 2026); employer organisations framed their engagement primarily through the lens of labour and skills shortages (interviews with employer organisations, May 2026). Moreover, the issue is overall perceived as rather technical and some specific knowledge and understanding of it are required in order to advance work on it. Yet, considering the nature of the interviewed organisations – social partners at EU level, one could well understand that limited resources are distributed across a large number of policy dossiers and related topics. Thus, the current project's expert consultation (launched in September, 2026) aims to provide further understanding of the interest, resources allocated and the overall perceived importance of the subject for national social partners, where the actual hands-on expertise and knowledge are required to deal with the issue.

5.2 Organisational capacity

Resource constraints were raised, in some form, by nearly every organisation interviewed at EU level. Several EU-level federations cover disability alongside multiple other equality strands, including gender and equal opportunities portfolio, with very limited dedicated staff time. Several organisations have reported dedicated structures with focus on equality, and disability as part of it, with the notable exception of the specifically dedicated ETUC trade union taskforce working on disability inclusion¹². Another large EU-level trade union federation's own assessment was that variation in engagement is driven less by sector or geography or even not by resources, rather than by commitment to the topic, illustrated by examples of highly engaged initiatives originating in both

11 The full description of the measure is available at the Eurofound official website, EU Policy Watch: https://static.eurofound.europa.eu/covid19db/cases/SK-2012-1_2524.html

12 For further information, please refer here: <https://www.etuc.org/en/document/etuc-resolution-defending-rights-workers-disabilities>.

large, well-resourced unions and a very small Albanian affiliate (interview with trade union federation, May 2026). Several interviewees independently linked their organisation's engagement to a colleague's personal or family experience of disability, thus, suggesting that individual advocacy commitment continues to shape institutional priorities in ways that are not fully captured by structural indicators (interviews with EU social partners, May 2026).

Interviewees identified similar needs to improve the effectiveness of the reasonable accommodation implementation, among which further guidance, a dedicated budgetary line to support accommodation costs for employers with modest revenues; administrative simplification of accommodation-funding schemes (interviews with social partners, May 2026). In addition, further practical guidance and digital tools tailored to SME constraints have been highlighted as important for employers with limited capacity (interview with employer organisation, May 2026); peer-exchange platforms and fora, diverse bargaining groups including employees with disabilities, and internal trade union networks for workers with disabilities as capacity-building tools within its own remit (interview with trade union organisation, May 2026). Further importance placed in the sectoral social dialogue committees, training and awareness-raising conducted by social partners at national level (interview with trade union federation, May 2026).

5.3 Planned future actions

Several organisations reported concrete future plans to work on the topic, such as strengthening its cross-sectoral guidelines on violence and harassment to explicitly cover disabled and neurodivergent workers, including by covering ageing and disability workers (interview with trade union federation, May 2026); Future Alliance skills strategy for the hospitality sector to 2030 is expected to include an inclusion strand (interview with trade union federation, May 2026). Some of the reported future engagement of social partners is contingent on whether the topic is placed on the EU policy agenda by the European Commission or raised as a priority by their own members (interviews with EU social partners, May 2026). This range of positions, and the more concrete needs of social partners to conduct future work on the topic, as well as their future concrete plans, are further examined for the social partners representativeness across the EU-27 through the upcoming Eurofound online expert consultation in September, 2026.

.....

This Working Paper aims to explore the role of social partners in supporting reasonable accommodation in the academic and policy literature, as well as to illustrate this with specific examples coming from social partners activities at EU and national level. The Paper is published in anticipation of the Eurofound online expert consultation results on the topic.

The **Eurofound online expert consultation** was distributed to social partner representatives across the EU Member States in early September 2026. The consultation focused on questions around social partners' organisational capacity and interest in working on reasonable accommodation, and the topic's positioning on their agendas; their experiences with the topic so far, including good practices and the challenges they have faced; the requests they have received from their members on the topic and how they have addressed, or plan to address, these going forward; their

collaborations to date with other stakeholders; and their overall plans for future work on the topic. The consultation is overall aimed to provide better understanding of the views of social partners about their roles in supporting the implementation of reasonable accommodation at the workplace, in collaboration with employers and all concerned stakeholders. A copy of the consultation is available on request from Eurofound.

This is part of Eurofound's research project '*The role of social partners in applying reasonable accommodation at work for persons with disabilities*', within the larger research strand '*Social and employment situation of persons with disabilities*' (2026–2028). The project reflects the EU-level sustained commitment of policy makers, set in the *Strategy for the Rights of Persons with Disabilities 2021–2030* to support the implementation of the existing equality legislation and policies for fostering quality jobs, and accessible and inclusive workplaces for persons with disabilities.

ANNEX I: Examples of Collective Bargaining Agreements Clauses on Reasonable Accommodation

Example 1: CBA clause on 'Protection of (other) vulnerable groups' in the Retail sector, Italy

Art. 110 - Workers suffering from oncological pathologies pursuant to art. 12-bis, paragraph 1 of Legislative Decree no. 61/2000, workers suffering from oncological pathologies, for whom a reduced working capacity remains, also due to the disabling effects of life-saving therapies, ascertained by a medical commission established at the territorially competent local health unit company, have the right to the transformation of the full-time employment relationship in vertical or horizontal part-time employment. The part-time employment relationship must be transformed back into a full-time employment relationship at the worker's request. In any case, more favorable provisions for the worker remain unaffected. Pursuant to art. 12-bis, paragraph 2, of Legislative Decree no. 61/2000, in the case of oncological pathologies affecting the spouse, children or parents of the worker, as well as in the case in which the worker assists a cohabiting person with total and permanent inability to work, which takes on a serious connotation for the pursuant to the art. 3, paragraph 3, of law 5 February 1992, n. 104, for whom a percentage of disability equal to 100% has been recognized, with the need for continuous assistance as I am unable to carry out the daily acts of life, in accordance with the provisions of the table referred to in the decree of the Minister of Health 5 February 1992, published in the ordinary supplement to the Official Journal no. 47 of 26 February 1992, the priority of the transformation of the employment contract from full-time to part-time is recognised. Pursuant to the same art. 12 bis, paragraph 3, in the event of a request from a male or female worker with a cohabiting child aged no more than 13 years or with a cohabiting child with a handicap pursuant to art. 3, L. 4 February 1992, n. 104, priority is given to the transformation of the employment contract from full-time to part-time.

(Note: automated translation in English)

Art. 110 - Lavoratori affetti da patologie oncologiche Ai sensi dell'art. 12-bis, comma 1 del D.Lgs. n. 61/2000 i lavoratori affetti da patologie oncologiche, per i quali residui una ridotta capacità lavorativa, anche a causa degli effetti invalidanti di terapie salvavita, accertata da una commissione medica istituita presso l'azienda unità sanitaria locale territorialmente competente, hanno diritto alla trasformazione del rapporto di lavoro a tempo pieno in lavoro a tempo parziale verticale od orizzontale. Il rapporto di lavoro a tempo parziale deve essere trasformato nuovamente in rapporto di lavoro a tempo pieno a richiesta del lavoratore. Restano in ogni caso salve disposizioni più favorevoli per il prestatore di lavoro. Ai sensi dell'art. 12-bis, comma 2, del D.Lgs. n. 61/2000, in caso di patologie oncologiche riguardanti il coniuge, i figli o i genitori del lavoratore o della lavoratrice, nonché nel caso in cui il lavoratore o la lavoratrice assista una persona convivente con totale e permanente inabilità lavorativa, che assuma connotazione di gravità ai sensi dell'art. 3, comma 3, della legge 5 febbraio 1992, n. 104, alla quale è stata riconosciuta una percentuale di invalidità pari al 100%, con necessità di assistenza continua in quanto non in grado di compiere gli atti quotidiani della vita, ai sensi di quanto previsto dalla tabella di cui al decreto del ministro della sanità 5 febbraio 1992, pubblicato nel supplemento ordinario alla Gazzetta Ufficiale n. 47 del 26 febbraio 1992, è riconosciuta la priorità della trasformazione del contratto di lavoro da tempo pieno a tempo parziale. Ai sensi del medesimo art. 12 bis, comma 3, in caso di richiesta del lavoratore o della lavoratrice, con figlio convivente di età non superiore agli anni 13 o con figlio convivente portatore di handicap ai sensi dell'art. 3, L. 4 febbraio 1992, n. 104, è riconosciuta la priorità alla trasformazione del contratto di lavoro da tempo pieno a tempo parziale.

(Original clause in Italian), Source: CBBP Database 2025.

Example 2: CBA clause on 'Protection of (other) vulnerable groups' in Residential and social care sector, France

The usual place of work of the vast majority of employees in the sector is the private homes of users of the establishment or service. This situation is likely to make it difficult for the employer to take action on working conditions and even for the disabled employee to intervene. 2.1. Administrative professions Administrative professions as defined in Title III may involve relatively modest medical constraints and are likely to create much fewer difficulties for structures in terms of recruitment possibilities. For these positions, technical aids, revised work organization and adjustments are possible to compensate for the disability. If these candidates have an insufficient level of skills and training, employers undertake to enable these candidates to acquire the desired level of skills through a training course. In the event of material impossibility of adapting workstations, the actions described in this chapter are intended to enable, in whole or in part, these structures to fulfill the obligation to employ disabled workers. 2.2. Intervention professions The branch will make structures aware of the fact that the employment obligation is not limited to the hiring of employees with severe disabilities. It is possible to open these positions to disabled candidates but this requires information and awareness work in order to raise awareness of the diversity of situations covered by the word "disability". These are nevertheless physical professions, in particular those of home help, nursing assistant and TISF. The intervention profession requires interpersonal, technical, maintenance and administrative skills. Employers undertake to: – communicate the skills required by this position; – offer training courses; – recognize the know-how acquired through professional certifications and qualifications recognized by the sector; – validate acquired experience. With a view to developing the employment of disabled workers, the social partners encourage structures to formalize local partnerships with structures welcoming disabled job seekers, in particular by publicizing the professions in the sector, their prerequisites and constraints.

(Note: automated translation in English)

Article 2

Distinction des filières

Le lieu de travail habituel de la grande majorité des salariés du secteur est le domicile privé des usagers de l'établissement ou du service. Cette situation est de nature à rendre difficile l'action de l'employeur sur les conditions de travail et l'intervention même du salarié handicapé. 2.1. Métiers administratifs Les métiers administratifs tels que définis au titre III peuvent comporter des contraintes médicales relativement modestes et sont susceptibles de créer beaucoup moins de difficultés pour les structures en termes de possibilité de recrutement. Pour ces postes, des aides techniques, une organisation du travail revue et des aménagements sont possibles pour pallier le handicap. Si ces candidats possèdent un niveau de compétence et de formation insuffisant, les employeurs s'engagent à permettre à ces candidats d'acquérir le niveau de compétence voulu au travers d'un parcours de formation. En cas d'impossibilité matérielle d'adapter les postes de travail, les actions décrites dans le présent chapitre ont pour but de permettre, en tout ou partie, à ces structures de s'acquitter de l'obligation d'emploi de travailleurs handicapés. 2.2. Métiers d'intervention La branche sensibilisera les structures au fait que l'obligation d'emploi ne se limite pas à l'embauche de salariés ayant un fort handicap. Il est envisageable d'ouvrir ces postes à des candidats handicapés mais cela nécessite un travail d'information et de sensibilisation afin de faire prendre conscience de la diversité des situations que recouvre le mot « handicap ». Ce sont néanmoins des métiers physiques, en particulier ceux d'aide à domicile, d'aide-soignant et de TISF. Le métier d'intervention requiert des compétences à la fois relationnelles, techniques, d'entretien et administratives. Les employeurs s'engagent à : – communiquer sur les compétences que requiert ce poste ; – proposer des parcours de formation ; – reconnaître les savoir-faire acquis au travers de certifications professionnelles et de qualifications reconnues par la branche ; – valider des acquis de l'expérience. En vue de développer l'emploi de travailleurs handicapés, les partenaires sociaux encouragent les structures à formaliser des partenariats locaux avec des structures accueillant des demandeurs d'emploi handicapés, notamment en faisant connaître les métiers de la branche, leurs prérequis et contraintes.

(Original clause in French), Source: CBBP Database 2025.

References

- Anglmayer, I. (2020). *Implementation of the Employment Equality Directive in the light of the UN CRPD: European Implementation Assessment* (PE 654.206). European Parliamentary Research Service.
[https://www.europarl.europa.eu/RegData/etudes/STUD/2020/654206/EPRS_STU\(2020\)654206_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/654206/EPRS_STU(2020)654206_EN.pdf)
- Autism Europe. (2014). *Autism and work: A report on good practices in employment for people with autism from across Europe*. Autism-Europe aisbl.
- Bacon, N., and Hoque, K. (2015). The influence of trade union Disability Champions on employer disability policy and practice. *Human Resource Management Journal*, 25(2), 233–249.
<https://doi.org/10.1111/1748-8583.12060>
- Basas, C. G. (2013). A collective good: Disability diversity as a value in public sector collective bargaining agreements. *John's L. Rev.*, 87, 793.
- Bento, J. P. C., and Kuznetsova, Y. (2018). Workplace adaptations promoting the inclusion of persons with disabilities in mainstream employment: A case-study on employers' responses in Norway. *Social Inclusion*, 6(2), 34–45. <https://doi.org/10.17645/si.v6i2.1332>
- Brohan E., Henderson C., Wheat K., Malcolm E., Clement S., Barley EA, et al. (2012). Systematic review of beliefs, behaviours and influencing factors associated with disclosure of a mental health problem in the workplace. *BMC Psychiatry*, 12(1):1–14.
- Brouwers, E.P.M., Joosen, M.C.W., van Zelst, C. et al. (2020). To Disclose or Not to Disclose: A Multi-stakeholder Focus Group Study on Mental Health Issues in the Work Environment. *J Occup Rehabil* 30, 84–92. <https://doi.org/10.1007/s10926-019-09848-z>.
- Buchanan, J., and Hammersley, H. (2023). *European Human Rights Report Issue 7 – 2023: The Right to Work: The employment situation of persons with disabilities in Europe*. European Disability Forum.
https://www.edf-feph.org/content/uploads/2023/05/hr7_2023_press-accessible.pdf
- Calderón-Milán, M.-J., Calderón-Milán, B., and Barba-Sánchez, V. (2020). Labour inclusion of people with disabilities: What role do the social and solidarity economy entities play? *Sustainability*, 12(3), 1079. <https://doi.org/10.3390/su12031079>
- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. OJ L 303, 2.12.2000, pp. 16–22.
- Court of Justice of the European Union. (2008, July 17). *Coleman v Attridge Law and Steve Law* (Case C-303/06, Grand Chamber), EU:C:2008:415.
- Court of Justice of the European Union. (2013, April 11). *HK Danmark, acting on behalf of Ring v Dansk almennyttigt Boligselskab; HK Danmark, acting on behalf of Skouboe Werge v Dansk Arbejdsgiverforening* (Joined Cases C-335/11 and C-337/11, Second Chamber), EU:C:2013:222.
- Court of Justice of the European Union. (2013, July 4). *Commission v Italy* (Case C-312/11), EU:C:2013:446.
- Court of Justice of the European Union. (2022, February 10). *HR Rail SA v DF* (Case C-485/20), EU:C:2022:85.

Court of Justice of the European Union. (2024, January 18). *J.M.A.R. v Ca Na Negreta SA* (Case C-631/22, First Chamber), EU:C:2024:53.

Court of Justice of the European Union. (2025, September 11). *G.L. v AB SpA* (Case C-38/24).

Eurofound. (2026). European Working Conditions Survey 2024: Overview report, Publications Office of the European Union, Luxembourg.

Eurofound. (2025). Collective bargaining beyond pay: An analysis of collective agreements in selected low-paid sectors, Publications Office of the European Union, Luxembourg.

Eurofound. (2025). Unpaid care in the EU, Publications Office of the European Union, Luxembourg.

Eurofound. (2020). Role of social partners in tackling discrimination at work, Publications Office of the European Union, Luxembourg.

European Disability Forum, *EU Strategy on the Rights of Persons with Disabilities 2021-2030: actions for its 2nd phase*. (2024). Available at <https://www.edf-feph.org/publications/eu-strategy-on-the-rights-of-persons-with-disabilities-2021-2030-actions-for-its-2nd-phase/>

IndustriAll Europe. (2022, December 9). *IndustriAll Europe launches Diversity at the Workplace Award*. <https://news.industrial-europe.eu/Article/822>

European Commission, Directorate-General for Employment, Social Affairs and Inclusion. (2024, May 31). *Reasonable accommodation at work: Guidelines and good practices*. Publications Office of the European Union. <https://op.europa.eu/webpub/empl/reasonable-accommodation-at-work/en/>

Lulli, R., Sinicato, F., and Couceiro Farjas, Á. A. (2024). *Digital skills, accommodation and technological assistance for employment: Supporting the inclusion of persons with disabilities in the open labour market*. European Disability Forum, with the support of Google.org.

Lurie, L. (2017). Do Unions Promote Rights for People with Disabilities?. *Indiana Journal of Law and Social Equality*, 5(2), 11.

European Disability Forum. (n.d.). *Updated EU Disability Rights Strategy*. <https://www.edf-feph.org/updated-eu-disability-rights-strategy/>

European Federation of Hard of Hearing People (EFHOH). (2026, April). *Hearing Loss Inclusive Employment Toolkit: Practical guidance for employers — removing communication barriers at work*. EFHOH, funded by the Citizens, Equality, Rights and Values (CERV) Programme of the European Union.

European Trade Union Confederation. (2025, March 4–5). *ETUC resolution on defending the rights of workers with disabilities*. Adopted at the ETUC Executive Committee meeting. <https://etuc.org/en/document/etuc-resolution-defending-rights-workers-disabilities>

Foster, D. and Fosh, P. (2010), Negotiating ‘Difference’: Representing Disabled Employees in the British Workplace. *British Journal of Industrial Relations*, 48: 560-582. <https://doi.org/10.1111/j.1467-8543.2009.00748.x>

Foster, D., Masso, M., and Osila, L. (2021). Work accommodations and sustainable working: The role of social partners and industrial relations in the employment of disabled and older people in Estonia, Hungary and Poland. *European Journal of Industrial Relations*, 27(2), 149–165. <https://doi.org/10.1177/0959680120971896>

European Trade Union Confederation. (n.d.). *Highlighting disabled workers' rights*. ETUC.
<https://www.etuc.org/>

Harpur, P. (2018). Collective versus individual rights: The able worker and the promotion of precarious work for persons with disabilities under conflicting international law regimes. *Loyola of Los Angeles International and Comparative Law Review*, 41(1), 51–70.

Holubová, B., Kahancová, M., Kováčová, L., Mýtna Kureková, L., Šumichrast, A., and Torp, S. (2024). Institutional constraints to social dialogue in work integration of persons with disabilities: Slovakia and Norway compared. *Employee Relations: The International Journal*, 46(3), 532–549.
<https://doi.org/10.1108/ER-12-2022-0534>

Industri Energi. (2026). *Industri Energi's submission to IndustriAll Europe's Diversity at the Workplace Award: The Hanne project*. Industri Energi.

IndustriAll Europe. (2021, December 1). *Stepping up trade union action with and for persons with disabilities* (Position Paper 2021/134). Document adopted by the 22nd industriAll Europe Executive Committee.

i-SME Consortium. (n.d.). *The ideal i-SME: Step by step guide for enterprise owners*. Inclusive SMEs in Europe, co-funded by the European Commission under the Rights, Equality and Citizenship Programme.

Masso, M., Foster, D., Osila, L., Bábel, B., Czarzasty, J., Kiss, A., Koziarek, M., and Owczarek, D. (2019). The influence of collective employment relations on work accommodation: Case studies in Estonia, Hungary and Poland. *Transfer: European Review of Labour and Research*, 25(4), 451–464.
<https://doi.org/10.1177/1024258919828597>

Milici, S. (2025, November). *The EU's Disability Employment Package: Building more inclusive labour markets*. O'Herlihy Access Consultancy.
https://www.accessconsultancy.ie/article/c_news_opinion/the-eus-disability-employment-package-building-more-inclusive-labour-markets/

Norwegian Ocean Industry Authority. (2022, December 5). *From shame to success* (E. Brundtland).
<https://www.havtil.no/en/explore-technical-subjects2/technical-competence/features/2022/from-shame-to-search/>

Richards, J., and Sang, K. (2016). Trade unions as employment facilitators for disabled employees. *The International Journal of Human Resource Management*, 27(14), 1642–1661.
<https://doi.org/10.1080/09585192.2015.1126334>

UNI Europa. (2024, January 30). *UNI Europa survey makes resounding call for EU Directive on Psychosocial Risks*. <https://www.uni-europa.org/news/uni-europa-survey-makes-resounding-call-for-eu-directive-on-psychosocial-risks/>

United Nations. (2006). *Convention on the Rights of Persons with Disabilities*.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

Waddington, L., and Broderick, A. (2018). *Combatting disability discrimination and realising equality: A comparison of the UN Convention on the Rights of Persons with Disabilities and EU equality and non-discrimination law*. European Network of Legal Experts in Gender Equality and Non-Discrimination, European Commission.

WPEF26017



The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127.