

Geschäftsstelle **Werkstatträte Deutschland e.V.** | Schiffbauerdamm 19 | 10117 Berlin



**Mitarbeit. Mitbestimmung.
Mit Behinderung.**

Werkstatträte Deutschland e.V.

Schiffbauerdamm 19
10117 Berlin

Ansprechpartner:
Jan Brocks

Telefon:
030

E-Mail:
info@wr-deutschland.de

www.werkstatträte-deutschland.de

To

Committee on the Rights of Persons with
Disabilities

via email

mstevoli@ohchr.org

jiskakova@ohchr.org

March 11, 2021

**Contribution to the general discussion on the General Comment to art..27
Convention on the Rights of Persons with Disabilities**

About Werkstatträte Deutschland e.V. – Who we are?

Werkstatträte Deutschland e.V. is the national representation of the interests of app. 320.000 persons with disabilities, who are working in so-called “sheltered workshops”. The German sheltered workshops are obliged by law to implement a workshop council elected from and by the persons with disabilities, who work in the respective workshop. They are comparable to staff representations in other companies in Germany, although the workshop councils don´t own the exact same rights. These local workshop councils have established associations at the regional/provincial level and Werkstatträte Deutschland as their representation at the federal level.

The workshop council's task is to represent the interests of persons with disabilities vis-à-vis the management of the sheltered workshop. This includes acting as their interlocutor in case of problems involving support services of the sheltered workshop and monitoring their legal rights. It also provides support in exercising participation rights as well as the recently established rights of co-determination with regards to working hours, compliance with the required periods of recuperation and recreation, remuneration principles and other protective rights of persons with disabilities in sheltered workshops.

To our knowledge, the German approach in this area is unique worldwide.

In our contribution, we would like to highlight the views of persons with disabilities in sheltered workshops regarding art.27 of the CRPD and the idea of an inclusive labor market.

Inclusive labor market

First of all, we agree with the overall goals of the UN CRPD and the idea that everybody has a free choice of workplace which he or she prefers. An inclusive labor market is a huge and desirable goal, which will need a lot of engagement from all parts of the labor market, politics and especially society.

From our point of view, the German sheltered workshops are not perfect, but better than many other examples in the world. German workshops already offer a wide variety of different workplaces, individual support services and they execute legal protection and some participation rights of the persons with disabilities. They are willing to change their concepts to make them adaptable to the ideas of an inclusive labor market.

On the other hand, we have privately run or shareholder-value based companies and enterprises on the competitive economic market following their main goal of creating maximum benefits from their investments. Human labor is a cost factor and accessibility and support services for persons with disabilities increase the cost of labor in these companies.

Both types of companies – sheltered workshops and competitors on the economic market – should learn from each other in order to create workplaces, that are accessible for everyone and that provide the same rights and rules for every person with or without a disability.

As long as the general labor market isn't ready to be inclusive, we expect that every responsible government keeps the existing support services such as sheltered workshops at least for the transition period into an accessible and inclusive labor market. This inclusive labor market has to give persons with disabilities the same choice and especially the same chance as persons without disabilities to compete for the best workplace they would like to get.

Any other model would only be a loss of long fought for protection rights and the persons having worked in sheltered workshops would be at high risk of getting lost within the transition period towards an inclusive labor market.

Income

In general, we agree to the principle of “equal pay for equal work”. There shouldn't be any pay gap between persons with and without disabilities. All persons should have the right to earn an appropriate income to pay their cost of living and to get access to cultural and social societal activities.

Strong advocacy

Please do not change a system without talking to those who are using it and benefitting from it. Remember: Don't talk about us - Talk to us! In our opinion, supporting advocacy groups inside the system is the key to successful change. In Germany, we have gathered good experiences with the model of workshop councils in sheltered workshops. They should act in a similar way as staff representations or union representatives do in “regular” companies in other parts of the world. They should get similar or same rights as union representations. Strong advocacy needs support persons to assist the workshop council in getting information and advocating for their rights in an appropriate way. They should get the right to connect inside and

outside the sheltered workshop to gain knowledge and power in order to participate in the process of change.

The executive board of

Werkstatträte Deutschland e.V.