DOWN SYNDROME INTERNATIONAL (DSi)



Photo: Down Syndrome Society of Bangladesh

Case Study on Best Practices in the Inclusive Employment of Persons with Intellectual Disabilities in Bangladesh

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Inclusive Futures

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Executive Summary

This case study investigates the barriers that persons with intellectual disabilities face in Bangladesh in finding and retaining inclusive employment and highlights good practices in providing an inclusive and accessible work environment. Twenty people were interviewed in Bangladesh, including persons with intellectual disabilities, family members, and employers.

Persons with intellectual disabilities described a range of barriers, including discrimination in recruitment processes, extreme levels of underpayment (25% of the wage of someone doing the same job in one case or in other cases, 50% of the national minimum wage), and bullying and harassment in the workplace. Family members highlighted a lack of inclusive education, inaccessible transport, discrimination, and bullying and harassment as critical barriers. Employers raised a lack of understanding of intellectual disabilities, discrimination by other employees, and worries about reasonable accommodation as the main barriers.

The interviews with persons with intellectual disabilities emphasised the need to adapt work practices and workplace culture as a whole in order to create an inclusive environment for persons with intellectual disabilities, not just provide individualised adaptation and support. A positive example was provided of an inclusive work environment created for Nuruzzaman, an employee with Down syndrome, by training staff and promoting a friendly and supportive environment.

The case study finishes with recommendations for the government of Bangladesh and employers, including measures to prevent discrimination, incentivise employment in the private sector, and train the workforce to create inclusive environments for persons with intellectual disabilities and all other employees.

Acronyms

AMDA	Associations of Medical Doctors of Asia.
BPKS	Bangladesh Protibandhi Kallyan Somity.
CRPD	Convention on the Rights of Persons with Disabilities.
CrPC	Criminal Procedure Code.
DSI	Down Syndrome International.
DSSB	Down Syndrome Society of Bangladesh.
FCDO	Foreign and Commonwealth Office (UK)
IDA	International Disability Alliance.
NGO	Non-Government Organization.
OPD	Organization of Persons with Disabilities (used interchangeably with DPO – Disabled Persons' Organisation)
RPPDA	Rights and Protection of Persons with Disabilities Act 2013 (Bangladesh)
SDG	Sustainable Development Goals.
UN	United Nations.
WHO	World Health Organization.

Introduction

Bangladesh is one of the most densely populated countries globally, with 165 million people, ranking 8th in the world and 5th in Asia. The census of 2011 measured the rate of disability in Bangladesh as 1.41%[i], although in 2011, the World Health Organization and World Bank estimated that 15% of any population have a disability[ii].

The Rights and Protection of Persons with Disabilities Act 2013[iii] in Bangladesh and the UN Convention on the Rights of Persons with Disabilities (UN CRPD) define persons with disabilities as "including those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others"[iv]. Persons with intellectual disabilities face multiple barriers, including exclusion from social and economic activities, stigma, discrimination, ignorance, negligence, social and attitudinal barriers. These barriers adversely affect their ability to live independently and be included in the community.



Photo: Down Syndrome Society of Bangladesh

Barriers including exclusion from social and economic activities, stigma, discrimination, ignorance, negligence, social and attitudinal barriers make persons with intellectual disabilities more vulnerable to not living an independent life. In Bangladesh, persons with intellectual disabilities face various forms of discrimination in participating in national development activities. However, the government of Bangladesh, Non-Government Organisations (NGOs) and Organisations of Persons with Disabilities (OPDs) are showing their endeavour to include persons with intellectual disabilities in the formal and informal job sectors. This case study intends to identify best practices in the inclusive employment of persons with intellectual disabilities in Bangladesh. This case study is part of the Inclusion Works Project in Bangladesh which will

feed into a global report to be published by IDA in 2022 under the Inclusion Works Programme that will frame what inclusive employment entails with recommendations for different stakeholders, including the private sector.

The Inclusion Works Project is part of the Inclusive Futures consortium programme funded by the FCDO (formerly by the Department for International Development, before its merger into the FCDO). The International Disability Alliance (IDA) is a core partner of the Inclusion Works project, and Down Syndrome International (DSi) is a member of IDA. The focus of the Inclusion Works programme is to design and test new approaches in supporting people with disabilities to gain employment and will work to improve the inclusion of people with disabilities in formal employment.

This case study has been carried out by Ishaque Mia, DSi's Programme Fellow, who has been working with DSi since November 2020 as part of IDA's Fellowships Program. The Fellowship Program provides support to disability activists to engage in advocacy to develop their technical skills and experience and build a strong network of disability rights advocates, with an emphasis on the Global South.

This case study will be disseminated through a webinar, with an intended audience to include key employment stakeholders in Bangladesh, Inclusion Works consortium members, DSi's international membership network and the global disability community.

Limitations of the Case Study

Due to COVID-19 restrictions, it was not possible to meet most of the respondents to conduct face to face interviews. It was also challenging to identify good practices as there is currently a very low number of persons with intellectual disabilities in employment in Bangladesh. Some NGOs have initiated steps to hire persons with intellectual disabilities, which serves as an excellent example for other businesses.

Methodology

The study utilised qualitative methods of data collection. Desk-based research was conducted reviewing existing international and national policies and literature on disability and inclusive employment. To find best practices in including persons with intellectual disabilities, different questionnaires were created to target key informant groups: persons with intellectual disabilities, their family members, and employers. A total of 20 people were interviewed in Dhaka and asked to identify challenges and best practices in including persons with intellectual disabilities, plus recommendations for the government and employers. Interviews were conducted both online and with face-to-face meetings.

Literature Review

The focus of the case study was the inclusive employment of persons with intellectual disabilities, so a review of available literature on laws, policies, and practices in inclusive employment for persons with intellectual disabilities was carried out. The Universal Declaration of Human Rights, UN CRPD and the 2030 Agenda for Sustainable Development Goals are critical international policies reviewed. The Protection of the Rights of the Persons with Disabilities Act 2013, Protection of Persons with Neuro-developmental Disability Trust Act 2013, the National Disability Action Plan 2019 and Finance Act 2020 are notable from the national policies.

International Policy Framework

The UN Convention on the Rights of Persons with Disabilities (UN CRPD) and the Universal Declaration of Human Rights

Bangladesh has ratified both the UN CRPD and Optional Protocol without reservations, thus agreeing to be bound by its provisions. The UN CRPD has multiple articles that are relevant to the employment of persons with intellectual disabilities, describing in detail not only the right that they have to employment in an open, inclusive, and accessible labour market and work environment but also the obligations that Bangladesh and other State Parties have to respect, protect and fulfil this right.

Article 27 of the UN CRPD sets out the right to work of persons with disabilities, including those with intellectual disabilities, reaffirming the provision of Article 23 of the Universal Declaration of Human Rights[v]. Article 27 describes the rights that persons with disabilities have to non-discrimination concerning all forms of employment and equal treatment in the workplace. It also outlines obligations that State Parties have to promote the employment of persons with disabilities, including providing access to vocational training, employing people with disabilities in the public sector, incentivising their employment in the private sector, and ensuring the provision of reasonable accommodation in the workplace.

For persons with intellectual disabilities, the emphasis in Article 27 on including persons with disabilities in the labour market alongside the rest of the population is of great importance, marking a shift away from the sheltered workshops that have been the primary option for many persons with intellectual disabilities for many years, despite solid evidence of their adverse effects[vi]. Article 27 describes the need to make employment processes and workplaces inclusive of persons with disabilities, rather than changing the individual or providing segregated employment opportunities.

The right of persons with disabilities to non-discrimination as described in Articles 3, 5 and 27 of the UN CRPD is fundamental to their enjoyment of the right to inclusive employment, including non-discrimination in all matters related to employment, from recruitment to working conditions. This is especially important for persons with intellectual disabilities as they often face extreme discrimination in every aspect of the employment process, with many employers unwilling even to consider employing them, despite evidence that they provide benefits to their employers.

It is essential to look at inclusive employment from the lens of the UN CRPD. While employment may focus on getting individual people with disabilities jobs, UN CRPD-compliant inclusive employment programming aims to take a more holistic approach to labour market systems. Article 27 speaks to the broader need to transform labour markets and work environments, which should translate into programming. Inclusive employment must be framed by an understanding of the need for broader system-level transformation. In order to be inclusive of people with disabilities, the labour market system requires the removal of barriers to employment and to fundamentally shift the way that businesses conduct recruitment, support their employees, and create inclusive environments for all people with disabilities[vii].

As with other persons with disabilities, discrimination against persons with intellectual disabilities is often rooted in ignorance, stereotypes and prejudice, with intellectual disability considered in some countries to be caused by witchcraft or punishment by god(s) for the sins of the parents. Article 8 of the UN CRPD assigns responsibility to State Parties to raise awareness about persons with disabilities and combat these harmful views.

The right of persons with disabilities to accessibility in Articles 3 and 9 of the UN CRPD is another right that is fundamental to their enjoyment of the right to inclusive employment. Persons with disabilities have the right to a work environment and work-related processes that are accessible, and hence State Parties are required to take steps towards ensuring a fully accessible workplace. Persons with intellectual disabilities need accessible information and communication in order to be included in employment.

Another fundamental right for persons with disabilities to enjoy their right to inclusive employment is the right to reasonable accommodation, as described in Articles 5 and 27. Reasonable accommodation refers to the requirement for employers to make modifications and adjustments to their working practices and environment to enable an individual with a disability to be included without imposing a disproportionate burden on the employer. While all persons with intellectual disabilities are different, common forms of reasonable accommodation they need include support to learn new tasks, additional time to complete tasks, and flexibility with working hours. Many misconceptions surround the resources needed to provide reasonable accommodation, with many adjustments low cost and easy to implement. The UN CRPD states that deniable reasonable accommodation constitutes a form of discrimination on the basis of disability.

Other key Articles of the UN CRPD related to the inclusive employment of persons with disabilities are Article 12, which outlines their right to control their financial affairs, and Article 24, which describes their right to quality inclusive education[viii]. Both of these are of vital importance as they are commonly denied of persons with intellectual disabilities. Exclusionary and poor-quality education systems lead to persons with intellectual disabilities approaching the labour market with low levels of literacy and numeracy and a lack of qualifications. Denial of the right to control their financial affairs counteracts the benefits that employment can have on the lives of persons with intellectual disabilities.

2030 Agenda for Sustainable Development Goals

The 2030 Agenda for Sustainable Development framework were adopted in 2015 with the spirit of “Leaving No One Behind”, meaning that the 17 goals would address all people living in all countries under all

differing circumstances and conditions[ix]. That includes all persons with intellectual disabilities, who have historically been left out from all mainstream development agendas, either deliberately or due to negligence. The SDGs also have a built-in regular monitoring system to measure progress against the 169 targets, with 232 indicators.

Multiple SDGs refer to decent work, and Goal 8 is dedicated to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all", taking the form of 12 targets covering a range of topics, including decent work for persons with disabilities. There are 17 indicators under Goal 8. In addition to being included as a separate goal, decent work is also a cross-cutting issue in the SDG framework, with a strong presence in many other goals, such as Goal 1 (End poverty), Goal 4 (Ensure quality education), Goal 5 (Achieve gender equality), Goal 10 (Reduce inequality).

SDG target 8.3 promotes development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity, and innovation, and encourage the formalisation and growth of micro, small and medium-sized enterprises, including through access to financial services by 2030.

SDG target 8.5 aims to achieve full and productive employment and decent work for all women and men, including young people and persons with disabilities, and equal pay for work of equal value by 2030.

SGD target 11.2 is about providing access to safe, affordable, accessible, and sustainable transport systems for all, improving road safety, notably by expanding public transport, with particular attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons by 2030. Persons with intellectual disabilities face significant challenges with travel using public transport. Hence, accessible, affordable, and safe transportation services are significantly related to decent jobs for persons with intellectual disabilities.

National Policy Framework

Protection of Persons with Neuro-developmental Disability Trust Act, 2013

Bangladesh adopted the Protection of Persons with Neuro-Developmental Disability Trust Act 2013[x], which in Article 17 described one of its primary functions as to establish or to encourage other persons or organisations to establish suitable educational and training institutes for the development of the skills of the persons with neurodevelopmental disabilities, including persons with intellectual disabilities, and to that end, to develop the curriculum and to determine the criteria for selecting the teachers of such institutes.

According to Article 17 of this act, one of its functions is to give financial and technical support to persons with neurodevelopmental disabilities for their employment or self-employment, identifying suitable work and helping them find opportunities to be involved in such work.

This act is not UN CRPD compliant as it contains a provision to appoint a guardian or guardians for persons with neurodevelopmental disabilities without their consent. Guardianship violates the right of persons with disabilities to equal legal capacity, as described in Article 12 of the UN CRPD.

Rights and Protection of Persons with Disabilities Act 2013 (RPPDA)

Bangladesh adopted the Disabled Welfare Act of 2001, which was enacted before Bangladesh had signed the UN CRPD and had a focus on the charity model. After signing and ratifying the UN CRPD, Bangladesh adopted the RPPDA in 2013[xi] with a target of compliance with the UN CRPD.

Article 35 of the RPPDA describes that 'competent persons with disabilities according to their disability category cannot be discriminated, barred and left behind in workplace'. A national committee was established to oversee and coordinate the rights and protection of persons with disabilities.

The RPPDA strives towards the objective of employment as one of the rights for persons with intellectual disabilities. The RPPDA defined 'Reasonable Accommodation' in its definition section. The RPPDA ensures that a person with an intellectual disability will enjoy the right to employment both in the private and public sectors, with reasonable accommodation provided for them.

The RPPDA fails to follow international standards as mentioned in the UN CRPD to protect the rights of persons with intellectual disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal compensations for work of equal value, safe and healthy working conditions.

National Disability Action Plan 2019

National Disability Action Plan 2019[xii] was developed to aid in implementing the Rights and Protection of Persons with Disabilities Act 2013. This plan describes the rights of persons with disabilities in detail, and the rights mentioned in it are compliant with the UN CRPD. Activity #10 sets out a detailed plan related to the employment of persons with disabilities. The plan sets targets related to:

- Quality employment for persons with disabilities
- Entrepreneurship among persons with disabilities
- Formation of cooperative societies
- Preservation of quota system
- Rehabilitation of employees who acquire a disability due to accidents in the workplace
- Provision of reasonable accommodation.

Finance Act 2020

The Finance Act 2020[xiii] included a business tax incentive for the greater inclusion of persons with disabilities in workforces, allowing for a 5% deduction in tax for a 10% representation of persons with disabilities in the workforce.

Persons with Intellectual Disabilities in the Workplace

Persons with intellectual disabilities have a range of interests, skills, and experience, just like everyone else. Research demonstrates that, in general, they make good employees and positively impact the organisations they work for. A systematic literature review by Mencap found evidence that persons with intellectual disabilities stay in jobs longer than other employees and are reliable timekeepers[xiv]. Another study focusing on persons with Down syndrome found substantial positive benefits accruing to the organisational health of the companies employing them[xv].

It is important to stress that just like the general population, persons with intellectual disabilities will do best in jobs that match their interests, personality, skills, and experience. There are no specific jobs or sectors that work best for persons with Down syndrome; instead, persons with Down syndrome should be supported to choose which jobs to apply for based on their interests and skills.

By employing persons with intellectual disabilities, the company/organisation is supporting the implementation of the UN CRPD, national laws, and the Sustainable Development Goals, contributing towards a society in which "no one will be left behind".



Photo: Ishaque Mia

The Present Situation in Bangladesh

Legislation to protect persons with intellectual disabilities is not sufficiently enforced in Bangladesh, and as a result, persons with intellectual disabilities are often subjected to discrimination and negative attitudes. They frequently encounter non-cooperation, ill-treatment, neglect and hostility at the family, community,

societal and government levels, which contributes towards an environment that is often unfriendly and hostile[xvi]. Many people in Bangladesh view intellectual disability as a curse and a cause of embarrassment to the family[xvii]. Persons with intellectual disabilities often experience bullying and are referred to with derogatory terms like; mentally retarded, idiot, retard, slow, crazy, insane, mad, maniac, lunatic, psychotic. Anecdotal evidence suggests that negative attitudes towards persons with intellectual disabilities are especially pronounced in rural areas of Bangladesh and for women and girls with intellectual disabilities.

Persons with intellectual disabilities are often excluded from mainstream educational and vocational training institutions, either due to discriminatory admissions criteria or non-inclusive learning environments, with inaccessible curriculums and a lack of accommodations and support. This exclusion from education results in many persons with intellectual in Bangladesh lacking formal qualifications, a significant barrier to finding work in the formal labour market.

Among persons with disabilities in Bangladesh, those with intellectual disabilities are one of the groups that are least likely to be involved in any economic activity. Although all persons with intellectual disabilities have skills and experience to offer in the workplace, many employers are reluctant to recruit them to their workforce due to prejudice and ignorance. For those that do find employment, employees with intellectual disabilities often do not get equal treatment and privileges within the workplace compared to their colleagues without disabilities. A clear understanding of what persons with intellectual disabilities have to offer and their accessibility and reasonable support needs is essential for ensuring the effective inclusion of persons with intellectual disabilities in employment and that their rights are fulfilled.

Research Findings

Below is a summary of critical issues identified by the key stakeholders interviewed between June and August 2021 and their recommendations for the inclusive employment of persons with intellectual disabilities.

The Perspective of Persons with Intellectual Disabilities

Persons with intellectual disabilities interviewed highlighted the following key issues that they around employment:

Discrimination in the recruitment process: Interviewees with intellectual disabilities said that many employers discriminate against persons with intellectual disabilities in the hiring process and that there is a perception that persons with intellectual disabilities cannot work productively or will cause a disruption to the workplace. They said employers raised value for money as a critical concern due to a misconception that employing persons with intellectual disabilities would cost more than the value of their work. Some persons with intellectual disabilities reported not applying for work as they felt they would be rejected because of their disability.

Unequal pay: Some interviewees gave examples of persons with intellectual disabilities being paid less than 25% of the wage of a person without an intellectual disability doing the same job, a shocking level of discrimination. Some interviewees reported that employers ask them to work voluntarily without any pay. They said employers offer unfair and discriminatory wages because they take advantage of the limited employment options that persons with intellectual disabilities have and that persons with intellectual disabilities often have limited power to negotiate and challenge the discriminatory wages.

Harassment and bullying in the workplace: Interviewees shared stories of ridicule, harassment, or dismissiveness from their co-workers, especially when the manager or business owner is not present. This creates a hostile work environment and an extremely un-inclusive work culture.

Gendered unequal treatment by families: Interviewees said that parents of girls and women with intellectual disabilities are often only willing to teach their daughters skills that will be useful in maintaining a household, not skills that will help them gain or perform well in paid work.

Sustainability of informal jobs: While some persons with intellectual disabilities are self-employed, those interviewed thought this was not a good option for them as there is a lack of government support available for running a small business. Stigma makes it challenging for persons with intellectual disabilities to get customers.



Photo: Ishaque Mia

The Perspective of Family Members

Family members of persons with intellectual disabilities interviewed highlighted the following key issues:

Lack of quality inclusive education: Interviewees raised poor education and a lack of qualifications as a critical barrier to their family members with intellectual disabilities gaining employment. They described how hard it was to find inclusive education for their children with intellectual disabilities, with most schools in their local areas denying admission to children with intellectual disabilities and a lack of support and accommodations available if they were admitted. They said these issues were mirrored in vocational training institutions.

Discrimination by employers in recruitment and the workplace: Interviewees reported the same discrimination in recruitment processes that the interviewees with intellectual disabilities mentioned. They also described discriminatory workplace treatment, with employees with intellectual disabilities not offered the same opportunities as other employees and performance management performed unequally. An example given was that employees with intellectual disabilities were not forgiven for making mistakes, whereas other employees making the same mistakes were given second chances.

Inaccessible public transport: Interviewees talked about how communication and information around public transport are often complicated and hard to understand, rendering it inaccessible for persons with intellectual disabilities. This, combined with the fact that hiring private vehicles is unaffordable, makes travelling to work a significant obstacle to persons with intellectual disabilities finding and maintaining employment.

Harassment and bullying in the workplace: Interviewees reported the same harassment and bullying mentioned by the interviewees with intellectual disabilities.

Unequal pay: Interviewees reported the same issue with unequal pay that the interviewees with intellectual disabilities mentioned. They described a reluctance among employers to pay the national minimum wage of 8,000 BDT (around 94 USD) per month to employees with intellectual disabilities and that persons with intellectual disabilities currently in employment were being paid 4,000 BDT (around 47 USD) per month or less.

The Perspective of Employers

Employers interviewed highlighted the following key issues:

A lack of understanding of intellectual disabilities: Employers interviewed said a critical barrier that prevented them from hiring persons with intellectual disabilities was that they did not understand what an intellectual disability was or how to work with persons with intellectual disabilities. Many could not describe what an intellectual disability was; one employer described it as "those who cannot work properly".

Discrimination and attitudes of other employees: Interviewees raised concerns about the attitudes of existing employees toward persons with intellectual disabilities and worries that there could be bullying in the workplace. They thought there was a need for a training curriculum that they could use with their employees to teach them about intellectual disability and inclusion.

Worries about reasonable accommodation and support: Employers interviewed struggled to identify what reasonable accommodation looks like for persons with intellectual disabilities and the kind of supports they would need to put in place. They worried that they would have to assign a support person to work alongside the employee, which comes at an additional cost, and that HR departments are not set up to support them. Some employers were able to identify some of the support needed, namely additional guidance, additional time to complete tasks, clear feedback, and on-the-job training as crucial supports.

Example of Inclusive Employment



Photo: Ishaque Mia

An excellent example of a person with an intellectual disability in inclusive employment is that of Nuruzzaman. He is a young person with Down syndrome and an intellectual disability employed as an Office Assistant by AMDA Bangladesh, the Bangladeshi chapter of AMDA International, an international NGO with headquarters in Japan. AMDA Bangladesh also employs Jobbar, another person with an intellectual disability who works for them as a Security Guard.

Nuruzzaman lives in the rural area of the Gazaria sub-district, under the Munsiganj district of Bangladesh. When he was younger, Nuruzzaman was considered 'unnatural' by local people in his area and known as 'NuraPagla' ('Nura' is his short name and 'pagla' means mad person). He was a victim of regular bullying and mistreatment, which had adverse effects on his confidence and wellbeing.

When AMDA Bangladesh hired Nuruzzaman, he had no formal qualifications, but they assessed his strengths and weaknesses and gave him training, providing a routine and structure and assigning a mentor to provide coaching in the workplace. AMDA Bangladesh trained their staff to interact with persons with intellectual disabilities and encouraged them to provide a friendly working environment for Nuruzzaman.

Nuruzzaman's manager and colleagues communicate with him using simple and easy to understand language, ensuring that all communication is accessible. The AMDA management provides flexible working hours and allows him extra time to perform his activities as and when needed, a form of reasonable accommodation.

As Office Assistant, Nuruzzaman keeps the office neat and clean, serves refreshments to colleagues and visitors, and files and organises office registers. He is popular with his colleagues, and the management is

happy with his performance. He receives an equal salary and other organisational benefits and full and equal participation in official activities to those he is entitled to.

Nuruzzaman has been working with AMDA Bangladesh for more than three years now and is very happy with his job. With the salary he receives, he supports his family with living costs. He is hopeful that his career will progress and he will be able to support his family even more.

Recommendations

Recommendations for the Government

Ensure access to inclusive education

Access to quality inclusive education within the community is a crucial enabler to persons with intellectual disabilities entering into inclusive employment, providing them with skills and qualifications, as well as being a right in itself, as described in Article 24 of the UN CRPD.

Protect persons with intellectual disabilities from discrimination.

Urgent action is needed to address the discrimination persons with intellectual disabilities face in recruitment processes and workplaces, in line with Articles 5 and 27 of the UN CRPD. Particularly concerning are reports from persons with intellectual disabilities and their family members that they are paid as low as 25% of the wage of someone doing the same job, or in other cases, 50% of the national minimum wage. The government of Bangladesh needs to monitor this issue and take action against those employers violating the law on the national minimum wage.



Photo: Ishaque Mia

Employ persons with intellectual disabilities within the public sector

Employing persons with intellectual disabilities within the public sector is a strong positive example for the private sector and can support programmes to encourage businesses to make their practices and workplaces more inclusive.

Incentivise the employment of persons with intellectual disabilities in the private sector

The government can promote the employment of persons with intellectual disabilities in the private sector by providing financial incentives. A recent study[xviii] highlighted that there is still minimal awareness of the business tax incentive for the greater inclusion of persons with disabilities in workforces (5% deduction for a 10% representation), published in the Finance Act 2020. There is a need to raise awareness of this incentive among relevant stakeholders to encourage employers to employ persons with disabilities, including those with intellectual disabilities.

Support awareness raising programmes with a focus on workplaces

Raising awareness of the rights and dignity of persons with disabilities is a government responsibility as described in Article 8 of the UN CRPD. It is crucial to address the abuse and harassment of persons with intellectual disabilities in the workplace and the wider community.

Recommendations for Employers

Reach out to OPDs representing persons with intellectual disabilities for support

If employers are interested in employing persons with intellectual disabilities but are worried about the practicalities or unsure about where to start, they should reach out to local OPDs representing persons with intellectual disabilities, who will provide advice and guidance.

Give persons with intellectual disabilities a chance during recruitment

Many persons with intellectual disabilities reported being dismissed at the recruitment stage due to concerns about performance, despite evidence shows persons with intellectual disabilities make good employees in the right environment.

Provide training to existing employees to create an inclusive workplace

Fundamental to the successful employment of persons with intellectual disabilities is a welcoming and inclusive work environment. This can be created by giving co-workers training on what intellectual disability is and how to interact with people.

Engage with the individual to understand their needs

Engaging with the employee with an intellectual disability and their supporters or family is essential to understand their individual needs for support and other forms of reasonable accommodation. Often these accommodations will be low cost and easy to implement while having a very positive impact on the performance of the individual.

Conclusion

The UN CRPD, SDGs, and Bangladeshi national laws and policies emphasise the need to remove barriers and make more inclusive employment practices and environments to achieve inclusive employment for persons with intellectual disabilities. Despite this, persons with intellectual disabilities in Bangladesh continue to experience significant violations of their right to inclusive employment.

This case study has demonstrated that persons with intellectual disabilities face significant barriers when seeking gainful employment and within workplaces. A wide range of barriers – social, cultural, economic and attitudinal – remain entrenched, including being discriminated against in the recruitment process or being paid 25% of the wage of someone doing the same job.

Denying persons with intellectual disabilities their right to inclusive employment compounds the disadvantages they face daily, leaving them at risk of ongoing exploitation and violence and further entrenching discrimination, impunity and poverty.

To ensure equitable access to inclusive employment requires a wide range of different measures, as set out in UN CRPD. This case study has made recommendations for the government, including ensuring access to inclusive education, protecting persons with intellectual disabilities from discrimination, employing persons with intellectual disabilities within the public sector, incentivising the employment of persons with intellectual disabilities in the private sector, and supporting awareness-raising programmes with a focus on workplaces.

It has also made recommendations for employers, including reaching out to OPDs representing persons with intellectual disabilities for support, giving persons with intellectual disabilities a chance during recruitment, training existing employees to create an inclusive workplace, and engaging with individuals with intellectual disabilities to understand their needs.

To achieve progress on ensuring persons with intellectual disabilities in Bangladesh can access inclusive employment, all stakeholders must work together, following the principles and specific guidance of the UN CRPD. Persons with intellectual disabilities want to be treated like everyone else, with respect and dignity. We are optimistic that more companies and organisations will create inclusive workplaces, offering opportunities for persons with intellectual disabilities to contribute to their success.

References

[i] Bangladesh Bureau of Statistics (2016). *Presentation on Disability in Bangladesh* [PowerPoint Presentation]. (Accessed 22 May 2021). Available at: https://unstats.un.org/unsd/demographic-social/meetings/2016/bangkok--disability-measurement-and-statistics/Session-7/Bangladesh.pdf

[ii] World Health Organization and World Bank (2011). *World Report on Disability*. Geneva, Switzerland, World Health Organization.

[iii] Bangladesh National Assembly (2013). *Protection of Persons with Neuro-developmental Disability Trust Act, 2013, (10 November 2013)*. (Accessed 22 May 2021). Available at http://www.shuchona.org/wp-content/uploads/2019/02/Neuro-Trust-Act-2013-20-Jan-1.pdf

[iv] UN General Assembly (2007). *Convention on the Rights of Persons with Disabilities, (24 January 2007).* A/RES/61/106.

[v] UN General Assembly (1948). *Universal Declaration of Human Rights, (10 December 1948)*, 217 A (III).

[vi] Parmenter, T. (2011). *Promoting Training and Employment Opportunities for People with Intellectual Disabilities: International Experience*. Employment Sector. Employment Working Paper No. 103. Geneva, Switzerland, International Labour Organization.

[vii] International Disability Alliance (2020). *An Introduction to Article 27 and Inclusive Employment Programming.* Unpublished.

[viii] International Disability Alliance (2019). *Vision for SDG 4 implementation by 2030 in line with the CRPD. Consensus position prepared by the IDA Inclusive Education task team, (November 2019).* (Accessed 10 May 2021). Available at https://www.internationaldisabilityalliance.org/sites/default/files/documents/ie_statement_validated_by_ida_board_nov_2019.docx

[ix] UN General Assembly (2015). *Transforming our world: the 2030 Agenda for Sustainable Development, (21 October 2015).* A/RES/70/1.

[x] Bangladesh National Assembly (2013). *Protection of Persons with Neuro-developmental Disability Trust Act, 2013, (10 November 2013)*. (Accessed 22 May 2021). Available at http://www.shuchona.org/wp-content/uploads/2019/02/Neuro-Trust-Act-2013-20-Jan-1.pdf

[xi] Ministry of Social Welfare, Government of the People's Republic of Bangladesh (2013). *The Rights and Protection of Persons with Disability Act, 2013*. (Accessed 22 May 2021). Available at: https://msw.gov.bd/site/page/811e90c0-4439-4ad2-9b90-dd0d7c8a66ee/Acts-and-Ordinance

[xii] Bangladesh Ministry of Social Welfare (2019). *National Disability Action Plan 2019*. (Accessed 25 September 2021). Available at: https://msw.portal.gov.bd/sites/default/files/files/msw.portal.gov.bd/page/3cfc60eb_2a01_4337_988e_01dbfbd9efd5/Action%20Plan%20Final%20with%20Definition%20Draft%20%20_Final_%2011-02-2019_.pdf

[xiii] Bangladesh National Board of Revenue (2020). Finance Act 2020. (Accessed 10 June 2021). Available from https://nbr.gov.bd/regulations/acts/finance-acts/eng

[xiv] Beyer, S. and Beyer, A., 2017. *A systematic review of the literature on the benefits for employers of employing people with learning disabilities*. Mencap. (Accessed 29 May 2021). Available at: https://www.mencap.org.uk/sites/default/files/2017-06/2017.061%20Benefits%20of%20employing%20PWLD%255b1%255d%20(1).pdf

[xv] Assis, V., Frank, M., Bcheche, G. and Kuboiama, B. (2014). *The value that employees with Down Syndrome can add to organizations*. McKinsey & Company. (Accessed 20 June 2021). Available at: https://www.mckinsey.com/industries/public-and-social-sector/our-insights/the-value-that-employees-with-down-syndrome-can-add-to-organizations

[xvi] Thompson, S. (2020). *Inclusion Works Bangladesh Situational Analysis. Version II – June 2020*. (Accessed 22 May 2021). Available from: https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/15483/IW%20SITAN%20Bangladesh%20Version%20II%20June%202020.pdf?sequence=1&isAllowed=y

[xvii] Titumir, R. and Hossain, J. (2005). *Disability in Bangladesh: Prevalence, Knowledge, Attitudes and Practices*. Dhaka, Bangladesh, Unnayan Onneshan. (Accessed 22 May 2021). Available from: https://www.medbox.org/pdf/5e148832db60a2044c2d2c4a

[xviii] Inclusive Futures (2021). *Labour Market Assessment – Bangladesh. 2021 Refresh*. (Accessed 10 September 2021). Available from: https://asksource.info/resources/labour-market-assessment-bangladesh-2021-refresh