**Disability:IN Global Directory**

**The Netherlands**

**Disability Definition**

A general Dutch definition would be: anyone who is able to work at the Dutch labour market but who will not survive without governmental support.

**Legislation**

Act on equal treatment on the grounds of handicap or chronic illness (Stb. 2003, 206)

Assistive devices or other support needed for work or education in regular schools can be obtained through the Act on Reintegration of Labour-disabled 2005

Ratfied UN Convention on Rights of Person with Disabilities on 14 June 2016

**Employer Requirements**

No quota for private employers. A 1.93% quota for public employers with 25 or more employees.

Employers can request for wage subsidy if they employ employees with disabilities.

Can disability status information be commected at the Application stage, After offer has been made, and After employment commences?

• Yes, (for all 3 phases) if the data is anonymous, explicit consent of the applicant is obtained or collection of such data is necessary with a view to statistical research. Therefore, there are three alternative options:

1. The data is collected in anonymous form from the applicant or employee, e.g. by asking the employee to fill in an (online) questionnaire on a no-name basis;

2. When explicit consent is obtained from the applicant or employee for the processing of such sensitive data for the specified purposes of equal employment opportunity, and provided that:

(i) the consent is obtained in line with the strict consent requirements under the GDPR (i.e. freely given, specific, informed and unambiguous); (ii) the individual is given a real choice to decide whether to provide such data and it is made very clear that there are no negative consequences if he/she does not consent; and (iii) the individual is provided with a GDPR-compliant notice which includes the collection of such sensitive data.

3. The collection of such data is necessary with a view to statistical research, provided that:

(i) such research serves a general interest (which in our view is the case for equal opportunity purposes); (ii) asking for explicit consent proves impossible or costs a disproportionate effort (iii) the performance of the research shall be provided in such a way that the privacy of the individual concerned is not disproportionately harmed; and (iv) appropriate safeguards are in place to protect the fundamental rights and interests of the individual e.g. by ensuring that the data is anonymized or pseudonymized; Asking for explicit consent would be the preferred route.

During the first 104 weeks of disability, the employer is responsible for reintegration activities if he has the obligation to continue the wage payment.

Students with disabilities or their employers have a legal right to adaptions of workplace, personal equipment and adaptations and special transport while in apprentice ships or internships provided they are enrolled in a regular education such as the mbo-colleges or de Praktijkscholen. These adaptations are provided by the Public Employment Service UWV based on the Act on Reintegration of Labour-disabled 2005 (Wet Werk en Inkomen naar Arbeidsvermogen).

**Accessibility Requirements**

There are voluntary accessibility standards for websites though that website owners, public and private may use (available at accesibility.nl). A voluntary project in which local governments were actively asked and aided in making their website more accessible, 50% of local governments introduced basis accessibility elements to their websites.

DigiAccessibility Requirements for Government entities,

European Accessibility Act The European Parliament and the Council came to a provisional agreement on the Commission’s proposal for a European Accessibility Act on 8 November 2018.

**Cultural Norms**

Dutch system pays benefits for partial or temporary disability as well as full, permanent disabilities.

Dutch labour market tends to exclude more people with an intellectual disability.

The Netherlands has many sheltered workplaces.

**Insights**

The Netherlands do not have a national disability strategy. (per ANED, Oct 2018)

The National Reform Program mentions a specific target in employment legislation to reserve 125,000 jobs specifically for people with a severe disability. Failure to achieve the targets will result in quotas being imposed.

The preferred instrument for fighting poverty and social exclusion for Dutch Government is to facilitate people dependent on disability benefits to find paid work.

Participation in a form of paid or unpaid work by people with mild to moderate intellectual disabilities declined from 42% in 2008 to 34% in 2016, according to the most recent update on participation by research agency Nivel.

Only a small minority of employers (9%) give priority in their personnel policy to recruit people with (any kind of) a disability. That is lower than the percentage of employers who target other groups needing support on the labour market; for example, 12% of employers actively recruit migrants, while 18% focus on promoting women to senior positions within the organisation.

**Supplier Diversity**

Certification is in place for women-owned business enterprises (WeConnect).

**Talent Sourcing Resources**

Apprenticeships are available for student with disabilities in special secondary education, provided they are assessed as being able to enter labourmarket, for students in Praktijkscholen for pupils with IQ between 55-80 and for students in senior secondary vocational education (mbo-colleges). The apprentice ships may take various forms: jobs combined with learning or learning combined with part time jobs or internships. The apprenticeships are usually funded as part of the employment reintegration system and municipalities would provide funds. Internships are more part of the educational financial system.

REA College – Network of vocational training colleges for reintegration support into the workforce. Onine form for employers to access talent

**Additional Resources**

[Vereniging Inclusie Nederland](https://www.inclusienederland.nl/) – Inclusion Netherlands:

[European Disability Forum (EDF)](https://www.edf-feph.org/) is an independent European non-governmental organization (ENGO) that represents the interests of 50 million disabled people in the European Union and stands for their rights. It was created in 1996 and is based in Brussels.

[Enablement Netherlands](https://enablement.eu/) – Enablement is specialised in Community Based Rehabilitation (CBR) and Disability Inclusive Development (DID). Training, research and consultancy are at the heart of our work.

[Handicap NL Self-Determination Programming](https://handicap.nl/)

**References**

[Netherlands Accessibility Requirements](https://www.levelaccess.com/compliance-overview)