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Labour market integration and equality for disabled people: a comparative analysis of Nordic and Baltic countries

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Abstract

This paper considers the employment situation of disabled people, and disability policies, in three Nordic and three Baltic countries (Denmark, Sweden, Norway, Estonia, Latvia and Lithuania). The analysis is framed by a changing paradigm for disability policy making, from compensation towards human rights and in a context of multi-level governance involving the EU and UN as significant policy actors. The analysis draws on policy analysis and European social survey data to compare outcomes for disabled people in each country and in binary comparison between Nordic and Baltic countries. This enables interactions between individual and regional block factors to be modelled. We conclude that national policies make a difference, that non-discrimination policies are not enough and that a focused mix of regulatory and redistributive measures is needed. The findings highlight better employment and social protection outcomes for disabled people in the Nordic countries but point to policy challenges in both blocks. National processes of (de)commodification and stratification affect disabled people differently and this may disrupt our assumptions about welfare state comparisons.

Key words

Nordic and Baltic countries; disability policies; employment of disabled people; Labour Force Survey; public employment services; non-discrimination

This paper compares the employment situation and employment policies for disabled people in six Nordic and Baltic countries. It uses a disability equality lens to shed new light on welfare state assumptions and to highlight the influence of transnational governance. This perspective is framed by Article 27 of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), a comprehensive global human rights treaty. It requires state parties to ‘recognize the right of persons with disabilities to work, on an equal basis with others... in a labour market and work environment that is open, inclusive and accessible’. We are interested in how welfare state concepts and disability rights concepts intersect in employment policies. We consider the challenges facing Nordic and Baltic countries, their efforts to tackle them, the outcomes for disabled people, and the extent to which a Nordic-Baltic distinction is meaningful in this context.

Re-framing social policies as disability equality

The historic re-framing of disability employment policies, from rehabilitation and compensation towards non-discrimination and equality is well documented (e.g. Yalcin et al. 2016). Much post-war policy in Europe was framed by an individualised model of disability, often characterised by medicalisation and the administrative segmentation of disability schemes from mainstream employment policy. Social policies, welfare institutions and professions became viewed by disability rights advocates as part of the problem rather than the solution (Barnes and Mercer 2003). Although rehabilitation measures sought labour market re-integration, access to ordinary jobs for persons with significant impairments remained hindered by discriminatory attitudes, by exclusion from educational opportunity, and by inaccessibility workplaces, technologies and transport systems.

The new paradigm was framed by rhetorical adoption of a ‘social model’ of disability (Oliver 1990) and by discourses of human rights, accessibility, universal design and policy

mainstreaming (Quinn et al. 2002). At its heart was recognition of the full range of social, physical and financial barriers to inclusion. Much prior research has indicated disability discrimination is the main reason preventing equal participation in the mainstream employment (e.g. Ali et al. 2011, Brohan et al. 2010, Luecking 2008, Nota et al. 2014, Shier et al. 2009, Vornholt et al. 2013). More specifically, inequalities based on gender (Jones et al. 2006); type of impairment (Wik and Tøssebro 2013, Unger 2002); education level and skills (Ali et al. 2011, Boman et al. 2014, Henry and Lucca 2004, Shier et al. 2009); and age (Ali et al. 2011, Henry and Lucca 2004, Vornholt et al. 2013) are evident.

The direction of travel at both national and international level was towards legislative non-discrimination measures (Waddington 1994, Waddington 1996, Thornton and Lunt 1997). Yet, progress reviews of landmark legislation, such as the USA's Americans with Disabilities Act 1990 or the UK's Disability Discrimination Act 1995 remain inconclusive concerning better employment outcomes (Bell and Heitmueller 2009, Ferri and Lawson 2016, Russell 2002, Waddington and Diller 2002). The idea that disability policies should pursue equal opportunity in the open labour market was prefigured as far back as 1955, in Recommendation 99 of the International Labour Organisation (ILO) on Vocational Rehabilitation (Disabled). At the EU level, Directive 2000/78 establishing a general framework for equal treatment in employment and occupation set down the challenge to eliminate discrimination in employment. In 2006, the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) consolidated this shift in global policy, embedding concepts of disability employment rights within a comprehensive framework, covering all domains of life.

While the social democratic welfare state tradition sought to balance integration measures with adequate social protections for disabled persons outside the labour market

(Mont 2004) its regressive financing had failed to deliver on egalitarian aims (Wilensky 1975). Across Europe there has been a long-term upward trend in persons receiving out-of-work, incapacity-related benefits (Clayton et al. 2011), further fuelled by rising retirement ages. This, in turn, presents a fiscal sustainability challenge to European welfare states – intensifying during the period of economic crisis after 2008. The historic reframing of disability policy as equal rights and non-discrimination thus coincided with an ideological reframing of out-of-work disability benefits as unaffordable, undeserved or as disincentives to work (Aarts et al. 1998, Burkhauser et al. 2014). The shared ground between these contrary policy discourses is a sharpening of policy focus towards getting more disabled persons into jobs.

A reputation for generous and comprehensive welfare support for disabled persons in the Nordic countries, with equality-oriented active labour market measures led them to be seen as ‘examples from which to learn’ (Halvorsen et al. 2015) but retrenchment and liberalisation have also called this assumption into question (Roulstone 2013). The global human rights framework of the UN CRPD emphasises that both higher and lower income countries must pursue ‘progressive realisation’ and ‘constant improvement’ in living conditions for disabled persons (e.g. Bickenbach and Bickenbach 2009). The bar is set high but we should ‘not take for granted that the Nordic countries are always forerunners’ (Halvorsen et al. 2015).

A good deal has been written about disability policies in Nordic countries but there is very little on Baltic policies (prior analyses make only passing reference to protection from disability risk in relation to social security and pensions). Disability research has been conducted on relevant individual countries (e.g. Boman et al. 2014, Wik and Tøssebro 2013), but with few comparative studies (Halvorsen et al. 2009, Holland et al. 2011). We examine

the labour market situation and policies in Nordic and Baltic countries, considering individual, country level and transnational factors that shed light on the issues raised so far.

Of East and West

Esping-Andersen (1990) characterised the Nordic countries (the archetypal social-democratic welfare states) by their solidarity and equality, based on full participation and universality. Central and Eastern European states, including the Baltic countries have been inadequately embedded in most welfare classifications due to their unsettled situation ‘as transition countries’ (Ebbinghaus 2012). As Toots and Bachmann (2010) argue, Baltic welfare transition has been viewed from an occidental perspective, in which policy challenges are framed as ‘catching up’ with the Nordic welfare model. Soviet-Russian welfare was acknowledged in early welfare modelling (Titmuss 1974, Wilensky 1975) but the communist countries were rather overlooked in subsequent developments, both theoretically and empirically (Fenger 2007, Aidukaite 2009a, Deacon 1992).

Norgaard and Johannsen (1999) identified three key dimensions of Baltic transition after 1991 — towards pluralist democracy, market economies and independent statehood. They also pointed to the EU’s influence in national policy choices. Economic and political reforms ushered in changes to national welfare systems. Aidukaite (2003, 2004, 2006, 2009b) charts the diversification of post-Soviet social security systems in the Baltic states, noting optimistic assumptions that economic liberalisation might solve social as well as economic challenges. She shows how the three states all became ‘less comprehensive and universal’ while diverging in the extent of private provision and means-testing.

Baltic disability policies are also framed by Soviet welfare histories in which moral obligation to labour was a core value and full employment an assumed norm. Social security and social services, insofar as they were deemed necessary, were administered largely

through the trade unions. A universal and non-means tested social security system covered disability risks, with residual pensions for those not 'able to work' but with a general lack of social services to support the integration of disabled people into the labour market or society more widely (Metz 2008, Russell and Iarskaia-Smirnova 2013).

Following EU accession, and through the economic crisis, migration and unemployment impacted on the Baltic states with declining work intensity, wages and per capita GDP. Structural unemployment, largely invisible under the Soviet system, increased. Rapid economic growth was not matched by welfare investment and stringent cuts followed the onset of the crisis, with missed opportunities to adapt education, employment and social protection policies to new social risks (Toots and Bachmann 2010, Ebeke and Everaert 2014). Bohle and Greskovits (2007) distinguish emergent capitalism in the Baltic states as more characteristically neoliberal than in the Visegrád states (the Czech Republic, Hungary, Poland and Slovakia) despite their common inheritances from state socialism. Thus, the Baltic states were viewed as leading in market liberalisation but lagging in social inclusion, more readily exposing vulnerable social groups to market pressures.

With EU membership came obligations to adopt new policies, notably to frame domestic employment legislation compliant with the EU Framework Directive, and to participate in the Open Method of Co-ordination (Heidenreich and Zeitlin 2009, Priestley 2012). The emergence of a global disability rights framework, including the EU's accession to the UN CRPD in 2010, strengthened the EU's hand on disability issues and shifted the frame of reference for disability rights from 'Western' or 'Nordic' role models towards 'European' and 'global' governance, which may support Deacon's (2000) view that global political actors as well as economic globalization have been drivers of policy change in the post-Soviet era.

To summarise, the literature points towards strong disability equality and protection systems in the Nordic countries and weaker ones in the Baltic countries. It highlights the impact of neo-liberalisation on universal welfare protection, and on marginalised groups in particular. It suggests that the re-framing of disability policies as non-discrimination and equal opportunity coincided with an increased influence for transnational policy actors at the EU and UN level. In this context, we consider disability policies and outcomes in Nordic-Baltic welfare comparison.

Data sources and methods

We focus on the three Baltic states (Estonia, Latvia and Lithuania) plus three Nordic states (Denmark, Sweden and Norway). This selection was based on state participation in the forms of transnational governance identified earlier. Norway is not an EU Member State but, along with Iceland, participates in the EU's high level forums on disability and mirrors policy adoption in this area (notably EU single market policies). Neither Finland nor Iceland had ratified the UN CRPD at the time of drafting this paper (although both have since ratified during 2016).

We consider non-discrimination and redistributive policy approaches, labour market and social protection spending, and employment outcomes for disabled persons. As Toots and Bachmann (2010: 34) note:

Low social security expenditure in Estonia, Latvia and Lithuania suggests that their protective potential is weak, but it does not say much about their capacity to enhance labour market activity, which is regarded as the key for welfare state sustainability in the era of population ageing. Therefore, one cannot rely on cost-related variables only to estimate whether Baltic countries have a potential to build up a welfare model that works efficiently in the era of post-modernity.

They examined general indicators of employment and poverty using the Eurostat database and assessed policy provisions from the Mutual Information System on Social Protection tables (MISSOC). We extend this approach from a disability perspective by

drawing policy evidence from both the generic MISSOC tables and the Disability Online Tool of the Commission (DOTCOM), a disability policy database maintained by the Academic Network of European Disability experts (ANED) (Priestley and Lawson 2015). Additional information was obtained from national policy documents, from the UN CRPD treaty monitoring database, Eurostat expenditure data (investments in disability benefit schemes and labour market policies) and employment indicators from Eurostat's disability database (based on the 2011 European Labour Force Survey ad hoc module).

We then developed a statistical model for Nordic-Baltic comparison using 2011 EU-SILC microdata (in order to include Norway). The sample included disabled persons aged 15-64, resulting in 6,653 cases from the six countries (unweighted microdata). We used multilevel logistic regression to assess the significance of individual and regional level factors, their interaction effects, and to control for estimation biases. Explanatory models were generated for three dependent variables - employment, benefit take-up and household financial status. For the individual factors, we used Gender, Age Cohort, Educational Attainment Level, Limitation Level and Marital Status (Eurostat definitions) and Regional Block as a country level factor (based on Country of Residence).

In line with other researchers, and Eurostat, we use the auto-evaluation concept of 'limitation' as a proxy for functional impairment and, by implication, disability status. The EU-SILC asks if a person has 'any chronic (long-standing) physical or mental health problem, illness or disability' (for at least six months) and whether this 'limits' their 'daily activities' (Q43-44). We consider all those who declare they feel 'limited' or 'strongly limited'. The wording is not ideal from a social model of disability perspective, as it suggests direct causality between a health condition and a limitation of activity (which might be otherwise due to physical or social barriers). However, the aggregate extent to which persons

declaring impairments ('limitations') also experience unequal social outcomes, compared to other persons, remains indicative of 'disability' in this theoretical frame.

There are some limitations of data comparison. First, self-assessment questions return varying disability prevalence rates in different countries due to language, culture and policy definition (Grönvik 2009). Such variations are reduced for estimates of the working age population, and for persons declaring more severe levels of impairment, but still the EU-SILC 2011 prevalence estimate for persons aged 16-64 in Denmark (above 24 per cent) is much higher than Sweden or Lithuania (below 14 per cent). Second, estimations of disability employment rates are particularly affected by definitional changes, although less so by variations in prevalence (Molden and Tøssebro (2012: 341). For comparable age groups, the EU-SILC definition (limitation in daily activities) returns a higher disability employment rate than the narrower EU-LFS definition (limitation in work activities). The two definitions correlate fairly well but caution is needed and we seek to provide a more contextualized and mixed methods policy analysis. Finally, disabled persons living in institutions, are generally excluded from household surveys (and from the open labour market too). This might lead to a small over-estimation of disability employment in countries with larger populations of institutionalized persons.

The UN Office of the High Commissioner for Human Rights (UN OHCHR) adopts an indicator methodology based on 'structure' (human rights in law), 'process' (policy efforts to realise them) and 'outcomes' (OHCHR 2008, 2012, Lawson and Priestley 2013). In terms of the legal 'structure', Article 27 UN CRPD obliges states to prohibit discrimination in employment, to ensure that reasonable accommodation is provided in the workplace and to enable vocational guidance and support. We show how these obligations are met in national

disability policies before estimating and modelling employment outcomes in Nordic-Baltic comparison.

Non-discrimination and support: policy ‘structure’

The transnational influence of the EU has been considerable in employment non-discrimination law, which falls within its competence. As noted earlier, Framework Directive 2000/78 EC required all EU Member States to have measures outlawing discrimination on the ground of disability (and other grounds). Norway, Sweden and Denmark adopted or adapted their laws almost at the same moment. The Norwegian legislation was disability specific — the Discrimination and Accessibility Act 2008 (amended 2013). In Denmark it covered multiple grounds — the Consolidation Act on Prohibition against Discrimination in the Labour Market 2008 (supplemented by a specific Act on compensation for disabled employees in 2009). In Sweden, legislation protecting disabled people has a longer history, and predating the EU Framework since 1999 (Tøssebro 2016) but non-discrimination laws on various grounds were consolidated into the Discrimination Act in 2008 (amended 2014), which is both holistic and covers all grounds.

The Baltic countries all have Constitutional provisions on non-discrimination in general and non-discrimination legislation has intensified following EU Directives and UN CRPD ratification. In Lithuania, the Law on Equal Treatment 2005, implementing the EU Framework Directive, did not refer to disability specifically. In Latvia, the Labour Law 2002 covers all grounds of discrimination in employment, but there is no holistic non-discrimination law. New Guidelines on Inclusive Employment followed UN CRPD ratification but without legal obligations on employers. In Estonia, the Equal Treatment Act of 2008 (amended 2014) includes protection from disability discrimination in employment,

and employers' obligations were reiterated in the Employment Contracts Act 2008 (amended 2012).

In the structure of public employment services (PES) for disabled persons, Sweden has the most clearly established system, providing specialist guidance, vocational rehabilitation and support. Denmark has no disability-specific employment service, which is mainstreamed into municipal job centres linked to the National Labour Office (Specialfunktionen Job & Handicap, SJH). Norway has also mainstreamed disability services within the Norwegian Labour and Welfare Administration (NAV). In Estonia county departments administer PES for the Unemployment Insurance Fund (Eesti Töötukassa) but expanded their disability services only from 2016. In Latvia, disability support is mainstreamed. In Lithuania, it is more fragmented among a range of agencies, according to the Law on Support for Employment 2006 (amended 2015), the Law on Social Enterprises 2004 and the Law on Social Integration of the Disabled 2005.

A failure to provide accessibility was explicitly defined as discrimination in Sweden in 2015 and there is now an expectation that employers take reasonable measures but PES may help towards the costs. In Norway, NAV may provide employers with an 'inclusion grant' towards adaptation and equipment costs, as well as 'prevention and adaptation' grants to companies that sign up to a national inclusive workplace agreement, though it is not disability specific. Danish job centres offer some support for workplace adaptation and assistive devices, if they are essential (and not 'advantageous' to the employee). Workplace adaptation in the Baltic countries was more contingent. In Latvia, it is a duty on the employer and PES offers some financial support, but primarily for those in subsidised employment posts. In Estonia, the Occupational Health and Safety Act 1999 (amended 2015) requires adaptation of workplaces for disabled persons. The Insurance Fund supports employer costs

if they offer an open-ended employment contract (on penalty of repayment if employment ends within three years). Subsidised workplace adaptation in Lithuania is similarly limited to a three-year job guarantee.

The three Nordic PES all provide funding towards personal assistance for disabled employees in the open labour market but this is less established in the Baltic states. In Latvia it is possible only within the programme for subsidised employment. In Lithuania there is some funding for NGOs to provide personal assistance or interpreting at work. In Estonia personal assistance is managed holistically as a social service (for all areas of life).

Overall, and despite some differences of approach, there has been more Nordic-Baltic convergence in regulatory than redistributive policies (i.e. a shared baseline of non-discrimination principles is more clearly established than a common floor of labour market measures). This regulatory convergence owes much to the transnational policy influence of the EU in the employment field and has accelerated in response to the UN's influence in the disability field.

Social expenditure: investments in 'process'

All six countries operated some kind of wage subsidy scheme targeted towards disabled persons (a common but not ubiquitous policy measure in Europe). Wage subsidy has been used extensively in Sweden as transitional support into open labour market jobs, for a maximum of four years. In the Danish Flex Jobs scheme the municipality may supplement wage costs for up to five years. Norway offers both temporary and permanent wage subsidy schemes (and some recipients of long-term incapacity benefit who enter work may retain it for up to five years). In Baltic countries, there are also some sustained subsidy schemes. Jobs in the open labour market may be subsidised in Lithuania and in both Estonia and Latvia a

full disability pension may continue to be paid after entering employment (to assist with additional work-related expenses).

There are differences in the expenditure on LMP transfers between employers and individuals (see table 1). These include, but are not limited to, disability-specific schemes. While Denmark and Sweden transferred a large proportion to employers, Norway did not. LMP transfers to individuals in the three Baltic countries were minimal, smaller by a factor of six or more than in any of the three Nordic countries. This was particularly evident for the schemes most relevant to employment of disabled persons — i.e. employment incentive transfers and supported employment and rehabilitation measures (where Denmark and Sweden spent markedly more). In Sweden, almost a quarter of LMP participants looking for work were reported to be in employment incentive schemes while Denmark had the highest participation in supported employment and rehabilitation. By contrast, the three Baltic countries reported negligible numbers of participants in any such schemes but Estonia and Latvia made the largest transfers to service providers.

[insert table 1 about here]

Official data also confirms large differences in expenditures on social benefits, with the three Nordic countries spending around double the proportion of GDP than the three Baltic countries overall (see table 2). This is true for disability benefit schemes too, with Denmark and Norway spending above four per cent GDP but all three Baltic countries spending below two per cent. If we compare the relative value of these benefits (in Purchasing Power Standards per head, PPS) the Nordic disability schemes are all more generous than those in Baltic countries. However, Denmark exhibited far higher expenditure on means-tested disability schemes (including almost all its cash benefits) with means-testing

near zero for disability schemes in the other five countries. The value of non-means tested disability benefits was much greater in Norway, and in Sweden, than elsewhere.

[insert table 2 about here]

In summary, the evidence of policy ‘structure’ and ‘process’ suggests that there has been more policy convergence among the Nordic and Baltic countries in non-discrimination law than in redistributive social policies and this reflects an increased transnational policy influence in this area (Hvinden 2003, Priestley 2007, Waldschmidt 2009). The Baltic countries did not lag behind their Nordic neighbours in transposing the international obligations of liberal employment rights into domestic law but do so in the relative value of social protection.

There were differences in national PES arrangements, including the disability-specific provision of personal assistance, workplace accessibility and wage subsidy. Differential investment and participation in disability benefit and support schemes are perhaps the most marked policy feature of Nordic and Baltic comparison. Since previous studies indicate that the ‘structural’ adoption of non-discrimination laws has not coincided with systematic improvements in disability employment rates, greater interest might be directed towards the influence of ‘process’ in making employment rights a reality (Waddington et al. 2016). With this in mind, we turn to employment outcomes.

Individual and regional factors: modelling employment ‘outcomes’

The desired ‘outcome’ of the transnational rights expressed in Article 27 UN CRPD is greater equality of employment opportunity for disabled persons. This can be indicated by comparing the chances of employment for disabled persons with those for other persons in the population. Being in paid employment is the dependent variable of most interest in modelling outcomes between Nordic and Baltic countries but the analysis of policy

‘structures’ and ‘processes’ confirmed large differences in social protection, notably, in the relative generosity of disability benefit schemes (including means testing and time limiting). Consequently, we chose to model social benefits take-up and household financial situation as additional dependent variables.

As noted earlier, the Eurostat disability database estimates employment outcomes using the 2011 (and 2001) ad hoc module to the European Labour Force Survey (LFS AHM), although this does not include Norway. On those estimates, for the age group 15-64, Sweden reported the highest employment rate in the EU28, while the Baltic countries all reported lower rates than Nordic countries. Comparing the EU-SILC data for the same year (which includes Norway) a similar pattern was evident. The smallest disability employment gaps were in Estonia and Latvia with the widest gaps in Lithuania and Norway (see table 3). This presents an interesting anomaly. While both Norway and Lithuania showed the highest employment rates for persons without limitations, within their Regional Block, this masked lower employment rates for disabled persons, and wider equality gaps, than their Nordic or Baltic neighbours, respectively.

[insert table 3 about here]

Considering the variation in self-reported prevalence of ‘limitations’ (noted earlier), it is useful to compare outcomes for the subset of persons who declared a ‘strong’ level of limitation (more severe impairment). This group reflects more closely the population targeted by disability policies, including disability benefits (e.g. Grammenos 2013, Sainsbury and Lawson 2016). The three Nordic countries all showed better employment outcomes here too, as they did for their general populations. Table 3 is arranged in rank order of employment rate for non-disabled persons in order to highlight the discrepancies in disability employment rates and the equality gaps (estimation for those declaring ‘strong’ limitations in Lithuania

should be treated with some caution, due to sample size, but the pattern is consistent with weighted estimations for other years).

The odds ratios for the three statistical models are shown in table 4. Across the six countries, the level of reported 'limitation' had a significant effect on all three dependent variables. The odds of being in employment were twice as high for those declaring moderate rather than 'strong' limitation. Gender was a significant predictor of employment among disabled persons, as for the general population, with an advantage for disabled men over disabled women. Age Cohort was also significant, with disabled respondents aged 25-54 almost three times as likely to be in the paid work as those aged 15-24, and the oldest cohort (55-64) less likely to feel at ease financially. Increased educational level was strongly associated with better odds of being in employment, and with reduced odds of difficulty in 'making ends meet'. It was less strongly associated with the odds of benefit take-up (noting that some disability benefits are non-means tested and may be retained in employment).

[insert table 4 about here]

As expected, significant differences were evident when comparing the Nordic and Baltic countries as two regional groups. For the model targeting employment status, the Regional Block ratio suggested that the chance of disabled persons being in employment was 76 per cent lower in the Baltic Block than in the Nordic Block, after controlling for the other factors. The benefit take-up model showed similar odds, suggesting a much lower chance of benefits take-up in the Baltic Block. The likelihood of difficulty in making ends meet was 65 per cent greater. These findings confirm that, in binary comparison, disabled persons living in the Baltic Block were worse off in terms of average employment outcomes, social protection coverage and subjective financial situation. This is not surprising but it underlines the implied categorical differences between Nordic and Baltic Blocks as macro-economic contexts.

The severity of declared ‘limitation’ made a greater difference to employment outcomes in Baltic countries than in Nordic countries. The relative employment advantage for persons declaring a moderate level of limitation, compared to those declaring a severe level, was 37 per cent greater in the Baltic Block than in the Nordic Block when other factors were controlled. This is not a large effect in practice but indicates that severely disabled people may face additional employment barriers in Baltic labour markets (e.g. in the level of employment support, reasonable accommodation, or protection from discrimination).

Although benefit take-up among disabled persons of working age was significantly lower overall in the Baltic Block, advancing age increased its likelihood more rapidly than in the Nordic countries. This, along with the employment data, suggests barriers to the retention of older disabled workers (which also might be connected with the availability employment supports, or with early exit routes to disability pensions). Again, the effect is not large but is indicative.

The gender employment advantage of disabled men over disabled women was reduced by 29 per cent in the Baltic Block compared to the Nordic Block. This might suggest that the regional employment disadvantage is born more by disabled men in Baltic countries than by women (e.g. a higher proportion of older male workers making early exit from the labour force), or that there is less gender inequality in the employment of disabled persons (the gender employment gap in general is rather low in both Nordic and Baltic countries). Last but not the least, increased educational attainment level made a bigger difference to household financial situation in the Baltic Block than in the Nordic Block (although less than it did for employment or benefit take-up).

The findings convey an uneven patterning of disability equality outcomes and interaction effects between Nordic and Baltic countries. Employment rates for disabled

persons have been lower in the Baltic countries, as they have been for the general population, but the latter does not directly predict the former at the country level. A Nordic-Baltic regional comparison reveals significant differences in the effect of individual factors on outcomes, notably for persons with more severe impairments, for older workers and for men. But there are also anomalies. Norway and Lithuania in particular report wider disability equality gaps in employment than might be expected.

Discussion

In this paper we have examined how six Nordic and Baltic countries address the employment situation of disabled persons, using individual-, country- and regional level comparisons. The topic of employment was chosen for its intersection with multi-scalar governance frameworks at European and global levels. Data was generated from policy analysis, social expenditure reports and European social survey data. The findings were arranged in accordance with the UN OHCHR typology of policy ‘structure’, ‘process’ and ‘outcomes’.

A shared policy discourse?

The EU has well-established legal competence on non-discrimination in employment, including on the ground of disability (which applies also to Norway’s single market access) and employment is a key pillar in the European Disability Strategy 2010-2020. The UN CRPD acquired legal status as the global benchmark for disability rights, to which all of the countries acceded. The provisions of Article 27 UN CRPD echo the non-discrimination principle of the European Framework Directive but add policy substance, declaring the need for vocational guidance, rehabilitation, job retention and return-to-work programmes, placement services and reasonable accommodation at work (which may be understood as a right to appropriate assistance and accessibility in the workplace).

All six countries were compliant with the EU Framework Directive, having some non-discrimination provision on the ground of disability but they varied in the extent to which this protection was holistic (extending beyond employment) or comprehensive (extending beyond the ground of disability). For example, one study for the European Commission concluded that only Norway had ‘comprehensive anti-discrimination legislation, in line with both the Employment Equality Directive and the Racial Equality Directive’ (Directorate General for Justice and Consumers 2015). However, Norway shows wide disability employment gaps.

The rights-based paradigm for disability policies does have a longer history in the Nordic countries but its realisation has come under strain in recent years (Tøssebro 2004, Hvinden 2004). Neither has it progressed at an even pace among the Nordic countries. Swedish legislation has passed through several refinements but Denmark arrived relatively late to anti-discrimination laws based on group rights (responding, as the Baltic countries did, to the EU Framework Directive). While both Nordic and Baltic countries have evolved their non-discrimination policies, those in Nordic countries do place a more specific focus on disability discrimination, and extend this beyond the employment sphere. These differences in the legislative ‘structure’ of liberal rights are not insignificant but, on their own, cannot account for, or resolve, marked differences in employment outcomes.

Investing in social and economic rights?

The Nordic countries have invested extensively in ALMPs, rehabilitation and occupational health services and appear to show better employment outcomes respectively (Holland et al. 2011). The Baltic countries have invested less, although PES provisions have intensified more recently. The key features of the rights-based approach concern the removal of employment barriers through reasonable accommodation — notably in support for

accessibility and assistance in the work place. On these specific policy measures there were differences, as well as the degree of mainstreaming or segmentation in disability employment services.

Disability support schemes in the Baltic states were limited under Sovietism, with social protection strongly embedded in labour market relations. New disability policies are developing though (more quickly in some respects than others) and the global framework for UN CRPD has focused attention, with increased expectations on employers and more efforts to remove barriers in the workplace. There are some established provisions in the Nordic countries, with a shifting emphasis towards expectation on employers, and a similar emphasis is emerging in Baltic countries where co-funding has been historically more limited and segmented. We conclude that the adequacy and responsiveness of public support for reasonable accommodation at work is more important than the organisational arrangements for its provision, but simply placing responsibility onto employers will not be sufficient to deliver equitable working opportunities in open labour markets.

A disruptive pattern of outcomes?

There is no doubt that employment and social protection outcomes are, on average, better for the general population in Nordic and Baltic countries but the trend is not so clear cut in relative outcomes for disabled and non-disabled people. The pattern of employment outcomes for disabled persons in the Nordic countries does not mirror employment patterns for other persons. Neither was high general employment predictive of closing the disability equality gap. In both the Nordic and Baltic groups the country with the highest employment rate for non-disabled people had the lowest rate for disabled people (i.e. Lithuania and Norway had the least equal disability outcomes).

It is important to consider the limitations of data accuracy and comparability (notably, variations in national prevalence of self-reported ‘limitation’). Intuitively, we might expect countries with high prevalence to exhibit a high disability employment rate, and narrow equality gaps (as a consequence of more persons with rather mild levels of impairment declaring themselves in that category). Conversely, a sample of disabled persons in countries with low prevalence might include a higher proportion of persons with severe impairments (with lower chances of employment and wider equality gaps). Our findings contest these assumptions. Denmark exhibited the highest disability prevalence and Sweden the lowest but they returned very similar disability employment rates. Norway exhibited higher disability prevalence than Sweden but wider disability employment gaps. Sweden and Lithuania had the lowest disability prevalence rates but their disability employment rates and equality gaps were at opposite ends of the scale. We cannot conclude that variation in prevalence had no effect but we can say that it was not predictive of outcomes and that other factors were more important.

The multiple regression confirmed that disabled persons in the Baltic Block were worse off in terms of average employment outcomes, benefit coverage and subjective financial situation. This is consistent with the regional economic situation and other research (Ebeke and Everaert 2014). National wealth and macro-economic conditions are important, and countries with high general employment rates often have higher rates of employment for disabled persons, but this does not account adequately for the disparities or relative disability equality gaps. Promoting and protecting employment for all can do no harm to the employment chances of disabled persons but the association is not nearly consistent enough to rely on a general co-ordination of growth and prosperity. Effective disability policies are needed too.

Disability equality and decommodification?

Classic welfare regime theory characterised the Nordic countries by their high degree of decommodification, de-coupling the welfare of citizens from labour market dependency. By comparison, the liberalisation of Baltic welfare has been portrayed as a re-commodifying process. Toots and Bachmann (2010: 40) argue that ‘monetary well-being in Estonia, Latvia and Lithuania is less dependent on the welfare state than it is typically in the Western European countries’ and ‘it can be assumed that the main roots of well-being are located in the labour market’. Despite low employment rates this effect is not so evident for disabled persons of working age. Leaving aside the low value of social transfers, the data on financial hardship suggests that social protection for disabled persons in the Baltic welfare states might have a greater decommodifying effect than for the population as a whole (e.g. due to retention of long-term disability pensions) although more analysis would be needed (see, Sainsbury and Lawson 2016).

Reported rates of ‘struggling to make ends meet’ in the Nordic countries are among the lowest in Europe. They are more varied across the Baltic countries, with the average risk in Estonia falling just above the EU average, Lithuania at the upper quartile and Latvia among the highest. However, the Baltic countries exhibit proportionately narrower financial hardship gaps for disabled persons than the Nordic countries (Eurostat 2015). Subjective assessments of ‘making ends meet’ are culturally relative, and might be more acutely felt in richer countries, but it is notable that disabled persons of working age in the Baltic countries do not report markedly worse household financial hardship than other persons while those in the more affluent Nordic countries do.

Our findings may also support those of Holland et al. (2011) which found no clear evidence of a disincentive effect of more generous welfare benefits on the tendency of

chronically ill and disabled persons to be out of the workforce, in particular for those with low education and low incomes. Across the EU there is a close correlation between the generosity of disability benefit schemes, especially non-means tested cash schemes, and reduction in risk of poverty (Sainsbury and Lawson 2016) but among the group of countries considered here those with more generous compensation had higher levels of disability employment too.

Conclusion

To sum up, there are differences in the structure of domestic non-discrimination law pertaining to disability and employment rights (with a more disability-focused approach in the Nordic countries) but this is unlikely to account, on its own, for significant shifts in employment outcomes. More likely is that a strong combination of supportive investment policies and flexible labour market opportunities is needed, along with strong disability equality policies beyond the labour market too (e.g. in support for de-institutionalised and independent community living, inclusive education systems, accessible transport, etc.). For example, and in addition to its long-standing non-discrimination legislation, Sweden has well established enforcement mechanisms and has undertaken a wide array of targeted measures to support the social inclusion of disabled persons. More qualitative research with employers, employees and (un)employed persons would be useful in examining the combinations of national policy levers affecting recruitment and retention of disabled workers.

There is a Nordic-Baltic dimension to the comparison of disability employment rights and outcomes but it blurs at the country level. National wealth and general employment conditions are important but this does not explain variations in disability equality gaps (e.g. Norway's high employment rate hides a wide equality gap). We conclude that social policies, as well as environmental and socio-economic factors, make a difference and that the

transnational governance of disability rights plays an increasing role in policy transfer and convergence.

The welfare literature has sometimes portrayed the direction of policy travel for Baltic states as a journey ‘from East to West’, as an escape from Sovietism fuelled by lesson learning from the gold standard of Nordic welfare. A disability rights perspective disrupts this view. From the Baltic perspective, Nordic or ‘Western’ welfare benchmarks are being replaced by European and ‘global’ frameworks for disability rights. Just like a gendered analysis, the disability perspective casts a different light on the typification of welfare policy mixes. Processes of (de)commodification and stratification affect disabled people differently and this may also disrupt our generalised assumptions about welfare state comparisons.

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Tables

Table 1: LMP expenditure by type of action - Categories 2-7, %GDP in 2012

Countries	Total LMP measures (categories 2-7)	Transfers to individuals	Transfers to employers	Transfers to service providers
Denmark	1.31	0.57	0.74	-
Estonia	0.18	0.04	0.03	0.11
Latvia	0.19	0.01	0.10	0.08
Lithuania	0.18	0.03	0.14	0.02
Norway	0.41	0.26	0.07	0.07
Sweden	1.01	0.25	0.63	0.12

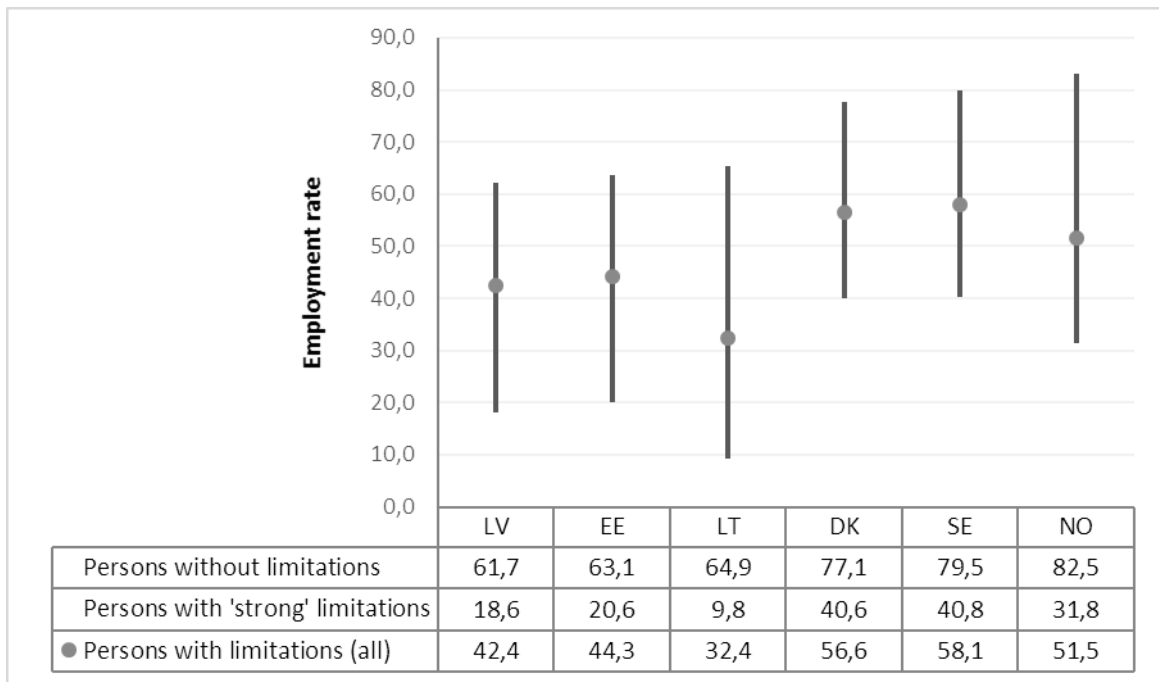
Source: DG EMPL [lmp_expsumm]

Table 2: Social benefit schemes in PPS per head and % GDP in 2012

Countries	All schemes		Disability schemes		Disability (non-means tested)		Disability (means-tested)	
	PPS	% GDP	PPS	% GDP	PPS	% GDP	PPS	% GDP
Denmark	9,987	31.1	1,342	4.2	545	1.7	3,570	2.5
Estonia	2,948	14.8	347	1.7	347	1.7	25	0.0
Latvia	2,285	14.0	198	1.2	198	1.2	65	0.0
Lithuania	2,960	15.5	288	1.5	287	1.5	173	0.0
Sweden	9,430	28.7	1,183	3.6	1,180	3.6	256	0.0
Norway	10,949	24.0	1,871	4.1	1,836	4.0	436	0.1

Source: Eurostat tables by functions, aggregated benefits and grouped schemes [spr_exp_ppsh]

Table 3. Disability employment rates and gaps in 2011



Source: EU-SILC 2011

Table 4: Odds ratios for the three statistical models

Characteristics	Employment		Benefit take-up		Financial situation	
	M3	M4	M3	M4	M3	M4
	Odds ratio	Odds ratio	Odds ratio	Odds ratio	Odd s ratio	Odd s ratio
Regional Block	.457*	.243*	.644	.247*	.532	.346
	**	**		*	***	**
Employment Status (workless is the reference)	--	NA	.272*	.031*	.954	1.20
Benefit take-up (not taking up is the reference)	--		--		.938	.981
Educational Attainment (low educational attainment level reference)	2.265	1.672	.939	.698*	1.44	.932
	***	**			***	
Age cohort (respondents aged between 15-24 are reference)						
25-34	2.745	3.195	2.377	1.880	--	---
	***	***	***	***		
35-44	3.021	4.044	2.200	1.247	1.23	1.41
	***	***	***		7	4*
45-54	2.283	3.993	2.441	.995	.940	1.23
	***	***	***			9
55-64	1.156	2.100	3.831	1.109	.650	1.00
		*	***		***	1
Gender (Males are reference)	1.036	1.841	.763*	.686	1.05	.761
		**	**		6	
Marital status (divorced is the reference group)						
Single	1.662	1.366	1.038	1.270	1.00	1.15
	***	*			2	8
Married	1.198	.784	1.237	1.942	1.00	1.38
	**		**		4	5
Limitation level	3.745	2.226	.473*	.853	1.21	.930
	***	***	**		5**	
Employment status*Regional block		NA		3.285		.880

Benefit take-up status * Regional block		NA				.879
Limitation level* Regional block		1.373		.705*		1.17
		**		*		0
Marital Status* Regional block		1.126		.876		.910
Gender * Regional block		.719*		1.070		.1.2
		*				02
Age cohort* Regional block		.913*		1.206		.916
				**		
Educational attainment* Regional block		1.201		1.186		1.30
		*		*		0**

*** significant at 1%; ** significant at 5%