

BRIEFING PAPER



INOUE, Araby House, 8 North Richmond Street, Dublin 1
Ph: 01-8560088 Fax : 01-8560090 Email : info@inou.ie Website www.inou.ie

Barriers to Employment Affecting Travellers, Refugees and Asylum Seekers and People with Disabilities

Introduction

The purpose of this Briefing Paper is to outline some of the barriers to accessing and participating in the labour market faced by Travellers, Refugees and Asylum Seekers and People with Disabilities. The Paper also suggests ways in which organisations might alter their services to increase the participation and involvement of these communities of interests.

TRAVELLERS

According to the Central Statistics Office Census 2002, there are approximately 23,600 Travellers in Ireland. Of these 12,900 are of working age. However, Travellers experience an unemployment rate of 90%¹.

Barriers to employment / self employment faced by Travellers

Lack of information and targeted supports

Many Travellers have difficulties accessing education, training, targeted supports and employment because they are unaware such supports / jobs / courses exist. This is because either they do not know where to access the information or because the advertising and publicity methods used by many employers and service providers are not accessible for Travellers. This can then enforce a belief amongst Travellers that such supports or jobs are not intended for them.

There is also a real fear amongst Travellers that their participation in education / training and employment will adversely affect their social welfare payments. Of particular concern given the poor health status of many Travellers is the prospect of losing the medical card.

Educational Attainment

In many instances, members of the Traveller community leave the educational system with no qualifications and as a result often experience low levels of literacy, low skills level and low self-esteem. These all act as a barrier to accessing training and particularly employment when the entry requirements for so many positions is a Leaving Certificate and perhaps IT skills.

¹ WRC (2003) Accommodating Diversity in Labour Market Programmes, Report for the Equality Studies Unit, The Equality Authority, Dublin

Discrimination

Discrimination acts as the key barrier to Travellers access to mainstream jobs. This discrimination affects all aspects of life, including training, provision of employment services and access to public premises. In spite of the introduction of the equality legislation particularly the Employment Equality Act (EEA) 1998, information on legal protection is limited amongst Travellers. Also for those who are aware, the possibility of pursuing legal action is unlikely. Furthermore, there is little evidence that the enactment of the EEA is redressing employers' reluctance to hire Travellers². Discrimination is widespread regardless of their competency levels to undertake the job. As a result of this discrimination many Travellers do not apply for positions outside the Traveller community because they know they will be unsuccessful. This in turn reinforces their low participation rate in mainstream labour market and does little to change or challenge employers attitudes and practices. In some instances, Traveller employees have no alternative but to conceal their identity as a Traveller in order to secure employment.

Lack of recognition for the Traveller culture

Despite the ongoing efforts of Traveller representative groups, a major criticism from members of the Traveller community is the lack of attention at policy level to the particular needs of Travellers in the design and delivery of education, training and other supports. This results in the provision of services that are often unsuitable for Travellers needs.

Aligned to this is the lack of progression of Travellers who participate in mainstream courses and programmes. This is often the options available to them are not reflective of their needs and interests and / or the skills learnt are inappropriate for use in the Traveller economy.

Self-employment is the preferred option amongst the Traveller community, particularly amongst Traveller men in what is termed the Traveller economy. The Traveller economy operates in niches in the market and because of its informal nature has received little official support and is vulnerable to policy and legislative changes. Given the lack of access to other forms of employment, culturally appropriate supports for this option for Travellers are crucial.

REFUGEES AND ASYLUM SEEKERS

Although the numbers of refugees and asylum seekers have increased considerably in the last decade, this represents only a small proportion of overall immigration into Ireland. For instance in 2001, the Central Statistics Office recorded 46,200 people coming to live in Ireland. The majority of these were returning Irish nationals and almost 28% were from other EU countries, many of whom came to Ireland to work on the basis of the freedom of movement provided for in the European Treaties. Almost 27% came from outside the EU and large proportions of these entered under the work permit system. Therefore non-nationals in this country are more likely to be work permit, work visa and work authorisation holders than they are to be refugees and asylum seekers.

² Phyllis Murphy (2001) Job Vacancies – Vacant Jobs, Pavee Point, Dublin

For the purposes of clarity, a **refugee** is a person who has been granted leave to remain in Ireland under the 1951 UN Convention on Refugee. According to this convention a refugee is any “person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of her/his nationality and is unable, or owing to such fear, is unwilling to avail her/himself of the protection of that country; or (any person) who, not having a nationality and being outside the country of her/his former habitual residence, is unable, or owing to such fear is unwilling to return to it”

Generally, refugees enjoy the same rights as Irish nationals in terms of entitlements to work, start a business, training and education, social welfare, medical services etc.

There are two categories of refugees:

- **Programme Refugees:** people invited to Ireland by the government in response to humanitarian requests from bodies such as the United Nations High Commissioner on Refugees.
- **Convention Refugees:** people who meet the criteria of the definition of a refugee under the 1951 UN Convention and who made an independent application for asylum.

There is some differentiation between the two categories with regard to accessing Active Labour Market Programmes such as Community Employment, Jobs Initiative etc.

Asylum seekers are people seeking refugee status under the terms of the 1951 UN Convention. The table below shows the increase in numbers seeking asylum in Ireland. The majority of applications come from nationals of Nigeria and Romania.

1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	Till May 03
91	362	424	1179	3883	4,626	7,724	10,938	10,325	11,635	6,662

Source: Office of the Refugee Applications Commissioner, Department of Justice, Equality and Law Reform

Unfortunately, asylum seekers enjoy very few rights:

Work: Only asylum seekers who lodged their application before 26th July 1999, and who had been in the country for 12 months, are entitled to work. Those who lodged their application after this date do not have the right to work and under current rules can not acquire a right to work. This means that the vast majority cannot work in Ireland regardless of the length of time taken to determine their asylum application.

Education: Asylum seekers are entitled to attend first and second level schools, but not third level/plc’s. They can also attend part-time and evening courses run by voluntary agencies and VEC’s. They are ineligible for VTOS, Youthreach and most FÁS training courses until their status has been approved.

Social welfare: Asylum seekers who have the right to work can claim Unemployment Assistance. The majority of those who are not permitted to work are subject to ‘direct provision’, where they receive full board and meals and an allowance of €19.10pw

(€60 per child) to cover incidental expenses. They are not entitled to Supplementary Welfare Allowance but do receive Child Benefit.

Barriers to accessing and participating in employment for refugees and asylum seekers

Not entitled to work

By placing asylum seekers in a situation of enforced unemployment, it hinders their integration into society and increases their experience of poverty and social exclusion. It also prevents them from making an economic and social contribution to Ireland and increases their reliance on state benefits and correspondingly increases their risk to long-term unemployment. In fact, the Irish Government would appear to be in contravention of the EU directive on asylum seekers that ‘member states shall not forbid applicants and their family members to have access to the labour market more than six months after their application for asylum has been lodged’.

Language skills

Language difficulties have been identified³ by both employers and perspective employees as a principal barrier to accessing employment. In some instances, people have to rule out the possibility of practising the profession they pursued in their country of origin due to language competency. Also access to English language training courses provided by the State varies depending on a person’s legal status. The limited services provided favour refugees and those asylum seekers with the right to work over other asylum seekers.

Discrimination

Discrimination acts as a key barrier to refugees and asylum seekers in accessing the open labour market. The forms of racism experienced include direct and indirect discrimination. Indirect discrimination in employment occurs through recruitment practices, which treat members of some groups more favourably than others. The WRC⁴ have found that discrimination also varies according to the country of origin with African immigrants more likely to report experiencing discrimination than those from Eastern Europe or elsewhere. Also more men than women are likely to experience racism. Although the Equality Employment Act 1998 outlaws direct and indirect discrimination on the grounds of race, there are still reports of employers operating discriminatory recruitment policies / practices.⁵

In addition, the common recruitment pool operated by the local authorities and VEC’s for recruiting into certain civil service positions and the requirement to have proficiency in the Irish language as an eligibility criteria for some public positions means that such posts are outside the scope for many refugees and asylum seekers. This means that the composition of the workforce of those providing state services will never reflect the populations they serve.

³ IBEC (2000) Employment of Non-EU nationals / refugees in Ireland, Interact Ireland, Dublin

⁴ Work Research Centre (2003) Accommodating Diversity in Labour Market Programmes, Report for the Equality Studies Unit, The Equality Authority, Dublin

⁵ Fanning et al (2000) Asylum Seekers and the Right to Work in Ireland, Irish Refugee Council, Dublin.

Non Recognition of Qualifications

The non-recognition of previous qualifications by both State and employers was identified by both IBEC (2000) and Fanning et al (2000) as an obstacle to employment. The lack of a national system under the National Qualification Authority of assessing and recognising existing qualifications results in many of those individuals with higher levels of education, who are more likely to get employment, to be frequently in positions that under utilises their qualifications and skills. Also, employers can be dismissive of the skills and qualifications of refugees / asylum seekers on the basis that they have no work experience in Ireland and as a result do not have an Irish employer as a referee on their CV.

Information Deficits

Lack of information and understanding around a person's entitlements and status also poses a barrier to employment. This lack of clarity and understanding of people's rights and entitlements on the basis of their legal status also extends to include Government departments, employers and service providers locally and nationally. This confusion can result in refugees / asylum seekers being turned away from programmes / supports that they are entitled to.

Aligned to this is the lack of available information on job vacancies and job seeking assistance agencies or supports in a language / format that is suitable to prospective employees. These cultural differences to understanding how to seek a job and how the recruitment and selection process operates adds to the challenges of securing employment faced by refugees and asylum seekers with a right to work. These challenges are heightened for women who need to overcome specific barriers if they are to access employment.

Poverty Trap

For those under Direct Provision who are awaiting their application to be processed, time spent under this system is not taken as part of their qualifying time for eligibility for the qualification for some employment supports such as Back to Work Allowance. This increases their dependence on welfare even after their status has been finalised.

Time spent on FÁS training and language programmes have proved to enhance people's employability chances. However, to be eligible for such programmes individuals have to be in receipt of a social welfare payment and because the majority of asylum seekers are in receipt of direct provision they are ineligible.

PEOPLE WITH DISABILITIES

Approximately 12% of the Irish population have a disability. This disability can be in the form of a physical, sensory or learning impairment. The unemployment rate amongst people with disabilities is 6.5% in comparison to 4.5% in the non-disabled population. However, 57% of people with disabilities are described as economically inactive.⁶

⁶ Central Statistics Office (2002) QNHS Disability in the Labour Force

Barriers to Employment

Institutional Barriers

Institutional barriers severely restrict employment opportunities for people with disabilities. These include lack of disability accessible public transport to enable people to travel to work, the higher cost of living because one has a disability, having inadequate number of personal assistants and insufficient societal action to make all buildings accessible. These barriers prevent people with disabilities from accessing employers, job notices, training / education etc.

In addition, rigid recruitment procedures, the stipulation of minimum educational standards, and a lack of flexibility in working conditions have all been identified as barriers to employment⁷. Allied to and underlying these barriers were adverse employer attitudes toward disability and lack of knowledge regarding disability among employers. Prejudice regarding disability at initial interview stage was a particular concern identified.

Social Awareness towards Disability

Society's attitudes and perceptions of people with disabilities being passive recipients rather than active citizens are a concern for people with disabilities. Linked to these social attitudes are unfounded assumptions and stereotypes regarding the work capabilities of disabled people. For some individuals depending on their disability participation in the mainstream labour market may not be possible, however, this fact should not taint the employment expectations of all disabled people.

Discrimination

Discrimination acts as a key barrier to people with disabilities in accessing mainstream jobs. In spite of the introduction of equality legislation, the Employment Equality Act 1998, there are still instances of employers discriminating against people with disabilities on the grounds of their perceived lower productivity levels and the cost of making adaptations. The legislation has not yet had the impact which people with disabilities hoped for.

Lack of co-ordination of disability services

Following the dissolution of the National Rehabilitative Board, the majority of training and employment services for people with disabilities have been reallocated to FÁS. Under this remit, FÁS has responsibility for delivering vocational and foundation training and has established a Supported Employment Programme. However, given the broad range of services provided by FÁS there is a danger that those participants on non-mainstream courses / programmes will be segregated further. This is due to these courses having weaker links with the open market in terms of skills learnt, employer contacts etc. so the number progressing into open employment is very low.

Although FÁS does provide a range of grants to assist employers recruit and retain employees with a disability these are not widely known. There is also a grant towards

⁷ WRC (2003) Accommodating Diversity in Labour Market Programmes, Report for the Equality Studies Unit, The Equality Authority, Dublin

the cost of providing disability awareness training for staff and a grant to supplement employers where it is proven that an employee has a lower than average productivity level.

Educational Attainment

For people with disabilities, the educational system is split between mainstream schools and 'special' schools. However, WRC⁸ found that there is stigma attached to attending segregated special schools as often attendees do not receive a recognised qualification such as a Leaving Certificate and this can contribute to people with disabilities experiencing low levels of literacy, low skills level and low self-confidence. These all act as a barrier to accessing training and particularly employment when the entry requirements for many positions is a Leaving Certificate and /or IT skills.

Poverty Trap

Depending on the position and wages on offer, there is a real possibility that a disabled person would be financially worse off once securing employment due to the loss of secondary benefits, especially the medical card. Given the higher healthcare costs faced by some people with disabilities the fear of losing the medical card is a significant barrier, which unless resolved increases their dependency on welfare. The ability to retain the medical card while participating on programmes such as Community Employment has enabled some people with disabilities to re-enter the labour market. However, there remains considerable confusion around the criteria for progressing from benefits to employment and the corresponding entitlements to individuals.

What Can Service Providers Do?

- Inform Travellers, Refugees and Asylum Seekers and People with Disabilities on the options open to them and how participation in education, training or targeted supports can affect their social welfare payments, medical card, rent allowance etc.
- Increase the participation of Travellers, Refugees and Asylum Seekers and People with Disabilities in the service by conducting outreach services. The design and delivery of such outreach should at least be done in consultation with these groups or at best be conducted by them. This would provide the opportunity to inform these user groups of the services available and enable the service provider to gain an insight into the relevance of its services for these groups.
- Service providers should recognise the culturally diverse role women play in other societies. Women should be actively encouraged and supported in accessing and using services.

⁸ WRC (2003) Accommodating Diversity in Labour Market Programmes, Report for the Equality Studies Unit, The Equality Authority, Dublin

- Service providers should recognise the important role religious groups and organisations play as a focal point in any new country/society. It is important to establish links and maintain contacts with such groups especially in relation to refugees and asylum seekers as this can prove a useful link in accessing persons with language skills and gaining acceptance within those communities.
- Service providers should clearly identify the need for any 'awareness' training necessary to ensure that their staff can identify the unique needs of certain groups and can provide the appropriate services and information. They should also introduce measures to prevent institutional racism in service provision.
- Invite a member of the Traveller community and / or a refugee or asylum seeker and / or a person with a disability to be a representative on the organisation's Board of Management. Their involvement can provide an insight into how services can be relevant and more accessible for their communities and they also can be seen as a role model for their own communities.
- Specifically for refugees and asylum seekers, service providers who have direct dealing with people could possibly act as a referee in lieu of Irish employers.
- Undertake a Disability Audit of the facility to assess the ability to provide services to people with disabilities (Ask how/can/if their service can provide information and support to a physically, sensory or learning impaired person.)
- Organise an 'awareness week' for each of the communities of interest to highlight the services available to them and to raise awareness to all of the difficulties faced by them in accessing employment.
- Inform Travellers, Refugees and Asylum Seekers and People with Disabilities of equality legislation particularly the Employment Equality Act 1998, which prohibits both direct and indirect discrimination / harassment on nine grounds. The scope of the Act is wide and covers both public and private sectors. Advice should also be provided on the redress mechanisms open to individuals seeking to take a case under the legislation.
- Regularly monitor and evaluate the level and range of services and supports provided by the service provider to ensure they are all poverty and equality proofed.

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