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Statement to Padding of Disabled Employee Figures, JAPAN

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We, DPI-JAPAN (Japan National Assembly of Disabled Persons’ International) , consists of 98 disabled people’s organizations across Japan, regardless of the type and extent of disability. We have made efforts to promote realization of an inclusive society where everyone can live equally. Especially improvement of working environment and conditions which enables persons with disabilities to work equally with the others has been one of our priority issues. Upholding the Convention on the Rights of Persons with Disabilities, it has been stressed to ensuring the efficacy of the Guidelines of Eliminating Discrimination and Reasonable Accommodation formulated under the amended Act on Promoting Employment of Persons with Disabilities.

It is reported, in August this year, that the Ministries and local governments have overstated the figures of employed persons with disabilities. It is an extremely serious and grave problem that severely damages the trust of the public agencies responsible for promoting employment of persons with disabilities, if it is true. It is expected that the public agencies lead by examples in observing laws for the private sector. It is reported that "the over-stated number of employed persons with disabilities is more than 1,000 people." This amount of employment opportunities have been deprived from persons with disabilities for more than 40 years and they must be strictly accused of greatly damaging the rights of persons with disabilities. Considering the payment system imposed on the private sector that has not applied in the public sector, it is inevitable to be seen as a preferential treatment for the public sector.

In response to this, the Ministry of Health, Labor and Welfare is planning to verify the actual status at central government agencies, but this probe alone is insufficient. We request that the Ministry of Health, Labor and Welfare is responsible to clarify the actual situation of employment rate of persons with disabilities at the public sector. In specific, the Ministry is required to conduct a survey and report how the Ministry of Health, Labor and Welfare have verify the reported employment rate of local governments as well as central government in collaboration with the Ministry of Internal Affairs and Communications, which is in charge of directing local governments. To examine the survey result, it is required to establish a third-party committee including members with disabilities.

Local governments have shown the requirements on their webpage when recruiting persons with disabilities, while national civil servant examination doesn’t show the requirements and arrangement at the examination for applicants with disabilities. A part of the local governments involved in this scandal have shown the requirement for applicants, stating "persons who are eligible for the duties without assistants and who can commute on their own." Besides, some local governments requires "to take ink-printing paper test and oral interview " and the applicants "are not allowed to take test in Braille." Since these respondents are obvious discrimination that does not provide reasonable accommodation required for persons with disabilities, it is required for the Ministry of Health, Labor and Welfare to conduct a thorough survey and show the results to the public on the requirements for examination of persons with disabilities at the national and local level and the provision of reasonable accommodation at the examinations.

Responding to this malpractices, DPI-Japan strongly urges the government to address the following issues in order to promote the improvement of working environment and conditions where people with disabilities can work safely.

1) To investigate and publicize the actual status of recruitment, working condition, retirement and post-retirement of persons with disabilities at the public sector based on the guideline of eliminating discrimination and reasonable accommodation established by the Ministry of Health, Labor and Welfare.

2) To establish a third-party committee including members with disabilities aiming at examining the results of the survey and taking countermeasures for recurrence prevention.

3) To implement measures to promote support service system to secure necessary assistance and information security etc. for people with disabilities as well as improvement of workplace environment and working conditions. To do so, it is required to reform the service system based on the Comprehensive Support Law for Persons with Disabilities so that persons with disabilities can utilize the services.

4) Regarding the scope of the target with disabilities for employment rate, to review from the viewpoint of social model of disability which is endorsed in the Convention on the Rights of Persons with Disabilities, not on medical model such as the possession of disability certificates. With regard to the setting of the employment rate, to review the scope of the target and start a drastic revision of the Employment Promotion Act for Persons with Disabilities considering the similar system in other countries.

5) To examine the social barriers that make persons with disabilities difficult to be involved in the general employment and consider necessary measures aiming at employment support based on the Comprehensive Support Law for Persons with Disabilities.

6) To promote institutionalization of new working places for persons with disabilities, such as social enterprises and social employment.

7) The State shall take necessary measures to avoid regional disparities on reasonable accommodation secured by local governments due to the financial limitation or regional circumstances.