



**STUDY ON RIGHTS OF PERSONS WITH DISABILITIES IN WORKING  
LIFE IN ZAMBIA**

**(Final Report)**

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**Submitted: 29<sup>th</sup> March, 2023**



## **SUMMARY**

This report documents the study on rights of Persons with Disabilities (PWDs) in working life in Zambia. The purpose of the study was to provide a detailed view of the working life of PWDs in Zambia. Despite legislation on diversity in the workplace, people with disabilities still do not experience the same access to work opportunities as do their counterparts without disabilities. The study shows that the right of PWDs to work and be protected from unemployment is not fully implemented. Many employers in Zambia have not taken into account the needs of PWDs. The report also shows the concerns that people with disabilities have in their working life. These range from pre-employment, entry experiences into working life, employment relations, and conditions of service. Among others, the report recommends that public and private organizations be committed to creating a more decent, effective, equitable, inclusive, and satisfactory work environment for all individuals including PWDs.

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## **ACKNOWLEDGEMENTS**

The authors are grateful to several individuals and organisations that made this study possible. We would like to thank the Trade Union Solidarity Centre of Finland (SASK) for the financial support to this project. We acknowledge the ZILARD team that carried out the study. In particular, Prof. Trywell Kalusopa and Mr. Stanley Zulu who conceptualised and coordinated the whole study as team leaders. We recognise Mr. Francis Jaman Phiri, as an alternate team leader and principal researcher, who was responsible for the ground coordination of whole data collection process in terms of selection of sites and actual data collection, development of methodologies for data collection and instruments, guiding the entry and cleaning of data, report writing and assisted in the engagement of various stakeholders at all the stages of the research process. We are grateful to the Zambia Congress of Trade Unions (ZCTU) and ZILARD board for all the human, material and infrastructural support. We are also indebted to Zambia Federation of Disability Organizations (ZAFOD), the Zambia Agency for Persons with Disabilities (ZAPD), the International Labour Organisation (ILO), the Ministry of Community Development and Social Services (MDSS), and the Zambia Congress of Trade Unions (ZCTU) for the support in the data collection and their expert input to the whole research process. Lastly, we greatly appreciate the participants that answered to our questionnaire and interviews.

## **RESPONSIBILITY**

We wish to state that while several people are acknowledged, the preparation of this whole report are our sole responsibility as consultants; including any errors of omission or commission therein.

## LIST OF ABBREVIATIONS AND ACRONYMNS

AHDI	Archie Hinchcliffe Disability Initiative
CRPD	Convention on the Rights of Persons with Disabilities
FPRW	Fundamental Principles and Rights at Work
ILO	International Labour Organization
ITUC	International Trade Unions Confederation
JHL	Trade Union for Public and Welfare Sectors in Finland
LFS	Labour Force Survey
MHUNZA	Mental Health User Network of Zambia
MLSS	Ministry of Labour & Social Security
NAPSA	National Pension Scheme Authority
NEFOBZA	New Foundation of the Blind in Zambia
NSA	National Statistical Agency
OAJ	Trade Union of Education in Finland
OHS	Occupational Health and Safety
PWD	Person With Disabilities
SASK	Trade Union Solidarity Centre of Finland
UN	United Nations
WHO	World Health Organisation
ZAPD	Zambia Agency for Persons with Disabilities
ZAEPD	Zambia Association on Employment of Persons with Disabilities
ZCTU	Zambia Congress of Trade Unions
ZDA	Zambia Development Agency
ZBDN	Zambia Business Disability Network
ZNAHI	Zambia National Association of the Hearing Impaired
ZNAD	Zambia National Association of the Deaf
ZNAPD	Zambia National Association for Persons with Physical Disabilities
ZNADWO	Zambia National Association of Disabled Women
ZNASI	Zambia National Association of Sign Language Interpreters
ZILARD	Zambia Institute for Labour Research and Development

## **1. INTRODUCTION**

This report documents the study on rights of Persons with Disabilities (PWDs) in working life in Zambia. For a long while there has been a need to examine how the rights of PWDs are realised in selected sectors in Zambia where the Trade Union Solidarity Centre of Finland (SASK) plans to support a pilot initiative; the aim of which is to promote inclusion of PWDs in employment opportunities and trade union actions. The purpose of the study is to provide insights into working lives of PWDs. It is also intended to be forward looking (formative) and provide findings, lessons learned and recommendations for improved decision-making within the context of rights of PWDs at work.

The report has five (5) sections. Section one is the introduction and outlines the objectives of the study. It also describes the background, contextual analysis and rationale. Section two (2) provides the literature review of the rights of PWDs in the global and local context. The methodology and scope are presented Section three (3). The empirical findings and analysis of the study is elaborated in Section four (4). Section five (5) outlines the strategic recommendations that stakeholders possibly pursue to enhance inclusion of PWDs at work in Zambia. The conclusion is then drawn.

### **1.1 Objectives of the Report**

The following are the specific objectives of the study:

- 1) Explore all the forms of discrimination faced by persons with disabilities in their work life (e.g., gender, age, ethnic or linguistic background, or any other personal characteristic).
- 2) Assess the professional development and career advancement of persons with disabilities.
- 3) Examine persons with disabilities access to employment and social protection schemes.
- 4) Examine persons with disabilities access to education and skills training.
- 5) Determine unions' representation for persons with disabilities in negotiating working conditions.
- 6) Undertake an assessment of infrastructure and technology application to facilitate employment of persons with disabilities in Zambia.

- 7) Establish the awareness level of co-workers, supervisors and employers of persons with disabilities on the rights of persons with disabilities.
- 8) Propose interventions to the challenges faced by persons with disabilities employed in the public and private sector.

## **1.2 Background, Context and Rationale**

This study was carried out by the Zambia Institute for Labour Research and Development (ZILARD) and commissioned by SASK, together with its two member unions, JHL and OAJ. SASK is the development cooperation organisation of the Finnish trade union movement. The aim of SASK is to promote the labour rights, decent work and living wages for everyone. SASK supports the reduction of poverty and inequality by strengthening the trade union movement and the position of workers in developing countries. SASK is also strengthening its work around equality, non-discrimination, diversity and inclusion as one of its strategic topics, thus giving background for the interest in the situation of persons with disabilities.

JHL is the Trade Union for Public and Welfare Sectors in Finland. It organises employees in welfare services provided by the state, municipalities, the church, and the private sector. OAJ is the Trade Union of Education in Finland, organizing education, training, and research sector professionals from early childhood education to adult education and training.

The rights of people with disabilities are defined in the United Nations Convention on the Rights of Persons with Disabilities (PWDs). Although the UN CRPD adoption dates to 2006, and it entered into force in 2008, rights of PWDs are violated in many ways in many countries. The Convention includes the Right to Work and Employment, as well as the Right to Participation in Political and Public Life. SASK aims at promoting the use of this human rights instrument with an explicit, social development dimension by supporting cooperation of trade union organisations with organisations of and for persons with disabilities in selected developing countries.

There is a need to examine how the rights of PWDs are realised in selected sectors in Zambia where SASK plans to support a pilot initiative, the aim of which is to promote inclusion of PWDs in employment opportunities and trade union actions.



The focus sectors of the study are education and other public services because preliminary fact-finding in Zambia has shown that persons with disabilities are employed as teachers and civil servants. Furthermore, the trade unions of these sectors are known to make efforts for inclusion of PWDs in union work for their interest representation. Although the main focus is in the mentioned sectors, the study also gives a general overview of the employment and trade union situation in other sectors of the economy and working life.

### **1.3 Conceptual Framework**

PWDs are persons who have a long-lasting physical, intellectual or sensory disability that in interaction with different obstacles can hinder their full and efficient participation in society on equal terms with others. In literature, several models of frameworks have been identified in defining and advancing issues on PWDs. These include the *traditional model*, *medical model*, *charity model*, and *human rights based model*. The *traditional model* is rooted in the background of beliefs and myths assumes that the causes and consequences of disabilities are a “blessing” or “curse”. In many instances, the whole family is often stigmatized because of a person with disability. It is perceived as “a punishment for sin”. In the *medical model*, disability is seen as the individual’s problem and hindrance. The person with disability is seen as ill – the person becomes target of medical measures. The aim is to heal the disability, so the person can adapt to society. Most specialized medical experts implement this model and it is expensive, therefore benefits few. In the *charity model*, disability is seen as a problem of the individual. Persons with disabilities are considered “unfortunate”, “dependent” and “helpless” and need support of money, food, clothes. In this context, PWDs become recipients of long-term assistance and support and may argue this causes dependence. The assumption that a person with disability cannot live independently and participate in society. The “helpers” do things on behalf of persons with disability, although they would be able to do themselves. It creates weakness and dependence on other people. Clearly, this model does not support self-determination and life management of the person with disability. The willingness to help is essentially connected to the charity model. However, it has been argued that well-wishing people may actually cause more harm than benefit. In the *human rights model*, PWDs are seen as part of society. They have the same rights as everyone else: love, education, work. The Convention on Rights of Persons with Disabilities (CRPD) and other legal instruments at continental level and those in Zambia are based on human rights. The approach focuses on the resolution of hindrances related to attitudes, environments and systems that affect PWDs. This

particular study recognises and takes this conceptual view as it links well with labour and employment in the context of the Decent Work (DW) framework.

Following from above, it is important to underscore the fact that labour and employment issues are universal, broad and diverse in the context of the working life of PWDs just as those without disabilities. Therefore, the Decent Work framework is conceptually and in practice accepted as one of the fundamental frameworks for understanding labour and employment by various stakeholders. Decent work sums up people's ideals at work. It involves productive work opportunities and provides fair income, workplace safety and better prospects for family protection, personal development and social integration. It upholds people's expression of their concerns, freedom to organize and participate in decisions that affect their lives and equality of opportunity and treatment for all women and men. During the United Nations (UN) General Assembly in September 2015, decent work and the four pillars of the decent work agenda: *employment creation, social protection, rights at work, and social dialogue* became an integral part of the new 2030 Sustainable Development Agenda. Goal 8 of the 2030 Agenda calls for the promotion of sustained, inclusive and sustainable economic growth, full and productive employment, and decent work. These are the key anchors or areas of this current study. In addition, the key aspects of decent work have been widely embedded in the other 16 goals of the UN's new development vision. As noted from the four pillars of decent work, the response of employers to reforms on inclusion of persons with disabilities should be diverse and all-encompassing. In that regard, for this study, it will be useful to integrate the decent work framework with overarching tenets of the political economy in dealing with PWDs.

## **2. LITERATURE REVIEW**

Persons with Disabilities (PWDs) in working life in Zambia face a reality different from people living without disabilities. About 2 million of the population according to the last census (World Bank, 2014) live with some form of disability. In 2015, a report by the Ministry of Community Development and Social Services National Disability Survey (2015) stated "fewer persons with disabilities will attend formal primary education than those without disabilities (80.8% compared to 89.9%) as a result, in adulthood, they are less engaged in formal employment". In spite of this

reality the obligation to promote, enforce and defend rights of PWDs is guided and mandated by formal international conventions, national policies and legislation.

Over one billion people in the world live with some form of disability and it is estimated that 15.3 percent of the population in Africa have a disability.<sup>1</sup> Fifteen percent of this are women with disabilities.<sup>2</sup> Approximately 300 million of this percentage is comprised of women and girls with intellectual, mental, sensory and/or physical disabilities.<sup>3</sup> Seventy-five per cent of these women and girls live in low- and middle-income countries.<sup>4</sup>

According to the World Health Organisation (WHO), 2 million women and men in Zambia, or 15 per cent of the population have a disability.<sup>5</sup> In addition, a higher percentage of persons living with disabilities include persons with hearing and visual disabilities and most PWDs live in rural areas where access to basic services is limited. However, the Zambia Central Statistical Office reports that there are 251,427 persons with disabilities in Zambia.<sup>6</sup> It is likely that this figure is higher due to social factors that isolate persons with disabilities such as hiding them away from any public activities including census.<sup>7</sup> The 2010 National Census reported that 48% of persons with disabilities in Zambia are women.<sup>8</sup>

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<sup>1</sup> World Bank and World Health Organisation, World Report on Disability, 2011.  
[http://whqlibdoc.who.int/publications/2011/9789240685215\\_eng.pdf](http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf) (Accessed on 21 March 2022)

<sup>2</sup> Human Rights Watch [Human Rights Watch: Women's Human Rights: Disabled Women and Girls \(hrw.org\)](https://www.hrw.org) (Accessed on 21/01/2022).

<sup>3</sup> Human Rights Watch (n 1).

<sup>4</sup> As above.

<sup>5</sup> 'World report on Disability 2011' (2012), available at:  
[http://www.who.int/disabilities/world\\_report/2011/report.pdf](http://www.who.int/disabilities/world_report/2011/report.pdf).

<sup>6</sup> Zambia Central Statistical Office, 2010 National Census of Population and Housing: Volume 11 National Descriptive Tables <https://catalog.ihsn.org/catalog/4124/related-materials> (Accessed on 21 March 2022)

<sup>7</sup> Human Rights Watch, 2014. We are also dying of AIDS: Barriers to HIV Services and treatment for persons with disabilities in Zambia. (<https://www.hrw.org/report/2014/07/15/we-are-also-dying-aids/barriers-hiv-services-and-treatment-persons-disabilities> accessed on 21 March 2022).

<sup>8</sup> Zambia 2010 Census of Population & Housing. National analytical report (2012). Central Statistics Office. Lusaka.

The total number of *women with disabilities* accounts for about 2.4 per cent of the population in Zambia.<sup>9</sup> The total number of *children with disabilities* in Zambia accounts for 1.6 per cent of the total population.<sup>10</sup>

The most prevalent forms of disability in Zambia include:

- Visual impairment;
- Hearing impairment;
- Physical impairment;
- Communication impairment;
- And Intellectual impairment.<sup>11</sup>

International standards on the rights of PWDs are mainly set out in the Convention on Rights of Persons with Disabilities (CRPD) which Zambia is party to. Zambia is also party to the African Charter on Human and Peoples' Rights (African Charter)<sup>12</sup> and has since signed the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities (African Disability Protocol).<sup>13</sup> The CRPD, the Constitution of Zambia,<sup>14</sup> and the Persons with Disabilities Act of Zambia Act 6 of 2012<sup>15</sup> when read together provide for, among others, equal protection before the law, dignity, and freedom from discrimination for PWDs including those

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<sup>9</sup> 2010 Census of Population and Housing, Key Findings, available at [www.zamstats.gov.zm](http://www.zamstats.gov.zm)

<sup>10</sup> As above

<sup>11</sup> Interview with Mr Wamundila Waliuya, Human Rights and Education Advisor, Africa Development Department at Power International (Lusaka, Zambia, November 2013).

<sup>12</sup> African Charter on Human and People's Rights, adopted by the African Union (AU) on 1 June 1981 and entered into force on 21 October 1986. Found on <https://au.int/en/treaties/african-charter-human-and-peoples-rights> (Accessed on 21 March 2022).

<sup>13</sup> Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa, adopted on 29 January 2018 by the African Union (AU), last signature 17 June 2020 and has not yet entered into force. Found on <https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-persons-disabilities-africa> (Accessed on 20 March 2022).

<sup>14</sup> The Government of the Republic of Zambia (GRZ), Amended Constitution of Zambia, 2016

<sup>15</sup> Ministry of Justice, The Persons with Disabilities Act. No. 6 of 2012

with psychosocial disabilities.<sup>16</sup> Zambia, having ratified the CRPD in 2010, domesticated it under the Persons with Disabilities Act 2 of 2012<sup>17</sup> and the Mental Health Act of 2019.<sup>18</sup>

The United Nations Convention on the Rights of Persons with Disabilities (2006) has defined the rights of PWDs. Zambia has only ratified 2 of ILOs equality conventions; C100 on Equal Remuneration and C111 on Discrimination in Employment and Occupation. This is seen as a progressive realization by agencies like Zambia Agency for Persons with Disabilities (ZAPD)<sup>19</sup>. Zambia has ratified other international conventions. ILO Convention Concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983, (No. 159), International Labour Organization (ILO) Convention Concerning Discrimination in Respect of Employment and Occupation, 1958, (No. 111). The 2030 Agenda for Sustainable Development states that the more there are people in decent jobs, the stronger and more inclusive is the economic growth of a nation. Improved growth means more resources to create decent jobs for both the persons with and persons without disabilities. It is a simple equation but one that has been largely neglected in international policy-making both before and after the 2008 financial crisis.

There are legal instruments trying to operationalize the UN CRPD, namely: Persons with Disabilities Act No. 06 of 2012 of the Laws of Zambia. There is also legislation implementing the country's commitment to International Labour Standards and Fundamental Principles and Rights at Work (FPRW). Such legislation include: the Employment Code Act No. 3 of 2019 of the Laws of Zambia. Non-discrimination is a strong theme in this state framework.

Zambia has also formulated policy to promote the rights of PWDs. The 2014 Social Protection policy is seen to bring benefits to the social welfare of PWDs. In 2016, the state published the National Policy on Disability and the National Implementation Plan on Disability. This expresses

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<sup>16</sup> MLA 8th ed. Kalunga, Felicity Kayumba, and Chipso Mushota Nkhata. "Protection of the Rights of Persons with Mental Disabilities to Liberty and Informed Consent to Treatment: A Critique of Gordon Maddox Mwewa & Others v Attorney-General & Another." *African Disability Rights Yearbook*, 7, 2019, p. 60-81. HeinOnline.

<sup>17</sup> Ministry of Justice, The Persons with Disabilities Act. No. 6 of 2012

<sup>18</sup> Mental Health Act No. 6 of 2019, 167

<https://www.parliament.gov.zm/sites/default/files/documents/acts/The%20Mental%20Health%20Act%20No.%206%20of%20202019.pdf>

<sup>19</sup> The Zambia Agency for Persons with Disabilities is a quasi-Government Institution established by an Act of Parliament, the Persons with Disabilities Act No. 06 of 2012 of the Laws of Zambia.

the political will invested in guaranteeing equal rights to all persons. With the Eighth National Development Plan (8NDP) formulated in 2022, the Zambian government points to job creation for both the persons with and persons without disabilities.

It is a notorious fact that despite institutional and societal awareness, PWDs in Zambia continue to face a number of challenges. The Zambia Agency for Persons with Disabilities (ZAPD) and its cooperating partners has documented and campaigned against a number of these challenges. Social exclusion of persons with disabilities from public life and working life captures every imaginable right infringement. Unemployment and underemployment continue to be a major challenge especially among Persons living with Disabilities. With regards to working life, those lucky to land themselves employment face challenges like under representation in workers' rights bargaining processes, lack of Occupational Health Safety (OHS) support among others. The lack of OHS was confirmed in the 2020-2022 Zambia Decent Work Country Programme (Z-DWCP) report. The issue of rights of Persons with Disabilities in working life in Zambia, has convoked the Tripartite Consultative Labour Council<sup>20</sup> to domesticate and operationalize UN CRPD. Academicians and practitioners have shown interest in the promotion and enforcement of rights of PWDs working life. Hence, this study aims to give a general overview of the employment realities of Persons with Disabilities in Zambia.

### **3. RESEARCH METHODOLOGY AND SCOPE OF THE STUDY**

The study used a mixed approach which was largely a qualitative survey; supported with some descriptive quantitative data collection and analysis in some instances to investigate the challenges faced by disabled employees in the public and private sectors in Zambia and the impact on their working lives. The study was conducted in Lusaka and Ndola districts and targeted employers, people with physical, visual and hearing impairments working in the private and public sectors.

The justification for using largely qualitative methods (with limited descriptive quantification) for this particular study is that qualitative methods are especially effective in obtaining culturally

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<sup>20</sup> The TCLC is supreme advisory structure on labour, manpower development and productivity in Zambia

specific and sensitive information about the values, opinions, behaviours, and social contexts of particular populations such as PWDs in this instance. The key questions used in the data collection process were formulated according to the specific objectives of the study. The research itself was strongly participatory to enable meaningful input and support from key stakeholders. As mentioned in the literature review above, social factors segregate people with disabilities, such as keeping them away from any public activity, including the census. Therefore, in our sampling, we aimed to sample 60 respondents using the snowballing technique given the difficulty in obtaining an official database on PWDs. In that regard, a semi-structured survey questionnaire was administered to 40 employees with disabilities, while 20 supervisors and key stakeholders were purposefully sampled and interviewed. This allowed the researchers to reach respondents who have the required information on persons with disabilities and their working life. Interviews followed a semi-structured questionnaire designed to guide these interviews. The study also made document review to collect information of various kinds including documents such as the Zambian constitution and various Acts related to labour such as the minimum wages and conditions of service act, the employment act, the industrial relations act and many others. Since the collected data was mostly qualitative, the data was analyzed by establishing appropriate themes. In addition, some descriptive quantitative primary data were analysed to support a single interpretation of the phenomena under study.

Ethical considerations were undertaken with the permission of the President of the Zambia Agency for Persons with Disabilities (ZAPD). In addition, consent was obtained from each participant prior to the interview. Only those who accepted were interviewed. Where possible, researchers attempted to ensure gender-balanced coverage by interviewing both women and men.

In addition to PWDs who were in employment, selected persons from the following organisations were interviewed:

- i. Disability Rights Watch (DRW)
- ii. Zambia Federation of Employers (ZFE)
- iii. Zambia Congress of Trade Unions (ZCTU)
- iv. Professional Teachers Union of Zambia (PROTUZ)

- v. International Labour Organisation (ILO)
- vi. Ministry of Community Development and Social Services (MCDSS)
- vii. Department of Empowerment of Persons with Disabilities (DEPD)
- viii. Embassy of Finland in Lusaka
- ix. Zambia Agency for Persons with Disabilities (ZAPD)
- x. Zambia Federation of Disability Organizations (ZAFOD)'s selected affiliates which includes: The Zambia National Association for Persons with Physical Disabilities (ZNAPD), Mental Health User Network of Zambia (MHUNZA), New Foundation of the Blind in Zambia (NEFOBZA), Zambia Association on Employment of Persons with Disabilities (ZAEPD), Zambia National Association for Partially Sighted (ZNAPS), Zambia National Association for the Blind (ZNAB), Zambia National Association of Disabled Women (ZNADWO), Zambia National Association of Sign Language Interpreters (ZNASLI), Zambia National Association of the Hearing Impaired (ZNAHI), Zambia National Association of the Deaf (ZNAD), and Archie Hinchcliffe Disability Initiative (AHDI).

#### **4. FINDINGS OF THE STUDY**

The findings of study are presented as follows:

- A. Employment characteristics of PWDs working in Zambia
- B. Forms of discrimination faced by PWDs in their work life
- C. Professional development and career advancement of PWDs
- D. Access to employment and social protection schemes
- E. Access to education and skills training
- F. Representation for PWDs in negotiating working conditions
- G. Infrastructure and technology application to facilitate employment of PWDs in Zambia
- H. Awareness level of co-workers, supervisors and employers of persons with disabilities on the rights of persons with disabilities



#### 4.1 Employment characteristics of PWDs working in Zambia

We sought to find out the employment characteristics of PWDs in Zambia. The study established that in Zambia, many PWDs work in the informal sector doing part-time or seasonal work with no benefits in jobs such as landscaping, seasonal trading, carpentry, crafts making and tailoring. PWDs employed in the public sector were deployed as either health workers, social workers, lecturers/teachers, or switchboard operators. The study also established that persons with disabilities employed in the private sector had a wider range of jobs including finance, administration, sign language interpretation, braille instructors, accounting, planning, pharmacy and till operation as shown in *Table 1*.

**Table 1. Occupations with most Persons with Disabilities by sector**

Sector	Occupations with most PWDs
Public	Health workers i.e., nurses, counsellors, pharmacists
	Social workers
	Lecturers/Teachers
	Switchboard operators
Private	Finance
	Administration
	Sign language interpretation
	braille instructors
	Accounting
	Planning
	Pharmacy
	till operation
Informal	Landscaping
	Trading/Hawking
	Carpentry
	Crafts making
	Tailoring

It was also found that, among PWDs, more women worked in the informal economy than men. However, women had the least job diversity in the informal sector with most of them involved in tailoring and trading activities.

The study also set out to find out how work activities such as wage employment, self-employment or own account work, and periods of unemployment differ between PWDs and persons without disabilities.

It was found that PWDs earn lower wages than their counterparts without disabilities in the public, private, and informal sectors. Respondents complained of getting lower wages than their counterparts without disabilities even when they did the same job as their counterparts without disabilities. One visually impaired switchboard operator revealed;

*“We were on the same salary as the clerical officers. One day, management had a meeting and we are now being given a lesser salary without any explanation.”*

Other major differences in work activities between persons with disabilities and persons without disabilities include less skills training involvement for persons with disabilities than persons without disabilities, and more time spent out of employment for persons with disabilities than their counterparts without disabilities. **Table 2** below shows the main differences in work activities between persons with disabilities and persons without disabilities.

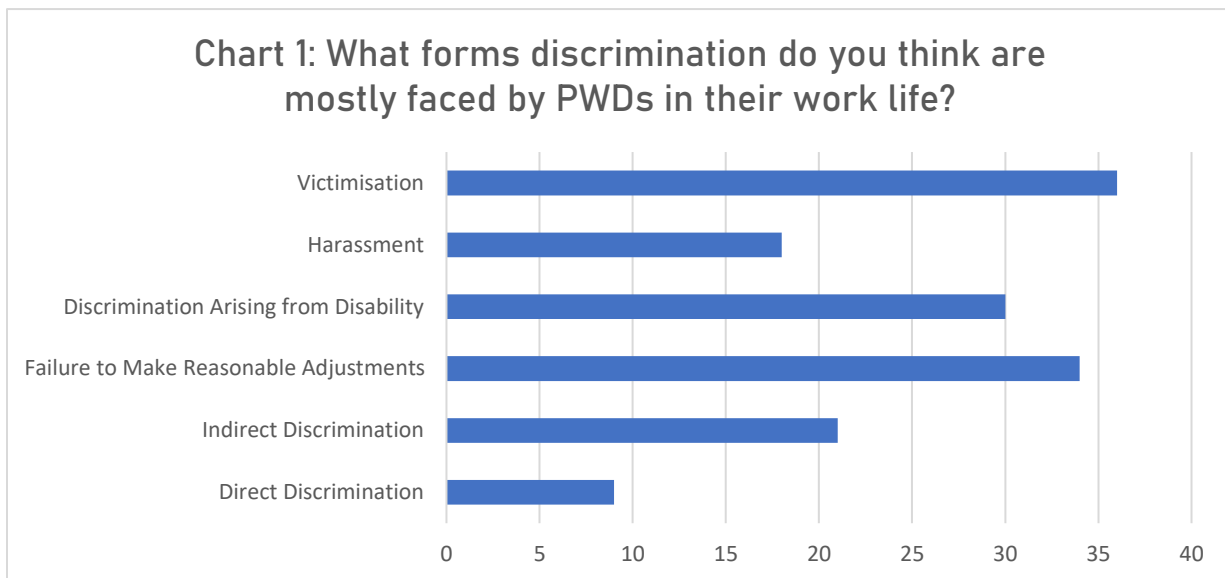
**Table 2: main differences in work activities between persons with disabilities and persons without disabilities.**

	Work Activities	Public Sector	Private Sector	Informal Sector
1	Wage Employment	Lower wages for PWDs mostly due to workplace discrimination	Lower wages for PWDs mostly due to lack of qualifications	Lower wages for PWDs mostly due to lack of representation
2	Self-employment or own account work	Less skills training for PWDs than for counterparts without disabilities mostly due to lack of opportunities	Less skills training for PWDs than for counterparts without disabilities mostly due to workplace discrimination	Less skills training for PWDs than for counterparts without disabilities due to lack of funds and access to loans
3	Periods of unemployment	Longer periods of unemployment for PWDs mostly due to lack of jobs that are accessible to PWDs	Longer periods of unemployment for PWDs mostly due to lack of information about job opportunities	Longer periods of unemployment for PWDs due to workplace discrimination

## 4.2 Forms of discrimination faced by PWDs in Zambia in their work life

The study further set out to find out the forms of discrimination that were being faced by PWDs working in Zambia. The main forms of discrimination faced include victimisation, harassment, discrimination arising from disability, failure to make reasonable adjustments, indirect discrimination and direct discrimination. The results are shown in *Chart 1* below:

**Chart 1: forms of discrimination that were being faced by PWDs working in Zambia**



### 4.2.1 Workplace Discrimination

A person with disability should be able to gain employment if he or she can perform the job tasks. But many times, workplace discrimination plays a role before the job begins. As stated by one respondent:

*“Starting a job was one of the best experiences of my life. It meant I got to earn money and become independent. But my boss said I could only work part-time due to restrictions caused by my impairments. I feel this is because persons with disabilities are still treated and being looked at as second class citizens and people who cannot discharge duties as ably as a person without disability”*

Workplace disability discrimination takes on different appearances. Most of the respondents reported workplace discrimination happening during hiring, termination, wages, assignments, training, and promotions.

#### **4.2.2 Reasonable Accommodation**

Reasonable accommodation requires employers and others to take account of an individual's disability and make efforts to cater for the needs of a worker or an applicant with disabilities and overcome the barriers erected by the physical and social environment<sup>21</sup>. Employers must always provide reasonable accommodation for employees (e.g., parking space near the door, quiet work space, flexible working hours and teleworking, break / resting room, adjustment of work tasks to correspond with the ability of a person with a disability, etc.) and it should be at the expense of the employer. Accommodations for employees with disabilities allow them to apply for a position, perform their job tasks, or enjoy the advantages of employment. Respondents reported receiving little to no reasonable adjustments with one respondent saying

*“The only reasonable adjustments in the company involve infrastructure things such as ramps as that is what the government concentrates on when inspecting workplaces. I am a visually impaired person who would love to be able to access electronic mail using speech software on the office computers but I do not have access. As a result, I miss a lot of emails as I have to wait for someone to read them out for me.”*

Some respondents with albinism complained that there was not even a thought from employers to provide sunscreen for employees doing field work:

*“I have applied to be working in the office as a data entry personnel but no accommodation has been made for me and I still work in the field where I have to spend so much on sunscreen. It is so painfully unreasonable because people here easily interchange from data collection to data entry personnel”.*

One respondent stated.

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<sup>21</sup> International Labour Organisation Achieving Equal Employment Opportunities for People with Disabilities through legislation: Guidelines. 2007, P30

In Zambia, the only exception for an employer not to offer reasonable accommodation is when doing so would create a financial hardship to the employers. However, this exception provided a loophole for employers to discriminate against persons with disabilities especially during the COVID -19 pandemic. One respondent said

*“Persons with disabilities were usually the first to be let go when companies were facing hardships due to the COVID-19 pandemic. I was lucky to keep my job on part time basis and I could not request for any reasonable accommodation.”*

#### **4.2.4 Harassment**

Harassment is a serious act. The term *violence and harassment* in the world of work refers to “*a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment*” (ILO/ MLIREC, 2019:1).

Some respondents have reported being harassed with offensive comments about their disability. One respondent said

*“I worked as a player analyst at a football club where I was heavily harassed. The frequency and severity of the harassment created a hostile work environment. Worse off is the harassment came from a peer in my department and spread to other staff and then to the players. I never filed a complaint but I had to stop working there and now I work for this Non-Governmental Organisation (NGO) for rights of persons with disabilities. Being here I have learnt of so many other cases and now we try to intervene and bring in the law where possible”.*

Two respondents also complained of financial exploitation by superiors and employers including taking their benefits money.

#### **4.2.4 Indirect Discrimination**

Respondents lamented that people with disabilities consistently face systemic barriers and discrimination when accessing employment. This can make it particularly challenging for them to succeed in job interviews. One respondent with hearing impairment stated

*“I have been to five (5) job interviews and none of them asked me in advance if there was any assistive device or personnel that I needed. When I got there, there was no sign language interpreter and I could not do the interview... I view this as a form of indirect discrimination as I was disqualified from the job by not having access to the job interview itself”*

Further, respondents stated that application forms and adverts are usually not in accessible forms. One visually impaired respondent said

*“I usually hear about job adverts from people around me if I’m lucky enough that they share the information. There is very little help from organisations to help persons with disabilities to find work. On top of that, I have to ask people to read the requirements and make an application for me”.*

Respondents also complained about potential employers asking them to take a medical exam without an offer of employment. Interviewers would also not at any point ask PWDs about how well they could complete the tasks but just made assumptions.

#### **4.3 Professional development and career advancement of PWDs.**

For persons with disabilities, pursuing a career is an essential factor in gaining independence, achieving social inclusion and ensuring equal participation in all aspects of life. All the respondents in the study indicated that promotion at their place of work was not easy and impossible in some cases for persons with disabilities.

One respondent said,

*“Professional and skills development programmes are not inclusive of persons with disabilities and so it’s hard to advance one’s career”*

Another respondent complained about the lack of diversity in jobs available to PWDs saying,

*“Professional development can only happen if we have other jobs opened up for us other than switchboard operating and teaching”.*

Respondents also complained of being excluded from training programmes because employers thought they couldn’t manage the new job that would come with the newly acquired skills.

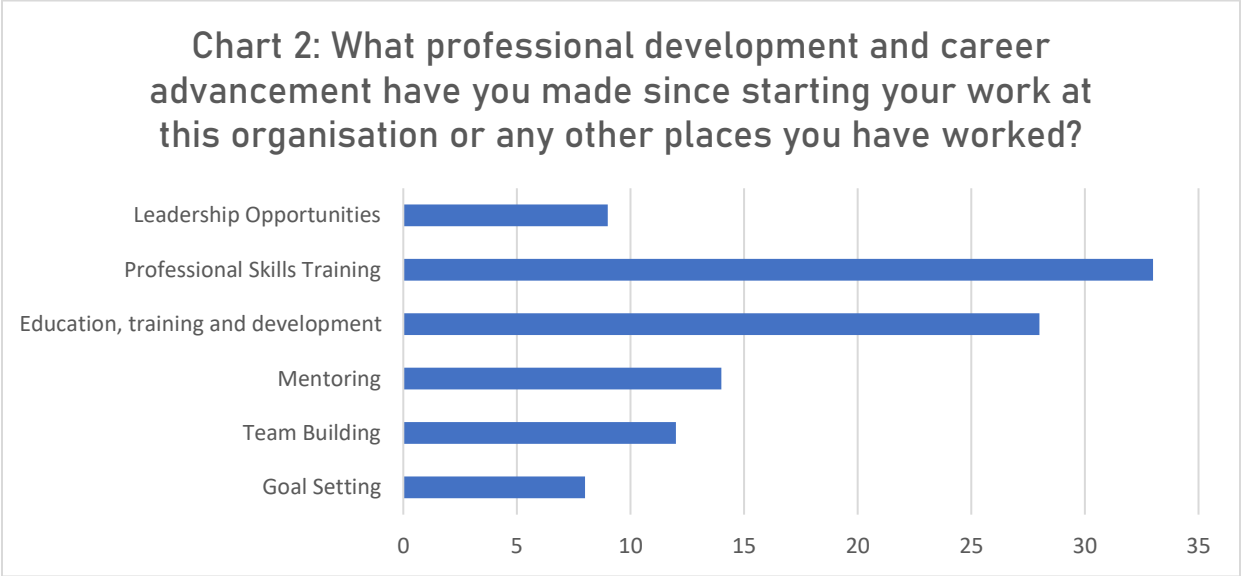
Respondents who were visually impaired revealed that some government and parastatal offices no longer had switchboards. It was also discovered that the switchboard operators were no longer doing their job because switchboards were no longer existent or operational. The coming of technology such as the use of emails, cell phones and many other forms of communication has eliminated the use and relevance of switchboards. The switchboard operators have found themselves having nothing to do in the work place, as a result many reported for work but had nothing to do.

Respondents also complained of persons without disabilities being employed in jobs that were originally specifically allocated to persons with disabilities making it more competitive for them. Persons with disabilities in the informal economy complained of lack of access to capital.

*“We are organized but require support with basic business and entrepreneurship skills to enable us to be able to be competitive and thrive in the informal sector”.* One respondent said.

With regards to professional development and career advancement that have been made by person with disabilities working in the public and private sectors, the study found that professional skills and development was the most popular form of career advancement whilst there have been few leadership opportunities and goal setting activities as shown in *Chart 2* below.

**Chart 2: Professional development and career advancement that have been made by person with disabilities working in the public and private sectors**



The study also found that there were factors hindering persons with disabilities from engaging in the same work activities (or barriers to being promoted or advancing in their **career**) as their counterparts without disabilities. These include: stigma, low educational levels, low self-esteem, low skills and mismatch with what the labour market is looking for.

Lastly, Persons with disabilities realize that for them to advance in their career or get promoted, they needed to upgrade. However, this was quite difficult for most of them as their disabilities were mostly not catered for in many colleges and universities due to lack of accessible training materials.



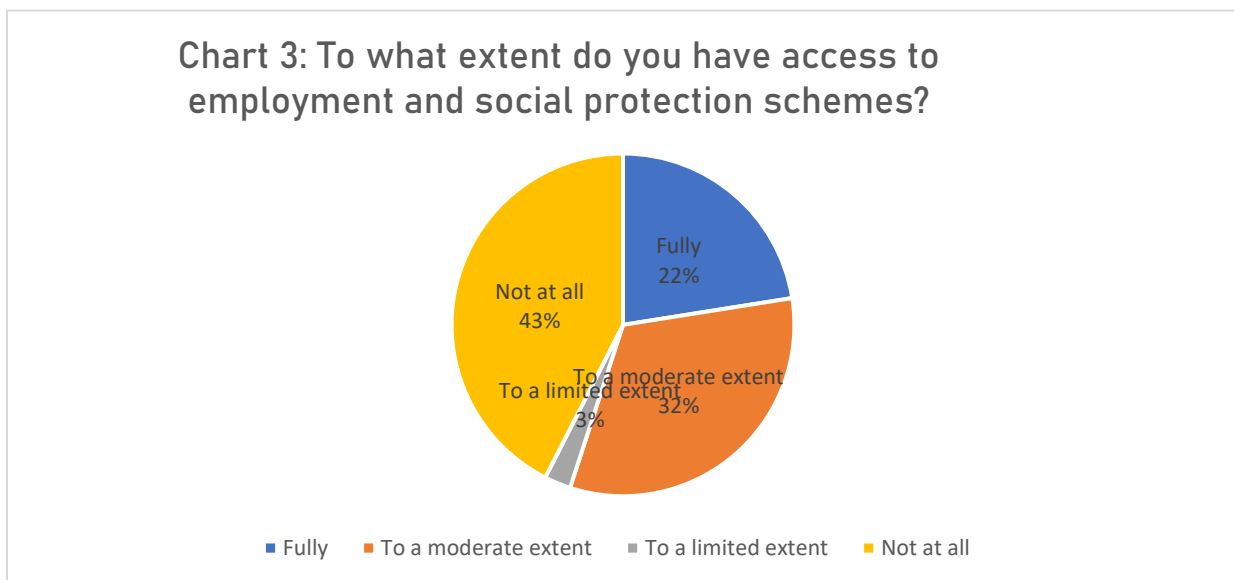
#### 4.4 Access to employment and social protection schemes.

The structure of social protection schemes can be a barrier to the employment of persons with disabilities. In Zambia, just as in many countries that provide disability benefits, eligibility for benefits is linked to inability to work, which discourages people from finding work rather than receiving benefits. People with disabilities may choose to receive benefits even when employment can lead to higher income levels because they may be trying to keep a job that does not provide enough support or is not flexible enough to meet their needs. In addition, work often includes additional costs for people with disabilities that, if not covered by social protection schemes, prevent them from returning to work.

Thus, social protection systems - both mainstream and disability-specific - can play a key role in laying the groundwork for many people with disabilities to enter and/or remain in employment. By ensuring that people with disabilities have income security, that their disability-related needs and additional costs are met, and that they have effective access to health care services, these systems can significantly facilitate the participation of people with disabilities in the labor market and society.

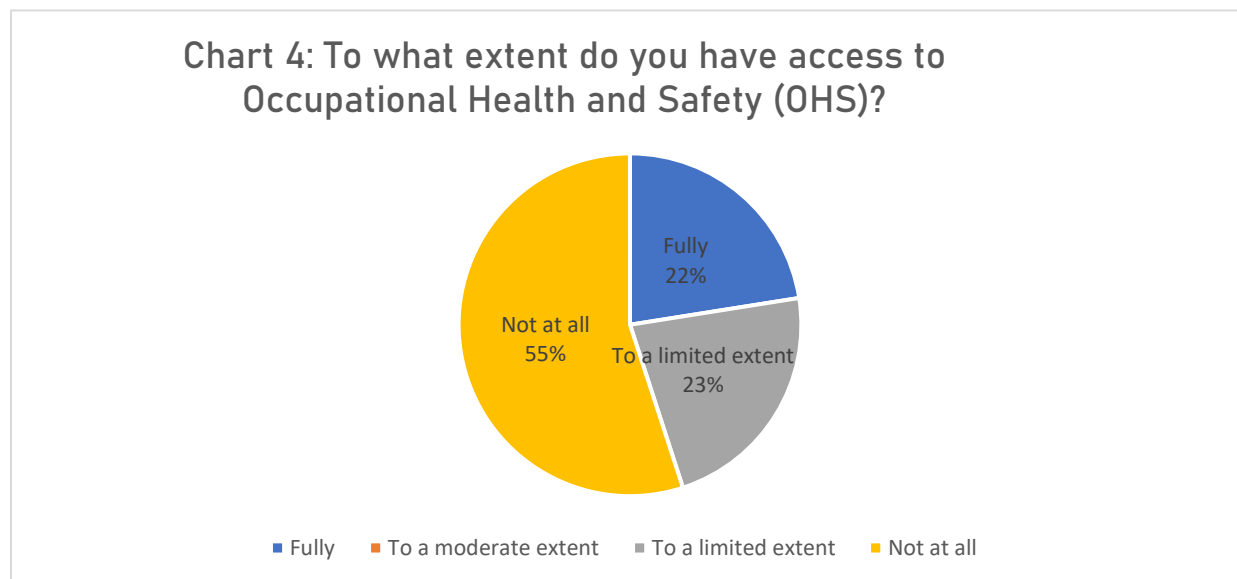
In this study, it was revealed that almost half of the respondents (43%) did not have access to employment and social protection schemes as shown in *Chart 3* below.

**Chart 3: Extent to which PWDs have access to employment and social protection schemes**



Furthermore, 55% of the respondents did not have access to Occupational Health and Safety (OHS). This can be seen in *Chart 4* below.

**Chart 4: Extent to which PWDs have access to Occupational Health and Safety (OHS)**



The report hypothesizes that this vulnerability may be related to the fact that people with disabilities are more likely to work in low-skilled, casual jobs that are associated with greater hazards and a weaker safety culture as shown in our literature review. The report also notes that when people with disabilities perform comparable jobs to non-disabled people, they may be less adaptable to work due to a lack of appropriate accommodations, putting these people at risk for safety. Accommodations can be as simple as allowing more time to complete tasks or purchasing speech-to-text software for people with learning disabilities.

Further, with regards to legal frameworks and policies, most respondents were not aware of the legal and policy frameworks that were in place to protect their rights at work with one respondent stating

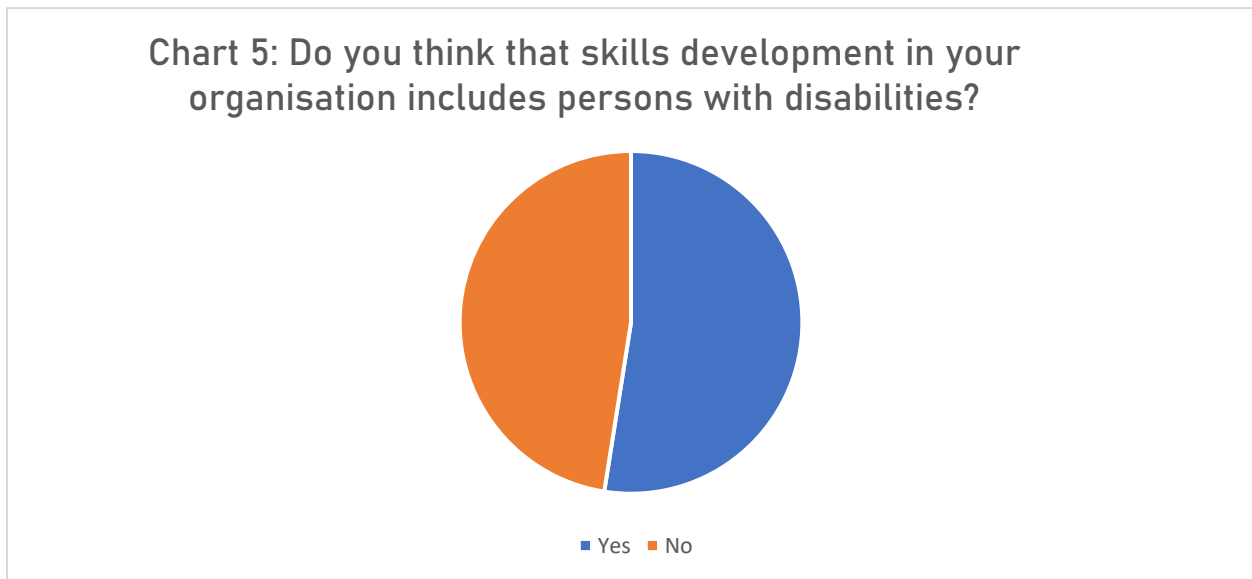
*“Even after 15 years of being in employment, no one has ever sensitized us on those issues”.*

#### 4.5 Access to education and skills training

Several studies, and evidence gathered during this study, show that people with disabilities are less likely to complete basic primary education than people without disabilities. Only 26 percent of respondents had an education level of grade 12 or above. Lack of basic education exacerbates their social exclusion and marginalization, which leads to a lack of life-essential skills and makes it more difficult for them to obtain long-term sustainable employment. Therefore, in this study, we sought to find out whether basic education is accessible to persons with disabilities working in Zambia, and whether the study/vocational programs offered in Zambia were effective in their teaching methods.

When it comes to education and skills training, 53% of respondents believe that skills training is not inclusive of PWDs. This is shown in *Chart 5* below.

**Chart 5: Access to education and skills training**



Associations for persons with disabilities expressed concern mainly with accessibility of persons with disabilities. For instance, skills training institutions have no accessible materials for persons with disabilities. Further, the institutions do not have reasonable accommodation for persons with disabilities.

With regards to the challenges in implementing inclusive skills development programmes, respondents mentioned the lack of qualified skilled; lecturers or instructors who understand what inclusive skilled training means, and the lack of available resources and materials including technologies which will support interfacing of the curriculum with learners with different types of impairments.

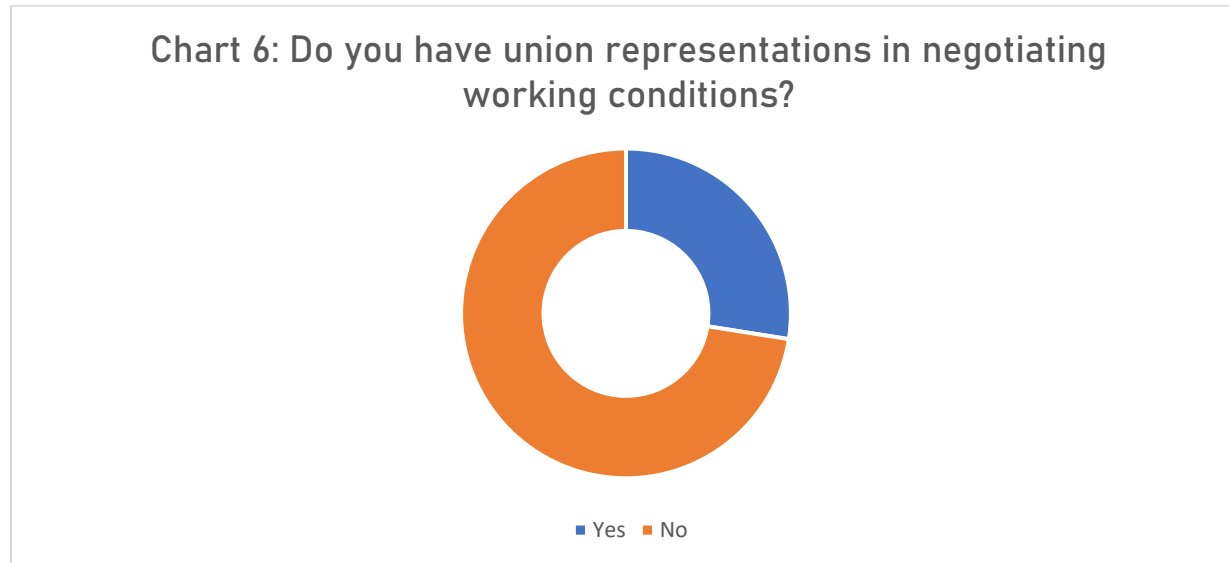
#### **4.6 Representation for PWDs in negotiating working conditions**

As shown in our findings above, people with disabilities in Zambia face challenges in finding and maintaining employment. Consequently, employees with disabilities must often negotiate unique terms of employment (e.g., flexible hours, expansion of job responsibilities) or special deals. However, unlike deals negotiated by most employees, deals for employees with disabilities are often achieved when representatives negotiate on behalf of their principals.

Representative bargaining in the employment context is commonly used by professional performers (e.g., actors, athletes). In these cases, representatives are simply negotiating the best wages and working conditions for their clients. PWDs are often stereotyped as less capable, which prevents them from being seen as significant contributors in the employment environment. As a result, representatives often find themselves having to manage employers' attitudes to their clients and justify why any special deals are relevant, even before negotiations begin. Likewise, after negotiations, representatives often have to create the conditions for successful implementation. Our goal, therefore, was to examine whether PWDs in Zambia have union representation in negotiating work conditions.

The findings have shown that there is lack of unionism of persons with disabilities. Unions look at the general interest of workers and conditions of service and not specific conditions of PWDs. Only 28% of the respondents belonged to a union as show in *Chart 6* below.

## Chart 6: Union representation



However, the ZCTU admits that more is needed to be done to include persons with disabilities as the only unions that are mostly sensitive to the rights of PWDs are the Special Education Teachers Union of Zambia (SPETUZ) and the Civil Servants' Union of Zambia (CSUZ).

A representative of the Zambia Congress of Trade Unions (ZCTU) stated

*“The ZCTU has recently registered a newly formed union for teachers with special education qualifications. This is because of the gap that was noted that trade unions had no representation for the affairs of teachers with disabilities or those that are teaching special education classes.”*

Some stakeholders complained about lack of representation even by organisations for persons with disabilities.

*“Organisations for persons with disabilities just have high level workshops but don't do much for us. Also, physically disabled people are represented more than intellectually, hearing and visually impaired. Physically disabled representatives hold meetings without representatives of the hearing and visually impaired and they do not have accessible formats for us for their reports on these meetings”* one respondent stated.

#### **4.7 Infrastructure and technology application to facilitate employment of PWDs in Zambia**

All the respondents interviewed indicated that they had a challenge of transport to get to their place of work. The blind and some physically challenged especially those on wheel chairs had the most difficulties in accessing their work places. For the blind they needed someone all the time to take them to work and then come back to pick them in the evening.

*“We use our children to take us to work and back instead of them going to school. This has affected their ability to excel in education which makes me feel like a failure as a parent. My children deserve to go to school as well”*

Stated one respondent.

The respondent also stated that this had also proved to be very costly for them as they had to spend double on transport costs.

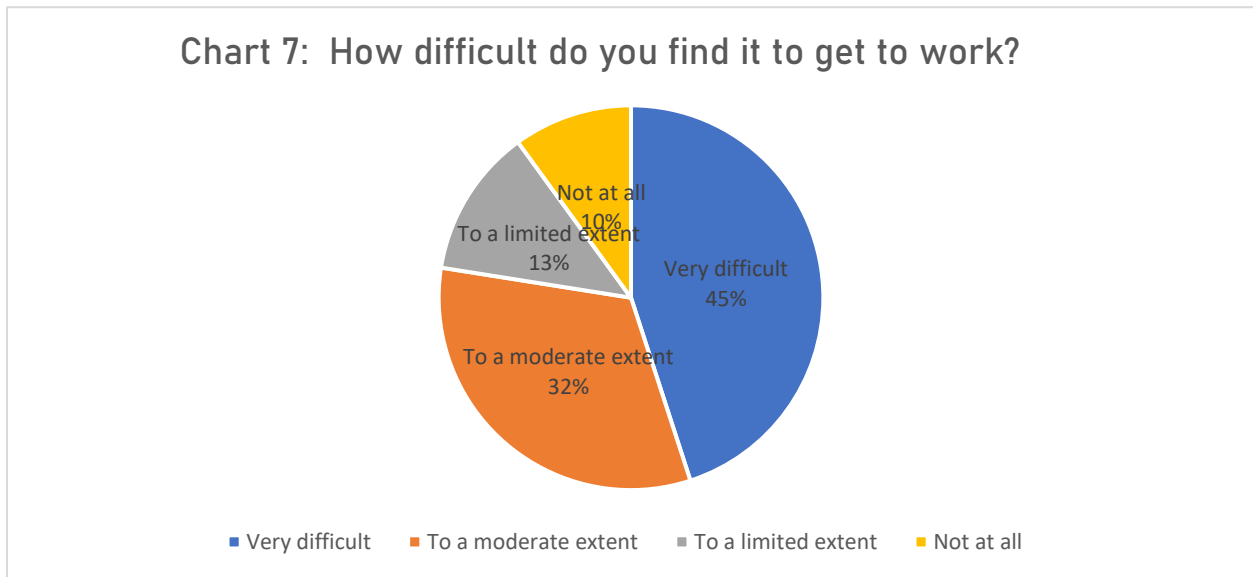
Respondents also stated that public transport is not accessible for persons with disabilities. There are no ramps, lifts, handles, wheelchair provisions, or even signs on the buses.

*“In some cases, I would find myself in a wrong bus because I could not hear where the bus was going or if I had arrived at my stop... It would be better if we had signs to show us which buses are going where so that I don't fear getting lost every time I have to use public transport”*

One hearing impaired respondent lamented.

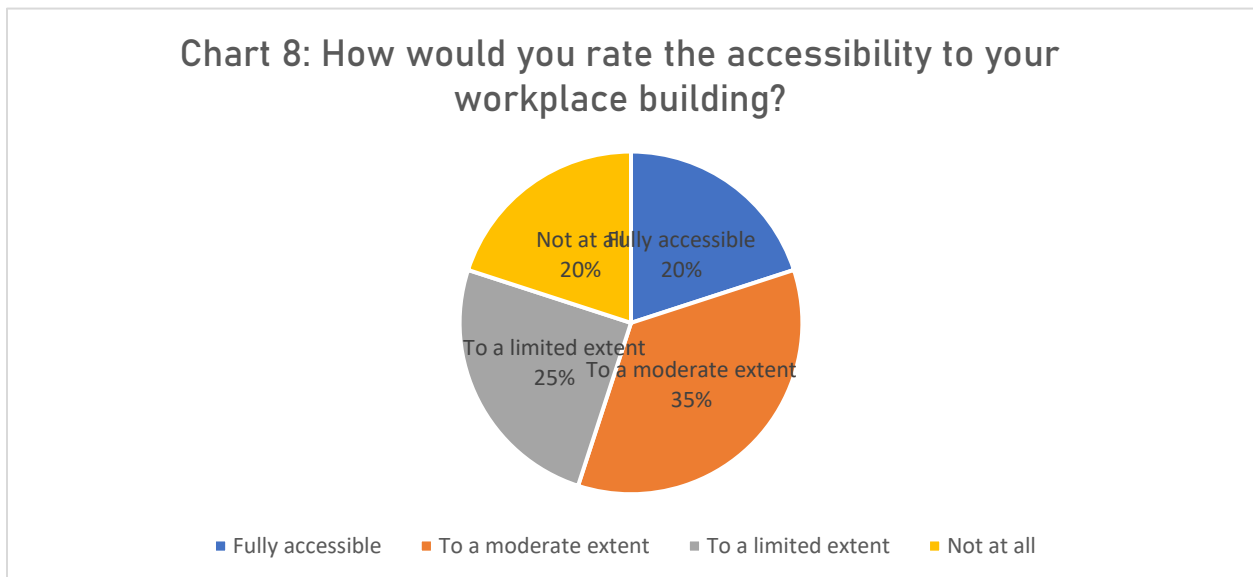
With regards to how difficult PWDs find it to get to work, 45% of the respondents find it very difficult while another 32% find it difficult to a moderate extent with only 10% of the respondents not finding any difficulties commuting to and from their place of work as illustrated in **Chart 7** below.

### Chart 7: Ease of commute to workplace



Accessibility to workplace building was an issue for a lot of respondents with 20% saying their workplaces were not accessible at all while 25% stated that their workplaces were accessible to a moderate extent as shown in *Chart 8* below.

### Chart 8: Accessibility to workplace building



Most respondents who participated in the study complained of not being able to access work buildings and other important buildings such as banks. One respondent said

*“We have a ramp and elevator here but I cannot go to other office buildings on official business because most are not accessible even at the ground floor. I have had to be lifted into a workshop before and it was humiliating. Another time I was at the bank and I had to wait all day for the person issuing ATM cards to come down stairs because I couldn’t go up and wait in the line that was upstairs”*

Another respondent said

*“I went for a job interview once and I could not get into interview room as it was four stories up. I finally pushed myself up to the interview room only to be met by surprised faces. The first thing they asked is how I got up there by myself. Of course, I did not get the job”*

Another respondent of physical disability working in a government institution stated that they could not get a promotion that they were up for because the new office would be upstairs and there was no elevator for them to use.

Lighting in the office building has also been brought up by a few respondents. One partially visually impaired respondent said

*“Lighting in the buildings is not so good and so I have difficulty seeing and reading things”.*

Concern was also expressed over assistive devices. Employees with disabilities are reported to have been asked to bring their own assistive devices and chairs to the workplace.

*“For two years I could not do my work properly because I needed a special chair... I talked to management but they denied my request and said it’s not in their budget. I had to save up for two years while working in pain to buy this chair myself”.*

Stated one respondent.

Finally, respondents stated that most buildings, apart from government institutions have no readers and interpreters for blind and deaf workers. One respondent stated



*“Very few to no alterations are made to accommodate persons with disabilities at work even when they are hired.”*

Realizing the challenges that persons with disabilities have been facing particularly with regards to participating in the labour market, the Zambian government has put in place various measures to promote the employability and employment of Zambians which ideally should encompass persons with disabilities. Each of these interventions use different approaches to try to ease the difficulties that persons with disabilities face with regards to finding and retaining employment as well as reduce the disparities with persons without disabilities. These include the enactment of laws and policies that aim to increase access as well as employability of persons with disabilities, formation of ministries and bodies that advocate and work to ensure that the rights of persons with disabilities are protected as well as being party to both regional and international treaties that aim to promote and protect the rights of persons with disabilities. However, despite these well-intended interventions, persons with disabilities still face many barriers when it comes to participating in the formal labour market. One key representative of the Centre for Trade Policy and Development (CTPD) said

*“Besides the institutional barriers, there are environmental and attitudinal barriers that disabled people are facing to enter the open labour market. The inaccessible environment in all its forms, including public infrastructure and transport, is hindering the mobility of disabled people to be able to commute to work. Moreover, employers' negative stereotypes and prejudices about the working capacities of disabled people are affecting their chances to get jobs.”*

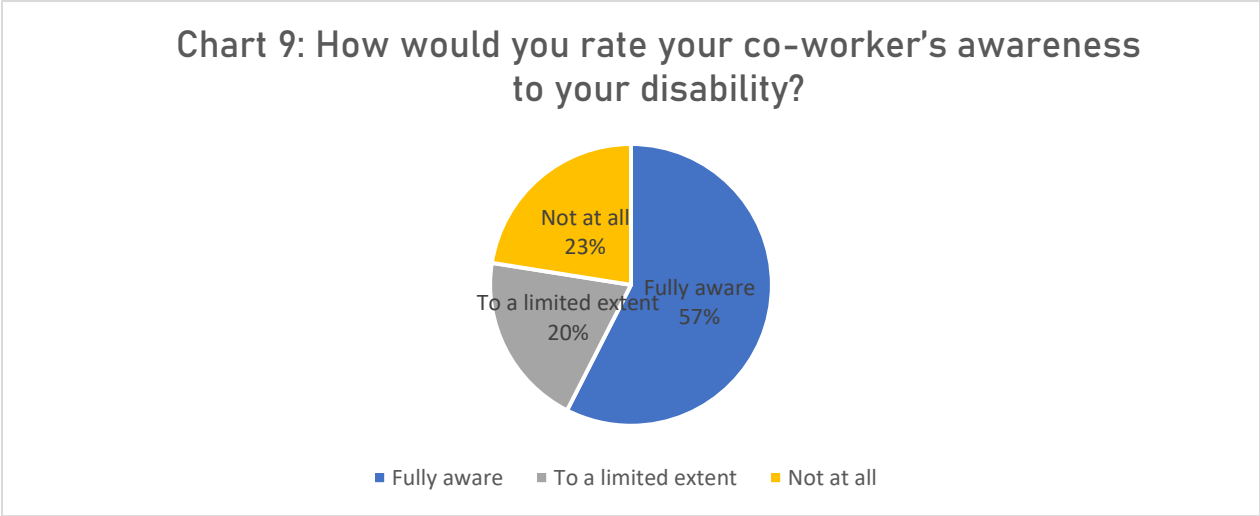
#### **4.8 Awareness level of co-workers, supervisors and employers on the rights of persons with disabilities**

An inclusive culture is the hallmark of a successful workplace. Effectively implementing a healthy work environment starts with awareness. Amplifying any marginalized voices can create a diverse organization where employees feel valued. One community that is often overlooked or underrepresented in diversity equity and inclusion (DE&I) practice is those with disabilities. A

common misconception is that all disabilities are obvious. Disabilities can actually manifest in different ways and present different challenges for everyone. It is therefore, important for a workplace to have fully aware employees and employers.

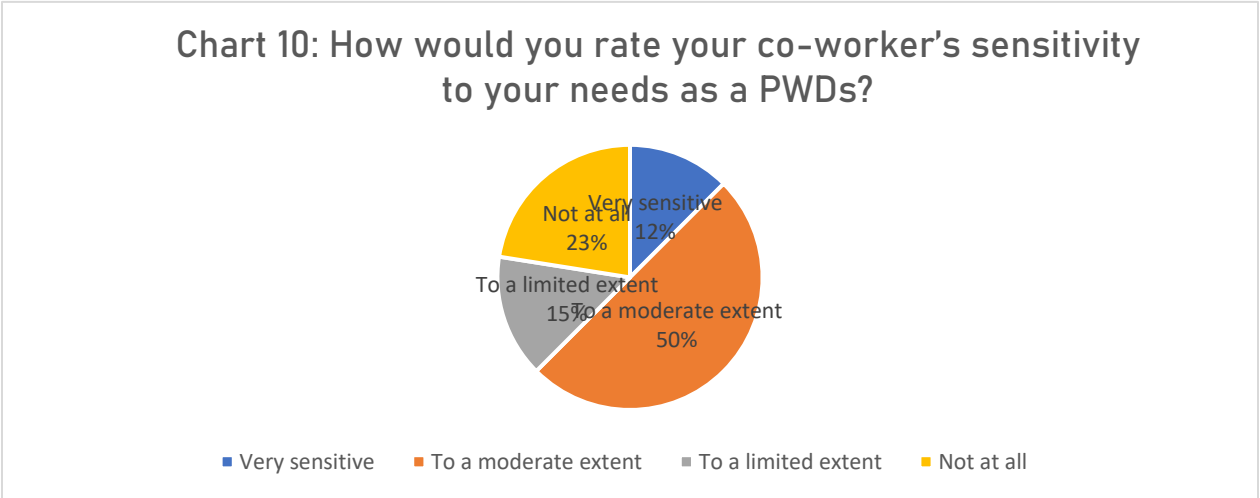
In this study, 57% of the respondents stated that their coworkers were fully aware of their disability while 20% said their co-workers were aware to a limited extent and 23% said their co-workers had no awareness at all of their disability as shown in *Chart 9* below.

**Chart 9: Co-workers awareness to disability**



When it comes to co-workers' sensitivity to their disability, only 12% of the respondents indicated that their co-workers were sensitive whilst 23% indicated that their co-workers were not sensitive to their needs as PWDs as shown in *Chart 10* below.

**Chart 10: Co-workers sensitivity to disability**



Communication was a major challenge especially among the persons with disabilities. People with hearing impairments themselves revealed that it was very difficult for them to communicate with their colleagues without disabilities as in most cases they did not understand sign language. Visually impaired employees also complained of being left out on information because it was never transcribed in braille for them and so they had to rely on other people to tell them of whatever happenings at the workplace of which if they forgot then visually impaired persons would miss out. This challenge for them was compounded by the lack of communication gadgets such as hearing aids and talking computers which were very expensive for PWDs to afford. This resulted in them being left out in most of the activities at their places of work. This challenge caused uncertainty on whether they could be promoted because they could not effectively communicate with others.

Further, managers in Zambia are not required to learn sign language and therefore isolate workers with hearing impairment.

## 5. RECOMMENDATIONS

The following are the resulting recommendations:

### a) **Discrimination faced by PWDs in their work life**

- The primary action that companies should actively take in order to prevent disability discrimination is to follow the requirements set forth by the law. This can include reasonable accommodations or adjustments as explained earlier in this report.
- Employers must train their staff on recognising disability discrimination and encourage them to report it
- Employers should make sure all their policies are consistent in having zero tolerance of disability discrimination
- Employers must recognise the benefits of an inclusive and diverse workforce that does not exclude disabled people
- Employers may also benefit from studying what you can or cannot ask during an interview.
- The government should make a policy that requires employers to post a notice describing the provisions of the Disability Act. This notice must be accessible to applicants and all members of the organization.
- Government departments should also understand the needs in the units where PWDs are attached and provide the necessary requisites for them the way they consider other sections (e.g., the way office petty cash is provided for secretaries in most organisations).<sup>22</sup>

### b) **Professional development and career advancement of PWDs**

- Successful retention and advancement strategies are the same for all employees regardless of disability status, but it is important that employers ensure that employees

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<sup>22</sup> The purpose of a petty cash fund is to provide business units with sufficient cash to cover minor expenditures. The intent is to simplify the reimbursement of staff members and visitors for small expenses that generally do not exceed \$25.00, such as taxi fares, postage, office supplies, etc.).

with disabilities also have equal access to these opportunities. Some innovative practices that have been adopted to ensure access include:

- Formation of a task force to analyze processes and essential functions of positions
  - Use of resources to help eliminate fears or discomfort employees may have about working with people with disabilities
  - Rewards for supervisors and managers for implementing management practices that support diversity, including hiring and mentoring people with disabilities
  - Use of assistive technologies for meetings, including real-time captioning and video conferencing
  - Offering or requiring disability awareness training as a portion of human resource management training
  - Establishing Employee Resource Groups (e.g., Affinity Groups).
- 
- PWDs working in the public and private sectors have called for tuition assistance through corporate universities and e-learning tuition assistance which would allow employees to return to school and obtain the new skills necessary for advancement. In this way, employers are able to fill vacancies internally and retain employees with institutional knowledge. In addition, tuition assistance programs can be more cost-effective than external recruiting. Some organizations could opt to offer classes directly to their employees on topics necessary for career advancement as an alternative to tuition assistance.
  - There is need to open up more jobs in the labour market for persons with disabilities.
  - PWDs working in the public sector indicated that they needed government's interventions to make other careers accessible to them just like it is in switchboard operation.
  - Persons with disabilities need to be catered for in many colleges and universities through the use of accessible training materials so that they can upgrade their qualifications.

- The ZCTU recommends that PWDs need to be re-skilled or upskilled so that they continue in employment.
- Employers can also work together to promote disability inclusion by making disability inclusion as their issue and develop workplace disability inclusions policies.
- As to what role employer federations can play in promoting disability inclusion, the employers propose that they conduct sensitization workshops for their employer members on disability inclusion, introduce awards for the most inclusive employer, and introduce peer reviews.
- With regards to how pathways can be developed between persons with disabilities and employment opportunities, the stakeholders propose that persons with disabilities should be encouraged to participate in education & training alongside others, should undertake programs of study that are relevant, and that employing companies should give equal opportunities for employment.
- Finally, Employer federations have recommended that legislation be made to provide a fund for PWDs during crisis settings to help them mitigate the challenges. Further, Governments and stakeholders need to ensure that, when sensitizing the community, they should do so using accessible formats for everyone including PWDs.

**c) Access to employment and social protection schemes**

- It is important to support leadership development programmes for PWDs to develop their skills, and provide opportunities for them to have meaningful opportunities to engage in the workplace.
- Stakeholders should help facilitate access of PWDs to the labour market and to quality and green jobs.
- Develop policies on topics such as apprenticeships, internships, unemployment of PWDs, precarious work, platform work, equal wages, zero hour contracts, discrimination (based on disability and other grounds).
- Raise awareness among employees, shareholders and associates about the rights of PWDs, including through digital organising and social media should be a priority.
- Governments can incentivize employment of PWDs by increasing tax based incentives that promotes disability inclusion in the open labour market.

- Government could also strengthen the Zambia Business Disability Network (ZBDN) which are a network of private employers who champion employment of persons with disabilities not as a charity but purely because it makes business sense to employ persons with disabilities. The government could strengthen the coordination of disability inclusion in the public sector by ensuring that all public service commissions begin to employ persons with disabilities as provided for in the law.
- Civil Society Organisations (CSO) should work with best practices seen across the world such as the ILO Global Business Disability Network
- Employers should work together to promote disability inclusion by providing reasonable accommodation in the workplace as defined in the persons with disabilities act. They should also ensure that their adverts for recruitment clearly stipulate and highlight that persons with disabilities are encouraged to apply.
- Pathways can be developed between PWDs and employment opportunities by review of curriculum to ensure that the schools that prepare persons with disabilities into open labour market are teaching them the skills that the labour market is looking for.
- Associations for PWDs further advise that future programs should involve persons with disabilities working in the informal sector as they have been struggling with business. This may be due to poor working environments, lack of security, lack of accessible banking services, and lack of training which can be improved with the help of government and other stakeholders.
- There is also concern for persons with disabilities during disaster moments such as the COVID-19 pandemic. PWDs were highly discriminated during this period and government should have policy to protect them during such times.

#### **d) Access to education and skills training**

- The national instruments on PWDs need to be evaluated in order to put up corrective measures for easy implementation.
- Organizations working on disability should offer financial and institutional support for internships, apprenticeship, and attachment/placement of PWDs in the open labour market and advocate for inclusion of PWDs in all schools and universities.

- Respondents mentioned the lack of qualified skilled lecturers or instructors who understand what inclusive skilled training means. Hence, there is a need to train lecturers and instructors on inclusive teaching methods.
- Respondents mentioned the lack of available resources and materials including technologies which will support interfacing of the curriculum with learners with different types of impairments. Hence, there is a need for legislation to make it mandatory for skills training institutions to provide accessible materials for PWDs.
- There is a need for legislation to make it mandatory for skills and training institutions to provide reasonable accommodation for PWDs.

**e) Representation for PWDs in negotiating working conditions**

- Employer federations and trade unions should play a major role in promoting disability inclusion by advocacy and support of disability equality training for their members. Secondly, both the employer federations and union federations should strongly encourage their members to employ persons with disabilities.
- There should be more training of Trade Union leadership and members on human and worker rights including rights of people with and without disabilities, inclusive work life etc.
- Trade union should provide opportunities to connect PWDs to business networks and markets through the creation and strengthening of online platforms and multimedia campaigns that raise awareness of opportunities for PWDs and provide them space to engage and influence change on key issues affecting them on employment and good governance.
- More trade unions and federations need to have an organisational policy that speaks to rights of PWDs.
- Trade unions should collaborate with civil society groups that promote governance issues to place PWDs in political and governance programmes.
- Campaign for inclusion of PWDs in political leadership positions in the workplace, unions and government.



- Raising awareness to the communities as complications and discrimination arise when PWDs workers' rights are not well understood should be considered.
- Trade unions must adapt their training methodologies to include PWDs. This action will enable trade unions to be more relevant to their members with disabilities in the workplace and in the communities.
- Trade Unions must also consult and adopt best practices from partners across Africa and the world on the best ways to recruit PWDs into the unions and help address their issues at work.
- Trade Unions also call for more interventions from global unions so as to provide a strong and united global trade union voice in the advocacy for the rights of PWDs.
- Respondents also said that they needed representation in key decision making positions in the unions so that their concerns are addressed (as according to the slogan of the movement of PWDs: "Nothing for us without us").

**f) Infrastructure and technology application to facilitate employment of PWDs in Zambia**

- Stakeholders called for legislative action to make all public transportation accessible for PWDs. There is also a call for accessible bus stop infrastructure.
- PWDs working in the private sector recommend that employers should cater for the transportation needs of PWDs. This includes provision of accessible vehicles to transport employees with disabilities to and from work.
- PWDs recommended at places of works that suitable facilitates should be made accessible for PWDs. Some institutions have structural adjustments to include PWDs but have not made the extra step to acquire and provide technological assistive devices and advanced elevators meant to accommodate PWDs.
- Further, employers should budget for the cost of implementation of the reasonable accommodations.
- Government should ensure that all employers are implementing the law on rights of PWDs and;
- that buildings are inspected for accessibility of PWDs

- A further recommendation is that organizations of PWDs could play a role as consultants with experience-based expertise on accessibility issues. PWDs themselves know best what is needed for the environment to be accessible. A regular construction inspector might not have all the necessary knowledge.

**g) Awareness level of co-workers, supervisors and employers of persons with disabilities on the rights of persons with disabilities**

- Organisations for PWDs have to promote and encourage greater participation and representation of a diverse range of PWDs in their organisations, increasing their voice in social dialogue. This may include challenging social norms and stereotypes related to disabilities.
- Organisations should have programmes to sensitize employees and make them aware not only of the needs and rights but also the capabilities of their co-workers with disabilities.
- PWDs working with hearing impairment proposed that sign language be offered to persons without disabilities to enable them communicate effectively with persons with hearing impairments in order to bring the two worlds together.
- Unions and other stakeholders should have campaigns targeted at PWDs in the workplace on gender based violence and disability discrimination among women with disabilities.
- The associations of PWDs called for more sensitization programs aimed at sensitizing workers in the workplace as that is where inclusion starts to have a backbone in the organisation.
- Associations for PWDs encourage their members as well to attain skills such as sign language and braille interpretation. This can also be applied to work institutions where human resource managers could be strongly encouraged to attain skills such as sign language and braille interpretation
- A further recommendation is that organizations' values should be immediately apparent to everyone. Even during the interview process, organisations should make sure to emphasize that it is an equal employment opportunity and that their team is

committed to promoting an inclusive environment. Not only does this make someone with a disability feel comfortable, it demonstrates to everyone that employers are taking action towards their inclusion efforts.

## **6. CONCLUSION**

The findings of this study show that despite various efforts and interventions in Zambia to ensure equal educational and employment opportunities for persons with disabilities, this is still not the case. People with disabilities still do not have the same educational and employment opportunities as people without disabilities. This is despite many important declarations and commitments such as the ratification of the UNCRPD after 2006 and the implementation of other important interventions such as the National Disability Policy. Recommendations point to the call for the government and stakeholders working with PWDs not to reassess the strategies being implemented, but to re-strategize the implementation process itself. Additional focus is on ensuring fairness in employment, as well as removing barriers that people with disabilities face in other areas.

## ANNEX 1: RECOMMENDATION RESPONSIBILITY MATRIX

Stakeholder	Recommendation	Readiness	Capacity
<b>TRADE UNIONS</b>	<ul style="list-style-type: none"> <li>• PWDs need to be re-skilled or upskilled so that they continue in employment.</li> <li>• Advocacy and support of disability equality training for their members.</li> <li>• Strongly encourage their members to employ persons with disabilities.</li> <li>• Raise awareness among employees, shareholders and associates about the rights of PWDs, including through digital organising and social media should be a priority.</li> <li>• Encourage their members as well to attain skills such as sign language and braille interpretation. This can also be applied to work institutions where human resource managers could be strongly encouraged to attain skills such as sign language and braille interpretation</li> <li>• Involve persons with disabilities working in the informal sector as they have been struggling with business. This may be due to poor working environments, lack of security, lack of accessible banking services, and lack of training which can be improved with the help of government and other stakeholders.</li> <li>• More training of Trade Union leadership and members on human and worker rights including rights of people with and without disabilities, inclusive work life etc.</li> <li>• Provide opportunities to connect PWDs to business networks and markets through the creation and strengthening of online platforms and multimedia campaigns that raise awareness of opportunities for PWDs and provide them space to engage and influence change on key issues affecting them on employment and good governance.</li> <li>• Have an organisational policy that speaks to rights of PWDs.</li> <li>• Help facilitate access of PWDs to the labour market and to quality and green jobs.</li> <li>• Collaborate with civil society groups that promote governance issues to place PWDs in political and governance programmes.</li> <li>• Campaign for inclusion of PWDs in political leadership positions in the workplace, unions and government.</li> <li>• Campaigns targeted at PWDs in the workplace on gender-based violence and disability discrimination among women with disabilities.</li> </ul>	<p>Trade unions have expressed their readiness to start working on these recommendations. However, they insist that cooperation with government and CSO is crucial to realising the recommendations.</p>	<p>The ZCTU is well capacitated to deal with most of the issues raised. The ZCTU also has a research think tank called ZILARD that can help formulate policy and strategies including training.</p>

Stakeholder	Recommendation	Readiness	Capacity
	<ul style="list-style-type: none"> <li>• Raising awareness to the communities as complications and discrimination arise when PWDs workers' rights are not well understood should be considered.</li> <li>• Ensure that, when sensitizing the community, they should do so using accessible formats for everyone including PWDs.</li> <li>• Adapt their training methodologies to include PWDs. This action will enable trade unions to be more relevant to their members with disabilities in the workplace and in the communities.</li> <li>• Consult and adopt best practices from partners across Africa and the world on the best ways to recruit PWDs into the unions and help address their issues at work.</li> <li>• More interventions from global unions so as to provide a strong and united global trade union voice in the advocacy for the rights of PWDs.</li> <li>• Representation of PWDs in key decision-making positions in the unions so that their concerns are addressed (as according to the slogan of the movement of PWDs: "Nothing for us without us").</li> </ul>		
<b>GOVERNMENT</b>	<ul style="list-style-type: none"> <li>• Formulate policy that requires employers to post a notice describing the provisions of the Disability Act. This notice must be accessible to applicants and all members of the organization.</li> <li>• Understand the needs in the units where PWDs are attached and provide the necessary requisites for them the way they consider other sections (e.g., the way office petty cash is provided for secretaries in most organisations</li> <li>• Government sponsored tuition assistance through corporate universities and e-learning tuition assistance which would allow employees to return to school and obtain the new skills necessary for advancement. In this way, employers are able to fill vacancies internally and retain employees with institutional knowledge. In addition, tuition assistance programs can be more cost-effective than external recruiting.</li> <li>• There is need to open up more jobs in the labour market for persons with disabilities.</li> <li>• Involve persons with disabilities working in the informal sector as they have been struggling with business. This may be due to poor working environments, lack of security, lack of accessible banking services, and lack of training which can be improved with the help of government and other stakeholders.</li> <li>• Campaigns targeted at PWDs in the workplace on gender-based violence and disability discrimination among women with disabilities.</li> </ul>	Ministry of Community Development and Social Services (MCDSS) and the Ministry of Labour are ready to work with Trade Unions and Civil society on the proposed recommendations.	The Government is well capacitated and receives input from various other stakeholders.

Stakeholder	Recommendation	Readiness	Capacity
	<ul style="list-style-type: none"> <li>• Make other careers accessible to PWDs just like it is in switchboard operation.</li> <li>• PWDs need to be catered for in many colleges and universities through the use of accessible training materials so that they can upgrade their qualifications.</li> <li>• Need to train lecturers and instructors on inclusive teaching methods.</li> <li>• Lobby review of legislation to make it mandatory for skills and training institutions to provide reasonable accommodation for PWDs.</li> <li>• Support leadership development programmes for PWDs to develop their skills, and provide opportunities for them to have meaningful opportunities to engage in the workplace.</li> <li>• Help facilitate access of PWDs to the labour market and to quality and green jobs.</li> <li>• Develop policies on topics such as apprenticeships, internships, unemployment of PWDs, precarious work, platform work, equal wages, zero hour contracts, discrimination (based on disability and other grounds).</li> <li>• Raise awareness among employees, shareholders and associates about the rights of PWDs, including through digital organising and social media should be a priority.</li> <li>• Ensure that, when sensitizing the community, they should do so using accessible formats for everyone including PWDs.</li> <li>• Government to ensure that all employers are implementing the law on rights of PWDs and;</li> <li>• that buildings are inspected for accessibility of PWDs</li> <li>• Legislation be made to provide a fund for PWDs during crisis settings to help them mitigate the challenges.</li> <li>• Sign language be offered to persons without disabilities in schools and workplaces to enable them communicate effectively with persons with hearing impairments in order to bring the two worlds together.</li> <li>• Incentivize employment of PWDs by increasing tax-based incentives that promotes disability inclusion in the open labour market.</li> <li>• Strengthen the Zambia Business Disability Network (ZBDN) which are a network of private employers who champion employment of persons with disabilities not as a charity but purely because it makes business sense to employ persons with disabilities.</li> <li>• Strengthen the coordination of disability inclusion in the public sector by ensuring that the all public service commissions begin to employ persons with disabilities as provided for in the law.</li> <li>• Develop pathways between PWDs and employment opportunities by review of curriculum to ensure that the schools that prepare persons with disabilities into open labour market are teaching them the skills that the labour market is looking for.</li> </ul>		

Stakeholder	Recommendation	Readiness	Capacity
	<ul style="list-style-type: none"> <li>• Formulate policy to protect PWDs during disaster moments such as the COVID-19 pandemic as they are highly discriminated during such times.</li> <li>• National instruments on PWDs need to be evaluated in order to put up corrective measures for easy implementation.</li> <li>• Legislative action to make all public transportation accessible for PWDs, including accessible bus stop infrastructure.</li> </ul>		
<b>CIVIL SOCIETY ORGANISATIONS (Organisations of and for disabilities)</b>	<ul style="list-style-type: none"> <li>• Work with best practices seen across the world such as the ILO Global Business Disability Network</li> <li>• Raise awareness among employees, shareholders and associates about the rights of PWDs, including through digital organising and social media should be a priority.</li> <li>• Future programs should involve persons with disabilities working in the informal sector as they have been struggling with business. This may be due to poor working environments, lack of security, lack of accessible banking services, and lack of training which can be improved with the help of government and other stakeholders.</li> <li>• Help facilitate access of PWDs to the labour market and to quality and green jobs.</li> <li>• Promote and encourage greater participation and representation of a diverse range of PWDs in their organisations, increasing their voice in social dialogue. This may include challenging social norms and stereotypes related to disabilities.</li> <li>• Encourage their members to attain skills such as sign language and braille interpretation.</li> <li>• Support leadership development programmes for PWDs to develop their skills, and provide opportunities for them to have meaningful opportunities to engage in the workplace.</li> <li>• Campaigns targeted at PWDs in the workplace on gender-based violence and disability discrimination among women with disabilities.</li> <li>• More sensitization programs aimed at sensitizing workers in the workplace as that is where inclusion starts to have a backbone in the organisation.</li> <li>• Ensure that, when sensitizing the community, they should do so using accessible formats for everyone including PWDs.</li> <li>• Organizations working on disability should offer financial and institutional support for internships, apprenticeship, and attachment/placement of PWDs in the open labour market and advocate for inclusion of PWDs in all schools and universities.</li> <li>• Organizations' values should be immediately apparent to everyone. Even during the interview process, organisations should make sure to emphasize that it is an equal employment opportunity and that their team is</li> </ul>	<p>Civil Society Organisations which include organisations of and for the blind have expressed their eagerness to immediately start working with Trade Unions, government, and other stakeholders on the issues brought about in the recommendations.</p>	<p>Civil Society Organisations vary in their capacity but have expressed their willingness to be assisted by outside consultants in terms of planning, coordination, training and implementation.</p>

Stakeholder	Recommendation	Readiness	Capacity
	<p>committed to promoting an inclusive environment. Not only does this make someone with a disability feel comfortable, it demonstrates to everyone that employers are acting towards their inclusion efforts</p> <ul style="list-style-type: none"> <li>• A further recommendation is that organizations of PWDs could play a role as consultants with experience-based expertise on accessibility issues. PWDs themselves know best what is needed for the environment to be accessible. A regular construction inspector might not have all the necessary knowledge.</li> </ul>		
<b>EMPLOYERS FEDERATIONS</b>	<ul style="list-style-type: none"> <li>• Employers must train their staff on recognising disability discrimination and encourage them to report it</li> <li>• Advocacy and support of disability equality training for their members.</li> <li>• Strongly encourage their members to employ persons with disabilities.</li> <li>• Have an organisational policy that speaks to rights of PWDs.</li> <li>• Help facilitate access of PWDs to the labour market and to quality and green jobs.</li> <li>• Programmes to sensitize employees and make them aware not only of the needs and rights but also the capabilities of their co-workers with disabilities.</li> <li>• Some organizations could opt to offer classes directly to their employees on topics necessary for career advancement as an alternative to the recommended Government tuition assistance.</li> <li>• Provide leadership development programmes for PWDs to develop their skills, and provide opportunities for them to have meaningful opportunities to engage in the workplace.</li> <li>• Human resource managers could be strongly encouraged to attain skills such as sign language and braille interpretation</li> <li>• Employers should make sure all their policies are consistent in having zero tolerance of disability discrimination</li> <li>• Employers must recognise the benefits of an inclusive and diverse workforce that does not exclude disabled people</li> <li>• Employers may also benefit from studying what you can or cannot ask during an interview.</li> <li>• Successful retention and advancement strategies are the same for all employees regardless of disability status, but it is important that employers ensure that employees with disabilities also have equal access to these opportunities. Some innovative practices that have been adopted to ensure access include:</li> </ul>	Employers' federations are willing and ready to work on the issues raised.	Employers' federations report that they are not so adequately capacitated and suggest that they may need to work closely with the government in trying to address a lot of the issues raised.



Stakeholder	Recommendation	Readiness	Capacity
	<ul style="list-style-type: none"> <li>- Formation of a task force to analyze processes and essential functions of positions</li> <li>- Use of resources to help eliminate fears or discomfort employees may have about working with people with disabilities</li> <li>- Rewards for supervisors and managers for implementing management practices that support diversity, including hiring and mentoring people with disabilities</li> <li>- Use of assistive technologies for meetings, including real-time captioning and video conferencing</li> <li>- Offering or requiring disability awareness training as a portion of human resource management training.</li> <li>- Establishing Employee Resource Groups (e.g., Affinity Groups).</li> <li>• Employers can also work together to promote disability inclusion by making disability inclusion as their issue and develop workplace disability inclusions policies.</li> <li>• Conduct sensitization workshops for their employer members on disability inclusion, introduce awards for the most inclusive employer, and introduce peer reviews.</li> <li>• PWDs should be encouraged to participate in education &amp; training alongside others, should undertake programs of study that are relevant, and that employing companies should give equal opportunities for employment.</li> <li>• Ensure that, when sensitizing the community, they should do so using accessible formats for everyone including PWDs.</li> <li>• Employers should work together to promote disability inclusion by providing reasonable accommodation in the work place as defined in the persons with disabilities act.</li> <li>• Ensure that their adverts for recruitment clearly stipulates and highlights that persons with disabilities are encouraged to apply.</li> <li>• Employers should cater for the transportation needs of PWDs. This includes provision of accessible vehicles to transport employees with disabilities to and from work.</li> <li>• Places of works should be made accessible for PWDs. Some institutions have structural adjustments to include PWDs but have not made the extra step to acquire and provide technological assistive devices and advanced elevators meant to accommodate PWDs.</li> <li>• Employers should budget for the cost of implementation of the reasonable accommodations.</li> </ul>		