

Supported employment in Germany

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Abstract. The article describes the current situation and development of supported employment in Germany during the past 20 years in the context of the German vocational rehabilitation system.

Keywords: Supported employment, transition school to work, sheltered workshop, vocational rehabilitation, Germany

1. Introduction

In the past 20 years supported employment has become an official part of the German vocational rehabilitation system [1]: In the late 1980s and early 1990s the first model projects for people with cognitive disabilities and mental illness started to support people in the transition from school and sheltered workshops to community employment. In 1994 the German Association of Supported Employment (Bundesarbeitsgemeinschaft für Unterstützte Beschäftigung – BAG UB) was founded. This association played a central role in the following years in the further development and legal implementation of supported employment. In 2001, after a series of successful regional model projects and different positive evaluation studies, supported employment became the legal task of the new vocational integration services (Integrationsfachdienste IFD – sometimes translated as “specialist integration services”) (§109 Book IX of the Social Code – SGB IX) [5, 6]. Today these services exist nationwide. Many of these also support students with disabilities’ transition from school to work. Since 2001 people with severe disabilities have had an entitlement to personal assistance on the worksite (§102 (4) SGB IX). Sheltered workshops have the legal obligation to support people in their transition to the open labor market and can offer

training and integrated employment with long term support in regular companies in the community (§136 SGB IX). All vocational rehabilitation services can be paid for from a personal budget, so that the person with disability can choose the provider and the way the support is delivered (§17 SGB IX). This has been an entitlement since 2008.

In 2009 the national government introduced “supported employment” in §38a of the Book IX of the Social Code as an individual vocational training measure (individuelle betriebliche Qualifizierung – InbeQ) inside companies with the support by a job trainer for up to 24 months, in some cases 36 months. If needed, an ongoing vocational support (Berufsbegleitung) on a job in the open labor market e.g. through the vocational integration services can be provided afterwards.

Despite this progress in legislation, the majority of people with disabilities are still in facility based vocational training courses and centers, a growing number are in sheltered workshops and day activity centers. Supported employment seems to be more an addition to the existing facility based rehabilitation system than a systematic system change process. However the traditional rehabilitation system is beginning to change in many places, but not only has the idea and method of supported employment changed the system, also the system has changed the reality of supported employment to some degree.

The article will provide basic information about the German vocational rehabilitation system, illustrate the development of supported employment in Germany and

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describe the current situation of supported employment and other integrative approaches.

2. Basic information about the German vocational rehabilitation system

2.1. Employment situation of people with disabilities

Germany is a federal state with 16 Länder (states) and has nearly 82 million inhabitants. About 9.6 million (11.7%) people have an officially recognized disability; 7.1 million people (8.7%) with a so called “degree of disability” above 50 are “severely disabled” and entitled to special rights and services as codified in the second part of the book IX of the Social Code [3]. 55% of the severely disabled people are 65 years or older [2]. Many young people with a mild cognitive disability may get a rehabilitation status and receive vocational rehabilitation measures, but are not officially recognized as severely disabled.

In 2011 over 180,000 people with a recognized severe disability were unemployed (14.6%). People with disabilities are unemployed for a longer period of time than the general public. General unemployment in Germany has decreased to 3 million people (7.1%) in the past years while the unemployment rate of people with disabilities has gone up slightly and is now more than twice as high as the rate of the general population [2]. Because of the demographic change, research predicts a lack of 5.5 million skilled employees in 2030 in Germany [12]. In 2005, the labor force participation rate of women with disabilities was only 23% compared to 53% of women in general, the participation rate of men with disabilities was 30% compared to 71% of men in general [3]. Many people with disabilities do not appear in the official unemployment statistic because they are on a pension, because of reduced earning capacities, are ill or work in sheltered workshops. In 2011 over 285,000 people with disabilities in Germany worked in sheltered workshops [4]. So people with moderate or severe cognitive disabilities are not unemployed but are almost totally excluded from the open labor market.

2.2. Key players of the vocational rehabilitation system

Germany has a quite complicated rehabilitation system with different rehabilitations funds. The new book IX of the Social Code rehabilitation and integration

(SGB IX Rehabilitation und Teilhabe) became effective in 2001 and has been a milestone for the integration of people with disabilities [5, 6]. Its first part consists of basic rules and rehabilitation services for all people with disabilities; the second part has additional rights and services for officially recognized severely disabled people.

The key players of the German vocational rehabilitation system are:

- The National Employment Agency (Bundesagentur für Arbeit) which pays for most of the vocational training measures, time limited wage subsidies and unemployment benefits. Nowadays most of the vocational training measures are offered by a tendering system to the cheapest service provider that fulfills the requirements and formal quality standards.
- The Integration Office (Integrationsamt) is organized by the different Länder (states) in Germany and supports officially recognized severely disabled people in their working lives. Germany has a quota system which obliges employers with 20 or more employees to hire 5% people with a severe disability. Companies which refuse to do so have to pay a compulsory levy for unfilled mandatory places from 115–290 € per place. These funds (466 million Euros in 2010) are used to support people with disabilities in their workplaces. In 2011 the quota was 4.5% (3.9% in the private sector, 6.3% in the public sector) [2]. People with an officially recognized severe disability have also a special protection against unlawful dismissal after their regular trial period (6 months). The integration office must be contacted if a company wants to sign off a person with disabilities. The goal is to secure the employment by additional supports through the vocational integration services or work site adaptations. This offers some protection to the large number of people who got their disabilities during their working lives, but it is perceived as a barrier to the employment of unemployed people with disabilities, even though in 75% of the cases the Integration Offices agree that a work contract can be terminated especially when there are economic reasons [2].
- The social integration assistance (Eingliederungshilfe) by the regional welfare office pays for services for most people who were born with a disability. Services include early intervention, school assistants, supported living, group homes,

leisure time activities, work (not initial training) in a sheltered workshop or day activity centers for people with the most severe disabilities. People with disabilities have an entitlement to the necessary services; there is a special entitlement to be supported to work in a sheltered workshop (§136 SGB IX).

Other important rehabilitation funds for the vocational rehabilitation are the accident insurances and the pension funds for people who got their disabilities during their (working) lives [5].

2.3. Facility based vocational rehabilitation system

The rehabilitation system for people with a disability in Germany is very facility based. There are both a differentiated special needs school system to which still 80% of the students with disabilities go [3] and a comprehensive system of different vocational rehabilitation facilities [5, 10]:

- initial vocational training courses (berufsvorbereitende Bildungsmaßnahmen – BvB) which last 12–18 months and are attended by 16,000 mostly young people with disabilities in craft shops of different vocational training providers [8]
- 54 initial vocational training centers for young people (Berufsbildungswerke – BBW) with about 14,000 places where people learn one of the 344 officially recognized training occupations or more often one of the 60 training occupations with reduced requirements for people with disabilities (Fachpraktiker-Berufe §66 BBiG/§42 m HWO) [1, 10]
- 15 vocational training centers for people with mental illness (Berufstrainingzentrum – BTZ) [10]
- 28 vocational retraining centers (Berufsförderungswerke – BFW) for people who cannot continue to work in their jobs because of a disability with about 15,000 places [10]
- 721 sheltered workshops (Werkstätten für behinderte Menschen – WfbM) with workshops at 2,500 places with 285,000 people with disabilities who are considered not to be able to work (now) on the general labor market including 32,500 people with disabilities in the vocational training course in the sheltered workshop [4] that can last up to 27 months. The biggest target groups of the sheltered workshops are people with a cognitive disability (over 70%), people with mental illness (17%)

and people with a physical or sensory impairment (6%). People with disabilities in sheltered workshops earn an average of 180 Euros a month. They have a similar legal status as other employees and have long-term health care, occupational accident and pension insurance [1]. After 20 years people with disabilities working in sheltered workshops will receive a pension because of reduced earning capacities that is based on 80% of the average earning in Germany, even if they continue to work in the sheltered workshop. The benefit trap is that they lose this pension when they work on a regular work contract on the general labor market.

- Day activity groups in sheltered workshops or day activity centers for people with the most severe disabilities (Tagesförderstätten) with about 14,000 places [1].

Since the 1970s this vocational rehabilitation system has been built up systematically and is still growing. This is the context in which supported employment in Germany is trying to develop.

3. Development of supported employment in Germany

3.1. Model projects and supported employment services for specific target groups (1990s)

The development of supported employment in Germany started in the late 1980s and early 1990s with the first model projects for people with cognitive disabilities and mental illness to support people in the transition from school and sheltered workshops into community employment. Most of these projects were not labeled as supported employment, but offered similar support for people with disabilities to gain and maintain employment on the open labor market. The development of supported employment services in Germany has different roots: parents from the “parents for inclusion movement” who had been successfully fighting for inclusion in schools were searching for integrative alternatives to the sheltered workshops after school. A few special schools were developing a transition program from school to work in the open labor market. A few sheltered workshops were trying to support people in the transition from the sheltered workshop to jobs in the community. Some vocational training providers were developing vocational training courses to integrate people with cognitive disabilities into the open labor

market. The Integration Office in some regions started special support services mostly for people with mental illness who were in danger of losing their jobs. As some people with disabilities still lost their jobs, finding new jobs for these people became an additional task of these services. In the late 1980s and early 1990s the first professionals heard about the development in the USA and Ireland. They visited supported employment projects in the USA and the Open Road Project in Ireland and came up with the idea to create new supported employment model projects in Germany like the Hamburger Arbeitsassistenten (1992).

The 1990s witnessed a series of different regional model projects, a lot of them funded by the European Social Funds, and different positive evaluation studies. Consequently, the Integration Office funded supported employment services for people with cognitive disabilities and mental illness on a regular basis in some regions [1]. Most of these vocational integration services were really small with 1–3 supporting people.

A couple of sheltered workshops in some regions had one specialist for vocational integration (Fachkraft für berufliche Integration – FbI) paid by the funding agencies often only working part-time for this assignment. Sometimes this was more like an “innovative bubble”, where a sheltered workshop did something for the transition of a very small group to the open labor market while the rest stayed in the sheltered workshop. Nevertheless, this was seen as a success at that time, because people with disabilities proved that they could work on the open labor market when they had the adequate support on the job.

In 1994, the German Association of Supported Employment (BAG UB) was funded after a big national conference where all regional projects met for the first time on a national level, and experts from the US (Paul Sale, VCU) and Ireland (Open Road Project) were invited. In 1993 the European Union of Supported Employment (EUSE) was founded and organized the first European supported employment conference in Rotterdam in 1994. The German Association of Supported Employment became one of the members of the EUSE. The European exchange in several European projects, the EUSE conferences and later the EUSE quality standards, were important for the development of supported employment in Germany. The German Association for example initiated a European Horizon project “supported employment 2000” to develop a “Diploma in Supported Employment” consisting of eight modules with partners in Ireland, Great Britain, Spain and Portugal and a national network focusing

on supported employment. This enabled the organization to hire the first staff, to publish a regular journal (impulse), to create a website, to organize annual national conferences on supported employment and to develop new projects. In the following years the German Association of Supported Employment played a central role in the further development and legal implementation of supported employment.

The number of vocational integration services for people with cognitive disabilities and mental illness funded by the Integration Office rose up to 127 in the late 1990s, but there were great regional differences. Some Länder (states) had vocational integration services all over the country; other Länder had no supported employment service at all. Also the amount of possible support on the work sites varied. Whereas the model projects had good opportunities to support people with cognitive disabilities on the job, the small vocational integration services had much more limited opportunities for an intensive job coaching over a longer period of time.

A long term follow-up study showed that over eight years after the first placement in a job, over two thirds of the people with cognitive disabilities were still working on the open labor market. They earned a wage that made them independent from social welfare benefits and they were happy with their quality of life [1].

In the late 1990s there was a federal model project to introduce a vocational integration service (Integrationsfachdienst – IFD) based on the model of supported employment for all people with disabilities in cooperation with the Federal Employment Agency and the Integration Offices.

3.2. *First legal foundation of supported employment, building up a nationwide system of vocational integration services (since 2001)*

In 2001 the new book IX of the Social Code (SGB IX) gave the legal definitions of vocational integration services, integration projects (integration firms), personal assistance on the worksite and the personal budget. This seemed to be a big lobbying success for the German Association of Supported Employment. For the first time there was a legal foundation for supported employment.

The new vocational integration services (Integrationsfachdienste IFD) were regulated in §109 of the Book IX of the Social Code. Their legal target groups are: (1) unemployed people with a severe disability and the need for support on the worksite, (2) people with

disabilities working in a sheltered workshop, (3) young people with disabilities leaving school. People with a cognitive disability, mental illness and multiple disabilities are listed as important target groups. The tasks of the vocational integration service (§110 SGB IX) include the elaboration of a personal profile of the individuals abilities, finding suitable workplaces on the general labor market, training and supporting people with disabilities on the worksite as long as necessary, providing long term support and crisis intervention, informing and advising co-workers and employers. Interestingly the government did not include supported employment as an entitlement to people with disabilities or a measure which can be offered by different service providers, but they created a new institution in the vocational rehabilitation system with a new monopoly structure. The government wanted one vocational integration service in each region.

The National Employment Agency became the key player to build up the new system of vocational integration services. Their interest was to reduce the numbers of unemployed people with a severe disability, so they sent great numbers of unemployed people with disabilities they had difficulties placing into jobs to the new service. People who are in sheltered workshops or in schools are not unemployed, so these target groups were not of any interest to the National Employment Agency even though they were stated in the law. The result was a big shift regarding the target group. In 2003, out of the 37,385 people with disabilities referred to the vocational integration service, only 45 (!) came from sheltered workshops and only 71 (!) were students. People with cognitive disabilities and mental illness made up only 10% of the reached target group. The funding was partly based on placement success and was so low that people with disabilities and a high need for on the job support could be not served. The Employment Office had an interest in placing the people as soon as possible. The long term support on the work site is the task of the Integration Offices. So the vocational integration services had different funders to fulfill their legal tasks. This created some friction in the system as the different state agencies had different interests.

The result was that supported employment was the legal task of the vocational integration services, but they could hardly do it. So people with more severe cognitive and multiple disabilities did not have the opportunities to have access to supported employment. In some regions the Integration Offices funded extra staff to secure that the original target groups were served, but the trend was clear.

Politicians became aware of the situation and changed the Book IX of the Social Code in 2004. The task of the vocational integration services to support students in their transition to work was extended and the task to support young people during their apprenticeship in a company was added. The most important change was that in 2005 the Integration Offices in the different Länder (States) became responsible for the vocational integration services. This created new frictions in the system. New contracts and regulations had to be negotiated, service providers lost their contracts and because of the federal structure of the Integration Office, the situation in the different Länder became quite different. The negotiations with the National Employment Agency how the placement task of the service would be paid turned out to be long and difficult. The interim culmination of this development was that from 2010 the National Employment Agency contracted the placement for people with disabilities out as a measurement (so that the people would not count as unemployed any longer) through the tendering system. Only a few vocational integration services got the new measurement. The idea of the government to create a comprehensive vocational integration service that always supports people with severe disabilities to gain and maintain employment seemed to be foiled.

Nevertheless the change to the Integration Office brought a new focus of the work of vocational integration services to support the transition from school to work. Also the task to secure existing jobs became more important again as it is the core task of the Integration Offices.

In many Länder (states) there are growing efforts to implement transition planning and a system to support students with disabilities through work orientation, supported work experiences and vocational training in companies with the transition from school to work on the general labor market. The federal government has supported this development with the national projects “Job 4000” (2007–2013) and “Initiative Inklusion” (2011–2018) that give extra co-funding to the Länder to support the transition from school to work or from the sheltered workshop to the open labor market through the vocational integration services.

In 2010 over 210 vocational integration services supported nearly 74,000 people with disabilities, found over 8.000 new jobs and secured the jobs of about 13,500 people with severe disabilities. About 50% of the clients were employed and needed support to

maintain their jobs, 43% were unemployed, 5% were students who were still at school and 2% came out of a sheltered workshop. 35% of the clients had a physical impairment in a wider sense, 24% mental illness, 17% a sensory impairment and 15% a cognitive disability [1].

A good opportunity for people with severe disabilities is the opportunity to get a personal budget for a personal assistant on the worksite (§102 (4) SGB IX). This is often used by well-qualified people with a physical or sensory impairment. In 2010 nearly 2,300 people had a personal assistant on the work site [1].

The Book IX of Social Code also created the legal foundation of integration projects. These are integration firms that operate on the general market and pay regular wages. They are founded to create employment opportunities for people with disabilities. An integration firm must have at least 50% non-disabled co-workers. In 2010 634 integration firms were funded by the Integration Offices. They had nearly 25,000 employees, nearly 9,000 employees were severely disabled [1].

In 2004 there was an interesting small change in the Book IX of the Social Code, stating that young people with disabilities should be trained *through* (instead of *in*) vocational training centers. Since then there have been several model project (e.g. the project TrialNET, 2009–2014) to develop the training of the vocational training centers in closer combination with long training phases in a company.

3.3. *Second legal foundation, supported employment becomes an individual vocational training measure (since 2009)*

In 2009 the national government introduced “supported employment” in §38a of the Book IX of the Social Code as an individual vocational training measure (individuelle betriebliche Qualifizierung – InbeQ) [9] in a company with the support of a job trainer for up to 24 months. One job trainer has to support 5 people with disabilities. One day a week all the participants meet for a project day where they talk about their jobs, learn work related skills and have social skill training. Compared to other vocational training measures the advantage is that the training is based in the company and the on-the-job-support is relatively high. In some cases the individual vocational training can last up to 36 months if this is necessary to get a certain job on the open labor market. In most cases this individual vocational training measure is paid for by the National Employment Agency. In March 2012 about

3,000 people with disabilities were in the individual vocational training measure [8]. About 71% of the participants had a cognitive disability, 14% had mental illness, 9% had a physical or sensory impairment [7].

After the person gets a work contract on the general labor market, people with a recognized severe disability are, if needed, entitled to ongoing vocational support (Berufsbegleitung) paid by the Integration Office. First surveys of the BAG UB show that about 62% need further vocational support after the individual vocational training [7]. One big disadvantage of the new individual training measure is that it is given by the National Employment Agency through the tendering system to the different service providers in the regions. That means that the cheapest service provider fulfilling the requirements gets the measure. In quite a lot of cases not the existing vocational integration services but other vocational service providers got the new measure, some of them were not experienced in supported employment at all.

One criticism of the regulation of supported employment by the German government in §38a Book IX of the Social Code was that the government used the term “supported employment” [9] for a new individual vocational training measure that uses the methodology of supported employment but is directed to a limited target group which is seen to be able to work on the open labor market. People with more severe disabilities and a higher support need are still excluded. The only opportunity for this group is to work in a company on an outplaced worksite of a sheltered workshop or a day activity center.

The German Association of Supported Employment (BAG UB) supports the new supported employment measure with a technical support project (Fachkompetenz in Unterstützter Beschäftigung 2011–2014). Training of professionals in supported employment still is an important task. Consequently the 13th course of the “Diploma in Supported Employment”, which has been developed and refined further by now, is going to start in September 2012.

3.4. *Integrated employment of sheltered workshops*

Sheltered workshops have the legal obligation to support the transition from the sheltered workshop to the general labor market. In the past years only 0.2% of the people with disabilities in sheltered workshops went on to a regular job on the open labor market [11]. Sheltered workshops have also the opportunity to support people with disabilities in companies in the community

on outplaced sheltered workshop places. This can be done during the vocational training period as well as afterwards in enclaves or in individual placements. Legally, the person stays in the sheltered workshop, but works in the company. They earn a wage similar to the wage in the sheltered workshop and are supported by a job coach from the sheltered workshop. A study found that in 2006 about 3% of all sheltered workshop places were in companies [11]. These numbers are growing.

Some sheltered workshops founded their own integrated work departments, where the number of job coaches is based on the number of people supported in companies. A job coach has to support an average of 6 people during the vocational training phase and 12 people afterwards. Sheltered workshops for example in Bamberg or in Hamburg tried to expand this community based placement and have up to 23% of the workers in companies in the community [1]. This model of integrated work can be compared to supported employment with sub-minimum wage. It seems to be a win-win situation for all stakeholders. The person with disability who works in a company in the community, earns mostly a little more and does not lose a pension because of reduced earning capacities, the sheltered workshop continues to receive funding through the social integration funds (sometimes with a deduction), the employer does not have to hire the person and can negotiate the salary without the normal collective labor agreements and the social integration funds do not have to pay to build new sheltered workshop places and fosters work integration in the community.

The problem is that people with disabilities do not earn regular wages and are not employed by the company. This creates a labor market with sub-standard conditions. There is an unfair competition between regular jobs for often the same target group supported by the vocational integration services and much cheaper integrated work places with no risk for the employer supported through the sheltered workshops. In some Länder like in Rhineland-Palatinate or Lower Saxony a personal budget for work (Persönliches Budget für Arbeit) uses the funding from the sheltered workshops to pay for long term wage subsidies and on the job support to create regular jobs on the open labor market. There is a controversy if that is legally possible.

At a few places e.g. in Hamburg or Walsrode day activity centers have started to work with people with the most severe disabilities in the community with different partner firms or organizations.

4. Conclusions

The development of supported employment in Germany shows how the system has taken up a new idea, but has also changed and domesticized it. Vocational integration services, support of the transition from school to work, personal assistance on the workplace, individual vocational training with support in the company and long term vocational support, integrated training and employment in a company in the community instead of a sheltered workshop have become legal opportunities within the German vocational rehabilitation system. But the regulations, referral practice and funding of the rehabilitation funds have shaped the reached target group of supported employment. Despite the legal progress a growing number of people with severe disabilities and a significant need of support still are in sheltered workshops and day activity centers.

The convention of the United Nations on the right of persons with disabilities states in articles 27 the “right to the opportunity to gain a living by work freely chosen or accepted in a labor market and work environment that is open, inclusive and accessible to persons with disabilities”. There is still a lot of work to do to secure this right for all people with disabilities, but the UN convention, the new legislation and our knowledge and experience with the methods of supported employment gives us better opportunities to reach this goal than 20 years ago.

If we are taking the idea of full inclusion seriously, supported employment should not be only an option for people with disabilities but for all people in a community who need support to gain and maintain a job on the general labor market. People with a migration background, young people with social problems, people who leave prisons or had drug problems also need support to find and keep a job. Supported employment should be part of the efforts of companies for effective diversity management. Because of the demographic change the companies will need the talents of all employees available in the future.

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