



HOW TO HIRE A PERSON WITH DISABILITIES?

Guide for employers

France

INDEX

INTRODUCTION	1
TIPS AND ADVICES FOR THE RECRUITMENT OF YOUR FUTURE EMPLOYEES	3
Writing your job offer	4
In search of the ideal candidate	4
Don't hesitate to ask the professionals!	4
THE LEGISLATIVE FRAMEWORK	5
THE ASSISTANCE TO WHICH YOU ARE ENTITLED	7
Assistance in adapting to work situations	8
Help in finding solutions to maintain employment	9
Assistance in hiring under an apprenticeship or professionalization contract	9
Employment Assistance for Workers with Disabilities (AETH)	10
Training assistance in the context of job retention	11
USEFUL SITES AND MAIN CONTACTS	12
Agefiph	13
Cap Emploi	14
Comète France	15
Mission Locale	16
Pôle Emploi	16



INTRODUCTION

The purpose of this guide is to give you advice and guidance when hiring a person with a disability in your organization.

First of all, the guide will present you with a few tips and advices for recruiting your future employee before going into the procedural aspects and finally it will introduce you to the main organizations you will meet in the hiring and grant procedure.

Recruiting a person with a disability is no different from recruiting any other employee. The person chosen must correspond to your needs: does he or she have the qualifications or diplomas required? What about past experience? Will he or she fit into the work team? These are all questions that you, as a recruiter, ask yourself and which you must answer positively when thinking about filling the vacancy.

Keep in mind, however, that with few exceptions, most jobs can be - with possible accommodation - filled by a person with a disability.



TIPS AND ADVICES FOR THE RECRUITMENT OF YOUR FUTURE EMPLOYEES

Writing your job offer

Ask for skills rather than diplomas.

When you advertise a job offer, rather than "host or hostess search - 3 years experience in a similar position", prefer "mastery of secretarial techniques and computer software - good interpersonal and organisational skills".

Indeed, if you formulate your offer by insisting on know-how, rather than diplomas, this will enable you to attract wider profiles, but just as competent.

In search of the ideal candidate

The Internet is an excellent tool to help you in your search for the ideal candidate. There are many sites where potential candidates post their CVs and where you, as a recruiter, can advertise your vacancy.

For example, the Agefiph site offers these features: <https://espace-emploi.agefiph.fr/>.

You will be asked to create a personal space before you can access all the features offered by the service.

Don't hesitate to ask the professionals!

There are many structures to facilitate the hiring of disabled workers.

- For an immediate need: Cap emploi, Pôle emploi, Missions Locales, temporary employment agencies, job sites, associations of disabled people.

- For a medium-term need: specialised schools, vocational rehabilitation centres (CRP), AFPA training centres.

By contacting Cap emploi, you will be able to meet an adviser who will analyse with you your jobs, their constraints and the skills required. By getting to know your company, how it works, its constraints, its values, the adviser will be able to suggest, at the time you wish to recruit, the disabled people whose profile is closest to the one you are looking for.



THE LEGISLATIVE FRAMEWORK

The law "for the freedom to choose one's professional future" promulgated on September 5, 2018 modifies the obligation of companies to employ disabled workers (OETH) as of January 1, 2020. All companies are affected, even those with fewer than 20 employees.

The employment rate of disabled persons for companies with 20 or more employees remains fixed at 6%. This means that at least 6% of your employees must have a recognised disability.

What changes are the methods of calculation:

All private companies, whatever their size, will declare via the DSN (Déclaration sociale nominative), the number of disabled employees they employ. Companies with 20 or more employees (including those with several establishments with fewer than 20 employees) will be subject to the 6% employment rate obligation. Companies with more than 250 employees will have to appoint a disability adviser.

These new rules will apply from the 2020 declaration, which will be made in the first quarter of 2021.

Do not hesitate to contact Agefiph, which can help you through these changes.

The following video details the new obligations for employers:

<https://www.youtube.com/watch?v=cyT78zAfjdC>



THE ASSISTANCE TO
WHICH YOU ARE ENTITLED

As seen in the Legislative Framework section above, private sector employers are subject to the obligation to employ disabled workers, but may be eligible for financial assistance if and when a disabled employee is hired. Grants are no longer automatic, but must be awarded by specialised employment agencies.

Source : <https://www.service-public.fr/professionnels-entreprises/vosdroits/F15204>

Assistance with reception, integration and professional development

Employers who wish to hire a disabled person on a permanent or fixed-term contract for a period of at least 6 months can receive professional integration assistance (tutoring, coaching, supervision time for example).

The aid is a maximum of €3,000. It is allocated by Pôle emploi, Cap emploi, Mission locale or by Agefiph.

This scheme can be combined with other Agefiph aid and aid for employment and professional integration granted by the State or the regions.

It can be renewed for the same employee in the same company in the event of professional development or mobility.

Assistance in adapting to work situations

The grant concerns :

- the employer of a disabled employee for whom the occupational physician certifies that the disability or its aggravation has consequences on the ability to occupy the job,
- any disabled self-employed person who has a medical opinion indicating the difficulties in continuing the activity due to the aggravation or occurrence of the disability.

The amount of aid is assessed in relation to each situation in a logic of strict compensation for the handicap (i.e. excluding investments which, by their very nature, are made compulsory in order to hold the job, regardless of whether the employee is disabled or not).

The employer must address his application to Agefiph.

The aid is one-off. For it to be sustainable, the company must carry out a process of recognition of the severity of the disability (RLH) in order to benefit from the aid for the employment

of disabled workers (AETH).

The grant can be renewed in the following cases :

- Aggravation of the handicap
- Changes in the work situation
- Obsolescence linked to technological evolution
- Wear and tear of the equipment that results in additional costs for the employer.

The aid can be cumulated with other aid.

Help in finding solutions to maintain employment

The employer may receive assistance to maintain in employment a disabled person whose disability (on medical advice) is likely to make him or her unfit for the position held.

The amount is €2,000 to finance the costs incurred in finding solutions to keep the person in employment (consultation time, meetings, etc.).

The aid is granted solely by Cap emploi. It can be cumulated but is not renewable.

Assistance in hiring under an apprenticeship or professionalization contract

Employers who wish to recruit a disabled person on an apprenticeship or professionalization contract of at least 6 months and 24 hours a week can benefit from assistance.

By way of derogation, the duration may be less than 24 hours, in which case the minimum is 16 hours per week.

The application for aid must be addressed to Agefiph :

- either directly by the employer and the employee,
- either with the help of the Cap Emploi adviser, Pôle emploi or the Mission Locale

which supported the process, within 3 months of hiring.

Its maximum amount is :

- 3000 € in an apprenticeship contract;
- 4000 € in a professionalization contract.

The aid is prorated according to the duration of the work contract and from the 6th month

onwards.

This scheme can be combined with other forms of aid. It is not renewable for the same person in the same company but it can be extended.

Employment Assistance for Workers with Disabilities (AETH)

The application for recognition of the severity of the disability is the responsibility of the employer, or of the disabled worker if he is self-employed.

The employer must, however, inform the employee of his request.

The aim of this scheme is to compensate for the consequences of the disability on the professional activity, which are assessed on the basis of the perennial costs borne by the undertaking as a result of the disability (e.g. costs linked to a particular organisation of work, social or professional support, tutoring, loss of earnings due to lower productivity of the beneficiary of the employment obligation).

In the event of a change of job or a change in the disability, a request for review must be filed. This recognition by Agefiph gives the right, for a renewable period of 3 years, either to the payment of employment aid (AETH) at the normal rate or increased according to the severity of the disability, or to a reduction in the contribution due by the establishment subject to the obligation to employ disabled persons.

Recognition shall be granted if the additional cost to the employer or self-employed person is equal to or greater than :

- For a handicapped employee: $[(\text{Minimum working hours} \times (\text{number of hours of the collective working time applicable in the establishment}) \times 20/100]$.
- For a self-employed disabled worker: $[(\text{minimum working hours} \times \text{number of hours of legal working time, i.e. 35 hours}) \times 20/100]$.

The annual amount of employment aid (AETH), paid quarterly, is indexed to the hourly minimum wage (450 times the minimum wage for the standard rate, 900 times the minimum wage for the increased rate), to which a flat rate of 21.5% is applied for employers' tax and

social security contributions.

The amount of the AETH, per full-time job, is :

- 5,434 € (9.88 € x 550) for the standard rate
- 10,818.6 € (9.88 € x 1095) for the increased rate

The aid, which is renewable, may not be cumulated for the same post with aid for the post paid by the State or with aid for the same purpose.

Training assistance in the context of job retention

The employer can benefit from job retention assistance prescribed by the Cap emploi advisor or by the Comète team, upon certification by the occupational physician.

He must request an intervention from the Agefiph in his region.

The amount of the aid varies according to the cost of the planned training.

It is renewable and can be combined with other aid.



USEFUL SITES AND MAIN CONTACTS



Agefiph

Established by law no. 87-517 of 10 July 1987, AGEFIPH is the Association for the Management of the Fund for the Professional Integration of Disabled Persons. In this capacity, it manages the fund for the professional integration of disabled persons to promote access and maintenance in employment for disabled persons. The actions initiated and implemented by AGEFIPH are all aimed at facilitating the professional integration of disabled people in the ordinary workplace and keeping them in employment in private companies.

AGEFIPH's mission is to promote the professional integration and job retention of disabled people in private companies and in the ordinary workplace.

In the service of this mission, AGEFIPH :

- Collects and manages the contributions of private companies subject to the 6% employment obligation.
- Creates and leads partnerships with national and local public players (Regional Councils, Employment Pole, etc.) aimed at amplifying public policies in favour of disabled people.
- Offers a range of services including advice, support and financial aid for disabled people and companies.

AGEFIPH's interventions are targeting :

- Disabled persons benefiting from compulsory employment, including workers recognised as disabled by the Commission for the Rights and Autonomy of Disabled Persons (CDAPH), but also disability card holders and holders of the Disabled Adult Allowance (AAH).
- Private companies, whatever their size, whether or not they are subject to the obligation to employ disabled persons.

Agefiph Website : <https://www.agefiph.fr/>

CAP EMPLOI
Handicap, recrutement & maintien



Cap Emploi

The 98 Cap Emploi are specialized employment agencies exercising a public service mission. They are in charge of the preparation, support, long-term follow-up and maintenance in employment of disabled people. They welcome and support more than 100,000 disabled people every year.

The services offered to companies by Cap Emploi are the following:

- Information on the obligation to employ disabled people, on financial aid and consulting services that can be mobilized.
- Information, advice and accompaniment for a sustainable professional integration in the ordinary work environment.
- Information, advice and support for employers and the self-employed with a view to maintaining the employment of a person at risk of losing their job due to a mismatch between their work situation and their state of health or disability.
- Information, advice and support in an internal or external professional transition project in order to prevent a job loss for the disabled worker, or a professional development project.
- The identification of accessible positions and the definition of an adapted recruitment process.
- The presentation of targeted applications and support during the pre-selection of candidates.
- The implementation of reception conditions adapted to the new employee.

Cap Emploi de Paris website: <https://www.capemploi-75.com/>



Comète France

The COMÈTE France teams are responsible for ensuring early care for the professional future of people hospitalised in the Care, Continuation and Rehabilitation Services. This approach allows the person to remain in a dynamic of social and professional integration.

It is an early care which favours access or return to employment for disabled people hospitalised in Care, Continuation and Rehabilitation Services. This accompaniment takes place during the active phase of care in order to maintain people in a dynamic of social and professional integration.

La démarche précoce d'insertion « COMÈTE France » se décompose en 4 phases :

- accueillir le patient pour évaluer sa demande ;
- élaborer avec le patient son projet professionnel et évaluer sa faisabilité ;
- mettre en œuvre le plan d'action nécessaire pour le maintien dans l'emploi, la formation ou la reprise d'études, ou passer le relais aux organismes d'insertion pour les personnes en recherche d'emploi ;
- enquêter sur le devenir des personnes un, puis deux ans après leur maintien dans l'emploi, leur reprise d'études ou leur entrée en formation.

Les équipes Comète France sont fédérées par l'association COMÈTE France.

Site de Comète France : <http://www.cometefrance.com/index.php>



Mission Locale

Created in March 1982, the missions locales pour l'insertion professionnelle et sociale des jeunes - local missions for the professional and social integration of young people (commonly known as local missions) are, in France, bodies responsible for helping young people to solve all the problems posed by their professional and social integration.

The local missions are organisations responsible for identifying, welcoming, informing, guiding and accompanying young people experiencing difficulties in integrating into society and building a professional and life project with them. The central concept of the local missions is the global approach, i.e. the inseparability of the professional and social dimensions.

Website of the Mission Locale in Paris: <https://www.missionlocale.paris/>



Pôle Emploi

Pôle emploi has three essential tasks:

- 1) support in returning to work,
- 2) compensation for jobseekers
- 3) putting companies and jobseekers in touch with each other.

Site: <https://www.pole-emploi.fr/>



Epralima - Escola Profissional do Alto Lima, C.I.P.R.L.



CESUR - Centro Superior de Formação Europa Sur



Unione Italiana Lotta alla Distrofia Muscolare
Sezione di Saviano



DAFNI KEK



E-Seniors



MUNI - Masaryk University



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