

WRITTEN QUESTION E-5961/09
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to the Commission

Subject: Income subsidy for people with disabilities (Commission Regulation 800/2008/EC of 6 August 2008) and rehabilitation policy

Regulation 800/2008/EC of the European Commission with direct effect – known as the Block Exemption Regulation – deals with questions concerning the employment of people with disabilities, with particular regard to small and medium-sized enterprises (SMEs). The Regulation also states that simplification of the legislation is imperative in order to achieve an increase in growth and employment in the SME sector (recital (4)). It further states that authorities should apply measures providing incentives to undertakings to increase levels of employment (recital (64)).

The increase in dismissals of people with altered capacity to work and the reduction of the amount of available budget support and wage subsidies to 75% from 1 January 2009, as set out in Article 41(2), is proving detrimental to SMEs operating in the open labour market sector. These are increasingly less able to compensate financially for their productivity handicaps; in addition, from next year there will be a significant increase in Hungary in the rehabilitation contribution applicable to firms employing more than 20 people. Meanwhile in Hungary – as throughout Europe – figures for September 2009 show that just below half of companies in the SME sector anticipate growth as compared with the previous year, even though the chapter of the EU Treaty dealing with social policy seems to us to be clear: administrative, financial and legal constraints which would hold back the creation and development of small and medium-sized undertakings may not be imposed (Article 153(2)(b)). In addition, the SME sector plays a significant part in employment, with the EU supporting, at policy level, primarily integrated forms of employment in the case of persons suffering from less serious ill health and disabilities.

How does the Commission intend, during the financial crisis, to protect the rights of employees with disabilities by means of a regulation issued before the crisis whilst at the same time ensuring real sustainable promotion in particular of SMEs in economic policy terms and guarding against the imposition of sanctions based on quotas as the principal means used by the Member States in the employment of people with disabilities by SMEs, which might well further boost the black economy and increase the number of bankruptcies? Does the Commission intend, for the sake of the overall picture, to examine the use of the quota-linked fines imposed to boost the employment of people with disabilities alongside the EU's development funding and assistance made available under the regulation, in accordance with recital 61, if, following the entry into force of an EU rule, there is no tangible, effective instrument to deal with other compensatory or strategic measures?