This book seeks to define a contemporary disability human rights approach for the field of employment. Based on an analysis of the newly-adopted UN Convention on the Rights of Persons with Disabilities and present-day interpretations of international and European human rights instruments, it identifies four main requirements as characterising the contemporary disability human rights approach on the labour market:

- substantive equality founded on inclusive general structures,
- a definition of disability which recognises that disability results from the interaction between impairment and social structures and that all persons may at one time or another of their lives be disabled,
- involvement of organisations of disabled persons in law and policy-making, and
- a rights-based approach.

It examines Danish and Swedish employment law and policy as well as their compliance with contemporary disability human rights. In addition, EU law and policy in the field of disability employment law and policy are examined in relation to the contemporary disability human rights approach. The analysis and comparison of Danish and Swedish law and policy, which is done on the basis of both legal sources and statistical information on the use and effects of different laws and policies, concentrates on four different areas of employment law and policy: disability equality, employers’ obligations towards employees with disabilities and/or reduced working capacity, employment promotion for unemployed persons with disabilities and income-replacement for persons with disabilities outside the labour market.

The comparison shows that the main difference between Danish and Swedish disability employment law lies in level of employers’ obligations under employment protection law and health and safety law. It is argued that this difference leads to more inclusive general structures on the labour market in Sweden and constitutes the main explanation for the extreme difference in employment rates for persons with disabilities and reduced working capacity in Denmark and Sweden.
Disability and Employment

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