

## **ILO CONVENTION 159**

### **VOCATIONAL REHABILITATION AND EMPLOYMENT OF DISABLED PERSONS**

EACH MEMBER SHALL consider the purpose of vocational rehabilitation as enabling a disable person to secure, retain and advance in a suitable employment and thereby to further such person's integration or reintegration into society.

Each ratifying member, in accordance with national conditions, practice and possibilities, formulate, implement and periodically review a national policy on vocational rehabilitation and employment of disabled person.

The representative organizations of employers and workers shall be consulted on the implementation of the said policy, including the measures to be taken to promote cooperation and coordination between public and private bodies engaged in vocational rehabilitation activities. The representative organizations of and for disabled persons shall also be consulted.

This instrument was ratified in July 1990.

Relevant Philippine laws applying this Convention are the Philippine Constitution (Article XII –Social Justice and Human Rights, Sections 11 to 13); Labour Code of the Philippines (Book II – Human Resources Development Program, Chapter III – Handicapped Workers, Articles 78 to 81); Republic Act No. 7277 (An Act Providing for the Rehabilitation, Self-Development and Self-Reliance of Disabled Persons and their Integration into the Mainstream of Society and for other purposes); and Presidential Decree No. 626 (Title II- Employees Compensation and State Insurance Fund, Article 190).

### **TEXT OF CONVENTION NO. 159 CONVENTION CONCERNING VOCATIONAL REHABILITATION AND EMPLOYMENT (DISABLED PERSONS)**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing body of the International Labour Office and having met in its Sixty-ninth Session on 1 June 1983, and

Noting the existing international standards contained in the Vocational Rehabilitation (Disabled) Recommendation, 1955, and the Human Resources Development Recommendation, 1975, and

Noting that since the adoption of the Vocational Rehabilitation (Disabled) Recommendation, 1955, significant developments have occurred in the understanding of rehabilitation needs, the scope and organisation of rehabilitation services, and the law and practice of many Members on the questions covered by that Recommendation, and

Considering that the year 1981 was declared by the United Nations General Assembly the International Year of Disabled Persons, with the theme “full participation and equality” and that a comprehensive World Programme of Action concerning Disabled Persons is to provide effective measures at the international and national levels for the realisation of the goals of “full participation” of disabled persons in social life and development, and of “equality” and

Considering that these developments have made it appropriate to adopt new international standards on the subject which take account, in particular, of the need to ensure equality of opportunity and treatment to all categories of disabled persons, in both rural and urban areas, for employment and integration into to community, and

Having decided upon the adoption of certain proposals with regard to vocational rehabilitation which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twentieth day of June of the year one thousand nine hundred and eighty-three, the following Convention, which may be cited as the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983:

## **PART 1. DEFINITION AND SCOPE**

### **Article 1**

1. For the purposes of this Convention, the term “disabled person” means an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognised physical or mental impairment.

2. For the purposes of this Convention, each member shall consider the purpose of vocational rehabilitation as being to enable a disabled person to secure, retain and advance in suitable employment and thereby to further such person’s integration or reintegration into society.

3. The provisions of this Convention shall be applied by each Member through measures which are appropriate to national conditions and consistent with national practice.

4. The provisions of this Convention shall apply to all categories of disabled persons.

## **PART II. PRINCIPLES OF VOCATIONAL REHABILITATION AND EMPLOYMENT POLICIES FOR DISABLED PERSONS**

### **Article 2**

Each Member shall, in accordance with national conditions, practice and possibilities, formulate, implement and periodically review a national policy on vocational rehabilitation and employment of disabled persons.

### **Article 3**

The said policy shall aim at ensuring that appropriate vocational rehabilitation measures are made available to all categories of disabled persons, and at promoting employment opportunities for disabled persons in the open labour market.

### **Article 4**

The said policy shall be based on the principle of equal opportunity between disabled workers and workers generally. Equality of opportunity and treatment for disabled men and women workers shall be respected. Special positive measures aimed at effective equality of opportunity and treatment between disabled workers and other workers shall not be regarded as discriminating against other workers.

### **Article 5**

The representative organisations of employers and workers shall be consulted on the implementation of the said policy, including the measures to be taken to promote co-operation and coordination between the public and private bodies engaged in vocational rehabilitation activities. The representative organisations of and for disabled persons shall also be consulted.

**PART III. ACTION AT THE NATIONAL LEVEL FOR THE DEVELOPMENT OF  
VOCATIONAL REHABILITATION AND EMPLOYMENT SERVICES FOR  
DISABLED PERSONS**

**Article 6**

Each Member shall, by laws or regulations or by any other method consistent with national conditions and practice, take such steps as may necessary to give effect to Article 2, 3, 4 and 5 of this Convention.

**Article 7**

The competent authorities shall take measures with a view to providing and evaluating vocational guidance, vocational training, placement, employment and other related services to enable disabled persons to secure, retain and advance in employment, existing services for workers generally shall, whenever possible and appropriate, be used with necessary adaptations.

**Article 8**

Measures shall be taken to promote the establishment and development of vocational rehabilitation and employment services for disabled persons in rural areas and remote communities.

**Article 9**

Each Member shall aim at ensuring the training and availability of rehabilitation counsellors and other suitably qualified staff responsible for the vocational guidance, vocational training, placement and employment disabled persons.