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THE EMPLOYMENT QUOTA SYSTEM FOR INDIVIDUALS WITH DISABILITIES IN KAZAKHSTAN: EXPLORING POLICY, IMPLEMENTATION, CHALLENGES, AND SOLUTIONS IN THE CONTEXT OF GLOBALIZATION

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Abstract. The main objective of this article is to bridge the research gap by providing a comprehensive background on the development of Kazakhstan's quota employment policies for individuals with disabilities within the broader context of the globalization process. The research aims to evaluate the disparities between policy formulation and execution, considering how international practices have shaped and influenced these policies, as well as Kazakhstan's awareness of and alignment with these global standards. Additionally, the article seeks to suggest practical methods to improve the policy's efficacy in fostering greater inclusivity in employment opportunities in both the public and private sectors.

This research contributes to the existing body of literature by focusing on Kazakhstan's specific situation regarding the employment of individuals with disabilities and the quota system. The study's findings offer valuable insights into the challenges and opportunities for improving inclusivity in the labor market in Kazakhstan, which can be relevant for other countries facing similar policy developments.

The research uncovers the historical development of Kazakhstan's quota employment policies and identifies key challenges in their implementation. It highlights discrepancies between policy formulation and execution, which have affected the effectiveness of the quota system in promoting inclusivity. Additionally, the study identifies practical recommendations to enhance the policy's impact and create more opportunities for disabled individuals in the workforce.

Key words: globalization, international practice, employment, quota system, policy, inclusion, Kazakhstan, workforce

Introduction

There are generally two methods that have been implemented globally to encourage the hiring of individuals with disabilities. The first approach is known as the "equality of opportunity" method, which is grounded in anti-discrimination legislation. The second method is a quota system [1-2]. A quota system mandates that both public and private sectors have a workforce with a minimum percentage of individuals with disabilities, which could be regulated through laws, regulations, or both. The specific quota requirements may differ across sectors and industries. In Kazakhstan, such a quota system for jobs for people with disabilities was established in 2016 by order of the Minister of Health and Social Development. In accordance with this decree, a quota of jobs has been established for all enterprises, according to which 2-4% of jobs should be given to people with special needs, without taking into account jobs in heavy work, work with harmful, dangerous working conditions. Previous research has focused on the use of quota systems in Europe [3] as well as

in certain Asian nations like China, Japan, and South Korea. However, no studies have yet investigated the implementation of a quota system in Kazakhstan, and only a limited number of local authors have analyzed employment data related to quotas in the country. This article seeks to address this gap by providing an overview of the quota system in Kazakhstan and exploring the challenges that limit the participation of individuals with disabilities in the workforce. Furthermore, the article aims to identify potential strategies that can help to increase the employment of persons with disabilities in Kazakhstan.

The enactment of the quota system in Kazakhstan. There are over 430,000 persons with disabilities of working age in Kazakhstan. Only a quarter, that is, 126 thousand people, or 29.6% of the people with disabilities of working age are engaged in active work. This is significantly less than in OECD countries, where the employment rate for people with disabilities is up to 40%. Over the past few years, there have been notable transformations in the social policies pertaining to individuals with disabilities in the Republic of Kazakhstan. This has resulted in the development of a regulatory and legal structure that facilitates the management of issues that arise in the process of establishing an inclusive environment. The Law on Social Protection of Persons with Disabilities takes into account the successful experience of other countries in this area. Employment quotas for individuals with disabilities are widely regarded as a highly effective method of facilitating their participation in meaningful employment across the globe. According to the Ministry of Labor and Social Protection of the Population of Kazakhstan, recently only 21.4 thousand disabled people or 21.9% of the quota (97.9 thousand) have been employed within the quota. The standard has been met by only 36% of enterprises, indicating that the majority, which is nearly 64% of enterprises, have not yet achieved compliance. Since the introduction of the policy in 2016, employment through the quota system there is a slight increase in the employment of persons with disabilities (Figure 1).

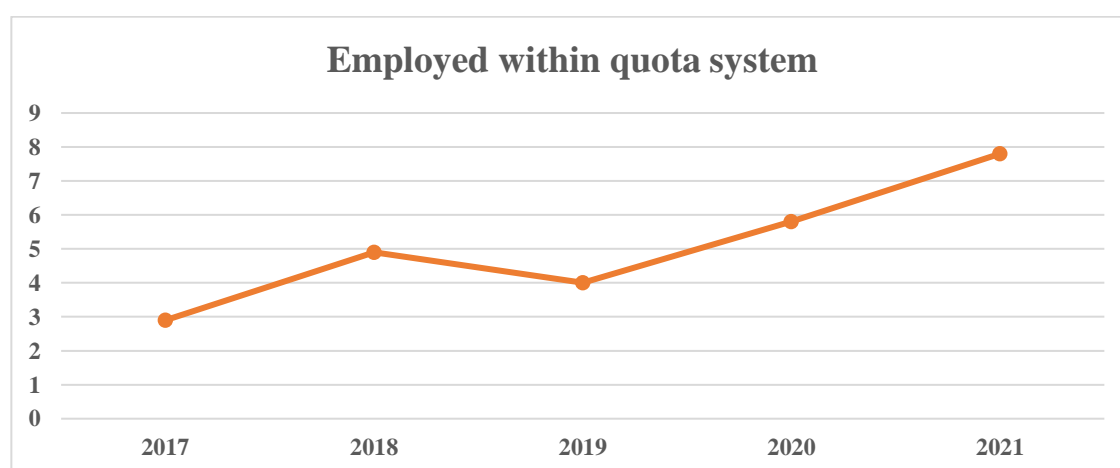


Figure 1 – Dynamics of the number of employment by disability, from 2017 to 2021 in Kazakhstan (unit: thousand)

(Compiled by the author based on a data)

At the moment, the Republic of Kazakhstan has a quota for the number of employees, which is 16.5 thousand people, and this number is determined by the payroll number of employees at these enterprises, which is 561.7 thousand people. So far, only 4 thousand people have been employed within the quota, while 8.9 thousand people have been hired without the quota. There is also a reserve of 4.2 thousand people. In this regard, the quota for the employment of people with disabilities is currently not being fulfilled. There are rules for establishing a quota for jobs for people with disabilities, which were approved by order of the Minister of Health and Social Development of the Republic of Kazakhstan dated June 13, 2016 No. 498. However, in practice, local executive bodies do not apply these norms uniformly. In seven regions (North Kazakhstan region, Mangystau, Turkestan, Karaganda, Zhambyl, Kyzylorda regions), the quota is set only for enterprises listed in the resolutions of akimats of districts and cities, and does not cover all enterprises, which leads to the omission of some enterprises from the list. Moreover, the process of establishing a quota requires periodic monitoring and inclusion in the list of newly registered enterprises. In addition, control over compliance with the quota is carried out only on the basis of applications and is considered a minor violation during inspections. In this regard, employers practically do not bear responsibility.

According to Article 98 of the Code of Administrative Offenses of the Republic of Kazakhstan, violation of the quota for employers can lead to a warning or an administrative fine for entities of various sizes of enterprises. However, the labor inspectorate checks compliance with the quota only on the basis of complaints, so there is no information on orders issued for violating the quota. Despite this, administrative fines that go to the budget do not contribute to the employment of people with disabilities.

Description of materials and methods

The study used a mixed methodological approach, combining qualitative and quantitative methods. An analysis of political and legislative documents of Kazakhstan was conducted in comparison with international practices. Semi-structured interviews were conducted with civil servants, employers, NGO representatives and people with disabilities.

Quantitative surveys covered employers and people with disabilities to study their experience and perception of the quota system. In addition, a comparative analysis with other countries was conducted and case studies of organizations and regions of Kazakhstan were developed.

The collected data were subjected to statistical and thematic analysis, which allowed identifying key issues, trends and ways to improve the quota system. The results obtained formed the basis for recommendations for improving inclusion in the labor sphere.

Results

Challenges in Meeting the Quota

The enforcement of the quota system faces challenges due to non-uniform application by local executive bodies, lack of periodic monitoring, and limited

consequences for non-compliance. Many employers prefer paying fines over hiring disabled individuals, and fraudulent practices, such as "fake employment," have emerged, evading the quota obligation.

Preferring to pay taxes instead of hiring people with disabilities in the private sector. Research has shown that many companies around the world are reluctant to employ people with disabilities, as evidenced by data from Italy [4]. In Kazakhstan, some employers use the payment of fees as a way to avoid their obligation to hire people with disabilities. This is also explained by the fact that the fines for non-fulfillment of the quota are very small (First, a warning, and repeated within a year after the imposition of an administrative penalty entails a fine of 5 MCI (14,585 tenge) [5]. This data indicates that more and more employers are not complying with the established norms.

The proliferation of 'fake employment' arrangements has been facilitated by intermediary agencies and other accomplices. Not all employers want to enjoy working with disabilities, as this requires appropriate working conditions and care. This may be due to additional costs for workplace equipment, translators or assistants. Some employers prefer to get rid of such workers or not to hire them, using various tricks, the disabled person was registered for work and paid the minimum wage, but in fact he was sitting at home. As a result, many young people with limited sensitivity remain unemployed and live on welfare, however, it is worth noting that in our republic there are signs of a decrease in the age of disability.

What obstacles may arise in the implementation of the concept of an integrated workforce in Kazakhstan? In Kazakhstan, the low percentage of employed persons with disabilities is associated with inefficient methods of state support. A recent survey showed that a third of people with disabilities cannot find work because of their disability, although most of them have education and job opportunities [6]. One of the reasons for this state of affairs is the negative attitude of part of the population towards people with disabilities. As a result, a significant part of the disabled, especially those over the age of 55, believe that they should be provided by the state and relatives. This is due to the fact that social policy in relation to this group of the population in Kazakhstan is more focused on being tied to state institutions than on creating conditions for their independent life. The Law on the Social Protection of Persons with Disabilities defines a person with a disability as "a person with a health disorder with a permanent disorder of bodily functions", while the UN Convention on the Rights of Persons with Disabilities describes them as "a person with a permanent physical, mental, intellectual or sensory impairment who may hinder their participation in society on an equal basis with others while interacting with various barriers".

Around the world, the public sector typically assumes a significant social responsibility when hiring people with disabilities. In some countries, such as South Korea, Japan and Spain, the public sector has a higher quota for the employment of persons with disabilities than the private sector. In Kazakhstan, the same quota is set for both sectors. It is necessary to create conditions that will help potential employers see people with disabilities as new opportunities for developing their business or company, instead of hiring them only out of necessity [6]. In Japan, there are

examples of organizations that are willing to hire people with special needs who match the qualifications of the position [7]. If the organization is not ready to accept such a worker, it can pay a special contribution to the fund, which will be used for the employment of people with disabilities. If such a fund is created in our country, it is very important to ensure transparency and fairness in the distribution of funds so that this money is used only for the employment of people with disabilities.

Some employers do not refuse employment of persons with disabilities, but only on the condition that the state provides financial incentives, such as tax breaks or subsidies, as is done in some countries. In Japan, for example, the state provides subsidies to companies that employ disabled people to provide them with special equipment, but the condition is that disabled people receive the same salary as their "healthy" colleagues [8]. In our country, some entrepreneurs offer to reimburse the costs of arranging jobs for the disabled, purchasing special equipment, or subsidizing part of the salary to cover the difference in the productivity of the disabled.

In our country, there are no measures to stimulate employment for disabled people, which leads to the loss of motivation for many of them to work. The current system encourages the first category of disability, which entitles to full state assistance, but makes it impossible to work. In other countries, people with disabilities are guaranteed employment through legislation and special programs that provide social benefits depending on the level of ability to work. Even if a disabled person has lost most of his ability to work and received a third disability group, he can still work on the share of his opportunities available to him so as not to worsen his economic situation [8]. In Kazakhstan, where there are no opportunities for part-time employment and flexible working hours, even disabled people with a third disability group are not in demand in the labor market.

To promote a more inclusive workforce in Kazakhstan, several strategies could be considered:

- Strengthening Quota Enforcement

Enhance monitoring and enforcement mechanisms to ensure all enterprises comply with the quota. Impose stricter penalties for non-compliance, discouraging employers from evading their responsibilities.

- Raising Awareness and Changing Attitudes

Launch public awareness campaigns to promote inclusivity and change negative perceptions about disabled individuals. Education and sensitization efforts can foster a more welcoming environment for disabled employees.

- Tailored Financial Incentives

Implement financial incentives and subsidies for employers who hire people with disabilities. These incentives can cover expenses related to workplace accommodations and help level the playing field for disabled workers.

- Flexible Work Arrangements

Introduce part-time employment and flexible working hours to accommodate disabled individuals' needs, making it easier for them to find and maintain employment.

- Comprehensive Support Programs

Develop comprehensive support programs that provide social benefits based on the level of ability to work. This will encourage disabled individuals to remain active in the workforce without compromising their economic well-being.

By adopting these strategies and fostering an inclusive environment, Kazakhstan can make significant strides in increasing the employment of people with disabilities, ensuring they have equal access to meaningful and rewarding job opportunities.

Discussion

The analysis of the employment quota system for people with disabilities in Kazakhstan revealed both achievements and persistent challenges. Despite legislative measures, such as the Law on Social Protection of Disabled Persons, implementation practices demonstrate significant gaps [4]. The creation of an accessible environment remains more of a declaration than a reality, as the mechanisms for ensuring accessibility are vague and administrative fines are not effective enough.

Key issues identified Infrastructure barriers

Despite legal requirements, social and transport infrastructure remains largely inaccessible or inconvenient for people with disabilities. The lack of effective monitoring and control over compliance with accessibility standards limits their mobility and reduces opportunities for social and economic integration.

Barriers to employment

Social barriers, such as stereotypes and employer prejudices, persist. Such discrimination is often due to a lack of understanding of the capabilities of people with disabilities. In addition, the lack of accessible jobs that match their skills and needs significantly reduces their employment opportunities.

Lack of education and information

Limited access to quality education and training reduces the competitiveness of people with disabilities in the labour market. In addition, the lack of accessible information on vacancies, employment services and rights in the workplace also hinders their integration into the labour market.

Lack of support systems

The lack of intermediary organizations providing specialized assistance in employment and adaptation in the workplace exacerbates the difficulties in finding and maintaining work.

Proposed solutions

To address these problems, a comprehensive approach is required, combining legislative reforms, infrastructure improvements and awareness-raising campaigns. The following measures are recommended:

Development of social infrastructure

Investment in the creation of accessible social infrastructure, including education, health care, cultural and sports facilities, is crucial. A more inclusive environment will not only improve the quality of life of people with disabilities, but also increase their self-esteem and self-confidence, motivating them to find work and develop skills.

Adaptive Work Environments

Introducing adaptive technologies and work environments can significantly improve the productivity and satisfaction of employees with disabilities. Individual solutions that take into account their needs will make the workplace more inclusive and effective.

Education and Training

Expanding access to education and training for people with disabilities will increase their competitiveness in the labor market. Collaborating with employers to conduct internships and mentoring programs can provide additional support.

Awareness-raising and awareness-raising campaigns

Conducting large-scale campaigns that highlight the benefits of employing people with disabilities will help break down stereotypes and promote inclusive hiring practices. Such campaigns can include successful examples, incentives for employers, and recommendations for workplace adaptations.

Strengthening control and monitoring

Specialized bodies responsible for monitoring compliance with accessibility and employment standards should be established. These bodies should have the power to apply effective sanctions and assist organizations in complying with legal requirements.

Conclusion

The employment quota system in Kazakhstan represents an important step towards inclusion, but requires significant improvement in implementation. Addressing systemic barriers, including infrastructural deficiencies, discriminatory practices, and limited access to education and resources, is key to unlocking the system's potential.

A comprehensive approach, including legislative reforms, public awareness raising, and infrastructure improvements, is needed to create an inclusive environment and equal opportunities. These measures will not only improve the quality of life of people with disabilities, but also unlock their potential to participate in the economy and society. The proposed steps, based on global experience and adapted to the unique context of Kazakhstan, provide a roadmap for transforming challenges into opportunities towards greater inclusion and equality.

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ҚАЗАҚСТАНДАҒЫ МҮГЕДЕКТЕРДІ ЖҰМЫСПЕН ҚАМТУДЫҢ КВОТАЛАУ ЖҮЙЕСІ: САЯСАТТЫ, ПРОБЛЕМАЛАРДЫ ЖӘНЕ ШЕШІМДЕРДІ ЖАҒАНДАНУ КОНТЕКСТІНДЕ ЗЕРТТЕУ

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Аңдатпа. Бұл мақаланың негізгі мақсаты – жаһандану үдерісі аясында Қазақстандағы мүгедектерді жұмыспен қамту квотасы саясатының дамуын жан-жақты зерттеп, ғылыми зерттеулердегі олқылықтарды толтыру. Зерттеудің мақсаты – саясатты әзірлеу мен іске асыру арасындағы алшақтықтарды бағалау, халықаралық тәжірибелердің бұл саясаттарға қалай ықпал еткенін және Қазақстанның осы жаһандық стандарттарды қаншалықты ескеріп, оларға сәйкес келетінін талдау. Сонымен қатар, мақалада мемлекеттік және жеке секторларда жұмысқа орналасу мүмкіндіктерін арттыруға бағытталған тиімді әдістер ұсынылады.

Бұл зерттеуде аралас әдістер қолданылды. Құжаттық талдау жүргізіліп, мүгедектерді әлеуметтік қорғау туралы заң және тиісті министрлік бұйрықтары сияқты негізгі заңнамалық актілер қарастырылды, бұл жұмыспен қамту квоталарының реттеу негізін зерделеуге бағытталды. Статистикалық талдау Қазақстандағы мүгедектердің жұмыспен қамтылу тенденцияларын 2017-2023 жылдар аралығында бағалау үшін Еңбек және халықты әлеуметтік қорғау министрлігінің ресми деректері негізінде жүргізілді. Салыстырмалы талдау сәтті квота жүйелері мен жұмыс берушілерге арналған ынталандыру шараларын зерттеп, бейімдеуге болатын үздік тәжірибелерді анықтады. Соңында, проблемаға бағытталған тәсіл саясатты іске асырудағы қиындықтарды, соның ішінде біркелкі емес қолдану, инфрақұрылымдық кедергілер және әлеуметтік стигманы айқындап, ұсынылған шешімдерді негіздеуге пайдаланылды.

Зерттеу Қазақстандағы квота саясатының тарихи дамуын ашып, оны іске асырудағы негізгі қиындықтарды анықтады. Саясатты әзірлеу мен іске асыру арасындағы алшақтықтар анықталып, олардың квота жүйесінің инклюзияны арттырудағы тиімділігіне әсер еткені көрсетілді. Сонымен қатар, зерттеуде осы саясаттың тиімділігін арттыру және мүгедектігі бар адамдардың жұмысқа орналасу мүмкіндіктерін кеңейту бойынша практикалық ұсыныстар берілген.

Тірек сөздер: жаһандану, халықаралық тәжірибе, жұмысқа орналасу, квота жүйесі, саясат, инклюзия, Қазақстан, жұмыс күші

СИСТЕМА КВОТИРОВАНИЯ ТРУДОУСТРОЙСТВА ДЛЯ ИНВАЛИДОВ В КАЗАХСТАНЕ: ИЗУЧЕНИЕ ПОЛИТИКИ, РЕАЛИЗАЦИИ, ПРОБЛЕМ И РЕШЕНИЙ В КОНТЕКСТЕ ГЛОБАЛИЗАЦИИ

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Аннотация. Основная цель данной статьи - восполнить пробелы в исследованиях, предоставив всесторонний анализ развития политики квотирования трудоустройства для людей с инвалидностью в Казахстане в контексте процесса глобализации. Исследование направлено на оценку различий между формулированием политики и её реализацией, учитывая влияние международной практики на эти политики, а также осведомленность Казахстана и его согласование с глобальными стандартами. Кроме того, в статье предлагаются практические методы для улучшения эффективности политики в содействии большему включению в трудоустройство как в государственном, так и в частном секторах.

Данное исследование вносит вклад в существующую литературу, фокусируясь на специфической ситуации Казахстана в отношении трудоустройства людей с инвалидностью и квотной системы. Результаты исследования дают ценные выводы о проблемах и возможностях улучшения инклюзивности на рынке труда в Казахстане, что может быть актуально для других стран, сталкивающихся с подобными политическими разработками.

Исследование раскрывает историческое развитие политики квотирования трудоустройства в Казахстане и выявляет основные проблемы её реализации. Определены расхождения между формулированием политики и её реализацией, которые повлияли на эффективность квотной системы в продвижении инклюзии. Кроме того, в исследовании предложены практические рекомендации для повышения воздействия политики и создания большего числа возможностей для людей с инвалидностью на рынке труда.

Ключевые слова: глобализация, международная практика, трудоустройство, квотная система, политика, инклюзия, Казахстан, рабочая сила

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