

**Terms of Reference
for
International Technical Assistance
to develop the
New model
regarding the employment of persons with disabilities**

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1. Consultancy Services Required

The Government of the Republic of North Macedonia has received a Loan from the International Bank for Reconstruction and Development, for implementing the Macedonia Social Insurance Administration Project (SIAP).

The Ministry of Labour and Social Policy is seeking the services of an International Consultant to design of best solution for employment of persons with disabilities based of international practice and recommendations for appropriate legal solutions.

The Consultant must possess theoretical and empirical knowledge as well as expertise of the international systems regarding the employment of persons with disabilities.

The Consultant services are required for a minimum of six calendar months.

2. Background Information

The SIAP project activities will address specific functional and technical areas within the social insurance. The project will support the Government's efforts to continue the process of improving the quality of services delivered by the social insurance administration. The SIAP project will make investments in:

- (a) developing a central single unified registry of socially insured individuals (SURS)
- (b) improving the Pension and Invalidity Fund's (PIOM) capacity and business processes
- (c) establishing a Central Disability Certification Coordination Unit (CDCCU)
- (d) revising the list of hazardous occupations eligible for early retirement with extended service period (ESP), and,
- (e) supporting implementation of the legal and institutional framework for employment and professional rehabilitation of persons with disabilities.

The overall SIAP project will be organized into two main components, with a third component related to project management.

- **Component 1.** Improving the quality of the social insurance administration services
- **Component 2.** Strengthen the regulatory framework for persons with disabilities and for hazardous occupations
- **Component 3.** Project Management

This assignment will be undertaken within **Component 2 - 'Subcomponent 2 - Reforming the**

system of employment of persons with disabilities' – and will support the establishment and development of the Legislative and Regulatory Framework regarding the employment of persons with disabilities

3. Objectives of Assignment

Successful employment of persons with disabilities is one of the priority social policy areas in many countries around the world. Its objective is inclusion of persons with disabilities in the society and their full participation in the community. With establishment of the adequate employment supporting system, many disabled persons can become equal members of society and successfully contribute to their own general wellbeing, rather than be mere recipients of social assistance and users of social benefits designated for persons with disabilities. The system should enable employment of persons with disabilities so that they can gain material security, greater independence in decision-making and achieve the self-reliance. Finally, as active and independent members of the community, persons with disabilities are less likely to be stigmatized by and excluded from the society.

Lessons from other countries indicate that the system of employment of persons with disabilities through designated ('sheltered') companies, as currently implemented in North Macedonia, should be modernized, adapted, and upgraded with new mechanisms and employment channels. The objective of the system of employment should be to provide equal chances to persons with disabilities as it does for other individuals. The most common channels, employment through the open labor market, including the self-employment, would require the system to identify and assess individual capacities and functionalities, train the persons with disabilities and qualify them with skills and competences, and activate them in the same manner as others. The intention of the North Macedonian Government is to create a model of employing persons with disabilities based on best international practice, fulfilling the objectives of Macedonian social policy towards persons with disabilities.

4. Specific Objectives and Scope of Work

The Consultant shall work with representatives of Ministry of Labor and Social Policy (MLSP), Ministry of Health (MoH), Pension and Disability Insurance Fund (PIOM), Health Insurance Fund (FZO), Agency of Employment (AVRM), Institute for Occupational Health of Republic of North Macedonia and other institutions/stakeholders (NGO, Association of the designated ('sheltered') companies etc.) to ensure that proposed design and legislation for employment of persons with disabilities is correlated with other Laws and By-laws in North Macedonia. The Consultant shall ensure that the new proposed model is complete and fully serves the needs and opportunities of stakeholders. The Consultant shall also propose specific changes to other Laws and Bylaws where required, to ensure their full correlation with the proposed model and its functionality.

The Consultant's main tasks shall include (but not be limited to):

- Review of current legislation in Republic of North Macedonia that defines and regulates employment of persons with disabilities;
- Review of relevant and compatible international solutions and practice with regulating employment of persons with disabilities/ comparative analysis of the international options
- Design of a new model of employing persons with disabilities on the open labor market;
- Active participation in creation a new law and bylaws, with detailed explanation for individual provisions of that Law through closely cooperation with local consultant.
- Active participation in identifying all other primary legislation that needs amendment as a result of the proposed legal solution through closely cooperation with local consultant.
- Defining requirements for a public communication / institutional debate for new proposed model and legislative program;
- Develop action plan for debate with stakeholders (NGO, protection company ...) and active participation in the debate and the action plan implementation.
- The consultant shall continuously coordinate the work with the local consultant
- The consultant shall perform other tasks defined by the local consultant and the MTSP.

The Consultant is expected to hold meetings, workshops and briefing seminars throughout the project and these should be specified within the proposed work plan. The Consultant shall work closely with local consultant for consolidation their proposal, at the same time shall work with representatives of key institutions, and shall use the opportunity to transfer skills and knowledge to them.

The Consultant will coordinate meetings and events, and their timetable with the Ministry of Labor and Social Policy, and seek the Ministry's guidance in case of concerns and misunderstandings.

5. Deliverables

The Consultant shall submit the following key deliverables:

- Work Plan with the timetable
- Comparative analysis of the international experiences and legislation regulating the employment of persons with disabilities on the labor market, especially in the countries with similar systems, and with focus on analysis of their systematic issues, advantages and disadvantages, and highlighting the best practices and options.
- Detailed report describing how the new proposed design would increase the employability of persons with disabilities
- Estimate fiscal implications on the budget and potential expenditures for private sector as a result of the new model

- Inputs to the new laws and bylaws,
- Draft detailed transition plan that includes a timetable and phasing implementation of the proposed model.
- Concept and key components of a public communication related to the proposed model concerning employment of persons with disabilities.

The consultant may also suggest additional deliveries based on the consultant's proposed approach and methodology or some issues arising from the cooperation with the local consultant.

The above reports should be sufficiently detailed for use by the Client and by other Consultant who may be contracted to develop legislative and regulatory framework .

The Consultant shall report on a regular basis to Local consultant, MLSP and Project Management Team to ensure that the work undertaken is delivered in time scheduled and with quality expected. All written reports will be submitted in English, as primary language of deliverables, with a translation to Macedonian as shall any Consultant presentations delivered at workshops or at meetings, if required. All written reports should be fully discussed with the key personnel in the participating institutions/stakeholders and the outcome of discussions should be reflected within the final version of the report. The Ministry of Labour and Social Policy shall have the final approval with regards to Deliverables and documents acceptance, and on any disagreements.

6. Qualifications and Experience

- Minimum Bachelors level and at least 5 years of proven experience in the field of employment of persons with disabilities.
- Knowledge of laws and institutional structure of employment and disability system in the Republic of North Macedonia
- Experience in field of employment of disability person in the ex-Yugoslavia and/or the region shall be considered as an advantage
- Fluency in English

7. Duration of Assignment

It is expected that this assignment will be undertaken over a period of minimum six(6) calendar months, starting in last quarter of 2020. The Consultant shall start working after receiving notification from the Client.

8. Selection Method and Contract

Selection method and contract: The selection method is Selection of Individual Consultants and the contract shall be Lump sum according to the World Bank Procurement Regulations for Investment Project Financing (IPF) Borrowers – Procurement in IPF of Goods, Works, Non-Consulting and Consulting Services, (Regulations) issues in July 2016, revised November 2017 and August 2018, www.worldbank.org.