

## RIGHTS FOR PERSONS WITH DISABILITIES

September 3rd, 2012



Maria Julieta Mendonça Viana

### Our Paralympic Medallists



Daniel Dias, gold in the men's 50m Free s10

André Brasil, gold medal in the men's 50m



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Antônio Tenório, bronze medal in Judo



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Alan Fonteles Cardoso Oliveira wins against Oscar Pistorius in the men's 200m

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**The rights for persons with disabilities can be found in the following laws:**

**Federal Constitution**

**Law nº. 7.853/1989**

**Law nº 8.213/1991**

**Law nº. 10.098/2004**

**Law nº. 10.048/2004**

**Decree nº 6.949.2009 Promulgated on the United Nations convention**

**Decree nº. 5.296/2004**

**Decree nº. 3.298/1999**

**State Law nº. 2.685/2001**

**Municipal Law nº. 673/2002 – Construction Code of the City of Manaus.**

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## **Summary of the rights**

- **Accessibility**
  - **To public facilities**
  - **To public buildings and buildings of public use**
  - **To transport**
- **Priority and differentiated service**
- **Priority and specialized service**
- **Elimination of barriers to information**
- **Scientific research directed to the treatment and prevention of deficiencies**
- **Job opportunities - quotas**

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## **Mechanisms of Control**

**Licensing**

**Financing**

**Tax breaks**

**Bids**

**Supervision**

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**Quotas in companies**

**(art. 91, Law nº 8.213/91)**

**up to 200 employees..... 2%**

**- 201 to 500 employees..... 3%**

**- 501 to 1000 employees..... 4%**

**- 1001 to more employees... 5%**

**In public service**

**Art. 37, VIII of the Federal Constitution and  
art. 5º, § 2º of Law nº 8.112/90 (up to  
20%)**

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**Quotas – Monitoring competence**

**Ministry of Labor and Employment**

**Art. 626 of Consolidation of Labor Laws:**

**“Supervising the faithful compliance of labor  
protection.”**

**Art. 36 of decree 3.298/1999:**

- **Establish systematic monitoring.**
- **Establish procedures and forms – statistics on  
the number of employees with disabilities  
and vacancies filled.**

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## **Who oversees**

**Amazonas – 3 auditors**

**3 projects: Child Labor**

**Quotas for apprentices**

**Quotas for persons with disabilities**

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## **Documents required**

**(Calculation of Quota)**

**CNPJ Card**

**Letter of attorney**

**Labour Inspection Book**

**List of employees**

**Last “General Register of Employed and Unemployed”**

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## Documents required

(Hiring)

Name

Gender

**Relação de PC** Function

Admission Date

Type of Disability

Registration Forms for the Work Card and Social Security

General Register of Employed and Unemployed

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## Difficulties for Hiring

- Many persons with disabilities in enjoyment of continuous benefits
- Lack of skills and low education
- Turnover
- Ignorance of the potential of persons with disabilities
- Lack of accessibility in establishments

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## **CONTESTS**

**Small number of vacancies**

**Small index approvals:**

**Lack of preparatory schools for persons with disabilities.**

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## **Strategies**

**More information to the companies**

**Exchange of information with other agencies**

**Registration**

**Pilot Project of the Ministry of Labour and Employment – Hiring as apprentices**

**Literacy Program**

**Compliance with legislation on accessibility**

**Revised transportation**

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## Competent Organs

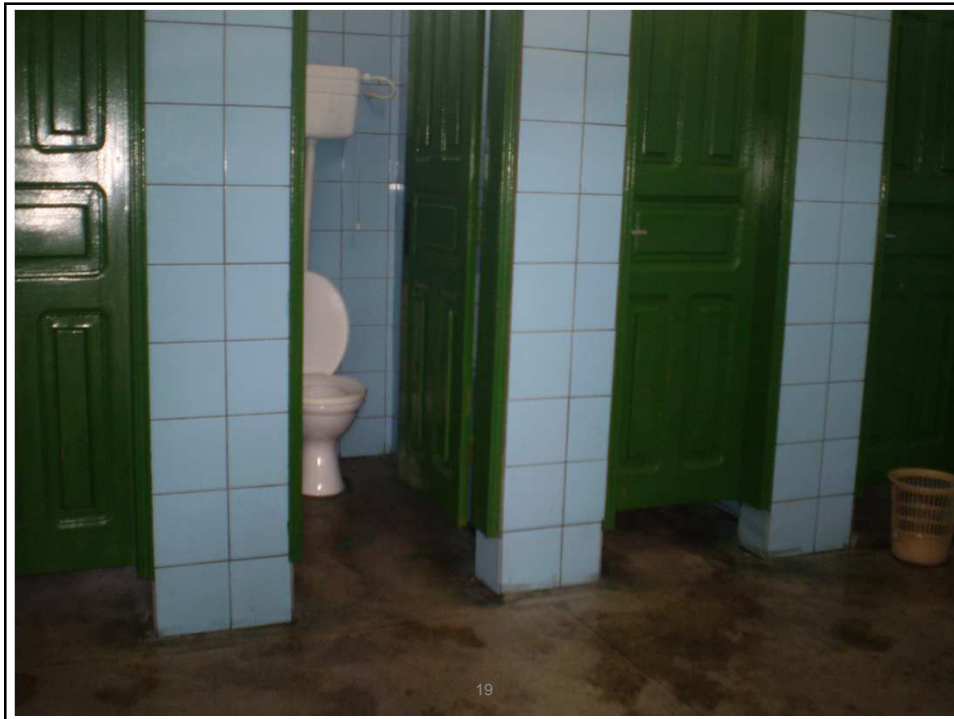
- **Licensing – City Hall**
- **Financing – Official banks**
- **Tax incentives – Federal, State, Municipal and Federal District's governments**
- **Bids – All Public Organs**
- **Supervising – Federal, State, Municipal and Federal District's governments. The Ministry of Labour and Employment to issues related to work.**

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## Blocked sidewalks



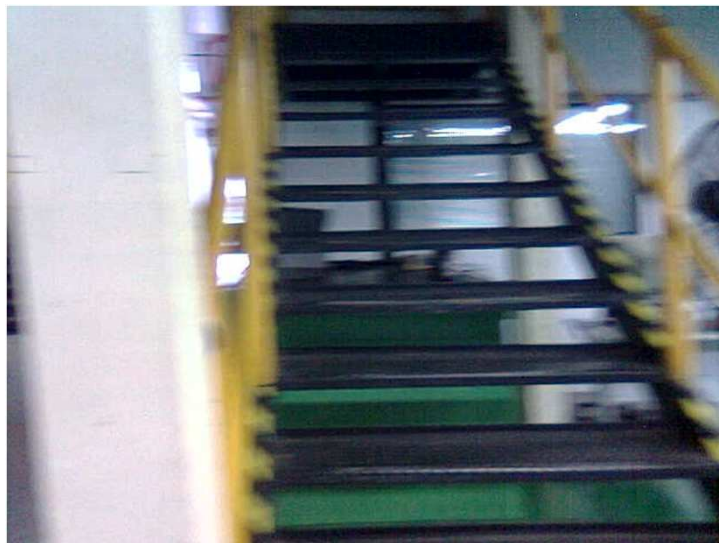
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**Company. Entrance**



## Company. Indoor stairs



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## Contests

**Small number of vacancies:**

**Misinterpretation of the law**

**Small index approvals:**

**Lack of preparatory schools for persons with disabilities.**

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***Mouse eye. Paulo Feitosa Foundation***



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**Regional Superintendent of Labor and  
Employment of Amazon**

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