Consequences of success in pediatrics: young adults with disability benefits as a result of chronic conditions since childhood
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Development of Wajong benefits
DEVELOPMENT OF WAJONG BENEFITS

1. Old Wajong
2. New Wajong
3. Participation Act

1. THE DISABLEMENT ASSISTANCE (YOUNG PERSONS) ACT; ‘OLD’ WAJONG

The General Disablement Act was abolished in 1997, and on 1 January 1998 a new Act came into force for young people and students who have become disabled at an early age and therefore do not qualify for wage-related benefits: the Disablement Assistance (Young Persons) Act, known as ‘Wajong’ in Dutch. This Act provides (supplementary) income support as well as support to find employment and if necessary support at the work place. The benefit is not obligatory or automatically including all young adults with disabilities: the initiative for application lies with the individual and his/her social environment. A Wajong benefit is payable not earlier than the 18th birthday, for as long as the inability to work lasts and ends when the recipient reaches the age of 65. The Employee Insurance Agency (UWV) implements the Act and is also responsible for determining the level of benefit paid. The level of benefit received under the terms of the Act depends on age and the amount someone can earn from a job; Wajong income support is a supplementary payment on top of what a young person with a chronic disease or handicap is able to earn from work. The UWV insurance physicians assess the work ability of the claimant considering the medical history and prognosis and describe the limitations for work. Based on the limitations assessed by the insurance physician, employment specialists investigate what jobs the claimant could perform on the labour market despite these limitations and what work opportunities are available. Depending upon the question whether or not the young disabled can theoretically earn a minimum wage with a job, a disability pension will be refused or awarded [46]. A part of those who receive a Wajong benefit is potentially (partially) capable to work. The other part is declared fully unfit for work.

2. THE WORK AND EMPLOYMENT SUPPORT (YOUNG DISABLED PERSONS) ACT: ‘NEW’ WAJONG

The previous Wajong Act has been superseded for new entrants as of 1 January 2010 by the Work and Employment Support (Young Disabled Persons) Act and is called the ‘new’ Wajong. In the face of growing numbers of young people with health problems or disabilities registering for disability benefit, the government postponed the age of eligibility from 18 to 27 years for those that are considered
to have, or be able to, develop earning capacities. This new measure includes a first claimant assessment at the age of 18 and a final reassessment at the age of 27. This new Wajong Act covers only those who, at the age of 18, have hardly any productive capacity. The others have to improve their educational level and search for a job or they will lose their financial support. Subsequently the new Act is split into:

- a benefit measure providing a minimum income for those who are unfit for work;
- an employment measure with the right to receive all necessary support to prepare for and find labour, which involves a first claimant assessment at the age of 18 and a final reassessment at the age of 27 years;
- a study measure for those who stay at school or start a programme of study after age 18 years with a (reduced) income support.

So the emphasis in the new Wajong Act is on what people with Wajong benefits can do rather than what they cannot do with the aim of getting people into regular employment and removing some of the inherent disincentives to find work. For example, claimants are no longer assessed for lifelong disability at such a young age and there is increased flexibility in relation to earnings from working and the maintenance of benefits. The main idea behind the new law is that most young people are still developing at the age of 18. This is also true of their possibilities for performing work. Contrary to the old Wajong, those who find employment under the new Wajong Act will receive a higher income because of the new payment method. The employment measure gives the young people with disabilities who can work the right to receive all necessary support from the UWV to prepare for and find employment. Young adults with the ability to work in competitive employment are subsequently referred to a reintegration consultancy for further training, if necessary, and job placement.

3. THE PARTICIPATION ACT

The Participation Act will enter into force on 1 January 2015. The purpose of this Act is to get more people, also the persons with an occupational impairment, to the work. With the entry into force of the Participation Act, the municipalities will be responsible for people with an occupational impairment and for people who need assistance in finding work. The Participation Act will replace the three regulations that are currently in force: the Social Assistance Act (Wet werk en bijstand, WWB), the Sheltered Employment Act (Wet sociale werkvoorziening, WSW), and the Invalidity Insurance (Young Disabled Persons) Act (Wet Werk en Arbeidsundersteuning Jonggehandicapten, WAJONG). The House of Represen-
With respect to this new target group, the municipalities have the same tasks as for people receiving social assistance benefits, namely providing support aimed at integration into the workforce and, where necessary, income support. For the purpose of reintegration support, the municipalities will have a combined reintegration budget and more tools at their disposal. Based on the needs of their clients, the municipalities will decide who will qualify for what type of tailor-made support. The municipalities shall cooperate at the regional level with the Netherlands Employees Insurance Agency (UWV), employers, and employees in regional branches of UWV WERKbedrijf (the work placement branch of the UWV) to place people who are not able to earn the statutory minimum wage in jobs which will be made available by employers. As from 1 January 2015, the benefits under the Wajong will only be accessible to young disabled persons who permanently lack the ability to work. The UWV decides whether a person qualifies for such a benefit.

The group of persons currently receiving Wajong benefit payments (everyone admitted before 1 January 2015) will be assessed on their ability to work. This will also be decided by the UWV. Persons receiving Wajong benefit payments who do not have the ability to work will keep their benefit payments of 75 percent of the statutory minimum wage (SMW). Persons receiving Wajong benefit payments with the ability to work will be confronted with a reduction in the benefit payment to 70 percent of the SMW as from 1 January 2018. In order to assist this group in finding a job, additional funds will be made available for the UWV as from 2015. These persons receiving Wajong benefit payments will continue to be entitled to a Wajong benefit payment. The UWV will continue to be responsible for reintegration and the provision of the benefit payments.

The agreements in the Social Agreement imply that everyone will earn at least the minimum wage, also those people who are not able to do so due to impairment. In these cases, the employers pay the minimum wage (or, where applicable, the negotiated wage), but they get the difference between the minimum wage and the actual production of this employee reimbursed through the wage cost subsidy. The employers have agreed in the Social Agreement to guarantee additional jobs for people with an occupational impairment. In the period up to 2026, the employers have committed themselves to gradually create 100,000 additional jobs for this target group, and the government will add 25,000 jobs to this number. These agreements are not without obligations. The number of jobs that have been added for people with an occupational impairment will be counted from year to year. If the parties fail to meet their commitments, a quota scheme will enter into force.