INSTITUTE OF COMPARATIVE LAW FACULTY OF LAW, JOSIP JURAJ STROSSMAYER UNIVERSITY OF OSIJEK

BOOK OF ABSTRACTS FROM THE INTERNATIONAL SCIENTIFIC CONFERENCE

20 YEARS OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES 25-26 September 2025

Editors:

Aleksandra Rabrenović Helga Špadina

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THE CHALLENGES OF REASONABLE ACCOMMODATION IN EMPLOYMENT OF PERSONS WITH DISABILITY IN SERBIA

Reasonable accommodation of work and working conditions is traditionally linked to the position of persons with disabilities, although the authors rightly point out that reasonable accommodation should be linked to the position of other categories in the employment relationship. Reasonable accommodation is a tool for achieving real equality, and can refer to the adjustment of working conditions, work equipment, and working hours. Reasonable accommodation arose as a need for those employees whose abilities to perform work differ.

When it comes to persons with disabilities, reasonable accommodation is an integral part of the right to work in the Republic of Serbia. Reasonable accommodation can include job adjustments and workplace adjustments. The aforementioned adjustments required by persons with disabilities are accompanied by the epithet reasonable, indicating that they are modifications that are necessary and minimal. From the above, we conclude that the request for accommodation is made for the purpose of individualization, that is, to discover the needs of a specific person with a disability, which must be met in order for them to be able to work. Since a person with a disability cannot work without meeting these needs, this means that reasonable accommodation is a type of condition for the employment of persons with disabilities.

Therefore, in this paper, we start from the hypothesis that this condition is the one without which the employment of persons with disabilities as a vulnerable group will not even exist, as a condition sine qua non. Furthermore, in the paper, we will consider whether the refusal of reasonable accommodation by an employer in the Republic of Serbia constitutes discrimination, taking into account the role of the state in establishing reasonable accommodation, as a financial aspect of that accommodation.

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