



Signature Page

Country: Malaysia

UNDAF Outcome(s)/Indicator(s): N/A
Expected Outcome(s)/Indicator (s): Higher participation rates of PWDs in the workforce; increased job opportunities for PWDs

Expected Output(s)/Annual Targets: Systematised data collection on PWDs; Identification of a suitable employment trial; capacity of NGOs and Government agencies built; resource to encourage employment of PWDs developed and awareness campaign launched

Executing Entity: Social Welfare Department, Malaysia and Labour Department of Peninsular Malaysia

Implementing agencies Johor State Economic Planning Unit (UPEN)

Programme Period: 2003-2007 and 2008-2012
Project Title: Encouraging increased participation by Persons with Disabilities in the workforce in the State of Johor
Project ID: 00058013
Project Duration: 18 months
Management Arrangement: NEX

Total Budget	USD 328,628.00
Allocated resources:	
TRAC	USD 122,500.00
Cost-share	USD 188,800.00
GMS	USD 11,328.00
In-kind contribution	USD 6,000.00

On Behalf Of :

Signature :

Date :

Name / Title

Government of Malaysia:-
Economic Planning Unit

Government of Malaysia:-
Social Welfare Department,
MWFC

Government of Malaysia:-
Labour Department, MOHR

UNDP

Government of Malaysia

United Nations Development Programme

**Encouraging increased participation by Persons with Disabilities in the
workforce in the State of Johor**

Project Document

July 2007

Abstract

This document presents a design for a project to increase participation levels of Persons with Disabilities (PWDs) in the workforce in the State of Johor. The project aims to support future increases to the numbers of Persons with Disabilities seeking, obtaining and eventually retaining positions in Open Employment.

The focus will be on capacity building and awareness activities as well as the development of employment trials and a "best practice" model with a small group of selected employers. It is hoped that the project will establish a model for other states in Malaysia to replicate. The project will contribute to the Government of Malaysia's efforts to increase the economic rights of Persons with Disabilities.

The main UNDP counterparts are the Social Welfare Department under the Ministry of Women, Family and Community Development and Labour Department of the Ministry of Human Resources with significant involvement of the Johor State Government (through the State's Economic Planning Unit) and NGOs working with Persons with Disabilities.

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Abbreviations

BMF	Biwako Millennium Framework
ELX	Electronic Labour Exchange
ILO	International Labour Organisation
JICA	Japan international Cooperation Agency
NGO	Non-Government Organisation
PwD	Persons with Disabilities
SPOku	<i>"Sistem Penempatan Orang Kurang Upaya"</i> - Disabled Placement System
UNDP	United Nations Development Programme

Definitions

Access Audit

A survey of a part of the built environment to identify the barriers that prevent disabled persons having full access, and the recommended solutions for adaptation.

Barrier-free

Barrier-free building modification consists of modifying buildings or facilities so that they can be used by the physically disadvantaged or disabled. An example would be installing a ramp for wheelchairs alongside or in place of some steps. The idea of barrier free modification has largely been superseded by the concept of universal design, which seeks to design things from the outset to support easy access. This latter approach usually leads to lower total cost.

Disability

There is no universally agreed definition of disability.

The World Programme of Action for Disabled Persons emphasizes that disability is a socially created problem and not an attribute of an individual. Disablement results from a dynamic interaction between health conditions and other personal factors (such as age, sex, personality or level of education) on the one hand, and social and physical environmental factor on the other hand. It, therefore, is important to distinguish between

Impairment: Any loss or abnormality of psychological, physiological, or anatomical structure or function;

Disability: Any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being and;

Handicap: A disadvantage for a given individual, resulting from an impairment or disability, that, limits or prevents the fulfillment of a role that is normal, depending on age, sex, social and cultural factors, for that individual.

Independent Living

A well-organized movement among persons with disabilities to enhance self-esteem and self-determination, as well as the socio-economic resources available to choose and maintain individual, independent lifestyles.

Job Coaching

The training of an employee by an approved specialist, who uses structured intervention techniques to help the employee learn to perform job tasks to the employer's specifications and to learn the interpersonal skills necessary to be accepted as a worker at the job site and in related community contacts. In addition to job-site training, job coaching can also include related assessment, job development, counselling, advocacy, travel training and other services needed to maintain the employment.

Sheltered Employment

Employment in an enterprise established specifically for the employment of persons with disabilities, which may also employ able-bodied persons.

Universal design

The design of products, environments, programmes and services to be usable by all persons, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

PART I SITUATION ANALYSIS

1.1 Background

Persons with disabilities (PWDs) remain disproportionately undereducated, untrained, unemployed, underemployed and poor. They have insufficient access to the mainstream labour market partially due to social exclusion, lack of trained and competent staff and adequate training for independent workers. Two guidelines and/or international convention governing the rights of PWDs are the Biwako Millennium Framework (BMF) and the UN Convention on the Rights of Persons with Disabilities.

In October 2002, Governments in the Asian and Pacific region adopted the BMF for action towards an inclusive, barrier-free and rights-based society for persons with disabilities in Asia and the Pacific. The BMF incorporates disability concerns into national policies and programmes to achieve the targets of the UN Millennium Development Goals. The BMF identifies the following seven priority areas: (1) self-help organizations of persons with disabilities and related family and parental associations, (2) women with disabilities, (3) early detection, early intervention and education, (4) training and employment, including self-employment, (5) access to built environments and public transport, (6) access to information and communications, including information and communications and assistive technologies, and (7) poverty alleviation through capacity-building, social security and sustainable livelihood programmes. Three targets are set in the BMF to improve the employment situation of PWDs are:

- (1) by 2012, at least 30 per cent of the signatories (member states) will ratify ILO Convention 159 concerning Vocational Rehabilitation on Employment (Disabled Persons);
- (2) by 2012, at least 30 per cent of all vocational training programmes in signatory countries will include persons with disabilities;
- (3) by 2010, reliable data on the employment and self-employment rates of persons with disabilities will exist in all countries.

The UN Convention on the Rights of Persons with Disabilities on the other hand, represents the latest thinking of the members of the United Nations about what is required to ensure that persons with disabilities fully enjoy all human rights and fundamental freedoms. The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. Article 27 of the Convention focuses on work and employment and states (see Annex I).

Both the UN Convention and the BMF recognize that persons with disabilities are entitled to full participation in social life and development in the basis of equality. Viewed this way, persons with disabilities are no longer treated as the passive recipients of assistance or as a burden on society but rather as active contributors to society to achieve the goal of "development for all".

The BMF and the Convention are complementary, in that they both pursue the common goal of achieving a barrier-free, inclusive and rights-based society. The effective implementation of the BMF will contribute significantly to the implementation of the Convention; conversely, the steps taken by States which ratify the Convention to implement it will contribute to their implementation of the BMF

The Government of Malaysia is in the process of assessing the legal implication of the convention has intimated that it hopes to be in a position to ratify the convention by the end of 2007.

1.2 Country Initiatives for the Employment of PWDs

In 1998, the Government established a national coordinating body known as the National Advisory and Consultative Council for Persons with Disabilities to replace the National Implementation Committee for the Well-being of the Disabled, which was formed in 1990. The Council is chaired by the Hon. Minister of Women, Family and community Development and is comprised of various related government agencies, NGOs, private sectors and interested individuals including PwDs. The main function of the Council was to coordinate the implementation of the Agenda of Action for the Asian and Pacific Decade of Disabled Persons and now to coordinate and implement the BMF.

Under the Advisory and Consultative Council, a Technical Working Group on Legislation was formed and drafted the Disabled Persons Act 2002, which was submitted to the Council for endorsement. The drafted Disabled Persons Act covers areas of discrimination or unfair practices that adversely affect the rights of PwDs. It also covers any discrimination against a person simply on the grounds of disability in the areas of employment, education, housing, transportation, business undertakings, sports, recreational activities, access to public places, access to public facilities and services. It is hoped that the Bill will be presented to Parliament in 2007.

The Electronic Labour Exchange (ELX) developed by the Ministry of Human Resources has been operational as a free online job portal since 2004. The ELX registers both employers and potential employees, who are then matched online. This was followed by the introduction of "*Sistem Penempatan Orang Kurang Upaya*" (SPOku) a separate electronic labour exchange for PwDs. To date, 6,919 disabled workers have been successful in their job applications through SPOku but there is no data available on how long successful applicants retained these positions. Since 2005, the Department of Social Welfare, in partnership with JICA, has been running a series of training workshops around Malaysia on Independent Living, Disability Equality and Job Coaching.

1.3 Employment situation of PWDs in Malaysia and the State of Johor

According to the Labour Department of Peninsular Malaysia there are currently about 6,750 PwDs employed in the private sector and less than 1% is currently employed in the public sector. Disaggregated by state, it is noted that in 2006 that there was a total of 24,228 PwDs registered with the Johor Social Welfare Department – the second highest number after Selangor – the nationwide total is 197,519. However, these figures are based on voluntary

registration schemes and it is widely acknowledged that there is a very large number of PwDs who, for various reasons particularly amongst those who develop a disability later in life, elect not to register. The actual number is therefore much higher. In addition, there could be a situation where many register in their home state but then migrate to states with higher levels of economic activities or which provide better quality rehabilitation, health or training facilities. Due to these various reasons, data collected on PWDs in the workforce could be improved for better policy targeting.

In 2006, Johor's economy grew in line with Malaysia's economic development. The GDP Growth of Johor was 6.1% whilst Malaysia's GDP Growth recorded at 5.8%. With the release of the 9th Malaysia Plan, 2006-2010, the Third Industrial Masterplan and the comprehensive development plan for South Johor Economic Region, provide stronger motivation and directions for Johor's economic growth. During the time of discussion with the Johor State Government, this development will open the door for potential employment opportunities for the PWDs in Johor.

PART IIA STRATEGY

The project aims to support future increases to the numbers of Persons with Disabilities seeking, obtaining and eventually retaining positions in Open Employment especially given the potential development that is expected to take place with the Iskandar Development Regional plan. To achieve this aim, Part II details the strategies for the project.

In executing this project, a strategy of active stakeholder consultation and engagement will be undertaken. Consultative seminars that will bring together the multiple stakeholders, to include government departments and agencies; employers' associations, NGOs, PwD groups, family support groups and private recruitment organizations involved in the project will be organized and held.

By involving all the stakeholders in all stages of the project, it is hoped that there will be a common understanding of the problem and sharing of ideas and experiences that can help formulate solutions. Stakeholders who have contributed to analysing the problem and developing solutions are more likely to become invested in implementing those solutions. It is hoped that these consultative seminars will also foster stakeholder commitment and joint ownership of the project. The project will also be gender sensitive to ensure that gender issues are mainstreamed into the project activities.

2.1 Data Collection and Documentation

The project will support the improvement of data on PWDs by collecting and documenting gender disaggregated data from 2007 on:

- (a) the types of vocational/life skill training that is being provided for PwDs in Johor by both Government and the NGO sector (e.g. to include compiling of information from Job Coach, an initiative by the State Welfare Department that trains and prepares PwDs to face the job market whilst at the same time also briefs and prepares the employer to receive PwDs into their workplace);
- (b) the types of sheltered employment that is available in the state;
- (c) the number of placement officers there are in the state (NGO/Government);
- (d) the number of Johor-based PwDs and Employers that are currently registered with SPOku
- (e) the number of Johor-based PwDs under the *Skim Bantuan Galakan Perniagaan* (SBGP-OKU)

2.2 Capacity Development

A set of capacity development activities will be organized targeting the following groups:-

2.2.1 Employers

As a start, this project will identify two or three companies that have shown an interest in employing PwDs and will work in collaboration with the employers to assist them to:

1. Develop a gender sensitive disability awareness training module for HR and other staff,
2. Conduct an Access Audit of the workplace and identify possible solutions;
3. Develop a gender sensitive support system within the workplace to assist new employees with a disability to:
 - Learn specific work duties and meet performance standards;
 - Develop work-related behaviours, such as time and attendance, dress, communication skills, accepting supervision and acquire a sense of belonging at the workplace.

It is hoped that this could be a model for other companies to replicate.

The project will also explore best practices and similar models of employing PwDs in the workplace for the public sector.

2.2.2 NGOs/Government PWD Vocational Training Institutes

The capabilities of selected NGO and public sector placement officers to:-

1. Undertake vocational evaluation of PwDs, ie by using standardized testing to provide information about the individual's abilities and vocational preferences,
2. To raise PwD's preparedness for employment selection processes,
3. To help the PwD with appropriate work related behaviour;
4. To identify the support and modifications that might be required in the workplace.

will be enhanced through a series of training workshops:

2.3 Resource Development

2.3.1 Production of a video encouraging the hiring of PwDs

The project will develop a video filmed in Malaysia and adapted for the Malaysian audience, encouraging the hiring of PwDs. This production could be based on the ILO's video, *AbilityAsia*, which targets the employer audience and is designed to dispel negative attitudes and stereotypes by showing powerful images of disabled persons working productively and by giving voice to employers who praise their capabilities.

The video will encourage employers to hire disabled workers by identifying specific benefits. It will also educate them about methods of integrating disabled workers into the workplace.

2.3.2 Production of a booklet for employers of PwDs in Johor

The Ministry of Human Resources has already produced a manual for employers on recruiting PwDs whilst the Malaysian Confederation of the Disabled (MCD) is currently preparing a "user friendly" handbook for employers on the same subject in collaboration with the Ministry of Women, Family and Community Development. These existing resources could be used as resource material within this project. However, to ensure that employers in Johor have access to state-related information would be invaluable and the project will therefore fund the printing of a small booklet which provides relevant information and contact details

2.4 Identification and development of a model for Employment Trials

The project will aim to assist in the development of a model for employment trials. Employment trials can be in three forms, i.e.

- i. **Job sampling:** persons who want to sample a job for a learning experience, to find out if it suits them;
- ii. **Job training:** persons who want a job to develop specific skills;
- iii. **Job auditioning:** persons who are ready to work at capacity but need an opportunity to demonstrate their ability when the necessary adaptations and supports are in place.

Through discussions with stakeholders, a suitable and feasible employment trial model will be identified and developed.

2.5 Awareness Campaign

An awareness campaign will be organized to include:-

2.5.1 Awareness workshops for PwDs, their families and other support groups

The awareness workshops will aim to

- 1) Increase awareness amongst PwDs, and their families, on current employment recruitment systems for PwDs;
- 2) To raise PwD's preparedness for the employment selection process and to provide advice and information on where to receive further support;
- 3) Encourage family support for their participation in open employment, especially if they are able to do so.

2.5.2 Disability Awareness Campaign for Employers

The project will also culminate in a disability awareness campaign for employers to encourage the hiring of PwDs. This will include:

- 1) A one-day conference for employers, to include:
 - i. launch of project resource tools – video and fact sheet;
 - ii. briefing on “model employers”;
 - iii. “employment trials” and sharing of best practices and experiences of employers who are already employing PwDs;
- 2) A one day disability fair in Johor Baru for PwDs (to launch the recruitment registration drive) and to raise awareness amongst employers and the general public.

2.6 Communication Strategy and Knowledge Management

In the creation and management of awareness for this project within Malaysia, the project will explore the preparation of an appropriate media strategy in line with the objectives of the study and in consultation with key stakeholders.

For greater impact of the findings from the study, the know-how accumulated from the project should be properly documented. The lessons learnt and best practices of this project should provide useful input to the Federal Government and state Governments. With regard to this, UNDP will utilise its global knowledge network to solicit best practices from other relevant countries globally, with an emphasis on countries within the region.

PART IIB PROJECT RESULTS AND RESOURCES FRAMEWORK

<p>Intended Outcome as stated in the Country/ Regional/ Global Programme Results and Resource Framework: Outcome 1: National policies more effectively address challenges towards the achievement of Malaysia's national development goals (2003-2007) Outcome 2: Effectively responded to human development challenges and reduced inequalities (2008-2012)</p>				
<p>Outcome indicators as stated in the Country/ Regional/ Global Programme Results and Resources Framework, including baseline and targets. Increased capacity to assess human development needs (2003-2007) Strategic project implemented to support Malaysia's priority human development challenges, addressing inequalities and disadvantages (2008-2012)</p>				
<p>Applicable MYFF Service Line: Service line 1.4: Globalisation benefiting the poor</p>				
<p>Partnership Strategy Strengthening partnerships between UNDP and the Federal Government and state Governments of Penang and Johor, in addition to fostering closer working relationship with civil society and the private sector towards the achievement of national development goals</p>				
<p>Project title: Encouraging increased participation by Persons with Disabilities in the workforce in the State of Johor</p>				
Intended Outputs	Output Targets for 2008	Indicative Activities	Responsible parties	Inputs
1.1 A systematic method of data collection and documentation	At least one year of gender disaggregated data on i. the types of vocational/life skill training that is being provided for PwDs in Johor by both Government and the NGO sector; ii. the types of sheltered employment that is available in the state; iii. the number of placement officers there are in the state (NGO/Government);	1.1.1 Data collection based on available data systems 1.1.2 Compiling of relevant documents related to the data 1.1.3 At least one stakeholder consultative seminar on data collection	Local consultants	1 person month – USD 6,500

	<p>iv. the number of Johor-based PwDs and Employers that are currently registered with SPOku</p> <p>v. the number of Johor-based PwDs under the Skim Bantuan Galakan Perniagaan (SBGP-OKU)</p>			
1.2 Capacity building of stakeholders involved with PwDs	<p>i. Model of employing PwDs in the private sector and the public sector</p> <p>ii. Capacity of NGOs and Government PWD Vocational Training Institutes developed</p>	<p>1.2.1 Discussion and interaction with interested private sectors and one or two public sector to develop a model containing the following:-</p> <p>i. A disability awareness training module for HR and other staff,</p> <p>ii. Access Audit of the workplace and identify possible solutions;</p> <p>iii. Develop a support system within the workplace to assist new employees with a disability to:</p> <ul style="list-style-type: none"> • Learn specific work duties and meet performance standards; • Develop work related • behaviours, such as time and attendance, dress, 	Local consultants and international consultants	<p>Local consultant 3 person month USD 19,500</p> <p>International consultant 1 person month USD 14,000</p>

		<p>communication skills, accepting supervision and acquire a sense of belonging at the workplace.</p> <p>1.2.2 Enhancing the capabilities of selected NGO and public sector placement officers through training workshops to:-</p> <ul style="list-style-type: none"> • Undertake vocational evaluation of PWDs, ie by using standardized testing to provide information about the individual's abilities and vocational preferences, • To raise PwD's preparedness for employment selection processes, • To help the PwD with appropriate work related behaviour; • To identify the 		
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		support and modifications that might be required in the workplace.		
1.3 Resources related to employment of PWDs developed	<ul style="list-style-type: none"> i. Video encouraging the recruitment of PWDs developed ii. Booklet on employing PWDs developed for Johor 	1.3.1 Discussions with stakeholders to identify inputs for the development of the video to encourage the recruitment of PWDs and booklet on employing PWDs in Johor	Local consultant Production company to develop the video	1 persons month – USD 6,500 Production company USD 20,000
1.4 An appropriate and relevant employment trial model identified	<ul style="list-style-type: none"> i. Identification of suitable employment trial model, through discussions with stakeholders. 	1.4.1 Examining and exploring employment trials such as job sampling, job training and job auditioning. Active discussions with stakeholders to identify a suitable and feasible employment trial model -	Local consultant International consultant	Local consultant 1 person month USD 6,500 International consultant – 2 persons week USD 7,000
1.5 Awareness campaign executed	<ul style="list-style-type: none"> i. Awareness campaign developed and executed for <ul style="list-style-type: none"> • PWDs, family and support groups • Employers 	<p>1.5.1 Awareness workshops for PWDs, their families and other support groups conducted</p> <p>Disability Awareness Campaign for Employers carried out in the form of a one-day conference where employers can share of best practices and experiences employing</p>	Project Manager	

		PwDs; A one day disability fair in Johor Baru for PwDs (to launch the recruitment registration drive) and to raise awareness amongst employers and the general public.		
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PART III MANAGEMENT ARRANGEMENTS

The project will be governed by two main committees, namely the National Steering Committee (NSC) and the Technical committee (TC).

(a) National Steering Committee (NSC)

The National Steering Committee will be established to provide the overall guidance to the implementation of the project and will be jointly chaired by the Department of Social Welfare at the Ministry of Women, Family and Community Development and the Labour Department under the purview of the Ministry of Human Resources. Members of the NSC will consist of representatives from the Economic Planning Unit, UNDP, and other relevant stakeholders deemed appropriate.

(b) Technical Working Committee (TWC)

A technical Committee will be established to handle all the technical matters relating to the study. The Chairman of the TWC shall be the Director of the Johor State Planning Unit with members from the State Department of Social Welfare, Labour Department, Local authorities, NGOs involved with PWDs such as the Johor Area Rehabilitation Organisation, Association of PWDs, the private sector and other members deemed appropriate by the chairman of the TWC

Consultants and technical support

Technical support is proposed to be provided by local and international professionals at the technical and policy levels.

Project Assurance

The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. A UNDP Programme Officer will hold the Project Assurance role for the UNDP together with a representative from External Assistance, EPU representing the Government.

Project Manager

The project will be managed by a Project Manager who has the authority to run the project on a day-to-day basis on behalf of the TWC and NSC within the constraints laid down by the TWC and NSC. The Project Manager is responsible for day-to-day management and decision-making for the project. The Project Manager's prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost. The Project Manager will be assisted by a Project Assistant. UNDP will provide, if necessary the computer hardware such as a laptop and printer for the Project manager and Project Assistant who will be based at the Johor State Economic Planning Unit.

PART IV MONITORING AND EVALUATION

Annual Review

An annual project review will be conducted during the fourth quarter of the year as a basis for assessing the performance of the project. In the last year of the project, the review will be a final assessment. The review will involve all key project stakeholders and the Implementing Partner, and will focus on the extent to which progress is being made towards outputs and that they remain aligned to appropriate outcomes. This review should update output targets and results achieved. An annual progress report (APR) prepared by the project Manager will be submitted to UNDP at the beginning of each year.

Provision of Financial Resources and Monitoring their Use

Based on the approved work plan, UNDP will provide the required financial resources to the Implementing Partner to carry out the project activities during the annual cycle. Financial resources will be made available through direct payments. In this project, the Project Manager, based at Johor State UPEN will work closely with UNDP to monitor the use of the financial resources. The Project Manager is accountable for

1. Managing UNDP's resources to achieve the expected results specified in the Project Document and approved work plan.
2. Maintaining an up to date accounting system to ensure accuracy and reliability of financial reporting

At the end of a quarter/year UNDP prepares a Combined Delivery Report (CDR) as an input to the review of financial resources. The Implementing Partner, i.e. Johor State Economic Planning Unit should sign this CDR.

A project revision shall be made when appropriate; to respond to changes in the development context or to adjust the design and resources allocation to ensure the effectiveness of the project provided that the project remains relevant to the Country Programme. A project revision shall be supported by the record of an approval decision made by the project Steering Committee, and an updated and signed AWP. UNDP will track all justifications within Atlas. However, changes to a the project that do not affect the scope(outputs), completion date or total estimated cost do not require a revision approved by the Steering Committee provided that the redeployment of resources is within the project framework and its financing arrangements.

Procurement

Any procurement actions carried out by UNDP for the project implementation are required to follow the policies and procedures outlined in the UNDP Procurement User Guide.

Audit Requirements

As with all nationally executed projects, the project must be audited at least once in its lifetime, in accordance with UNDP procedures as approved in writing by the Government from time to time. The objective of the audit is to provide the UNDP Administrator with the assurances that UNDP resources are being managed in accordance with:

1. The financial regulations, rules, practices and procedures prescribed for the project:
2. The project document and work plans, including activities, management and the project implementation arrangements, monitoring, evaluation, and reporting provisions
3. The requirements for execution in the areas of management, administration and finance.

While the Government is responsible for ensuring that the audit requirements are met, the project may be subject to audit by the auditors of UNDP, and UNDP shall have right of access to the relevant records.

The Government's own auditors i.e. the Auditor-General's Office will conduct the audit. The Government must ensure that the audit is performed in accordance with the generally accepted standards and ensure that the audit report is duly reviewed and will reach UNDP Headquarters via the UNDP Malaysia office by 30 April of each year.

In-Kind contribution

In addition to the financial resources from UNDP, the Implementing Partner, Johor State Economic Planning Unit and the executing agency, the Department of Social Welfare will provide the following in-kind contribution:

- Help to gain access to all relevant data and information required to undertake the study.
- Office space (i.e. room/workspace) for consultants, the Project Manager and Project Assistant.
- Use of office support facilities (e.g. computers, fax, stationary, Photostat machine, telephone, local transport), and secretarial support where applicable.
- Facilities for convening meetings.

Monitoring and Documentation

As part of the monitoring process, four reports should be produced by the consultants and they are as follows with an indicative timing of submission. The approval of reports is subject to the endorsement of the Technical Working Committee and the National Steering Committee.

1. Inception report (30 copies)

The inception report should provide the description of activities to be undertaken, the adopted methodology, detailed work plan (containing clear delegation of work and its timeline), the final list of experts, stakeholders and organizations/networks involved.

The will be prepared after the first meeting and should be submitted by the end of the first month.

2. *Interim report (30 copies)*

The interim report shall include interim findings, revised objectives of the working group and shall be submitted by the end of the sixth month of the project.

3. *Draft final report (30 copies)*

The draft final report shall be submitted six months after the approval of the Interim report.

4. *Final report (60 copies)*

The final report shall be submitted after three months after the meeting held to discuss the draft final report.

PART V LEGAL CONTEXT

This project document shall be the instrument envisaged in the Supplemental Provisions to the Project Document. The Supplemental Provisions to the Project Document is a standard annex to project documents that is used in countries which are not parties to the Standard Basic Assistance Agreement (SBAA). The Supplemental Provisions outlines the specific basic conditions under which UNDP assists the Government in carrying its development programmes. It specifies the UNDP privileges and immunities, the forms of assistance, the management arrangements, the role of the Government and the executing agency, resources, costs and general provisions. The host country-implementing agency shall for the purpose of the Supplemental Provisions to the Project Document, refer to the Government Cooperating agency described in the Supplemental Provisions.

All activities stipulated in the Project Document shall be implemented accordingly. However, should there be a need to make changes/modifications to any of the agreed activities, all signatories of the Project Document must concur, before such changes are made.

The following types of revisions may be made to this project document with the signature of the UNDP principal project representative and the Government of Malaysia, provided he or she is assured that the other signatories of the project document have no objection to the proposed changes:

1. Revisions in, or addition of, any of the annexes of the project document [with the exception of the Standard Legal Text for non-SBAA countries which may not be altered and the agreement to which is a pre-condition for UNDP assistance].
2. Revisions which do not involve significant changes in the immediate objectives, outputs or activities of a project, but are caused by the rearrangement of inputs already agreed to or by cost increases due to inflation; and

3. Mandatory annual revisions which re-phase the delivery of agreed project inputs or increased expert or other costs due to inflation or to take into account agency expenditure flexibility.”

Confidentiality

The Parties shall undertake that neither Party shall disclose or distribute any confidential information, documents or data received or supplied to the other Party in the course of the implementation of this Project Document and any other agreements made pursuant to this Project Document, to any third party except to the extent as authorised in writing to do so by the other Party.

Both the Parties agree that the provisions of this Article shall continue to be binding between the Parties notwithstanding the expiry or termination of this Project Document.

Suspension

Each Party reserves the right for reasons of national security, national interest, public order or public health to suspend temporarily, either in whole or in part, the implementation of this Project Document which suspension shall take effect immediately after notification has been given to the other Party in writing.

Revision, Modification and Amendment

Any Party may request in writing a revision, modification or amendment of all or any part of this Project Document. Any revision, modification or amendment agreed to by the Parties shall be reduced into writing and shall form part of this Project Document. Such revision, modification or amendment shall come into force on such date as may be determined by the Parties. Any revision, modification or amendment shall not prejudice the rights and obligations arising from or based on this a Project Document prior or up to the date of such revision, modification or amendment.

Arbitration

Any dispute, which cannot be resolved amicably, shall be settled by arbitration in accordance with the Arbitration Act 1952 [Act 93] and the rules of arbitration as adopted by the Regional Centre for Arbitration at Kuala Lumpur.

The number of arbitrators shall be three (3), with one (1) arbitrator to be appointed by UNDP and one (1) arbitrator by the Government and the third to be agreed between the two (2) nominated arbitrators. If the two (2) arbitrators fails to agree on the person to be nominated, on the application of either Party hereto the same shall be appointed by the Director of the Regional Centre of Arbitration in Kuala Lumpur.

Any such reference to arbitration shall be deemed to be a submission to arbitration within the meaning of the Arbitration Act 1952.

The decision of the panel of arbitrators shall be final and binding on both Parties. The arbitrator shall have the power to order specific performance of any obligation under this Project Document.

Entry into Force, Duration and Termination

This Project Document shall enter into force on the Starting Date and shall remain in force until the Completion Date unless on of the Parties notify the other Party of its intention to terminate this Project Document by a notice in writing, at least six (6) months prior to the date of the intended termination.

The termination of the Project Document shall not affect the implementation of on going activities/programmes which have been agreed upon prior to the date of the termination of this Project Document.

Protection of Intellectual Property Rights

The protection of intellectual property rights shall be enforced in conformity with the national laws and regulations of Malaysia and with other international agreements signed by the Parties.

The use of the name, logo and/or official emblem of any of the Parties on any publication, document and/or paper is prohibited without the prior written approval of Party concerned.

Notwithstanding anything in paragraph 1 above, the intellectual property rights in respect of any technological development, products and services development, carried out:

1. Jointly by the Parties or the research results obtained through the joint effort of the Parties, shall be owned by the Parties in accordance with the terms to be mutually agreed upon; or
2. Solely and separately by the Party or the research results obtained through the sole and separate effort of the Party, shall be solely owned by the Party concerned.

ANNEX I

1. The value of the payment, if made in a currency other than United States dollars, shall be determined by applying the United Nations operational rate of exchange in effect on the date of payment. Should there be a change in the United Nations operational rate of exchange prior to the full utilization by the UNDP of the payment, the value of the balance of funds still held at that time will be adjusted accordingly. If, in such a case, a loss in the value of the balance of funds is recorded, UNDP shall inform the Government with a view to determining whether any further financing could be provided by the Government. Should such further financing not be available, the assistance to be provided to the project may be reduced, suspended or terminated by UNDP.
2. The above schedule of payments takes into account the requirement that the payments shall be made in advance of the implementation of planned activities. It may be amended to be consistent with the progress of project delivery.
3. UNDP shall receive and administer the payment in accordance with the regulations, rules and directives of UNDP.
4. All financial accounts and statements shall be expressed in United States dollars.
5. If unforeseen increases in expenditures or commitments are expected or realized (whether owing to inflationary factors, fluctuation in exchange rates or unforeseen contingencies), UNDP shall submit to the government on a timely basis a supplementary estimate showing the further financing that will be necessary. The Government shall use its best endeavors to obtain the additional funds required.
6. If the payments referred above are not received in accordance with the payment schedule, or if the additional financing required in accordance with paragraph above is not forthcoming from the Government or other sources, the assistance to be provided to the project under this Agreement may be reduced, suspended or terminated by UNDP.
7. Any interest income attributable to the contribution shall be credited to UNDP Account and shall be utilized in accordance with established UNDP procedures.
In accordance with the decisions and directives of UNDP's Executive Board:
The contribution shall be charged:
 - (a) 6% cost recovery for the provision of general management support (GMS) by UNDP headquarters and country offices
 - (b) Direct cost for implementation support services (ISS) provided by UNDP and/or an executing entity/implementing partner.
8. Ownership of equipment, supplies and other properties financed from the contribution shall vest in UNDP. Matters relating to the transfer of ownership by UNDP shall be determined in accordance with the relevant policies and procedures of UNDP.
9. The contribution shall be subject exclusively to the internal and external auditing procedures provided for in the financial regulations, rules and directives of UNDP."

ANNEX II

UNDP Annual Work Plan Monitoring Tool

Together with project issue/ risk logs, the following AWP Monitoring Tool should be used for the project review purpose.

Expected Outputs and Indicators: List all CP outputs and indicators, including annual targets

Planned Activities: List all the activities including monitoring and evaluation activities, including evaluations, field monitoring visits, technical backstopping missions, and audits to be undertaken during the year towards stated CP outputs

Expenditures: List actual expenditures against activities complete

Results of Activities: For each activity, state the results of the activity

Progress towards Achieving CP Outputs: Using data on annual indicator targets, state progress towards achieving the CP outputs. Based on the updated project issue/ risk logs, comment on factors that facilitated and/or constrained achievement of results including:

- Whether risks and assumptions as identified in the CP M&E Framework materialized or whether new risks emerge
- Internal factors such as timing of inputs and activities, quality of products and services, coordination and/or other management issues

The Annual Work Plan (AWP) Monitoring Tool

Year _____

CP Component _____

Executing Entity _____

<p>EXPECTED OUTPUTS AND INDICATORS including annual targets</p>	<p>PLANNED ACTIVITIES <i>List all the activities including monitoring and evaluation activities to be undertaken during the year towards stated CP outputs</i></p>	<p>EXPENDITURES <i>List actual expenditures against activities completed</i></p>	<p>RESULTS OF ACTIVITIES <i>For each activity, state the results of the activity</i></p>	<p>PROGRESS TOWARDS ACHIEVING OUTPUTS Using data on annual indicator targets, state progress towards achieving the CP outputs. Where relevant, comment on factors that facilitated and/or constrained achievement of results including: <ul style="list-style-type: none"> ▪ <i>Whether risks and assumptions as identified in the CP M&E Framework materialized or whether new risks emerged</i> ▪ <i>Internal factors such as timing of inputs and activities, quality of products and services, coordination and/or other management issues</i> </p>
<p>OUTPUT 1:</p> <p>INDICATOR 1.1 WITH TARGET FOR THE YEAR:</p> <p>INDICATOR 1.2 WITH TARGET FOR THE YEAR:</p> <p>INDICATOR 1.3 WITH TARGET FOR THE YEAR:</p>				
<p>OUTPUT 2:</p> <p>INDICATOR 2.1 WITH TARGET FOR THE YEAR: ETC.</p>				

ANNEX III

The UN Convention on the Rights of Persons with Disabilities – Article 27

States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

- (a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- (b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- (c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
- (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- (e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- (f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- (g) Employ persons with disabilities in the public sector;
- (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- (i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- (j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
- (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities".

Annex IV

Terms of Reference for National Steering Committee (NSC)

The National Steering Committee will be established to provide the overall guidance to the implementation of the project and will be jointly chaired by the Department of Social Welfare at the Ministry of Women, Family and Community Development and the Labour Department under the purview of the Ministry of Human Resources. Members of the NSC will consist of representatives from the Economic Planning Unit, UNDP, and other relevant stakeholders deemed appropriate.

The NSC will meet after the receipt of each project report and or twice a year, whichever is more, and have the following responsibilities:

1. Provide Policy guidance on matters pertaining to the implementation of the project.
2. Monitor and evaluate the implementation of the project towards fulfilment of the objectives stated in the project document.
3. Coordinate and manage overall project activities and budget.
4. Review and comment on proposed work plan and budget.
5. Initiate remedial actions to overcome all constraints in progress of the project;
6. Review and approve relevant changes to the project design.
7. Coordinate the roles of the various organisations involved in the execution of the project and ensure harmony with related activities.
8. Review and approve progress and technical reports.

The NSC may choose to co-opt other members, such as NGOs and local community representatives, as may be necessary.

Annex V
Terms of Reference for the Technical Working Committee (TWC)

A Technical Working Committee will be established to handle all the technical matters relating to the study. The Chairman of the TWC shall be the Director of the Johor State Planning Unit with members from the State Department of Social Welfare, Labour Department, Local authorities, NGOs involved with PWDs such as the Johor Area Rehabilitation Organisation, Association of PWDs, the private sector and other members deemed appropriate by the chairman of the TWC. The TWC will be specifically responsible for:

1. Provide guidance and decisions on matters pertaining to the technical aspects of the project.
2. Monitor and evaluate the technical implementation of the project towards fulfillment of the objectives stated in the project document.
3. Review and comment on the proposed technical work plan and budget.
4. Regular monitoring of the progress of the project and recommend approved technical reports to the NSC.

Annex VI

Terms of Reference For National Project Director

National Project Director is a staff member of the Government implementing agency of a UNDP- supported project. His/her main responsibility is to co-ordinate project activities among the main parties to the project: the Government co-coordinating authority, the consultants, and UNDP.

Specifically, he/she works in close collaboration with UNDP staff and his/her responsibility include:

- Ensuring that the project document and project revisions requiring Government's approval are processed through the Government co- coordinating authority , in accordance with established procedures;
- Preparing work plans in discussion with the consultants and UNDP;
- Mobilizing national institutional mechanisms for smooth progress of project;
- Providing formal project/deliverable sign-off and acceptance;
- Reviewing project status reports;
- Providing direction and guidance on project-related issues;
- Providing advice and guidance to the project team.

Annex VII

Terms of Reference for Project Manager

The Project Manager (PM) will be primarily focused on the administrative, financial and operational aspects of the project. The PM's role is also to manage and coordinate the implementation of various project activities in ensuring quality and timeliness of activities and delivery of outputs. He/She will be based at the Johor State Economic Planning Unit.

The specific tasks of the Project Manager are to:

- Provide the direction for the project, in addition to managing and coordinating the implementation of project related tasks in ensuring quality and timeliness of activities and outputs.
- Liaise and work closely with the local regional focal points and project beneficiaries.
- Report regularly to the National Steering Committee and Technical Committee on the development of the study.
- Maintain close contact with focal points from the UNDP and other stakeholders, indicating any estimated changes to the work plan, and proposing a budget revision, when appropriate.
- Ensure that the requisite allocations are available, in accordance with the agreed budget, and established schedules of payment, if any, in consultation with State UPEN and UNDP.
- Coordinate and facilitating the work of multiple component teams engaged in the implementation of project activities.
- Work closely with the lead international consultant and key stakeholders in the drafting and preparation of relevant Terms of Reference for international and local consultants.
- Monitor the project funds, resources and prepares the progress and financial reports of the project when required.
- Maintaining up-to-date accounting system to ensure accuracy and reliability of financial reporting
- Be responsible for the delivery of the project results and final outputs.
- Establishing a monitoring plan for activities implemented by project consultants.
- Be actively involved in the preparation of relevant knowledge products (including, publications and reports).

Duration: 12 months

Qualifications and skills:

1. Degree or its equivalent in Social Science, Social Work, Human Resources or related discipline, and an MBA would be an advantage.
2. At least 5-7 years experience in a supervisory capacity in NGO or private sector, with a good understanding of developmental issues.
3. Some knowledge on PWDs, employment and subject area would be advantageous.
4. Be proactive, energetic, committed and innovative.
5. Have good interpersonal skills, diligent, open minded and dedicated.
6. Flexible and mature person.
7. Excellent writing and organisation skills. Fully competent in English and Bahasa Malaysia.
8. Project management experience will be an asset and he/she must be able to work independently.

Annex VIII

Terms of Reference for Project Assistant

Summary of Responsibilities

The Project Assistant, based at the State Economic Planning Unit in Johor will provide administrative support for the successful and effective implementation of the project. The incumbent who is successful will be expected to perform a variety of duties and functions, including the following:

Project and administrative Support

1. Serve as the administrator for all aspects of project implementation, research and communication;
2. Draft and follow up on correspondence;
3. Maintain database with key contacts and resources in line ministries;
4. Manage information flow to meet all reporting requirements;
5. Maintain files and retrieval systems;
6. Performing the function of ATLAS General User, creating POs and vouchers, and other relevant ATLAS processes;
7. Monitor and analyse data as referred in Atlas ensuring consistency and accuracy in terms of delivery, cost-sharing etc;
8. Provide support for workshops and training programmes;
9. Assist with the preparation of presentations, project briefs, research and reports;
10. Assist in all aspects of project management and research; and
11. Perform other duties as required.

Duration: 18 months

Reports to: Director, Johor State Economic Planning Unit

Qualifications:

1. A Diploma or pre-university qualification, or any equivalent qualification relevant to UNDP's practice areas will be highly advantageous.
2. Experience in administrative, financial and development field will be an added advantage; and
3. Knowledge and experience in Internet/Website research.
4. Fluent in English and Bahasa Malaysia (written and spoken);

Annex IX

Terms of Reference for Local Consultants

The project aims to support future increases to the numbers of Persons with Disabilities seeking, obtaining and eventually retaining positions in Open Employment.

Scope of work

The consultants will be expected to carry out the following tasks, working closely with the Project Manager and project stakeholders:-

- Collect and compile at least one year of data on
 - (i). the types of vocational/life skill training that is being provided for PwDs in Johor by both Government and the NGO sector;
 - (ii). the types of sheltered employment that is available in the state;
 - (iii). the number of placement officers there are in the state (NGO/Government);
 - (iv). the number of Johor-based PwDs and Employers that are currently registered with SPOku
 - (v). the number of Johor-based PwDs under the Skim Bantuan Galakan Perniagaan (SBGP-OKU)
- Facilitate discussion and interact with interested private sectors to develop a model of employing PwDs in the private sector
- Design and train NGOs and Government PwD Vocational Training on employment of PwDs
- Assist, advice and provide inputs into resource development to encourage the recruitment/employment of PwDs. These resources include a video encouraging the recruitment of PwDs and booklet on employing PwDs developed for Johor
- Design and prepare, working together with the Project Manager to develop an awareness campaign suitable for target groups to include PwDs, their families and prospective employers

Qualifications and Experience

1. A higher degree in Development Studies, Social Work or Social Science.
2. Deep knowledge (10 years or more of consulting experience) of the subject matter, especially in employment of PwDs.
3. Possess excellent writing, communication and organization skills
4. Have good knowledge on Malaysia's (with special reference to Johor) developmental issues.
5. Be fluent in English.
6. Have experience working in a multicultural environment.
7. Have excellent computer skills.
8. Be proactive, energetic, committed and innovative.

It is envisaged that a total of 18 months will be needed to complete the project.

Annex X

Terms of Reference for International Consultant

Scope of work

The following tasks will be performed by the International Consultant, working closely with the local consultants and other local resource persons and stakeholders:

- Prepare a concise report on international best practices from relevant and appropriate countries of successful employment of PWDs models
- Assist and advise on the preparation materials for capacity building in models of employment of PWDs
- Assist and advise on the identification of employment trials for PWDs

Duration: Approximately 6 weeks over an 18 month period

Qualifications and Experience

- A Masters degree or PhD in social science or related discipline
- Deep knowledge (10 years or more of practical experience) in the area of open employment of PWDs
- Demonstrated ability to speak and write professionally in English with Bahasa Malaysia an advantage;
- Ability to work independently with strong sense of initiative, discipline, self-motivation and team work;
- Preferably having experience of working in multi-cultural and interdisciplinary teams.
- Be proactive, energetic, committed and innovative.

Estimated project timeline

Activities	Months																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
A systematic method of data collection and documentation																		
Submission of inception report																		
Capacity building of stakeholders involved with PWDs																		
Submission of interim report																		
Resources related to employment of PWDs developed																		
Submission of draft final report																		
An appropriate and relevant employment trial model identified																		
Submission of final report																		
Knowledge Product																		
Final seminar to share findings from project																		
Awareness campaign	Ongoing with 3-4 key events																	