

Article 34 - Aid for compensating the additional costs of employing workers with disabilities

1. **Page title:** Please insert the full Article reference (e.g. "Art. 1(4) a)") and a short title (e.g. "Deggendorf principle")
2. **Table:** Fill in **only the green** fields. Please respect the instructions (they are essential to optimise search).
3. **Questions:** Please create 1 question page per question
4. **Creation date:** fill in following the pattern **yyyy.mm.dd** (e.g. 2017.03.17)
5. When ready, click on *Publish* at the bottom of the page:
Publish
6. Please be aware that you will not more be able to edit the page after the DG COMP has provided the answer.

Article	Article 34 - Aid for compensating the additional costs of employing workers with disabilities
Key words	Staff - third company - subcontract
Member State	BE
Question	<p>Art. 34, point 2 defines the eligible costs as follows</p> <p>(b) costs of employing <u>staff</u> solely for time spent on the assistance of the workers with disabilities and of training such staff to assist workers with disabilities.</p> <p>How do we need to interpret "staff"?</p> <p>Does this mean only the staff employed by the company, where the workers with disabilities are employed, or is it possible that this service can also be done with staff from an external provider?</p> <p>For example:</p> <p>Company A employs/wants to employ workers with disabilities, but does not have the know-how to assist and train these workers.</p> <p>Company A therefore asks/subcontracts Company B (who does have this expertise) to help assist and train the worker(s) in company A.</p> <p>The staff offering the assistance and training is therefore employed by another company, i.e. company B.</p> <p>Can we compensate the costs of the staff of company B working in company A for assistance and training with an aid intensity of 100%?</p>
Creation Date	2018.05.17
COMP Reply	<p>Article 34 (2) (b) refers to costs of employing staff for the assistance of workers with disabilities without distinguishing between in-house staff and staff employed by third parties who provide assistance services to workers with disabilities. As the objective of this provision is to compensate the additional costs of employing workers with disabilities, costs paid to external assistants are also to be taken into account as eligible costs insofar they cover only the time spent by the staff on the assistance of the workers with disabilities and the training provided to such staff for the assistance of workers with disabilities.</p> <p><i>Disclaimer: This reply does not represent a formal and definite position of the European Commission but is only an informal guidance provided by the services of DG Competition to facilitate the application of the GBER. It is therefore not binding and cannot create legal certainty or legitimate expectations.</i></p>

COMP Reply date	2018.06.29
COMP Responsible	<input checked="" type="checkbox"/> HII ESTATE-AID-WIKI

¹ Article numbers & names

- Article 32 - Aid for the recruitment of disadvantaged workers in the form of wage subsidies
- Article 33 - Aid for the employment of workers with disabilities in the form of wage subsidies
- Article 34 - Aid for compensating the additional costs of employing workers with disabilities
- Article 35 - Aid for compensating the costs of assistance provided to disadvantaged workers

² AT, BE, BG, HR, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, RO, SK, SE, SI, UK.