

*The Access of Disabled Persons on the Romanian Labour Market: An Institutional
Ethnography of the Role of Social Welfare*

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Abstract

Using a qualitative approach based on an institutional ethnography of social organization of work inclusion for disabled persons, the current paper addresses the specific ways in which the individual experiences of the Romanian disabled persons, in society and on the labour market, are influenced and shaped by the social relations of textually mediated discourse. It draws on the results of a larger study, conducted between 2014 and 2015 in Romania, as part of a research project focusing the dysfunctionalities that impede the labour market access of disabled persons in Romania and the institutional arrangements and structural mechanisms that underpin these dysfunctionalities. The paper reveals a particular type of consonance between the Romanian legislative provisions, institutional arrangements and local practices, that allows for the concept of 'protection' of the disabled persons to transcend its initial purpose and philosophy and start working against the disabled persons. The article also shades some light on the way in which the current Romanian welfare arrangements contribute to keeping the disabled persons outside the labour market, by categorizing them as 'vulnerable persons' and thus justifying their exclusion from employment.

Keywords: employment of disabled persons, social welfare, unemployment, Romania, social vulnerability

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1. Introduction

Persons with disabilities and households with disabled persons in general experience worse social and economic outcomes than do persons without disabilities. Disabled people in general have lower income compared to non-disabled people, and they (and their families) often also incur additional costs in order to to achieve a standard of living equivalent to that of nondisabled people.

At international level, the inequalities between disabled and non-disabled persons continue to persist, in terms of poverty rates (OECD, 2009; ANED, 2013), and educational and labour market outcomes (WHO & WB, 2011). Many researchers find that participation in the labour market is one of the most important ways of bettering people's economic and social inclusion. However, when it comes to social and labour market inclusion, people with disabilities experience a number of obstacles; structural (that make their physical access to education, employment, health care, or participation at the community life difficult, if not impossible), economic (lower income, higher costs) and even cultural (misconceptions about their abilities, direct or indirect discrimination etc.).

In Romania, it seems that disabled people face even more serious challenges in getting and keeping paid work compared to other European Members States. Research (SAR, 2009; ONPHR, 2007 apud SAR, 2009) shows that, compared to their non-disabled co-nationals, disabled people in Romania have an extremely low level of inclusion on the labour market. According to the cited reports, the percentage of disabled people having paid jobs varies between 5% (ONPHR, 2007 apud SAR, 2009) and 12.7% (SAR, 2009) from the total number of disabled persons.

It is often perceived that dependency of long-term disability benefits may generate disincentives for people to seek employment and return to work (OECD, 2010). This is especially the case for those who are less skilled because of poor access to education and/or training, or whose jobs would be primarily low paid jobs. One reason is that the benefit provides a regular income – even though small – that the person can rely on. Loss of this regular payment and reliance on low-paid, sometimes seasonal, work may result in no regular income and little sense of security.

In a report from 2010, the OECD notices that disability benefits have become a type of financial support of last resort because unemployment benefits are harder to access, early retirement schemes have been phased out, and low-skilled workers face labor market disadvantages. Spending on disability benefits is an increasing burden on public finances, rising to as much as 4–5% of GDP in countries such as the Netherlands, Norway, and Sweden (OECD, 2010).

System reform to replace passive benefits with active labor market programs can make a difference. Evidence from Hungary, Italy, the Netherlands, and Poland suggests that tighter obligations for employers to provide occupational health services and to support reintegration, together with stronger work incentives for workers and better employment supports can help disabled persons get back on the labour market (OECD, 2010). The discussion, however, is not as simple as just making the choice between passive or active measures when deciding the arrangements of the system for

ensuring the equal opportunities of the disabled persons. Many more issues have to be taken into account and understood, before a restructuring of the system is designed. In this article, we discuss possible ways in which certain institutional arrangements, in the Romanian cultural context, may contribute to keeping the disabled persons outside the labour market, by discouraging the accessing of employment, through neglecting the provision of adapted services and replacing them, instead with various forms of financial support.

2. Methodology of the study

Documenting the ways in which social policy and its underlying legislative and institutional arrangements influence and shape the everyday experiences of those considered as their ‘target groups’ requires for a particular approach that should find the proper manner to give a voice to all parties involved.

The current article was elaborated based on the results of a larger study, conducted between 2014 and 2015 in Romania, as part of a research project focusing the dysfunctionalities that impede the labour market access of disabled persons in Romania and the institutional arrangements and structural mechanisms that underpin these dysfunctionalities.

Using a qualitative approach based on an institutional ethnography of social organisation of work inclusion practices for disabled persons, the study investigated the way in which the disabled persons’ experiences of barriers towards employment and access on the labour market are hooked up or derive from institutional arrangements or practices.

Institutional ethnography (IE) is a ‘method of inquiry’ (Smith, 1990, 2005) that attempts to describe the ‘interface between individuals’ experiences and institutional relations’ (McCoy, 2006, p. 109). The purpose of institutional ethnography is to investigate the ‘empirical linkages among local settings of everyday life, organizations, and translocal processes of administration and governance’ (DeVault & McCoy, 2006: 15). The starting point is always from the perspective of a certain group of people, in this case, the disabled persons. However, the purpose of IE is not to generalize on a particular group of people, but rather to illuminate the social and organizational arrangements that transcend individual experiences, finding and describing the social processes that have ‘generalizing effects’ (DeVault & McCoy, 2006, p.18).

A total number of 95 interviews were conducted, 24 of them with disabled persons and/or family members and 71 with representatives of various institutions, relevant for the employment of disabled persons (education, employment, social services, employers etc.). The interviews were recorded, transcribed verbatim in Romanian and translated in English. The analysis of the data collected through the interviews was conducted in a mixed team, involving Romanian and Norwegian researchers.

The results of our research show that the challenges faced by the disabled people when accessing the Romanian labour market are present at individual, institutional and systemic/structural levels, and we have dedicated a separate report to the analysis and interpretation of each level (Alexiu et al, 2014; Alexiu et al 2015a; Alexiu et al,

2015b). Researchers in the project have also published a number of scientific papers (Alexiu & Birneanu, 2014; Baciú et al, 2015a; Baciú et al, 2015b; Birneanu et al, 2016; Baciú & Lazar, 2016) addressing the mechanisms through which these challenges take shape and evolve in various social, educational and economic settings. In this paper, however, we focus upon a special topic previously unaddressed in publications from the project. We analyze the particular way in which the current Romanian institutionalized welfare arrangements may contribute to keeping the disabled persons outside the labour market, by certain ways of categorizing them as 'vulnerable persons' and organizing for different sorts of 'assistance' measures which in fact justifies their exclusion from employment rather than facilitating active participation.

3. Research findings

3.1. The social benefits trump social services for disabled persons in almost every aspect

This observation resulted from the analysis of the following dimensions that characterize the system of protection and support for the disabled individuals:

Organization. The granting of the financial entitlements associated with disability (i.e., the disability allowance) is done based on an 'expert' evaluation, which, most times, represents a humiliating, or at least offensive experience, evaluation undertaken by a commission, whose members rarely undergone a training on approaching or communicating with the disabled persons. Because the main stake of the handicap certificate is, after all, the disability allowance, the commission examines carefully the persons that present themselves before it, like they would fraudulently want to pass as disabled and obtain undeserved rights. At local level, the institution that coordinates the process of evaluation, granting, revoking, or reevaluation for the handicap certificate (the official recognition of the disability, under the Romanian law), is called The General Direction of Social Assistance and Child Protection (GDSACP) and is present at the level of each county. However, the interaction between the disabled person and this institution (one of the most relevant, for the topic of disability, from the entire system put in place) is almost exclusively related to the process of issuing the handicap certificate, and much less related to the process of social inclusion of the disabled person. Once the certificate is issued, in most of the cases, the contact between the two parties (the disabled person and the GDSACP) is interrupted until the next moment they need to make contact again, due to the same reason (expiration of the certificate and consequent re-evaluation for a new one);

Provision. The next institution that makes contact with the disabled person is the Local Public Authority from his domicile, who is in fact the institution that will actually provide the handicap-related entitlements. Again, this will be, in most cases, a one-task-based interaction, limited to the provision of the financial entitlements. The mentioning of counseling, information and job mediation services provided by this institutions are exceptional and mainly appear in the accounts of the disabled informants from the rural areas, where, because of the size of the community (small or very small), the inhabitants know each other, so the social worker at the level of the Local Public Authority, knows personally the disabled person or her family, and they provide them, mainly informally, with news or information about existing vacancies

or other type of professional development opportunities (trainings, qualification programs etc.);

Monitoring. The research results show that one of the main underlying reasons for the creation of the dense institutional network guarding the provision of support for the disabled persons is strongly related to the need of all institutions involved (or persons acting on behalf of an institution) to be reassured that someone else is taking the responsibility of making the decision of granting a certain amount of money to the beneficiary, or, at least, that they are not to the only ones involved in this decision-making process. This ‘fugue’ of responsibility is caused by the assimilation of certain financial rights with the issuance of a handicap certificate and, because where money is involved, there is also suspicion of corruption, no one wants to be the object of this suspicion, or, at least, the *only* object of suspicion. Each and every structure involved wants to feel that they are part of a larger apparatus, and that the decision taken is not left entirely up to them, but is rather based on objective criteria and justified and approved by other structures as well;

Perception. The first type of support mentioned by our disabled informants (and, often, the *only one*) was always the disability allowance. This type of benefit is granted to the disabled person that received a handicap degree, following a medical assessment. It is provided no matter the labour market status of the person (unemployed, in employment or looking for a job), it varies and is calculated based on the severity of the disability. The second type of support, much less present in the disabled informant’s accounts, refers to the tax exemption on the wage (or other types of incomes resulted from work activities) earned by that persons while in employment, in the current arrangements meaning 16% of the total value of that income. An interesting aspect raised by some disabled interviewees was the practical negative outcomes of such exemption on the work relations of the person, due mainly to the perception of her work colleagues that, for the same work as they, on the same qualification and position, the disabled person gets payed more than them.

3.2. The provision of social services is almost exceptional, rather than habitual

This finding is based on the following arguments:

The support for employment comes mostly from the private sector. Most of the disabled informants who have received assistance and support in identifying and accessing a job, mentioned they managed to do it with the assistance of organizations from the nongovernmental sector. Sometimes, especially in small rural communities, this support was mediated by the local public authorities. None of the informants recalled, even when specifically asked to do so, the Public Employment System (PES) agencies, as a source of support in finding employment. Moreover, the interviews with the PES representatives showed that, not only that the agencies have a small number of disabled persons registered with them, but they also encounter little success in their endeavors of finding them a job;

The law provisions encouraging employment of disabled persons (i.e. quota provision) have little effect. The quota system is a legal provision designed to increase employment for disabled persons. According to this system, in Romania, the employer who has more than 50 employees, should have among them, at least 4% disabled. In case he does not manage to reach this ‘quota’, he has two choices: pay a

contribution to the state budget, equivalent with an average salary, for every employee he hasn't hired or, buy, for the same amount, products or services produced or provided by Protected Units employing disabled persons. Still, the interviews with the representatives of the PES agencies and employers show that most employers prefer to pay the penalties or buy the goods or services required to fulfill the quota, rather than hire disabled persons. At the same time, the financial incentives for employers, meant to encourage them in hiring disabled persons, are not sought after by this category, mainly because of the employers' perception on the procedure for accessing such incentives as too complicated, while the obligation regarding the periodical reporting is seen as a supplementary burden that, especially the small employers, are not available to carry.

No clear institutional authority / responsibility neither on the target group (disabled), nor on the matter (employment). Every agency or institution which carries out activities that are relevant for the field of disability has its own database, mission, approach and objectives, rarely communicating with one another in order to exchange information or to collaborate, and this is happening mainly because they lack convergence in their activity, in spite of the fact that their joint actions should lead to the same result.

3.3. Discrimination is present in every aspect of the disabled persons' life

The accounts of the disabled informants showed their continuous struggle with labeling, prejudice and discrimination. The experiences evoked started from early childhood and continued along the person's lifetime, unfolding new obstacles with each life stage and each new social dimension explored by the person – entering various education levels, socializing with peers, accessing and keeping employment, finding a life partner, housing etc. These negative experiences in the context of various institutional encounters shaped the informants' perceptions not only about such experiences, but also about their own role in these relationships. The expectations towards institutional interventions have therefore diminished with each new failure.

The preference for the medical model in the provision of support has produced a distortion in the perspective of the service providers about the conceptualization of 'protection'. The interviews with representatives of various institutions involved in the provision of protection and support show that, under the influence of the medical model, the system workers perceive the disabled person mainly as helpless, powerless, and thus, feel entitled to affirm a patriarchal attitude, taking some decisions on behalf of the person. Thus, a deeper issue is unfolded, beyond the terms of fair access of the disabled persons to quality services – the conceptualization of disability, in the Romanian cultural context and the ways in which the disabled person is symbolically understood and placed in the network of social interactions and transactions.

4. Conclusions of the research

Traditionally, the labor market theory suggests, for reasons of both supply and demand, that the employment rate of people with disabilities will be lower than that of people without disabilities. From the perspective of the supply side, people with disabilities will experience a higher cost of working, because more effort may be required to reach the workplace and to perform the work; also, in some countries, employment may result in a loss of benefits and health care coverage, which could represent a significant cost, sometimes, their value being comparable with the wages that could be earned through employment (Stapleton et al, 1997). Thus, the value of the 'reservation wage' (meaning the lowest wage a person is willing to work for) of a person with disability is likely to be higher than that of a person without a disability. Some authors (Kemp et al, 2006) look at this situation as a classic case of a 'benefit trap', because it could manifest, among the disabled persons, as a disincentive to the labour market integration.

However, our interviewee's accounts indicate that it is not the will to work that is lacking, but their access to the labour market, as also shown by the extremely low employment rate among disabled persons in Romania (and the general attitudes towards disability), thus indicating that discrimination and exclusion is a far greater obstacle to employment than the lack of incentives.

Following the discourse on not only what is present, but also what it lacks, we notice that, in our informants' accounts, we have an unbalanced presence of the two main actors of the social assistance system – benefits and services. While the topic of benefits is almost omnipresent in all informants' stories, at multiple levels, that of the services manages to 'escape' from the interviews most of the times, even if the inquiry is deliberately addressed towards them. This is an indicator of the strong emphasis put on the social benefits by the current Romanian institutional arrangements, in the detriment of the support services to increase social and professional inclusion for the disabled persons. Thus, the philosophy of the social assistance schemes seems to be rather compensatory, than supportive – it focuses on compensating the persons for what is perceived by the others as a 'loss' or 'deficit' (in this case, the impairment), instead of promoting the person's participation in the community or on the labour market.

The main reason for this 'tilted' perspective is that, when dealing with disability, the current Romanian institutional arrangements are still tributary to the medical model and this can be noticed in all aspects related to organizing, provision and monitoring of the support schemes provided to the disabled persons.

In order to increase employment of the disabled persons, the intervention with this category should focus much more on their need for active and tailored support, rather than the impairment itself. The assessment process, instead of highlighting the health condition (which is already ascertained by the medical records), would have a better use if focused on recommendations regarding professional tasks or type of professions the person could handle and, of course, the types of accessibility measures the employer would have to ensure to the work environment for the person.

Shifting the focus of the support from benefits to services would bring various types of improvements, among them the most important being the quality of life of the disabled beneficiaries.

High quality services would foster individualization of intervention, increase in the person's self-esteem, improved involvement of the specialists and, overall, a higher social and labour market integration of the disabled persons.

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