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Editorial

Employment and disability: Policy and employers' perspectives in Europe

Having an employment is an essential determinant of an individual's level of independence and sense of self-worth. Earning a living through sufficiently paid work secures one's own existence in an employment-centred society and enables people to lead independent lives. Aside from the financial benefits, employment is associated with psychological benefits such as an increased sense of belonging, reduced anxiety, and higher mental wellbeing (Jahoda, 1982). On the contrary, being unemployed increases anxiety, depression, and desperation (Jahoda et al., 2002). Indeed, there is remarkable consensus across academic research, international and national policy, and disabled people's organisations that paid employment is central to social inclusion (Barnes & Mercer, 2005).

In an employment-centred society, systematic social exclusion is characterised by high unemployment, inactivity, and poverty rates of specific groups. In the European Union in particular, persons with disabilities carry a significantly higher risk of poverty or social exclusion (28.6% compared with 19.1% of those without disabilities) (European Commission, 2020). Official employment statistics provide only a limited picture of the actual level of employment of persons with disabilities (Eurostat, 2020). A recent European Disability Forum report points out that "the figures do not shed light on the number of people in part-time employment, the quality of the employment, or indeed whether this employment takes place in the open labour market or not. Unemployment is, of course, only one of several factors affecting the risk of poverty and social exclusion, and having a job is by no means a guarantee of avoiding poverty. Nevertheless, inclusion in the labour market undoubtedly still has a significant role to play in improving outcomes regarding poverty and social exclusion" (Hammersley, 2020: 48).

The fundamental right to work and employment of people with disabilities have been continuously disregarded worldwide (WHO & World Bank, 2011). Yet, Article 27 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) encourages state parties to "recognise 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" (United Nations, 2006). As a result of ratifying the UNCRPD, employment of persons with disabilities has become the cornerstone of contemporary disability strategies in many developed nations (Lindsay et al., 2015).

Employment support policies are embedded in existing disability policies that encompass three interconnected and interdependent subsystems: social regulations, social benefits, and social services (Halvorsen & Hvinden, 2009). Countries have typically followed different policy orientations, institutional arrangements and, to some extent, types of social protection, leading to diverse implementation strategies. Disability policies, especially since the 1960s, have evolved considerably in response to the effects of globalisation and changing demographic conditions on social and economic organisation (Lindqvist & Lamichhane, 2019). Nearly 20 years ago, Hvinden (2003: 62) already identified in Western Europe "signs of a trend toward greater similarity in terms of general goals and policy principles, for instance, expressed in official support for aims like

promoting equal opportunities, fuller participation in economic and social life, economic self-sufficiency, independent living, and combating discrimination, poverty and exclusion". Four theoretical dynamics explain this convergence of European disability policies: the emergence of policy claims grounded in the social model of disability and the human rights framework; the "Europeanisation" of policies, institutions, and citizenship; the policy transfer mechanisms associated to that process; and the globalisation of disability policy groups and the emergence of new forms of global governance that transcend European borders (Priestley, 2007: 63). Priestley (2007) also mentions the dramatic changes in thinking about disability in global policy debates driven by the activism from the international disability right movement. While early disability policies were based on discourses about care and rehabilitation to compensate for people's limitations, current disability policies are driven by human rights, citizenship, full participation, and the removal of structural barriers to inclusion. Policies were also previously often characterised by the administrative separation of disability schemes from mainstream employment policy schemes. Disability was understood as a form of social and economic exclusion, therefore disability policy focused on group specific social regulations and benefits as well as separating occupational measures or rehabilitation services (e.g. Waddington et al., 2016). As a result of the paradigm shift towards rights and participation, the principle of non-discrimination has been integrated into national employment laws of most European countries - following the adoption of Article 13 of the Amsterdam Treaty in 1997 and the Council Directive 2000/78/EC of 27 November 2000, thereby establishing a general framework for equal treatment in employment and occupation. However, non-discrimination policies remain insufficient to ensure full employment of persons with disabilities, and a focused mix of regulatory and redistributive measures is still needed to ensure a minimum of economic support (Kuznetsova et al., 2017). Labour market policies aim to help persons with disabilities shift from inactivity and unemployment into employment and better fitting jobs through job seeking, supported employment measures and income support interventions (e.g. unemployment benefit).

Nevertheless, for millions of persons with disabilities willing to work and contribute to the economy, finding a paid job remains a considerable challenge. How people perceived as being less efficient, flexible, or well educated or with lower job mobility can access a labour market characterised by a selection and promotion process based on merit and productivity remains to be addressed (Plangger, 2013). In a neoliberal capitalist system in which human's worth is gauged by one's ability to perform marketable work or one's relative ability to abide by the global consumer culture, not all persons with disabilities fit in (Mitchell & Snyder, 2015). Campbell (2001) describes "ableism" as the phenomenon of discriminating individuals based on abilities such as walking, seeing, and interacting socially and reducing those who fail to meet determined standards to their impairment. The author emphasises the inequalities and stereotypical attributions that people experience because of their disability. Ableism is certainly at work on the labour market.

Is and should paid work for persons with disabilities be the unique way to ensure independence and self-determination? And the only scale by which to gauge social and self worth? Employment in externally determined conditions can be a source of stress and exhaustion and cause health damages. Roulstone (2004: 198) perceived as "odd" that "the very policies, initiatives, schemes and benefits designed to aid disabled people to get and keep employment may act as barriers to employment." As a result, a large proportion of persons with disabilities are discouraged by the conditions made for them on the labour market, neither working nor actively looking for a job. Many believe no jobs are available anyway. Some have access to disability benefit or pension and do not even try to compete with non disabled people. Finally, some are afraid of the negative consequences of failure: If they don't find a job, the ableist mainstream discourse will be to put the blame on them rather than questioning existing barriers to employment. For instance, Grover and Piggott (2015) show that the United Kingdom has seen a combination of reduced financial support because it supposedly discourages active job seeking and increased stigmatisation of persons with

disabilities considered as “scroungers”. Governmental spending for disability pensions and benefits has plummeted in recent years together with employment integration rates, following a parallel trend. Hence, more and more persons with disabilities risk slipping into poverty and social exclusion as a result of rising unemployment and the general downsizing of the social security net: staff cuts, reduced quality, tightened access and discontinuation of social services including the retrenchment of social security systems.

At the same time, some countries have favoured an alternative to regular paid employment within the labour market by promoting a policy of permanent occupational arrangements in sheltered workshops for individuals with disabilities. This solution, favoured by countries such as Austria, has been criticised by major international organisations (United Nations, 2013; and also EASPD, 2016) as well as by disabled people organisations (Behindertenrat, 2017; WIBS, 2018) as a poor alternative to regular employment. They argue that those work arrangements are providing neither mainstream social security insurance nor employment protection or a sufficient wage. Furthermore, it is a dead end: Transfers from sheltered workshops into the regular labour market scarcely occur. Recognizing a genuine right to employment requires questioning the dominant economic paradigm of competitive productivity: Instead of non-waged occupational activities or poorly paid jobs in sheltered workshops, critics suggest to promote flexible employment arrangements within the general/mainstream economy that are compatible with individuals’ health conditions and abilities (e.g. reduced working hours combined with disability benefits, teleworking, job crafting). Disability pensions or benefits rarely ensure a decent standard of living, nor does sheltered employment promote social inclusion (see Morris in this issue).

Promoting employment on the open labour market requires removing multiple existing barriers: discriminatory attitudes, low education level due to systemic exclusion, and inaccessible workplaces, technologies, and public transportation systems (Kuznetsova et al., 2017; Barr et al., 2019). Roulstone (2004) classifies these barriers into four groups:

- Personal barriers that depend on the social capital of the person, including education and training;
- Attitudes, namely, how people (employers, non-disabled colleagues, and persons with disabilities themselves) perceive disability;
- Environmental factors, which refer to the physical (in)accessibility of work environments;
- Governmental barriers, such as legislation, benefits, and policies.

An effective human rights focused disability employment strategy must impose on employers strong initiatives to increase the number of their disabled employees. Currently, employers feel insufficiently supported and as a result are afraid to take the risk to employ people with disabilities (Kuznetsova et al., 2017). In many European countries, employers are reluctant to take advantage of wage subsidies or job support services to create more jobs for persons with disabilities. Employers’ discriminatory attitudes thus continue to be a significant barrier —and a significant cause — of people with disabilities’ exclusion from the regular labour market. Employers openly express prejudice and bias during recruitment processes (Halvorsen & Hvinden, 2014) and they often equate reduced functioning to reduced work capacity. Therefore, although anti-discrimination laws regulate the labour market across Europe and elsewhere, prospective employers operate mostly under ableist assumptions and engage in both direct and indirect forms of discrimination during recruitment. They value job applicants without disabilities more than those with disabilities, frequently hiding their unwillingness to employ persons with disabilities behind arguments about their qualifications, job suitability, and organisational fit (Vedeler, 2014). Similar behaviours have been observed in relation to active persons acquiring a disability (e.g. Coleman-Fountain et al., 2018; Kaye et al., 2011).

The *Alter* European Journal of Disability Research has dedicated a special issue to the relevant and broad theme of “employment and disability”. This special issue’s focus on employment is even more relevant in the context of the health crisis that emerged in 2020 and spread like wildfire globally. The SARS-CoV-2 virus continues to hold many countries and societies in its grasp. The economic crisis that has resulted from general impreparadness followed by poorly conceived and implemented public health policies in European Countries has hit the labour market particularly hard. Although the number of unemployed fell in the years before COVID-19 in EU member states as well as other countries, the inactivity and unemployment rates are now growing again, as are particularly evident from the high working hour losses (ILO, 2020a). In 2018, the employment gap between people with and without disabilities was already wide (24.2%). Persons with disabilities who were therefore far less likely to be employed than persons without disabilities in the EU before the current crisis are now considerably more at risk of exclusion from the labour market. For the EU Commission (2020), unemployment of persons with disabilities remains one of the Union main challenges. Moreover, access to inclusive and quality education – a factor of higher employability-remains also limited for many persons with disabilities. One-fifth of pupils with disabilities are early leavers from education and vocational training compared with just one in 10 pupils without disabilities. Poorly trained and discriminated against, people disabilities are particularly vulnerable to the ongoing crisis, as they face increased difficulties entering and remaining in the labour market (ILO, 2020b).

Following the call for contributions that circulated in different institutions, regions, and disciplines, the objective of this special issue is to disseminate recent research that illustrates the various aspects of the complex problem of the participation of persons with disabilities to the labour market. This call prompted broad interest, illustrating the centrality of the issue in disability studies. As a result, it was decided to release two special issues; the first one dedicated to policy and employers’ perspectives; the second one, forthcoming in *Alter* will focus on the perspectives of persons with disabilities and various stakeholders in this field of employment.

The first issue is composed of the following five research papers and one research note.

In the first article, Zachary A. Morris analyses the historical background and the following reforms of disability benefits across European countries. Drawing from data from the Survey of Health, Ageing and Retirement in Europe covering nine countries and two disability policy regimes, the author scrutinises how persons with disabilities are able to secure a reasonable standard of living when unable to participate in the labour market. He concludes by discussing policy mechanisms to improve the decommodification objective of disability benefit programmes while presenting an agenda for future research.

In the second article, Gagan Chhabra examines the foundations of social regulation policies aimed at the employment of persons with disabilities in Norway and India. Chhabra’s earlier article published in *Alter* investigated the similarities in social regulation policies in these two countries (Chhabra, 2019). This earlier research work relied on analysis from the early 1990s onwards of legislations, country reports, and policy dossiers. Despite both countries seeming to be worlds apart based on macro-level factors, he found a surprisingly high degree of convergence in the goals and content of social regulation policy. In the present article, he draws on an exploratory qualitative case study. The results show - complementary to his previous findings - that the observed policy convergence is connected to two trends that can be detected both in Norway and India: the influence of international treaties and grassroots mobilisation of persons with disabilities and their organisations.

In the third article, Vegar Bjørnshagen and Elisabeth Ugreninov examine how employers’ hiring practices constitute barriers to inclusion in the labour market of young people with mental health

problems in Norway. Findings show that a minority only of employers are willing to recruit young people with mental health problems. Those willing to employ young people with mental health problems do so only when they are taking on social responsibility to contribute to an inclusive working life and when recruitment practices are formalised. The research suggests that employers' reluctance to hire persons with mental health problems hinder the process of inclusion in the open labour market.

In the fourth article, Thomas Bredgaard and Julia Salado-Rasmussen study various recruitment practices of persons with disabilities by Danish employers. Based on the observation that employers' attitudes and behaviours might be different, the authors establish a classification that distinguished between attitudes and behaviours. The typology is then applied to a Danish employer survey towards recruitment of persons with mobility impairments.

In the fifth article, Emmanuelle Fillion, Aude Lejeune, and Delphine Thivet explore the role of disability liaison officers: They investigate the variation in the use made of the different legal measures available to them to implement disability employment policies in the French public sector. They show, despite the strong persistence of an individual, medical, and defective approach to disability in employment, that these professionals are striving to build a more ambitious, proactive, and systemic policy. The authors also show that these actors are sensitive to the environmental dimension of disability and focus on prevention of disability at work, but do not refer to anti-discrimination law and the legal claim for equality and inclusion.

Finally, Irmgard Borghouts-van de Pas and Charissa Freese investigate in a short research note employers' strategic human resource management practices in response to a social policy measure that creates an obligation to recruit persons with disabilities. They provide evidence that employers respond contextually and strategically to institutional pressure and that they assess different levels of fit (environmental, strategic, organisational, and internal fit) when considering recruiting persons with disabilities. They argue that a customised approach based on the perspectives of different human resource practices is needed to motivate employers to hire employees with disabilities.

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References

- Barnes, C., & Mercer, G. (2005). Disability, work and welfare: Challenging the social exclusion of disabled people. *Work, Employment and Society*, 19(3), 527–545. doi:10.1177/095001700505566
- Barr, J., Magrini E., & Meghnagi M. (2019). Trends in economic inactivity across the OECD. The importance of the local dimension and a spotlight on the United Kingdom. OECD Working papers. Retrieved November 2020, from https://www.oecd-ilibrary.org/industry-and-services/trends-in-economic-inactivity-across-the-oecd_cd51acab-en
- Behindertenrat. (2017). *Positionspapier 2017*. Retrieved November 2020, from <https://www.behindertenrat.at/recht-und-soziales/positionspapiere/>
- Campbell, F. K. (2001). Inciting legal fictions: Disability's date with ontology and the ableist body of the law. *Griffith Law Review*, 10(1), 42–62.
- Chhabra, G. (2019). Two worlds, too apart to converge? A comparison of social regulation policies aimed at the employment of disabled people in Norway and India. *ALTER European Journal of Disability Research* 13(2), 83-100. <https://doi.org/10.1016/j.alter.2018.11.001>
- Coleman-Fountain, E., Sainsbury, R., Trezzini, B., & Káňová, S. (2018). Diversity and change in the labour market careers of persons with disabilities. In R. Halvorsen, B. Hvinden, J. Beadle-Brown, M. Biggeri, J. Tøssebro, & A. Waldschmidt (Eds.), *Understanding the lived experiences of persons with disabilities in nine countries - Active citizenship and disability in Europe* (Vol. 2) (pp. 66–82). London: Routledge.
- EASPD (European Association of Service Providers for Persons with Disabilities). (2016). *European Semester: Developing More Inclusive Labour Market for All*. Retrieved November 2020, from <https://www.easpd.eu/en/content/right-work-and-employment>
- European Commission. (2020). *Roadmap to Union of Equality: Strategy on the Rights of Persons with Disabilities 2021-2030*. Retrieved November 2020, from https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12603-Union-of-Equality-European-Disability-Rights-Strategy?fbclid=IwAR2pvXREIw4YKTg1ghIGYp_84p6y8fBZxNEjUc3jhXoeoBIZs7zyxm3aqwA
- Eurostat. (2020, June). *Labour market slack – annual statistics on unmet needs for employment*. Retrieved November 2020, from https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Labour_market_slack_%E2%80%93_annual_statistics_on_unmet_needs_for_employment
- Grover, C., & Piggott L. (2015). *Disabled people, work and welfare. Is employment really the answer?* Bristol: Policy Press.
- Hammersley, H. (2020): *Poverty and social exclusion of persons with disabilities European human rights*. Retrieved November 2020, from <http://www.edf-feph.org/employment>
- Halvorsen, R., & Hvinden, B. (2009). Nordic disability protection meeting supranational equal treatment policy: A boost for the human rights of persons with disabilities? In S. H. Aasen, R. Halvorsen, & A. Barbosa Da Silva (Eds.), *Human rights, dignity and autonomy in health care and social services: Nordic perspectives* (pp. 177–201). Antwerpen: Intersentia.
- Hvinden, B. (2003). The uncertain convergence of disability policies in Western Europe. *Social Policy & Administration*, 37(6), 609–624. <https://doi.org/10.1111/1467-9515.00361>

- International Labour Organisation (ILO). (2020a, September 23). *ILO Monitor: COVID-19 and the world of work. Sixth edition. Updated estimates and analysis*. Retrieved November 2020, from https://www.ilo.org/global/topics/coronavirus/impacts-and-responses/WCMS_755910/lang--en/index.htm
- ILO. (2020b, June). COVID-19 and the World of Work. Ensuring the inclusion of persons with disabilities at all stages of the response. Policy Brief. Retrieved November 2020, from https://www.ilo.org/global/topics/disability-and-work/WCMS_746909/lang--en/index.htm
- Jahoda, M. (1982). *Employment and unemployment: A social-psychological analysis*. Cambridge: University Press.
- Jahoda, M., Lazarsfeld, P. F., & Zeisel, H. (2002). *Marienthal: The sociography of an unemployed community*. New Brunswick: Transaction Publishers.
- Kaye, H. S., Jans, L. H., & Jones, E. C. (2011). Why don't employers hire and retain workers with disabilities? *Journal of Occupational Rehabilitation*, 21(4), 526–536. <https://doi.org/10.1007/s10926-011-9302-8>
- Kuznetsova, Y., Yalcin, B., & Priestley, M. (2017). Labour market integration and equality for disabled people: A comparative analysis of Nordic and Baltic countries. *Social Policy & Administration*, 51(4), 577–597. <https://doi.org/10.1111/spol.12314>
- Lindqvist, R., & Lamichhane, K. (2019). Disability policies in Japan and Sweden: A comparative perspective. *ALTER European Journal of Disability Research*, 13(1), 1–14. <https://doi.org/10.1016/j.alter.2018.08.001>
- Lindsay, C., Greve, B., Cabras, I., Ellison, N., & Kellet, S. (Eds) (2015). New perspectives on health, disability, welfare and the labour market. *Social Policy and Administration*, 49(2), 139–298. doi:10.1002/9781119145486
- Mitchell, D. T., & Snyder, S. L. (2015). *The biopolitics of disability: Neoliberalism, ablenationalism, and peripheral embodiment*. Ann Arbor: University of Michigan Press.
- Plangger, S. (2013). Arbeit und Behinderung – Integration/Inklusion von Menschen mit Behinderungen in den Arbeitsmarkt. *Zeitschrift für Inklusion* 3. Retrieved November 2020, from <http://www.inklusion-online.net/>
- Priestley, M. (2007). In search of European disability policy: Between national and global. *ALTER European Journal of Disability Research*, 1(1), 61–74. doi:10.1016/j.alter.2007.08.006
- Roulstone, A. (2004). Employment barriers and inclusive futures? In J. Swain, S. French, C. Barnes, & C. Thomas (Eds.), *Disabling barriers – Enabling environments* (2nd ed.) (pp. 195–200). London: SAGE Publications.
- United Nations. (2006). *Convention on the Rights of Persons with Disabilities (CRPD)*. Retrieved November 2020, from <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html#Fulltext>
- United Nations. (2013). *Committee on the Rights of Persons with Disabilities. Concluding Observations on the Initial Report of Austria, Adopted by the Committee at its Tenth Session (2–13 September 2013)*. Retrieved November 2020, from

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsnzSGolKOaUX8SsM2PfxU7s9lOchc%2Bi0vJdc3TEt6JuQH6d6LwuOqunaiCbf0Z0e%2B%2FWMb4CH5VprCrZY%2BNACxgE0TuveykmCBkAshdLAsUeB>

Vedeler, J. S. (2014). Disabled persons' job interview experiences: stories of discrimination, uncertainty and recognition. *Disability & Society*, 29(4), 597–610.
<https://doi.org/10.1080/09687599.2013.831748>

Waddington, L., Priestley, M., & Yalcin, B. (2016). Equality of opportunity in employment? Disability rights and active labour market policies. In P. Blanck, E. Flynn, & G. Quinn (Eds.), *A research companion to disability law* (pp. 72–86). London: Ashgate.

WHO (World Health Organisation) & World Bank. (2011). World report on disability 2011. World Health Organization.

WIBS (wir informieren beraten bestimmen selbst) (2018). *Richtige Arbeit und richtiges Geld!* Retrieved November 2020, from <https://www.wibs-tirol.at/buecher-und-texte-2/>