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Sarah Parker Harris et Randall Owen

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Résumé de l'article

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# Employment, Disability, and Social Justice in the United States, Australia, and the United Kingdom

**SARAH PARKER HARRIS AND RANDALL OWEN**

Department of Disability and Human Development, University of Illinois at Chicago, United States

**Article original ● Original Article**

***Abstract***

Liberal welfare states promote a human rights approach to disability policy that in practice has been constrained by neoliberal reforms. This research examines employment policy for people with disabilities in the United States, Australia, and the United Kingdom through a framework of Nancy Fraser's theory of social justice. It employs a qualitative cross-national comparative methodology including focus groups and interviews with stakeholders of active welfare to work programs. The results suggest that neoliberal/individualized approaches are dominant within contemporary welfare to work programs and social justice/human rights need to be more effectively built into employment policy.

***Keywords:*** disability, employment, social justice, human rights, cross-national, comparative, qualitative

***Résumé***

Les États providence libéraux favorisent une approche des droits humains à l'égard de la politique du handicap qui, en pratique, a été contrainte par des réformes néolibérales. Cette recherche examine la politique de l'emploi des personnes ayant des incapacités aux États-Unis, en Australie et au Royaume-Uni à partir de la perspective théorique de justice sociale de Nancy Fraser. Une méthodologie comparative qualitative est utilisée à l'échelle nationale à l'aide de groupes de discussion et d'entretiens avec les intervenants des programmes actifs d'emploi. Les résultats suggèrent que les approches néolibérales/individualisées dominent ces programmes contemporaines et que la justice sociale/les droits humains doivent être intégrés plus efficacement dans la politique de l'emploi.

***Mots-clés :*** handicap, emploi, justice sociale, droits humains, transnational, comparatif, qualitatif

## Introduction

In recent years, there have been numerous changes to social structures and policies, which highlight shifts in political values. Two significant shifts for people with disabilities have been the explicit recognition of their human rights and the influence of neoliberalism on national policies, particularly with regard to welfare reform and employment programs. While these shifts have had a global impact, they are clearly seen in liberal welfare states such as the United States, Australia, and the United Kingdom, which have adopted strong disability rights legislation and welfare reform policies embodying neoliberal values. Both human rights and the neoliberal approach to policy emphasize the importance of active participation in the labor market.

National governments have been seeking policy solutions to increase employment and reduce social security expenditures because of the cumulative impact of (i) the high unemployment rate of people with disabilities, (ii) rapid growth in income support benefits and aging populations, and (iii) the effects of recession and government cuts in spending on social services and supports. This has resulted in significant reforms to national social security and labor market policies and programs for people with disabilities. Despite people with disabilities and national governments sharing the goal of increasing employment for people with disabilities, employment and labor market participation rates for this population have not improved in recent years. The Organization for Economic Cooperation and Development (OECD, 2009) shows that unemployment rates are two to three times higher for people with disabilities than the rest of the population. In the United States, 34.5 percent of working-age people with disabilities participated in the labor market (Bureau of Labor Statistics, 2011), compared to 54.3 percent in Australia (Australian Bureau of Statistics, 2009), and 48.4 percent in the United Kingdom (Office of National Statistics, 2009).

The objective of this research is to explore how social justice/human rights are incorporated into neoliberal welfare reforms that influence employment policies for people with disabilities, and the experiences of these principles in practice in three liberal states. Considering cross-national empirical evidence collected in the United States, Australia, and the United Kingdom from focus groups with people with disabilities and interviews with policymakers, disability stakeholders, and employers, this research draws on Nancy Fraser's theory of social justice to explore the experiences of neoliberal discourse in a rights-based policy context. Her focus on the twin processes of redistribution and recognition has direct application to the practice of welfare to work and can be used to promote social justice within neoliberal contexts.

*- Theoretical Framework*

Fraser's (1997, 1998, 2003) theory of social justice offers a framework for exploring this cross-national policy context of structural reforms. Fraser proposes two understandings of social justice. The first, economic justice, stems from the political-economic structuring of society, and injustice involves maldistribution of material resources and results in situations of exploitation, economic marginalization, or deprivation. The remedy is political-economic restructuring or "redistribution", which implies redistributing income, reorganizing divisions of labor, or transforming other basic economic structures to promote social equality. The second, cultural justice, stems from social patterns of representation, interpretation, and communication. Cultural injustice involves misrecognition of individual/group identities through cultural domination, non-recognition, and disrespect. Fraser argues the solution for cultural injustice is cultural or symbolic change or "recognition". Recognition implies revaluing disrespected identities and valorizing cultural diversity and difference. In her later work, Fraser (2003) adds a third element, the political dimension of justice, which focuses on representation as social belonging, inclusion and exclusions, and is the platform for where claims of distribution and recognition can occur. Fraser (2003) maintains that "parity of participation" is the basis of her understanding of social

justice. That is, social justice incorporates redistribution and recognition simultaneously, so that social equality is the focus alongside recognizing differences. While Fraser does not specifically incorporate people with disabilities in her work, her theory incorporating the economic, cultural and political dimensions of justice are critical to the disability community.

People with disabilities experience human rights violations and injustices in a number of participation areas, and affirmative policy strategies, while necessary, are insufficient in themselves if they fail to also address the underlying injustices which constrain parity of participation and citizenship. Existing political-economic structures and institutionalized social and cultural arrangements deny people with disabilities the opportunities to achieve equal citizenship (Dwyer, 2002; Lewis, 2009; Parker, 2007). Thus, redistribution is necessary to ensure that people with disabilities are treated equally and can take advantage of political-economic structures, notably an accessible labor market. However, society has developed hierarchies of status and institutionalized social norms that perceive people with disabilities as inferior 'others' (Charlton, 1998; Hahn, 1988; Hahn, 1989). The principle of recognition asserts that people with disabilities must be treated with human dignity and recognized for their abilities within the labor market.

The principles of redistribution, recognition and participation have been problematic within policy discourse and practice in liberal welfare states like the United States, Australia, and the United Kingdom because of seemingly contradictory goals. Redistribution seeks to remove group differences, whereas recognition seeks to acknowledge group differences and meet specific group needs to achieve equality (Parker, 2007). Furthermore, these contradictions are exacerbated by trends in welfare reforms that have been influenced by neoliberalism.

**Welfare to Work Context**

*- Neoliberalism in Disability Employment*

Neoliberalism is an economic ideology that favors market solutions over government provisions concerning social problems. It is based on five core strategies: (i) the rule of the free market; (ii) reductions in government expenditures for an involvement in social services; (iii) deregulation; (iv) privatization; and (v) emphasis on individual responsibility (Martinez & Garcia, 2000). Research demonstrates neoliberal policies in areas of welfare to work have negatively impacted individuals, particularly marginalized populations (Silver *et al.*, 2005; Tang & Peters, 2006). This article explores the impact of neoliberalism on people with disabilities, specifically within the labor market in liberal welfare states.

The United States, Australia, and the United Kingdom have embraced neoliberal philosophy, using it to reorganize citizens as market-workers and to redistribute resources via market participation. The neoliberal discourse that shapes national policy emphasizes the recommodification of labor (Sainsbury, 2001). As a result, governments have advocated policy principles that replace notions of welfare with workfare, promote an individualized model of citizenship, and fail to address the social, cultural, economic and labor market conditions in which individuals seek employment (Parker & Cass, 2005; Pawlick & Stroick, 2004, Pierson, 2001). While governments have adopted this model to varying degrees, individuals are now largely expected to bear the burden of meeting their own needs and securing a decent standard of living with minimal government assistance.

One of the more visible examples of neoliberal policy principles and practices nationally is new legislation and programs that support workforce development/active workfare as the preferred response to disability issues. While this policy direction began during years of economic growth, the trend has become more prevalent during the current economic downturn. Examples include the *Ticket to Work and Work*

*Incentives Improvement Act* (United States), the *Welfare to Work Amendments* (Australia) and the *Welfare to Work Act* (United Kingdom) (Parker Harris, Owen & Gould, 2012). Although these policies were designed to move people from welfare to work, current employment rates show little improvement. Additionally, while many countries have undergone significant reforms to their welfare and employment systems, the number of recipients of income benefits remain high (OECD, 2009).

*- Human Rights in Disability Employment*

The neoliberal trend has developed concurrently with the recognition of rights for people with disabilities. The United Nations initially discussed people with disabilities' human rights in the 1970s, but did not codify them within international law until the CRPD (United Nations, 2006). Human rights are a mix of philosophical and political aspirations, which are translated into legislation and policy practices at the national level. The CRPD is based on eight principles: respect for inherent dignity, individual autonomy; non-discrimination; full and effective participation and inclusion in society; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; equality of opportunity; accessibility; equality between men and women; and respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities (United Nations, 2006). As signatories of the Convention, the United States, Australia, and the United Kingdom have acknowledged the moral obligation to incorporate those principles into domestic policy. Australia and the United Kingdom have taken the additional step of ratifying the CRPD, legally obligating them to do so.

International human rights are beneficial when they are effectively implemented in national settings (Parker, 2006). The United States, Australia, and the United Kingdom have disability rights legislation that prohibits discrimination against people with disabilities. Disability rights in these countries are built on the *Americans with Disabilities Act* (ADA, 1990) or the *Disability Discrimination Act* (DDA, 1992 in Australia and 1995 in the United Kingdom) and amendments to these Acts over the past two decades. Specific to employment, each Act protects people with disabilities from discrimination throughout the hiring and employment process, and obligates employers to provide reasonable accommodations. While these Acts have had some success improving equality for people with disabilities, there has not been the anticipated improvement in the number of people with disabilities participating in the labor market (Barnes & Mercer, 2005; Blanck, 2000; Livermore & Goodman, 2009; O'Reilly, 2003).

The juxtaposition of rights-based policies with disability policy reforms that are strongly influenced by neoliberalism creates a contradictory policy context for people with disabilities. Neoliberal policy constrains the implementation of disability rights by focusing on efficiency and reductions in government spending, without regard for promoting equal opportunities. The OECD (2009) argues that it is therefore necessary to promote a "culture of inclusion" with a dual focus on active policy interventions in the short-term and long-term plans of structural reforms. This echoes Fraser's call for both redistribution and recognition. Similarly, Pearson (2000) notes the contradictory discourse between market-based policies and social justice/ human rights and identifies that discourses related to the market have more influence in policy development. This research examines employment policy for people with disabilities in the United States, Australia, and the United Kingdom through a framework of Nancy Fraser's theory of social justice.

## Methodology

Kohn (1987) offers a typology of cross-national research based on the role that nations play in the study: (i) the nation as the object of study, (ii) the nation as the context of study, (iii) the nation as the unit of analysis, and (iv) transnational research. The researchers approached nations as the *context of a study*, exploring how people with disabilities experience welfare to work, rights and social justice under slightly different social structures, within similar nation-

al contexts influenced by neoliberalism. This approach chooses nations for a theoretical reason that makes comparisons of nations and subsequent generalizations meaningful; as noted, neoliberalism and human rights are both present in the United States, Australia and the United Kingdom, but the policy contexts and implementation are different.

In order to explore the consistency of human rights and recent welfare reform for people with disabilities in liberal welfare states, the researchers included qualitative data on experiences within and perspectives of welfare reform from people with disabilities and other stakeholders in the United States, Australia, and the United Kingdom alongside policy literature review and analysis. Using multiple methods and incorporating multiple perspectives improves research design and data consistency (Mangen, 1999; Mertens, 2005; Patton, 1990). The research explores the extent to which individual experiences within these reforms are consistent with social justice and human rights values. It further analyzes the lessons that can be learned about balancing rights and responsibilities from the experiences and perspectives of people with disabilities and other stakeholders that are engaged in these policies, programs, and reforms.

*- Focus Groups*

Three focus groups were conducted in each country with people with disabilities participating in or eligible for welfare to work reform programs. Focus groups are an ideal method to capture empirical data from a group that shares basic characteristics or experiences (in this case, shared experience of social policy), especially for marginalized populations, and to capture data that are hard to express quantitatively (Wilkinson, 1998). Participants were recruited using disability organizations, networks, and e-mail listservs. The groups were held in a large, urban/metropolitan area of each country to maximize access to this population and to allow the researchers to use existing research networks. Each focus group lasted for an hour and a half and followed a semi-structured guide with questions about experiences and perspectives of recent policy change. Questions focused on topics such as: training, education, and employment programs (engagement in, knowledge of, opportunities/barriers); the role of income support (involved in, barriers/facilitators, interaction with work programs); access to information (about programs/policy/policy changes, where to get, barriers to receiving); national and international rights (knowledge about, engagement with, role of), etc.

Appendix 1 details the people with disabilities who participated. In summary, there were fifty-eight total participants, thirty-one men and twenty-seven women. Their average age was forty-two and the majority (38/57, one withheld) identified as being of Anglo descent (in the United States, there was more racial diversity as only eight of the 19 participants identified as Anglo). The participants represented a range of disabilities, however physical (26/58) and visual impairment (17/58) were the disabilities most represented. Most of the participants had at least some college education, and only three had not finished high school. In addition, most had some work experience, expressed motivation to be in the labor market, and were actively participating in employment services.

*- Interviews with Stakeholders*

Additionally, individual interviews were conducted with twenty-four disability stakeholders across the three countries. The research gathered a range of perspectives by targeting departments related to people with disabilities and employment, including employers, employment service providers, and policymakers at local, state, or national levels, with ties to the cities in which focus groups were located. The participants were recruited using networks that the researchers had in each country. Interviews were used because the selected participants offered a unique perspective and in-depth information was required (Wilkinson, 1998). A semi-structured interview format was used. Questions were based around similar topics as the focus groups (as outlined above) but also focused on their specific role as a stakeholder in providing employment/employment services, and employment and income support policies,

policy process and policy outcomes. Appendix II provides a description of the interview participants.

*- Analysis*

Focus groups and interviews were audio recorded, transcribed, coded and de-identified. Analysis of the focus groups and the interviews was initially completed separately, using ATLAS-TI and coded into core themes following an indexed coding procedure (Morgan, 2005). The codes were developed from existing literature on the topic and through an initial reading of the transcripts. Using existing literature to guide interview/focus group questions and coding is a technique for combining a deductive approach with inductive analysis to promote rigor in the study (Miles & Huberman, 1994; Morgan, 2005, Patton, 2002). Initial coding began with forty-two codes for the focus groups and twenty-five codes for the interviews. The data from the two groups of participants was then synthesized and analyzed for interrelated themes; eight master themes, or "megadomains" (Greenfield, et *al.*, 2010) were identified. Further analysis revealed three interrelated themes: 1) rights in employment; 2) expectations in employment; and 3) practices in employment. The data is organized into these themes and presented below.

**Results**

*- Rights in Employment*

The first theme centers on rights and disability. The discussions by people with disabilities and stakeholders focused on three core issues: discrimination in the market; national laws and international rights; and accessibility, accommodations, and support. Despite strong national antidiscrimination policies in each country, people with disabilities noted examples of experiencing discrimination. Many of these examples were overt. For example, one participant described being excited for an interview she had scheduled. However, the feeling turned to frustration when:

> [Once] the person that organized the interview told them I was visually impaired I got a call back saying, "Sorry, he doesn't want to have an interview with you". I could get the job if they [disability employment service] pushed it, but do I want to work with someone that has this attitude? No. So [the employer] didn't even see me for an interview. It was pure discrimination… it was terrible (Person with a disability, Australia).

Such stories were common in all three countries, although the employers who were interviewed pointed out the features of their companies/organizations that promoted employment positions for people with disabilities and protected them from discrimination during the application process and on the job. It is worth noting that the employers were initially contacted because of their good reputations regarding employment and people with disabilities, and other employers without that reputation declined to participate.

People with disabilities saw national legislation like the ADA or DDA as largely symbolic and inadequately put into practice. Many believed these laws were just "red tape" to potential employers, and expressed that potential employers were afraid of breaking the law, and only did the minimum that was required of them. Thus, people with disabilities made it clear that rights were still individual and they had to fight for their rights to be recognized. Still, people with disabilities and other stakeholders believed that national legislation, and to a lesser extent the CRPD, were important and had made some positive changes. While many employers viewed this legislation as requirements, rather than showing a deeper understanding and valuing people with disabilities as employees, most of the other participants realized that these laws were starting to raise awareness among employers and society as a whole. When discussing the accomplishments of the DDA in the United Kingdom, one participant said:

> It is just such a big job, raising awareness, it is almost like social engineer-

> ing. You have to start them when they are young. We are only like 20 years into it now, and it is going to take 100 years or more […] It is not going to happen in our lifetime. I am just being pragmatic, but it is promising because every decade it slowly gets better (Policymaker, United Kingdom).

National legislation protecting the rights of people with disabilities is relatively new and the CRPD was only adopted at the end of 2006. While people see positive changes, there is a need for increased recognition of disability rights to institutionalize rights practices. Rights-based policies in liberal welfare states have had limited success in increasing labor market participation of people with disabilities. Following Fraser's theory, rights of people with disabilities need better cultural recognition before social justice can be achieved.

Both people with disabilities and other stakeholders noted that significant education is required for rights to be effective, especially regarding accessibility, accommodations, and supports. Accommodations are of particular interest to the labor market, as national legislation in all three countries requires employers to provide accommodations/adjustments to employees or potential employees. People with disabilities believed that employers are not well informed about the low cost of accommodations and generally saw people with disabilities as risky to hire.

> Some people with disabilities are afraid to bring up the topic of accommodations with employers, because we feel that it might cause problems and employers are already uncomfortable with people with disabilities (Person with a disability, United States).

The lack of knowledge by employers contributes to people with disabilities' fears that they will be discriminated against. National disability rights legislation calls for employers to make accommodations/adjustments, but does not fund or directly provide them.

Research has shown that accommodations are typically inexpensive, and people with disabilities make good employees who stay on the job longer (Blanck, 2000). This was seen as another area that employment service providers could educate employers and facilitate access to employment for people with disabilities. Across the three countries, people with disabilities were frustrated by the barriers they encountered involving accommodations and supports. The employment service providers and employers knew about accommodations, but each wanted the other to provide them. Governments often have tax-breaks available to employers, and the accommodation process would be more effective if service providers were able to work with employers to provide accommodations. As one policymaker said, "It is all about changing attitudes and finding ways for employers to contact people with disabilities about job openings, and teaching them [employers] about how to manage the accommodations and workplace modifications" (Policymaker, Australia). The barriers to accommodations in employment embody injustices that are three-fold: attitudinal (fears, misperceptions), economic (cost), and political (the 'passing' responsibility across stakeholders); and are a clear example of how disability rights policy fails to achieve parity of participation by not adhering to more holistic dimensions of justice.

*- Expectations in Employment*

The second theme concerned the expectations involved in welfare reform, which included discussions regarding perceptions, skills, and training as they relate to people with disabilities and the labor market. These turned to broader discussions about the responsibilities of citizens and the government in general. Negative perceptions of people with disabilities are still a major barrier in moving from welfare to work, which was a similar experience in all three countries, and has been exacerbated by neoliberal reforms. Regardless of their education level, employment history, or skills, the people with disabilities in this research believed that employers do not have a good perception of someone with a disability and the other stakeholders agreed – this is both a cultural and poli-

tical issue. Quota systems were generally not favored, largely because they do not portray people with disabilities in the right manner. As one person with a disability said:

> You don't want to get a job because they have to employ someone with a disability; you want to get a job because they genuinely see that you can be skilled at that area of expertise. It's like winning a game when you know the other person let you. It's probably not the best feeling because it means they feel "you're an inadequate worker" but we have to give you the job (Person with a disability, Australia).

Employers agreed and saw the need for the government to increase their role in better preparing people for the labor market. They spoke about wanting to be more proactive in hiring people with disabilities, but needing better qualified candidates (with a focus on skill set, not disability). They also related this to how service agencies are not involved enough in businesses.

Nonetheless, according to the participants, governments do have a role in promoting skills and training for people with disabilities to make up for structural disadvantages (i.e. low education and other skills development). A common feature of welfare to work is that people with disabilities participate in employment training programs and receive various employment services. Many of the participants in this research wanted employment service providers to be more involved with businesses:

> Businesses need to learn benefits about hiring people with disabilities. Another point is to make sure people are qualified – go to school, get the skills, apply for the job. We need service providers to refer qualified candidates to us… Employers need to get educated and candidates need to get qualified (Employer, United States).

The recognition of the need for a holistic approach was clear as people with disabilities and employers discussed the need for additional support from the government, not only regarding skills, training, and accommodations, but also within the larger employment market. In particular, people with disabilities believe there is limited choice in the types of work available, with welfare to work programs sustaining low expectations of people with disabilities because of the focus on efficiency and outcomes. Employment service providers are rewarded for moving people into any job at any pay, rather than encouraging people to find a career. This perpetuates the structural disadvantages that people with disabilities face and keeps them amongst the population in or near poverty. It comes down to choice, an integral factor in human rights:

> I don't think we have the same choice as an able bodied person. Why should we go out to work, just to go out to work, when other people can go out to work and enjoy what they do, because it's their choice to go into that profession (Person with a disability, United Kingdom).

Welfare to work demands a lot from people with disabilities, and in Australia and the United Kingdom it places mandates on people to participate in the labor market in exchange for their benefits (following neoliberal trends of 'active work'); people with disabilities recognized their responsibility to work when possible and the participants in this study emphasized that they preferred to work but needed more adequate training and supports to obtain good jobs and careers (following human rights principles outlined in CRPD). Currently, the responsibilities of citizens and government are not equal and governments in these three countries could do more to fulfill the intentions of welfare to work.

*- Practices in Employment*

The third theme includes issues related to the policy process, information, and communication regarding welfare reform and intersections with other policy domains. The research revealed a large disconnect between policy discourse on welfare to work and the practices that inform people with disabilities of policies and reforms.

People with disabilities and the stakeholders noted that there is a lack of information about policy reforms, policy regulations and processes, employment opportunities and the welfare to work programs, services and supports. This includes specific examples such as the issue of accommodations/adjustments detailed previously, but also bigger issues of how welfare to work schemes operate and how to access them. This was similar across the countries. A number of people with disabilities felt they were "jumping through hoops" by completing various medical assessments and employment-related meetings for programs they felt would not result in employment. Many felt they did not understand the information given to them and could not participate effectively in a program without understanding it. Policymakers were quick to acknowledge that there was a problem with low awareness of the policies and programs among the target population. They suggested a large-scale national education/public relations effort so people could better understand what was available to them.

In the United States in particular, the participants thought that the Ticket to Work (TTW) program was poorly executed, with people with disabilities unaware of what to do with the little information they received, confused about whether they were eligible to participate, and unsure of where to go with their "ticket" because they could not find a provider to take it. They often felt they had to be more educated on policies than average, or risk not being able to take advantage of them. One person summed this up:

> We ask people with disabilities to be as educated or more educated than so-called professionals because we know what we want and that's all part of the consumer control. We have to know what to ask because there are so many hidden benefits so if you don't ask, we are not going to know. As a person with a disability, it pays to do your homework (Person with a disability, United States).

Another area that people with disabilities need more information about is how participation in work or employment-related activities would impact other policy domains, notably benefits. This included income and other benefits. People with disabilities were frustrated that the impacts were not well explained to them and that their employment advisers did not understand them well either. They reported that employment advisors often pushed them into part-time work or encouraged them not to work, because employment advisers did not know how work would impact people's benefits. These experiences were consistent across the three countries. When people chose to work part-time, they were frustrated by reductions to their benefits and felt oppressed by limitations on earnings. Overall, the impact on income benefits, and not fully understanding them, was a barrier to employment: "There should be some kind of reward for moving forward and perhaps going into work, not the fear of not having any benefits left at the end of it. They should be encouraging you back into work, shouldn't they, not scaring you" (Person with a disability, United Kingdom).

This is also true of other benefits. Especially in the United States, healthcare is a significant issue in this respect, because healthcare is strongly associated with welfare, and many, including people with disabilities, are eligible to receive healthcare through Medicaid and/or Medicare because they are low-income. People fear losing access to these benefits if they return to work. While TTW extends people with disabilities' eligibility for these services, people with disabilities still have this fear because the extended eligibility is not a permanent solution or, again, they do not know about it. Australia and the United Kingdom have universal healthcare systems, making it a matter of citizenship rights rather than welfare. Therefore, people with disabilities in those countries have less fear about access to basic healthcare. Still, employment could impact other important benefits, including transportation, mobility, housing allowances, and pharmacy and tax concessions. Again, these are barriers to increased employment, which was understood by stakeholders as well: "With disability support services, you're not supposed to get help if you work more than a certain number of hours and

it's discouraging to work" (Service Provider, Australia). The impact on benefits involves more than just income support, and additional consideration is needed to ensure that the impact on other benefits is mediated by redistribution of resources and making sure that the employment found through welfare to work pays a wage that accounts for changes in benefits.

The participants also discussed some of the issues that arise pertaining to people with disabilities getting involved with service providers. There were two approaches to the problems that people with disabilities have working with service providers. People with disabilities often had very hard times finding a provider who can work with them. In Australia, the role of government is to help refer people to providers, but people with disabilities had trouble finding a provider to work with, usually because they did not have additional space for new clients. In the United States, people were frustrated that they were left to find a provider that would accept their ticket; one of the complaints was that advisors would only accept those they perceived as the "easiest" to place. This "creaming" practice was reported in each country, because employers get paid for outcomes and many want to do the least amount of work they can to achieve an outcome. Some service providers were also frustrated by current practices. Their approach was that the focus on outcomes limited who they could work with. They did not receive enough funding to work with people at a level that would make a difference: "[The government] can acknowledge skill development programs [but] many people won't be ready after two years and we need more time with them in our programs. We want to offer more work-based experience" (Service Provider, Australia). The practices of welfare to work could take a more long-term structural approach and be less focused on immediate outcomes, which would promote people with disabilities finding careers rather than jobs.

## Discussion

Throughout the research, it was evident that people with disabilities and other disability stakeholders in the United States, Australia and United Kingdom support active employment and welfare to work initiatives, provided that reforms are adequately designed with support for people with disabilities to find good employment. That is, an effective welfare to work policy incorporates both neoliberal and human rights values, and takes into account both structural and cultural barriers that people with disabilities may face in moving from welfare into work. The results of this research suggest that neoliberal values are dominant in welfare to work programs, and human rights need to be more effectively built into policy reforms. Following Fraser, parity of participation for people with disabilities within the labor market has been constrained, and it requires redistribution and recognition to improve the situation.

Throughout the theme of rights in employment, people with disabilities and interviewees focused on the misrecognition of disability. Fraser notes the importance of symbolic change for achieving recognition, and national governments have taken steps in that direction with their disability legislation. However, the experiences of people with disabilities with discrimination show that this recognition is not sufficient for promoting social justice on its own. It requires redistribution (in the form of education of employers and funding and support for accommodations) before recognition is put into practice.

Within the theme of expectations in employment, the principle of redistribution was the focus and considered critical for people with disabilities to achieve recognition with the labor market. The data emphasized the importance of employment services and training to redistribute resources to people with disabilities. This was perceived as a necessary step before people with disabilities would be valued in the labor market. In terms of practices, this theme also supported how the issues of redistribution and recognition are intertwined. Participants noted many policy barriers that prevent welfare to work from being more effective and the difficulties people with disabilities have finding service providers. While the solution to these entail redistribution of resources to make it easier

for people with disabilities to find a provider and to remove policy barriers, it also entails increasing recognition of people with disabilities. For instance, the issue of creaming is both structural (because of funding structures and pre-existing low levels of skills/education) and cultural (discriminating against many people with disabilities by viewing them as too far from the labor market).

Figure 1 below compares a social justice/rights approach to active employment with a neoliberal/individualized approach. While concerned with the same policy issue (increasing the labor market participation of people with disabilities), and using much of the same policy language, the approaches differ in their proposed policy solutions and the policy principles that underpin those solutions.

Neoliberal/individualized approaches to active employment favor behavioral changes and policy practices place responsibilities on individuals to meet their needs through participation in the labor market rather than government programs. Conversely, human rights/social justice approaches recognize that both cultural, structural and political changes are needed (as outlined in Fraser's theory of social justice), which account for individual differences and promote social justice values and equal opportunities for people to participate. As Fraser (2003) argues, parity of participation for people with disabilities in the labor market could be improved with additional focus on recognition and redistribution. In practice, this includes developing the inclusion of people with disabilities within society and the culture of the labor market. It is important to facilitate changes to improve attitudes, alter perceptions and expectations of people with disabilities, as well as improve our understanding of work accommodations / adjustments. It also involves further developing the institutional capacity of government, service providers, and the employment market to facilitate education, skills training and job placement for people with disabilities; removing policy and systems barriers that keep many people with disabilities from the labor market because of their fear of losing other benefits; and ensuring that policy practices are both just and efficient, especially thinking beyond immediate outcomes and allowing people with disabilities to receive services.

**Limitations and Future Research**

The research was conducted in a single large, urban/metropolitan area of each country, so the results may not be representative of more rural areas. Rather, the research is best conceptualized as comparative case studies that offer insight on the impact of national policy reforms in a specific setting. The research cannot claim

**FIGURE 1: POLICY APPROACHES TO ACTIVE EMPLOYMENT**

| Active employment | Policy issue | Policy language | Policy principles | Policy solutions |
|---|---|---|---|---|
| **Human Rights/ Social Justice Approach** | Increase participation in labor market | Independence<br>Participation<br>Access | Rights/social justice<br>Equal opportunities<br>Difference | Cultural and Structural Changes |
| **Neoliberal/ Individualized Approach** | Increase participation in labor market | Independence<br>Participation<br>Access | Responsibilities<br>Individualization<br>Sameness | Behavioral Changes |

to be representative of the comprehensive national perspective. The participants represented a range of disabilities, but physical disabilities and visual impairments were the largest groups, which does not fully encapsulate the diversity of disability experiences. In addition, people with disabilities volunteered to participate in this research and most had some work experience and expressed motivation to be in the labor market and were actively participating in employment services, which may distinguish them from the larger population of people eligible for these services. Future research could be done in other settings within each country and with broader populations of people with disabilities to determine if new themes emerge.

## Conclusion

Fraser's theory of social justice highlights the necessary steps to achieve parity of participation for people with disabilities in the labor market. The findings of this research show welfare reforms have been influenced by both neoliberalism and human rights for people with disabilities, and that people with disabilities feel their rights have been constrained under welfare reform. The components of social justice identified by Fraser need to be addressed before people with disabilities can increase their labor market participation. Overarching disability rights in employment is the issue of the political dimension of social justice and social belonging – who can makes claims to redistribution and recognition and who can prevent claims from being made. More specifically, in terms of recognition, the focus groups and interviews demonstrated the need for human rights to be more widely recognized, especially with regard to the capabilities that people with disabilities have to positively contribute to the workplace and eliminating discrimination in the employment process. It also implies government and service providers need to view people with disabilities as workers and include everyone in employment services, not just those seen as easiest to achieve an outcome. Redistribution calls for more effective training and education programs to make up for the structural disadvantages people with disabilities face. Governments could rearrange funding mechanisms to ensure people with disabilities can access workplace accommodations and receive employment services without the need for an immediate outcome. These principles, if incorporated more effectively in current active welfare reforms and emphasized in longer-term structural reforms, can result in more equitable participation in the labor market for people with disabilities.

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## Appendix 1: Characteristics of Focus Group Participants

| Name | Sex | Age | Race / Ethnicity | Education | Disability Type | Benefit Program | Employment Program | Past Work? |
|---|---|---|---|---|---|---|---|---|
| **UNITED STATES** | | | | | | | | |
| Ari | Female | 41 | White | Masters Degree | Physical | | | Yes |
| Ben | Male | 54 | Black | Some College | Physical | SSI | Internship | Yes |
| Christa | Female | 41 | Puerto Rican | Some College | Physical | SSDI | National, nonprofit disability services provider | Yes |
| Dave | Male | 55 | White | GED | Hearing | | Local CIL employment meetings | Yes |
| Edna | Female | 51 | Black | 9th Grade | Bipolar | SSI/SSDI | Local CIL employment meetings | Yes |
| Faith | Female | 30 | Black | Some College | Mental Illness | | | Yes |
| Galia | Female | 40 | White | High School | Bipolar | SSDI | | Yes |
| Herb | Male | 53 | Black | High School | Depression | | | Yes |
| Ira | Male | 61 | Black | 7th Grade | Learning Disability | SSDI | Central State Fair | Yes |
| Jack | Male | 55 | Black | College Degree | Physical | SSDI | Management Training Provider[a] | Yes |
| Kelly | Female | 57 | Multi | In PhD Program | Mental health | SSDI | Employment Training Provider[a] | Yes |
| Lara | Female | 48 | White | Masters Degree | Visual | SSDI | | Yes |
| Matt | Male | | Black | GED | Learning Disability | | | Yes |
| Pat | Male | 51 | Black | Some College | Visual | SSI | Another State's Rehabilitation System | Yes |
| Ryan | Male | 57 | White | High School | Visual | SSDI | CIL Program to Find and Advocate for Employment | Yes |
| Sam | Male | 40 | White | Some College | Visual | SSDI | Provider Specific to Visual Disability | Yes |
| Thad | Male | 51 | Puerto Rican | College Degree | Visual | SSDI | Provider Specific to Visual Disability | Yes |

## Appendix 1: Characteristics of Focus Group Participants

| Name | Sex | Age | Race / Ethnicity | Education | Disability Type | Benefit Program | Employment Program | Past Work? |
|---|---|---|---|---|---|---|---|---|
| Vicki | Female | 49 | White | Some College | Physical | | Employment Training Providera | Yes |
| Name | Gender | Age | Race / Ethnicity | Education | Disability Type | Benefit Program | Employment Program | Past Work? |
| **AUSTRALIA** | | | | | | | | |
| Anne | Female | 26 | Indian | University Degree | Physical and Visual | DSP, Wage subsidies | Disability-specific provider | Yes |
| Barb | Female | 60 | Bulgarian | Tertiary | Visual | DSP | | Yes |
| Chris | Male | | | University Degree | Visual | DSP, Mobility Allowance | Provider specific to clients with visual impairments | Yes |
| Deb | Female | 48 | Anglo Australian | BA Degree | Visual | DSP | General Employment Program | Yes |
| Erin | Female | 28 | Anglo Australian | BA Degree | Visual | DSP, Mobility Allowance | Provider specific to clients with visual impairments | Only as a volunteer |
| Frank | Male | 48 | Anglo Australian | Tertiary | Physical | | | Yes |
| Gus | Male | 26 | Anglo Australian | High School Certificate in IT | Mental health | DSP | Disability-specific provider[b] | Yes |
| Hank | Male | 35 | Anglo Australian | High School Certificate | Visual | | Disability-specific provider[b] | Yes |
| Ida | Female | 53 | Anglo Australian | School Certificate (Year 10) | Cardiac Patient | | Disability-specific provider[b] | Yes |
| Jess | Female | 46 | Anglo Australian | School Certificate (Year 10) | Physical | | Disability-specific provider[b] | Yes |
| Kurt | Male | 49 | Anglo Australian | School Certificate (Year 10) | Physical | | Disability-specific provider[b] | Yes |
| Leo | Male | 42 | Anglo Australian | High School Certificate | OCD | | Disability-specific provider[b] | Yes |
| Mark | Male | 20 | Anglo Australian | High School Certificate | Physical | | Disability-specific provider[b] | Yes |
| Nick | Male | 28 | Anglo Australian | | Physical | | Disability-specific providerb | Yes |
| Omar | Male | 21 | Anglo Australian | High School Certificate | Epilepsy | | Disability-specific providerb | No |

## Appendix 1: Characteristics of Focus Group Participants

| Name | Sex | Age | Race / Ethnicity | Education | Disability Type | Benefit Program | Employment Program | Past Work? |
|---|---|---|---|---|---|---|---|---|
| Pete | Male | 40 | Anglo Australian | High School Certificate | Acquired Brain Injury | | Disability-specific providerb | Yes |
| Quinn | Female | 20 | Anglo Australian | High School Certificate | Physical | | Disability-specific TTW providerc | Yes |
| Rick | Male | 19 | Indian | High School Certificate | Visual | DSP | Disability-specific TTW providerc | No |
| Sue | Female | 19 | Anglo Australian | High School Certificate | Physical | | Disability-specific TTW providerc | No |
| Tina | Female | 19 | Anglo Australian | High School Certificate | Hard of Hearing and Visual | | Disability-specific TTW providerc | No |
| Vince | Male | 19 | Vietnam. Origin | High School Certificate | Asberger's | | Disability-specific TTW providerc | No |
| Wes | Male | 19 | Anglo Australian | High School Certificate | Physical | DSP, Mobility Allowance | Disability-specific TTW providerc | No |
| Yuri | Male | 20 | Anglo Australian | High School Certificate | Asberger's | | Disability-specific TTW providerc | No |
| Zack | Male | 21 | Chinese | High School Certificate | Physical | DSP | Disability-specific TTW providerc | No |
| **UNITED KINGDOM** | | | | | | | | |
| Abe | Male | 45 | White | University degree | Hearing | None | Access to Work | Yes |
| Beth | Female | 39 | White | NVQ levels 1 +2 | Physical and Visual | Disability Living Allowance (DLA) and Severe Disablement | | No |
| Cara | Female | 60 | White | University degree | Physical | DLA | | Yes |
| Dan | Male | 50 | Indian | NVQ level 1 | Physical | IB | | Yes |
| Erica | Female | 46 | White | City and guild English and math | Physical | DLA | | No |
| Fran | Female | 38 | White | GSC high school | Physical | Income Support | | Yes |
| Gaby | Female | 35 | White | | Physical | DLA | | No |
| Hope | Female | 37 | White | GCSE | Acquired Brain Injury | Incapacity Benefit and DLA | | Yes |
| Ian | Male | 56 | White | Sec. mod | Physical | IB | | Yes |

## Appendix 1: Characteristics of Focus Group Participants

| Name | Sex | Age | Race / Ethnicity | Education | Disability Type | Benefit Program | Employment Program | Past Work? |
|---|---|---|---|---|---|---|---|---|
| Jan | Female | 57 | White | | Physical | DLA and Income Support | | No |
| Kate | Female | 47 | White | Secondary boarding school | Physical and mild learning disability | DLA and Income Support | | Only as a Volunteer |
| Larry | Male | 57 | White | MDQ level 1+2 | Visual | IB and DLA | Pathways to Work providers (2) | Yes |
| Mike | Male | 56 | White | Grammar | Physical | | Pathways to Work provider | Yes |
| Nikki | Female | 34 | Other | Finishing PhD program | Physical and Visual | DLA and Income Support | | No |
| Ron | Male | 53 | Indian | University training | Visual | Employ-ment and Support Allowance | Pathways to Work provider | Yes |

[a] Ticket to Work Employment Network Provider

[b] Employment services (including open, transition to work, and supported employment services) were offered by one program in an organization for people with a specific disability type; organization hosted a focus group for participants in the program

[c] Employment services (emphasizing transition to work) were offered by one program in an organization for people with disabilities; organization hosted a focus group for participants in the program

Blank cells were either withheld or unknown

## Appendix II: Characteristics of Interview Participants

| Pseudonym | Title | Organization | Stakeholder Type | Interview Format |
|---|---|---|---|---|
| **UNITED STATES** | | | | |
| Abby | VP of HR/Employee Services | National Bank | Employer | Face to face |
| Brynn | Manager - Outreach and Employee Services | National Drugstore | Employer | Phone |
| Cole | Attorney | National Disability Policy Advocacy Group | Policymaker | Phone |
| Derek | Area Work Incentives Coordinator | Federal Government Department responsible for income benefits | Policymaker | Phone |
| Eva | Former Director | Local Organization promoting disability employment | Policymaker | Phone |
| Fabio | Manager of Special Projects (Disability Navigators) | Local Organization promoting disability employment | Policymaker | Phone |
| Gabe | Director | Network representing service providers | Policymaker | Phone |
| Hal | Director | Provider registered as an EN | Service Provider | Face to face |
| Jake | Director | Provider registered as an EN | Service Provider | Face to face |
| **AUSTRALIA** | | | | |
| Andy | National Recruitment Manager, Human Resources | Large national and international law firm | Employer | Phone |
| Bob | Section Manager | National Department focusing on community services | Policymaker | Face to face |
| Carly | Branch Manager | National Department responsible for employment services | Policymaker | Phone |
| Dora | Senior Policy Officer | State-level Social Services Office | Policymaker | Phone |
| Emily | Senior Policy Officer; facilitator of a group of service providers who recommend policy changes | National peak body for non-government disability services | Peak Body Representative | Face to face |
| Fred | Executive Director | National peak body for disability rights and advocacy | Peak Body Representative | Face to face |
| Greg | Manager, Resolution and Investigation | National peak body for disability rights and advocacy | Peak Body Representative | Face to face |
| Heidi | Manager, Resolution and Referral | National peak body for disability rights and advocacy | Peak Body Representative | Face to face |
| Irene | Coordinator | Disability-specific provider | Service Provider | Face to face |
| Jen | Transition to Work Coordinator | Disability-specific provider | Service Provider | Face to face |

## Appendix II: Characteristics of Interview Participants

| Pseudonym | Title | Organization | Stakeholder Type | Interview Format |
|---|---|---|---|---|
| **UNITED KINGDOM** | | | | |
| Alexis | Head of HR Strategy | Local City Council | Employer | Face to face |
| Betty | HR Manager | National Care Home Organization | Employer | Face to face |
| Carl | Head of Commissioning - Adult Social Care | Local City Council | Policymaker | Face to face |
| Darcy | Team Leader, Disability Programme Evaluation | National Government Department that runs Employment and Benefit programs | Policymaker | Face to face |
| Ed | Head of Analysis, Disability and Work Division | National Government Department that runs Employment and Benefit programs | Policymaker | Face to face |
| Finn | Head of Analysis, Disability and Carers Division | National Government Department that runs Employment and Benefit programs | Policymaker | Face to face |