

# **Disability and Employment**

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## Abstract

Traditional explanations for the disadvantage experienced by disabled people in the British labour market are no longer considered appropriate by disabled people and their organisations. They, along with a growing number of policy makers -particularly overseas- have recognised that the employment problems encountered by people with impairments are due to a complex system of hostile environments and disabling barriers referred to as institutional discrimination. This paper focuses on institutional discrimination in employment and explains why anti-discrimination legislation is the most likely solution. It is divided into four sections. The first defines institutional discrimination against disabled people. The second provides substantive quantitative evidence of institutional discrimination in employment. The third examines the main factors which cause that discrimination, and the fourth evaluates Government policies relating to disabled people's employment.

### 1. Introduction.

There is now overwhelming evidence from a variety of sources that disabled people experience a substantially poorer quality of life than non-disabled peers (Daunt, 1992; Disability Alliance, 1990; Martin and White, 1988; Martin et al., 1989; Thompson et al., 1989). Disabled people and their organisations have identified institutional discrimination as the main cause of the problem, and anti-discrimination legislation as the best way to tackle it (Barnes, 1991; Oliver, 1985; Oliver and Barnes, 1991). This paper focuses on institutional discrimination in the British labour market and explains why anti-discrimination legislation is the most likely solution. It is divided into four sections. The first defines institutional discrimination against disabled people. The second provides substantive quantitative evidence of institutional discrimination in employment. The third examines the main factors which cause that discrimination, and the fourth evaluates Government policies relating to disabled people's employment.

### 2. Institutional Discrimination and Disabled People.

Traditional explanations for the disproportionate economic and social deprivations experienced by disabled people rest on the assumptions of the individual medical model of disability (Oliver, 1986). This approach suggests that disabled individuals are unable to achieve a reasonable standard of living by their own efforts due to the physical and/or psychological consequences of impairment. No longer seen as an adequate explanation for the problems associated with impairment it is now rejected by the majority of disabled people and their organisations.

They, along with a growing number of professionals and policy makers - particularly overseas (see for example Bynoe et al., 1991; West, 1992) - acknowledge that it is not impairment which prevents disabled individuals from securing an equivalent lifestyle to non-disabled people, but restrictive environments and disabling barriers; a perspective generally known as the social model of disability (Oliver, 1986; 1990). 'Disability', therefore, represents a diverse system of social constraints imposed on people with impairments by a highly discriminatory society- to be a disabled person means to be discriminated against.

The problem of discrimination is compounded for disabled members of lesbian and gay communities, disabled black people, disabled women and disabled members of other marginalised minority groups because in addition to disability they often encounter other forms of discrimination such as heterosexism, homophobia, racism and sexism (Begum, 1992; Conference of Indian Organisations, 1987; Lesbian and Gay Committee, 1990; Lonsdale, 1990; Morris, 1989; 1991).

Hence, the type of discrimination experienced by disabled people is not just a question of individual prejudice it is institutionalised in the very fabric of our society. It is a complex form of discrimination operating throughout society and supported by history and culture. Though there is ample anthropological evidence showing that cultural responses to impairment are by no means universal (Davis, 1989; Oliver, 1990; Milne 1992) historically disabled people in Europe have been viewed with a variety of emotions including suspicion, ridicule and pity -until fairly recently they have been excluded almost completely from all aspects of community life. Our culture is replete with disablist imagery and language which keeps the traditional fears and prejudices surrounding impairment alive (Barnes, 1992; Biklen and Bogdana, 1977; Cumberbatch and Negrine, 1992; Hevey, 1992).

Institutional discrimination is evident when the policies and practices of all types of modern organisations result in inequality between disabled people and non-disabled people. It is embedded in the excessive paternalism of contemporary welfare systems, and apparent when they are ignoring or meeting inadequately the needs of disabled people. It is also manifest when they are interfering unnecessarily in the lives of disabled people in ways not experienced by non-disabled people. It incorporates extreme forms of prejudice and intolerance usually associated with individual or direct discrimination, as well as the more covert and unconscious attitudes contributing to and maintaining

indirect and/or passive discriminatory practices. Institutional discrimination is particularly prevalent in the modern labour market.

### 3. Unemployment and Underemployment among Disabled People in the British Labour Market.

#### i. Unemployment.

Consistently, government figures show that disabled people are three times more likely to be out of work than non-disabled people. At every age disabled workers are unemployed for considerably longer than non-disabled workers. Unemployment *is* especially high among disabled school leavers and disabled workers over 50. During the 1980s three times as many disabled people as non-disabled people were out of work for two years or more (DE, 1990; Prescott Clarke, 1990).

Current Government estimates suggest that over three per cent (1,272,000) of the 'economically active' working age population are 'occupationally handicapped'. Of these 22 per cent (285,000) are unemployed but want work (DE, 1990; Prescott Clarke, 1990). Moreover, these figures do not account for people without a job living in residential institutions or those who have given up looking for work because of discrimination in the jobs market; consequently the real figure *is* likely to be much higher.

At present, there are around 84,000 disabled people of working age living in residential institutions (Martin, et al., 1989). The phrase 'economically active' refers to people in work or seeking it, it does not include those who choose not to work or those who do not have to; disabled workers are far more likely than non-disabled peers to be in one of these two categories.

They are acutely aware of the obstacles facing them in the search for work, the type of low grade jobs they are likely to get if they find it, and the economic and social pressures placed upon them not to bother looking (Barnes, 1990; Lonsdale, 1990; Morris, 1989; Oliver et al., 1988; Thomas, 1982; Walker 1982). Indeed, the Office of Population, Censuses and Survey's (OPCS) national disability study found that 85 percent of disabled men and 65 per cent disabled women who described themselves as 'unable to work' had tried to find a job but had given up; they were described as 'discouraged workers' (Martin, et al., 1989).

#### ii. Direct Discrimination.

There is substantial quantitative evidence showing that employers both in the public and private sectors discriminate openly against disabled people looking for work. For example, a recent survey of the employment policies of 26 Health Authorities found that a third discriminated against disabled job-seekers.

Employers claimed they could not meet the criteria necessary for work in the health service. These criteria included; lifting of patients and general heavy work, the need for a professional qualification or 'a range of physical and intellectual skills', and the need for staff to be medically and/or scientifically trained 'in addition to having all their faculties'. Such claims ignore the fact that many disabled people are capable of lifting and heavy work generally, some have qualifications in nursing, accounting and general administration, and others are in full possession of all their faculties (Dyer, 1990).

A similar situation exists in the private sector. Using scientifically approved techniques similar to those used to measure racial discrimination, research carried out by Fry (1986) and Graham, et al., (1990) shows conclusively that employers discriminate against disabled people at the initial point of applying for a job. The later study was controlled to account for changes in the employment market during the period between the two studies, i.e. the relative decline in unemployment generally and the increase in job vacancies. It showed that the level of discrimination encountered by disabled people remains virtually unchanged; almost identical results were achieved. Non-disabled applicants are around 1.5 times more likely to receive a positive response to an application than applicants with an impairment -a disabled candidate is six times more likely to receive a negative response (Graham et al., 1990).

### iii. Underemployment.

When disabled people do find work the majority find themselves in poorly paid, low skilled, low status jobs which are both unrewarding and undemanding. The type of work which has been termed 'underemployment' (Walker, 1982; Thomas, 1982). Social analysts specialising in racism and sexism in employment have identified two types of jobs in the modern labour market - 'primary' and 'secondary' sector jobs. 'Primary' sector jobs are those with high wages, high skill levels, good working conditions, job security, and ample opportunities for promotion. Examples include lawyers, doctors and engineers etc.. 'Secondary' sector jobs have low wages, low skill levels, poor working conditions, little job security, and few if any possibilities for advancement. Routine office work, general labourers, catering jobs, and cleaners fall into this category (McRudden, 1981).

The majority of disabled workers with jobs work in the secondary sector. Recent Government research shows that considerably more disabled workers have semi-skilled jobs than is the case for the working population as a whole, and fewer are in professional or managerial posts. Compared with non-disabled male workers, only half as many disabled men are in professional or managerial jobs. Disabled women are heavily concentrated in routine clerical work and service sector jobs- notably cleaning and catering work.

Table 1. compares the type of work done by disabled workers with that done by non-disabled workers.

Table 1. A Comparison of the Occupations of Disabled and Non- Disabled Workers.

Type of Work Workers	Disabled Workers			Non-Disabled		
	Men	Women	All	Men	Women	
	%	%	%	%	%	
All						
Professional or Managerial	15	8	12	30	11	21
Other non-manual	19	44	30	17	53	33
Skilled Manual	37	10	26	38	8	25
Semi-skilled or Personal service	21	30	25	13	20	16
Unskilled manual	5	7	6	3	7	5

Source: Adapted from Prescott Clarke, 1990.

Although this unequal division of labour is prevalent throughout industry as a whole it is also true of most of the organisations specialising in the affairs of disabled people, not only in the public sector (see below) but also in voluntary agencies. 'Outset', for example, is a national charity set up in 1970 to 'improve the quality of life of disabled people' (Mainstream, 1990). A major part of Outset's work is concerned with employment, yet the majority of its senior staff are non-disabled people (Hurst, 1990).

Disabled workers also earn considerably less than non-disabled peers. On average disabled men in full time work earn almost a quarter less per week than their non-disabled equivalents. The majority of disabled men earn between £150

-£199 per week before deductions for tax and so on, whilst the corresponding figure for non-disabled male workers *is* £200 -£249 (see Table 2). The recent Office of Populations, Censuses and Surveys (OPCS) disability survey found that disabled women workers earned almost a third less per week than their male equivalents (Martin and White,1988).

Table 2. Comparison of Gross Weekly Earnings of Males in Full Time Employment.

Workers	Disabled Workers		Non-Disabled	
	£	%	£	%
Weekly Gross Pay				
Under 100		13		2
100 - 150		25		12
150 - 200		25		21
200 - 250		16		21
250 - 300		10		16
300 - 400		7		17
400 - 600		3		9
600 or more		2		3

Source: Adapted from Prescott Clarke, 1990.

Moreover, it cannot be argued that the different wage levels paid to disabled and non-disabled workers is due to the former working fewer hours than the latter. Government research shows that the majority of disabled workers work a full five day week and a seven or eight hour day. Part time work accounts for only a quarter of those with jobs, but of a much higher proportion of women, 46 per cent, than men, 9 per cent. About a quarter work regular overtime averaging at 45 or more hours a week (Prescott Clarke, 1990).

Table 3. A Comparison of Hourly Pay of Disabled and Non-Disabled Workers For 1985.

Type of Work	Disabled	Able-bodied	
Disabled	Workers	Workers	
(Full Time)			
Workers Pay	as % of Able-		
	Bodied Workers		
Pay			
Men	Non-Manual	4.80	5.70
			84

	Manual	3.20	3.60	90
	All	3.80	4.50	84
Women	Non-Manual	3.40	3.60	94
	Manual	2.40	2.50	96
	All	3.40	3.30	91

Source: Adapted from Martin and White, 1988.

When the hourly pay rates of disabled workers are compared with those of non-disabled workers the disparity persists, notwithstanding it is less significant in relation to the difference between disabled and non-disabled women (see Table 3). While this might imply that disabled women fare better than disabled men, it should be remembered that women generally earn substantially less than male peers (Lonsdale, 1986; McDowell, 1989).

#### iv. Assessment, Rehabilitation and Training.

Much of the responsibility for directing disabled people into secondary sector jobs rests with Government sponsored 'special' employment services established under the 1944 Disabled Persons (Employment) Act. Largely in response to the growing numbers of war injured men (see below) Employment Rehabilitation Centres (ERCs) were set up during the 1940s. Primarily for people with recently acquired physical impairments they paid little attention to the employment needs of the rest of the disabled community; *i.e.* people with congenital physical impairments, learning difficulties, or people with mental illness. This persisted until the 1980s when the notion of employment 'rehabilitation' was extended to all the long term unemployed -regardless of impairment (Lonsdale, 1986).

Moreover, although initially ERCs trained disabled workers for low skilled manual jobs, over the years this has been superseded by a profoundly medical approach to rehabilitation -the very opposite of what *is* needed. Originally equipped along factory lines these units were given low skilled production work from local firms or Government Departments and users were trained accordingly. But in the early 1980s the amount of contract work declined significantly (Lonsdale, 1986). Since then their function has been to assess 'the individual's physical and psychological capacity' in relation to the needs of the workplace and provide them with the 'appropriate' skills to find work. To this end ERCs employ 'specialist' instructors, social workers 'psychiatrists' and 'medical advisers'. In areas where there are no ERCs there are now five 'Asset' centres providing similar services, but, unlike ERCs, they have no in-house workshop facilities whatsoever (DE, 1990).

Another recent but significant development is the greater involvement by the Voluntary Sector in these services. Since 1981 Government initiatives have encouraged voluntary agencies to provide 'rehabilitation' and support in these units. In 1990/91 approximately 4,500 of the 15,250 ERC and 'Asset' centre rehabilitation courses were organised by the voluntary sector (DE, 1990). This has resulted in assessments being carried out by non-qualified personnel. The number of assessments has also been trebled by reducing the amount of time spent on each case from 2 to 8 weeks to an average of 10 hours (Graham, et al., 1990). In 1989/90 over half of the 25,000 people who received assessments did not get jobs, but went for a 'further period of rehabilitation' (DE, 1990).

#### v. Adult Training Centres.

Adult Training Centres (ATCs) are another form of 'employment training' run by local authorities and voluntary agencies. In the mid 1980s there were around 45,000 disabled people attending 480 units up and down the country (Lonsdale, 1986). The majority of young people with learning difficulties are placed in ATCs by professionals as soon as they leave school (Hirst, 1987).

Although ATCs were originally developed to train disabled people for mainstream employment in practice little training takes place, and there is virtually no movement into mainstream employment. Despite staff estimates that approximately 37 per cent of trainees are eligible for open or sheltered employment only about four per cent find work elsewhere (Whelan and Speake, 1977).

Notwithstanding, that initially ATCs were developed for the training of 'craft' skills they began to take on repetitious and monotonous contract work during the 1960s. In return workers were paid extremely low wages. In the subsequent decade the competition for contracts intensified and, as there is no statutory requirement on ATCs to pay trainees, some centres encouraged users to claim social security benefits instead.

Hence, despite the fact that trainees work an average of 30 to 39 hours per week (Walker, 1982) during the 1970s only one per cent earned more than the then earnings limit - £4.00 a week. Fifty per cent earned less than half, and three per cent were not paid at all (Whelan and Speake, 1977). Moreover, although the earnings disregard for ATC workers was raised from £4 to £15 in 1988 most trainees received only a small increase in pay 'if any at all' (Same Difference, 1989).

It is clear that training has been superseded by exploitation. This was recognised by the 'National Development Group for the Mentally Handicapped' who in 1977 recommended a comprehensive programme of reform for ATCs. These recommendations were ignored, the group was disbanded (Lonsdale, 1986), and the exploitation continues.

vi. Designated and Sheltered Employment.

Both designated employment and sheltered workshops were introduced following the 1944 Legislation. But only two specific occupations were designated for disabled people under the Act, i.e. car park attendant and lift operator. Both occupations are low status and poorly paid. Not surprisingly, this policy has attracted a great deal of criticism (Lonsdale, 1986).

Approximately 14,000 disabled workers are currently employed in segregated sheltered workshops run by voluntary agencies, local authorities, and a non-profit making government company set up in 1945 called 'Remploy'. These workshops were developed for people with 'severe' impairments who were considered unable to find or keep mainstream employment (DE, 1990).

Depending on medically based functional assessments disabled people can be registered for employment under one of two categories. Section 1 is for individuals are suitable for 'open' or mainstream employment, and Section 2 is for those that are not. It is a rigid arrangement which takes no account whatsoever of the fluctuating nature of impairment or the social or environmental consequences of disability. Disablement Resettlement Officers (DROs) decide which category an individual should be listed under and the categorisation process is applied in a totally arbitrary fashion. DROs receive no training for the task, and there is a general consensus that most decisions are based on personal opinions and experience (Mainstream. 1990).

People who work in sheltered workshops -the majority of whom, around 9,000s work for Remploy -are some of the poorest wage earners in the country. The average weekly wage of workers on the shop floor at Remploy in 1989 was around £90 per week. Figures for the year 1987 show that workers in Local Authority workshops earn slightly less than Remploy employees (Dutton et al., 1989). As we have seen the average weekly wage for non-disabled workers during the same period was between £200 and £250 (Prescott Clarke. 1990). 'Family Credit'. a Government means tested benefit paid to people with families on low wages who are considered to be living in poverty, starts at £110 per week (Hansard, 1989).

Remploy has 93 factories with a diverse range of businesses including furniture making, bedding, knitwear, packaging and assembly work. It has a head office in London employing specialists in marketing, finance, personal planning, training and public relations. The Secretary of State for Employment appoints the Chairperson and the Directors of the company, and the DE lays down broad guide-lines on how the company should be run. Most of the 20 per cent of the Remploy personnel with management posts are not disabled people (Dutton et al., 1989).

Moreover, using mainly economic arguments, the DE has recently argued for the systematic run-down of sheltered factories and workshops for disabled people in favour of 'additional sheltered placements' (DE, 1990). While this is to be welcomed if only because the very existence of sheltered workshops might be seen as segregative and discriminatory. It also represents a significant retreat from the idea that disabled people have a legal right to employment, as the following section will show.

#### vii. The Sheltered Placement Scheme.

The Sheltered Placement Scheme (SPS) was introduced to provide integrated employment opportunities for disabled people categorised as Section 2 in mainstream employment. The numbers of people on SPS have grown dramatically since its introduction. In 1989 there were around 6,500 people on SPS (DE, 1990). It is presented by the DE as an acceptable and positive alternative to designated and sheltered employment (DE, 1990). There is, however, no statutory requirement placed on employers to employ disabled people, it is an entirely voluntary system. Its emergence, therefore, signals a significant retreat from the idea of employment as a right, and a return to the begging bowl.

Under the scheme a sponsor, which may be a local authority or a voluntary agency, employs a disabled person and subcontracts her/him out to a host company. The host company provides the work, tools, workplace, training etc., and pays the sponsor. The amount paid by the host firm is based on the disabled person's output. So, if the disabled worker is assessed as able to produce 50 per cent of an able-bodied worker, the host firm pays only 50 per cent of her/his wages. The DE will only support disabled workers who are estimated to have between 30 to 80 per cent of the productive abilities of an able-bodied worker. The sponsor, either the Local Authority or a voluntary agency, is responsible for paying the disabled person's wages and making deductions for tax and so on. The costs to the sponsor are offset by payment from the host firm and contributions from the DE (Dutton et al., 1989).

While there are some limited advantages for disabled people in terms of the psychological benefits of work in an integrated setting, there are several major drawbacks to the scheme. Firstly, as noted above, the criteria for registration under Section 1 or 2 is dependent on the DRO's judgement. The guidelines for assessment can be interpreted in such a way as to enable less severely disabled applicants, who might be more acceptable to employers and therefore more easily accommodated within the scheme, to become registered. As SPS places are scarce this can exclude disabled people with less 'acceptable' impairments (Same Difference, 1989a).

Secondly, because the disabled person *is* employed by the sponsor rather than by the host firm, sponsored workers do not receive the same benefits as their workmates, although they work in the same firm<sup>5</sup> and might even be doing the same job. They will not, for example, be entitled to the same redundancy packages, sick pay schemes and so on. While there is nothing to stop employers offering sponsored workers the same facilities as other workers, they rarely do (Mainstream, 1990).

Thirdly, there is a limit on the DE's contribution to each SPS place. In 1989 this was set at £25600 for local authority sponsors and £35280 for voluntary agencies. This has to cover both wages and national insurance contributions. Hence, SPS is a cheaper alternative to other forms of sheltered employment. It is designed for low skilled, low status jobs. Placements are in less well paid jobs. Since most workers on the SPS are assessed as being able to produce only 50 per cent of an able-bodied workers output, their average wage cannot go above £6,000 a year (Same Difference, 1989a). Employers are able to pay more as workers become more skilled, but this is extremely rare. In general workers on SPS earn less than their peers in Remploy (Dutton et al., 1989).

Fourthly, the official guide-lines suggest that once a worker achieves 80 per cent output they should move out of SPS; in other words the subsidy to the employer stops. Since most employers are unlikely to want to lose this regular source of income, the chances of people moving from SPS to mainstream employment are slim. Indeed, a recent study stated that although SPS is presented as a helpful transition to mainstream employment few within the DRS expect it to happen. There is no training programme to help people move on from SPS; instead, this is seen as the employer's responsibility (Mainstream, 1990).

4. Factors which Discriminate Against Disabled People's Employment in the British Labour Market.
  - i. Attitudes.

Government research shows that out of a representative sample of 1,160 employers in both the public and private sectors, only 75 per cent of respondents interviewed said that they would not discriminate against disabled people. The most common response recorded was that applications from people with impairments would be 'considered on merit'. The Report also noted that generally interviewees fell into neither the extremely positive or negative categories. but 'the balance was toward the latter'. Thirteen per cent said that they would only take on disabled workers for certain types of jobs and six per cent said that they would not employ disabled people under any circumstances.. Significantly. only four per cent said they would positively encourage applications from disabled people (Morrell. 1990).

It should also be remembered here that there is a world of difference between what people say and what they actually do. Public attitude surveys concerning sensitive and emotive issues such as discrimination against minority groups are notorious for producing misleading results. Most people. particularly those in positions of authority, are unlikely to admit to a complete stranger that they hold prejudiced and discriminatory attitudes, especially if that stranger is a Government researcher.

However, the same study found that employers legitimate discrimination in a number of ways. Of the 1160 employers interviewed, 68 per cent said that the jobs in their firms were unsuitable for disabled workers, 61 per cent claimed there was a lack of disabled applicants, and 52 per cent felt their premises were unsuitable. A further 14 per cent mentioned access problems and transport difficulties, 8 per cent spoke of shift work as a problem, and 5 per cent cited 'other' difficulties which were not discussed in detail. Most importantly5 only 9 per cent said that employing disabled people would not be a problem (see Table 4.).

Table 4. Employers' Perceptions of Problems Faced in Employing Disabled People.

Sample	1160
	%
Unsuitable Job Types	68
Lack of Disabled Applicants	61
Unsuitable Premises	52
Difficult Access - Journey to Work	14
Shiftworking	8
Other	5
No Problem	9

Source: Adapted from Morrell, 1990.

Although 'lack of disabled applicants' can be explained with reference to the notion of discouraged workers', the other items on this list provide a useful introduction to the barriers facing disabled people in the labour market.

The fact that the majority of employers described most of the work in their establishments as unsuitable for disabled workers, especially in terms of what they described as 'vital' abilities to do the job<sup>5</sup>, can be seen as a further illustration of the extent of employers' biased and discriminatory assumptions. This was implicitly endorsed by the report's authors who stated that 'many of these so called "vital" abilities would not stand objective analysis' (Morrell, 1990). Also, it is worth remembering that throughout the last decade or so there has been a wealth of published information, much of which is coming from Government sources and aimed specifically at employers, which shows that the majority of disabled workers are as productive as their non-disabled contemporaries (see for example DE, 1988; 1990; Kettle, 1979; Massie and Kettle, 1986; Prescott Clarke, 1990).

Department of Employment (DE) research shows that non-disabled workers hold broadly similar views to those of employers (Morrell, 1990). It has also been reported that they regularly engage in discriminatory behaviour against disabled workmates. This ranges from unintentional and unconscious activities which devalue and denigrate people with impairments (Chinnery, 1990) to intimidation and open hostility (Morris, 1990).

Whilst employers' and non-disabled workers' negative assumptions regarding disabled people and employment can be partly explained with reference to past discrimination and prejudice, they are constantly being reinforced by several factors associated with the labour market which are not directly linked to the work process. Apart from Government policy and employment agencies generally (see below) one of the most important is the medical profession. Doctors are often involved in the employment selection process and the assessment of abilities after workers have contracted an impairment.

## ii. Medical Screening.

Although some occupational health experts have expressed scepticism about the value of medical tests in relation to work, a recent survey of nearly 500 employers found that 63 per cent had some form of pre-employment health screening. These tests are normally justified on the basis that they allow employers to assess an applicant's 'fitness' for the task for which s/he is to be employed (Labour Research, 1990). In other words, they allow employers to

discriminate; to select workers for a particular work situation. This has significant implications for disabled people.

The historical connections between doctors and disabled people have helped to perpetuate the widespread belief that impairment is the same as illness. Employers generally associate ill health with poor performance and excessive absenteeism (DE, 1988). Hence, they are wary of employing people with a history of illness, and by association, people with impairments.

Consistently, research documenting disabled people's work experiences show that medically based assumptions are used as a basis for discrimination, both to deny disabled workers access to jobs (Fry 1986; Graham et al., 1990; IFF Research, 1990), and as a reason for dismissal (Martin, et al., 1989; Prescott Clarke, 1990).

### iii. Education.

The idea that disabled people do not have the 'vital' qualities needed for work are also endorsed by the education system. Application forms, aptitude tests, formal and informal interviews and other similar recruitment procedures now being used by many employers are all, to varying degrees, dependent on skills learnt through education. The importance of 'paper qualifications' in relation to finding employment is becoming increasingly important, particularly for young people (Roberts et al., 1986). Even disabled people with recognised educational qualifications are more likely to have a job than those without (Prescott Clarke, 1990).

Unfortunately, the type of education that the majority of disabled children and young people receive does not provide them with the confidence, skills or qualifications needed to find work. Several studies have noted the appalling lack of self confidence, basic literacy skills, and absence of recognised educational achievement among disabled school leavers looking for work (Barnes, 1990, 1991; Walker, 1982).

### iv. Age.

Unsuitability for employment can often be determined by age. This is a major problem for many disabled job-seekers since many are in the older age groups - the likelihood of impairment increases dramatically with age (Martin et al., 1988). Many employers refuse to employ workers who are above or below a specific age. Although ageism, discrimination on the grounds of age, is a problem for mature non-disabled workers looking for work, it has a disproportionate effect on disabled workers in the same age group.

Not only do they face employers' negative attitudes regarding age, but also those relating to disability. Moreover, although the DE has tried to persuade employers not to impose age limits on jobs (Hansard, 1989), a national survey of vacancies registered at job centres in 1989/90 shows that age limits are placed on 39 per cent of those advertised (Jones and Longstone, 1990).

v. Experience.

Workers who can show that they can adjust to the work situation with the minimum amount of training are far more attractive to employers than those who are not. Losing the work habit and lack of experience are a particular problem for all the long term unemployed, but particularly so for those with impairments. Employer's doubts about employability increase the longer that people are out of work. While only 10 per cent of employers screen out the newly unemployed, 50 per cent screen out those unemployed for a year or more (Crowley-Bainton, 1987). As noted above, disabled people are without jobs for far longer than non-disabled peers, and large numbers of those with congenital impairments have no work experience whatsoever (Barnes, 1990; Kuh et al., 1988; Prescott Clarke, 1990). Twenty seven per cent of all the vacancies advertised in job centres wanted applicants with previous experience (Jones and Longstone, 1990).

vi. Appearance.

Ten per cent of all vacancies displayed in Jobcentres require applicants to appear 'clean and tidy' or of 'generally good appearance' (Jones and Longstone, 1990). What is perceived as 'clean and tidy' often depends on the type of clothes an applicant wears at the interview. Many disabled people *are* significantly disadvantaged in this regard. Not only because they will be unable to afford a 'smart' suit of clothes appropriate for interviews as state benefits do not accommodate such luxuries, but also because some disabled people do not have 'conventional' body shapes. Most clothing manufacturers cater exclusively for the mass market, i.e. the able-bodied population (Melville, 1986). Moreover, what constitutes a 'good appearance' is a particular problem for disabled women (Campling, 1981; Lonsdale, 1990; Morris, 1989). In modern Britain as in most western societies great emphasis is placed by many male employers on physical desirability and attractiveness. Some employers in the service sector feel that the sight of a disabled woman disturbs clients (Morris, 1989).

vii. Inaccessible Working Environments.

'Unsuitable premises' and 'difficult access' can relate to either an inaccessible built environment or an inaccessible production process, or both. The built environment, both in the workplace and elsewhere, presents major problem for many disabled people. But at the moment only new public buildings have to be made accessible. Moreover, although modern technology has meant that few jobs cannot be done by disabled people there is no legislation requiring employers to use it.

Further, employers consistently use these criteria as an excuse for not employing disabled workers (Fry, 1986; Graham et al., 1990; Morris, 1989). Additionally, the recent OPCS surveys noted that amongst disabled people with a job, only 30 per cent of men and 23 per cent of women felt that their employer had done anything to make it easier for them to work. Fifty seven per cent of the men and 61 per cent of the women said that their employer had done nothing to help their employment needs (Martin et al., 1989.)

#### viii. Transport.

As with the built environment generally public transport systems are not constructed for disabled people. They are virtually inaccessible to many, and using them is unnecessarily physically and mentally exhausting for others (DPTAC, 1989). They form a major barrier to the successful integration of disabled people into the workplace. Recent DE research found that 38 per cent of all disabled workers with jobs found travelling to work excessively tiring. Also, because of transport problems 9 per cent said they had to pay more than non-disabled colleagues to travel to and from work (Prescott Clarke, 1990).

Additionally, an increasing number of jobs require workers to have a driving license. Although some disabled workers are unable to drive because of the nature of their impairment or because they do not have the money to learn, some employers appear to reject disabled applicants on the sweeping assumption that all disabled people are immobile (Graham et al., 1990).

#### ix. Geographical Mobility.

During the last 15 years geographical mobility has become especially important in the search for work. Unemployed workers are increasingly encouraged 'to get on their bikes' to look for jobs. It is also common for people already in work to move to other parts of the country in pursuit of promotion.

In present circumstances geographical mobility is extremely difficult if not impossible for many disabled people. Apart from the difficulties associated with Britain's transport system mentioned above, they face the additional problem of

finding somewhere to live. Although there is a shortage of available housing generally, houses which are accessible to disabled people are in particularly short supply (Morris, 1990; Rowe, 1990). Further, many disabled people use personal and domestic services provided by local authorities or voluntary agencies. The provision of these services is extremely limited and varies dramatically throughout the country (HMSO, 1989).

#### x. Shiftworking.

In the main 'shiftworking' is not a problem at all for the majority of disabled workers. As noted above, most work the same number of hours as non-disabled contemporaries. There is, however, a minority of disabled people who are only able to work at particular times of the day. Those who require some form of personal assistance in the mornings and in the evenings, for example. The Department of Social Security (DSS) estimates that there are approximately 140,000 people who fall into this category (DSS, 1990). Their employability is severely hampered by the lack of flexibility on the part of service providers.

#### xi. The Welfare System.

Because disabled people live in an able-bodied society their living costs are much higher than those of non-disabled people. Estimates show disabled people spend between £6,10 (Martin and White, 1988) and £69,92 (Thompson et al., 1990) on special foods, special clothing, transport etc. -expenses non-disabled workers never encounter. These expenses do not diminish when disabled people find work. Hence, although it has been officially recognised that disability benefits do not cover impairment related expenditure (Martin and White, 1988), the combination of disproportionately low wages and the added costs of disability forces many disabled people out of the labour market altogether (IFF, 1990). The Government have, at last, recognised this problem with the introduction of the new Disability Working Allowance (DWA). But only around 50,000 disabled people are eligible to claim it (Glendinning, 1991). However, the new benefit is means tested. Consequently, it suffers from low take up, and creates a poverty trap effect. The most recent evidence shows that only 9,017 people have applied for it, and of these only 6.5 per cent, 588 people, have been successful (GMCDP, 1992). Clearly, the link between poverty and disability remains unbroken.

### 5. Government Policy on the Employment of Disabled People.

Although the voluntary sector made some isolated attempts to provide employment for disabled people during the last century they were not developed nationally until after the 1914/18 and 1939/45 wars. Several Government

training centres were established for war casualties in 1919. These initiatives were developed further during the 1939/45 conflict to boost the war effort, and the 'Committee on the Rehabilitation and Resettlement of Disabled People' -The Tomlinson Committee -was set up in 1943. Its recommendations were embodied in the Disabled Persons (Employment) Act 1944 which is still in operation. This Act made provision for a disabled persons employment register, assessment rehabilitation and training facilities. a specialised employment placement service, a quota scheme compelling employers to employ disabled workers, designated employment for disabled people, and a National Advisory Council and Local Advisory Committees to advise Government on the employment needs of disabled people (DE, 1990). It was the first piece of legislation to treat disabled people as one group. and it was the first to address seriously the question of disabled people's employment. Not only did it provide a range of specialist services designed to find disabled people jobs, but with the quota scheme, and to a limited degree designated employment, it acknowledged and established their legal right to employment.

The 1944 Act introduced employment policies focusing both on the demand and on the supply side of labour. Those which focus on the demand side of labour influence the social organisation of work; the quota scheme is a good example. Policies focusing on the supply side of labour centre on the workforce; examples include financial inducements and education programmes to persuade employers to employ disabled workers. Since the 1980s Government policy has shifted away from the former in favour of the latter.

#### i. The Quota Scheme.

Under the 1944 Act all employers with 20 or more employees have to employ three per cent of their workforce from the disabled person's employment register. The maximum fine for employers who break the law was set in 1944 at £100; it has never been updated. Since the scheme's introduction only ten employers have been prosecuted -the last one in 1975. One case was dismissed, two received the maximum fine, and the rest were fined £5, £25 or £50. Fines from the seven prosecutions totalled only £434 (Hansard,1989).

Not surprisingly, the number of employers who ignore the law has increased dramatically since the 1950s. By the end of the 1970s more than two thirds of all private businesses were not meeting the quota. Moreover, although the Company's Act 1985 places a duty on all firms employing more than 250 people to have a written policy on the employment of disabled people, less than a quarter have one. Currently, no public sector employer meets the quota and in Government departments only 1.4 per cent of staff are disabled people (Employment Gazette, 1990: Glendinning, 1991; GMCDP,1992a).

As a result people no longer register with the DE as 'disabled' because there is no advantage in doing so. In the 1950s there were 936,196 disabled people registered with the DRS, in 1989 the figure had dropped to only 366,768 (Same Difference, 1990). This is especially alarming considering that an estimated 3.8 per cent of all workers are eligible for registration (Prescott Clarke, 1990), and that Government research shows clearly people would register *if* it led to worthwhile training or meaningful employment (Foster. 1990).

Since the 1950s a succession of governments have made it clear that they are unwilling to support the quota scheme. The DE suggested it should be scrapped and replaced with a voluntary system in 1973. Responsibility for its operation was then transferred to the Manpower Services Commission (MSC)(OE, 1990).

In 1981 they issued a discussion document posing the question 'is special employment protection for disabled people by statutory means still necessary and justifiable for the future?', and reiterated their preference for voluntary measures (Lonsdale, 1986). Only due to strong opposition from disability organisations this recommendation was not acted upon. In 1985 the MSC produced another review which called for further research, and the recently published 'Employment and Training for Disabled People' restates Government 'doubts' as to whether the quota scheme can be made workable (DE, 1990).

Moreover, there has never been a serious effort by any Government to enforce the quota scheme. The Disablement Resettlement Service (DRS) was set up both to police the scheme and to find disabled people jobs. Disablement Resettlement Officers (DROs) are expected to check on employers and threaten prosecution if they break the law, and, at the same time, establish good relations with them so they will employ disabled workers. The two tasks are incompatible.

During the 1980s policing the quota was made much more difficult by the splitting up of the DRS. Following recommendations by the MSC in 1982, the Disability Advisory Service (DAS) emerged out of the DRS to concentrate solely on 'encouraging' employers to develop 'good practice' when employing disabled people. Research shows that both the DRS and the DAS are seriously underfunded and understaffed (Mainstream, 1990). In addition, disabled people are increasingly encouraged to look to mainstream employment services when looking for work (DE, 1990). This is despite the fact that job centres are frequently physically inaccessible to disabled people, and that there is widespread ignorance and sometimes prejudice towards disabled workers among job centre personnel (IFF, 1990: Leah, et al., 1990; Tozer and Parsons, 1989)

ii. Inducements and Education programmes.

Since the 1970s the DE has put its full weight behind inducement strategies and education programmes designed to persuade employers to employ disabled workers. Inducements include schemes like 'The Job Introduction Scheme' where employers are paid to take on disabled workers or grants like the 'Adaptation to Premises and Equipment Grant' which gives employers money to make their buildings or work processes accessible to disabled people (DE,1990).

However, policies which package and sell disabled workers as a special case simply reaffirm the traditional belief that they have less to offer than non-disabled peers. Hence, take up of such schemes is poor. For example, in the case of the Adaptations to Premises and Equipment Scheme, sometimes referred to as the Capital Grants Scheme, originally £0.5 million was allocated but only 2 per cent was distributed to 26 projects. Within five years the allocation was reduced by more than two thirds (Lonsdale, 1986). In the late 1980s applications for funds from the scheme remained virtually static at 253 for 1986/87, 252 for 1987/8 and 247 for 1988/89 (Graham et al., 1990).

Furthermore, policies which make only specific buildings or work processes accessible do not achieve equal opportunities for disabled people in employment. Individual disabled workers are tied to a particular workplace or work situation. Their promotion prospects are limited because the rest of the firm might not be accessible, and they cannot leave their job knowing that there is another factory or office around the corner in which they can work (Barnes, 1991).

Negative assumptions about disabled people's work potential are also reinforced by the DE's marketing and education programmes such as 'Fit for Work' and 'The Code of Good Practice on the Employment of Disabled People'. Both stick closely to the traditional individual medical view of disability. DE research shows that the latest edition of the 'Code' has been seen by less than a fifth of all employers, and only a third felt that it had heightened the 'employability of disabled people' (Morrell, 1990).

Finally, there is also evidence that employers claiming to operate an equal opportunity policy still discriminate against disabled workers (Morris, 1990a). Yet in October 1990 the Government spent £400,000 on a publicity drive to launch a 'good practice logo' to show when an employer is committed to 'good policies and practices in the employment of disabled people'. Astonishingly,

employers do not have to prove anything to adopt it. Its use is completely voluntary; they can award it to themselves (Disability Now, 1990).

## 6. Conclusion.

Clearly, institutional discrimination against disabled people is particularly evident in the British labour market. Disabled people's participation in the workplace is severely limited by a range of factors both social and environmental. As a consequence disabled workers are far more likely to be out of work than non-disabled peers, they are out of work longer than other unemployed workers, and when they do find employment it is usually low paid, low status work with poor working conditions. Moreover, although Governments since the 1939/45 war have, to varying degrees, acknowledged this problem they have failed to resolve it. This is largely due to their abandonment of policies focusing on the demand side of labour in favour of those which centre almost exclusively on the supply side of labour, i.e. on individual disabled workers. In present circumstances such an approach can only achieve a limited degree of success in very specific cases, at the general level it is doomed to failure.

It is evident, therefore, as many foreign governments including America, Canada, France and Australia have realised, that the only strategy which holds out any hope of success is one which focuses on the demand side of labour, i.e. on the social organisation of work. Such an approach warrants the introduction of a policy which emphasises disabled people's lack of social rights rather than their individual needs, and focuses on the disabling society in which we live. In other words, a comprehensive anti-discrimination mandate which, firstly, establishes a firm basis for a range of policies designed to ensure disabled people's meaningful integration into the economic and social life of the community - besides a strengthened employment quota scheme these directives must tackle inaccessible housing, inaccessible transport, inaccessible education and training etc. -and, secondly, sends a clear signal throughout society that discrimination against disabled people for whatever reason and in whatever context is no longer acceptable; together with a suitable means of enforcing it.

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