Mapping the hindrances and barriers to employment as experienced by vulnerable populations.

Experiences of the disabled persons on the Romanian labour market

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1. Introduction

1.1. Background for the current research report

The current report was elaborated within the E-QUAL – Qualitative Research on Professional Integration of Vulnerable Categories project, financed through the EEA Financial Mechanism 2009-2014, under contract no. 13SEE/30.06.2014.

The project aims to provide a viable research documented foundation for the current policies and programs addressed to professional integration of vulnerable categories, the final purpose being to facilitate positive changes in the processes of integration of vulnerable groups into the labour market.

The project is implemented through a partnership between two public accredited universities: West University of Timisoara, from Timisoara, Romania and University of Nordland, from Bodø, Norway. The research was conducted in Romania, but the analysis and interpretation of results was completed in Romanian-Norwegian collaboration. This approach allowed the transfer of knowledge, methods and know-how between the two countries.

The project targets two specific vulnerable groups: disabled individuals and Roma population.

The implementation of the action started with a comprehensive review of the existing scientific knowledge and datasets about the access on the labour market of disabled and Roma persons. In order to conduct the two analyses, the consortium used as sources the databases of the European and national authorities, institutions and organizations which design and implement the policies addressed to disabled and Roma. The first phase of the research was closed with the elaboration of two research reports, which presented the results of review:

- The labor market integration of people with disabilities In Europe and Romania: Literature and policy review report;
- The compatibility between the current European and Romanian National framework of labour market integration of Roma.

The two reports can be found in extended downloadable format from the project’s web-site, at [www.e-qual-see.ro](http://www.e-qual-see.ro), Research reports section.

Following the method of inquiry named Institutional Ethnography, our study further investigated the everyday experiences of vulnerable populations approaching the labour market. The current report presents the findings of this specific stage, regarding the labour market integration of disabled persons. In parallel, a second report, regarding the labour market integration of Roma persons, was also released, presenting the results obtained from the investigation regarding the experiences of Roma persons approaching the labour market.

The interviews for the current report were conducted starting from December 2014 until February 2015. Between February - April 2015, a subsequent encoding and interpreting phase followed. The current report presents the findings of this research phase and was released in June 2015.

The findings of this report will provide a point of departure for further investigations in the framework of the current research.

1.2. Themes and topics covered by the current research report

The research activities whose results are presented in the current report were dedicated to investigating the experiences of disabled persons approaching the labour market, and the institutional relations embedded in these experiences.

Interviews focused on the work and effort made by the interviewee and by assisting bodies and/or professionals in order to obtain or keep a desired employment, including (were relevant):

1. searching for a job; 2. asking for and/or receiving assistance; 3. accessing a job; 4. adapting to a new job; 5. staying in employment; 6. career development – promotion; 7. exiting employment; 8. education; 9. strategies used to tackle lack of income; 10. description about
the experience of accessing the current job; (11) living conditions /housing; (12) perceptions and projections regarding the specific vulnerability; (13) level of knowledge regarding their legal rights.

The interviews and analyses were aimed at identifying the perspective of the disabled persons on what D. Smith (2005) calls “problematics”, or a set of analytically identified factors or mechanisms causing difficulties in their relation to the labour market. The aim is also to map institutional relations and linkages underpinning these factors and mechanisms, based on the analysis of the informants’ testimonials.

The two research objectives guiding the research team during this phase of the investigation were:

1. Mapping the hindrances and barriers to employment as experienced by disabled persons.
2. Investigating the institutional relations and structural mechanisms underpinning the hindrances and barriers to employment experienced by disabled persons.

The sub-ordinated research questions focused on:

1. What are the obstacles and barriers experienced by disabled individuals in their efforts to access or stay on the labor market?
2. What are the institutional dysfunctions underpinning the hindrances and barriers to employment experienced by disabled individuals?

1.3. Overview of the research report

The report is organized in 7 main chapters:

The first chapter – Introduction – presents the main information needed by the reader, in order to understand the report and place its interpretation in the correct context: background of the study, themes and topics explored, content and structure of the report.

The second chapter – Methodology of the research – details methodological aspects regarding the design and implementation of the research, from planning to interpretation of the results. Aspects regarding the compatibility of the research method used (Institutional Ethnography) and the research topics explored are presented. Explanations regarding the size and structure of the research sample are also provided.

The third chapter – Institutional encounters and influences shaping the status of the disabled persons on the Romanian labour market – focuses mainly on describing the institutions (understood in a broad sense) that intersect and shape the status of the disabled on the labour market, as understood and perceived by the wide public, but also by themselves. The role of legislation, public services system and financial benefits in depicting the generally accepted image is discussed.

The fourth chapter – The long path to employment – barriers and difficulties encountered by the disabled persons when accessing the labour market – presents the results of the interviews’ analysis regarding the obstacles and difficulties experienced by the disabled persons during the process of searching for and accessing employment. The main findings are presented sequentially, for each phase of the process. Role of the main actors (legislation, public institutions, and private organizations) is presented and interpreted.

The fifth chapter – Employment and educational discrimination – presents the discrimination experiences reported by the interview participants, organizing their interpretation by types (direct, indirect and structural discrimination) and also by manifestation settings (educational, medical, employment etc.).

The sixth chapter – Family and welfare systems: Institutions supporting employment? – explores the role and influence of family and community relations on the disabled persons’ labour market status. Impact of economic status, housing conditions and access to community services on the opportunity of the disabled person in accessing employment are taken into analysis, too.
The seventh chapter – *Conclusions of the report* – synthesizes the main findings of the report, discussing the institutional relations and structural mechanisms underpinning the hindrances and barriers to employment, as experienced by disabled persons, and defines the main “problematics” identified at this stage of the research. Based on these findings, we further map the hindrances and barriers to employment as experienced by disabled persons.

1.4. **Use of the current research report**

This phase was an essential step in our research, because it provided an understanding of the problematics confronted by the disabled persons in searching for and accessing employment. No attempt to understand a systemic dysfunctionality without exploring the perception of the most affected by it would be possible.

Based on the testimonials of the interview participants, we will continue our investigation, by involving other relevant actors in the analysis of the labour market dysfunctionalities in relation to disabled persons.

The next research phase takes its point of departure in the ‘problematics’ revealed from the experiences of vulnerable populations (first hand informants) and the institutional relations underpinning them, as outlined in the current research report. By approaching the institutions, organizations, employers and professionals involved, the next research phase aims at investigating how the problematic features and mechanisms revealed in the current report are produced and maintained.
2. Methodology of the research

2.1. Institutional ethnography (IE) as a research method in social sciences

Dorothy Smith proposes institutional ethnography as part of an “alternative sociology”, an approach she describes as combining Marx’s materialist method and Garfinkel’s ethnomethodology with insights from the feminist practice of consciousness-raising. (De Vault & McCoy, 2006).

The discovery of the text as a significant constituent of social relations must be credited to ethnomethodology. A central feature of ruling practice in contemporary society is its reliance on text-based discourses and forms of knowledge, and these are central in institutional ethnography. (De Vault & McCoy, 2006)

Institutional ethnography is driven by the search to discover “how it happens,” with the underlying assumptions that (a) social “happening” consists in the concerted activities of people and (b) in contemporary society, local practices and experiences are tied into extended social relations or chains of action, many which are mediated by documentary forms of knowledge. Institutional ethnographic researches set out to provide analytic descriptions of such processes in actual settings.

Many institutional ethnographers use individual and group interviews. The distinctiveness of institutional ethnographic interviews is produced by the researcher’s developing knowledge of institutional processes, which allows a kind of listening and probing oriented toward institutional connections. Smith explains “The important thing is to think organizationally recognizing you won’t know at the beginning which threads to follow, knowing you won’t follow all possible threads, but noting them along the way” (Smith, 2005).

As institutional ethnography is fundamentally an analytic project, the activity of the researcher is not concluded at the moment when the tape recorder is turned off and he or she packs up the notes, but rather it begins at this point. Institutional ethnographers tend not to use formal analytic strategies such as interpretative coding.

Dorothy Smith explains: “You don’t have use the whole interview. You can be quite selective, because you’re not interested in all aspects of the institutional process” (De Vault & McCoy, 2006).

2.2. Using IE in documenting the barriers to employment, as experienced by disabled persons

The experiences of disabled individuals approaching the labor market have provided the starting point of the investigation, which focused on mapping the hindrances and barriers to their employment.

Semi-structured interviews with this type of informants, as well as (in some cases) their kinship members and persons form their vicinity/community, have provided a point of departure for further investigations and mapping of institutional relations.

The interviews with the disabled persons have guided the study according to what they inform the project research team within reference to what they consider to be the ‘problematic’ in their everyday lives, with the „issues” that they address and institutions that mediate their interactions on the labor market.

Our further goal was to develop, based on this information, a descriptive analysis of some portion of the institutional relations that have been identified as consequential, in order to show how these institutional work processes are organized and how they shape the ground of people’s everyday experiences. Those experiences generate the problematic to be investigated and provide the entry point into a set of institutional relations, also making visible the ways the institutional order creates the conditions of individual experience.
A good institutional ethnographic interview elicits detailed descriptions of work that make visible the institutional hooks and traces, as well as the lived experience of the teller.

The task is to gather good ethnographic understanding of the informant’s lived experience and circumstances in a way that brings into perspective the institutional hooks and traces, identifying sites and processes for further investigation.

2.3. Research objectives and research questions

In order to meet the project purpose, as expressed in the previous chapter, we have established the two main research objectives for the current research phase, each of them with a few sub-ordinated goals:

3. Mapping the hindrances and barriers to employment as experienced by vulnerable populations (people with disabilities and Roma individuals):

3.1. To identify, explore and compare the obstacles and barriers experienced by the vulnerable groups (people with disabilities and Roma individuals) in their efforts to access the labor market.

3.2. Analysis of risk factors (personal/structural) in socio-professional integration of Roma and disabled individuals.

3.3. Analysis of experiences with employment and/or social services provision of disabled individuals.

3.4. Investigating issues related to their knowledge about labor rights/benefits/services/assistance.

3.5. To identify the context where vulnerable groups are often discriminated in.

3.6. To examine the family/community factors that account for why some disabled individuals fare better than other.

3.7. To identify aspects regarding the disabled individuals’ housing and living conditions.

3.8. Investigating the institutional relations and structural mechanisms underpinning the hindrances and barriers to employment experienced by vulnerable populations:

4.1. Investigating issues related to discriminatory behaviors faced by disabled individuals on the labor market, in their efforts to get a job.

4.2. To map the institutional relations affecting the efforts of vulnerable populations (people with disabilities and Roma individuals) to access the labor market.

The two main research questions shaped by the research objectives, which guided this phase of the investigation were:

3. What are the obstacles and barriers experienced by disabled individuals in their efforts to access or stay in the labor market?

4. What are the institutional dysfunctions underpinning the hindrances and barriers to employment experienced by vulnerable populations?

2.4. Data collection

The interview guide for disabled persons was constructed drawing on Dorothy Smith “Institutional Ethnography” approaches which provides a lens for exploring both insider and outsider perspectives into productive dialog, tailoring a longstanding approach to research labor market integration of disabled people.

The interviews with disabled individuals guided the study according to what they consider to be the ‘problematic’ in their everyday lives.
The objective of the interviews was to investigate how the everyday experiences of disabled individuals are connected to institutional relations, hence how ruling relations intervene with or form their everyday experiences of approaching the labor market. The question is whether there are any structural obstacles impeding the inclusion of these persons on the labor market.

The further analyses of the interviews aimed at identifying what D. Smith (2005) calls “problematic”, or a set of analytically identified factors or mechanisms causing difficulties for the disabled in their relation to the labor market, looking to locate / map institutional relations and linkages underpinning these factors and mechanisms.

Thus, the qualitative approach was done with a semi-structured interview that intended to assess the effort made by the interviewee and by assisting bodies and/or professionals in order to obtain or keep a desired employment, including: (1) searching for a job; (2) asking for and/or receiving assistance; (3) accessing a job; (4) adapting to a new job; (5) staying in employment; (6) career development – promotion; (7) exiting employment; (8) education; (9) strategies used to tackle lack of income; (10) description about the experience of accessing the current job; (11) living conditions /housing; (12) perceptions and projections regarding the specific vulnerability; (13) level of knowledge regarding their legal rights.

The conceptual framework of the semi-structured interviews, as well as their more specific content references are presented in the Appendix.

2.5. Research sample

The selection of the interviewees for our study (disabled individuals) was made in two steps: (1) an initial list of cases provided by our collaborators (two local NGOs and two local public authorities) with persons fitting the criterion “disabled individuals for which a handicap certificate was issued”; (2) the selection, from this list of cases of the interviewees fitting the criteria regarding sex (male/female), status on the labour market (active/inactive), age distribution (balanced variation for the age group 25-55), type of impairment (balanced variation for all types of impairments), area of residence.

The description of the interviewee sample is presented in Table1.

We have coded the informants with a group of letters and figures. The first letter is showing the type of target group (D for Disability; the second letter is showing gender (F for Women and M for Men); the third is showing their situation on the labor market (A for Active and I for Inactive); and the figure/s represent the hierarchical number of order of the interview.

So, our study is based on the qualitative analysis of the 24 interviews with people with disabilities. Their principal demographic characteristics are presented in the table below in a synthetic manner.

<table>
<thead>
<tr>
<th>Code</th>
<th>Age</th>
<th>Gender</th>
<th>Disability</th>
<th>Studies</th>
<th>Working status - Job</th>
<th>Family Status</th>
<th>Residency</th>
<th>Dwelling Situation</th>
</tr>
</thead>
<tbody>
<tr>
<td>DFA2</td>
<td>46</td>
<td>Woman</td>
<td>Skeleton impairment</td>
<td>Vocational school</td>
<td>Active - Knitter</td>
<td>Single mother</td>
<td>Urban</td>
<td>Apartment owner</td>
</tr>
<tr>
<td>DFA3</td>
<td>39</td>
<td>Woman</td>
<td>Skeleton impairment</td>
<td>High school</td>
<td>Active - Seller</td>
<td>Married</td>
<td>Urban</td>
<td>House owner</td>
</tr>
<tr>
<td>DFA5</td>
<td>25</td>
<td>Woman</td>
<td>Skeleton impairment</td>
<td>High school</td>
<td>Active - Unskilled</td>
<td>Single</td>
<td>Urban</td>
<td>Residential institution</td>
</tr>
<tr>
<td>DFA7</td>
<td>41</td>
<td>Woman</td>
<td>Hearing impairment</td>
<td>University</td>
<td>Active Economist</td>
<td>Single</td>
<td>Urban</td>
<td>Parents house</td>
</tr>
<tr>
<td>DFA11</td>
<td>44</td>
<td>Woman</td>
<td>Mobility impairment</td>
<td>University</td>
<td>Active Educator</td>
<td>Married</td>
<td>Urban</td>
<td>Apartment owner</td>
</tr>
<tr>
<td>Code</td>
<td>Age</td>
<td>Gender</td>
<td>Impairment</td>
<td>Highest Education</td>
<td>Occupation</td>
<td>Relationship Status</td>
<td>Location</td>
<td>House Type</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
<td>--------</td>
<td>----------------</td>
<td>-------------------</td>
<td>-------------------------------------</td>
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<td>-----------</td>
<td>----------------</td>
</tr>
<tr>
<td>DFA12</td>
<td>33</td>
<td>Woman</td>
<td>Skeleton</td>
<td>Medium school</td>
<td>Active - Bartender</td>
<td>Divorced</td>
<td>Rural</td>
<td>Parents house</td>
</tr>
<tr>
<td>DFA13</td>
<td>30</td>
<td>Woman</td>
<td>Mobility</td>
<td>University</td>
<td>Active - Educator</td>
<td>Married</td>
<td>Rural</td>
<td>Husband’s house</td>
</tr>
<tr>
<td>DFA14</td>
<td>27</td>
<td>Woman</td>
<td>Functional</td>
<td>University</td>
<td>Active - Job assistant</td>
<td>Single</td>
<td>Urban</td>
<td>Parents apartment</td>
</tr>
<tr>
<td>DFA15</td>
<td>32</td>
<td>Woman</td>
<td>Skeleton</td>
<td>High school</td>
<td>Active – Medical nurse</td>
<td>Married</td>
<td>Rural</td>
<td>House owner</td>
</tr>
<tr>
<td>DFI9</td>
<td>30</td>
<td>Woman</td>
<td>Mobility</td>
<td>University</td>
<td>Inactive – Social worker</td>
<td>Single (boyfriend)</td>
<td>Urban</td>
<td>Apartment owner</td>
</tr>
<tr>
<td>DFI17</td>
<td>37</td>
<td>Woman</td>
<td>Skeleton</td>
<td>Elementary school</td>
<td>Inactive - Unskilled</td>
<td>Divorced</td>
<td>Rural</td>
<td>Parents house</td>
</tr>
<tr>
<td>DFI18</td>
<td>24</td>
<td>Woman</td>
<td>Neural</td>
<td>University</td>
<td>Inactive - economist</td>
<td>Single (boyfriend)</td>
<td>Rural</td>
<td>Parents house</td>
</tr>
<tr>
<td>DFI21</td>
<td>45</td>
<td>Woman</td>
<td>Functional</td>
<td>University</td>
<td>Inactive – Graphic artist</td>
<td>Single</td>
<td>Rural</td>
<td>Father’s house</td>
</tr>
<tr>
<td>DFI22</td>
<td>34</td>
<td>Woman</td>
<td>Mental</td>
<td>Elementary school</td>
<td>Inactive – never worked</td>
<td>Single</td>
<td>Rural</td>
<td>Half house owner</td>
</tr>
<tr>
<td>DMA1</td>
<td>48</td>
<td>Man</td>
<td>Skeleton</td>
<td>Vocational school</td>
<td>Active - administrator</td>
<td>Single</td>
<td>Urban</td>
<td>Apartment owner</td>
</tr>
<tr>
<td>DMA4</td>
<td>48</td>
<td>Man</td>
<td>Hearing</td>
<td>High school</td>
<td>Active - commerce</td>
<td>Divorced</td>
<td>Urban</td>
<td>Apartment owner</td>
</tr>
<tr>
<td>DMA6</td>
<td>29</td>
<td>Man</td>
<td>Visual</td>
<td>University</td>
<td>Active – Project leader</td>
<td>Single (girlfriend)</td>
<td>Urban</td>
<td>Mother’s house</td>
</tr>
<tr>
<td>DMA10</td>
<td>41</td>
<td>Man</td>
<td>Hearing</td>
<td>Vocational school</td>
<td>Active – Car driver</td>
<td>Married</td>
<td>Urban</td>
<td>Parents apartment</td>
</tr>
<tr>
<td>DMI8</td>
<td>39</td>
<td>Man</td>
<td>Mental</td>
<td>No school</td>
<td>Inactive - Unskilled</td>
<td>Single</td>
<td>Rural</td>
<td>Parents house</td>
</tr>
<tr>
<td>DMI19</td>
<td>25</td>
<td>Man</td>
<td>Neural</td>
<td>Special School</td>
<td>Inactive never employed</td>
<td>Single</td>
<td>Urban</td>
<td>Parents apartment</td>
</tr>
<tr>
<td>DMI20</td>
<td>45</td>
<td>Man</td>
<td>Neural</td>
<td>Vocational school</td>
<td>Inactive – mechanic</td>
<td>Single</td>
<td>Rural</td>
<td>Residential home</td>
</tr>
<tr>
<td>DMI23</td>
<td>38</td>
<td>Man</td>
<td>Mental</td>
<td>No school</td>
<td>Inactive – never worked</td>
<td>Single</td>
<td>Urban</td>
<td>Residential home</td>
</tr>
<tr>
<td>DMI24</td>
<td>30</td>
<td>Man</td>
<td>Neural</td>
<td>Special school</td>
<td>Inactive – never worked</td>
<td>Single</td>
<td>Urban</td>
<td>Parents house</td>
</tr>
</tbody>
</table>

**Gender** in fact we tried to balance the number of the two gender representatives with a little prevalence for women as in the general population. What we succeeded was 14 women and 10 men maybe because women were more cooperative maybe because our team of researchers is composed mainly by women. In fact out of the 10 man we actually spoke with only 6; the rest were represented by their mothers in 3 cases of mentally retarded adult sons and by the wife in one case of a deaf man.

**Age** is balanced enough, the focus was active age for insertion on the labor market. Women subjects are between 24 and 46 years old, 3 under 30, 7 between 30 and 40, and 4 over 40 years. Men ages varies between 25 and 48 years, with 2 under 30, 4 between 30 and 40, and 4 over 40 years. The general sample has 5 subjects under 30, 11 subjects between 30 and 40 years and 8 subjects over 40 years.

**Residence environment** is also balanced, trying to have represented people from cities and countryside. Due to their increased access on the labor market the urban inhabitants are majoritarian – 15 subjects but rural inhabitants are also substantially represented – 9 cases.
Family status of our subjects covers a variety of situations. The majority are single – 15 cases but among them only 12 are living with their parents taking care of them. 3 are living in separate dwellings, together with their boyfriends of girlfriend, two used to have a boyfriend or a girlfriend but not for the moment and 1 case is a single mother with a little daughter, living in her own apartment. 6 subjects are married with 1–2 children, and 3 are divorced (2 of them with children).

Living conditions of our subjects are satisfactory. Only 3 are living in residential homes, 2 of them in specialized homes for disabled and one girl in a church facility for orphans. The rest are living in their own apartments or houses – 9 cases or their parents’ houses or apartments – 12 cases.

Disability type sample even not exhaustive is large enough to cover the diversity of the field. So there are generally 10 types of disability (handicap): Physical, Somatic, Hearing, Visual, Mental, Neuro – psychic, Associate, HIV/AIDS, Rare diseases, and others. Our subjects are covering the most part: Physical – 8 cases, Somatic – 2 cases, Hearing – 3 cases, Visual – 1 case, Mental – 4 case, Neuro-psychic – 6 cases.

Studies are also very diverse. No school - 2 cases, Special school – 2 cases, Elementary school (4 grades) – 2 cases, Medium school (8 grades) – 2 cases, Vocational school (10 grades) – 4 cases, High school (12 grades) – 4 cases, University studies – 8 cases. Probably that the high education graduates are overrepresented in our sample as compared with their share in the general population of people with disabilities. In fact one of the common place of the reports about the situation of the disabled people in Romania is the impaired access to higher education. But we have chosen on purpose a bigger number of university graduates because they have a better chance to get a job as most of the reports are showing.

Position on the labor market Active 9 women and 4 men; Inactive 5 women and 6 men. In fact the labor active subjects are over represented in comparison with the general disabled population, but is according with our project methodology, trying to get more information about disability in the work environment. We didn’t want to get statements more from the labor market excluded (even if this is the general situation for disabled people) trying to find success ways to integrate and that’s why we tried to balance active and inactive and we almost succeeded with 13 active and 11 inactive (active people are more reachable than those inactive, left aside in the loneliness of their homes).

2.6. Discourse and inscription

Central in textual practices of the ruling apparatus, the term „discourse” has been used for those forms of communication and interrelation that are mediated by texts - journals, magazines, newspapers, books, television, movies, etc. On the labor market we usually elaborate or fill application forms, curriculum vitae, motivation letter, letter of intent, letter of endorsement, etc. Discourse creates forms of social consciousness that are extra-local and externalized vis-à-vis the local subject. As Foucault has pointed out, the subject in the text of discourse ‘is a particular, vacant place that may in fact be filled by different individuals’. (Smith, 2005a)

Frankel and Beckman have examined the construction of clinical reality in a medical setting, showing how the text-making process – a movement from talk to record taking – influences the production of ‘facts’ (Frankel and Beckman, 1983). ‘Facts’ arise in processes mediated by textual forms. (Smith, 2005a: 216)

1 http://www.prostemcell.ro/articole-dizabilitate/care-sunt-tipurile-de-handicap.html
In his study of how facts are derived in a welfare agency, Zimmerman (1969) investigates the work of inscription at the boundaries of local actualities and their organizational conversion. The welfare worker’s investigation is informed by a ‘stance’ which never takes the client’s word but relies on external textual sources (bank statements, birth certificates, etc.) or home visits. Substitution of the ‘investigate stance’ for the caseworker’s subjective judgment is essential to the constitution of organizational facticity. (Smith, 2005a: 217)

In our research, we have analysed these forms of communication and interactions between the triangle: vulnerable groups (Roma and disabled persons) – social institutions (public institutions, private institutions, ONG’s, the kinship and vicinity social network) – labor market.

2.7. Directions of research

Hermeneutic practices – concepts, categories, codes, and methods of interpretation, schemata, and the like – must be understood and active constituents of social relations and social courses of action rather than merely as constituents or indices of that amorphous designate ‘culture’.

Interpretive practices which ‘activate’ the text are viewed as properties of social relations and not merely as the competences of ‘individuals’. Further, recognizing document or text as constituent of social relations also means being interested in the social organization of its production as prior phase in the social relation rather than as work of a particular author. (Smith, 2005a: 221)

The other central focus of the investigation into textual relations and forms of action must be reader-text relation. Textual analyses must by primary but not, of course, exclusive method of investigation. (Smith, 2005a: 222)

The study of documentary of textually mediated social relations, as I have envisaged it, is not a distinct field, developing its own theories and methods of research. It is, as I emphasized, the extension of a materialism synthesized by Marx into forms of consciousness that are externalized in definite socially organized relations and forms. (Smith, 2005a: 224) The enterprise is indeed grandiose; it is that of transforming our understanding of the nature of power when power is textually mediated. (Smith, 2005a: 224).

For the purposes of access of these individuals, collaboration agreements have been closed with public institutions and ONG’s from Timiș county that at some point provided these people employment or social services.

Analyzing the first round of semi-structured interviews to reveal the problematic aspects of the everyday experience about involvement on the free labor market was the next step of our research design. In doing this we utilized the qualitative methods framework. As Max Weber mentioned, irrespective of the type research design that is chosen, it is the “the qualitative aspect of phenomena (that) concerns us in the social sciences”. Also quantitative methods are opting to identifying meaning. You need to have a qualitative understanding of the topic as well as an emphatic ability to put yourself in the place of the other in order to be able to develop sensible questions and categories of answers. When it is impossible or inconvenient to categorise people’s experiences in forehand, we need qualitative methods and do the categorization afterwards.

In fact we wanted to know what difficulties our target group faces in relation to the labour market. If there were a known, defined and limited set of alternative obstacles that people could meet, and we wanted to know which of them was the most common, than we could use a survey.

But there are an unlimited number of obstacles that people could face, and most of them are most likely to be undefined, complex with a lot of possible variations and nuances. That’s why we need to understand what people are striving with, in the ways it is experienced in specific contexts, in order to develop meaningful categories and to understand their implications.

Quantitative methods help us determine the distribution of certain defined difficulties experienced by the disabled and Roma populations and the differences between the two. But it
cannot help us understand the mechanisms underpinning these difficulties and why the difficulties are produced differently for the two populations (if that was the case), or why they differ between contexts. When these mechanisms are understood, this knowledge is also transferable to other contexts.

The specific analyzing procedure involved an initial stage of considering the categories resulted from the discourse of the interviewees.

We focused on the “problematics’ meaning the identified factors easing/blocking the access of our subjects on the labor market. The factors we looked for were both personal and group factors pointing to the specific situation of the subject (age, gender, studies, labor opportunities, etc.) or general situation (member of the Roma/Disability group).

These factors were accounted for in the domains identified since the beginning of our research: family, community services, education, discrimination and living conditions influencing employment.

Once identified we passed to the second stage which involved the role of institutions and texts in this easing/blocking process. We are looking for:

1. Official texts European and national (EU and national legislation, government strategies, methodologies, official procedures, services and benefits allocation instructions, etc.)
2. Public institutions (education institutions, local authorities, social services, county employment agencies, NGO’s, specific associations, churches, etc.)
3. “Sociological institutions” (family, group of relatives, friends, neighbors, other networks but also Internet facilities, media services, etc.) that helped/ blocked the access to a work place.

In fact we traced the units of significance linked with our focus (involvement in the labor market) trying to identify the “problematic” (blocking) role of the institutions and texts but also the “benefic” (helping) role of them if any.

2.8. Ethical issues

Throughout all phases of the research process we have been sensitive to ethical considerations. A common misconception is that these ethical issues only surface during data collection. They arise, however, during several phases of the research process, and they are ever expanding in scope as inquirers become more sensitive to the needs of participants, sites, stakeholders, and publishers of research.

Beginning the study involves initial contact with participants. Each researcher disclosed the purpose of the study to the participants. Each study participant completed an informed consent. This form indicate that participating in the study is voluntary and it would not place the participants at undue risk. Further, the members of the research team take into account and try to anticipate the cultural, ethnic, religious differences in the participants that need to be respected.

2.8.1. Informed consent.

Consistent with its commitment to individual autonomy, social science in the Mill and Weber tradition insists that research subjects have the right to be informed about the nature and consequences of experiments in which they are involved. Proper respect for human freedom generally includes two necessary conditions. Subjects must agree voluntarily to participate—that is, without physical or psychological coercion (Denzin, Lincon, 2011).

In addition, their agreement must be based on full and open information. „The Articles of the Nuremberg Tribunal and the Declaration of Helsinki both state that subjects must be told the duration, methods, possible risks, and the purpose or aim of the experiment (Soble, 1978, p.40).
The most important ethical agreements that prevail in social research about what is proper and improper in the conduct of scientific inquiry are the following (Babbie, 2013, pp.31-40):

**2.8.2. Voluntary Participation**
A major tenet of medical research ethics is that experimental participation must be voluntary. The same norm applies to social research. No one should be forced to participate.

**2.8.3. No Harm to the Participants**
Because subjects can be harmed psychologically in the course of social research study, the researcher must look for the subtlest dangers and guard against them. For example, research subjects are asked to reveal personal characteristics that may seem demeaning. Revealing such information usually makes subjects feel, at the very least, uncomfortable. Social research projects may force participants to face aspects of themselves that they don’t normally consider. This can happen even when the information is not revealed directly to the researcher. Any research runs the risk of injuring other people in some way.

Increasingly, the ethical norms of voluntary participation and no harm to participants have become formalized in the concept of informed consent. This norm means that subjects must base their voluntary participation in research projects on a full understanding of the possible risk involved.

Although the fact often goes unrecognized, another possible source of harm to subjects lies in the analysis and reporting the data. Reasonably sophisticated subjects can locate themselves in the various indexes and tables. Sensitivity to the issue and experience with its applications, however, should improve the researcher’s tact in delicate areas of research.

**2.8.4. Anonymity and Confidentiality**
The clearest concern in the protection of the subjects’ interests and well-being is the protection of their identity, especially in survey research. Two techniques-anonymity and confidentiality-assist researchers in this regard, although people often confuse them two.

A research project guarantees anonymity when the researcher-not just the people who read about the research—cannot identify a given response with a given respondent. This implies that a typical interview survey respondent can never be considered anonymous, because an interviewer collects the information from an identifiable respondent.

A research project guarantees confidentiality when the researcher can identify a given persons responses but essentially promises not to do so publicly. Whenever a research project is confidential rather than anonymous, it is the researchers’ responsibility to make the fact clear to the respondent. Moreover, researchers should never use the term anonymous to mean confidential. In conclusion, the information respondents give must at least be kept confidential.

Codes of ethics insist on safeguard to protect people’s identities and those of the research locations. Confidentiality must be assured as the primary safeguard against unwanted exposure. All personal data ought to be secured or concealed and made public only behind a shield of anonymity (Denzin, Lincon, 2011).

Professional etiquette uniformly concurs that no one deserves harm or embarrassment as a result of insensitive research practices, “The single most likely source of harm in social science inquiry, is the disclosure of private knowledge considered damaging by experimental subjects” (Reiss, 1979, p.73). Despite the signature status of privacy protection, watertight confidentiality has proved to be impossible.

**2.8.5. Analysis and Reporting**
In addition to their ethical obligations to subjects, researchers have ethical obligations to their colleagues in the scientific community. These obligations concern the analysis of data and the way the results are reported. In any rigorous study, the researcher should be more familiar
than anyone else with the studies' technical limitations and failures. Researchers have an
obligation to make such shortcomings known to their readers—even if admitting qualifications and
mistakes makes them feel foolish. Negative findings, should be reported if they are at all related
to the analysis. There is an unfortunate myth in scientific reporting that only positive discoveries
are worth reporting.

2.8.6. Accuracy
Ensuring that data are accurate is a cardinal principle in social science codes as well. Fabrications, fraudulent materials, omissions, and contrivances are both nonscientific and unethic. Data that are internally and externally valid are the coin of the realm, experimentally and morally. In an instrumentalist, value-neutral social science, the definitions entailed by the procedures themselves establish the ends by which they evaluated as moral (Denzin, Lincon, 2011).

All research participants have expressed their consent to voluntary participation in the study and the audio recording of the interview. Written consent of research participants to give an interview to the researcher was regarded as a formal commitment. The informed consent form consists of two parts: the information sheet and the consent certificate (see appendix). Informed consent is a process for getting permission before conducting a research on a person. All interviews conversations will be audio recorded and then transcribed.

The researchers explained the participants in the study why they have been chosen to participate in this study to not be fearfully, confused or concerned. Also, the researchers who conducted the interviews indicated clearly that they can choose to participate or not. The researchers explained to the participants how the research team will maintain the confidentiality of data with respect to both information about the participant and information that the participant shares.

On the other hand, the researchers explained the type of questions that the participants will be asked to respond and also inform them about the question or discussion which may be sensitive or potentially embarrassment.

The informed content used in the research refer to the following aspects (Appendix):

- the purpose of the research;
- how long their participation will last;
- who is involved in the research;
- how data about them will be managed and used;
- how long and where the data will be stored;
- the purpose of the consent form;
- what is expected of them if they agree to participate in the research;
- how information will be provided to them throughout the research;
- that their participation is voluntary;
- that they can withdraw from the study at any time.
3. Institutional encounters and influences shaping the status of the disabled persons on the Romanian labour market

3.1. Understanding disability and handicap in Romanian culture

It appears obvious that, in the Romanian culture, there is a lack of clear understanding and representation of the concept of disability, while the concept of handicap (with all its subtleties related to external barriers) is not even grasped by the general population. The usage of this term, derogatory in all its popular expressions, keeps an archetypal concept of deficit, wrongly placing it within the person, and thus making it extremely subjective.

In fact there are different forms of understanding handicap and disabilities all over the world. The same vision as Romanians have had the western societies in 1960’. But the views changed mainly because of the activists from associations fighting for human rights like feminist activists, sexual minorities activists, children’s rights activists and so on. The voice of our associations and activists were never heard. So that the “defect” idea in currently too old compared with western countries progress. The medical model considering the disabled as ill persons is still working in Romania in practice and in social representations. Disabled people are considered ill and they need rehabilitation!

Expression like “He/She is handicapped” are very popular in Romanian language, while those like “This would represent an handicap for him/her” are not very commonly used.

Thus, the handicap is commonly more subjectified in the general understanding, than objectified, as it should be.

3.2. Accepting the status of disabled

Previous to obtaining the handicap certificate, many of the informants undergone complicated medical procedures or costly treatments to overcome their condition. Most frequently, these were resultless.

- “It was expensive, it was an extremely expensive treatment”. (DFA14: 99)
- “In 1997, I got surgery in Timișoara, in the Orthopaedic Ward, at the Children’s Hospital. … extension was tried. I stayed in extension to extend my tendons, then an intervention was carried out, the rod was introduced, I stayed immobilized around 5 months. After that I had recovery for a year. Recovery gymnastics. I recovered around 8 cm before the operation, I got to 22 centimetres, but after approximately 6 months it relapsed”. (DFA15: 40-45)
- “We tried speech therapy, recovery until he was 18 years old, we tried all that was possible, what we knew and where we were guided to go”. (DMI19: 85-86)

From the perspective of Oliver (1996), this phenomena appears „when doctors try to use their knowlege and skills to treat disability rather than illness” (p. 36). The author considers that the doctors’ attempt to treat „a long term social state” that is actually „not treatable medically and certainly not curable” is not the proof of lack of professional competence, but rather a tribute to the doctors’ socialization by their own training into beliving they are relevant experts in all that is body-related. „Trapped in a set of social relations with which they are not trained or equipped to deal”, when they are confronted with an unchangable condition, „they cannot admit they don’t know what to do”, so they will „feel threatened and fall back on their medical skills and training, innappropriate as they are, and impose them on disable people” (p. 36).

This is the first step into the process of convincing the disabled person and their family members that something is wrong with them, and they need „fixing”. After all, how could they not come to this conclusion, when the „medical experts” imply through their activity, that the person could be one step away (one more intervention, one ore cure etc.) from normality?
But, after many years of useless tries and fighting with the idea of being different, some beneficiaries made peace with the thought that their condition is unchangeable. For some of them, belief and religion has proven to be very helpful in accepting their faith. For example, some of the informants, hearing impaired or with speech disorders, state that they never learned sign language. This may very well indicate that they perceived sign language as another way of formalizing their disability and thus refused to get categorized as disabled, preferring to struggle in being understood by their family, friends, or work colleagues.

- “That’s what life is on earth and here I put in faith a lot. If we hadn’t followed in the path of fate…” (DMI24: 469-470)
- “I have…interacted normally the whole time, I don’t know the signs”. (DMI19: 153-157)

The cultural construction of normality and disability (as a deviation from normality) in interpersonal communication is well depicted by McDermott and Varenne (1995), when they present the case of Martha’s Vineyard community, where a high rate of the community members had genetically inherited deafness. However, the functioning of these persons in the community was not affected at all, since all the other inhabitants were mastering the sign language, so communication among them was very easy. “When surviving older members of the community were asked to remember deaf neighbors, they could not always remember who among them had been deaf, for everyone spoke sign language, sometimes hearing people with other hearing people”. (McDermott and Varenne, 1995, p. 328).

Another expression of one’s internal conflict regarding the acceptance of the disabled status lies in a negative attitude towards other disabled. For example, one of the informants tells that the only two people that harassed her in high school on account of her disability were two disabled people (a colleague and a teacher).

- “The funny thing was, there was this guy who teased me, a boy who also had health issues, only they weren’t visible on him… There was also a teacher who also had a problem we didn’t quite know about, and … she scolded me in front of the class”. (DFI18: 154-160)

The harassment may have been the expression of the internal struggle those two people had in accepting their own disabilities.

3.2.1. Disability compensation allowance

According to the Romanian legislation, the disability in itself, even if acknowledged by medical records, is not enough for the disabled person to access the facilities he/is entitled because of his/her situation. The handicap certificate is the formal recognition of the disabled person’s condition.

In spite of the fact that the handicap certificate gives the disabled person the entitlement of accessing the benefits and services established by law, some of the informants account they had hesitations in getting the certificate, because they did not want to „formalize” their deficiency in this way, and to be subjected to stigmatization and rejection by the members of the community, once their disability was recognized by an official body.

- “People already call you names as a child and makes fun of you, and now I said they will also laugh with a certificate”. (DFI17: 23-24)

Although the formal recognition of the statute of disabled person (gained with the issue of the handicap certificate) exposes the person to the discriminative behavior of the community members, still, there seems that there are a lot of motivations (mainly material) in obtaining this
certificate: the disability compensation allowance, various fiscal or financial facilities, the medical insurance, the possibility of registering with some organizations and institutions to provide various services to the disabled persons, free of charge.

- "I had a job, I was doing ok and I said that I didn’t need such a certificate. In 2010, I became unemployed and that was when I did everything in my power and got it [the certificate]". (DMA1: 29-31)
- “As you are not working, you have medical insurance and more for that because the money is not much, but you have for the medication, you don’t pay everywhere you go”. (DFI17: 24-26)
- “I have some advantages: three additional days to my rest leave and the fact that I do not pay income tax”. (DFA11: 31-35)

In some cases, the informants were motivated to apply for their handicap certificate by organizations that went into contact with them in order to provide employment services. Due to the fact that the services were financed through the European Social Fund and the eligible target group was defined as „handicapped persons” and not „disabled persons”, the beneficiaries that sought the employment services needed first to get the certificate.

- “I had to have the certificate issued because various foundations came to offer us a job, but the medical file is not enough, I had to have the certificate as well”. (DFI18: 34-36)

Thus, the context of the ESF financing could be a possible explanation for the increase of the number of persons with disability who obtained an handicap certificate, during the last 7 years (the life-cycle of the current financing program). The increase was notable – from a total of approx. 600.000 persons in 2008 (when the program started) to approx. 750.000 in 2014.

The disability allowance varies and is calculated based on the severity of the disability. At the national level, from the total number of the disabled persons for which an handicap certificate was issued, the most represented are those with a marked handicap (approx. 390.000 persons), popularly referred as „2nd degree handicap” and with a severe handicap (approx. 260.000 persons), commonly referred as „1st degree handicap”. (Ministry of Employment, Family, Social Protection and Elderly Persons, 2015).

For the persons with a marked handicap, the value of monthly disability allowance is currently 234 lei (approx. 50 EUR), while for the persons with a severe handicap, this value reaches 293 lei (approx. 70 EUR). (Web-site of the Ministry of Employment, Family, Social Protection and Elderly Persons)

Informants notice that the income from the disability allowance is not sufficient for covering their basic needs, so this could be a motivating factor for them to search for employment.

- “For me, with 2 million [approx. 50 EUR] to pay my medicines …, it is very difficult. And then I was thinking to go work somewhere, to at least earn my living. At my age, to have no income, only the allowance, it is very difficult”. (DFI22: 73-75)
- “Life is the same even if I have this certificate, my mother is still the one to keep house”. (DFI18: 183-184)

In fact some studies show that, among disabled persons, the revenue factor is the main motivation for reentering the labor market. (Romanian Academic Society, 2009)

At the same time, the research shows that, for people who have a primary revenue source the invalidity pension or the disability allowance, the probability of having a work place is significantly lower, because sometimes even if a work place may bring higher revenue, this could also bring larger expenses (mainly because of transport expenses). Practically the remaining

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revenues could be lower than the invalidity pension or previous revenues. (Romanian Academic Society, 2009)

Also, long-term disability benefits can provide disincentives for people to seek employment and return to work (Organization for Economic Co-operation and Development, 2010). This is especially the case for those who are less skilled or whose jobs, if they were seeking them, would be lower paying. One reason is that the benefit provides a regular income – even though small – that the person can rely on. Loss of this regular payment and reliance on menial, low-paid work may result in no regular income and little sense of security (Organization for Economic Co-operation and Development, 2010).

In some cases, the employment is seen by the informant as an intermediate step in accessing more substantial benefits (for example, the invalidity pension).

Keeping in mind all this aspects, the role and function of the disability allowance becomes questionable: What is, in fact, the role of this type of benefit? Which is its lawful legitimacy? Is it created to replace a potential salary income, lost due to the disability? Obviously not, since its granting is not conditioned in any way by the status of the person, on the labour market. Is it created to provide the person with a decent life standard, formalizing thus, a commonly known situation - that the person with disabilities will rarely obtain, even if in employment, a decent income due to his/her disability? May it be that the allowance represents a redeeming act, accomplished a priori to the injustice itself? Is it, after all, an official acknowledgement of the inferior status the disabled hold, on the labour market? And, by these, an encouragement to perpetuate this situation?

In the current Romanian form and context, the disability allowance presents itself more as a discriminative mean for the disabled persons, than an integrative one. Strongly binding the person to the impairment, the disability allowance makes us focus more on the disability and enables the loss of the perspectives on the other abilities the person holds. So, for example, instead of issuing a certificate that acknowledges the capabilities of the disabled person, the institutions created for the protection of these persons (starting with the schools and finishing with the evaluation commission) concentrate on evaluating the weak points of the person.

The granting of the allowance is done based on an evaluation, which, most times, represents a humiliating, or at least offensive, experience, evaluation undertaken by a commission, whose members rarely undergone a training on approaching or communicating with the disabled persons.

Because the main stake of the handicap certificate is, after all, the disability allowance, the commission examines carefully the persons that present themselves before it, like they would fraudulently want to pass as disabled and obtain undeserved rights.

The accounts of the informants about the experience with the commission and the attitude of the commission staff are vivid, presenting the story of a staff that has rather an authoritarian and patriarchal attitude towards their beneficiaries, treating them with superiority and suspicion, instead of taking the responsibility of informing and counseling them about their rights:

- “They accepted to grant it to me with great difficulties; they thought I’d pretend to be disabled”. (DFA2: 40-41)
- “[The secretary of the commission] shouted at me over there … as if what I had said didn’t matter because I was disabled”. (DFI18: 334-343)
- “Nobody is interested there although they have psychologists, counselors, they don’t work. They are a bit superficial in their work. It is a state-owned institution, so they do it [their work] thinking about the passing hours. Just like selling tickets at the train station. Something like that. They don’t have any patience with a person. The interest is low”. (DMA4: 324-328)

The procedures that precede the evaluation itself are reported as complicated and time consuming. Often, the persons that apply for the handicap certificate have to face tedious delays in the processing of their application.
I had to go each year, from the time I turned 18 years old. ... There were documents required, I had to go before the Commission each year. To make a lot of blood tests. (What papers did they require?) From the college, from where I live...as well as blood tests now, during the last year, as well as heart [examinations]. There were quite a lot. (DFA§: 85-89)

The doctors... they thought I was pretending, they didn't actually think I was unable to bend my knees. They told me to sit on the chair and pushed against my leg. “So, you are certain you can’t bend the knees?” “I can't, doctor.” (DFA2: 39-44)

I even told them “I don’t have a certificate because I don't have the time to go to Timișoara and stay in line over there to be told “Come tomorrow with I don't know what document”. Thing that happened finally, so it took quite a long time going and standing in lines, I went to Timișoara a few times for this subject. (DFI21: 393-396)

There are also accounts about the attempts of the commission to issue a certificate with a lower handicap degree (meaning lower level of the allowance), which were challenged by the informants who subsequently won.

I had some troubles, in the beginning they gave me the 2nd degree and after that, they removed me from the disability [categories]... they then registered me as 3rd degree (lower degree, lower benefits, - n.r.) and I submitted an appeal... and after that they reinstated the 2nd degree and I attended a reviewing annually. (DFA7: 73-78)

“I also had the 3rd degree. I submitted an appeal.” (DFI9: 27-28)

Other informants report about unjust measures taken by the same commission, who supposedly grants handicap certificates to person who would not be eligible for them.

“A clear distinction should be made between disabilities, between sicknesses.... There are people that complain of a hurting ear and get a certificate. It’s not fair. I say that at least half of them should disappear from the system.... I'd hear them talk that they paid that, they'd live [of the indemnity] for one more year and then they’d repeat. Those that go there every year and make up a queue should all be excluded”. (DMA1: 329-335)

Some informants suggest that the role of the commission is not the most important in the process of obtaining the handicap certificate (and the entitlements that come with it), but rather, the doctors involved in the process of issuing the medical records that accompany the application, because they are the ones who can issue the rights documents needed to ensure the obtaining of the degree desired.

Several informants relate about „interventions” made by them or their families to certain doctors, in order to obtain (rightfully or not) the medical records needed to apply for the handicap allowance, or the invalidity pension.

“So you can get anything from a physician if you pay”. (DMA1: 337-338)

“I was lucky with Doctor E., the husband was working in ORL and his wife is a doctor at V. (mental hospital) and she provided a place for me there ... I stayed there for 3 months to get an illness pension and then I went to the Board at the County Hospital”. (DMI20: 129-133)

Also, other institutions involved in granting the financial entitlements for the disabled are evoked as inefficient and unprofessional in addressing the problematics of their beneficiaries:

The physicians, at the County Hospital, dragged me for a half a year, some 6-7 months... The female doctor at the army hospital spoke badly to me... the disability can’t be seen at once. When I stand, people don’t see it; just when I walk, from the front. Well, I worked a lot for my disability not to be noticed. ... “What’s your disability?” “Well, in my legs.”... “Madam, how did you climb up the stairs?” “Madam, I climbed using my legs, doctor, how could I’ve climbed the stairs? “And who helped you?” “Myself.” “And how are you a handicapped? Please, stand!”). (DFA2: 79-97)
I wanted to change the prosthesis, one year ago... and I needed a ton of papers to change it and more, I had to pay money for obtaining those documents. ... And when going to them, you'd have to submit [the documents] for 3-4-5 years in a row until you'd quit. At least if they'd tell you from the beginning to know... And you wait for years, not just some months. (So you gave it up?) I did. (DMA1: 282-292)

I was in high school at that time [when she had surgery] and I was expelled because of the absences, because nobody informed me, we brought motivations, but I was expelled because they should have been certified by the Ministry of Health. But nobody told me. My mother took them motivations. (DFA15: 47-50)

The guardianship is that I am entitled to sign any official document on his behalf. But it takes a long time, I think it's been half a year since I have been doing papers. (DMI23: 303-307)

One informant locates the city hall and the hospital at the core of the process regarding the provision of social benefits on account of a disability.

Everything was connected to that part, to the City Hall. So they're all tied to the City Hall and the hospitals. (DFA2: 108-109)

That reinforces the idea that the Romanian support system for the disabled persons is still governed by the medical perspective on disability, that of a defect of the disabled person. The medical approach rules the entire process of support provision for the disabled, as provided by current legislation. The first step into getting help is being recognized as a „handicapped person”. From the accounts of the interviewees, the recognition of this statute is mainly based on medical judgement.

An obvious question comes into one’s mind, when acknowledging that: during the entire process of support provision, when does the social model starts to prevail the medical model? Because, even if the entrance into the category (of disabled) is allowed based on a medical approach, still, the relevant body that administers the support provision is a social one – The General Direction of Social Assistance and Child Protection of each county. The key words, in this case, being Social Assistance, it is only fair to suppose that the social approach should enter into act at some point, during the process. But the truth is that it doesn’t. The interaction of the disabled with the support system stops when the certificate is issued. Based on the certificate, the General Direction of Social Assistance and Child Protection will communicate to the Local Public Authority from the person’s domicile the amount of benefits the person is entitled to (based on the handicap degree) and the Local Public Authority will further provide them. The contact with the General Direction of Social Assistance and Child Protection will be restored in case the disability certificate was issued for a determined period, for the re-examination procedure at the certificate’s expiration date. If the disability is found to be permanent (so the certificate does not have an expiration date), the two actors (the disabled person and the General Direction of Social Assistance and Child Protection) will be probably saying farewell to each other permanently, at the issuance of the disability certificate.

Thus, the system of social benefits created a dense network of institutions, commissions and other types of bodies involved in evaluating, granting, revoking, re-evaluating and so on of the entitlements for the disable persons, network that is often inefficient and confusing not only for the disabled persons. Beyond the political discourse, this network has basically very little to no use in the social integration process of the disabled person.

“The great majority is a layer (of the disabled), at the present, for now lost for the society and there are several factors influencing this. And the most important factor is the state. It adopted the policy of paying certain subsidies, certain aids and it somehow kills the ambition of the disabled persons for being more active”. (DMA6: 144-147)

“That’s the paradox here with us - everybody does what they have to do, but things don’t fit, they don’t connect!” (DFA11: 465-466)
Moreover, the cumulated effect of the common discriminative perception regarding the disabled persons and the inefficiency of the system for their protection and social insertion has generated various negative effects, most of them affecting the perception of the disabled persons about themselves. Thus, the expressions of the dependency on the welfare system are visible among the informants and affect their motivation in inclusion, whether it is related to their attending the school or looking for a job. Some participants at the interview present a very low capacity of planning their own future, others exaggerate their deficiencies, as an excuse not to participate on the labour market, while others are simply confused regarding their own priorities in life.

- “I have not tried to look for work”. (DMI20: 167-168)
- “I've become accustomed to staying at home”. (DFI9: 441-442)
- “I had a fight with my parents and they didn’t let me continue there [at a certain school], so I didn’t go to school [anymore]”. (DMI8: 32-34)
- “I found a magazine with disability problems, there were a lot of things in it. I looked for boys”. (DFI22: 114-115)

Often, the informants seem to perceive the social benefits received as „mandatory”, rather than „reparatory” in relation to the condition of the beneficiary and adapted to his/her needs. One informant even notices that a higher level of the benefits would allow her to adopt a passive position towards the labour market and she wouldn’t „have to work” anymore.

- “Other countries, for example, have social aids for the disabled persons and those persons can live off that aid, in Denmark for example. So, they don’t have to work, their life doesn’t depend on the salary”. (DFA7: 338-340)

This approach suggests the informant does not see the job as a source of personal fulfillment and satisfaction, but rather, more pragmatically, just a source of income.

The work disincentives of benefit programs, together with the common perception that disability is necessarily an obstacle to work, can be significant barriers to employment of disabled persons (Organization for Economic Co-Operation and Development, 2003).

Spending on disability benefits is an increasing burden on public finances, rising to as much as 4–5% of GDP in countries such as the Netherlands, Norway, and Sweden. People almost never leave disability benefits for a job (Organization for Economic Co-operation and Development, 2010).

System reform to replace passive benefits with active labor market programs can make a difference. Evidence from Hungary, Italy, the Netherlands, and Poland suggests that tighter obligations for employers to provide occupational health services and to support reintegration, together with stronger work incentives for workers and better employment supports can help disability beneficiaries into work (Organization for Economic Co-operation and Development, 2010).

Therefore, the status of disability should be independent of the work and income situation. Disability should be recognized as a health condition, interacting with contextual factors, and should be distinct from eligibility for and receipt of benefits, just as it should not automatically be treated as an obstacle to work (Organization for Economic Co-operation and Development, 2010). In order to increase employment, the assessments should focus on the capacity for work, not disability. The assessment process, instead of highlighting the health condition (which is already ascertained by the medical records), would have a better use if focused on recommendations regarding professional tasks or type of professions the person could handle and, of course, the types of accessibility measures the employer would have to ensure to the work environment for the person. Guidance for doctors should emphasize the value and possibility of work, in order to make the best use of the person’s capacities.
Mitra (2009) presents a few approaches that would better fit the purpose of increasing employment among disabled persons, by ensuring that social protection does not operate as a disincentive to seeking employment:

- one policy option is to separate the income support element from the element to compensate for the extra costs incurred by people with different types of impairments;
- other option could be temporary entitlements plus cost of disability components irrespective of work status,
- more flexible in-work payments, and options for putting benefits on hold while trying work could also prove effective.
- Time-limited disability benefits may be another way to increase employment for disabled people, with particular importance for younger people.

On the other hand, various accounts of other informants show they see the job not necessarily as a revenue source, but as a way to socialize, establish relationships, and pass the time in a more pleasant way, as opposite to staying at home.

- There’s no more monotony of being always at home. (DFA3: 232-233)
- I would have been glad to go somewhere. In that way you spend your time somehow at work. (DFI22: 51-53)
- Somewhere to have a job, it doesn’t matter what, what matters is that I work so that I can fill in my time, I am bored at home. (DFI22: 310-311)

The job would give them a purpose, a structure and a context for socializing and being actually included in the society.

This is even more visible in the case of people with mental disabilities. Their parents (who actually participated at the interview), acknowledge as a given fact the situation that their children will never be able to support themselves through paid work, but would like for them at least to take part in a professional activity, in order to keep themselves occupied.

- “For him to have an activity, we did not think financially or for a salary, for him to do something”. (DMI19: 258-259)

While employment does hold an actual utilitarian function, by providing the necessary income for the daily needs of a person, at the same time the status of being employed holds also a cultural significance for the person and the community: the person is involved in something useful, he/she holds a place within a group, and with that, in the community; being employed, the person takes part at the life of the community, being more than a simple consumer. He/she will have collegial relations, professional objectives, further needs for development and growth, sometimes rivalries or grudges – in short, they will have something to talk about with their family members when they will come home, after work and, more than that, they have the opportunity to plan their development and, in time, evolve towards the desired direction, fitting into the generally accepted model of what is normal.

3.3. The role of legislation

The access to information regarding the rights and facilities for the disabled people is reported by the informants as difficult, due to mainly two causes: (1) the institutions who have as a duty the protection of the rights of the disabled do not properly inform the beneficiaries about these rights, so they have to look for them themselves and (2) the law changes are very frequent, so they impede the understanding of the provisions by the disabled persons – by the time a person gets used to a certain specific provision of the law, the law changes and the beneficiary has to start all over again the difficult process of searching, understanding and interpreting the new provision.

- “I don’t know my rights. They are too many for me to remember them all. I know them in general, but not all of them”. (DFA2: 265-266)
• “A lot of people do not know what rights they are entitled to, they don’t know where to go, who to turn to. …they should be more informed. Individuals should be informed. Maybe there are sites where we are informed, but they are explained, I told you, with I don’t know which law. Where to search for that law? And when you try to get information, you have nowhere to go to. That’s not good”. (DFA15: 192-200)

• “I don’t know all [my rights] because there are certain laws that keep changing”. (DFI18: 328-329)

• “The idea in itself is that they are not to everybody’s understanding”. (DFI18: 354)

One informant reports about the experience she had when the form of the handicap certificate has changed, and, on the new certificate, the information about her work capacity (referred to in the previous form of the document) did not appear anymore. When requesting the Commission for the new form of certificate, she was told that she would have to attend a new evaluation, even if the previous certificate was with a permanent degree. Since she was worried about the potential outcomes of a new evaluation, she preferred to keep the old certificate, but faced serious challenges in convincing the employers to hire her, while the handicap certificate mentioned she had reduced work capacity.

• “I went to ISTH (Inspectorate for Disabled Persons) to inquire how many hours I could work due to the fact that my disability certificate, being of an older model, had recorded 30% reduced labour capacity. Of course, those gentlemen explained very clearly. You’re allowed to work for as long as you wish, don’t try to go and apply for a new model of certificate because you will be required to go through the Assessment Board”. (DFA14: 315-319)

Sometimes, the information about their rights come from various institutions and organizations, other than those that have as main activity the protection of the rights of the disabled persons. It is probable that these type of activities were supported through external financing, obtained by these bodies.

• “(Have you been informed in connection to your rights?) Yes, yes. (By whom?) Free lessons taught to the children by the…sisters, the nuns from where I live, they’d come and tell us. They informed me. And those from the Child Protection Department”. (DFA5: 90-93)

This situation creates, among the disabled, a high level of confusion about the legislative provisions that protects them and stipulate their rights. For example, one of the informants tells that the reason she started working was because she had to substitute her mother at her mother’s workplace, because her mother was ill and she was afraid she will be dismissed. She did not know that the persons that are on medical leave are protected by the law during their vulnerable period and cannot be fired from their workplace.

As mentioned before, the informants find that the employees of the institutions created to protect and promote their rights shallow and unavailable in providing them with information and counseling. In order to compensate the difficult access to advised information, the disabled persons use the practice of „peer verbal dissemination of legislative provisions“, obtaining their advice „second-hand“, from other disabled persons that have already experienced the process of accessing a certain right.

• My mother in law helped me, who had the 1st [disability] degree, she said I should submit my disability file. (DFA3: 110)

• (But were your rights presented?) No. I was never told that. We find them out from people, people like us. They say, “Look, I heard this and that, from now on it will be like that…” No, they never gave us a list with rights or law no. x... We must find information with the people dealing with such cases. (DFA2: 266-287)

• (Who did you find these rights from?) From certain individuals. (Not from an authority?) No, I heard here, there, and I called to ask if it was true. I don’t know if we have other
I understood that the employers are exempted of taxes if they employ disabled persons. (DFA15: 130-132)

To a great extent, I knew [my rights] from all kinds of people who had had one [handicap certificate] issued before. (DFI18: 350-351)

Actually, the practice of oral dissemination of legislative provisions is quite common in Romanian culture, being used not only by the beneficiaries of social services, but also by the service providers. It is very common that, when a law changes, the employees of the institution that applies the law provisions locally, when uncertain about some meanings or purposes of the changes, instead of enquiring the legislator and asking for clarifications, they will address to their peers from a similar institution, but a different area, obtaining counseling from them about how they interpreted the law.

This is why, on the same legislation provisions, we could have different interpretations and applications, depending on the geographical area where they are applied and on the training, experience and philosophy of people applying it.

The investigations regarding the information sources chosen by the Romanian population show a consistent preference towards orality, rather than the written material, with the television being the preferred means of information by 97% of the Romanians, followed by the radio - 59% (EC, 2014).

The results of a recent research on employment of vulnerable populations (Baciu et al, 2014) show that the preferred approach of this category when in search for employment is to ask their friends and relatives about available positions they know (57%), while 25% of them use internet searches in order to get this type of information and only 6% actually request the support of a specialized service, eq. public services for employment (p. 103).

It is very probable that, when searching for relevant information regarding the access to various benefits and/or services, they would use the same approach for obtaining them.
4. The long path to employment – barriers and difficulties encountered by the disabled persons when accessing the labour market

4.1. The experience in searching for employment

4.1.1. The role of the public institutions

The most relevant institution one is to collaborate with in the process of searching for employment is the County Agency for Employment, whose main mission is to organize, coordinate and implement, at county level, the employment and social protection actions designed to support the persons who are not employed.

About the Local Agency for Employment, the informants report either a complete absence of contact with it, or, in the cases the contact was made, the interaction is described as not very pleasant.

For those informants that did not interact at all with this institution, the reasons are quite different, varying from not knowing about it to not being interested in such interaction, because they did not qualify for any social benefits this institution is entitled to provide.

- “I didn’t even know about that. … I knew it exists, but I’ve never been there”. (DFA5: 102-104)
- “I don’t know what that is [The County Agency for Employment]. I don’t know”. (DMI16: 59)

As about those who had interactions with the agency, the large majority of them describe these interactions as ineffective in their main purpose – employment mediation. Actually, none of the informants that interacted with the agency mentioned they got a job as a direct effect of the that interaction. The work of the agency is mainly perceived by the informants from the perspective of the unemployment benefits it provides and not the employment services.

- “I’ve been there myself. It’s not our problem [they’d say]. The job offers are posted on the window, that what they said”. (DMA1: 142-145)
- “I was there but I didn’t succeed, officially I didn’t succeed… I was registered but they didn’t help me, I didn’t succeed in doing anything there”. (DFA7: 195-197)
- “[I’d go to the] County Agency for Employment every week, unfortunately positions like these, for people with higher education, appear quite rarely over there, there are more for those with average education and grammar school”. (DFA14: 419-422)
- “On the one hand I can also understand them, they’re probably doing their job because anyhow they are taking their salary. And I think, on the other hand, how many people are in my case, until they get to me… if they find me, I think it’s also a matter of luck”. (DFI18: 220-224)

The low level of self-referral of the disabled persons to the County Agency for Employment is also confirmed by a nationally representative research (Romanian Academic Society, 2009), whose results show that only about 2% of the disabled persons are registered as unemployed with the County Agency for Employment.

The causality of this situation could be twofold: the lack of trust in the institution among the disabled persons and/or the low addressability of the institution’s services in the community.

Regarding the first potential cause, the lack of trust of the vulnerable groups in the specialized services addressing their type of problem is a generalized attitude among this category (Baciu et al, 2014), being influenced by both the long history of the vulnerable person in dealing with the problem with no success in finding a solution and the previous interactions the person has had with similar institutions, interactions that maybe have proven to be not very helpful or pleasant for the person. Thus, when a beneficiary from a vulnerable category finally reaches the institution that could hold the solution to his negative situation, he is usually at the end of a long journey (which started with appeals to family and friends and continued towards larger and
more distanced groups), a journey that affected his confidence in the others (that could not help him), but also in himself (because of repetitive rejections and fails), having important influence on the expectancies of the person regarding the projections of success. It is possible that, when the beneficiary reaches the office of the specialist that could really help him, he is so demotivated and untrusting in the power of change, that he could compromise the result of the intervention (Baciu, 2014).

This phenomena is even more accentuated among the disabled persons, who have been confronted with rejection and discrimination their entire life, in their chronological encounters with the public institutions, when trying to access various services or information.

As about the level of addressability of the institution’s services among community members, as other public institutions, almost none of the County Agencies for Employment feel the need to publicize their services within the community, because the community members are supposed to know about their existence. Moreover, the case load of such institutions is always over the theoretically accepted limit, so they do not actually feel in anyway the complete absence of a certain category of beneficiaries – the disabled persons. Their work is the same with or without these beneficiaries.

The application process for unemployment benefits and services provided by the Local Agency for Employment is reported as complicated and time consuming, by the informants. Those who describe the inter-personal communication with the staff of the agency are not very satisfied with the manner they were treated.

- “I went to its office to submit a file with my qualifications, my documents, so they could provide me with a job. In the end, somebody advised me to lay low because it was all a sham and the jobs indicated there were given by recommendations or by connections. They requested a complex documentation. Appointments, you had to go to queues, a complete madness. I didn’t submit my file in the end. At first I wanted, and then I said no. I couldn’t expect any support”. (DMA4: 274-278)

- “I submitted the [unemployment] file in October and so far they haven’t... they’re saying that it may come in now [December]”. (DFI18: 202-203)

Although the level of self-referral to the public service for employment is very low among the disabled persons, the need for assistance in identifying and accessing a job is quite common among the informants, especially if they had negative experiences in their previous searches for a jobs, by themselves.

- “In my situation and given those conditions, the hardships I encountered, if I’d go, it is very difficult to succeed on your own. Without anybody’s support. At least [you should have] a recommendation from a foundation or an institution that could provide some valid explanations on you, that you can handle certain matters”. (DMA4: 299-302)

- “That is why I also gave her my telephone number because I thought it was better, they would let me know if there was anything important”. (DFI22: 306-307)

An interesting aspect arises: the need for assistance was even more emphasized by the informants who managed to get a job, after they requested help. Acknowledging the importance of support after the objective is achieved could indicate that many of the disabled persons that are trying to get employed to not even realize they need support from an institution. Used to rely of their informal networks of support (if any), they limit their strategies for problem-solving to the contexts that are familiar to them.

If so, increasing the visibility of the services addressed by the organizations (public or private) that offer employment services could prove incremental in increasing employment among the disabled persons - reaching them and providing the information is the first step that could lead to their labour market integration.
4.1.2. The role of the non-governmental organizations

Some of the informants that are active on the labour market were assisted in getting a job by local non-governmental organizations, in the context of various European financed projects. Their identification and recruitment within those projects was made based on an institutional agreement of collaboration, most often involving public and private bodies – the role of the public body consisting mainly in providing the private partner with the contact details of the disabled persons registered with them, while the private partner was responsible with contacting the persons, recruiting them and, most time, also providing the services.

- “She had the phone number from the Social Assistance Center for disabled persons that had registered me”. (DMA4: 184-185)
- “I had left my name and telephone number with ISTPH (Inspectorate for Persons with Handicap – public institution) and those from C. (NGO) found me”. (DFA14: 323-324)
- “I’ve been to the inspectorate and they sent me to B. [Foundation]”. (DMI8: 55-56)

The interactions with the non-governmental organizations are not always successful, though. The informants that report the low interest in their case of some organizations they previously collaborated with, also report a reduction in the level of trust towards these types of interventions, in the future.

- “They took these documents, everything, and then they ignored me. And when I went to ask what was going on they said that “Aaa, you know something” meaning that the practically they only worked to their interest”. (DFI18: 49-51)
- “I frankly no longer trust these intermediaries”. (DFI18: 362)

Even if undoubtedly, the interventions of the private sector in the area of employment mediation services is welcomed and, apparently, efficient, still, the specificities of the financing sources of these services (mainly European funds) are bound to create some distortions on the labour market and among the labour force. For example, one informant accounts how she had attended two training courses provided by NGOs within the European financed projects, not because she needed these courses (she was over-qualified for both of them), but because the NGOs needed her to reach their target regarding the attendants to these trainings.

- “I had to take a trade course, which didn’t help me at all… I was an economist”. (DFI18: 52-54)
- “We had to attend a course … a computer course, the purpose of which I did not understand because I was not a beginner, because I sat my baccalaureate examination in computer science, but I went because they had to have a certain number of participants”. (DFI18: 301-304)

So, somehow, the informant saw the attendance to these trainings as mandatory, in order to receive the other type of service she needed – mediation on the labour market.

Actually, it is a specificity of the European Social Fund (at least for the Romanian Programme) to have as a programme indicator the number of participants to training courses. Thus, the organizations that implement projects financed by the European Social Fund have not only a target regarding „the number of persons employed through the project“ (actually, there are financing lines among this programme that do not have this indicator at all), but a target related to „the number of course/training attendants within the project“ (this is basically the most popular indicator for all financing lines among the programme).

This situation generates the following effect among the projects’ beneficiaries: the interested persons access the organizations implementing the project because they want to get employed and they need specialized support in accessing a job, because they probably tried on their own and didn’t manage. The organization offers the support, but, meanwhile involves the person also in a training course, in order to achieve its project indicators. Sometimes, it may be that the training course is really needed by that person (for example, the beneficiary has no previous professional qualification), and other times, the training course is provided to that person.
regardless if the person really needs it, because the organization has committed to engage a certain number of participants and, basically, that beneficiary just fills „an empty seat”.

Other informants mention the supporting role of the priests or congregation members in identifying a job – usually, it is the case for neoprotестant church members.

- “I was at a company, at a friend from the church where I used to go”. (DFI9: 85)
- The accounts of the informants about their experiences with the institutions involved in assisting them in their social and professional integration allows us to take some glimpses at the attitude and perception of the informants towards the role and function of these institutions.

- “(Did nobody inform you about your rights?) Frankly, I haven’t even thought about it, it hasn’t crossed my mind”. (DMI20: 176-178)
- “I found out about those tickets ... But I had to claim them, nobody came to give them to me. (DFI18: 357-359)
- “Well, I’ll try go there ... I’ll ask for my rights, for them to give me a list, something....” (DMA1: 303-310)

Thus, we can notice among some informants a really childish approach of the institution’s role in one’s assistance (they expect everything from the institutions), combined with a naive stance about their own role in the actions towards their own interest (they expect very little from themselves) and a low level of information (they expect to be informed by others).

This could indicate, among the disabled persons interviewed, an acquired image about themselves as vulnerable and in need for continuous support. They have assimilated the „standpoint of the normal” (Goffman, 1986), and integrated in the representation about themselves how a disabled should behave. The public discourse, full of mercy and compassion towards their condition, has made way and found a permanent residence within the image they created about themselves – they are not able to do things, they should be helped, and the state has the main responsibility in helping them.

The heavy rely on the state (public institution) as main provider of well-being (understood as mainly financial and material support) is actually a specific for the Romanian population in general, found especially among those generations that were socialized during the communist regime. The message disseminated by the communist administrative apparatus, that has found a great echo among the population and influenced their values and perceptions about the role of the public institution, was that the state is the main provider for all types of needs: food, housing, employment, protection. As long as one is submissive and acceptant about the state intervention in all aspects of private and public life, that person will be provided by the state with everything he needs. This image is still deeply rooted in the Romanian cultural representation about the role of the state, which is expected to perform to a much higher level than it is currently equipped for.

4.1.3. The role of legislation in increasing employment for disabled persons

As about the efficiency of the legislative provisions designed to motivate employers hire persons with disabilities (for example, the quota system), some accounts of the informants present them as inefficient, due to the existence of certain loopholes that allow the employers to avoid the constraints of the law. Supposedly, these loopholes are exploited with the collaboration of the staff of the institutions that should verify the compliance with the law.

- A lady employer once told me... They have to announce the County Agency and to get a proof that they asked [for disabled persons] and they take it to the Public Finance Directorate for not being punished by a fine that I don’t know how much it is. It’s high. That’s the trick, to get that piece of paper from there. ... And if they notify it, they receive a proof that they requested [for disabled persons] (And the people at the County Agency send them any disabled persons?) They don’t. Because the law has this loophole... The employer asks them [for disabled persons] in vain, only for getting the proof that they requested [for disabled persons]
and they use that proof at the Public Finance Directorate and they escape…. That’s the problem. And that’s the loophole. (DMA1: 198-211)

The legislative provisions offering tax exemptions to disabled employees, or subsidies to employers of disabled person, are considered, by another informant, as also lacking efficacy, due to the reluctance of the employers in hiring disabled persons.

- Those who tried for 2-3 months, withdrew, the owners received some facilities, meaning that they do not pay tax, but no, they’d rather pay tax. (DMI19: 345-347)

This reluctance could have two main motivations: (1) the employers do not trust the fact that the disabled employee can face the job tasks as well other employees, without disabilities and (2) the employers are afraid that, once they have hired a disabled person, their activity could get complicated, due to certain law provisions that protect the rights of the disabled, provisions that they maybe they do not know, and because of that, they might break them, making them punishable with consistent penalties or fines. This low level of information about their responsibilities when hiring a disabled person make the employers more afraid of a financial penalty, then willing to access a subsidy or a tax exemption, based on the employment of a disabled.

- Probably there are lots of employers who, due to convenience or due to the fact that do not know the legislation, get to commit errors, maybe not voluntarily, so that they do not complicate their existence; they simply refuse to employ disabled individuals although they have several advantages and the law on unemployment entitles them to a compensation. (DFA14: 383-387)

Thus, in order to increase employment among disabled persons, the measures taken to disseminate knowledge and information about the topic should not only be addressed to the disabled individuals in search for a job, but also to employers, in helping them understand their responsibilities and how to address them, the financial facilities they could access, and the ways in which they could access them.

- They should at least guide, so that the employer no longer gets scared because I’m telling you I was at interviews and “Sir, look I could work 8 hours.” I know, it’s clear for me that I can work 8 hours, I also found that information. They avoid it, they’re scared, I don’t know. (DFA14: 405-408)

A relatively recent study (Romanian Academic Society, 2010) concluded that the quota system is weakly implemented in Romania. Even if this system could theoretically bring 140,000 jobs for disabled people, currently the total number of disabled persons that are employed is about 29,000 including people working in small firms with less than 50 employees and protected workshops (these are not employed due to the implementation of the quota system). The same study shows that the implementation of the quota system lacks efficacy in reaching its purpose: didn’t bring a reasonable occupational rate for people with disabilities but only introduced a new tax that brings revenues to the state budget.

4.2. The experience in accessing a job

4.2.1. Some possible reasons for unemployment among the disabled persons

The unemployment level among disabled persons is usually significantly higher than in the general population and research shows that it has always been so, in different periods and in various cultures (Barnes & Mercer, 2003). Labor market theory suggests this happens, for reasons of both supply and demand, on the supply side, the most important aspect relating to the higher cost of working for the disabled, while on the demand side the most influential factor is the perception of the employer about the impact of the person’s impairment on the production results (Stapleton et al., 1997).
Unemployment among the disabled persons, is a phenomena which has many overlapping factors that contribute to and generate it, making it very difficult to conclude if the disabled’s separation from the labour market is a direct effect of discrimination (exclusion), self-exclusion (lack of trust in their own capacities) or just a state of things, with various objective motivations. The low educational level, lack of professional experience or qualification, inadequate housing or residence in isolated rural areas are all mentioned by the informants during the interviews as contributing to a person’s status on the labour market, having a direct cause-effect relation.

- “Lack of experience, most of the time that was the main impediment in getting employment.” (DFA14: 262-263)
- “They [the potential employers] either told me that I’m from the village and I must commute or that I didn’t have the experience…” (DFI18: 46-48)
- “I have no experience, I have no practice.” (DFI18: 64)
- “It is a problem, to make a phone call, you are asked how much education you have. What do you say? 7 classes. Who employs you with 7 classes?” (DFI17: 256-258)

Sometimes, the confusion regarding the eligibility for handicap allowance if one is employed keeps the disabled persons outside the labour market. Currently, the provision of the handicap allowance is compatible with employment, but, actually, a few years ago, the legislation regulating the provision of social benefits for the disabled was not very clear about the compatibility of the two types of income (from the disability allowance and from the salary).

- “In my head, it was a financial aid or a pension. ... Many people around me told me not to get a job, probably they didn’t know. Don’t go to work because they’d find out and cut your pension, if they’d catch you, you’d have to return the money you received years ago and what would you do. I lived under that impression... Honestly, I lived with that idea in my mind for years and year. I can’t go to work. I lived with that “No”. My stress source and my thinking was that I couldn’t return the money. My idea was that I’d have to return the money if they’d catch me.” (DFA3: 150-162)
- “They are afraid of losing that indemnity and all the aids deriving from it.” (DMA1: 215-216)
- “Before, we were not allowed to work because they cut off our pension. For disabled persons. If you were employed, you lost the income.” (DFA15: 159-160)

This is why, most of the persons that have not yet sorted out the answer to their dilemma, prefer choosing the allowance over a job, because they perceive the allowance as most predictable (or “a sure thing”), than a job would ever be. It is basically the same psychology that governs people preferring to work in the public sector than in the private one — „in spite of the fact that the salaries are lower, the job is secure”. This perception was mainly caused by the dramatic impact the Romanian population suffered, when exposed to the phenomenon of unemployment, after half of century of communism and secure jobs. In the 90’s, after the fall of the communism, when the public enterprises have begun getting privatized, most employees lost their jobs (between the 60’s and the 90’s all employees worked in state owned enterprises) and faced unemployment and, with it, the insecurity of tomorrow. Because of this experience, even today, the generation that has lived it, considers a job in the public sector more convenient than one in the private sector. This extends over the perception of an income from a public source rather than a private one.

- “There are others that, maybe [they are the majority] that prefer that financial aid than to work.” (DMA1: 233-234)

Other motivations, more subjective and personalized, can be attributed also to the high unemployment rate among disabled persons. For example, sometimes the woman with disabilities remains outside employment not as an effect of her condition, but by choice. She is inactive on the labour market, because she needs to be active in the household and her current
family duties (mother, wife, caretaker for the older members of the family) do not allow her to undertake other type of responsibilities, more professional.

- “Now, at the present moment, I cannot look for a job and leave him [my father] home alone for 10 hours.” (DFI21: 87-88)
- “Before I’d take care of the old lady and I’d take care of the house. There’s always something to do when you live in a house.” (DFA3: 233-234)
- “My children being little, I waited for them to grow, to be able to manage on their own.” (DFA15: 106-107)

Sometime, it is the lack of trust in their own forces and competences that keeps the disabled in unemployment.

- “I myself don’t know yet how much I can and where I can because I haven’t had the opportunity to show it.” (DFI18: 262-263)
- “I don’t even know if my capacities can cope with… 8 hours work time. I haven’t tried.” (DFI9: 108-109)
- “If you live with that thought that I can’t or if I go, they won’t hire me, that’s another disadvantage.” (DFA3: 201-202)

The feeling of “powerlessness” is developed by the disabled individual over his entire life, even since childhood, and is shaped by the processes of „false consciousness and alienation” (Oliver & Barnes, 2012, apud. Marx). While the false consciousness is the approach of explaining social problems focusing more on the projected shortcomings of the individual rather than on the flaws of the society, the alienation is the outcome of the systematic exclusion of the disabled from the social life, that creates the feeling of self-estrangement and social isolation at individual level (Oliver & Barnes, 2012, p. 112).

Thus, the person with impairments will grow up assuming the identity of „disabled”, seeing himself less capable than the others, due to his „abnormality”. This feeling of lack of capability will reflect in his actions, thoughts and feelings, influencing the role he assumes in the community.

Various accounts of the informants show that they have a preconceived idea regarding the process of searching for employment. Some of them suppose they will be refused by the employers, in spite of the fact that they did not actually searched for a job, so far.

- I think that maybe others would shrug and say: “This one’s coming, maybe she will stay at home in medical leave for who knows how long, and she will want who knows what, who knows how much”… I know better than that! (DFA11: 359-362)
- “My illness messes things up in my situation, an employer is afraid when he employs, he must know what he is employing so that you do not fall between the shelves. And you may also hit yourself and he takes all responsibility for you and afterwards he is in trouble.” (DFI22: 324-327)
- “Because he is not accepted and he cannot, I saw that it is not possible. He cannot perform an activity, he does not think it.” (DMI19: 334-339)

The process of employment gets even more difficult for the disabled persons when their wishes and expectations towards the desired work place meet the actual offers available on the labour market. In case they do not identify the job that fits all their requirements, some of them prefer to remain outside the labour market, until such offers appear.

- “I was even thinking where I could work, a place that does not require school, where I will not get annoyed and do not strain myself too much and feel faint over there.” (DFI22: 228-230)

This phenomenon is even more visible in the case of informants with higher studies, who, because of the time spent in the educational system and the investments their parents made in their training, hold high expectations regarding their employment and do not wish to settle with less.
“Several companies came, but they were for those persons who have an intellect somewhere... I don’t know how to put it, who are physically fit for work; I am also sensitive, I cannot stay in one place without moving for 8 hours.” (DFI18: 55-58)

“It was my desire to prove that I’m not dumb, that I was born with a good [intelligence] quotient, why not take full advantage of it?” (DFI9: 282-284)

On the other hand, some of the informants report they are the only ones employed in their household. Basically, they are the income providers for their families.

“(And practically, you’re the only one employed or is your mother also employed?) Only I.” (DFA12: 112)

“I am also working because my father has a pension and you know what it’s like.” (DFI17: 173-174)

Informants usually place the blame for their struggle to get employed on the account of the employers, who are perceived as indifferent and reluctant to start a collaboration with a disabled person, since such collaboration would only complicate their activity due to the many responsibilities towards the employee they would have to take.

“I’d submit a declaration about the disability certificate and were excluded. I was thrown out. Because I was disabled. They said they didn’t want to get involved in such a complicated thing, that it could be dangerous for me.” (DMA4: 169-172)

“We are discriminated. They first look at us and give us no chance to communicate. When they’d see you and see you walk, it’s all lost. They talk to you for a bit but also like that, amicably, with their psychology style and they ask you to leave.” (DFA2: 244-247)

“I work at the company, but without a contract, in Periam (rural settlement). They don’t want, with a contract, because I’m disabled.” (DMI16: 104-105)

And you also say you have a health problem, and then they tell you “Yes, good. We’ll call you back.” Meaning they will be in touch with you not at all.” (DFI17: 258-259)

“Instead of telling an employer about a disability, you’d better cut of a hand or a finger. They actually avoid the disabled persons and I really don’t understand.” (DMA4: 248-249)

Moreover, the capacities of the person could make him/her unable to satisfy all the work requirements, so the employers would have to put an extra-effort into assisting them to comply with the work standards, and they are not willing to make this effort.

“She was asking herself “Is she as capable as the others?” That’s why you’re seen as not being able to cope as they do. [That they must] push you.” (DFA3: 184-185)

This situation highlights the necessity of creating of what appears could be an important service: counseling service for the potential employers of the disabled persons.

Already full of contempt and dissatisfaction with the financial pressure, number of taxes, excessive mobility of the fiscal legislation (Georoceanu, 2008), lack of flexibility of the labour law (Voicilaș, 2011), and the outdated procedures of reporting and communication with the institutions who check their activity⁴, the economical agents, potential employers of the disabled persons are understandably afraid of new regulations and procedures that could interfere with their activity, in case they would employ a disabled person (someone who they perceive, due to the repeated political discourse as „protected by special laws”). This is probably why an employer who has never employed a disabled person before will never think by himself he should do that in the future. In order to change their perception about the complexity of the procedures needed in this case (employment a disabled person), a new service should be created, whose main objective should be twofold:

1. Informing the employers about the fact that they can employ disabled persons and also on the fiscal facilities they could access if they do so;

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⁴ Queues at the counters of the Financial Administration – journal article, consulted on-line at http://www.gds.ro/Local/2015-05-08/cozi-la-ghiseele-de-la-finante/
(2) Assisting the employers who hire disabled persons in complying with the law provisions, by counseling them on what they can do in order to increase work-place accessibility for the employee and what are the main law provisions that they should comply with.

Moreover, if the outcome of the assessment process of the disabled person, when facing the Assessment Commission in order to obtain the disability (handicap) certificate, would constitute in a recommendation regarding the specific job tasks the person could fulfil and the environmental adaptation needs he has in order to fulfil these tasks, the employer would be helped (during the recruiting and selection phase) to decide if the person could handle the job requirements or not. Instead, the assessment process, as it is, does not provide help in any way for the employer to decide to hire a disabled person, but, because of the lack of such information, has a negative impact on his decision (not knowing what to expect if hiring the person, the employer decides to „stay on the safe line” and avoid further potential complications).

4.2.2. The process of accessing employment as experienced by the disabled persons

Many informants report situations in which the job interview goes very smooth until the moment the disability (and handicap certificate) are mentioned. At that stage, the employers become hesitant and, after the interview, they fail to contact the person again.

- **Most times when I’d go talk to them they’d say they wanted to hire me and then, in the end, I’d tell them about the accident and everything. You could see some of them would be shocked. … Several seconds later, they said they’d call me.** (DMA1: 131-134)

- **I tried [to get a job] in the private sector. I went to a company, I submitted a CV but I was subject to a probationary period… I did send it, [and] they called me to an interview. I gave the interview… They said that because of my problem, it will not be possible [to hire me].** (DFA7: 169-175)

- **They ask you certain things about yourself, you tell them that you have a health problem, and then they tell you “Madam, well, you see, call us again” and bye-bye.** (DFI17: 260-262)

- **I went for the job at A., a company with which I agreed [to be hired], but when I had to sign the employment contract, they said I was unable although the certificate from the family care physician indicated that I was able to work, with the comment that I don’t work at great heights. But the stock administration was not related to the heights. I didn’t understand. They didn’t want [to hire me] and that was it.** (DMA4: 279-283)

Other employers are overtly discriminative from the beginning, not even trying to find a more polite explanation about their hesitation in employing the person and just telling them straightforward that is because of their disability they are not accepted.

- **I went personally, I said Mr. Manager I want to work. And I went, he saw how I strived, that I wanted to work, and he said: “You will never be employed here!” Why? “Because I don’t want to”.** (DMI16: 52-54)

- **I spoke directly to the manager because my boyfriend worked there. [He said] That they don’t employ disabled persons… I thought on the UN Convention…but I remained only to the idea phase.** (DFI9: 388-401)

An interesting aspect can be noticed among the informants who live in rural communities. They report the discrimination they have to face within the community, which impedes them in getting a job there, so they have to travel to other communities to work, even if the commute is not so at hand for them.

- **Nobody employs you. Everybody knows your situation and whenever you went, they know you, if you explain to them and they see the diagnostic, they all shrug and say they will not employ you.** (DFI22: 328-330)
- Not for the neighbors. Not for the people in the village, in the township. People have preconceived ideas related to me. (DMI16: 34-35)

This could be a manifestation of a commonly shared opinion of the members of a certain community about a disabled person residing in their area, or the effect of the „stigma” (Goffman, 1986) the community has placed on that person. The long term knowledge of the disabled person (known by the community probably since his infancy) facilitates a common understanding of the person as „abnormal” and „unable” to fulfill certain tasks. This understanding develops over time and is shared by all community members, thus becoming extremely resistant to change. When going to another community to search for employment, the disabled could be received with less resistance, because the members of that community had no time to develop a common understanding about the person as less capable and, even if some of the members will acquire this image (or already have it), by the time they get to disseminate it among the group, the disabled person could already prove he can handle the work tasks, so the stigma cannot find place to manifest, losing the object of manifestation in itself (the reduced capacities of the person).

Nevertheless, some interviews show that the employment of the disabled person has happened due to a previous knowledge between him/her and the employer.

- (And has he known [the Manager] for long?)... Ever since childhood, ever since he was young. (DMA10: 181-186)
- After I had volunteered, I stayed in touch with the head of the office over there and I think he sent me an e-mail that employments were made. (DFA13: 285-286)
- I got employed, aaa, I probably also had the advantage that the doctor's lady knew me. The wife. Because she was a teacher in school and she knew me, she was here in grammar school and that's how he employed me. (DFA15: 68-70)

This shows that, if the employers had the time to test the capabilities of the person and develop some degree of trust in the fact that the person can handle the job tasks, they become open to initiate a collaboration with that person.

It is also the case for the previous knowledge between the employer and the primary group (the parents, relatives or friends) of the disabled person. Actually, among the informants who got employed, the help of the persons close to them in accessing a certain social network is very popular.

- They transferred me to Azur. My father was at Azur, a mechanical foreman. (DMI20: 43-44)
- In Ploiești, I worked for [my brother in law] in a village store, as a saleswoman. (DFI17: 228-229)
- I tried till finally, through an acquaintance I got to volunteer in an accounting office. (DFA14: 272-273)
- I submitted, I found out [about the jobs] from 2 association colleagues. (DFI9: 355)

It could be that the decision of the employer to hire the disabled person is motivated by the fact that they interpret the knowledge of their family members as a guarantee for the capacities of the disabled employee (perceiving them as an extension of their family's capacities, which dissipate the stigma) or it could just be that the social network of the disabled person contributes to the increase of his social capital, thus enhancing his information level about the job vacancies available on the market, as opposed to the isolated individuals who cannot access other type of information than the one that they gather for themselves.

Still, sometimes the exaggerated trust in the interventions made by relatives or friends diminishes the motivation of the person searching for a job by himself. It is the case of one informant, who, due to the fact that her social network failed in finding her a job, she lost all confidence in finding one.
• (But didn’t you call to get more information?) No. No, no, no….by acquaintances and connections. If I haven’t succeeded with my connections, I don’t think that…I will succeed in other way. (DFI9: 334-336)

Also, the support one of the informants received from his relatives turned against him, as he lost his job when the person who supported him to get employed lost his influence.

• My father was transferred over there as platform supervisor, and (…) a new engineer came, I had a seizure in the yard, he got scared, and he transferred me to security. (…) In ’95 they kicked me out. The leaving ramp was from there, from security. My father came with a paper “I’m sorry, I couldn’t do anything for you.” (DMI20: 117-128)

The need for assistance in accessing a job takes informants on different paths – sometimes these paths cross with those of various organizations that can provide the support. Some informants mentioned they were assisted by local organizations in accessing the labour market and that many of these interventions were implemented through various European financed projects.

• For me, the job was guaranteed. Without them (the NGO that assisted her), I would have found something but it would have been more difficult. (DFA3: 175-176)

• If I’d not had ended up with Mr. Iani (employee of an NGO), I’d have had no chances. (DMA1: 267)

• It is difficult to find a job…for persons in my situations it is almost impossible. Unless someone helps them… (DMA1: 275-276)

• The social assistant [of the NGO] came home, carried out an investigation, she contacted me on a weekly basis if she identified a workplace on Local Employment Agency the newspapers, I also went to them and looked for work places on the list they had. (DFA14: 327-329)

As mentioned before, due to a specificity of the funding programme, the local NGOs providing support and mediation also offer, as a “package deal” training courses in various qualifications. Many of the informants had the opportunity to attend such courses, even if not all of them managed to get a job.

• I attended the computer courses and immediately, Mr. I. (employee of the NGO) was in charge of me, looked for some jobs and announced me: That company might give you a call. (DMA1: 179-181)

• I went to this course, I attended a computer course and they offered me a job… (DFA5: 53-54)

• We attended the course for three months – for worker in trade. I registered in the project and I was told about the workplaces, but I found here in the meantime and I no longer needed it. But I completed the course, I got the diploma. (DFA15: 149-152)

Often, the course attendance is rewarded with a subsidy. Sometimes, the subsidy is a serious motivational factor to get involved in the project and thus, enter in the process of job search. It may well be that some of the beneficiaries of these projects got involved initially just because they were motivated in getting the subsidy for the training and ended up being employed.

• I was ok with going to the examination, take the money (for the subsidy) and go to Auchan (employer) too. I was in progress of attending the courses when I started work at my job. (DFA3: 172)

Still, many informants report that, in spite of the specialized support they got within the projects, they have not managed to get a job. Thus, it appears that being represented by a specialist in relationship with the employer is not the only ingredient of success in getting a job.

• Well, I couldn’t find a job, I went to the County Agency for Labor Force Employment, I searched [for a job]. I couldn’t find one due to my condition, they didn’t want to employ me. (DFA7: 122-124)
After the course I attended, I tried going as a janitor, somewhere in Băile Calacea, with us. And a social assistant from B. (NGO) took me and I could not stay in the sun because of the illness and I could not work with my hand. (DFI22: 48-51)

For these situation, the explanation could be, as mentioned previously, that the job presented to them did not meet their requirements regarding the desired type of activity, work schedule, proximity to home or salary level.

The literature mentions the concept of "reservation wage", which means the lowest wage a person is willing to work for. Because the disabled person usually experiences a higher cost of working (due to increased effort to reach the workplace and/or to perform the work), it is likely that the reservation wage of a disabled person will be higher than that of a person without a disability (Kemp et al, 2006). In Romania, a study conducted in 2009 (Romanian Academic Society, 2009) showed that, in average, the "reservation wage" for which a disabled person would accept a job is a little higher than the national minimum revenue (648 RON, aprox. 144 EUR).

4.3. The experience in facing the job requirements

Often, the informants signal the fact that the financial benefits associated with formal employment and the salary (tax exemption, extra vacation days), place the attention of the colleagues and the employees of the Human Resource Department on them, making them the subject of their jealousy.

The material stake is also the one that generates and maintains the discriminative behavior of the work colleagues towards the disabled persons, in their work environment: How could it be possible for an employee with the minimum wage (around 150 EUR), who can barely make it from one month to the other, to understand the reasons for which his colleague, presumably less able than him, has a salary level with almost 50% bigger than him because:

1) His colleague has a disability allowance of approx. 50 EUR (the most popular level);
2) His colleague is exempted from the payment of the salary tax (16% of the salary, in this example around 25 EUR)?

Understanding and accepting the idea of positive discrimination of disabled persons and its underlying reasons is mostly the appanage of those with a certain level of resources that allow them to also take the needs of others into consideration, since theirs are already satisfied. But those who struggle for existence, will always ask themselves „Why him and not me?”

It is obvious that all frustrations accumulated by that person, who observes maybe that his colleague cannot cope with all work requirements the same as he does, will rise some discriminatory thoughts and perceptions about the disabled person, which will eventually turn into discriminatory behavior towards that person. Thus, the disabled colleague will transform from the subject of jealousy in the subject of discrimination among the work colleagues.

- They were bothered that I had 3 days off extra and they were bothered that, and that’s what one of them said, “If you’re handicapped, you should stay home. What are you doing coming to work?” (DMA4: 99-101)
- It’s difficult to manage, people look at you differently if you can’t manage or if the boss helps you, the coworkers talk [behind your back]. (DFA5: 65-67)
- Compared to my colleagues who have years and years over here, I felt so ashamed [for the tax exemption]. (DFA13: 474-476)

From a more objective perspective, it seems rather counter-productive to give tax exemption to disabled people who work, as it not only deprives the state from revenue, it also deprives disabled workers from the opportunity to contributing financially to society through paying taxes.
Probably, if the financial benefits would be replaced with qualitative social services, the disabled person would be better served from the perspective of her social integration, at least among their fellow co-workers.

Regarding their work environment, some of the informants report the low protection they benefit of and, in the case of those with hard work conditions, the necessity to face the same requirements as their other colleagues.

- The recommendations are that I do not stay in the cold, that I am not allowed to lift weights... But that paper did not protect me from weights when I went to distribute, take for example, the flour aid (EU aid distributed by the City Hall), where you had to carry, also to stay in the cold... So, it wasn’t taken into consideration... (DFA11: 196-203)

Those of the informants who had reported hard working conditions also reported that they are afraid that if they would ask for different work conditions (more protective in regard to their type of disability) they would not be well seen by their colleagues or bosses and they would even risk losing their job.

- I have terrible pains at this moment in my right leg, you have no one to tell that it hurts there or there, I’m talking about work now, I wanted to get into this and I did. The efficiency must come from here, like a colleague who has absolutely no problem. I didn’t ask for [any special condition]. (DFA13: 230-233)

- Should I argue with the director? It’s better I mind my own business, I take my money... (DMI16: 105-106)

One of the informants, hearing impaired and with speech disorders, accounts the negative attitude of his direct boss, who refuses to communicate directly to him – often, the person finds out about his job from work colleagues.

- His boss doesn’t want to talk to him! So he’s the only one in the entire institution ... I do not know if he doesn’t like him... He has no patience with him, no patience whatever! He doesn’t understand, but he doesn't even try to understand him. He did this from the very beginning! He’d rather call anybody else tells to tell him... (today) I found out by chance that he should have gone unloading today... nobody told him! (DMA10: 312-328)

The cause for the employers’ or direct bosses’ hesitations in communicating with the disabled employee could result from their lack of training in dealing with disabled persons. Not knowing how to react and communicate, it is easier for the employer (or boss) to avoid communication with the disabled person.

Due to the lack of opportunities for employment, the disabled persons are often found in the situation of accepting to work without a work record, type of employment also referred to as „working on the black market“. Actually, the information collected during the interviews show that this type of professional activity (without a work record) is more popular among the informants than formal employment.

- I got a job with a restaurant, Bistra, and I worked there for 3 years, in its kitchen. (Employment booklet?) No, they came every 3 months and they’d extend. (DFA3: 100-101)

- No employment booklet. Only for short periods. ... they would not conclude an employment contract with me and I couldn’t stay there for too long because I wanted seniority, right? (DMA1: 109-112)

- He worked two years, but they did not make him a work record. (DMA10: 131)

- I worked on the black market, until I got married, I did. I was not employed with a labour record. (DFA15: 93-94)

- I was a saleswoman in a boutique, I worked in a design company which made logos, but for short time intervals and without a labour record. (DFI21: 323-325)

- I work a lot on the black market. (DMI16: 32)
• I find something to work, but quite seldom…. I’d go to the market. I’d sell bananas, oranges, stuff like that. (But without an employment booklet?) Yes, without one. (DMI8: 38-43)

There are two possible explanations for this phenomenon: (1) the fear of the disabled persons of losing their disability allowance (because they are not properly informed about the compatibility between disability allowance and formal employment) and (2) the fear of the employer not to break any laws (that he might not be aware of) when employing a disabled person. For many employers, the concept of „rights of people with disabilities” is nothing more than a potential penalty if they break them in any way.

Even if illegal, informal employment (without a work contract) is quite popular in Romania, also among the general population (Koettl, Packard, Montenegro, 2012). One strong motivator for formalizing employment is when the formal employment period is associated with ulterior benefits, either for the employer (subsidies, tax exemptions) or for the employee (for example, the maternity indemnity).

Employment without a work contract is seen as a way of „cheating the state”, obtaining a larger income, due to the fact that the salary doesn’t support taxes. Before the minimum wage was regulated, this arrangement would suit mainly the employers, because it reduced their personnel expenses and the net salary was the result of the negotiation between the two parties involved. Basically, it was very hard to determine if the employee had any gain at all in the arrangement, because there was no „too low” to compare the result of the negotiation with. Since the minimum wage is regulated by law, the situation has changed a little, because the negotiation of the net salary will start at least from this level and will go up. Otherwise, the employee has no interest in working without a contract, since the work record is the basis for the future retirement pension.

However, this is not the case for the poorer communities, where any type or form of employment is welcomed, because of the shortage of jobs. The inhabitants of these communities are robbed of the opportunity to reject a job offer without employment contract and there is no place for negotiations on the subject, because the persons know that, for the employer, it will be very easy to find a replacement in almost no time. In these cases, it is basically a reversed negotiation, those searching for a job competing among each other for a position and making the lowest offer (who is satisfied with the lowest salary) to the employer.

Some accounts of the informants allow us to have a glimpse of the previous system of matching of type and number of jobs with the qualifications of the work force – the communist system. The slogan of the communist regime regarding their employment policies was „Zero Unemployment”, and the instrument of application of these policies were the very popular „work placements”, meaning at the end of each educational level (starting with the graduation of school of arts and crafts), each person who graduated was provided with a job offer, adapted to his/her qualification (obtained within the formal educational institution that he/she just graduated). In theory, this system would allow reaching the perfect quantitative-qualitative balance when it comes to offer and demand on the labour market: it would ensure a work place for each person (meaning zero unemployment) and at the same time it would ensure the match between qualifications and the job hold by a certain person. In reality, those informants that have actually lived the experience of a „work placement” report that in their case, even if the job title was compatible with their qualification and/or specialization, in fact their work responsibilities had nothing to do with the job title, and were usually underqualified.

• I received the paper at home to go get employed, I got employed with IJPIPS as a draftsman and I, the designer in me, swept floors and did absolutely anything else, everything that the boss said. I got mad, I submitted my resignation… I got employed with each IJPIPS for the second time in ’89, another place which was to become a ceramics workshop. The oven hadn’t been built yet, there was nothing laid out, and I realized that I was still sweeping the yard there, and I stayed at home. (DFI21: 234-232)
• I attended the vocational school at Conti and then, as it was in Ceaușescu’s time, I had a contract with them for a 5-year period…. Being a mechanic, I also worked in pumps and in butchering and in the pate division…. I did various things, I think I carried out 7 jobs over there. (DMI20: 37-56)

Moreover, one of the informants describes how, because he did not like the workplace where he was placed, he asked for a transfer, but because the employer had financed his training, he had to compensate the employer because he left before the contract expired.

• They gave me a statement which I signed on my own responsibility that I would pay the contract. (They made you pay because you left early.) I had a 5-year contract with them and working only for 4 months… (DMI20: 62-65)

The informants that got employed are generally working in low qualified jobs, with a salary level so low that in some cases they can barely cover their strict necessities.

• (Does the income from your job cover the day to day necessities?) It does. Only my salary, no. But being two [salaries, her husband’s counted too], they are covered. (DFA3: 144-145)

• (Does the income you get here, cover the day to day expenses?) Approximately. (DMA1: 100-102)

• [I worked for] 3 years, [but] I have 9 on my labour record because I worked in chemistry and I had danger benefit, one month was equal to, I don’t know, 3 months something and they gathered up on my labour record and it came out 9 years. I retired with 99 lei pension (approx. 20 EUR). (DMI20: 78-81)

Research shows that not only the employment rate among disabled persons is usually lower than among non-disabled (sometimes 2 up to 3 times – EDF website5), but also the disabled are over-represented in low-skilled, poorly paid, less secure jobs (Roulstone, 1998) and, consequently under-represented in the professions and management levels where there are higher earnings and greater job security (Barnes & Mercer, 2003). Comparative studies conducted on the wage level of disabled and non-disabled in various developed countries (Britain, USA, Canada, Australia) and developing countries (including Romania) depict the same situation (the wage level of the disabled person is lower than of the non-disabled employee), with varying differences, depending on the country: from 25% in Britain (Berthoud et al, 1993), to 30% in Canada and Australia (Gleeson, 1999) and even 35% in Romania (Romanian Academic Society, 2009).

Barnes and Mercer (2003) emphasize the fact that the disabled people participating on the labour market do not have to confront only vertical segregation (disproportionately high numbers in lower-paid, less skilled jobs), but also with horizontal segregation (over-representation in specific occupations or congregated in sheltered workshops).

About their everyday work experiences, the informants report various forms of direct discrimination, exerted by their bosses but also by their colleagues.

• They saw me as a burden, as a person with the plague, I was marginalized from several points of view…. And the bosses marginalized me because they thought I was a burden, they believed that they have a greater liability as concerns me…. I didn't avoid the work or doing effort…. After I got the certificate [disability certificate], they began having bad manifestations and bad behaviors. They wanted to get rid of me about 3 times due to imaginary reasons or innuendoes, they made some cut backs. (DMA4: 90-97)

• Nobody said anything in my face. … Behind my back….and there are times when….things you feel, there’s no need for them to say so that you hear. (DMA1: 124-126)

Because the subject of discrimination (employment settings included) is extensively discussed under Chapter 5, we will not develop much on the topic here, but it is important to

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5 European Disability Forum, official web-site www.edf-feph.org
notice that the discriminatory actions do not stop once the disabled person has entered in employment – sometimes, they will continue to accompany the person during his work activity, usually not being directly related to the person’s professional abilities, capacities or even possibilities to face the job requirements, but being a direct projection of the stigma cast by the impairment.

The legislation would, of course, allow the person to take action and obtain justice for himself if he has proven of discriminatory practices in the work environment, but the supposed journey until there is so long and the reward is so little, that a lot of them actually prefer to deal with the situation as it is or change the workplace, instead of addressing a specialized body. Although the research indicates that the disabled persons are constantly among the most discriminated groups in Romania (TOTEM, 2010), still, during the period 2008 – 2010, the National Council Against Discrimination (the most important and relevant Romanian body in tackling discrimination) has investigated a total of 58 complaints of discrimination against a disabled person, in all types of settings (workplace included) and found as valid only 9 of them, the penalties applied being limited to warnings and recommendations (Institute for Public Policies, 2011).

External migration for employment is reported as also present among the disabled persons, too. The women informants that talked about their work experience abroad mentioned they went there in order to attend after disabled elderly people and they were quite satisfied with their income.

- **Now I have decided to leave for a month, as long as I can. I left until the holidays, I was not at home, but I returned with 1200 euro, who gives me that money in the country for a month’s work?** (DFI17: 222-224)
- **I thought of going abroad. To Austria. … I have a friend there that wanted, that works in a factory, [and] she said that it is very easy there, she has a recess of one hour, and you also get 1,000 Euro.** (DFI9: 429-433)

The main factor that influences the person’s decision to migrate for work is the higher wage he/she could be able to get in another country, level that is considered unreachable if staying in Romania.

The protected workshops are mentioned by the interviewees as a viable alternative of employment for the disabled persons, especially for those who cannot compete on the free labour market and need a protected environment to develop their activities.

- **There should be created special units for the disabled persons. Because their integration with a normal work hours, [would lead] to the fact that they couldn’t handle it and even if they could, they wouldn’t be treated the same, they wouldn’t be treated in an equal fashion.** (DMA4: 377-379)
- **In the morning, they have a program in the workshop and in the afternoon they return to their home.** (DMI23: 260-261)

The protected units and workshops (sheltered employment) are created especially for employing people with disabilities, as individual companies or departments of general companies. Sometimes, they offer also services of socio-professional training or recovery as intermediary (transition) stage to a work place on the free labour market. Sheltered units could benefit of fiscal or other facilities like advantages for public acquisitions. These units are regulated in almost all EU countries, but in recent years, the public policies concentrated rather on integration of disable people on the open labor market, the segregated form of occupation being used only when the nature or severity of disability blocked the first alternative (Romanian Academic Society, 2009). In 2000, about 500,000 people with disabilities worked in sheltered units from across the EU. In Sweden and France, there are subventions for employing people with disabilities, but the Netherlands and Poland developed mainly segregated occupational units, with 1% of the active population in sheltered units (Shima et al, 2008).
Usually, the sheltered units are regarded as an occupational solution for people with more severe disabilities, but also as an intermediate stage to a working place on the free labor market (but the transition rate is generally very low). Norway is the only country where transition rate is significant – over 30% (Romanian Academic Society, 2009).

In Romania, the protected units require a min. of 30% disabled employees for an entity to be authorized as a protected unit. The protected units benefit of some facilities as tax exemption for opening or reauthorization and also tax for profit if at least 75% of the money obtained is reinvested for restructuring or buying equipment and/or creation of new work places.

A recent study (Romanian Academic Society, 2009) showed that, at national level, only 1% of the total employees with disabilities work in protected units, the rest being employed on the open labor market. The protected units system in Romania is underdeveloped, the financial facilities to compensate an eventual competition loss being absent.

The same study mentioned that in 2010, in Romania, there were about 400 protected units authorized (Romanian Academic Society, 2009, p. 42). In 2015, the number of such entities at national level has exceeded 730 units, indicating a substantial increase of these type of entities, and, probably, with it, also an increase in the number of disabled employees.

When in employment, the disabled person acknowledges that a training course (qualification, specialization etc.) can help her improve his/her chances to advance professionally, access a better job or maybe a better salary level. These are strong motivational factors that support the person in her decision of allocating time to plan and develop her career.

- *I’m also thinking about a cook course because the salary is bigger and I hope I’ll retire from Auchan. I want to evolve in time, not to remain low, bit-by-bit to go up.* (DFA3: 107-110; 228-230)
- *I started the faculty of psychology… I completed it. In the meantime I also took a master’s degree in psychotherapy and clinical psychopathology…* (DFA11: 167-170)
- *I applied at the post-secondary school since last year, for general medical nurse… I think that in the future I shall have the possibility to find a better paid job in this field.* (DFA15: 31; 2015)

From our interviewees’ stories, we noticed that career planning and development are phases that usually follow the moment of employment, instead of preceding it. This may happen as an outcome of the success the person registered in finding a job – because the person got the job, she develops her trust in herself and her capacities, so she will dare to undertake more complex tasks and objectives.

Also, it may be the effect of her exposure to positive functional models in the workplace – seeing her colleagues who occupy better positions and earning better salaries, she will, in time, develop job related hopes, desires and objectives, having tangible models to relate to, models who inspire her to try herself to develop and improve.

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5. Employment and educational discrimination

5.1. About discrimination – introductory notes

Persons with disabilities have been considered abnormal beings, manifestations of evil or unnatural curiosities. They have been executed, segregated or forced to undergo medical experiments. They have been subjected to ridicule and cruel amusement and seen as bad signs. In many cases, they have been considered inferior beings equal only in the eyes of God and as such deserving sympathy and pity.

Romania, used to be before World War 2 a rural country, with a traditionally oriented population of farmers. According to the 1930 census, the peasant population was about 80% of the total. The peasant’s culture was mostly a traditional one, based on collective norms and standards. The diversity and difference were not really accepted but neither excluded. Those with disabilities were not demonized but helped because they couldn’t help themselves (they couldn’t perform the heavy duties in agriculture nor those in the multi-task peasant households). The Romanian the rural people were not mean with the poor disadvantaged people and they used to show mercy and to pity them as the church would recommend. Of course that they were from time to time subject of youngsters’ mockeries or sharp remarks when trying to participate, but they were not considered as “normal” persons and nobody would trust them in a real work or social activity. They also internalized that stigma and accepted their marginal positions.

The communist regime could not change this general attitude. During this period of Soviet influence, the disability problem was a medical problem as in many other western states in the 50’ and 60’ of the last century. Equal rights were understood as positive discrimination, and the centralized state showed his careful preoccupation by isolating these people from society into huge residential institutions. Disability was predominantly understood as an abnormality of the body, and thus a medical issue, and medical doctors served as the guardians of normality. The pedagogy has to face the existence of these different students so they discovered the defectology and “helping schools” as a specific educational response.

So that after the fall of the communist regime, the discrimination toward people with disabilities, even not violent or aggressive, was still there. It’s true that with the radicalization of the movement for equal rights, the “positive discrimination” in favor of disabled bothered somehow the public opinion. In the trend of the convoys of material resources that invaded Romania between 1990-1994, and the legislation deciding benefits for the same social category, we have witnessed some protest actions under the label “we also need some help and state protection”, “we also have rights to be observed”, “our children also would appreciate some material resources” “how do we stimulate our talented youngsters” and, worse “we are not a country of handicapped people!” But it’s true that after this explosion of popular discontent (1994-1995) things relaxed and life took his old pace.

It is true that today, in western countries it is increasingly rare to see disability predominantly as a medical issue (except from related health issues), but instead as matter of accessibility. Being disabled does not evoke the same contempt, discomfort or pity as it used to do, and the primacy of normality is weakened by a greater acceptance of diversity. And Romania is today a member of the EU and has to accept and apply at least the European norms and regulations if not the modern world attitude, discourse and behaviors. But the deep old prejudice seems to remain still unchanged.

Romania has committed to a non-discrimination policy with respect to disability, both through national policies and legislation, and by virtue of being an EU member. Romania has

http://archive.org/stream/recensamntulgene02inst#page/n3/mode/2up
ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD). The National Reform Program (NRP) 2011 - 2013 had a particular focus on the integration of disadvantaged groups on the open labor market.

Still Romania has (one of) the lowest disability employment rate(s) in Europe. According to official statistics from 2008, the employment rate among disabled people in Romania was 12 percent, which is substantially below the EU average. According to ANED (2009) country report only around 13,000 disabled people in Romania are recorded as having a job, representing 2.93% of the eligible population.

**Discrimination** (coming from Latin word “Discriminare” – to divide, to separate, to segregate) refers to the act of treating someone or something differently not in the same way that are treated the others from the same category. In fact the most used sense is that someone treats certain people unfairly because of those persons’ characteristics.

The UNCRDP defines discrimination in article 2 as follows: “Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation”.

According to the Committee on Economic, Social and Cultural Rights, in its general comment No. 5 (1994): […] discrimination against persons with disabilities [has] a long history and [takes] various forms. They range from invidious discrimination, such as the denial of educational opportunities, to more “subtle” forms of discrimination such as segregation and isolation achieved through the imposition of physical and social barriers. […] Through neglect, ignorance, prejudice and false assumptions, as well as through exclusion, distinction or separation, persons with disabilities have very often been prevented from exercising their economic, social or cultural rights on an equal basis with persons without disabilities. The effects of disability-based discrimination have been particularly severe in the fields of education, employment, housing, transport, cultural life, and access to public places and services.

Discrimination evolves but does not necessarily decrease. In 2006, on the adoption of the UNCRPD, United Nations Secretary-General Kofi Annan stated:

*Too often, those living with disabilities have been seen as objects of embarrassment, and at best, of condescending pity and charity. … On paper, they have enjoyed the same rights as others; in real life, they have often been relegated to the margins and denied the opportunities that others take for granted.*

The Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, all protect individuals from any form of discrimination.

Discrimination on the basis of disability is covered in their articles 2 under “other status”:

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8 Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment … (UNCRPD Article 27 Employment). Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. (UNCRPD Article 24 Education)


Everyone is entitled to all the rights and freedoms set forth in this Declaration, without
distinction of any kind, such as race, color, sex, language, religion, political or other opinion,
national or social origin, property, birth or other status (Universal Declaration)

The States Parties to the present Covenant undertake to guarantee that the rights
enunciated in the present Covenant will be exercised without discrimination of any kind as to race,
color, sex, language, religion, political or other opinion, national or social origin, property, birth or
other status (International Covenant on Economic, Social and Cultural Rights)

The International Convention on the Elimination of All Forms of Racial Discrimination, the
Convention on the Elimination of All Forms of Discrimination against Women, the Convention on
the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant
Workers and Members of Their Families also set out States’ obligations to combat and eliminate
discrimination. Of these, only the Convention on the Rights of the Child explicitly mentions
“disability” among the prohibited grounds of discrimination: States Parties shall respect and
ensure the rights set forth in the present Convention to each child within their jurisdiction without
discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race,
color, sex, language, religion, political or other opinion, national, ethnic or social origin, property,
disability, birth or other status. (art. 2)

The International Labor Organization’s Convention No. 159 (1983) concerning Vocational
Rehabilitation and Employment (Disabled Persons) addresses equal opportunity, equal treatment
and non-discrimination. The United Nations Educational, Scientific and Cultural Organization’s
Convention against Discrimination in Education also deserves attention, particularly if
complemented with the principles of inclusive education adopted at the 1994 World Conference
on Special Needs Education: Access and Quality.

Some relevant regional instruments are the Inter-American Convention on the Elimination
of All Forms of Discrimination against Persons with Disabilities of the Organization of American
States, the Council of Europe’s Convention on the Recognition of Qualifications concerning
Higher Education in the European Region and its Action Plan to promote the rights and full
participation of people with disabilities in society: improving the quality of life of people with

The Convention on the Rights of Persons with Disabilities is a new tool to make the fight
against discrimination on the basis of disability more informed and determined. If a specific State
has not yet ratified the treaty, it still has obligations to prohibit discrimination against persons with
disabilities under other human rights treaties that it has ratified.

5.2. The study – interviewees’ stories

5.2.1. Direct discrimination

Direct discrimination is to treat someone in a different and less favorable way
because of a protected characteristic, such as disability

The subjects interviewed in our study refer to many discrimination cases that happened to
them in different institutions and from different persons either common people or persons in
authority position. It is true that not all of our subjects state about discriminatory attitudes or
behaviors experienced from “normal others”; but those who do, help us draw a complex portrait
of discrimination at different age stages and instance levels.

Many referred at the childhood and pre-adolescent school comrades curious and cruel in
their initial remarks and interactions. It’s maybe because children are more open and less inhibited
by social norms and conventions that their initial behavior is more the reflection of a curiosity
toward “others” and a natural mistrust of what is different and.
One of our subjects, tells us about one of her school colleagues that she specially remembers because of his malevolent remarks. And this memory became a trigger for a generalization about how this harassment helped her to build a stronger personality and to defeat the omnipresent discrimination:

“There was a young man that didn’t like me and he told the colleagues “How can you look at her, her health is so bad, the hand and the leg, and she’s also from an orphanage?” Then I felt [bad], I found it difficult to accept myself and that was why I tried to manage and ask for no help. Even if I can’t [do something], I tried it on my own. Because I have been discriminated. And it happened, it wasn’t for the first time”. (DFA5).

Because curious could be (and sometimes are) the grownups too, especially with the newcomers in a rural community. But they are more careful and tactful and they have experience in dealing with people that could be easily hurt by brutal curiosity. At the beginning the disability raises curiosity, than it became a familiar interaction, especially with a wise person who understands and is empathic: “No, usually the elderly and children are the most curious and the most sincere persons. If you meet an adult, even if he or she notices the problem... They pretend they don’t. Yes, and it’s normal for it to be so, and then it’s logical that if we live in the village, old women should notice and ask what happened to you. I’m used to it, going in practice at Santa Maria Hilfe School, being in practice with children, they used to ask me all the time “Why are you like that? But can they be corrected?” and I was prepared, I was immune. I had no problem in answering and telling them.” (DFA13).

Young people abled or disabled need to make friends and have interactions together. The anger and frustration of the subject telling us that she couldn’t make friends because of her being different and eventually being afraid of exclusion from the peer group is more than obvious: “(Did you have problems with your colleagues, were they mean?) Not then, I can’t say that they were mean. They understood me, they helped me. On the contrary, when the time passed, I had problems while in high school. Because they [the peers] would come fancier, with trousers like that, with footwear like that, and I had a prosthesis-like boot with iron in the lower part and I wore orthopedic footwear. The mean stuff began then, bad jokes and stuff, but I can’t say they hurt. And now I’m used to it, there’s nothing I can do. I am wearing the same footwear, if I want elegant shoes or boots or sandals, I have to order them. [I can] never buy what they sell in stores”. (DFA3).

And not only school mates are the problem. The feeling of being different, of not participating in the same conditions to the continuous contests in the youngster’s life (they are all of course in a chase for victories which are so important for their self-esteem, and some of them continue this chase their entire life!) make the disability people very frustrated: “(At least your school colleagues, that’s what you told me, that they helped you in high school.) Yes, during that time. During the first period in high school, they helped me very much. Then, continuing with faculty and master, I was viewed differently. I told them about my problem, they saw my skills. It also depends very much here on the person who has the disability, when he cannot ask for something maybe the person next to him cannot even imagine what he can do. At this moment, if I am standing and a pen falls onto the floor, I cannot always pick it up. Because of my hip, or I must make some other movement than the one made by a healthy person. I say “Please, will you kindly pick up my pen?” even if I’m saying it to a person much older than me”. (DFA13).

But let’s come back at the developmental stages in the life of our disabled subjects. For an adolescent the couple relations are of extreme importance. Not having a boyfriend or a girlfriend
is the supreme proof of failure for a youngster and this alter of course his/her status in the group but mainly the self-esteem which is so fragile at that age. But even if they succeed, youngsters with disabilities are still regarded with defiance and distrust: “At my age, you have to have a boyfriend, but there was one guy that laughed at me because I had a boyfriend given that my hand and leg were like that. When I told him I had a boyfriend, he started laughing. But I got used to it”. (DFA5).

This girlfriend issue, was used by one of the subjects to revenge about the discriminative cruel remarks from her children colleagues now adolescents. After some children’s mockery about her hip problem, our subject became after some years an attractive girl chased now for becoming the desired girlfriend: “(But with your health problem, did you have anything in school?) No, not in school, but I had trouble with the children because they hurt your feelings. (Did they make fun of you?) They made fun of me, they did not call my name but the limp and lumpy, I didn’t know what else they called me, they had no other word; well, things went bad with children at that time. And you cried all day and it’s difficult because you’re also made fun of when you’re older because that’s how people are, (And didn’t they get used to you?) They did, they got used to me afterwards, when I grew up and they needed the girlfriend and I said “Now I no longer have problems? When I was a child, you used to laugh, and now it’s gone?” (DFI17).

But not all of our subjects have problems in finding a partner. One young woman with academic studies told us that she has a boyfriend and there relation is going on fine, he had moved in her apartment they got along well. The only problem remains the boyfriend’s parent’s discriminative attitude. They had difficulties accepting and admitting their son’s partner being a person with disabilities. It is a clear example of structural discrimination where general mentalities and attitudes of people are profound discriminatory, showing clearly that disabled people are not considered as valuable human beings, but shameful persons and not worthy enough to be partner with their son. It is also true that their son punished their attitude by refusing their calls, so there is hopefully a difference in the attitude of the young generation: “(How do you get along with your boyfriend’s family?) Ok. Even if they were reluctant in the beginning, they didn’t want me. (You felt them reluctant?) Yes. Very cold, they didn’t call him [the boyfriend] for almost 4 months. (Were they mad with him?) 3 months. Yes. (Were they mad because he moved in with you?) Yes. They kicked him out when they found out about me. (Why?) Because they didn’t want me. (Why?) Because I’m handicapped. (And now?) They began visiting us. (They come, but do you go to their place?) No... (Don’t you want to?) Florin doesn’t want to. (He doesn’t want to. But do they call you to go?) Yes. They don’t call me, they call him, and he’s their child”. (DFI9).

And there is not the only case. Another person that we approached, the wife of a man with hearing impairment told us a similar story about her parents (farmers living in a rural community) and specially her mother, more attentive to the public opinion, that had a very difficult time to accept and pass over the shame of having a disabled son in law. It is another example of structural discrimination that accompanies our traditional rural communities:

“But to return to my mother and father. My father had no problem. My mother was against him for many years until she realized he was a good man, a positive man. Until he started to help them. In the beginning, they saw him as a “gentleman” coming from the city and that gentleman wasn’t OK... And then there was the shame in the village, that’s clear...

Op. Aha, people talking...

D. So, that was the greatest problem. Because there is SHAME in the village. Shame covers both kindness and everything. So, if you don’t fit the model chosen by the village people, you can’t... But now they have convinced themselves; the ones in the village got used to him because he’s somewhat different from the others. Because he knows how to do a lot of things, he works a lot and he does it well”. (DMA10).
5.2.2. Discrimination’s effects

That feeling of being excluded and not accepted is very disturbing. It is affecting the self-esteem of the disabled person and hurts deeply her feeling. Maybe their self-image is defended and sustained with a elaborated self-defense mechanism, but still the frustration of being treated differently and rejected because an exterior characteristic that excludes the person from an objective evaluation. This complex of prejudices, unfair attitudes and misbehaviors is very bad received and often mentioned by our subjects: “I’ll like to add that a person that is disfavored, not necessarily from a physical point of view, maybe due to the destiny, must not be seen as being lower than a normal person. That’s what I’d like to add. Because, I mean I’ve seen in life….and it’s quite difficult. There are many persons much worse than I am that don't manage, are not able to because they always reach this final “No”. (From the others?) Yes. And I’ve said from my own experience, it’s quite difficult. And if a person doesn’t feel that he’s somewhat protected and helped, many will quit”. (DFA7).

This situation is extremely demotivating and it leads even to ruining the life project of the disabled person exposed to such a hostile environment: “The thing is, I know persons that have disabilities, they have certificates and aid, but they didn't succeed in doing anything in their life. They didn't succeed because they couldn't get a job, they couldn't build a future, and they couldn't”. And if they wanted to go to college, they couldn't. Due to the economic problems or due to their disability (DFA7).

It makes sometimes the subject even fearful to claim his legal rights: “(Have you had the certificate for a long time?) It’s been sometime, I’m not so sure how long, but it's been 7-8 years, not so much because I had it issued very late, I didn’t know. (You found out it was possible later?) No, but people already call you names as a child and makes fun of you, and now I said they will also laugh with a certificate, but in the end as you are not working, you have medical insurance and more for that because the money is not much, but you have for the medication, you don’t pay everywhere you go”. (DFI17).

The parents and relatives of disabled people feel themselves discriminated as being somehow responsible of having such a person in the family (a responsibility that they finally will assume because more or less consciously the feeling of guilt is always present especially in the mothers’ case. One subject, mother of an autistic and mentally retarded young man said: “We have fewer friends because of him because not all people accept us. There are great problems around us, very few accept us, families who have disabled children, some were very well prepared, are prouder, they don’t really accept. There are few people with the belief that that poor guy is ill and must communicate, they don’t like it. Because of this we have few friends. We accept us who have children with problems because we also attended a course at the City Hall related to this and we kept asking “Why do all these things happen?” And I finally found my answer. I think Simona (her elder daughter) also separated from her fiancé because she has a disabled brother. The boy accepted, but not his parents. I found out that his parents opposed because Simona has a disabled brother and he will need help in the future and they will not be able to do the things they would like to. I am not ashamed to say that. And I also spoke to somebody else and that person told me that her son also had a friend and when the parents met and learned about the boy’s situation, who had a disabled sister, they no longer accepted him in their family (DMI24).

5.2.3. School system and medical system

In the educational system the direct discriminations is often referred to by our subjects. One girls with university studies remembers: The homeroom teacher in the 8th grade, she wanted me to attend an industrial high school. She said that given my condition, I will not be able to graduate the economic [high school] and my father did not agree, he said I could do it and so, I tried getting into the economic high school. (DFA7) Or another visually impaired, that graduated the law faculty: When I said I wanted to be accepted in the college, they said “No, it’s not possible.”
First, at the acceptance commission, the girls were in shock and said, “Well, it can’t be done.” “Why?” “Well, you can’t see” “So what?”...So the absurd thing was that in the law school, in an institution where…that provides people that are in charge with the law to be discriminated from the beginning. (DMA6)

The informants report direct discrimination behavior also in relation with representatives of institutions created to protect them and their rights. The most striking cases relate to the behavior of the employees of the institution created to evaluate and appoint the degree of handicap – which are reported as cold, lacking kindness, empathy and understanding in communication with their beneficiaries. The interactions with the employees of these institutions contribute to the low degree or even lack of trust of the disabled in the institutions designed to support them in their social integration: [The secretary of the commission] asked me if I can manage on my own or my mother had to come, I told her that I can manage... I tell her that I want the allowance to be transferred directly onto my card because I knew it was possible and she told me that it would come by postal order at the post office.... she shouted at me over there ... as if what I had said didn’t matter because I was disabled. (DFI18) Also another subject, speaking about the same commission: Nobody is interested there although they have psychologists, counselors, they don't work. They are a bit superficial in their work. It is a state-owned institution, so they do it [their work] thinking about the passing hours. Just like selling tickets at the train station. Something like that. They don’t have any patience with a person. And in the commission, when I went, the situation was identical in connection to the treatment applied by the physicians. The interest is low. (DMA4)

5.2.4. Indirect discrimination

Indirect discrimination is any structure, practice, policy or procedure that have the effect of disadvantaging people who are disabled.

The general problems mentioned by our subjects are those in connection with the discriminative non-adaptation of the city facilities to their needs. One subject with spastic paraparesis is taking position against this lack of preoccupation for disabled citizens: “…the city should be more adapted. For example, I went to the Cathedral once and they didn’t have no banister, or at the pharmacy or at the second [hand store], where I shop, there are no banisters, they are not adapted [for the disabled persons]. (That at the entrances to various institutions?) Yes, institutions, stores... Yes”. (DFI9).

The public transportation also lack special facilities, the same informer is retelling: “And it is very difficult. If the people on the street wouldn't have, would have helped me, it would have been terrible. (To go on a public means of transportation?) Yes, with the wheelchair, you just push, it’s easy because you just push but it is difficult, [the bus] should be at sidewalk level but it’s not”. (DFI9)

At the level of institutions things are more subtle because the people in charge there are public servants and they are afraid of breaking lows and regulations. But their administrative power permit them to use specific regulation to discriminate disability people, or in fact to block their access as they subjectively consider. One of the explanations is that there are too many regulations issued at different moments, all still in function and the system is not coherent but this is only the path often used to exert the discrimination.

It is difficult to discuss discrimination without also considering the concept of equality.

In human rights law, non-discrimination and equality are really two sides of the same coin. However, the relationship between non-discrimination and equality raises confusion over what is meant by “equality”. When we refer to the term “equality”, we often think of things that are the same, identical or equivalent. However, when we talk about equality in the context of human rights, we are not necessarily saying that all people are identical or the same. Rather, we are saying that everyone has the same rights. In order to ensure that everyone has the same rights,
two people might at times have to be treated differently because of their inherent difference (such as different sex, different linguistic heritage, different minority status or different impairments).

Different types of institutions are evoked by our subjects when referring to indirect discrimination they have been confronted with: schools, universities, medical authorities, employers.

5.2.5. School system

The most often referred institution where discrimination is taking place is school. The procedures of admission are generally regulated by norms and procedures but all these are used sometimes deliberately against disabled people. A para-paresis interviewee is remembering her first grade admission difficulties: “I had to pass many tests of 5 hours, intelligence quotient, almost 2 years after that I got in although…um…. Well, I wanted to be closer, [to be accepted] by the Middle School no. 2 or Middle School no. 9. Or in Middle School no. 22, but they didn’t accept me. (Why?) Because I had a disability. Then another way was found. (Was that the reason why they didn’t accept you?) Yes. No teacher would want me. (How old were you then?) 9 years old. (9 years old). Meaning I was 2 years [older]… (And you’d go to be accepted in the 1st grade, you wanted to pass the test?) Yes, yes. (And did you find in the end?) I found a teacher that also had a disabled daughter and she knew how to work [with disabled persons] and she accepted.” (DF19).

In fact here the explanation is more complex. Because of the diminished birth rate and consecutive lack of students schools nowadays are functioning like profit-oriented enterprises practicing an aggressive marketing policy and working hard to create a high image in the community. The presence of disabled students in this type of “prestigious” schools is considered a burden that would demotivate the parents of the “normal children” to enter the competition for admission there. And also nowadays schools are being evaluated after their results of their students at different local and national competitions where disabled students don’t participate. That’s why the school management is acting deliberately for demotivate the disabled students to look ask for a place in their institution: I wanted him integrated among common children, I had problems with the parents, and he was not accepted. Where the teachers wanted to accept him, I had problems with the parents, he must be moved hither-thither. (DMI19) or: They said he couldn’t cope, that he was an ill child and there was no point in our tormenting him, so I took him to the special school in Traian. (DMI24).

One other example was the admission problems encountered by a young visually impaired (practically blind) that remembers: “…when I said I wanted to be accepted in the college, they said “No, it’s not possible.” (Who?) First, at the acceptance commission, the girls were in shock and said, “Well, it can’t be done.” “Why?” “Well, you can’t see.” “So what?” After that, they sent me to the dean. He tried to give me a hint that maybe I could drop it and I gave him a hint that maybe I would not and then he sent me to some kind of a medical commission that would then be assembled for the disabled students. I had to look for it one whole day. (Did they have a special commission for the disabled students?) Yes, they assemble [such a] commission and at one point, when I reached the student clinic in the Complex, we were lost and we asked the nurses on the hallway and they asked “What are you doing here?” and we answered. “Who sent you?” “The dean” “Well, tell the dean that the commission has been terminated 5 years ago.” It’s oh so great, very cool. I called the dean and told him “Dean, that’s actually not possible!” So he said “Ok, then let’s think of something else. Go bring me 2 certificates from the ophthalmologist and one from the psychologist indicating that you are fit.” “Fit for what?” “Just go and bring them to me!” Ok, alright. And then, I went to the County Hospital and entered the psychologist’s office, the psychiatrist’s, actually, not the psychologist’s, so the psychiatrist looked at me, asked me 2 questions, saw that I was totally ok, I talked, I joked, I was in no way mentally impaired, and he gave me that certificate. I went to the ophthalmologist and the lady took out a….I don’t know what that was…umm…a big book of something, went through it and asked me “What’s you left eye
sight?" “None.” “And the right eye?” “None.” “You’re not fit!” “Why am I not fit?” And then I kind of snapped and told the lady doctor I’d take her by the neck and she said “I’ll give you the certificate but it would be my responsibility.” I said that was ok and that she should give it to me and I left. I really didn’t have the patience to sit there and tell her I had read until then more than she had ever read and then she gave me the certificate and the dean had no other choice than to accept me in college, again, on my own responsibility. So the absurd thing was that in the law school, in an institution where…that provides people that are in charge with the law to be discriminated from the beginning”. (DMA6).

In fact this admission discrimination is rooted in the old socialist regime idea about “defectology” when only able body students could attend general education, and all the disabled should attend special education. It’s true that inclusive education ideas entered the Romanian education system about 15-20 years ago but this was only demonstrative without noticeable mass effects. The special education institutions are still in function and the few cases of inclusion into general education: there are those cases when scholar authorities cannot refuse the demands of influential position parents or of other persons. The wife of a deaf man is telling us: “Because he was helped by the teachers a little in some sort of way because he, not attending a special school of sorts, he was also helped. (But does his mother still work in education?) Yes, his mother worked at the Bănățean College (a prestigious local school), she was a secretary for 40 years. And then they covered up this thing, actually they didn’t cover it up, they helped her because she, actually her husband, died when he was 9, and then she, as a widower, had an ace up her sleeve, like that before the others, and they said “well, let’s help her”. (DMA10). Finally even the blind youngster from the Law Faculty found a similar method that helped him through: “And then, by accident, something happened, I met a person that knew the dean of that time from other surroundings [circumstances] and I told him I attended that college and that person said “Well, let’s solve that in another manner.” He called the dean of that time and told him especially about me and then some kind of attitude or approach changed in some regards”. (DMA6).

The fact that inclusion cases of disabled students in mass education are only accidental and demonstrative cases (as response to the international obligations of Romania) is illustrated also by the fact that these institutions do not have any educational policy or methods specially adapted to disability. Deaf woman remembers: “…the homeroom teacher in the 8th grade, she wanted me to attend an industrial high school. She said that given my condition, I will not be able to graduate the economic [prestigious high school] and my father did not agree, he said I could do it and so, I tried getting into the economic high school. I succeeded in learning nothing special and I managed on my own. It was difficult in the beginning because [teachers] dictate during classes and I couldn’t write anything down because I didn’t hear anything. So my colleague would write down and I’d copy her notes and that’s how I learned. And when I’d fall behind, I’d copy during the recesses or I’d ask for her notebook [and I’d copy] at home, after the school hours. It has been difficult”. (DFA7).

Or even there are discriminative attitudes (invoking equality of rights and obligations) of the professors who don’t bother to offer any minimal support to disabled students: It’s hard for us, the others… Many don’t manage to keep up, many that can read the textbooks [can’t keep up] due to various reasons, of course, and I that actually needed different conditions [than they did]. And then again, I’d go to a professor and try getting the textbooks in an electronic form from the beginning… Ummm, I’ve succeeded in doing that a few times and again, some were not quite open in their approach, they were something like that “You’re a student, you’ve accepted that [position], it’s your business, I don’t care”. (DMA6).

5.2.6. Medical system

Because disability is still considered in Romania a medical problem and not a social one, physicians are somehow considered to be the “guardians” of the system. They are the ones deciding who is entitled to a certificate of handicap grade and who is not, they are the ones
deciding who qualifies for a disability pension and of what degree and who is not and as we saw before they are the providers of miraculous medical certificates who help the admission in the educational institutions. In general their attitude is very strict and they observe laws and regulations in detail, but due to the ambiguity of this legal system and their power positions they are often perceived as agents of the indirect discrimination action.

When disability is not easy to be diagnosed and especially with the people from state care institutions, doctors showed prejudice as one of our subjects remembered: “But they accepted to grant it to me (the handicap certificate) with great difficulties; they thought I’d pretend to be disabled. (Who would?) The doctors. The doctors from the commission. First time when I began looking for documents, asking the rights for the second degree, they thought I was pretending, they didn’t actually think I was unable to bend my knees. They told me to sit on the chair and pushed against my leg. “So, you are certain you can’t bend the knees?” “I can’t, doctor.” (DFA2).

This untrustworthy attitude probably linked with the fact that some beggars from public places in Romania use to pretend that they are disabled to make people feel sorry for them and help them with some resources (mainly money). The street children coming often from orphanages (like our subject), learn early in their lives how to pretend to suffer to attract pity (or society has this prejudice) and doctors delivering handicap certificates are verifying this issue because of their responsibilities (there were many charges of bribery and corruption around these handicap certificates and even some medical staff has been convicted especially for false invalidity pensions!). Anyhow this extremely suspicious attitude are resented as discriminative from our subject. And her conviction grew when she was contested the right to raise her child also by the medical personnel of the Commission for Child protection: “They said I had a disability and I was not allowed to raise a disabled child. With a disability. The persons in the commission wanted to take away the second degree provided I be allowed to care for my child. They said “Mrs. N., you have a condition. If you allow us to take away the second degree, we’ll let you raise your child. If you don’t withdraw, we’ll call a nurse or a woman to look after him. And then, when I heard that, I was then…. (How did you solve it?) Simply. Not really simply, I’d lie. I argued with them a lot, I was even threatened and I told them “If you don’t accept my decision and another woman comes, be aware that she, tell her that she can bring her cross because I’ll kill her. Because I carried my baby while he was in my womb, I knew what, I carried him with the disability I had, a child in my womb, I knew the pain and I knew when I gave birth to him. If you won’t accept my decision to withdraw from the second degree disability that I was given, to be able to raise my child and to breastfeed him, the lady that will come to my home, please tell her that she will have a cross at her head or if not, she will go to the cardiology ward.”(DFA2).

This example of pressure made from authorities convinced in their bureaucratic ethos that a disabled teen abandoned girl could not be a good mother for a disabled child is a clear example of indirect discrimination and the reality of the facts contradicted their prejudice. That mother raised very well her child who is now a bright young student that gained in an open scholar contest a scholarship in United Kingdom.

There are also other examples of bad behaviors from the medical personnel that mistreat disabled people because of the hard detectable disability. In fact the able body appearance of the subject was a result of her personal efforts for rehabilitation (an often used medical prescription for disability):

“And when I began the sickness pensioner period, the female doctor at the army hospital spoke badly to me. I said “Hello!” But the disability can’t be seen at once. When I stand, people don’t see it; just when I walk, from the front. Well, I worked a lot for my disability not to be noticed. By sport, by medical rehabilitation, by…um at lot. And when I entered I said “Hello, I would like an information. The 700 [clinic] sent me here because I wanted to begin my sickness pensioner period. I have a disability…” “What’s your disability?” “Well, in my legs.” “How and how did you climb up the stairs?” I looked at her and I said “I climbed using my hands”. I didn’t say anything. “Madam, how did you climb up the stairs?” “Madam, I climbed using my legs, doctor, how could
I've climbed the stairs? “And who helped you?” “Myself.” “And how are you a handicapped? Please, stand!” Oh, when I saw her behaving…. I stood. “Walk! Turn! Sit!” I did everything she told me. And the second time around “See, see, and let’s see if…. Please get the documents and we’ll see if we’ll give you [the sickness pension].” Oh my God! (Did you need many documents?) Yes, yes. (From the physician or from the labor force employment? From where?) Umm, from the physician, from the hospital, X-rays in my legs, blood tests, [documents] that indeed the disability I have…. It helped me a lot. I was lucky to have the medical certificates from those days, when Ceausescu ruled. They saved me a lot. A lot. They helped me prove that indeed my disability was very old”. (DFA2).

It is also true that sometimes the medical personnel have to stand the corruption accuses that are circulating as rumors between beneficiaries or their services: And here with…how they say in general, disabled persons, everybody is placed in the same basket, as they say. A clear distinction should be made between disabilities, between sicknesses…. There are people that complain of a hurting ear and get a certificate. It’s not fair. I say that at least half of them should disappear from the system. There are many [like that]. I know [some]. I know that when I went to the commissions, I don’t know, 15-20% had some conditions that would show but the others…. I’d hear them talk that they paid that, they’d live [of the indemnity] for one more year and then they’d repeat. Those that go there every year and make up a queue should all be excluded. They complain about live aches, they have problems that they can’t stay in sunlight, can’t stand for too long…. [And they get] the medical certificate. So you can get anything from a physician if you pay. And those from the Commission only analyze the papers and anything else…”(DMA1).

Because of their busy attitude, medical authorities are not showing any empathy for disabled people. They decide about the handicap certificate or the disability pension but they are not able to inform their beneficiaries about the rights that this papers offer. They couldn’t imagine that others have difficulties in accessing information that they use all the time: “Do you think that you know your rights?) No, no, I don’t know my rights. They are too many for me to remember them all. I know them in general, but not all of them. (But were your rights presented?) No. I was never told that. We find them out from people, people like us. They say, “Look, I heard this and that, from now on it will be like that…” No, they never gave us a list with rights or law no. x. (And if you’d ask, they wouldn’t provide any information?) Information on what we find out, by the help of people like us. When I found out [something], I went. “Is it true that I am entitled to…?” (DFA2)

5.2.7. Employment situation
All the types of discrimination toward disabled persons are present in the employment situations (seeking a job, the selection process, keeping a job or losing it) as our subjects are saying. For instance: “(Is it difficult for a person in your situation to find a job?) Yes. (Why?) First, we are discriminated. They first look at us and give us no chance to communicate. When they’d see you and see you walk, it’s all lost. They talk to you for a bit but also like that, amicably, with their psychology style and they ask you to leave”. (DFA2).

There are numerous examples of direct discrimination that our subjects referred to. The first case is a young woman with visible locomotion problems that faced discrimination because of her visible disability: “What were your experiences?) Sort of unpleasant, taking into consideration that I went to school in Timişoara, I tried to find a workplace, at least 4 hours. Because we needed money. And I went every time, I got information. Every time they saw me: “We’re sorry!” No, they didn’t employ me. Yes, that’s what they said. I realize that it was because of my disability, even if I had worked more than a normal person because I really needed the money to go to school. (What position did you try to get employment in?) Well, saleswoman. I tried in several places. (They had a preconceived idea about you only based on this physical disability?) Yes. Physical aspect is generally taken into consideration. If you have a walking disability or... usually there are obstacles almost everywhere”. (DFA15)
The same subject is expressing general suspicions of employers about hiring people with disability. In fact these are general ideas expressing national and cultural suspicions regarding this category of persons and are part of the structural discrimination: “(Why do you think employers avoid employing disabled persons?) I don’t know, probably also because they’re afraid that person cannot manage, I suspect, I’m saying if I were them. I consider myself a happy case because I can manage, I am independent and I am capable of doing some things. But there are some persons who walk with greater difficulty. Much greater than me probably and because they are afraid of this, that’s what I say. (Do you think there are discriminations on the labour market? Yes, there have always been. Yes”. (DFA15)

It is true that looking for a job is a difficult and resources consuming process in the present crisis times and that the results are usually discouraging for every job seeker but it became clear that there are different strategies used by employers to get rid of job seekers with disability without being accused of discrimination in the same perspective of avoiding problems. There are no legal consequences to the “we’ll call you back” formula even if our subject suspects a direct discriminative attitude mainly because it happened many times:

“And you also say you have a health problem, and then they tell you “Yes, good. We’ll call you back.” Meaning they will be in touch with you not at all. I tried on the internet with various companies. (How did you try?) They ask you certain things about yourself, you tell them that you have a health problem, and then they tell you “Madam, well, you see, call us again” and bye-bye. I called several companies until I stopped and I said enough. I did not go to any company like that, by phone. Yes, I said I had a problem, they at first said they had a workplace or they had workplaces, and then “What do you look like?” “Describe yourself!” and they said “Do you have health problems?” I told him, but I can work, it’s not a problem because I have nothing with my hands, my head, I have a leg and that’s all with a problem, and they said “Madam, we are sorry, but for the time being it’s not possible, we’ll keep in touch”. Or whatever else he said. (You understood they don’t want you.) Yes. I that’s what I understood”. (DFI17)

That’s true that direct discrimination is more obvious when disability is obvious and not so evident in the cases of not noticeable body or mental problems at least in the first moments of the employment process:

“Those with a physical, locomotive disability can be seen, those who do not hear, do not see – these are obvious, and then your disability was not visible.) It was not visible. (It is rather a functional problem – the thyroid.) Yes, it is functional, it is a functional deficiency which must be aided with hormonal treatment my entire life. (Neither you yourself have ever been of the opinion that you are different from the others. How do you consider yourself, especially when you were younger?) I had the wish to demonstrate that I am able of more than the others and I wanted to prove that I even a person, however short, can do all of the things exactly like a normal person”. (DFA14)

There many other subjects pretending proudly that they should not be discriminated on the basis of disability and being ready to prove their capacities are the same or even better than “normal” people. Because in fact they are also people and disability is not a limiting condition but a motivating one. Not asking for mercy or pity but for objective evaluation and equal treatment in competitive situation is what ask this subject: “(Discrimination?) Yes, I think there are many people that don’t accept us, quite a lot. There are [people] accepting us due to mercy, but we don’t want to be pitied, we want to be seen as everybody else. And it’s more difficult. (Why do you think that the employers have prejudice on the disabled persons?) I don’t know. I think they see them as being different than they are and that they can’t do anything in life or that they can’t succeed or can’t manage. I think that’s the problem. And I am sorry that we are not accepted by many persons, but there are some that accept us or that accept us only because of feeling mercy and we don’t want that”. (DFA5)

Many discrimination in this field appears because of the ambivalence of the old type handicap certificated that referred to the limited capacities of the owner and created many
suspicions from the employer that didn't want to have legal problems with labor authorities or any other type of problems with a “sick person” – like special rights that he wouldn’t provide, of too many medical leaves, etc.

“What my rights were, probably there are lot of employers who, due to convenience or due to the fact that do not know the legislation, get to commit errors, maybe not voluntarily, so that they do not complicate their existence; they simply refuse to employ disabled individuals although they have several advantages and the law on unemployment entitles them to a compensation. I admit, she wanted to employ me with an agreement with unemployment. To be paid 7 million and a half for a year and a half, 750 lei she received for me monthly to pay all the insurances. (Actually, her liability was to keep you.) To keep me subsequently for at least 2 years. That’s how she wanted to employ me originally, but when she saw the disability certificate and the reduced labour capacity, she got scared. (Probably the information also circulates quite vaguely.) Vaguely, and not knowing the legislation. (Even the specialists, maybe not even they have accurate and clear information, they issue opinions, they think what it should be like. There are persons who take a look at something and see reduced capacity.) Yes, maybe an issue where an intervention should be made and the legislation at least should be changed would be that at the moment when suspected, now I no longer know what is written, I think nothing is written related to the labour capacity on certificates because I haven’t seen a new type of certificate model to realize, nothing is written related to the labour capacity, but if they suspected that the individual could not work 8 hours, they should have written “Assessment expertise consultation is recommended related to labour capacity”. (I don’t know for sure either, what I do know for sure is that this thing with the labour capacity matters and is important for invalidity retirement. Invalidity retirement has determined labour capacity and it can be of various degrees and then the capacity differs and pensioners may work.) First and second degree not at all, third degree may work 4 hours. (Yes, 50%. There yes, but for the disability certificate.) They should at least guide, so that the employer no longer gets scared because I’m telling you I was at interviews and “Sir, look I could work 8 hours.” I know, it’s clear for me that I can work 8 hours, I also found that information. (And employers are still scared.) They avoid it, they're scared, I don't know. (So, it should be made public and a bit more underlined so that everybody learns that those with a disability certificate have no limitations. They probably have no limitations related to labour capacity.)” (DFA14)

In fact the new type of handicap certificate solve that problem about work capacity of the disabled person in the sense that this is not any more mentioned in the new form but there is an official legislative paper stating what are the employment specifications and restrictions for each category of disability. In fact the employer is not even entitled to know that a person has a handicap certificate when hiring an employee. He is legally forced to obtain for each employee a resolution from the office of labour medicine if that person is fit or not for the specified work position (every position have legal interdictions) and it is no longer employer’s responsibility if a person could fulfill or not the required tasks. Eventually he will find out about the handicap certificate when the disabled person will require her special rights (exempt of tax paying, 3-4 more paid leave days than others, younger retirement age, and others). But laws are changing very often and being responsible for braking laws is so feared nowadays that employers prefer to avoid potential problems by non-employing persons with disabilities.

The worst thing is that even the disabled persons do not have accurate information and they are also afraid not to brake rules but especially they are afraid of financial penalties.

“(You told me you were afraid to get a job because you’d lose the disability indemnity.)
Sure. Now I found out it is an indemnity. In my head, it was a financial aid or a pension. For years, I lost money due to that stupid thing. Many people around me told me not to get a job, probably they didn’t know. Don’t go to work because they’d find out and cut your pension, if they’d catch you, you’d have to return the money you received years ago and what would you do. I lived under that impression. And without employment contract, you can’t find a job, nobody would hire you. Nobody would risk hiring you because there are regular inspections. No company would become
involved in hiring me without a contract. And I knew that and I didn’t go fearing that they’d cut my pension if they’d catch me. Until recently, when I was called from the Inspectorate to attend some courses. “Do you want to?” “Yes!” They presented the courses. They are organized there. And I asked whether I’d lose my money. They said “Lady, it’s not a pension, it’s an indemnity granted for helping you, an additional income.” Honestly, I lived with that idea in my mind for years and year. I can’t go to work. I lived with that “No”. My stress source and my thinking was that I couldn’t return the money. My idea was that I’d have to return the money if they’d catch me. Until 6 months ago”. (DFA3).

Getting a job makes the disabled person accepted and integrated and also helps getting rid of that feeling of loneliness and of person supported by the state or the community. And as one of our subjects tells, she is also more implicated in the family budget and could participate in the decision making process with more emphasis because of her material contribution to the household expenses: “At personal level, how did your life change since you got the job?” Fully. Because of the income and there’s no more monotony of being always at home. Before I’d take care of the old lady and I’d take care of the house. There’s always something to do when you live in a house. I am happy now since I got the job. On…I get my lunch tickets and we do the grocery shopping list. I’m no longer stressed about invoices, about when the husband will get the money…

It’s much better and I’d even advice anybody with disabilities [to get a job]. I don’t know about the blind people, if they have the same rights as we do, and I don’t speak on their name. But the persons with movement disabilities should not despair. It’s actually good. You don’t even know when time passes”. (DFA3).

But life is not made of only happy situations, mainly when employers don’t respect the legal rights of disabled people to be employed and use different strategies to avoid these legal requirements issued as a consequence of the international obligations of our country.

“I don’t know if a law binding the employer to have 5% of the staff with disabilities is still in force. Is it still in force? Do you know what the problem is? A lady employer once told me, after I had looked for a job for over one year. They have to announce the County Agency and to get a proof that they asked [for disabled persons] and they take it to the Public Finance Directorate for not being punished. (Yes.) [Not to be punished] by a fine that I don’t know how much it is. It’s high. That’s the trick, to get that piece of paper from there. (To notify the County Agency. And do they notify the County Agency?) Well, they do. And if they notify it, they receive a proof that they requested [for disabled persons] They don’t. (That’s the problem, the people in the County Agency don’t send them any persons.) Because the law has this loophole… The employer asks them [for disabled persons] in vain, only for getting the proof that they requested [for disabled persons] and they use that proof at the Public Finance Directorate and they escape…” (DMA1)

A more subtle discriminating process is also described by our subjects, process that could be placed under structural discrimination probably. And this regards the distinction state benefits and paid work. For the employers and work comrades of our subject, this distinction was very clear and didn’t admit any intersection or superposition. So even you are a disabled person and then you stay home and live from the state benefits and you enjoy you rights as a helpless human being or you are coming to work and get paid as the others and your rights as a disabled persons are no longer taking into account. This specific form of discrimination is linked with the “equity-equality” vision of common people and even if it’s not legal it’s probably very real in the employment situations:

“I worked for Kromberg then and they wouldn’t let me work without them. (What did that company do?) Electrical wiring for cars. Automotive. But I worked also in the logistics [field], also within the warehouse. There I had some difficulties. How should I put this? They wanted to get rid of me. They saw me as a burden. Especially in 2004 when my disease, the disease…this disability was diagnosed and I got the certificate exempting me of the salary tax and discount for the
overtime. They saw me as a burden, as a person with the plague, I was marginalized from several point of view. (By the coworkers, by the bosses?) By the coworkers I wasn’t marginalized; or part of the coworkers gossiped about me. And the bosses marginalized me because they thought I was a burden, they believed that they have a greater liability as concerns me or stupid things like that that were pointless. That was that I didn’t care, I didn’t avoid the work or doing effort. (That was when they employed you or during the period when you worked?) No, I was employed in 2004 and it appeared in 2006. After I got the certificate, they began having bad manifestations and bad behaviors. They wanted to get rid of me about 3 times due to imaginary reasons or innuendoes, they made some cut backs. But they never managed to get rid of me because I did my job and those that were higher made the decision that I had to stay. They made some investigations and found out. They were bothered that I had 3 days off extra and they were bothered that, and that’s what one of them said, “If you’re handicapped, you should stay home. What are you doing coming to work?” That was a blow showing such an ugly soul. They were also dissatisfied that I was employed as worker, simple distributor and I reached a salary level similar to the team leader, being tax exempted. It was the after divorce period, I suffered a lot and found some comfort in work. I didn’t think of anything else and I worked a lot overtime”. (DMA4)

When eventually he lost his job because of envy of his disability benefits, our subject found another and others after that. But the bad experience was repeated in the other work places the same:

“I immediately found jobs. But everywhere I went, the salaries were lower and I had to use my disability certificate for being able to earn more and cover the debts and the expenses I had every month. The tax exemption mattered, it was 200 or 300 lei added to the salary. At the time when I reached a 1200 or 1400 lei salary, I'd submit a declaration about the disability certificate and were excluded. I was thrown out. (On what grounds?) Because I was disabled. They said they didn’t want to get involved in such a complicated thing, that it could be dangerous for me. They gave no explanations”. (DMA4)

Because of this painful experiences, our subject decided not to tell to any employer about his disability and to complain to us about his misfortunate work-life he had:

“... So, instead of telling an employer about a disability, you’d better cut of a hand or a finger. They actually avoid the disabled persons and I really don’t understand. I don’t understand, I don’t understand because there are disabled persons that can work wonders in the world. I don’t mean me; there are persons that even if they have a disability, which is movement related, they can’t walk, it is true, but they can do with their hands or in their minds stuff a normal person can’t do. They can work wonders. Those that go to work in a wheelchair or using crutches, work there with their heart and soul. They give, they give away everything they have. Another normal person that goes to work, wants for the time to pass, for the hours to pass [so he can leave]. I don’t understand what’s with that discrimination”.

And finally a case of indirect discrimination is the situation of our subject DMA10, a young man who work as a driver and he is profoundly hearing impaired. This discrimination is happening almost every time when he is stopped by the police, because they don’t believe that a deaf person could drive (in the sense that they mistrust the driver capacity) and also they don’t believe that legally this person could have a driving license. His wife who gave us the interview is telling:

“Whenever they stop him, they believe he is a foreigner. Because they tell him “Your papers, please!” or they tell him “Get out of the car!” because some want you to get out to see how you stand; well, you lost him there because he can’t hear that! Especially if his head is turned in the opposite direction. And then they go on “And what, can’t you hear?” and “Why don’t you come out?” and they are already asking themselves questions because he no longer communicates; he has stopped any communication, he has given them his papers and to him that is all that the interaction with the police officer means. And if the police officers is still asking for something else, he’s lost and then he panics... And then, these guys when they hear his sounds, “Well, what’s with him? What’s wrong with him? Is he a foreigner?” No, he’s deaf! “Well,
then, how does he drive?” (Mimicking the police officer’s agitation) “Get out!” and that’s when the show begins...

Op. They probably think he should not be driving, not be having a license?

D. Yes, they suspect he doesn’t have a license or that he got it however (meaning it was gained illegally)... And then I start the story about how he is and how long he’s been like that. And we have the new certificate on us all the time, and it’s good that we have it because ever since we’ve had it, we are no longer questioned by the police officers all the time. The driver’s license certificate that various clinics issue - where they send us for periodical checks. So, those people didn’t give him the certificate for his beautiful eyes because they are responsible for him and there’s an ORL doctor there who told me he made a study and he wanted to publish it in favour of the law allowing the deaf to have a driver license, even a professional driver license. This is because for years he has had experiences (he’s an older doctor) with people who were also employed in vehicle transport on larger vehicles and they have never had any problems for as long as they worked”. (DMA10).

5.2.8. Structural discrimination

Structural discrimination is about rules, norms, predominant cultural attitudes and behavior in institutions and other social structures that constitute barriers to disabled people to achieve the same rights and opportunities as the majority of the population.

It is probably the most profound type of discrimination and the most resistant to changes. Usually the people’s behaviors toward disabled persons could be changed by legal and normative prescriptions that punish undesired actions. Also the public accommodation measures could be taken in favor of this category and the organizational procedures of many institutions could be rearranged to meet the specific needs and rights of disabled people. More difficult is to fight against attitudes and mentalities that are relatively independent and late in reactions as compared with the other changes. Because even when the public discourse is pointing to the new directions, the personal conviction of the majority is still mistrusting the evidence that disability people are in fact «normal» people but different, and the society should adapt to their specific needs and not the other way around. The present attitudes based on pity and mercy are not following the right direction even if they look humane. The real respect is based on confidence and acceptance of differences as one of our subjects, the low faculty graduate with visual impairment is arguing for:

“(What doesn't work, what should be changed?) Ummm...it should be changed...the mentality should be changed. (Is it the mentality of the community?) The mentality of the community, the mentality of not finding, in fact of not searching for reasons to refuse and solutions to solve the situations because it happens in 9 out of 10 cases, they look for reasons to say no and very few people....very few people accept a certain responsibility or want to help certain persons. That is not because they have an obligation but because it is human, because it is natural to help your fellows, so from them, if they sit for quarter of an hour and ask “What happened to you?” “Ohhh, you poor thing!” “Well, you know, God will help you!” Yes. God will help me, but not him or her. And that thing happens, unfortunately, in most cases when any disabled person asks for help.

And again, it is the mentality at least in Romania, for the disabled persons that “Poor things, poor things, poor things!” Yes, most of them are “poor things” but not necessarily all of them”. (DMA6).

And the society care for disability persons cannot be complete without the change of mentalities. As one of our subjects, a man with hearing impairment, was explaining:

“(Is the Romanian society ready for the social and professional integration on the labor force market of the disabled persons?) No, from any point of view. As long as disabled persons exist or better said, handicapped persons, we will always be treated, due to the mentality, society or Romanians, in general, with contempt, we will never be appreciated by the colleagues or by
the leaders and that’s humiliating. First, their mentality much be changed. That of the leaders. Of 
those that employ people. The manner of approaching the problem must change. There should 
be created special units for the disabled persons. Because their integration with a normal work 
hours, [would lead] to the fact that they couldn’t handle it and even if they could, they wouldn’t be 
treated the same, they wouldn’t be treated in an equal fashion”. (DMA4).

One of the best examples showing that changes can be achieved is the comparison 
between bureaucratic state institutions with self-sufficient public servants, convinced of their 
power and role for implementing the official state policy and the more dynamic, flexible and 
modernization oriented NGOs working in the field of disability:

“(Are they patient? How do they work with the disabled persons?) Nobody is interested 
there although they have psychologists, counselors, they don’t work. They are a bit superficial in 
their work. It is a state-owned institution, so they do it [their work] thinking about the passing hours. 
Just like selling tickets at the train station. Something like that. They don’t have any patience with 
a person. And in the commission, when I went, the situation was identical in connection to the 
treatment applied by the physicians. The interest is low. So, by comparison to Bethany 
[Foundation], no comparison can be made. Ok, I didn’t work with other foundations or 
organizations such like that, humanitarian or social, but I did work with the persons in Bethany 
[Foundation] and I have a clue. I don’t know if they are all the same and show the same 
professionalism. But from the people with whom I worked, that was the conclusion I reached. And 
not because they helped me, I depended on them for finding a job, but I remained in contact with 
them after that. He was the first person that made me regain my self-confidence and saw that I 
have some assets, a high capacity for work and physical effort. I can say that I can do double the 
effort that a normal person can do. Although I have that disability. I have the strength to work, I 
have the vitality, I’m not rusty, I’m not a stiff person that can’t bend, although I’m kind of fat, but I 
work as I should and I am good at many things. I have many assets, from many points of view, 
and I’m not stupid”. (DMA4).

The change of mentalities about disabled persons is required by many of our interviews 
subjects and this is acceptable as a legitimate fight for their specific rights. But sometimes even 
the disabled persons are kept responsible for this absence of change because they don’t find 
hard enough to prove their qualities and sometimes that they are demotivated by the state 
benefits. A more pro-active attitude is required from them:

“Unfortunately, the disabled persons in Romania, and maybe I shouldn’t reach a 
generalization, but the great majority is a layer, at the present, for now lost for the society and 
there are several factors influencing this. And the most important factor is the state. It adopted 
the policy of paying certain subsidies, certain aids and it somehow kills the ambition of the 
disabled persons for being more active. (For doing something.) For doing something, right. (But 
still, those benefits are not that big, those indemnities.) Right, right, but still, and those, those 
active persons, those that try to be active, they run into several obstacles…for some it is…they 
are as…. I don’t know, they take them as some obstacles, as “That was it and life ended here!” 
and unfortunately, I think that it happens to 9 of 10 persons and the 10th 
would think about it the 
next time when he’d apply.

I don’t believe that many…many people would have the guts to do that. There are disabled 
persons that climb up the mountains, go to peaks, conquer tops. Unfortunately, they are not made 
known enough and at this point, again, the motivation thing appears, in persons for motivating 
them to do certain things, unfortunately, you must prove that you can. That doesn’t come naturally, 
although it should come naturally, and that discrimination should not exist”. (DMA6)
5.2.9. Conclusions regarding the discrimination of disabled persons in the context of education and employment

Types of discrimination reported by our subjects:

- **Direct discrimination** is to treat someone in a different and less favorable way because of a protected characteristic, such as disability;
- **Indirect discrimination** is any structure, practice, policy or procedure that have the effect of disadvantaging people who are disabled;
- **Structural discrimination** is rules, norms, predominant cultural attitudes and behavior in institutions and other social structures that constitute barriers to disabled people to achieve the same rights and opportunities as the majority of the population.

The amount of open, direct and indirect discrimination presupposes a profound structural discrimination. Most disabled people have probably experienced hostile attitudes, but perhaps not to the same extent at workplaces and public institutions. It seems like, in Romania, both “rules, norms, cultural attitudes and behavior in institutions (…) constitute barriers to disabled people to achieve the same rights and opportunities as the majority of the population”

The study suggest that predominant cultural attitudes upholds and disguise direct and indirect forms of discrimination. One predominant cultural attitude seem to be a deep contempt for abnormality or the “undesired differentness” (Goffman 1963). This contempt leads to disablism, which, like sexism and racism, “expresses itself in exclusionary and oppressive practices at a wide range of levels: interpersonal, institutional, cultural and societal” (Barnes & Mercer 2003)

Disability is predominantly understood as an abnormality of the body, and thus a medical issue, and medical doctors serve as the guardians of normalcy (It could be argued that this is a legacy from the Soviet period, from the defectology era, but the attitudes were more or less the same in western countries a few decades ago. Today, in western countries it is increasingly rare to see disability predominantly as a medical issue (except from related health issues), but instead matter of accessibility. Being disabled does not evoke the same contempt, discomfort or pity as it used to do, and the primacy of normality is weakened by a greater acceptance of diversity.)

What we see is also reflections of what Goffman calls “spoiled identity”, or the loss of ego integrity and self-degradation. Many interviewees tend to blame themselves or have difficulties accepting themselves. (For Goffman, “stigma” describes the experience of moving through life with an attribute that is deeply discrediting. This attribute divides people into those-who-are-normal and those-who-are-not, thereby making those-who-are-not less worthy.)

The cultural contempt for abnormality and bodily differentness is internalized. Many also blame disabled people more generally as it is largely “up to themselves” how to manage, but there is also an emerging voice of anger.

**Although structural discrimination is the most fundamental problem, it can probably not be changed without a more strict and determined removal of direct and indirect discrimination**
6. Family and welfare systems: Institutions supporting employment?

The research carried out with disabled individuals or with their caregivers showed the crucial role that family and community has on their general well-being.

Moreover, in the current review, we present our qualitative research findings regarding disabled individuals own families/their extended families and discuss the disabled child and family/community factors that account for why some fare better than others.

The child’s impairment affects the whole family. Practitioners are present only in certain moments of life of a disabled child. The biggest part of care for a child with disability is undertaken by the family and a part of their local community willing to help the family in a difficult life situation (Juhássová, 2015).

The family may be exhausted by the disability, physically, emotionally and financially, but with or without help, the family members are often able to renew their energies and resources and continue to function with a reasonable degree of competence.

The spectrum of disability is so broad and so complicated that it is not possible to present here the range in breadth or depth of ways of identifying or dealing with all the manifestation.

This chapter endeavors only to suggest an approach to some of the common problematic aspects of disability or community/economic factors likely to influence the disabled person’s status on the labour market.

6.1. Disability and poverty

Poverty is always a factor that impacts the access to education and also the personal development and well-being of disabled children/adults. Moreover, rural disabled inhabitants face a higher poverty level compared with disabled individuals living in cities.

Income poverty is the condition of not having enough income to meet basic needs for food, clothing, and shelter. Because children are dependent on others, they enter or avoid poverty by virtue of their family’s economic circumstances (Brooks-Gunn, Duncan, 1997).

A closer look at the literature regarding the link between poverty and disability, first finding is that developed countries have revealed the impact of disability on the achievements in education and on revenue. Poverty is not just the size of income but also reflects social exclusion and powerlessness (Guttman, 2011, p.250).

It certainly is no secret that one’s occupational success is highly related to his educational attainment. Generally those with the most education get the best jobs as reflected in wealth, power and prestige. The social class status of a youths’ family affects how well he will perform in school and how far he will go in his schooling “Yes, he [my brother] went to high school. (But how come you didn’t go when you saw him going?) Because my folks said they couldn’t keep 2 [children] in school.”(DFA12L176-177)

We know from research with parents living in poverty that they strive to protect and support their children in the face of disadvantage (Ridge, 2009). In 2011, over 71% of Romania’s poor lived in rural settlements (MMFPS, 2010).

On the other hand, poverty and socio-economic position of the family play an important part in parent’s attitude, economical support and capacity in motivating the disabled children to educational attainment.

From our research we found evidence that families with a disabled member are more likely to be living in poverty. Analysis of the situation of poverty among families who have a disabled member reveals that the low income level is generated, in some cases, by the mother’s incapacity to work, due to the fact that she has to care for the disabled child, and most often she quits her job to become the personal assistant of her disabled child.
Our qualitative analysis has shown also that the mostly invoked reason for school dropout among disabled children was the financial situation of the family due to limited financial resources "(Why did you discontinue the vocational school for a time?) After having completed the vocational school, due to my financial situation, I got employed."(DFA15L53-55)

Housing conditions among disabled individuals in rural areas on the average are considerably inferior to disabled individuals who live in urban centers. *If you come to my house, besides the fact that I can’t see, there’s such a mess. I have a friend who comes; in the first stage, she said “Although we are from an old family of intellectuals, we still have the latrine outside because we haven’t had the financial strength to have a bathroom, although the room exists.”*(DFI21L463-469)

In conclusion, extreme poverty conditions, poor housing conditions, lack of income and community support are favoring factors for negative outcomes both in childhood and adulthood among disabled individuals. From our informants’ stories, two main aspects are revealed: the discrimination factor is one of the main barriers to inclusion (in education and in employment), while poverty is the primary reason for school dropout.

Moreover, research shows that, for those disabled persons that are in employment the salaries are lower than the national average of revenues. Thus, on average, in Romania, disabled persons, have wages 34% lower than the national average (Mete, 2008).

6.2. Geographical, cultural and social isolation of disabled individuals and their families

In addition to the considerable responsibilities of caregiving, some families report that they are excluded from family and neighborhood activities which can further isolate them from wider social networks and supports (Chadwick et al, 2013; Dravet, 2012).

First, some disabled individuals and disabled child’s families talk about not having friends or social network. "(For you, what was the most difficult thing in connection to your condition?) It’s difficult to find friends because…I find it difficult to adjust." (DFA5L129-130) The reaction of the community, often does nothing but complicate the situation. Friends disappear one by one because people going through a critical situation are always concerned about a single subject cannot be a company just casual.

Consciously or not, society tends to discriminate the disabled. "I wanted him integrated among common children, I had problems with the parents, he was not accepted." (DMI19L93-94)

Members of the public community who unwittingly behave in awkward, scared or embarrassed manner in front of disabled individuals or their families reinforce this sense of isolation and can lead to feelings of shame among family members.

Today, although the extended family no longer functions as it once did, the central figures and the natural networks that revolve around them continue to function, with friends and neighbors replacing kin. Nearly everyone needs friends. Those who prefer solitude and the constant company of their own thoughts are exceptional. The average person is dependent upon friends for love, approval, comfort, encouragement, entertainment.

On the other hand, problematic behavior, and the practicalities of managing these behaviors in public, prompted some families to withdraw from socializing in public places, and caused difficulties in securing childcare. "We have fewer friends because of him because not all people accept us. There are great problems around us, very few accept us, families who have disabled children, some wore very well prepared, are prouder, they don’t really accept."(DMI24L273-275) Usually the friends lie outside the family circle. Friendship requires an output in time, energy, patience, even money-but it is worth it in the satisfaction, fun, health, and happiness derived from it. On the other hand, lack of financial resources is another obstacle in a disabled person’s chance of having friends and socialize outside the family life.
Secondarily, some families talk about not having part in community life. They not subscribe or not attend community activities. For example, in many rural communities due to discrimination disabled individuals have little opportunity for a job or adequate job. “(Do you work?) No. I work a lot on the black market. (What do you work on the black market?) It depends, anything. What people ask me to do, that’s what I do: I chop wood, I... anything, anything. (For the neighbors?) Not for the neighbors. Not for the people in the village, in the township. People have preconceived ideas related to me”. (DMI16L31-34). In Romania, some population segments, through their geographically and culturally isolation, have fewer opportunities than other groups either for employment or for exposing their children to other ways of living more consistent with the prevailing culture. In many instances, rural disabled individuals have little, if any, chance to progress because they are subject to forces of isolation that preclude their opportunities for education, employment, and material advantages requisite to comfortable living in our society, or even to medical care that may be needed for the maintenance of health. “I knew what to do around the house and what was related to the house, but the rest - I knew nothing, to go somewhere. If they left me in the middle of the city, I had to ask because I didn't know how to leave that place.” (DFI17L465-467).This finding suggests that disabled children families and disabled individuals experience higher levels of social isolation, greater social rejection and poorer interpersonal relations to others.

On the same note, The World Report on Disability (World Health Organization and The World Bank, 2011) notices that, at worldwide level, very often, disabled persons experience environmental obstacles that make physical access to employment difficult. That puts some of them in impossibility to afford the daily travel costs to and from work. There may also be physical barriers to job interviews, to the actual work setting, and to attending social events with fellow employees (p. 239).

6.3. The role of the family in motivating the disabled person’s educational path

The difference between the educational levels of disabled people compared to that of nondisabled people is one of the main obstacles to the later labor market inclusion of disabled people. A recent report showed that among Romanian disabled persons limited school enrollment is seven times higher than among the general population. At the same time school dropout is twice higher among disabled (Romanian Academic Society, 2010). In the current Romanian educational system, if a child fails to complete elementary education, he will be not accepted to secondary or vocational school.

Several studies emphasize the idea that one’s educational level is a predictive factor for his employment (Packham, 2002; Nagarajan et al 2003), and, at the same time, depends a lot on and is influenced by his parents’ educational background (De Graaf, 1986; De Graaf et al, 2000; Ireys et al 1996).

Moreover, the relationship of the individual’s educational attainment with the family and the community seems obvious. Studies assessing the impact of social class on adolescents have consistently shown that the highest incidence of school failure occurs among children from low-income families. (O’Donnell et al, 1995; Walker et al, 1994; Wright et al, 2000).

Family members who have the feeling of belonging to a community seek to appropriate community values, to have mutual and trustful relationships. The trust between the family members extends to community members and social institutions and thus the access to information, to education and the labor market is made easier.

People who have active relationships with others, participating in social activities, are more tolerant, more empathetic to the other individual’s needs. So, the child’s development is closely related to his family’s social capital, the level of reciprocity between his family members and the norms and values that it's family cultivates, the relationships with community members, groups, school, church and others institutions.
The subsequent selections the individual will make depend, on the one hand, on the personal values he has developed within his family, and on the other hand, on the support his family is able to provide in order to facilitate the child's access to education and later on the labor market.

Our qualitative research result show that in some cases parents do not encourage and support children to attend school and even worse, sometimes do not let them go to school/or force them to dropout the school.

*Why not go to high school? … I had a fight with my parents and they didn’t let me continue there, so I didn’t go to school.* (DMI8L32-34)

* I did not attend school... My parents didn’t send me. My grandmother sent me and my mother took me out.* (DMI16L45-46)

*After mummy’s death,... my sister said to attend 8 classes but my grandmother never agreed and I attend only 4.* (DFI22)

The child’s motivation for further education is given by his parents, by social environment, by the community, friends, relatives, teachers, priests or doctors from the community but also depend to the will and perseverance of the child. Among our disabled individuals that we interviewed the school dropout situations are due to the lack of family support, unfavorable family situations and also due to the low cultural level of the family.

The absence of parental control, family and economic problems are other causes of the school dropout among disabled. The school dropout is a social problem affecting the whole society through social and economic costs arising from this: social exclusion, poverty, unemployment, lower tax revenues more social allowances.

As a result of low parental education, school attendance is not valued due to the fact that their social and occupational aspiration are extremely limited. Low parental education, low parental interest in education and low social class of the family are the main factors associated with the child’s low educational level and dropout. In conclusion, for too many disabled individuals, their quality of life is dependent on the commitment of their families, to their education and caregiving.

Economic risk factors are among the most often cited by our interviewees as generating school drop-out.

*(Why didn’t you go on further?) Because my father got ill … and I went to work.* (DFA12)

*(Why did you discontinue the vocational school for a time?) …I got employed….My father was drinking at that time and we suffered.* (DFA15)

On the other hand, in the stories of the interviewees that completed a certain educational level, we can observe the parents’ influence and active support in securing the access to ordinary primary education and in motivating them for starting and completing further education. One interview participant says: "They supported me, they supported me as much as they could, yes." (DFA7L107-108) Another interview participant describes her father’s support in attending education: "I graduated the first elementary school grades and my dad took me by bike to school. He put me on the trunk, dad built a console for me to sit while my leg was straight, on the bike’s trunk make me a chair-like place, with a welded bar and a console for my leg and that’s how he took me to school." (DFA3L85-87)

Parent and family support is a key factor which promotes or hinder young disabled people entering and completing their education. It seems obvious that poverty and family characteristics can reasonably be attributed to low education and further unemployment among our disabled informants.

First, poverty is strongly related to educational participation/years of schooling. In our qualitative interviews disabled individuals reported lack of family support and lack of money as the primary factors for school dropout. Secondly, disabled children enrollment in elementary,
secondary and higher education depend on parental support they receive. On the other hand, we conclude that low family involvement/aspirations in educational decisions/attainment of disabled children have the effect of demotivating the children in attending/completing their education.

Often our disabled interviewees suggest that not due to their impairments/health conditions, but due to their low educational level they experience barriers in the labor market integration.

6.4. **The pervasive impact of housing, community and infrastructure conditions on disabled individuals chances of labour market integration and overall well-being**

For most people the home environment represents the secure foundation of their lives. Housing is also of concern to the social welfare because at a fundamental level housing conditions are a major determinant of mental and physical health. Housing is the primary environment for a majority of the world’s inhabitants. Vulnerable populations, such as disabled individuals are particularly exposed to the influence of poor housing conditions.

Abraham Maslow’s well known hierarchy of human needs comes easily to mind when we think of housing. Starting from this hierarchical perspective of human needs, housing conditions can be seen as the most basic needs individuals have to fulfil in order to reach the more advanced needs.

Although in recent years, the development of basic physical infrastructure (roads, infrastructure, water/wastewater, energy plants and thermal energy, gas distribution) was supported both by national funds and European funds, rural areas are still underdeveloped “(Do you have water?) No, we had in the yard, only it is not good for drinking, or to be used, unless the well is cleaned.” (DFI22L54-55) Disadvantaged living conditions of disabled individuals are related to their poor income resources and labour market status.

Some of the individuals/families in this study had accessed suitable domestic support but most families lack financial resources and their absence is seen as a barrier to achieving other outcomes for themselves and their family “(Does the apartment building have any arrangements for disabled persons?) No, no, it has no arrangements for the disabled persons”.

Looking into the housing conditions of our interviewees, and especially among disabled rural inhabitants, we notice the poor quality accommodation and housing conditions and the evidence that poor housing conditions have/can have a high social and economic cost for disabled individuals and their families. “How many rooms does the house have?) 2 kitchens, 2 bedrooms, a hall, no bathroom. I must make the bathroom. (Is there sewerage?) There isn’t. (Where do you have heat from?) Ovens. Terracotta.” (DMI16L41-43). The disabled informants’ inadequate housing conditions are related to their low socio-economic status. Lack of money is both the cause and effect of their unemployment status.

Community living conditions and services are affecting the disabled children/adults development and their further labor market integration. The differences between rural-urban areas are cultural, economic and educational. These differences have a higher impact on the general well-being of disabled individuals and upon their families.

Often, people living in rural areas (both disabled and nondisabled) have no public means of transportation (train, bus) to enable them to get employed in urban area.

The problem of distance must be seen in terms of lack/absence of public means of transportation, which restricts not only the disabled individuals chance to get a job but also education access, dispensary and other community services. Also, there are no hospitals, for specialty physicians they have to go in town and jobs are almost non-existent. So, disabled individuals who live in the rural areas are disadvantaged in more than one way.

Elements having a significant impact upon family life and the effectiveness with which family members are able to fulfil the functions expected of them includes environmental factors
such as employment opportunities, educational facilities and opportunities, housing, medical care arrangements, and other institutional aspects of community life.

Each of these in and of itself is important. They may spell opportunity for a family to improve its general level of living, its economic status, it's mental and physical health.

Despite the rapid expansion both of medical knowledge and of facilities to meet health problems, in Romania there are wide gaps in medical services at the level of many rural communities, gaps that produce serious difficulties for many disabled individuals.

These gaps range from the complete absence of any medical resources to the limited availability or accessibility of adequate health services "(Related to the services you have here: a bank, a school, a private practice; are there services in the S., community?) Yes. There's no hospital, there's a dispensary." (DFA15L189-190) Many of the support services that urban residents take for granted are often scarce or non-existent in rural communities. It is not uncommon to find an absence of doctors, nurses, dentists in small rural areas. Moreover, communities in rural area have little/no special facilities for the disabled individuals. The low level of economic development is related also with the availability and quality of social and health services, particularly specialized services for disabled.

Thus, the low income individuals/families with disabled members dependent on public assistance or other helping sources may not be able to assume the direct/indirect costs that the access to certain services in urban cities may involve.

Regarding work opportunities we also noted major differences between rural and urban areas in terms of means of transportation "(If you found a job in T. [city], would you have what to travel there with?) I would, but you don't have any means to come back with when you are working the second shift."(DFI18L102-104) On the other hand, lower incomes and erratic employment opportunities contribute to higher rates of poverty. While urban labor force is more or less aligned with European trends, rural labor market is similar to that of pre-industrial societies, dominated by subsistence agriculture (with an under-representation of entrepreneurs).

In Romania, rural areas constitute an appreciably different environment and life-style than that in cities. Although automobile has provided many rural inhabitants access to the resources of the nearest big cities, still isolation, long distances and lack of means of transport (bus, train) continue to limit the conditions under which others must live.

We also note that, even if in some cases, existing health problems or functional limitation have reduced influence on the informant’s work capacity, still the person remains unemployed due to single unsurmountable factor: he has no means of transportation to and from work.

While the public transportation means are often completely missing or inadequate for a normal daily work schedule, the private means of transportation are often too expensive for the disabled individuals, so this is another factor that can contribute to the high unemployment rate and the high school dropout rate among children in rural areas "(Does your wife have means of transport to T. [city]?) Yes, she pays for it. It costs a lot. She earns 800 Ron and from there, do you realize it, she must pay both that and transport (200 lei). And the food. Poor thing, very difficult." (DMI16L88-90) In relation to the absence of public means of transport, the high cost of private means of transport discourage disabled individuals to access a job in urban areas because these costs contribute significantly to the reduction of their revenue.

At the same time, educational institutions in rural areas, represented by kindergartens, primary units and secondary schools are rare or poorly equipped. In conclusion, poverty and the lack of environmental infrastructure influence the ability of disabled children to attend school and limit the disabled adults options in finding a job. "(And how did you get to T. every day, to the high school?) Well, I had a bus.(And you paid for the transport here?) Yes, of course. (Was it a private company or a company that belonged to the City Hall?) But the City Hall has nothing. (The City Hall has nothing. Was it a private company?) Yes, and now it's also through a company, so only the transport cost around 2 million, plus another 30-40 lei, I don't know how much, for the trolley bus, you know, pocket and food money. So it was quite... (Costly.) Yes." (DFI21)
From our analysis it follows that a proper infrastructure is essential for economic development in addition to other areas of human and social development. In conclusion, the inaccessibility or the unavailability of community facilities make families more vulnerable to poverty by reducing the educational and work opportunities and enhance their health problems. Aspects related to family domain circumstances and poverty have been found to relate to low educational attainment and low rate of employment among disabled.

6.5. Parent’s practical concerns regarding existing services

From the interviews stands out the lack of educational institutions’ capacity to adapt to the needs of disabled and sometimes is raised also the lack of qualified personnel.

Access of children with severe disabilities in regular education/special education, although regulated by law, it is still difficult, disabled children parents sometimes are forced to move the child to a special school or even the school refuse to enroll the child. “I registered him with the special school and I don’t even know if they kept him there for one month. Because there he had a moment when he pushed a little girl, he didn’t hit her, he just pushed her and there was cement on the floor, the little girl fell, hit her head and bled a little and they got scared. They called me and told me not to be upset, but to continue going to the doctor with him because they couldn’t keep him with such manifestations” (DMI123L114-119) Because of the tendency for multiple impairments to occur in one child, programs for intervention must differ according to the severity of the impairment.

We can note there is a lack of day care/residential centers and other services that can relieve the mothers with chronically disabled children of some their pressures. In the rural areas these services are nonexistent. “She took him in P. (educational facility and day care center) but for a short time, the problem was that they were in the beginning and they still didn’t have enough personnel, not all of them had training.”(DMI23L175-176) “The bus didn’t come here and we took him there, we had some places established by them and we took him. For about a year and after a year I don’t know what happened and they no longer accepted him to go.”(DMI24L238-243)

We conclude that the lack of educational community services resources to meet the needs of the disabled children exacerbates the parental stress and the child’s possibilities of rehabilitation and integration. Additionally many parents need counseling in order to understand the nature of the disability/impairment or the developmental effect and the ways in which the child’s capacities can be enhanced. Parents need group discussions and family life education programs to help them to understand the faces of their problem and to learn how to cope with in day to day life.

6.6. Conclusions regarding the influences of the family and community relations on the disabled persons participation on the labour market

The special role of mothers raising disabled children reflect their need for strong social networks offering regular support.

We note the commitment and absorbing involvement of the parents in educational or rehabilitative therapies for their disabled children.

On the other hand, due to the child’s impairment, parents may become overprotective and overindulgent with the child, to the point of overlooking the real needs of the child (social integration, responsibilities in the household, professional development and attainment etc.), and projecting instead what they think is good for their children (child may be viewed as sick and encouraged to be more dependent than is desirable and necessary). At this point, it is quite common that the projection of the parent towards the child is more debilitating than enabling so, most often, these will be the parents that will be discouraging the disabled family member regarding his/her possibilities of labour market participation. A relevant study (Mete, 2008) showed that one of the most frequently identified barrier by those who work as labor market
Integration counselors in public institutions or NGOs was that, when identifying the desired job for a disabled person, they could not always be in consensus with his/her family. Moreover, testimonial of employers indicated the struggle they had with the families of the disabled employees before and during the trial period for keeping employed the disabled persons who wanted to remain employed. Some of the employers participating at that study identified the family interference as being one important factor in the disabled persons’ low rate of participation on the labour market.

Due to the geographical, cultural and social isolation disabled individuals are force to deal with discrimination, poverty, social isolation and exclusion from the labour market.

We note also that for some disabled people, existing health problems or functional limitation little influence on their work capacity, the only obstacle is the transport to and from work.

Parents/caregivers sometimes ignore the importance that the education has on the personal/professional/intellectual development of their disabled children.

Housing conditions in rural areas on the average are considerably inferior to those in urban centers. These bad conditions have a negative impact on quality of life among rural disabled inhabitants and also upon their social, educational, health, economic and work opportunities.

Our research subjects highlights the lack of informal support networks.

We outline that the incidence of disability is linking poor socio-economic position of the family. Assuming that financial deprivation is not just one dimension of social inequality on the education opportunities, standard of living, health status and employment but also a risk factor for intergenerational transmission, so there is a need for a large community support.

Disabled people and their families meet difficulties of access to education, work, medicines and treatment due to the following factors: distance between rural areas–cities, limited financial resources, limited dispensaries, community services and schools.

The lack of community resources for meeting the medical or social needs of the disabled children exacerbates the parental stress regard the child possibilities of rehabilitation and integration.

Provision and access to education, health services and public transportation infrastructure is a key issue for ensuring a better quality of life in rural communities and developing economic and social development of rural areas.
Conclusion: Mapping the hindrances and barriers to employment as experienced by vulnerable populations

Although reliable statistics are difficult to obtain, it seems clear that Romania has one of the lowest employment rates (about 12%) among disabled people in Europe (Romanian Academic Society, 2009 apud. ANPH, 2008).

Interviews conducted for this report suggest that disabled people are subject to extensive discrimination, which operates in varying intensity and shape. Many of our disabled interviewees tell about quite direct forms of discrimination. They are told or made to understand that the reason for not getting access to a specific job is that they have an impairment, without any reference being made to why or how this would represent a problem in relation to the job in question. There are also many examples of more indirect forms of discrimination, such as inaccessible environments, disabling practices and procedures, and frequent requests for medical certificates that have no apparent relevance to the actual job. Perhaps most importantly, however, is the structural discrimination that seems to stem from a deep cultural denigration of disability, and conveyed through all from public discourse to institutional practices. This denigration does not only impede the possibility of disabled people to find a job, it also turns the constant search for a job into a series of degrading experiences, making some hesitant even to try.

Studying different measures related to disability, it becomes obvious that the medical model of understanding disability is very influential in Romania, both in practice and in social representations. Some of the dominance of this model may be explained by the fact that the different Human Rights movements that opposed the medical model in the 1960s (like the gay/lesbian movement, women’s movement, disability movements), never got the same influence in Romanian because these voices were never heard by the Communist regime. In order to get a Handicap Certificate, which gives the disabled person the entitlement of accessing the benefits and services established by law, the person must go through a long process of medical assessment. More general, it seems to be a widespread use of medical assessment, for a variety of institutional purposes. Some of our informants expressed hesitations towards getting the Handicap certificate, because they didn’t want to “formalize their deficiency”. And since being disabled is seen as lowering one’s status, they didn’t want to be subjected to stigmatization and rejection by members of the community.

The Local Agency for Employment is one of the most relevant institutions to contact in the process of searching for employment. However, many of our informants never made contact with this institution, in spite of their being in search for a job. Those who did collaborate with this institution report that the application process is difficult and time consuming, they did not get any assistance from the Local Agency in this process (from filling out the application, to actually finding a job). The Local Agency for Employment is mainly perceived by the informants as providing unemployment benefits, rather than assisting people in actually getting jobs.

The report shows that a number of factors influences the possibility for disabled people to find and keep a job. In addition to the labor market itself, these factors can be related to three main institutions, namely education, family and welfare. We will point at some of the main findings regarding the importance of these three institutions, before returning to a discussion on what might appear as the core problematics associated with disabled people’s difficulties in the labor market.

7.1. Disability and Education

It is common knowledge that level of education positively impacts on the likelihood of being employed. Research indicates that this positive impact is even stronger for disabled people than among the non-disabled population (Bliksvær and Hanssen 2003, Fylling et al 2014). This is also quite likely, as low skilled work is typically more physically challenging than high skilled work.
Although our own study does not allow for any statistical generalizations, it clearly supports that education increases disabled peoples chances on the labor market. Many of our interviewees that had completed higher education had succeeded in finding a job, although quite often with great difficulties, and not always within their area or level of competence. A comparatively larger proportion of those without a profession education were not employed.

The main finding with regard to education, however, is that disabled people face profound discrimination also in the educational system. Many of our interviewees tell about difficulties in accessing ordinary education, starting already in primary school, even though assessments show that they are fully able to utilize mainstream education. With regard to secondary education, some even tell about difficulties in getting access to special school. Furthermore, the ones who had completed higher education all tell about difficulties in getting access to college or university, or in getting the assistance they needed to be able to study on equal footing with their mates. It seems as if disabled people are generally regarded unfit for proper education, despite that education probably is the most significant means to employment and hence to an independent life.

7.2. Family relations and their influence on the employment of disabled persons

Even family has a profound impact on people’s possibility to succeed in the labor marked, both directly and indirectly. Sociological research has repeatedly showed that family background (De Graaf, 1986; Bourdieu and Passeron, 1977; Swartz, 1997), and parent’s education in particular, has strong impact on their children’s educational career, which again strongly influences the chances of being employed (Shavit and Blossfeld, 1993). This is also the case for disabled people, which is even reflected in our own material. More interesting in this context is perhaps the more direct impact that family has on disabled peoples’ chances of getting a job. As for the latter, there are many accounts in our material for parents’ influence and active support in securing the access to ordinary primary education and in motivating for starting and completing further education. Seemingly, some interviewees tell us that they dropped out of school because of lack of such family support. Others were influenced in remaining outside the labour market by the overprotective attitude of the family members. The denigration and discrimination faced by disabled people and their families alike make the strength and resources of family particularly important for disabled people’s possibilities. In addition, the interviews contain several examples in which family members because of their own position in the labor market or their extended network are able to assist their disabled relative in getting a job. Hence, family represents a social capital that may have positive as well as negative impact on the possibilities of gainful employment, and probably more so for disabled that for non-disabled people.
7.3. Disability and Welfare institutions

Welfare institutions cover a diverse and complex set of public and private structures and agencies, of which many appear in the narratives told by our interviewees. In particular, our interviewees tell vividly about the different branches of the medical system, with which they all have had numerous encounters. Some refer to such encounters with gratitude, while the majority has mostly negative experiences. What dominates these experiences is the feeling of not being heard, of mistrust, and of condescension and denigration. It is not strange that people feel uncomfortable when being subject to retelling assessment, but stories also contain many examples of condescending attitudes and even misconduct, that may reflect a deeper denigration of impairments.

Another prevailing aspect in their stories is the difficulties in getting information from welfare institutions, even when asking for it. Instead, the majority tell that they get their information through their disability network, and that they have to argue and fight to get their lawful rights, often even with flattery and gratitude.

With respect to assistance in getting a job, very little seems to be gained from the public employment office. None of our interviewees have succeeded in getting any assistance from them. Very few have even been able to register as unemployed. Most offices just refer to job announcements. Some say that will get back to them on phone, which never happens. Some interviewees don’t even know of any employment offices. On the other hand, many refer to private agencies that have called them and even been able to provide them with jobs, often after a period of designed training. These agencies are obviously specialized on working with disabled jobseekers or with people that are “hard to employ”, and may have a lot to offer to the public agencies. But as they are dependent on external funding, the level of sustainability for the services they provide is very low.
7.4. Disability and the labour market

In regard to the labour market itself, the reports of the interviewees show the main challenges faced by the disabled persons when accessing the labour market are:

- The context of limited resources – bound to create discrimination
  
  The social system, as a complex fabric of intertwined relations, with pre-established roles, scenarios and environments that have to be applied in the context of a given quantity of resources, will always need some sort of classification mechanisms to allow it the most objective way possible to share these limited resources among an increasing number of individuals.
  
  Although the general political discourse, elaborated mainly to please the public and gather the most votes as possible, promotes principles like equality and equity for all, no matter the individual differences, the organization of the system created to ensure the implementation of these principles, mainly based on capitalist philosophy, is bound to create inequality and discrimination.

- The quality of the services – as a main discrimination inducing factor
  
  Even if the social system inputs are somewhat organized as to ensure social justice and equality in accessing rights and services (everyone is entitled to the same services – social, healthcare, education, employment services, political participation etc.), the desired outputs are founded on discriminatory selection mechanisms, that reward firstly and mostly the ability of the person: the university admission procedures are based on competition among candidates, the employer will select the most qualified worker, the most qualified worker will have the highest salary level, a higher salary level will allow the person to access the best quality services for her and her offspring, so that the offspring will have a head start in the competition for education, employment and future revenues.
  
  So, basically, the most important factor generating discrimination and allowing the development and perpetuation of structural discrimination mechanisms is not the access to public services per se, but the quality of these services – thus, the disadvantaged categories/ groups access poor quality services, that will construct in time the disadvantage, accumulating negative effects from various areas (financial, social, educational, informational, cultural etc.), while the persons having the necessary resources will access good quality services, that will allow the advantage to develop and expand over time (good education – good job – good salary) (Boudon 1974), self-feeding until the gap between the two social categories gets insurmountable.

- The financial compensation schemes – ineffective in generating real and sustainable support, but incremental in supporting discrimination
  
  The financial support offered by the state agencies is used as a compensation mechanism (which, faithful to the medical models who shaped it, is provided to replace what is considered as a lack of ability), but is insufficient both quantitatively (it is not enough for the person to live based on it) and qualitatively (is counterproductive in terms of social integration of the recipient). Not only that it discourages some of its recipients to find individual solutions for their wellbeing, but it also attracts different forms of discriminative manifestations from their colleagues and, sometimes, employers.

  Moreover, the general, nonspecific, crowd-pleasing political discourse affirming the commitment of the state to guard and protect the rights of the disabled persons, is somehow mystified by the employers, who see in it more than it delivers, thus becoming afraid of some hidden traps in the process of hiring a disabled persons, because they could break some laws or regulations they do not know about. From this perspective, the rights of the disabled became some kind of „poisonous fruit”, who does more harm than good to the persons whose rights they should be defending.
7.5. Emerging ‘problematics’

The purpose of Institutional ethnography is to investigate the “empirical linkages among local settings of everyday life, organizations, and translocal processes of administration and governance” (DeVault and McCoy 2006: 15). The investigation starts from beneath, from the standpoint of those people whose everyday life we have chosen to emanate from, in this case disabled people in Romania. Standpoint here means the point where they stand, or the everyday world seen from that place, rather than a particular or privileged insight. Empirically, the study is about mapping the work these people do in order to achieve what they set out to do, in our case to access or come to terms with the world of labor, and how the work of doing so is affected by and entangled in institutional relations. The purpose of the analysis at this stage of the study is to identify a problematic. A problematic is neither a problem, as defined by interviewees, nor a theoretical explanation of such problems. Instead, it is a conception of certain properties of the social organization of everyday life that seems decisive to the issue under investigation, which give direction and focus to the next face of research. The concept of problematic is used to direct the researcher’s attention to “a possible set of questions that may not have been posed or a set of puzzles that do not yet exist in the form of puzzles but are ‘latent’ in the actualities of the experienced world” (Smith 1987: 91).

Before we go into detail on what could represent such a problematic in our study of hindrances and barriers to employment for disabled people in Romania, we need to clarify yet another important concept, namely the concept of institution. In Institutional ethnography, the concept ‘institution’ does not refer to a specific organization, but rather to a mixed set of interrelated institutional practices, or to “coordinated and intersecting work processes taking place in multiple sites” (DeVault and McCoy 2006: 17). Institutional ethnography, then, is about
investigating how intersections of dispersed institutional work processes influence or invade the everyday work of people, hence forming what Smith (2005) calls *ruling relations*.

They could be also conceptualized as what Goffman (1974) calls *primary frameworks*, meaning a “schemata of interpretation” that renders “what would otherwise be a meaningless aspect of the scene into something that is meaningful” (Goffman, 1974: 21). The primary frameworks, useful to the individual and the society to grasp the meaning of actions, events and relations, could be very well organized, “as a system of entities, postulates, and rules”, but could also have “no apparent articulated shape, providing only a lore of understanding, an approach, a perspective”. (Goffman, 1974: 21)

So, what is it that discloses itself as ‘problematic’ in disabled peoples strive to gain or keep employment in Romania? What is the emerging puzzle that the different empirical findings summed up above speaks about? The feature that seems to encompass most of the common experiences narrated by our interviewees is the *disapproval of bodily differentness* characterizing the institutional encounters accounted for in the interviews. This disapproval of differentness or *abnormality* (as it is perceived), seems to be embedded in a wide range of formal and seemingly neutral structures and procedures in Romania, and appears as the main barrier to employment for disabled people in the country. We have numerous accounts of interaction with employers who do not want to employ people with impairments, and we’ve heard about workers who believe that disabled people have no place in the workforce. But this disapproval of bodily differentness has also a number of indirect effects on the employment possibilities, which together may be considerably stronger than the direct effect.

The disapproval of bodily differentness is perhaps most clearly expressed when our informants talk about their meetings with different parts of the medical apparatus. It seems that the medical system in Romania operates a strict boundary between normality and abnormality, and that being normal (in the medical sense) is so important that not meeting the requirements of normality is disapproved. Medical services have hegemony when it comes to defining and constructing normality, and the norm of normality thus dominates the prevailing cultural attitudes towards disability.

The medical apparatus constitutes an institution as defined by institutional ethnography. When for example health care is regarded as an institution, says Devault and McCoy (2006: 17): "What comes into view is a vast nexus of coordinated work process and courses of action - in sites as diverse as hospitals, homes, doctor's offices, community clinics, elementary schools, work places, pharmacies, (...) government ministries and departments, mass media and medical and nursing schools". This means that the disapproval of differentness may have made its mark on most institutional encounters described by our interviewees. It might explain the described attitudes of institutional representatives in all from town hall to employment offices, and the perceptible unwillingness to provide ample information on rights and opportunities. It might explain the barriers to mainstream education, at all levels, which we know is of great importance for future possibilities in the labor market. It might also shed light on the narratives about how even families are marked by the stigma attached to disability, which may affect the support that families are able to provide to their disabled member. Finally, it might explain the hesitation felt in social encounters with people in general, that often limits disabled people’s access to social relationships, partnerships, communities and networks.

This explanation, based on disapproval of differentness, brings into light the *disabling role of the cultural capital*, unifying two underlying theories:

1. institutionalization of cultural capital through the widely shared high-status cultural signals that are used for social and cultural exclusion (Lamont and Lareau, 1998), allowing the dominant status groups or social classes to use their power to maintain and create structural conditions to protect their own interests (De Graaf et al, 2000);
the process of disablement, envisioned by the social model of disability, resulted from the interaction of the people with impairments with the barriers in the social and built environment that exclude them from full participation (Oliver, 2009).

Thus, in a certain cultural arrangement, a whole person can be seen as different (actually meaning less deserving) because he/she does not fill all the requirements established by the others as compatible with normality (the ruling model of the prevailing culture). The process of culturalization becomes, in this case, a process of disablement for that person, at the end of the process, the person becoming disabled (not fitting), and all unfulfilled criteria being regarded as disabilities (see the figure above). By the time the process is completed, the social identity of that person has become spoiled, and the subject “stands a discredited person facing an unaccepting world” (Goffman, 1986, p. 19).

There may be some policy implications deriving from the ‘problematic’ discussed above: The pervasive disapproval of bodily differentness can be difficult to identify in everyday life, simply because it is pervasive. It may be experienced by disabled people as an indefinable “fault line” (Smith 1990), but it works as structural discrimination in that it affects everything that concerns disabled people’s opportunity in society. It is this structural discrimination that determines and upholds other forms of discrimination and is the most important form of discrimination to challenge. However, it is probably impossible to overcome the structural discrimination and the cultural attitudes in which they are rooted as long as all other discrimination forms remain. It is probably necessary to begin with a strong enforcement of the protection against discrimination already enshrined in Romanian law. A virtual removal of discriminatory practices is probably the only way to make the strong cultural resentment towards disability and bodily differentness to actually diminish.

Getting and keeping gainful employment is the safest way to economic freedom, as it not only pays off more than welfare benefits, but also keeps up the possibility of advancement. Moreover, some theorists (Argyle, 1989; Lane, 1998) see job satisfaction as one of the most important predictors of overall well-being of a person, not only because of direct relations between the job and the generated income (Easterlin, 1995), but also because occupation is one of the main factors used in evaluating a person’s social status (Hollingshead, 2011).

For the society as a whole, high employment is double gain as it not only increases public income through taxation, but also reduces public spending on welfare benefits. It is therefore difficult to understand why so little energy is vested in removing barriers and assisting disabled people in finding employment.

### 7.6. Some possible solutions for achieving a higher employment rate of disabled persons

From the analysis and interpretation of the interviews with the disabled persons, some possible solutions arise, based on their needs of assistance in accessing the labour market:

- Provision of adapted services – the key in reducing discrimination and increasing social and professional integration for the disabled

In the very tangible context of limited resources, the public policy has first to sort out the main dilemma of the right balance between benefits and services for the disabled person.
While it is obvious that some kind of financial help is necessary for those not managing to cover their most basic needs because of the impairment that hinders employability, at the same time, the services provided to this category (disabled persons) appear as crucial for their social integration.

The idea of compensating the impairment by providing adapted support seems not only fairer in philosophy, but also more efficient in practice.

While the financial compensations, currently provided, focus the main effort on the disabled person herself (transmitting the message „the state gives you this amount to manage, so the state has done its duty to you”), the adapted services would show more clearly the commitment of the public services to supporting the disabled person through the process of social and professional integration. Such approach would generate a true partnership between the provider and the recipient, allowing them sharing the workload and, at the same time transmitting the message „I am right here, beside you, supporting you through the process”.

At the same time, the work colleagues and the employers, being exposed to a pro-active, supporting model, would not only reduce their discriminative behavior (based on incomprehensible principles for sharing limited financial resources), but could also assimilate this working model, transforming it into a practice of their own. It is much easier for the members of the community to understand why someone receives specialized services, adapted to his/her needs, than the equalization of these needs with financial benefits.

The need for support services is wide, covering various areas – from information and counseling to assisted employment, guidance and representation.

Moreover, the void caused by the disappearance of the Territorial Inspectorates for the Disabled Persons, followed by the re-allocation of responsibilities among different national, county and local institutions, has created a general confusion among the disabled persons about the public body that would be the most competent on disability issues. Basically, in the current context, the disabled person that would like to address a more complex request to an institution protecting her rights, would be fund wondering among different institutions, possibly without any of them assuming responsibility in addressing a matter which is not lawfully and specifically theirs.

It is clear, thus, that the need of an institution that addresses in a centralized manner the issues of disability and the protection of the disabled persons’ rights is felt among the informants. Such institution could be the solution for increasing the focus on services, rather than on benefits. Ideally, this institution:

- would have specialized employees, trained in dealing and communicating with disabled persons,
- would address a wide area of problematics (education, social inclusion, employment, health, discrimination etc.), having a comprehensive understanding of both the principles of the legislation, but also of the mechanisms of applying it,
- would act as an interface between the service providers and the end user (disabled persons), referring them to one another and mediating their relations,
- would be in contact both with nongovernmental organizations representing the disabled and with main legislative bodies, having the capacity to design and promote, on its own, law changes necessary to increase the quality of services provided for the disabled.

Focus on the quality of services provided – ensuring equality on the long-term

Because disadvantages tend to accumulate during the life-course of an individual and predispose that individual to receiving low quality services, that will further contribute to increasing the social disadvantage, increasing the quality of services seems like the most logical step to take, in order to ensure reaching the objective of equality, on a long run.

The main problem, though, is that quality is sometimes such a subjective element that is very difficult to be measured. This is the main reason why a system of quality management and
control for the services provided to disadvantaged categories should be put in place and made operational.

It could seem a paradox to tackle the effects of bureaucracy (one major factor in generating discrimination, from the perspective of some authors) with new regulations and norms, but it is essential, for the elimination of discriminatory practices, to reduce the level of subjectivity as much as possible, in administrative decision-making.

Such a system, focusing more on the ability of a person, rather than her impairment or disability, facilitating decision-making based on objective criteria, rather than on subjective ones, would allow eliminating the „human error” in evaluating the competences of a person or her need for adapted services.

- More empowered and better informed beneficiaries
  The paradigm of the specialist deciding what would be “good” and what would be “bad” for a disabled person, or even worse, what the disabled person “can do” and what he/she “cannot do” seems to be in an urgent need for a replacement, since it allows for biased decision making, discriminatory practice and disabilitating judgements. Instead, the disabled individual himself should be the one who decides what services he needs and for what purpose. Of course, such an approach would require better informed beneficiaries, which know their rights and are willing to act upon them, that understand the term not only through a financially oriented perspective, but in a broader sense, involving participation in the community life and development through and with the community itself.

### 7.7. Research questions for the next research phase

The next research phase will take its point of departure in the ‘problematics’ revealed from the experiences of vulnerable populations (first hand informants) and the institutional relations underpinning them, as outlined in the current research report. By approaching the institutions, organizations, employers and professionals involved, the next research phase aims at investigating how the problematic features and mechanisms revealed in the current report are produced and maintained.

Based on the findings of the current research stage, the clarification of the following research questions appear to be important for the next phase of the investigation:

- how do the everyday experiences of disabled persons are connected to institutional relations, hence how ruling relations intervene with or form their everyday experiences of approaching the labor market?
- are there any structural obstacles impeding the inclusion of disabled persons on the labor market?
- how do the institutional mechanisms and steering relations underpinning the difficulties experienced by disabled persons work?
- how work (in a broad sense) and work processes are coordinated by texts and discourses?
- how and why do the barriers and obstacles accounted by the interviewees appear in the work processes of institutions and institutional action?

Thus, in the next research phase, the interviews with the relevant actors will be focused mainly on: processes, texts, discourse and the congruence between them.

The relevant actors will be selected among the representatives of organizations and institutions from the following fields: education, medical system, employment services providers, employers, social services providers, policy makers, and spokesmen on behalf of the disabled persons (representative «voices»).
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1. Conceptual framework of the semi-structured interviews

A. about their experiences in accessing employment

**Current position on the labor market**

- Active on the labor market
  - Form and content of the job /work:
    - Employed with/ without contract / self-employed
    - Duration of employment (since when?)
    - Occupation and place of work
    - Type of work, job description
    - Working conditions
    - Satisfaction with current employment
    - Detailed description about the experience of accessing the current job

**Mapping:**
- Actors: who were involved
- Actions/ work sequences, who did what and how
- Textual sequences, relations between texts, textual practices

**Processing of previous experience:**
- If you have to go through this process again, is there something you would do different?
- Is there something that others should have done differently?
- What do you think would have helped you to get into the labor market?

**Inactive on the labor market**

- Strategies used to tackle lack of income:
  - Current sources of income
  - Current activities (outside the job market)
  - Most recent experience in accessing a job (detailed account)

**Mapping:**
- Actors: who were involved
- Actions/ work sequences, who did what and how
- Textual sequences, relations between texts, textual practices

**Processing of previous experience:**
- If you have to go through this process again, is there something you would do different?
- Is there something that others should have done differently?
- What do you think is the biggest challenge you have to face and overcome in order to get into the labor market?
B: Information that describe the past experience and present status of the subject from four main perspectives (education, employment, housing/living conditions and discrimination)

- **Education**
  - Present status – educational attainment level and qualifications obtained
  - Past experience – short overview of educational trail and qualification courses

- **Employment**
  - Present status – described in Part A of the interview
  - Past experience – detailed description of previous interactions with employment agencies:
    - Who initiated the contact? How? Where?
    - Was a specific person appointed for case management? Who?
    - Were specific procedures used? What procedures? How much time did they last?
    - Were specific forms filled? What forms?
    - What was the outcome? Did it have any sustainability?

- **Discrimination**
  - Present status – Does the subject feel that she/he is currently discriminated? Why? How? By whom? What did she / he do about it?
  - Past experience – Has the subject previously felt discriminated? Why? How often? By whom? What did she / he do about it?

- **Living conditions / Housing**
  - Present status – current housing / living conditions
  - Past experience – short overview of previous housing / living conditions
C: Perceptions about the specific vulnerability – projections on oneself and on peers

Perceptions and projections regarding the specific vulnerability

On oneself

Why do you think it was/is difficult for you to find a suitable job?
(Consider the influences of all the systems that interact around you - professionals, employers, family/community)

What are the barriers that you faced during the process of professional insertion?
(Consider the influences of all potential barriers - attitudinal, physical, economical, legal, social/families obligations/responsibilities, traditional customs/norms, fear of losing social benefits, educational system-segregation)

How well do you consider you know your rights?
(labor rights/benefits/services/assistance)
Please elaborate on some examples

Where do you see yourself in one year?
What do you think you are doing next year?
Where would you like to be?

On peers

Why do you think it is difficult for someone in your position to find a suitable job?
(Consider the influences of all the systems that interact around her/him - professionals, employers, family/community)

What are the barriers that someone in your position faces during the process of professional insertion?
(Consider the influences of all potential barriers - attitudinal, physical, economical, legal, social/families obligations/responsibilities, traditional customs/norms, fear of losing social benefits, educational system-segregation)

How much do you consider someone in your position knows about his/her rights?
(labor rights/benefits/services/assistance)

How do you see the future of persons with the same condition like yours?
What do you think will be the progress on answering their needs?
What kind of future progress you would like to see?
2. The provisional structure of the interviews used in our research:

- Introduce yourself
- Connection to labor market/ current situation/ what is your occupation, do you work? What kind of work? If not, how do you manage? Are you satisfied with your work?
- Retrospect, how long, when did you start, if not, have you tried to get a job, who have you been in contact with, when, how, life story from the beginning, education, qualifications
- As close as possible to present time; the most recent experience with an employment agency (elaborate), how did they respond, what did you do, how did you contact them, where you contacted etc., did you fill out any forms, have you been in contact with xx, duration of the procedures
- Why do you think it is difficult for you to find a suitable job? Elaborate (professionals, employers, family/ community)
  - Barriers: organizational, attitudinal, physical, economical, legal, social/ families obligations/ responsibilities, traditional customs/ norms, fear of losing social benefits, educational system (segregation)
- Mapping:
  - Actors: who were involved, draw maps with them, ask questions based on the maps
  - Actions/ work sequences, who did what and how
  - Textual sequences, relations between texts, textual practices
- For employed: What are the working conditions?
- Knowledge on labor rights/ benefits/ services/ assistance
- If you have to go through this process again, is there something you would do different? Is there something that others should have done differently? What do you think would have helped you to get into the labor market?
- Where do you see yourself in one year? What do you think you are doing next year? Where would you like to be?