

Disability and work inclusion in Italy: between unfulfilled promises and new disability culture

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This article outlines the existing provisions in Italy for inclusion in workplaces for persons with disabilities. It reports available statistics on the numbers of persons with disabilities in paid employment by sector, those seeking work and drawing pensions and those employed according to educational qualification. It considers the different channels, both formal and informal, through which persons with disabilities are able to gain access to paid employment and the concrete effects of Law 68/1999 on access to work and *collocamento mirato* (targeted work placement). One of the problems with the Italian legislation on compulsory work placement of disabled persons is that it applies only to employers who have at least 15 employees, whereas the vast majority of employers in Italy have fewer than 10. Lastly, the article reflects on the current situation and the challenges posed by new ways of conceiving of disability and of work. Work needs to be understood not simply as an occupation or position for which one receives payment but as a set of social relations between people, which has value in itself.

Keywords: disability; work inclusion; employment; statistics; *collocamento mirato*

Introduction

In Italy, with the current economic crisis, it is not easy for anyone to find a job. It is even more difficult for persons with disabilities. According to Eurobarometer data, in 2009, 41% of Italians believed that the crisis had contributed to an increase in discrimination against persons with disabilities in the labour market (EC 2009). Three years later, this opinion was shared by 54% of the population (EC 2012). A recent empirical study showed that, in Italy, 40.6% of persons with disabilities perceive some form of discrimination during their job search, and about 38% experience it in their workplace as well (Tuorto 2013). The European Court of Justice reprimanded Italy for not implementing the stipulations of article 5 of the European Council's Directive 2000/78/CE, concerning equality of treatment with regard to the employment and working conditions of persons with disabilities.¹ A comparative study conducted in 2007 among the countries of the Organization for Economic Cooperation and Development (OECD) demonstrated that policies for integration into the labour market in Italy were still relatively underdeveloped compared with those of other countries, while compensatory measures proved to be decidedly more robust (OECD 2010).

In this article I outline the current state of affairs of integration of persons with disabilities into the labour market in Italy. First, I touch on how policies for integration into the workforce

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have evolved in the European Union and in Italy. After that, I focus my attention on some of the outcomes of the Italian legislation for targeted work placement (Law 68/1999), supplying relevant data. Finally, in light of these outcomes, I sketch out the present challenges, the advantages stemming from integration into the workforce, and the sociocultural changes that this integration entails.

Disability and work: the evolution of welfare policy in Europe and in Italy

Hannah Arendt noted in *The Human Condition*: ‘The moment we want to say *who* somebody is, our very vocabulary leads us astray into saying *what* he is’ (1958, 181, emphasis in the original). That is to say: we understand who we are by observing ourselves in action. Roles at work, therefore, are still important today for structuring and defining our social identity. This is especially true in Italy, where social life is founded upon work, which is considered by the Constitution as the right and the duty to ‘conduct, according to one’s opportunities and one’s choices, an activity or function that contributes to the material or spiritual development of society’ (Art. 4). Indeed, the majority of social rights under the Italian welfare system are recognised for citizens in their capacity as working individuals.

The relationship between persons with disabilities and the world of work is deeply problematic. On the one hand, physical ableness, as an institutionalised requisite for entry into the workforce, has severely limited and often completely prevented people with disabilities from participating in other realms of social life as well. On the other hand, new technologies, and above all a different conception of disability, like the one proposed by the social model of disability – which locates the reasons for exclusion in the way in which society is organised (see, among other works, Barnes, Mercer, and Shakespeare 1999; Oliver 2009) – have driven the evolution of social policies, pushing integration into the labour force onto government agendas.

The different forms of policy regarding disability that exist at the international level, encouraged by the economic and social changes under way, are converging towards the same goal: to transform social protection benefits into active support measures to incentivise the integration of persons with disabilities into the labour force (OECD 2010). The crisis of welfare systems has also contributed to this phenomenon. In times of economic growth these systems have sufficient resources at their disposal to guarantee an alternative source of income for those who are not part of the labour market. But when the resources for monetary support are lacking or run out, the endurance of these systems depends on participation in the labour market. This holds true for persons with disabilities, too. Not by chance, the *New Deal for Disabled People* (NDDP), originally introduced by Tony Blair, had as its slogan ‘Work for those who can, security for those who can’t’. In fact, the NDDP demonstrated its efficacy by increasing employment among persons with disabilities, thus diminishing their dependence on welfare services. Furthermore, the reduction of state expenditure on social protection benefits was not detrimental to the economic conditions of beneficiaries, which, on the average, improved (Stafford et al. 2007).

Not just in the United Kingdom, but internationally, strategies that aim at an increase in participation in the job market are preferred to recourse to social services. The *European Disability Strategy 2010–2020* (EC 2010, 4), prepared by the European Commission, affirms that ‘the overall aim of this Strategy is to empower people with disabilities so that they can enjoy their full rights, and benefit fully from participating in society and in the European economy, notably through the Single market’. Among the areas of action targeted by this 10-year strategy

is, of course, employment.² The goal in this sphere is to ‘enable many more people with disabilities to earn their living on the open labour market’ (EC 2010, 7).

The basic idea is that the improvement of economic conditions of persons with disabilities depends on their increased participation in the labour market (and not just in protected work environments) and in the market of goods and services. New intervention strategies are gaining currency, such as so-called *flexicurity* (Demetrula Rosati 2011), which, unlike the situation in the past, allows for the combination of certain social services with paid work to incentivise the participation of persons with disabilities in the labour market and to reduce their dependence on the welfare system.

Despite some uncertainties (Patrick 2011), this prospect offers certain advantages. The *European Disability Strategy* also identifies the need to improve the approach with which the European Union, for a long time, has confronted the issue of work for persons with disabilities. This was an approach developed with the goal of compensation in mind, based on the guarantee of ‘protected employment’ in a laboratory or a professional training centre rather than participation in the broader labour market. Is this the right way to think about this issue? To respond to this question, let us consider what the effects have been of policies implemented in Italy regarding integration of persons with disabilities into the labour force, and in particular those of Law 68/1999.

Disability and employment in Italy

In Italy, the sources of data relevant to the working conditions of persons with disabilities have some limitations, as demonstrated in the *Programma di azione biennale per la promozione dei diritti e l'integrazione delle persone con disabilità* (Two-year action programme for the promotion of the rights and integration of persons with disabilities; see Osservatorio Nazionale sulle condizioni delle persone con disabilità [2013]). Specifically, the document points out the failure to combine the data used by public administrations with other statistical data. Furthermore, data on the employment status of persons with disabilities are not recorded with the same frequency and cyclical schedule as the data for the ordinary labour market. The information base necessary for the drafting of policies to intervene in this field is therefore inadequate.

In Italy, from 2004 and 2005, persons of working age (15–64) who lived with their families and who identified as ‘disabled’ numbered 449,000, equal to 1.86% of the working population.³ Another source of data, the Ispol PLUS study from 2008, which also used a self-assessed definition, estimated that about 700,000 people of working age (15–64) had disabilities. The employed portion of the population that fell into this category was 58%, compared with a rate of 70.2% of the total Italian population.⁴ The percentage of persons looking for a job among the disabled is more than two percentage points greater than that of the general population (11.6% vs. 9.4%). More than a quarter of persons with disabilities (26.4%) receive pensions (pensions from jobs and pensions for disability) compared with 8.4% of the Italian population as a whole (see Figure 1).

Difficulties regarding access to employment also depend on the varying levels of education of those in the working population. Persons with disabilities with a high school diploma make up 34.5% compared with 43.5% of the entirety of the population who are of working age, while university graduates are 5% compared with 12.1% (see Figure 2).

Although a discrepancy persists in levels of education, younger generations have benefited from the effects of policies for educational integration carried out in Italy in the last two decades. We need only consider that in 1999, 33.1% of persons with disabilities (aged 15 and older) had not gained any level of educational certificate, while only 4.9% of persons without disabilities found themselves in the same situation. A few years later, in 2004–2005, the percentage of

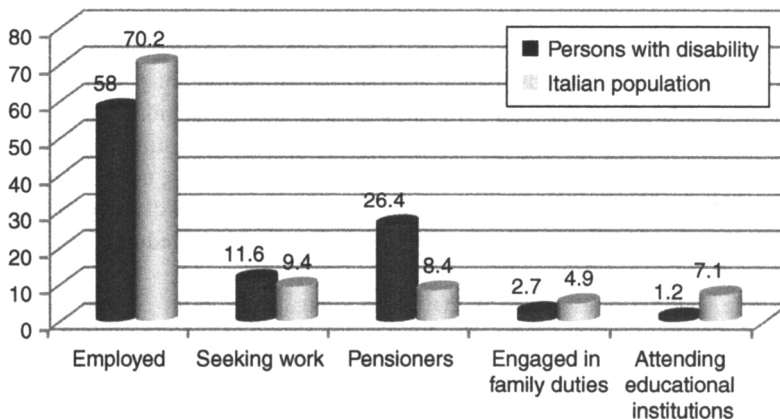


Figure 1. Percentage distribution by occupational condition of persons with disability and Italian population of working age (15–64). Source: Isfol-PLUS (2008), in MLPS (2012), 80.

people with no diploma fell to 20.9%, while the figure increased for those who had elementary and middle school diplomas (from 56.5% to 68.7%). In the same span of time, the percentage of those who possessed a high school diploma and a college degree remained stable (10.4%).⁵ While not directly comparable to data from Istat, the information in Figure 2 demonstrates an increasing trend in the level of education of persons with disabilities. From 2001 to 2010, the number of students with disabilities enrolled in Italian universities also increased, growing from about 4800 to more than 13,000. Without a doubt, much has been done in Italy with regard to educational integration. Nevertheless, these policies will have to be even more effective in the future, if it is true – according to estimates from the European Union – that in the medium term 12 million relatively unskilled jobs will disappear while more than 19 million jobs requiring higher levels of education will be created (NESSE 2012).

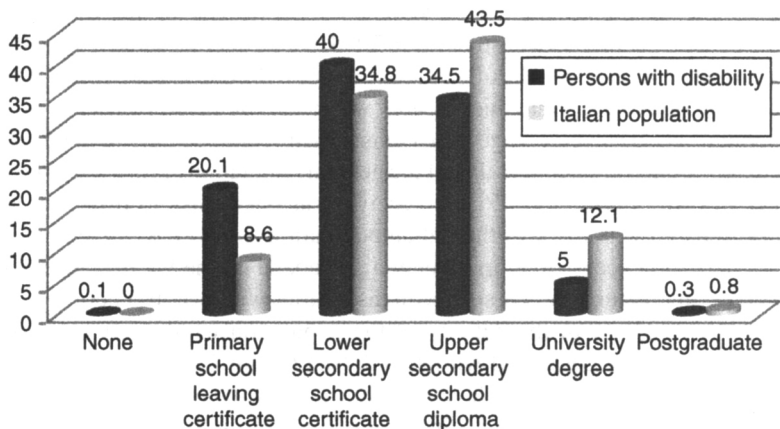


Figure 2. Percentage distribution of persons with disability and Italian population of working age (15–64) by highest educational level attained. Source: Isfol-PLUS (2008), in MLPS (2012), 79.

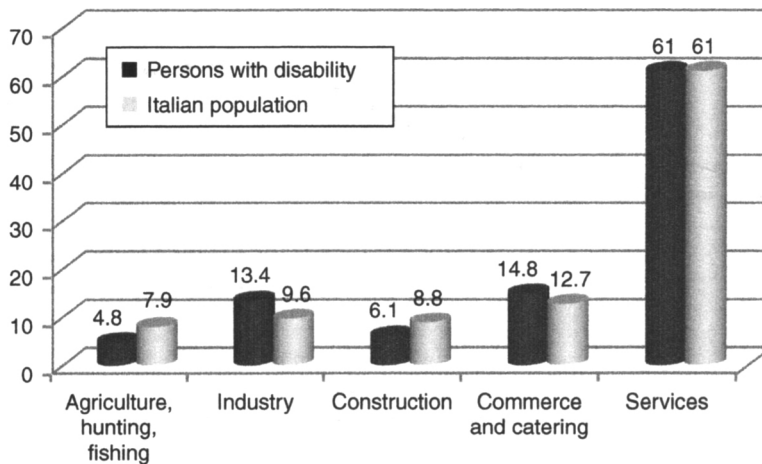


Figure 3. Percentage distribution of persons with disability and Italian population by sector of employment.

Source: Isfol-PLUS (2008), in MLPS (2012), 81.

People with disabilities are employed predominantly in the service sector (61% a percentage which corresponds to that of the Italian population in its entirety). Following those in service jobs are those who work in commercial and food service jobs (14.8%) and industry (13.4%), with percentages slightly higher than those of the general population (Figure 3).

The unfulfilled promises of targeted work placement: an analysis of the effects of Law 68/1999

Now let us take a closer look at some of the effects of Law 68/1999, with which Italy promoted the right to work of persons with disabilities.⁶ Put very briefly, the legislation called for public institutions and private companies, with at least 15 employees, to begin the integration of persons with disabilities enrolled on dedicated lists at the Centri provinciali per l'impiego (CPI), the job centres at province level. The means by which this integration is carried out varies.

Persons with disabilities enrolled on the provincial lists (Figure 4, single dotted line) are progressively growing: in 2001 there were 464,405, while in 2011 there were about 644,000 (51.2% of whom lived in the mainland South or in Sicily and Sardinia). Between 2001 and 2010, the percentage of persons with disabilities as part of the working population increased, from 1.95% in 2001 to 3.03% in 2010.⁷ This increase must be attributed primarily to the law gradually taking effect, particularly in the South and the two islands. Indeed, between 2003 and 2008, the percentage of provinces in which Provincial Technical Committees were established rose from 80.9% to 94.5%, while Occupational Health Commissions grew from 400 in 2004 to 663 in 2008 (MLPS 2006, 2008, 2010). At the same time, the number of CPI not accessible to disabled people decreased (from 45% in 2002 to 25.1% in 2008). Starting in 2006, the yearly number of persons with disabilities newly enrolled on the lists (Figure 4, double dotted line) rose to 99,515 in 2008, falling to just under 68,000 (an underestimate) in 2011.

Law 68/1999 does not apply to all persons with disabilities in the working population, but rather only to some specific categories defined on the basis of administrative criteria, such as civil disabled, industrially disabled, and service disabled, or with regard to specific sensory

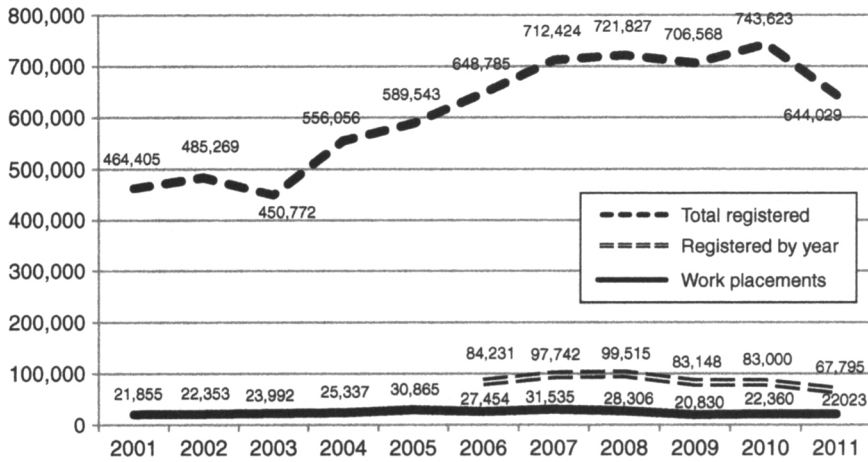


Figure 4. Numbers of persons with disability registered on job centre lists (total on lists, by year, by work placements).
 Source: Ministero del Lavoro, Relazione sullo stato di attuazione della legge 68/1999 – various years).

limitations (the blind and the deaf).⁸ The law institutionalises a differentiated treatment for the various categories of persons with disabilities, who access compulsory work placement on the basis of different levels of disability (45% in the case of civil disabled versus 33% in the case of the industrially disabled). According to some, this establishes a problem of discrimination between these categories of persons with disabilities (Angeloni 2010). In 2010, nearly the entirety of those enrolled on the lists for compulsory employment (about 705,000 people) were civil disabled (95.3%), followed by industrially disabled (2.4%), deaf persons (1.3%), service disabled (0.8%), and finally blind persons (0.2%). Such a classification proves to be of little use for understanding the difficulties that persons with different types of disability encounter in finding work, given that blind and deaf persons are also present in those other categories of disability.

An initial indication of the impact that Law 68/1999 had in helping persons with disabilities enter the world of work can be observed from the data explaining the different conduits through which persons with disabilities found their current jobs (Figure 5). The CPI played an important role for persons with disabilities: 10.1% found jobs thanks to them. Their assistance was far more meaningful for persons with disabilities in comparison with its relative insignificance for the population in general (2.6%). Without their operation, persons with disabilities would have had fewer employment opportunities. Nevertheless, the strategies much more commonly utilized by persons with disabilities are the same as those used by others. First among these are the networks of connections formed by friends, relatives and acquaintances. Among persons with disabilities, 32.9% made use of these networks, a proportion analogous to that of the broader population. Next are open competitive exams (22.7% vs. 18.5%), starting one’s own venture (13.8% vs. 9.9%), and self-candidatures (12.6% vs. 16.5%). Especially notable is the greater propensity of persons with disabilities to start their own independent businesses (the *European Disability Strategy* talks about self-employment). This is a phenomenon that future strategies will exploit in a positive way.

Job placements (Figure 6, solid line) grew progressively from 2001 to 2007, when they reached 31,535 before falling with the start of the economic crisis in 2008, and in even more drastic fashion

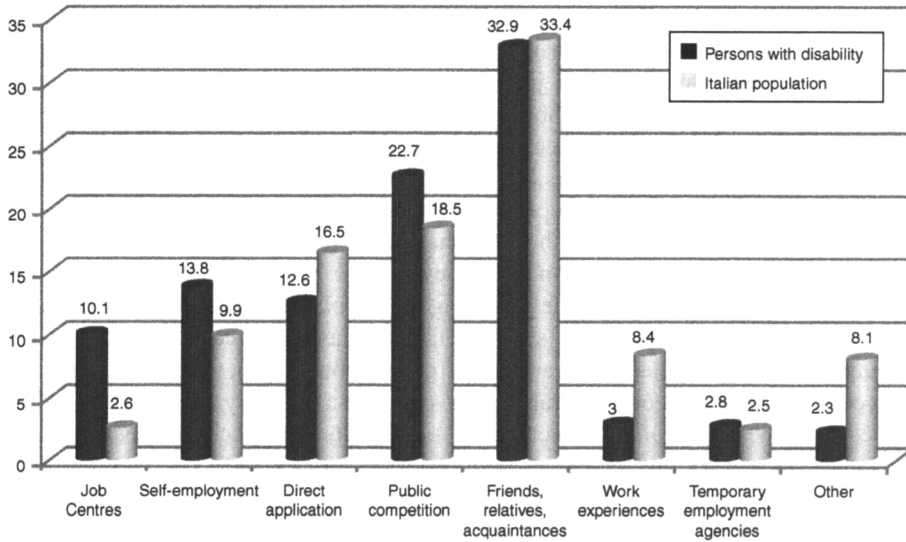


Figure 5. Percentage distribution of persons with disability and Italian population in employment by channel of access to work.

Source: Isfol-PLUS (2008), in MLPS (2012), 83.

in 2009, hitting a low point (20,830) and reaching between 21,000 and 22,000 between 2010 and 2012. Comparing the number of persons with disabilities in the various administrative categories of disability who were placed in jobs in 2010 with the number of those who enrolled that same year on the lists for compulsory work placement, the highest percentage of those who were placed in jobs is found among the civil disabled (27.6%) and the blind (27.1%), followed by the industrially disabled (18.3%) and the deaf (14.7%). Blind persons possess a significantly greater potential for employment compared with industrially disabled and deaf persons. One can speculate that, despite the technological innovations introduced into work environments, the daily activities of call centre operators offer more opportunities for employment for this group of people.

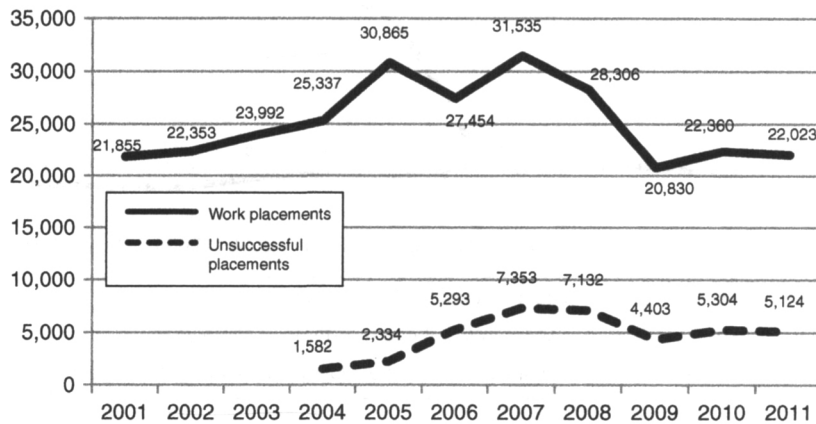


Figure 6. Work placements of persons with disability registered with job centres and unsuccessful placements.

Source: Ministero del Lavoro, Relazione sullo stato di attuazione della legge 68/1999 – various years).

It is not enough to achieve job placements; it is necessary that these placements last over time. In technical jargon, job placements that do not end well are known as ‘resolutions’ (failures). Persons who have left their jobs after having been placed in them have gradually increased, reaching their greatest numbers in 2007 and 2008 (Figure 6, dotted line). These figures decreased in 2009, probably because of the crisis, which also reduced the number of placements, which in the last two years has settled to around 5000 overall.

In quantitative terms, the current scope of this legislation is not capable of accommodating the gradual expansion of the lists, seeing that persons with disabilities who are placed in jobs are fewer in number than those who enrol on the lists every year. We can see this by looking at a few concise indicators (Figure 7), such as the percentage of job placements out of the total number of persons enrolled on the lists of the CPI (solid line), which has not exceeded 5.4%; or placements as a percentage of new enrollees on a yearly basis (double dotted line), which, despite recovering in recent years, has never exceeded the ratio of one placement for every three enrollees. The single dotted line shows the course of the percentage of ‘resolutions’ that occur in the same year as the job placement. Since 2007, this figure has oscillated between 21% and 25%. This tells us that, in the last few years, one placement in every four has ended unfavourably.

Therefore, in spite of the coverage of all available employment opportunities being guaranteed, the number of disabled persons who are unable to find employment remains high. What about their right to work? Their inclusion in society begins and ends in the lists of the CPI. So where is the effectiveness?

The data I have presented so far provide a starting point for a number of considerations.

1. We must begin from an important fact: the composition of the Italian industrial fabric consists predominantly of small and medium-sized businesses. Just over 4.5 million businesses were operating in 2008, 95% of which had fewer than 10 employees. The legislation for targeted

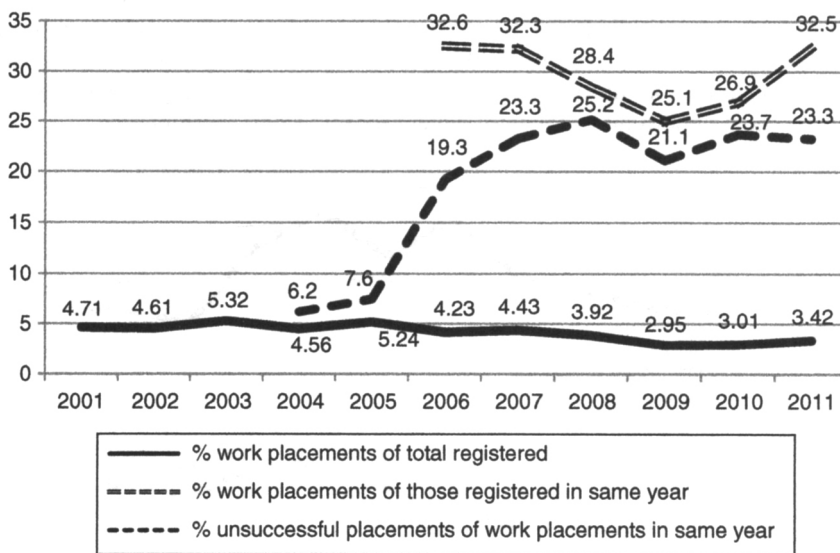


Figure 7. Percentage of placements at work under Law 68/1999 of persons with disability registered with job centres (% of total registered, of those registered in the same year and of unsuccessful placements in the same year).

Source: Ministero del Lavoro, Relazione sullo stato di attuazione della legge 68/1999 – various years).

work placement does not apply to these businesses. If they decide to hire persons with disabilities, it is done on a voluntary basis. An interesting data point is the percentage of persons with disabilities placed in companies not obligated to hire them (that is, those companies with fewer than 15 employees). After the peak of 2007, when there were about 3300 job placements, and the trough of 2009 (1985 placements), there was a significant recovery (2449 placements in 2010, and 2641 in 2011).

2. In the implementation of this legislation, there has been a continued preference to put emphasis on the obligation to hire and on economic incentives, which contribute to furthering a welfare-like conception of disability. More specifically, this figures as a policy characterised by a mix of indemnifying measures (the incentives represent a kind of ‘compensation’ because the businesses have taken on a ‘social expense’) and forms of systematic inclusion.

Given the paltry amount, many employers prefer to incur the financial penalty rather than provide for the job placement of persons with disabilities. Even recourse to legally established conventions works both ways.⁹ On one hand, since conventions are reciprocal agreements between two parties that establish a personalised track for employment, one that takes account of a multitude of factors and not just of the so-called ‘residual abilities’ and tasks of the job, they are potentially very effective measures. On the other hand, however, conventions can be used to the advantage of the more powerful party, which, in this case, is the employer. The legislation has given rise to various legal arguments between employers, who have claimed that workers with disabilities cannot be placed in their companies, and the workers themselves. Most of the rulings in these cases tends to minimize the responsibility of the employers, who are asked to search, within the company, for tasks that are compatible with the abilities of the worker, but not to modify the company’s organisational structure itself (Angeloni 2010).

3. Until now, one of the problems that have limited the number of opportunities for the integration of persons with disabilities into the workforce has been their low level of education. However, the more integration in education is achieved, the more the number of persons with disabilities with educational qualifications will rise, changing their expectations about insertion into the labour market as well, with paradoxical consequences. The greater the level of educational integration, the more likely it is that problems of social exclusion will intensify for persons with disabilities and, along with these problems, their sense of frustration because of a promise of participation in social life that, most likely, will remain unfulfilled in reality.

Policies for labour integration, analogously to policies of educational integration, should, in principle, act not only on the individual but also on the relational context in which the individual may be placed. This is at the foundation of the concept of ‘targeted work placement’, found in Article 2 of Law 68/1999, which establishes that alongside the evaluation of the working capabilities of a disabled person, an analysis be conducted of places of work, forms of support, positive actions and solutions to problems connected to work environments, and the means and characteristics of interpersonal relations in the workplace, in order to find a ‘suitable job’. These indications are important because they demonstrate the intent to consider the social implications of work and not to think of it as a mere economic service. Indeed, the principle of targeted work placement can be likened to that of ‘reasonable accommodation’, provided for by Article 27 (i) of the CRPD, which identifies the modifications and adjustments necessary to guarantee persons with disabilities the enjoyment and exercise of all human rights and fundamental liberties on the basis of equality with other individuals.¹⁰

Structural and cultural constraints push the complex system of institutional relations created by Law 68/1999 towards methods of application in which the objective of job placement of persons with disabilities is pursued, according to a logic of pure adaptation, in a way that

overlooks their personal characteristics. The matching that occurs between the person who is looking for a job and the job itself is reduced to a comparison between the person's working capabilities and the tasks required to perform a specific working role. Sometimes not even an educational qualification is taken into consideration, because the positions that are made available to persons with disabilities require little skill, little enough not to require high levels of education, and because if one takes into consideration the level of education a person has achieved the task of finding a suitable job can become more difficult and in some cases impossible. The crisis of the last two years has aggravated this situation.

Work and the new culture of disability

Laws are not enough to change a mentality that is deeply rooted in many people. Even when they are enforced, it takes time for common social portrayals and widely held assumptions to fade away. We have been aware for some time that the Italian welfare state is not able to limit the risk of social exclusion to which different groups of people are exposed, because of assumptions that are generally not included in the rights of citizenship, and which are rooted in custom, in laws and in the conventions of society. If in the past we worried about the 'limited' citizenship of women, the citizenship 'denied' to minors or that 'hoped for' by immigrants (Sgritta 1993), today we must emphasise that the citizenship of persons with disabilities must be real and not just 'guaranteed on paper'.

Without a doubt, Law 68/1999 introduced significant changes. Alongside legislative obligations and economic incentives, which are common tools employed by compensatory welfare measures, it calls for means that are based on consensus, on reciprocity. These measures, however, are not able to fulfil all of their potential because the sociocultural climate is not yet ready for them. From here stems the need to come up with new strategies. For many people, when they think of disability, they imagine persons whose physical disablement has also taken away other characteristics that distinguish human beings: desire, aspiration, motivation and the assumption of responsibility and risk. For this reason, they assume that persons with disabilities are not capable of acting in an enterprising way. They do not consider the possibility that the measures and structures that currently exist could be used to promote the entrepreneurial potential of disabled persons.

In other words, how can we make a greater number of businesses with fewer than 15 employees take into consideration the possibility of hiring persons with disabilities? This cannot be achieved by legal obligations alone. One also needs to demonstrate that persons with disabilities can work and, as the Italian Constitution affirms, conduct, according to their opportunities and their choices, an activity or function that contributes to the material or spiritual development of society. This requires a new concept of work, one that is not imposed by decree, but which spreads and gets stronger through the force of human experience. There is an urgent need for cultural change; that is, a new way of looking at disability – a change that concerns everyone, able and disabled. How can this transformation occur? In what setting can it be supported and facilitated?

A new conception of work could nourish the new culture of disability that is needed. The changes under way demonstrate that work is not just a service, an asset that can be exchanged to obtain the economic means required to support oneself and one's family. Work is not just a right that the political administrative system must guarantee, particularly for persons with disabilities, even with the introduction of new rules like 'reasonable accommodation' or 'targeted work placement'. Let us be clear: these are significant aspects of the working experience, but they risk becoming dead letters if they are not supported by an appropriate culture.

From our sociological perspective, disability is not just the consequence of a physical disablement of the body; nor is it necessarily the consequence of the way in which society is organised. Disability is an 'emergent' phenomenon in a sociological sense, that is to say one whose distinctive properties emerge only when its different constituent elements are combined. It depends, among other things, on the meaning attributed to the relation between disabled and non-disabled individuals (Ferrucci 2004). In order for work integration to materialise, it is necessary to conceive of and practise work as a relational process that involves persons who produce by means of partnerships and work groups, given that work processes are situated in social spaces that do not involve only single workers and their individual needs for adjustment (Priestley 2003).

That we should think of work as a social relation is not a banal assertion; it has very precise implications. Understanding work as a social relation means that it is 'generated by human beings who seek to fulfil plans for living that entail meaningful relationships in which and through which they can effect social exchanges, to which the realisation of the greatest possible state of well-being (both in material terms and in quality of life) is entrusted' (Donati 2001, 16).

Such an understanding also permits us to imagine and exercise innovative practices of workplace integration. Some have recently been launched as a result of Law 68/1999 (Corbisiero 2013); but in light of what has been said, it is necessary to understand what the factors are that have inspired companies which are not subject to the compulsory employment of persons with disabilities. In that working relationship the objectives are not specified by a legal requirement, so what other factors come into play to cause that relationship to appear? Are specific means or services deployed? Are the standards for conducting these relationships imbued with reciprocity? Are there orientations towards specific sets of values (for example, religious values, or orientations more generally informed by a certain ethical value?)

We can imagine still other forms of workplace integration not provided for by the legislation, like, for example, the use of the approach of diversity management applied to disability. Such an approach 'seeks to teach companies how to value "diversity" in the world of work, demonstrating that a more informed management of human resources creates economic advantages as well' (Angeloni 2010, 189). Another method is the promotion of self-employment and the development of the entrepreneurialism of persons with disabilities. In this case, we are not talking about creating supplementary structures and tools, but rather about making already existing ones accessible to persons with disabilities. This might seem obvious, but it is not. The means and the goals are there, but what is lacking are the appropriate standards among those involved. The rules that currently exist trust exclusively in the symbolic authority of money and of rights, relegating to the margins, if not removing entirely, other forms of social exchange like those based on gift-giving and reciprocity.

The most meaningful experiences of work integration with which I am familiar, like, for example, the Trattoria degli Amici in Rome, which employs persons with learning disabilities, have their *raison d'être* in the freely acknowledged value of the existence of these forms of social exchange, without which life and society would have less human value.

The relationships that are generated in contexts like these are created by the people who work in them and contribute to them, but on the basis of preconditions that do not depend on them and that produce a relational context that goes beyond the individual actors involved. They are indeed work relationships, involving payment, in which each person has their own duties and tasks, but they are relationships qualitatively different from those based predominantly on the economic aspects of work or on the reaching of specific productivity targets. Work is more than that. 'Work is occupation plus a human being who relates to him/herself and others' (Donati 2001, 190–191).

Conclusions

Internationally, policies in favour of the employment of persons with disabilities tend to converge. Measures that actively support the integration of persons with disabilities into the workforce are supplanting the compensatory logic of social protection benefits. In Italy, integrated education policies have contributed to the gradual rise in educational attainment level of persons with disabilities, improving their chances of employment. Nevertheless, the discrepancy with regard to the rest of the Italian population is still undoubtedly significant. Law 68/1999 has had unquestionable value in promoting the right to work of persons with disabilities. The CPI have played a significant role in facilitating the employment of persons with disabilities even if they have proved less effective than other means, such as, for example, informal networks of relatives, friends and acquaintances.

Year after year, the number of persons with disabilities gaining access to work as a result of legislation has always been less than the number of new enrolments on the lists of the CPI. The number has decreased further because of the high incidence of 'resolutions'. The growing number of those enrolled for compulsory placement, therefore, has paradoxically indicated the efficacy of the law in expanding opportunities to work for persons with disabilities and at the same time the limits in guaranteeing them those placements, since this has been achieved only in part.

In my opinion, work integration of persons with disabilities remains an unfulfilled promise for two sets of reasons. First, because the impact of Law 68/1999 is subject to several structural limitations intrinsic to it, namely (1) the fact that it applies only to employers (public and private) with at least 15 employees, when the industrial fabric of Italy consists nearly entirely of small businesses, and (2) differential treatment for different categories of persons with disabilities. Second, the operation of the complex system of institutional relationships created by this legislation is made problematic by the persistence of a compensatory culture. The high number of resolutions of job placements and the difficulty in matching up the needs of workers and employers, which gives rise to legal disputes, demonstrate that the idea of targeted work placement still remains for the most part unrealised. Often the practices of work integration of persons with disabilities repeat a logic of mere adjustment, based on the disability, and overlook the personal characteristics of workers with disabilities.

Still, there are some signs of change. While not quantitatively widespread, job placements in companies that are not obliged to hire persons with disabilities constitute a growing phenomenon that needs to be understood and supported accordingly. For this to be fully achieved it is necessary to move beyond the reductive understanding of work, which identifies it with a 'position', an occupation, in other words 'a status-role that requires the completion of a specific task, for which one is paid according to a principle of exchange'. Understanding work instead as a social relation means deploying certain tools, such as, for example, disability management, in order to 'value' diversity, and creating meaningful relationships that exist beyond the economic dimension of work and that are aimed at the general well-being of those who work together. As well as the fact that work for persons with disabilities is their right and should be beneficial to the economy, I believe that the definitive reason for which the work of persons with disabilities, or rather, work with persons with disabilities, is an advantage for everyone is the value of the social relations that it generates.

Translated by Brian DeGrazia (btd219@nyu.edu)

Notes

1. See Judgment of the Court of Justice of the European Union of 4 July 2013 in *Commission v. Italy*, 'Inadempimento di uno Stato – Direttiva 2000/78/CE – Articolo 5 – Istituzione di un quadro generale

- per la parità di trattamento in materia di occupazione e di condizioni di lavoro – Disabili – Provvedimenti di trasposizione insufficienti.’ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:62011CJ0312:IT:HTML> (last accessed November 23, 2013).
2. The other areas are accessibility, participation, equality, education and training, social protection, health and external action.
 3. These data are collected by the multifaceted study “Condizioni di salute e ricorso ai servizi sanitari” (“Health Conditions and Recourse to Healthcare Services”), by the Istituto Nazionale di Statistica (Istat), which uses a self-assessed definition of disability. Those who are interviewed are considered persons with disabilities who, excluding conditions attributed to temporary limitations, have declared themselves not able to complete usual everyday tasks. Since 2011, Istat has introduced, within its periodic study on the labour market, a section used in the rest of Europe that looks at health problems and functional difficulties that are slightly different from those used in the studies on health and disability. Cf. <http://www.istat.it/it/archivio/89392> (last accessed November 23, 2013).
 4. The study Isfol PLUS – an examination of job offers in Italy conducted on a sample of 40,000 persons between and including the ages of 15 and 64 who live with their families – regards as persons with disabilities those who state that they have a continuing reduction in their independence, or who suffer from a health problem that has lasted more than six months that creates ongoing difficulties for carrying out everyday activities, to the point at which they seek out help from others. For more information on the methodological aspects of this study, see http://www.isfol.it/temi/Lavoro_professionisti/mercato-del-lavoro/plus (last accessed November 23, 2013). The graphics are taken from the Ministero del Lavoro e delle Politiche Sociali (Ministry for Work and Social Policies, 2012). Because of the problem of rounded figures, present in the original source of the data, the percentages that appear in the graphs do not always add up to 100%.
 5. These data are taken from the site *La disabilità in cifre* (Disability by Numbers) and have been elaborated from the multifaceted Istat study “Condizioni di salute e ricorso ai servizi sanitari” (“Health Conditions and Recourse to Healthcare Services”) 2004–2005, cited in note 3. See http://www.disabilitaincifre.it/indicatori/indi_testo.asp?cod_ind=ist35 (last accessed November 23, 2013).
 6. Law 68/1999 applies, as its wording states, (a) to people of working age affected by physical, psychological, or sensory impairment and to those who have an intellectual handicap, which causes a reduction of more than 45% in their capacity to work; (b) to persons disabled at work with a degree of handicap greater than 33%, as ascertained by the Istituto nazionale per l’assicurazione contro gli infortuni sul lavoro e le malattie professionali (INAIL) [National Institute for Insurance Against Injuries at Work and Occupational Illnesses], on the basis of existing regulations; (c) to blind and deaf persons; (d) to war invalids and civil invalids.
 7. The discrepancy between these percentages and the one that results from Istat data for 2004–2005 can be attributed to the different definitions of disability adopted. Moreover, for 2011, data from 16 different provinces is missing.
 8. The category of the civil disabled, according to the definitions of Law 68/1999, comprises ‘persons of working age affected by physical, psychological, or sensory impairment and those who have a mental handicap, which cause a reduction of more than 45% in their capacity to work’. The ‘industrially disabled’ must have ‘a degree of handicap greater than 33%’ as verified by INAIL. The category of those disabled in service comprises ‘war invalids and civil invalids who have disabilities listed from the first to the eighth categories’, as described in DPR 915/78. Persons who cannot see are those affected by ‘absolute blindness or with less than 10% residual vision in both of their eyes, with possible correction’, while deaf persons are those ‘affected by deafness since birth or since before the acquisition of spoken language’. Finally, other categories of people, who are not persons with disabilities, can benefit from the law, but their relevance in numeric terms is far less than that of persons with disabilities. With regard to the present article, the data relative to Law 68/1999 refer only to persons with disabilities.
 9. Conventions are the legal instruments by which companies and public entities can fulfil their obligations to hire workers with disabilities. Law 68/1999 establishes that in addition to the ordinary conventions (art. 11, clauses 1 and 2), special conventions may be stipulated (art. 11, clause 4) for persons with disabilities whose particular characteristics make it difficult to insert them into an ordinary work routine, as well as conventions for temporary work integration with educational objectives (art. 12). As a result, legislative decree no. 276 of 10 September 2003 introduced yet another form of regulation on a local basis. The departments responsible for targeted work placement can

stipulate local regulations between employers' associations and the groups that represent social cooperatives (of type b). By means of these agreements, the companies associated can assign work orders to social cooperatives.

10. Italy signed the CRPD in March 2007 and ratified it with Law 18 of 3 March 2009.

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