



EMPLOYING PEOPLE WITH DISABILITIES: THE ROMANIAN PROTECTED UNITS SYSTEM

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***Abstract:** The protected units are an answer to the employment increase goal for people with disabilities in Romania. With a history of two decades, the protected units system became visible in the context of the social economy. The present paper is based on qualitative research and focuses on how the social actors in this employment opportunity address its benefits. There are small companies, NGOs, people with disabilities and representative authorities named here. Even though the system does not always function according to expectations, it has reduced the distance between economic and social sectors and created the context for rising awareness on the theme of disabilities, and overall is a more efficient and transparent way to support this vulnerable group.*

***Keywords:** employment, people with disabilities, vulnerable groups, social economy*

1. Introduction

The sustained focus on decreasing chronic unemployment of the last decade, brought into attention by the efforts of reducing poverty and by the increase of the retirement age, put a spotlight on vulnerable groups. Addressing these groups with dedicated programs and measures to enable rising employment are twofold. First, there is a work potential the economy could benefit from and a corresponding income source for the individual and its family. Second, there is an aim for a cohesive society and social solidarity claims for care and integrative measures for any type of vulnerability.

The present paper aims to observe the protected units (PUs) as solutions for increasing employment in the case of people with disabilities: how are these people referred to by their managers, by the representative authorities of people with disabilities and how do these representatives address them?

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The paper focuses in section 2 on the legal framework regulating this vulnerable group's employment in post-communist Romania. Section 3 is one of brief statistics about the employment level of disabled people and main features of the units employing them. Section 4 explores the professional skills of people with disabilities, and points out the nature of their barriers on the labour market, while section 5 is dedicated to functioning aspects of the two most frequent types of organisational types of PU (motivations, beneficiaries, blocking factors) and of the system as a whole.

The paper provides information on PUs as labour market actors. It is among the very few Romanian initiatives inquiring into small size for-profit companies' positions in regard to their involvement in social issues.

a. Definition and roots of protected units for people with disabilities

The vulnerability of people with disabilities on the labour market comes from these individual's health status which impedes them to access or to answer competitively the standard labour market requirements. Traditionally they or their families are beneficiaries of the financial state support schemes, but in light of the unfailing objective of the European Employment Policies after Lisbon, there has been a movement for an increase overall employment among these groups. Additionally, there is an ongoing close examination of the quality of employment during working age of individuals with disabilities, and national states have shown increasing interest in finding hiring solutions for them.

Alter (2007, 2, 5) identifies first attempts of hiring people with disabilities in the mid 60s in the USA, when J. DuRand started to work with 14 people with mental disabilities between 16-21 years old, at Occupational Training Centre (www.mdi.org). This was the start of what is today a company which employs over 400 disabled people and has revenues of over 40 millions USD. The first European social firm model credited to Italy (Alter, 2007, 6), as an affirmative business, was also addressed to people with psychiatric disabilities.

Such initiatives are nowadays part of the boarder domain of social enterprises, which have spread in the same time with an always growing salience of the social economy approach. This attitude is rooted even further back in time (CIRIEC, 2005, 11-17), as self-help and self-promoting way for the craftsmen and workers in front of the new challenging environment engendered by the industrial revolution. It is commonly accepted under the umbrella of social economy initiatives that contain several principles: they are primarily oriented towards a social purpose, imply voluntary membership and democratic control by

membership, defend and apply the principle of solidarity, their general interest is that of their members, they use their surpluses to sustain developmental objectives or in the interest of their members, and their management is autonomous. The domain has gained prominence in the last decades, serving the objective of rising employment and social inclusion of the European Social Model. Its development has been supported by Europe and dedicated institutional structures and programs that imposed it on public agendas, in addition to regulating and financing it (CIRIEC, 2005, pg. 78-81; Cace (c), 2010, 42-46).

In this context social enterprises refers to the activities or business generating incomes which serve the social aim of the organisation. Social enterprises, as third sector organisations, offer a flexible and adapted answer for groups in need that are left behind by both market and state mechanisms. Social enterprises support work inclusion for structural unemployment for people with disabilities or in front of age related barriers, as well as social and community services (CIRIEC, 2000, 57-58; 127-128; Defourny& Nyssens, 2001, 5, 9-10). The recent revival of the social enterprises trend is seen as a response of civil society to persistent unemployment and poverty risk that occurred after the 80s when states retrenched from their social protective function by cutting funds, reducing social expenditures, or by insufficient answer to persistent unemployment (Kerlin, 2010, 167-168).

In Europe, work integration defines a major part of social enterprises (known as WISE); Finland even reserves the social enterprise concept exclusively for work integration sphere (Defourny&Nyssens, 2001, 9). In Europe, there are four distinguished categories of initiatives dedicated to work integration for people in disadvantage on labour market (Davister &all, 2004, 4-5, 11; Spear, 2008, 14-15):

- Transitional occupation, aiming at offering opportunities to the beneficiaries some work experience;
- Creation of permanent self-financed jobs, aiming at creating sustainable jobs and benefiting in the initial stage of public subsidies in order to cover the lack of productivity of the people involved
- Professional integration with permanent public subsidies that employ mostly disabled workers or people with severe “social handicaps”, aiming at acquiring some professional competencies for them
- Socialisation through productive activity, targeting people with severe social problems – alcoholics, drug-addicts, former convicts, but as well people with physical or mental disability.

Blurred limits separate social enterprises by social entrepreneurs and social entrepreneurship (Borzaga&all, 2008, 18-19); the last term refers to the person and the process throughout which a creative, accustomed initiative that serves to alleviate a social problem gets financial equilibrium and sustainability.

The three concepts are closely linked to the third sector, but often social entrepreneurship is confused with CSR (Corporate Social Responsibility) placed in the traditional for-profit sphere. This indeed brings companies close to social problems without abandoning their primary economic objective and without democratic decision. The European Union supports this direction too (COM, 2001, 6, 8-12) and encourages companies to activate their social and moral responsibilities toward the communities and environment they are present in, and toward their own working force. Actions in this respect could include (re)training of own employees, better balance between work, family and leisure, non-discriminative employment measures, shared ownership schemes, healthy and safe working conditions, the usage of clean technology and environment, supporting local charities, social causes or community projects, and even supporting the start-up of local initiatives.

All these complement the active labour market policies (ALMP), in the classic way that states help people without jobs (re)enter labour market. ALMPs starts from work mediation and information and go through training and life long learning programs, providing stimulus for regional mobility and incentives allotted to the entrepreneurs for hiring unemployed people or for creating a job in addition to grants for start-ups. In fact, in the latest decade ALMP became more of a philosophy behind policies than a set of measures. States become aware that the activation purpose is achieved by the way they manage to make use of and regulate properly the existing measures (financial benefits, part-time working regulations, training programs, incentives of all sorts). Additionally states began expanding resources and social services into activities that overcome the social risk of labour market exclusion and help the translation of local good practices wherever is proper at national level. The WISE practices are nowadays recognised as part of activation strategy and serve the objective of increasing employment (Spear, 2008, 11-12).

In Romania, organization of the disabled can be tracked back until late 30s, but such organization covered just some type of disabilities, which usually were not mental ones. People with disabilities could be found in craftsman cooperatives, dedicated or not, with some facilities granted for their access to work. Cooperatives decreased sharply in number after 1990.

In the early 90s, Romania regulated the protected units as a tailored solution for employing people with disabilities. The government intended to create a measure for making these people visible in the labour market in the line of justice that remained latent for many years. Almost ten years later, the social inclusion approach for fighting poverty put the vulnerable groups in focus, and it encouraged dedicated initiatives addressed to these people. This prepared the ground for social economy and social enterprises approaches that gained awareness around the accession moment.

2006 is the moment that brought the employment of people with disabilities into the light through a law reminding and reinforcing the PU solution. Within the context of social economy development, PU has tended to be assimilated to a social enterprise, and explains why the for-profit companies (FpC) authorized as PU are considered abusive by many of the NGOs active in the field.

PU's step over the border of the SE movement. It is not an example of CSR either, as long as the decision of hiring disabled people in FpC is based on incentives. It is in its essence an ALMP, which allows the set-up of a social enterprise. The particular forms of different PUs come close to all the four WISE types, but up to now the first form is the most rare.

b. Method

The present paper concludes the combined experience of 3 researches. They come from two projects financed from ESF, POSDRU 2007-2013, in the first half of 2011. The first project, "PROMETEUS Social economy promotion in Romania through research, education and professional formation at European standards" was coordinated by FDSC (The Foundation for Civil Society Development) having University of Bucharest, ICCV (Research Institute for Quality of Life, Bucharest), CNPS (The National Centre for Training in Statistics, Bucharest) and EURICSE (European Research Institute on Cooperative and Social Enterprises, Trento) as partners, and occasioned authors' contact with the legal frame of PUs. The second one, "INTEGRAT! Resources for the socially excluded women and Roma groups", was conducted in collaboration with three Bucharest-based organizations, Catalactica Foundation, ICCV and Pro-Vocație Foundation, focusing on Bucharest-Ilfov and South-East region of Romania.

The third research is an independent project carried out by the author, observing for-profit companies and NGOs as free market actors confronting competitiveness requirements: are people with disabilities a reliable workforce? The fieldwork was carried out by the author between 15 June – 15 December 2011, in Bucharest and Braşov. The research was qualitative, implying in depth

interviews with managers or coordinators of activities involving people with disabilities at their working place, the covered area being limited by the available funds. The selection of units was made starting from the list of PUs as it became available in July 2011 on the dedicated website (www.anph.ro), and involved seeking out interviewing units from various field of activity and who held various type of organisational forms. The time span of the research is due mainly to reappointments, by reason of vacation, delivery due date, travels, and ultimately many of these appointments failed altogether.

A focus-group and eight of the interviews conducted by the author and by other members of the research team with PUs within “INTEGRAT” project in the SE region of Romania, in April-May 2011, were used to complete the information acquired by independent research. The acronyms are listed in the end of the paper, and a brief description of field activity is presented below.

Interviews	Independent research in		”Integrat” research, conducted by	
	Braşov	Bucharest	The author	Other team members
Existing units accredited in July 2011	19	90		
Contacted units	11	27		
Interviewed units	6	9 (+2 without interview)	4 interviews in Bucharest	2GL, 1CT, 1IF + 1 Focus group in B-IF
Units which could not be contacted after at least 3 phone calls/e-mails, or which delayed repeatedly the interview	5	16		
Units with no contact data	5	24		

In few cases interviewees accepted just a brief discussion over the phone, invoking reasons as being a too small unit and having no relevant opinion about employment “*I have 2 people, one of which has a chronic nervous disease*”, or due to a lack of time. Three face-to-face discussions were not recorded, and in four-five cases I was invited to see people at work.

Among the interviewed units, 9 are for profit companies, 7 are NGOs, 1 is a cooperative and 5 may be considered representative authorities of the disabled people. LPHCM and ONPH were approached as representative units within INTEGRAT project, while AN and SHLI were approached as PU in the

independent research, but their functions or role played in the employment of this vulnerable group, made the leading/ representative experience to prevail.

I didn't insist on contacting people working independently (PEA) or local/ central authorities. The share of PEA in total PUs is small and involves such a great degree of autonomy from a person with disability as, at limit, could allow its employment on standard labour market. Authorities were not the focal point of the research, and additional attempts I made were unsuccessful.

2. Employing people with disabilities: the Romanian legal frame

The first measure to encourage the employment of people with disabilities was taken in the early years of the new regime. Unlike the laws pertaining to the ethnic minority of the Roma, another group with high economic vulnerability approached early in the regime, the laws for people with disabilities didn't aim at just their rights and identity acknowledgement but also at their economic integration. In the opinion of the leaders of representative organisations such an approach was needed in order to correct the pre-existent situation:

"The people with disabilities, until 1990 at least, were hidden, obscured, because it was a shame".
(AVI, B)

"... until 1992. There was only the Association of the deaf people and the Association of the sightless people; both have a history going back to the World War Two. Before 1989, these people [with disabilities] were either hidden, or lived on a miserable pension of invalidity, not comparable with the pension for age limit. People who had the misfortune to be born with disabilities were either kept within the family, or admitted to asylums."(ONPH, B)

" – You were saying that people with locomotive disability didn't exist' before 1990.

- I worked for Radio-Progresul Cooperative. Anyone who had worked at home in cooperatives knows that this is slave work. I mean, the whole family was working to make mine daily work quota. Before, they paid you the basic salary, 2400 lei. For this money you were working the whole day at home ... my family was returning and we would keep on working until 8-9 in the evening. In the 5 years [na: for how long he has worked in cooperation] I gathered 11 months on my work book.

- How about free transportation to work?

- What are you talking about!? Well! If you were working for some unit called "cooperative of the disabled people" it was something else. Radio-Progresul has never been such a cooperative"
(SNPHL, B)

Starting from this context, in 1992, people with disabilities, members or not in associations and cooperatives, mobilised themselves to support the promulgation of two laws which serve the inclusive approach of today perfectly.

Law 53/1992, known as the “*law of protection*”, defined the state of disablement and set up several facilities, measures and actions aiming to prevent or alleviate the professional economic and social consequences of the handicap, including the educational-professional orientation, qualification, support for employment and social integration of people with disabilities.

Law 57/1992, known as the “*law of integration*”, stipulates the right of people with disabilities to be employed according to their physical and intellectual capacity,

- With the possibility to decrease the working time by 1-2 hours, upon request, without affecting the working history (years of working), or
- By establishing *protected workplaces*, that could exist within “protected units, specially organised”; within these units, a high pre-set percentage of people (70%, and 50% for the sightless people) was allocated to the paid work of the disabled people, or as
- home working, as employees, or based on an authorisation.

Furthermore, the law also stipulated the obligation of the economic units with more than 250 employees, to employ at least 3% of their staff people with disabilities. The regulation still exists, but the parameters were adapted to the decreasing trend of the size of units: 50 employees and 4% people with disabilities. Fiscal facilities were also stipulated (free adaptation of the workplace, free professional training and transportation), as well as penalties if the minimal number of people with disabilities is not employed.

The two laws were merged and complemented (as well as changed in some aspects) by Ordinance 102/1999 (modified and completed subsequently), another moment of reference for the protection of the disabled people in Romania. It differentiates disabilities by type and severity, distinguishes between adults and children; it paves the way for individualised programs of recovery and social integration, including institutional forms for their protection and the compulsory adaptation of the public spaces, such as transportation, so people with disabilities could access them.

Soon after, two other normative acts were issued, regulating the funding of NGOs that establish and manage units of social work (L34/1998, O26/2000) and centres of assistance and therapy, supporting the goals of these organizations to run economic activities.

The concept of active employment measures arose in Romania in late 1994. The economic recession from 1996-2000 intensified the active measures within the legislation concerning unemployment. For people with disabilities, concern has

been prompted by the emergence of an inclusive approach; Law 76/2002 regarding the system of unemployment insurances and stimulation of labour force employment stresses explicitly the already existing measures for active employment (information, mediation, qualification, subsidy for employment) for people having difficulties to join the labour market. These measures were completed by those of dedicated training and supports their employment in IT (PNOFM) and provides for the socio-economic integration of the young people by social contracts concluded with AJOFM (L116/2002).

Among the provisions of the “law of integration”, is facility of preserving disability benefits to which individuals with disabilities are entitled in addition to their wage for paid work. Modified for a period by cutting these benefits in half according to wages, the benefits have been resumed since 2004 in their initial form. The austerity measures caused by the last world economic crisis temporally hit this financial support. The argument supporting the parallelism between the full disability benefits and wages was that the jobs people with disabilities have access to are usually of short duration and pay much below the average. In these conditions the loss of the benefit added to the increasing expenditure related to work inclusion (transportation, cloths) makes their final income comparable with that a person with disabilities would have obtained without the additional effort of being employed.

The objectives of protection, promotion of rights and integration of the people with disabilities have been resumed within the post-accession context, being regulated by L448/2006, republished, completed and modified subsequently yearly. The new law stressed, in the light of social inclusion and equal opportunity, the objective of protection and rights promotion for people with disabilities (level of services and benefits provided for adults and children, access to education by adapting the educational environment or via special education-, medical appointments for periodical evaluation when the case, access to dwelling and transportation (facilities for mobility), the standard costs for social services, enforcement of CE regulation regarding the mobility of the people with disabilities).

Law 448 enumerates 17 principles which justify and promote the support actions for the protection and promotion of the rights of the people with disabilities, and 29 related key-terms, among which:

- *Protected workplace* — the space where the person with disabilities performs the professional activities, adapted to its specific requirements, which includes at least the workplace, working gear, toilet and access ways;

- *Protected workshop* — space adapted to the needs of the people with disabilities where they perform activities of training, development and improvement of abilities; this may include community locations, day-care centres, residential centres and special educational units;
- *Accredited protected unit* (PU hereinafter) — the public or private economic operator, with its own financial administration, where at least 30% of the total staff employed with individual work contract are people with disabilities.

The concept of social enterprise was introduced in legislation only in 2011 by the Law of social entrepreneurship (debated and suspended for a while) and defined by the project Law of social economy, promoted by the Ministry of Labour. It did not alter the essence of PU regulations.

The employment of people with disabilities on the free labour market in Romania is currently supported by:

- Deduction, from the calculation of the taxable profit, of the expenditure with the adaptation of the working space for the person with disabilities as well as needed equipment, of the means of transportation to and from home or with the transportation of the raw materials and of the products which the person with disabilities makes at home;
- Reimbursement of the expenditure for training, professional orientation, formation and employment;
- Subsidies for 18 months for employing graduates who are persons with disabilities for indefinite periods, equivalent to 1-1,5 minimal national gross wages, depending on the educational level of the particular persons; subsidies for the employment of people with disabilities when there is no obligation to employ such people on the condition of keeping the working relations for at least 2 years;
- Accredited protected units (PU), which
 - may have or may not have legal personality (case of the protected workshops/sections)
 - are exempt from paying the taxes of establishment and licensing
 - may in the case of NGOs conduct activities of sales/intermediation under the condition of reinvesting at least 75% of the resulting profit in programs of socio-professional integration of people with disabilities working in that particular organisation. The FpCs are exempted from

paying the tax on profit under the condition that they reinvest at least 75% of the fund obtained by exemption for technologic development and/or fitting the work environment to the specific needs of their employees with disability (as this provision was not included in the Fiscal Code, it is practically inoperative)

- may conclude partnerships with regular economic units having more than 50 employees, that don't have at least 4% of the staff people with disabilities, in an amount equivalent with their duty to the state budget; the amount of debt is 50% from the minimal national gross basic wage multiplied by the number of people with disabilities (up to 4% of their staff) not employed; the object of the partnership consists in products and services produced by the people with disability, which are of use for economic units;
- FPU must submit an annual report to ANPH, while the NGOs must submit a report on the way of using the funds resulting from the sales
- hire people with disabilities on undefined period contract basis.

The uneven dynamic of the regulations over two decades is a good proxy of the authorities' attention to employing vulnerable groups. The dynamic of the last decade is a result of increased competences in the field of identifying and employing people in various disadvantaged situations by both authorities and third sector organisations, and of the European course on social inclusion.

3. PU- statistics and features

The first effect of the laws of integration and protection, in 1992, was the tripling of the number of people with disabilities registered in one year (Table 1). Their number continued to increase over the last two decades with 15% per year (in average), grounded on the decrease in total population number by 1.42 mil. people (Tempo, 2012).

In 2012 there were almost 690,000 people with disabilities, out of which 91% were adults, 97.5% were in the care of the families and 88% had serious or severe disabilities (based on data from www.anph.ro/tematica.php, 2012). The proportion of employed people is very low, and the efforts of promoting professional inclusion, although doubled over the past decade, managed to increase the employment rate of disabled people only by one percent.

Table 1. Dynamics of people with disabilities (number of persons)

	1992	1993	2002	2006	2007	2008	2010	2012/06
Total	74,053	225,232	423,393	488,054	567,542	631,199	689,680	689,156
<i>%, compared to 2002</i>	<i>17.5</i>	<i>53.2</i>	<i>100.0</i>	<i>115.3</i>	<i>134.0</i>	<i>149.1</i>	<i>162.9</i>	<i>162.8</i>
Children	8845	11466	56886	55121	56896	59247	61287	60890
Adults	65208	213766	366507	432933	510646	571952	628393	628266
Institutionalised	19248	19993	19860	17338	16833	17275	17036	17217
<i>%, from the total</i>	<i>26.0</i>	<i>8.9</i>	<i>4.7</i>	<i>3.6</i>	<i>3.0</i>	<i>2.7</i>	<i>2.5</i>	<i>2.5</i>
Employed	-	-	12531	-	-	25705	28420	27718
<i>%, from the total</i>	-	-	<i>3.42</i>	-	-	<i>4.49</i>	<i>4.52</i>	<i>4.41</i>

Source: MMFPS, DGPPH, Quarterly statistical bulletin; Pillar I, PNOA, 2002 for data on employment for 2002:

Note: "-", no available data

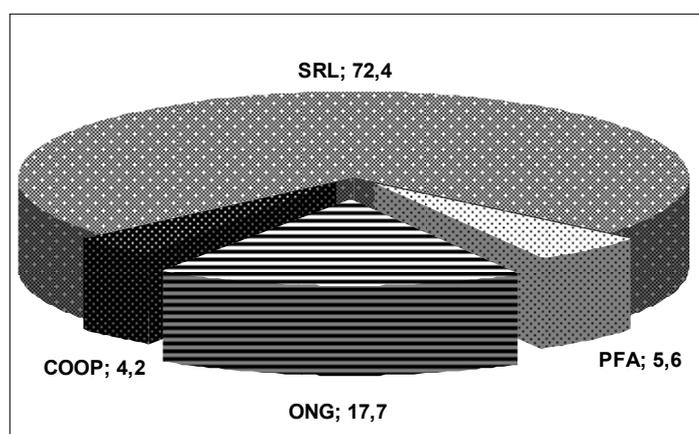
According to ANPH website, in September 2012, the number of PUs had reached 579. Accreditation is done on the basis of documents showing that legal conditions are fulfilled; re-accreditation is needed each time the situation changes in terms of employment of the people with disabilities. The ANPH passing under the direct authority of MMFPS, in 2010, also required re-accreditation. Since the necessity of this procedure was not generally known by PUs, their number had decreased by almost 40% in the early months of 2011.

The PU statistics (Chart 1) shows an overwhelming proportion of the FpCs within the total number of licensed entities (FpPUs). Much less frequently occurring are the cooperatives, which are units mostly established before 1990 that had survived the economic disturbances accompanying the change of regime. The persons licensed as economic agents (PEA) authorised as a PU are people whose disabilities allow them to perform autonomously private economic activities (such as service for electric and sanitary installations, massage etc.).

A step further is made by FpC or ONG authorised as PU consisting of 2-3 employees, of which one or more persons have disabilities that make possible the existence of PU. Generally, they are the initiative of a person with disabilities and work for a low number of customers (1-3): we name them micro-PU. A large number of PUs are derived from an already existing NGO or FpC (see section 4), and the rest are linked (throughout activity or management) to the parent organisation. Except for the cooperatives, PUs usually are of micro dimensions (1-10 employees).

A study of the Romanian National Society of the People with Locomotive Handicap (SNPHL, 2011) shows asymmetric dynamics of PU evolution: two-fold higher number of FpPU between June 2008 and January 2010, three-fold higher number of NGOPU between January 2010 and September 2011 (as the social economy model revived). FpC receptivity is explained by the fact that these units already had economic relations that they had preserved and, furthermore, they had the competency to promote their production (see section 5).

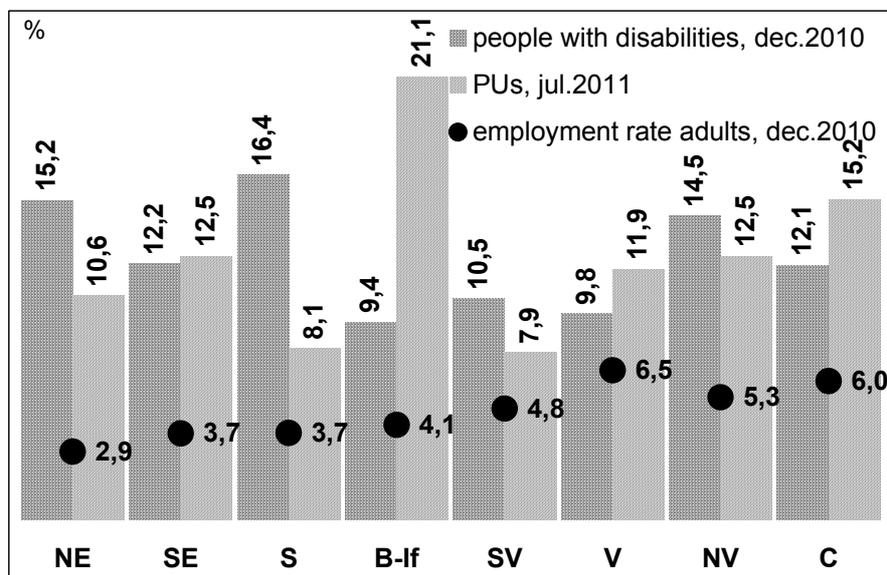
Chart 1. PU distribution by form of organisation,
% of the total



Source: author's computation using ANPH data for June 2011

The regional distribution reveals a cluster of PU in Bucharest-Ilfov (B-If) region. The clustering of licensed units in B-If is partially false, because part of the PU only have their headquarters here, while their actual activity takes place in neighbouring areas. A predictable, also inverse relation is noticed between the level of the employment rate and the regional poverty rate; the regions traditionally associated to high poverty have the lowest rates of employment of disabled people.

Chart 2. Regional distribution of the PUs, % of the total



Source: author's computation using ANPH data; MMFPS/DGPPH, Statistic Bulletin, 4th quarter, 2010

The SNPHL study mentioned above shows that the proportion of the people with disabilities employed in September 2011 by PU was 51.2%, differing according to their type: the proportion was 75.2% of the employed staff in NGOPU and just 47.5% in FpPU (including the craftsmen cooperatives). The observation goes deeper in detail, identifying 50.7% of the PU as having employed just one person with disability and for one third of them (17.2% of the total) this person with disabilities is the sole employee. Out of the 1371 people with disabilities employed by PU, 48.6% were working in the 12% of the units which had employed more than 5 disabled people. Excluding these situations, we obtain a rate of just 1.62 people with disabilities employed per PU.

All these details serve to question the accomplishment of the purpose of economic integration of the people with disabilities thru PU. The authors of the study show reticence about the turnover in the range of billion RON, net, annually, accomplished by a low number of persons which have barriers of competitiveness. Their estimation is that 25.4% of the PU are organisations abusing the generosity of the law, being on its border or beyond it. A similar proportion was detected by the independent research – 24.6% of the licensed PU,

according to ANPH website, do not have contact data. Next to this, the difficulty to contact them (see section 1b) may also be an indicator supporting the hypothesis of the abuse of trust upon licensing in some cases. The theme of abuse could come into discussion even when one is looking deeper on organisations' field of work: punctually, the activities may seem incompatible with the work of a disabled person.

An analysis of the areas of activity of the licensed companies shows their crowding in services and small industry. In decreased frequency order the fields are the following:

- a. production of clothing and related services for domestic and industrial use: uniforms, clothing accessories, tarpaulins, knitwear
- b. production of stationery and related services: cards, brochures, books, menus; cardboard production (stratified or boxes), paper and cardboard office supplies
- c. IT production and services: reparation/maintenance hard/soft, assembly/recycling equipment, communications, webpage administration/design, software (games included)
- d. Advertising and related services: personalised items of various sorts (plastic, textile, leather, metallic, ceramic carrier; serigraphy, engraving; billboards, plates, banners, volumetric letters; stamps)
- e. Consultancy and training courses for companies staff (for employees or management/legal accountancy/marketing&PR), work mediation/security, evaluation of goods, translations
- f. Intermediation: stationery, small furniture, cleaning and administration products, fireproof materials; secretariat and administration services, hosting events, dwelling administration
- g. Finishing services: labelling, packing, bookbinding, archiving, waste materials sorting, assembly of computers/ chairs/wood pieces
- h. Trading in decorations: floral/textile/wax/ceramic/beads/paper, painting on glass/wood/ ceramic; services of house decorations
- i. Domestic and industrial services: washing/ironing, sanitation of the interior/exterior, cleaning green areas/landscaping
- j. Medical services: massage, body maintenance, medical analyses and services, mediation of health services, services of work medicine, consumables for surgery rooms

- k. Small production and industrial services: brooms, brushes, knitted baskets, handicraft articles, pottery, ceramics; window frames (small furniture and flooring), reparations; PVC/ aluminium windows and doors; industrial alpinism; small metal constructions (fences, fire extinguisher, traffic signals, adjustment of wheel chairs); plumbing, air conditioning; plastic/rubber (gaskets, footwear for industrial protection); electro and communications (monitoring car fleet/traffic, phones, electric installations); painting, epoxy resins; call centre
- l. feeding/agriculture: micro-farm, greenhouses, tree nursery; water bottling; pastry, bakery; (author's hierarchy based on PU website, interviews)

The indicator refers to the object of activity of the company, which should reflect the activity of people with disabilities, their work being the one which defines the product/service offered on the market under protected conditions. The independent research has shown that this distinction is not always possible. This is the case of the units whose low number of staff doesn't presume the division of the productive flow by sections. In such cases specific activity of people with disabilities is not named, and they could be present in various activities (production of plastic windows frames, sales or call-centre departments of the same company).

In most cases, however, the PU was established by the separation of a section in a point of the technological flow of an already existing company (finishing, printing, cloths packing vs. production of clothes, bookbinding vs. printing; computer assembly vs. maintenance) which, like in the situation of an PU derived from a larger NGO, keeps strong links with the mother company. The PU can perform punctual activities or it may cover a larger area (massage vs. medical mediation, analyses, medical treatment and maintenance).

4. Working force offer: skills and qualification

The professional ability of people with disabilities is conditioned by the qualifications allowed by the severity and type of the physical/psychic/somatic or hearing/sight/speaking deficiencies which limit, to different extents, the use of a part of the body, focusing/attention or coordination of movement, resistance, and mobility. These overlap with the historic dynamics of the disability and the moment when the disability appeared (before or after the professional education). The disability of neuropsychological disturbance limits severely the access to intellectual activities, so the most accessible occupations are the least qualified jobs, implying activities that can be learned by repetition and where the working environment is easy to supervise. The person with physic disability has

limitations of access, while the chronic disease raises not so much barriers of access, as it raises barriers of endurance to a particular work rhythm.

The convergence between the ability/qualification of the individual and job requirements is all that matters. In other words, the disability generates work incapacity only in relation with a particular specificity of job, so that, in theory *"the difficulties of employing a disabled person are the difficulties of any of us under conditions of recession"* (MOT, B). The limited employment due to the crisis is an aspect which other interlocutors also confirmed (PT, B; TF, Bv; CP, Bv), but the very low rate of employment suggest an accumulation of factors the employment of this group depends on.

A research from 2010 (ASCHF-R, 2010) noticed high, although decreasing, rates of people with no school education; 38% of the young people aged 19+, with physical disability, respectively 23% of the young people aged 7-18. An explanation of this phenomenon resides in the non-integrative character of the educational system. On one hand, it seems that the education of those with disability acquired at early ages (pre-existent disability)

"... doesn't help them too much. They have no qualifications, and if they attended a school, the quality of the result after graduation is not the same with that obtained at mass school. To attend higher education [even at distance], they should first take their baccalaureate, and for that they should attend a normal high school, not the special one, or they should have tutors coming home and not treating them as a handicapped person ... Until the 8th grade there is a special school where children with disabilities learn together, mixed: children with heart illness or with mental problems learn in the same class, and they are taught at the same level and using the same curricula. After that, most of them go to the School of arts and trades where they are not assigned according to their abilities, but according to the profile of the school existing in the locality. Whether you want it or not, you become tailor, or cook assistant, or painter. In the end you may find out that he can't even make a sandwich, because he may not be able to learn this. Or, maybe he might be able to learn something else, but nobody asked him whether he wants or whether he can." (MOT, B)

On the other hand participants at research speak about cases when a small conjoint effort (parents, school, specialised help) could bring a children with disability to the level required by the mass school participation, but the parents are not ready to do so. Consequently, the children will continue to go to the special school, which preserves the disability certificate and the corresponding disability allowance.

More than 10 years after first regulation regarding physical access to public places, the autonomy of movement is still a real barrier for the professional offer of people with disabilities. This burden is added to by a lack of disposable financial resources to "pay for it": *"if your parents don't have the money to take you by car every day, to live someplace where you can get out of the house, if you don't have colleagues to take you upstairs at the*

faculty, and a job where you can travel to everyday” you don’t go to school and you don’t have access to the labour market. The complement of the deficient long term education consists in training courses provided by AJOFM, by other suppliers of professional formation or by day centres/workshops. The problem of access remains, but their limited duration may be a comparative advantage.

With more or less understanding for the situation, one might question the adequacy of these training courses given the current demand for qualifications. The flexibility of the training is not an easy thing to achieve. Essentially this is a financial problem depending on access to trainers and adequate facilities for applied teaching in a particular profession, as well on the possibility to form a group of people on a specific profile. Qualification through a short term course is facing another barrier: the medical certificate needed to confirm that the disabled person is compatible with a specific training/job, which most times is not easily obtained.

“Nobody asks us anything ... For the training courses they don’t have enough applied teaching, practice. Just theory. They make economy of materials. And when they come here they are learning what they didn’t learn at the courses. They keep training people in the same professions that nobody needs. Just like the Ministry of Education, which doesn’t coordinate its curricula with market requirements” (IF, Bv).

“... in the special education too, but in the ordinary education too, many schools are something like factories producing unemployed people. Many schools train in professions that the labour market no longer seeks for. These training courses [na: organised by AJOFM] are better adapted: they noticed the need for attendants for old people – and organised training courses for it” (AN, Bv)

“Depending on the funds they had, on the teachers they could afford to bring, some were connected to the economic realities, other weren’t. Anyhow, they were not dedicated to people with disabilities. I know very many people with disabilities who gave up because they were required to bring a certificate that they are able to work ... and generally, this kind of certificate is not released by the family doctor, but by the doctor for labour medicine, [and] the doctor for labour medicine costs.” (MOT, B)

The day centres or the therapy workshops build the bases for personal autonomy and for minimal social integration, usually dedicated to a severe disability which leaves little room for social life. As a step forward, they could provide a basic training for the labour market but generally are not a qualification in themselves. The activities run within these centres aim to develop/discover abilities of a specific profile compatible with the type of disability, which may be valorised within a productive/creative process. Persons with disabilities may be put on tracks in this manner, although it is not necessary for all of them. If they are part of the professional route, they have the first contact with labour market rules where people are taught to fit to a particular program, the processuality of actions and purposes, assuming a role within this process, information and counselling for

professional and small-entrepreneurial formation (if possible) resulting in labour market insertion. Like in the case of other vulnerable groups (young people leaving the residential institutions, the Roma) the rules of the status of the employed are not always implicitly internalised.

PU segmentation by form of organisation is doubled by a differentiation according to the type of disability: in the NGOPUs one will rather find severe forms of psychic and mental disability, while in FpPUs, as in the micro PUs in general, rather than people with physical disabilities, one will find persons with disabilities of hearing/speaking/somatic natures, or less severe forms of physical and mental disabilities. The division occurs because people with psychic or severe disability, need a “different context”, not just the goodwill of the employers and of the fellow workers, and “*the employers are not ready for this. «if he had a physical disability, I would have hired him, but so ... we don't want him to disturb all the employees»*”. (AS, B).

All these can be overlapped by the habit of people with disabilities to live in isolation, to not estimate correctly the effort required for going daily to work, the mistrust or lack of support from their family, which must in turn be able to support the transfer to the active life.

“Other people don't have patience or don't have this exercise to go some place everyday. They get to have a job, calling at phone numbers from newspapers, but two days later they don't show up anymore, or the first time they feel bad forget to call or don't know they have to call and let the employer know they can't make it” (MOT, B)

“We also have cases of young institutionalised people [...] who have to understand all this system: the daily work quota, the direct boss, the rules of internal order (AFF, B)

“If people [with disabilities] aged 30+ are not so open and willing to work, the young people do want to work. (AVI, B)

“People are coming, they are staying for 2-3 months and then they are leaving [...] About half a year later they give up because it is a hard work [na: industrial protective cloths].” (SD, Bv)

“Of the 6 people I brought here, 3 failed from the beginning [...] People have problems with moving, also have other kinds of problems. [...] they have very many years of life under a glass-bell, willing it or not, and have lost somehow that wish. You get used to live on little and it is very difficult to look for resources in yourself, to seek for more. And many of them reached a certain age, 35-40.” (SNPLH, B)

5. PU –aspects of functioning

a. *The FpPUs (for profit companies accredited as protected unit)*

Among FpPUs, little is known about the NGO side of the PU, as well as about social economy. The reasons behind employing of a person with disability are economic, similar to any facility (VAT exemption, for instance) or there may be

personal reasons or experiences (see section 5.c). Captive in the bureaucratic maze within a legislative system undergoing continuous changes and in relation with partners that also have a frail equilibrium on the market, the topic of social economy has little chance to get to the attention of the micro and medium entrepreneurs. Furthermore, when information comes from an authority (ANPH) which is different from the authorities for-profit organizations are accustomed to, and with communication channels and rules which are rather unfamiliar to them, these organizations set up PUs because of reasons like *“our partners told us about this opportunity”, “the accountant found out that”, “if other people are willing to work with protected units, like we are, let’s establish one ourselves”, “a facility for micro-enterprises.”*

Once in contact with the topic, questions arise about the activities that the disabled people may undertake under acceptable efficiency, about the possibility of splitting the activity in such a way as to establish a dedicated activity/section within the ordinary process/field of activity of the company, the identification of people with disabilities, the level or possibility of training them. Some companies accept to train their staff on-the-job, other require *“at least this”* from the specialised institutions.

A sensitive stage is that of getting accustomed to the job. The employment of disabled people starts invariantly with 1-2 months of trial, or with a 6 months contract, when the employer and the employee realise the limits of their collaboration. On the side of the employee, the accommodation presumes the possibility of joining a specific, rather constant rhythm of work, as mentioned before. On the side of the employer the need for such stage comes up because:

- of the particularities of each type of disability and situation: *“there are some of them who don’t want to work”, “it is not easy working with them: the person with mental disability wanted some day to jump from the top of the building [under construction, on the premises of the company]” (SD, Bv; CP,Bv),*
- of errors may appear and must be corrected which means additional costs (*„the customers come back with the products”*)
- they must be understood when they become less attentive or get tired, so *“they have breaks, have their coffee, then return and restart working. Even if they don’t have the same speed, they are doing their best” (SD, Bv)*
- there are days when they cannot work due to the personal health state, or to the health state of another family member (SD, Bv; ET, B; MOT, B; COOP, B): *“Two months passed from the first meeting until hiring: he didn’t have anyone to stay with his mother [diagnosed with Alzheimer].”*
- sometimes it is better to work home (SD, Bv; AP, B; SNPHL, B) or

- sometimes there is need for reverse logic at employment in order to establish a work relationship: it is not to seek for a candidate for a predefined position, but a position for a predefined candidate. Thus one must compare the actual activities of the position with the actual abilities of the candidate.

"[the employers] must accept the idea that you can be a very good assistant at financial department without having graduated economic studies. The assistant is not necessarily the financial director. He is the one who has to check payments, bills, very practical things, for which intelligence, good sense, or a short training on the job is enough." (MOT, B)

"I managed to [convince them that the high school was enough]. The practical test was more than enough." (SNPHL, B)

"It is not always easy when they work next to ordinary workers. They don't all understand that our young candidate needs another context, not just understanding ... this young boy works for 8 hours and he even wants to work until late evening. Sometimes we have to stop him from working... but if you hurt him, or you tell him things that disturb him, than you finished him." (AP, B)

Once these stages are bygone, the employers speak about the advantages of working with disabled people: they are disciplined, conscientious, are not late, have continuity, *"know to appreciate the fact that they have a job"*, *"a competition arises between them, and between them and the able ones"* and conclude that *"they do not pull us downwards, if this is what you wanted to know"*.

b. NGOUs (NGOs accredited as protected unit)

The arguments of NGO interaction with the disabled people are to be found in a different spectrum. They don't wonder about how to get into contact with the disabled people, but they do wonder about how to get the funds needed to prolong the intervention in favour of the disadvantaged people they interact with. The intervention has different objectives: to continue a therapy to control the disease, to bring the personal development as far as possible, to allow for a minimal opportunity of socialization, to provide the family of origin time for economic activities and only after that in order to valorise the productive potential of the disabled person, thus conferring the feeling of social utility.

"Our interest is to employ the people who need most support, a place where they can be understood, because we also provide counselling" (AVI, B)

"A workshop, something to give them a direction ... a place where something happens!" (AP, B)

"We are glad to have a job, to be able to get out of the house, to earn some money; and it is a pleasant atmosphere here." (SE, Bv)

The appeal to PU is driven by that of a social enterprise. The option has been received properly because theoretically it is a handy source for self-financing. Actually, there are just a few organisations that can support themselves this way.

The incomes they obtain in this way add to the traditional sources of funds: sponsors, voluntary contribution of the 2% from the annual individual tax, national and international projects, grants, loans, intermediation for the economic agents who didn't hire the minimal number of people with physical disability stipulated by the law.

The self-financing through the productive activity of NGOPUs remains rather theoretical because of two reasons:

- The profile of the involved vulnerable group; the activity of the people with severe psychic disabilities is difficult, if not impossible, to program so that they are able to observe the contractual commitments (volume, quality, deadlines). Under these conditions, their production activity is rather episodic and in unequal competition with other suppliers of similar products/services (for instance, the production of brushes vs. import brushes from China). Therefore, when considering production, NGOs consciously step aside, targeting products and services of economic or decorative utility which doesn't require complicated technology (anyhow inaccessible to the low profit units), which can be sold outside some fix standards of volume and time, generally in fairs or by direct sales (clothing, miscellaneous decorations, decorative accessories, agricultural activities, mounting/dismounting). The services are mainly intermediations, and the micro NGOPUs complete/replace these services with accounting, counselling etc.

"The people we are working with have psychic disability, people who have deficiencies of attention, patience and focusing. We can't make perfect products. The sensitive people buy them, people who had similar situations in their families, or who experienced depressions. In early March we are selling trinkets through the people we know. It is just once a year, and some nice people who know other people...." (AS, B)

"If you are shopping for shoes and someone would tell you that one pair is made by a disabled person and the other one by a person with no disability, would you refuse to buy the pair made by the latter?! Wouldn't you look for quality first?" (COOP, B) and

- The managerial competencies for the competitive market: there are just few NGOPUs which have identified self-sustainable niches of demand they can access with their products or by negotiations with economic enterprises from equal stands: most are expecting an external fulcrum, a circumstance in their favour. The intermediations are the main source of self-financing, despite of a clear orientation towards actual production:

"I would like to have more cash inflow from our services of massage than from intermediations. You increase your turnover with the intermediations, but the profit is very low." (AN, Bv)

"From a contract of 2000 ron per month we may gain 100 ron. The phone calls at 5 and 6 in the morning, on Saturdays and Sundays" (SE, Bv)

"I don't like these intermediations. I refer production, and we can make it. But you don't have the means, no basis. If we, the NGOs and the protected units which are actually producing goods, would be supported in a different way, we wouldn't need this intermediation ..." (AVI, B)

"I was called [by a company]: « Send me a file with your demand of funds so that we can input it into the procurement system» «My dear, this amount is not part of the budget for procurement of your company. I will never, ever, be able to come with the price of your suppliers, which may even use discounts » ... He has to use, say 1 million lei [penalty].... «Instead of paying 1 million to the state, you only give them 20%. The rest comes back to you as products and services that you need [bought thru PU]». And they don't like this either. If they could take 99.99% from you, they would look awry to that 0.1%. It really happened! There were companies which were adding 5-10% and it is not worthy. If they make 2000 a month, it is good. And then what? We have costs with transportation, utilities." (SNPHL, B)

The deficit of competence is not so much the lack of managerial knowledge/abilities, but deficit of human resources available for such activities. Good fund raising skills doesn't imply good and productive marketing. For sales/marketing an ordinary economic agent has a dedicated person or department. In the micro NGOPUs, there is limited availability and experience for a sustained effort in this direction, while the parent-NGO (when the case) have just a handful of people making specialised counselling, management and maintenance, which don't necessarily have time and abilities to impose and maintain the PU on the competitive market: *"we don't have a strategy of marketing or of PR... I don't know what to do first" (AD, B)*. At the extreme

"We are working much with volunteers, students at psychology and social work. They are not constant, don't have time, don't have competencies. When they graduate, they are gone. Some don't even resist too much. It is not that easy to interact with people with severe health problems". (AS, B)

When the NGOPUs' activity managed to be based on contracts, the working relationships get some market features: it appears, as for FpPUs, the need to identify the workforce which can "cope" and keep up with the team. Despite the commitment and the effort people with disabilities are ready to make and of the therapeutic effects of being in contact with the team, there are situations when they cannot go beyond certain limits and this leads to cease the work-contract; similar to FpPUs, appears the fear that *"they can demobilise the others"* (AD, B).

c. The PU as a system

The dispute regarding the authenticity of the PU is the most visible aspect of the system, having a different foundation. The NGOPUs consider that they are in an imbalanced competition with the FpPUs on the free market and tend to reject them all together claiming that *"they do not produce what they say with disable people"* (AVI,

B). As seen before, the suspicion starts from the observation of the field of activity of the company and from their financial performance. The FpPUs claim the practice of fictitious employment practiced by some of them: *“why keep him home and pay him 2-3 million; you’d better integrate him”* (CP, Bv). In turn, the representative authorities claim the low percentage, 30% of the staff, needed to establish a PU: *“of three people, one is disabled”* (SNPHL, B), case in which the job of this person may be for the sake of appearance, not a real employment.

Voices from FpPUs, but also part of the representative authorities have doubts to see the NGOPUs solution as real employment. The representative authorities refer to the purpose and the role of the PUs as they were conceived 20 years ago. Like then, the aim is to *integrate*, not to *protect*, the desired situation being the work together with people without disability (even not all of them see the integrative role of PU in the same way). The FpPUs practice, at least those participating to the independent research, fits perfectly this perspective, while part of the NGOPUs initiatives, as noted before, remain outside the labour market:

“they [the day care centres] should be the protected units where people should be educated, see how they develop abilities, so you can put them on the labour market. If they can integrate. Here, we have another meaning of the protected units.” (ONPH, B)

“And they bring them to a day-care centre, where they ask them to do all sorts of things. They also make there some things which are sold in fairs. Thus, this is a passive work, because this is not work that you can use to get a job. After this, he can’t go to get hired in a protected unit, with what he learned there. If he gets to a protected unit for disabled people he starts from zero. It is only here that he learns a profession. Somehow, a profession (LPHCM, B)

“I go to the NGO to socialise” (SP, Gl)

The PU demand unanimously the post-factum, on-spot, verification: *let them come and see what we are doing, with whom and how we are working*. They all agree that there are far too many reports and documents for accreditation to the detriment of the verification *“in the spirit of the law”*. The excessive verification *“following the letter of the law”* produces unwanted effects, similar to the accreditation on the same basis:

“«[million RON] from sticking labels!?» Well, yes. Who is producing stationery?[...] PU is for [intermediating] stationery, not for one like me. They certainly stick labels, you won’t give them a car to drive. They do what they can do [...] today I wasted half a day with someone, from an agency. I don’t even remember what agency. «Why, do I let them stay home?». Because in this way I encourage them not to work. If they stay home, do I pay them? Well, today she remained home because she doesn’t feel well. I have a girl with a psychical disability. I have no advantage, no deduction. I think I will give up the accreditation. Only problems.” (ET, B)

Relation with the market. According to L448/2006 the purpose of the PU is to equilibrate the predictable lower competitiveness of the goods made by people with disabilities by providing a preferential start for sales or support in creating

the demand. At the same time, this is a shortcut of the circuit of the benefits addressed to disabled people and an increase of transparency, efficiency and the active-integrative character of the support: the financial penalties due to the state budget by the companies which don't employ the minimal number of people with disabilities in their staff is directed towards the units which valorise their productive potential.

The issuing of the law at the beginning of the economic crisis made the PU attractive for the beneficiary-partner eager to cut the costs. In the case of FpCs, the business relationship already existed with many of their current partners, so that after the supplier was accredited as PU, the beneficiary reduced the direct costs by deducting them from the penalties. In the case of the relation with an NGO, the partnership usually covers the indirect costs (administrative, protocol) and it is direct result of law 448/2006.

However, the number of partnerships didn't increase spectacularly because of the decreasing number of potential partner-companies, due to the reduction of their staff and activity during recession and the pre-existent business relationship between them.

Otherwise, a large proportion of the micro PUs (FP and NGO) run their activity around a small number of partner-companies (sometimes even just one). For them gaining a partner-company is a painful thing to do, since partners hold little knowledge and function on routine, as opposed to PUs that rely on their persuasiveness and creativeness to convince the potential partner that a PU was not established for personal gains, that the employment of people with disabilities is not priory inefficient or incompatible with production, that the relation with a PU is not a favour for the disabled persons, but an opportunity to save, that they can decrease the funds for wages and the related taxes (by dislocating a person/department dedicated to acquisitions) and that, in general, PUs can be a reliable business partner.

People active within the system admit that beyond reputation and routine, the openness towards people with disability is also conditioned by the personal matrix of a company leader. In the absence of a personal experience with disabled persons, the topic is associated to the disability in its exclusive forms, irreconcilable with the labour market. To a lower extent than the direct experience, an education in the spirit of Christianity allows you to see and hear beyond the personal context.

"if you, personally, don't bump into situations like this, you can't find out their needs. You don't even realise how big is the barrier which keeps you aside. This is the true disability." (ONPH, B)

"you must have someone in the family, or someone very close, who has a disability, and you will get to have this affinity. There must be a motivation beyond the financial one. The financial one doesn't make you set up a PU." (LNPHCM, B)

"O. However, is it worthy [to set up a PU]?"

R. Yes, morally. If you do a good thing, it is worthy.

O. But financially, [...] You still are a FpC.

R. Certainly, financially we are on the positive side, but I can't say that we can call this a business; for me it is rather a [way of living]. This is just a useful thing that I can do." (CP, Bv).

Relation with the authorities; the inter-institutional relations are also marked by routine and misunderstanding. The political area is not seen as a partner of discussion, because they "listen to you", but practical things are hardly seen, so that there is clearly little "chance to change the law". Next to this comes the high frequency of the institutional changes on which the employment of the disabled people depends, the slow motion of implementation (SD, Bv; MOT, B), as well as the unclear delegation of responsibility to the community level (SE, Bv; SD, Bv; AD, B). The overall image of ANPH is not that of an active partner in employing this vulnerable group, but rather a simple source of information, appreciated by people used to work with it.

"the ANPH come with all kinds of notifications, changes that you have to know. Sometimes they make changes which are valid for just one field of activity, others are valid for all fields. Frankly speaking, as manager of a company you can't spend all your time on the website of the Registry of Commerce. Information for all, just like Ministry of Finances does, like all institutions do." (TF, Bv)

"They suspended our licence because they changed their management. ... We found out by phone about the suspension [by a friend who checked on internet]. We were shocked. This kind of things is written in the Official Monitor. [...] To wait three months for re-licensing just because has changed the number of an order?! It's embarrassing!" (SD, Bv)

The most frequent obstacle is related to what is called work mediation. The accuse goes towards AJOFM and DGASPC which don't have functional procedures of communication between people with disabilities who might and would like to work and the employers. When the classical routes (AJOFM, DGASPC, Job Exchange) do not meet the demand, the manager (marginal in NGOPUs) or the chief of production often make individual efforts to identify the labour force (by visits to associations/day-care centres, at home, by personal or incidental contacts at AJOFM or at Church). When the official institutional routes function, there were particular persons who counselled and informed, making the system operative.

"I knew there [Braşov Town hall] a lady who was very well informed. I think she is retired now. She was of real support to us. The first people with disabilities ... it is her that introduced him to

me. She started to build a database of people having disabilities [...] but ANPH should get involved more as should MMPS and AJOEM too. Suppose that I want to increase the production capacity and I go to them asking for people, even with the bare skills, or even without skills. They don't know where to find these people.” (SD, Bv)

”I am talking over the phone with the lady [from ANPH], whom I don't know. I never saw her. She is special. Always provided information, advised us on how to do.” (CP, Bv)

”When I want to hire people I put announcement on best jobs. Normally AJOEM should contact us, send us an e-mail. Why should I contact them? I don't even know what exactly is happening there, and I find out I wasted time.” (SE, Bv)

”The director of DGASPC (districtual) knows and understands the social problem” (AD, B)

”I am working very well with Motivation. They are reliable people and we get along very well” (PT, B)

Working relationships. If there are not databases, it should be useful to inform people with disabilities about their employment opportunities: the list of PUs from ANPH website is a very good source of information, but its proper utilization pertains to the perception that ANPH is an active partner in integration, not just in the protection of people with disabilities, and to exercise this communication in this direction at all levels and at all involved actors. Despite the possible family and personal barriers to the accession to the labour market, there is – as sufficiently large phenomenon – the will and potential to work.

”Until now, me, as employer, had very few phone calls from people with disabilities wanting to work. Just 3 phone calls in the past few years.” (Sb, B)

”There should be someone to contact them and inform them on the existing job opportunities. They would hardly wait to get a job because they would be treated equally, like the other people, on the labour market. I have a boy who got employed a few years ago, doesn't have a leg. In one year or so his pay tripled” (SAB, B)

”There is a boy with locomotive disabilities. In winter he leaves home before 7 (the workshop starts at 9), to get a less crowded bus, so that the driver can lower the platform” (AD, B)

Unfortunately, there also is the reverse phenomenon, when as employees disabled people found no understanding as regard their limits. It is based partly on the opinion that *“people with disabilities do not negotiate because thus they are marginalised. This is the way they can get out of the house”.* (SE, Bv). However, their commitment comes not by default; the opportunity to be independent and to be able to help their families and the sense of usefulness is what matters. Even those working with people with mental disabilities noticed the strong sense of fairness governing relationships at work (distributing tasks, responsibilities for accomplishing them). The unfair treatment has been mentioned by several respondents, but just one detailed the aspect.

"R: When he hired me, he asked me: do you want to work 4 hours? I was glad I got a job, and I said: 8 hours.

O: So, he gave you the possibility to work 4 hours.

R: No. He wouldn't hire me if I would not work 8 hours. When I saw he was keeping me at work after 8 in the evening, then I told him I quit.

O: Did they pay you well, at least?

R: The minimum national wage, got from "Unemployment"[subsidized]. Only when I told him I quit, he let me go home at 4 p.m." (SP, Gl)

Although difficult for both sectors by assuming responsibilities which traditionally are not specific to them (economic or social), one may outline the idea that employing people with disabilities under the conditions stipulated by law is not one of the most difficult tasks of a small economic agent who wants to be licensed as PU. The problems reside in the sphere of unlawful practices: dumping prices due to the thirst for immediate profit, tax evasion at the purchase of raw materials, bribes to accept collaboration with a PU, legislative instability, distrust in the system of facilities, abuse of facility (in employing the unemployed people who have an insured wage and then sacking them when the period of protection ends), and surviving the economic crisis.

6. Concluding notes and possible directions of intervention

The law supporting the inclusion of people with disabilities has raised their visibility. The number of families coping with illnesses of different severity has doubled due to the policy of limiting institutional residence in all fields of social care, causing these families to feel economic and social constraints more deeply than ever before. In this case raising awareness on the problem is even more important and, in my opinion, this is the main plus the PU system has brought to the current Romanian society. The PU system is the missing link for the dilution of prejudices regarding the incompatibility between disability and efficient labour market, and narrows the distance between economic and social domains. It puts the FpCs in front of social challenges.

Although the legal pro-active framework for the employment of the people with disabilities dates from 1992, the unfavourable economic context of recent years put a damper on opportunities afforded to disadvantaged groups. The PU option has become operative in an effervescent social economy approach, which tended to assimilate PU to the social enterprise. It is not a social enterprise, not just because of large scale FpC motivated by profit, but also because part of the NGOPU have not managed to reach a financial equilibrium in supporting their

social aim. As Adler notices not all income generating activities could claim to be social enterprise stand. (Alter, 2007, 17)

PU activated the employment of the disabled people by:

- addressing de facto a new segment of size employers, namely FpCs and NGOs, that are very developed in the Romanian economy
- transforming the share of budget acquisitions allotted to the support of the disabled; the social support has become more rapid, efficient and transparent, and by
- stimulating creative initiatives and provoking the labour market into be more flexible, by stimulating the work division, and by using a reverse logic when hiring people (of task compatibility with a person).

By raising awareness and stimulating the creative initiatives, the PU system encourages social enterprises development, otherwise welcomed in the Romanian society.

The first years of PUs functioning has revealed to the relevant stockholders their limits in acting efficiently and dysfunctional points that should be addressed. The list is complex, but not because some is “*ill-willing*”, but because within a rather new and trans-sectoral endeavour “*there simply are gaps, misunderstandings, lack of interest, things that can be done better*” (MOT, B).

Better information flows toward and from all the actors involved with regard to functional aspects of the system is needed. There are also some regulations to be improved, claimed by representative organisations (LNPHCM, SNPHLR) of people with disabilities which:

- increase the proportion of people with disabilities needed for setting a PU (50% or 70%) or increasing the minimal size of the PU (5 people)
- increase the minim share employed staff at 6% people with disabilities; no economic branches excepted, no difference as regard the type of ownership
- make operative the foreseen tax deduction, and more accustomed regulation for import tax
- have more complex responsibilities in integrating people with disabilities, covering more steps from first contacts with labour market rules and as mush possible qualification.

The last point hits another direction to be considered, namely that of early education with respect to problems, needs, potential and social inclusion of people with disabilities.

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List of the interviewed units and acronyms used

MF - Ministry of Finance

MLFSP - Ministry of Labour, Family and Social Protection

AJOFM - County Agency for Labour Force Employment, local authority of the MLFSP

ANPH - National Agency for People with Disabilities, now department within MLFSP

PNOFM - National Plan for Labour Force Employment

DGASPC - General Department for Social Work and Child Protection

Interviewed APU	Acronym	Interviewed APU	Acronym
S.C. BRAND OFFICE S.R.L. - BV	BO	S.C. MOTIVATION S.R.L. - B/IF	MOT
Section PROFINEV MASAJ within the ROMANIAN ASSOCIATION OF THE SIGHTLESS - BV branch	AN	Section "ARToSTIL within the ROMANIAN ASSOCIATION FOR OCCUPATIONAL THERAPY - B	AS
Section EQUAL OPPORTUNITY within the ASSOCIATION FOR EQUAL OPPORTUNITY, BV	SE	Section INDEPENDENT LIFE within the ASSOCIATION INDEPENDENT LIFE - B	AVI
S.C. CLASICO PAPER S.R.L. - BV	CP	S.C. SACE DIRECT S.R.L. - B	SC
S.C. TERFOX S.R.L. - BV	TF	FRIENDSHIP Association, Pantelimon, IF	AP
Section SEDA SPECIAL within SC SEDA INVEST SRL - BV	SD	MOTIVATION Foundation - GL	MGL
Section PROMETEUS within S.C. SIGNUM SERVICES S.R.L. - B	PT	S.C. Social Prest - GL	SP
St. Dumitru Centre, The Artdeco Unit, B	AD	Association NEXT TO YOU - GL	AV
Craftsmen Cooperative Society CARTONAJUL SCM - B	CC	National League of the Disabled People from the Craftsmen Cooperatives - B	LPHCM
Section Centre for services and micro-production "ÎNVINGĂTORUL" within the Romanian Society of the People with Locomotive Disability - B	SNPHL	National Organisation of the People with Disabilities from Romania - B	ONPH
S.C. SAB&CO BUSINESS SOLUTIONS S.R.L. - B	SAB	Focus group Bucharest	FG, B
S.C. RAINBOW COMPANY PRODUCTION S.R.L. - B	RCP	EUROTOTAL - B (unregistered interview)	ET