



EMPLOYMENT AND SOCIAL PROTECTION OF ADULTS WITH DISABILITY

‘SELECTED PAPERS’

Editors

Abdulkadir Şenkal
Doğa Başar Sarıipek

Employment and Social Protection of Adults with Disability : Selected Papers

EDITED BY
Abdulkadir Şenkal
Doğa Başar Sarıipek





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Preface

Social protection programmes are important policy tools to tackle the most common socioeconomic problems such as poverty, insecurity and social exclusion. As it is well known, people with disabilities are among the poorest and socioeconomically marginalised sub-groups of the world population (World Health Organization and World Bank, 2011). With the intensification and spread of welfare state practices in the post-war period, social protection programmes were developed rapidly in a very large range of countries to directly address all disadvantaged groups.

Broadly speaking, comprehensive social protection programmes are needed to ensure the socioeconomic security of people with disabilities, and to fully integrate them into society. While designing, these programmes are generally associated with active employment status, and accordingly measures are taken to facilitate the employment of people with disabilities. More specifically, social security of disabled people is tried to be provided through employment in the most effective and permanent way.

In the light of this general framework, this study consists of twelve outstanding articles on the social protection of persons with disabilities through employment. Particular attention has been paid to the selection of articles, together with the best examples of both theory and practice. For this purpose, it has been tried to create a basic reference resource that will benefit the experts, academicians and other groups who are interested in the field.

We wish you good readings.

2 October 2019

Abdulkadir Şenkal
Doğa Başar Sarnipek

REFERENCE:

World Health Organization & World Bank, 2011; World Disability Report, Geneva: World Health Organization, 2011

List of Contributors

Abdulkadir Şenkal (Editor), PhD on social policy, is the Dean of Law Faculty at Kocaeli University, Turkey. His research interests centre around social policy, welfare state and poverty. Abdulkadir has authored books, and papers in several national and international journals.

Angelo Arciero is Associate Professor of History of Political Thought at Università Guglielmo Marconi, Rome (teaches History of Political Thought, History of Contemporary Political Thought, History of European Integration). He is the Coordinator of the Teaching Board of the PhD Programme in 'Law and Political Science' since 2017; he is Co-editor, Editorial Board Member and Scientific Board Member of a number of journals. Angelo's main field is the 20th century with particular reference to British political landscape in the 1930s and 1940s focusing on issues of utopia and dystopia, socialism, democracy, totalitarianism, art-politics relations and conservative thought. Angelo notable publications include: 'George Orwell: "contro il totalitarismo e per un Socialismo democratico"' (2005), 'Il totalitarismo. Categorie, forme e rappresentazioni' (2007), 'T S Eliot: Alle origini del pensiero politico' (2011). His edited books: 'L'Inghilterra e la sfida del totalitarismo: 1930-1940' (2004), 'Percorsi dell'unità europea. Dal monismo alla poliarchia' (2012), 'Crisi e rivoluzione nel pensiero politico inglese' (2016).

Ayşe Nur Çiftçi got her both Bachelor's and Master's degrees from Trakya University, Turkey. She got her second Master's degree at Marmara University, Institute of Pure and Applied Sciences, Department of Occupational Safety. Currently, Ayşe is a PhD candidate at Kırklareli University Institute of Social Science, Department of Labour Economics and Industrial Relations. Her scientific interests include social politics, social work and labour sociology.

Çağaçan Değer has received his Bachelor's degree from the Department of Economics, Middle East Technical University and his Master's in Economics from Ege University, Turkey. He has completed his doctoral studies on economics at Middle East Technical University, where he has studied modelling social security reform with a focus on the Turkish case. He has then returned to Ege University, where he joined the staff of the Department of Economics as an Assistant Professor. Çağaçan currently works on social security system design and social policy related behaviour. His work focuses

on the Turkish case and employs quantitative methods such as numerical simulations and econometric analysis of micro data sets.

Deniz Alca is an Assistant Professor at the Karabük University, Turkey where she teaches political science, social policy and international relations. She is the Assistant Principal of Graduate School of Health, and Head, Health Management Department. Her research fields are security and international terrorism, social policy (poverty and disadvantaged groups), political theory. Deniz is the author of several publications on refugee problems, security and conflict and problems of disadvantaged groups in modern society.

Doğa Başar Sarıipek (Editor & Contributor), PhD, is an Associate Professor at the Economics and Administrative Sciences Faculty, Kocaeli University, Turkey. His works are concentrated particularly in social policy, and specifically in rights-based and charity-based social protection, welfare theory and conditionality as well as nation-beyond forms of social policy. Doğa has published many papers in several national and international journals and books.

Ezgi Yaman, a Master from Kocaeli University, Turkey, has been working as a Research Assistant at the Department of Social Work, Kocaeli University. Previously, she worked in the Road Safety Project jointly carried out by International Red Cross Red Crescent Federation (IFRC), World Health Organization and Global Road Safety Federation. Ezgi also worked as the National Co-Ordinator and as a Social Worker at Turkish Red Crescent Psycho-Social Services Department. Ezgi is currently a PhD candidate at the Social Policy Programme, Kocaeli University with an impending thesis on Italy and Turkey's Social Protection Policies for Children. Prison, crime and suicide studies are Ezgi's areas of expertise. In addition, prevention of child neglect and abuse, psycho-social support for victims of child trafficking and human trafficking, intervention techniques for victims, child and youth participation, child rights and social policy are her focused areas. She is also a psychodrama therapist and a family counsellor. Ezgi's work on 'Prisoners' Suicide Probabilities in terms of Some Variables'—a thesis submitted for her Master's degree has been well appreciated.

Hicran Atatanir is currently teaching Social Policy and Planning, Human Rights, Non-Governmental Organisations and Social Work at Hacettepe University, Turkey. Hicran completed her undergraduate studies at Dokuz Eylül University, Department of Public Administration and her Master's degree is

from Anadolu University, Department of Labour and Social Security Law. Hicran's Master's thesis was titled as 'ILO Conventions Relating Occupational Health and Safety and Turkey Practices'. She had her doctoral education at Hacettepe University, Social Work Department and completed successfully with the dissertation titled 'Poverty, Social Assistance and Civil Society in Turkey: A Rights-Based Approach of Evaluation'. Hicran has to her credit 19 years' experience in public sector as a social security expert at the Social Security Institute. She also continues to be a Coordinator of Combating Discrimination and Equality Department at the Turkey Human Rights and Equality Institution.

İdil Işık, PhD, is an Associate Professor in Organisational Psychology at İstanbul Bilgi University, Turkey. Her areas of specialisation are industrial and organisational psychology, employee safety and health in the context of industry and road traffic, qualitative, quantitative and mixed research methodologies. In the last five years, she combined her focus on employee safety and health with human resources risk management, counter-productive work behaviours, discrimination and prejudice towards disadvantaged employees who are among LGBTI, minority, and people with disability groups, and workplace bullying group under 'organisational trauma'. İdil has more than 20 years of experience as a consultant, trainer and content developer in the academic, consulting and social responsibility projects in Turkey. She earned her Psychology Undergraduate degree from Boğaziçi University, Master's and PhD degrees in Organisational Behaviour from Marmara University. İdil is the Vice President in the Board of Directors of Turkish Psychological Association Headquarter in 2016-2018.

Kağan Güney, BS, is a student in Organisational Psychology programme at İstanbul Bilgi University. He earned his Psychology Undergraduate degree from İstanbul Bilim University.

Kerim Balcı, BS, is a student in Organisational Psychology programme at İstanbul Bilgi University, Turkey. He earned his Psychology Undergraduate degree from İstanbul Şehir University.

Marzia Rossi is Associate Professor of Private Law at Guglielmo Marconi University of Rome, Italy (Department of Law and Political Science—Faculty of Law), where she teaches civil law, private law, property, contracts and circulation of rights. At the same university, she is member of the Committee of The Department of Law and Political Science and member of the teaching

board of the PhD Programme in 'Law and Political Science'. She also is the faculty-advisor of the 'Juridical Services Sciences' Course.

Marzia's research interests are on: uniqueness of status filiationis, rights of children in the crisis of parental couple, donation contract and the reversibility agreement, sale contract, marriage's invalidity conditions.

Main Publications: *Le condizioni limitative della libertà di contrarre matrimonio* (2012), *Le cause di invalidità del matrimonio civile. Profili sistematici* (2012), *Gli aspetti personali della relazione coniugale tra libertà e responsabilità* (2013).

Murat Çiftçi is an Associate Professor at the Faculty of Economics and Administrative Sciences, Department of Labour Economics and Industrial Relations, Trakya University, Turkey. With a Bachelor's degree from İstanbul University, he got his Master's degree at Marmara University, Department of Fiscal Economics, History of Economics and Development Economics & Economic Growth. Murat was awarded his first PhD degree at İstanbul University, and got his second PhD degree at Yildiz Technical University, Graduate School of Science and Engineering, Departments of City Planning. Murat's academic interests include social politics, social work, regional science, sociology, health politics and statistics.

Nezaket İlkem Salman, a graduate from the Department of Economics, Anadolu University, Turkey, got her Master's degree in 2019 at the Institute of Social Sciences, Department of Health Management, Trakya University. Nezaket's academic interests include social politics, social security, social insurance, public health insurance and social work.

Özel Meryem Suliman, BS, is a student in Organisational Psychology programme at İstanbul Bilgi University, Turkey. She earned her Psychology Undergraduate degree from İstanbul Şehir University.

Pasquale Peluso is an Associate Professor at the Guglielmo Marconi University of Rome, where he teaches criminology, sociology of deviance and juridical psychology. Pasquale is the Course-Coordinator in Education and training sciences (L-19), Scientific Director, Master in 'Family Mediation' and member of the Doctoral Board in 'Humanistic Sciences'. Pasquale is a member of the editorial board of several Italian and international journals about criminology; he is also referee for several international journals. Pasquale is author of a number of publications on criminology, role of modern society and deviant behaviours, organised crime, urban security, green criminology.

Şeyhmus Demir got his Bachelor's degree at the Department of Health Management, Afyon Kocatepe University, Turkey and in 2019 Şeyhmus was awarded his Master's degree at the Department of Health Management, Trakya University. His scientific interests are focused on health management.

Zahide Peker obtained her Bachelor's degree from the Department of Labour Economics and Industrial Relations, Kocaeli University, Turkey, in 2018. During the Bachelor's studies, Zahide was elected as an honour student in the 3rd grade and high-honour student in the 4th grade. Between the years of 2016 and 2017, she studied one semester in Kaunas University of Technology, Lithuania as an Erasmus + Exchange Programme student. Zahide started Master's Degree in the Department of Labour Economics at Kocaeli University in 2019. Currently, she is a Master's degree student in Industrial Relations and Human Resources Programme at İstanbul University. Her research interests broadly cover industrial relations, gender studies and social policy.

The Importance of Disabled Employment from the Psycho-Social Perspective and the Search for Effective Social Policy

Ezgi Yaman

INTRODUCTION

Persons with disabilities do not have sufficient access to many rights and services, especially basic human rights and services such as health, education, nutrition, housing, security and employment.

Unemployment is one of the most important problems experienced by people with disabilities. Individuals with disabilities who are excluded from social life could realise themselves by earning a minimum income and can achieve social status through employment. Thus, they could become independent, active and productive individuals in society.

Today, people with disabilities are included in social policy coverage as a disadvantaged group. As a result of the developments in the fields of industry and technology, the mobility of social life and the social developments, the demands of people with disabilities to be integrated into society have become visible (Genç & Çat, 2013: 365).

One of the important issues of individuals with disabilities is unemployment. The inclusion of people with disabilities in working life is the biggest step in ensuring that they enjoy equal opportunities with people without having disabilities. Some people with disabilities may have to meet treatment costs with serious financial consequences. In addition, their family members or their relatives are obliged to take care of them (Genç & Çat, 2013: 365). For these reasons, regular income is important for meeting the needs of people with disabilities.

The inclusion of people with disabilities in working life will allow them to earn an income and lead a dignified life, as it will give them the opportunity to live without depending on others. This would increase respect for people with disabilities and decrease social prejudices they face. The participation of people with disabilities in working life will enable them to become economically independent and improve their psychological and social situation.

Human rights are the rights that every individual has for being human beings. At this point, there is no objection to the fact that citizens with disabilities also

have these rights, simply because they are human beings. Human rights, which are an issue for all, take on a new dimension for people with disabilities.

If measures are not taken to address the problems experienced by people with disabilities, human rights violations will also occur in many areas. For this reason, equality of opportunity should be provided for people with disabilities from a human rights perspective and the method of positive discrimination should be used to this end.

DISABLED EMPLOYMENT

Working hours in daily life take up a significant part of the day. Business life forms an indivisible part of life. Therefore, positive or negative situations encountered in business life, social participation and exclusion have a direct impact on quality of life (Kırcı, Çevik & Korkmaz, 2014).

Studies show that the quality of life increases as individuals increase their level of satisfaction from life when they work in a job that attracts the attention of the individuals, that they like, and that allows them to take responsibility. Another factor related to the subject is the status of the individual having a job. Demiral (2001: 69) found that long-term unemployment and job search negatively affect mental health and therefore reduce the quality of life.

Employment has a positive effect on the quality of life of people with disabilities. In this sense, it is possible to say that the level of satisfaction of people with disabilities who cannot participate in business life is lower compared to the working individuals. Improving the quality of life of people with disabilities depends on integrating people with disabilities with society at the highest level.

In order to ensure the highest level of integration, the living conditions of individuals with disabilities should be arranged so that they need no or minimal assistance, which is only possible with employment of the disabled individual.

As a result, the problem of employment of people with disabilities should be resolved by being situated at the centre of social policy. Productive and creative work is a prerequisite for a humane and dignified life. Therefore, it is of great importance for their integration to society that individuals with disabilities have jobs.

BARRIERS TO THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

Today, employment and the spreading of employment is one of the most important problems in social security. Although there have been tangible achievements

in terms of the economy and technology in Turkey, the employment problem remains significant and a priority.

The main barriers to the employment of individuals with disabilities can be grouped under three headings, namely, individual factors, institutional factors and social factors. In the study *Individual, Corporate and Social Factors that Affect the Participation of Individuals with Disabilities in Working Life in Turkey* (Aycan, 2005), these factors are grouped as follows:

- (a) Main personal factors that affect employment negatively:
 - Lack of education
 - Lack of professional knowledge and skills
 - Low self esteem
- (b) Main institutional factors that affect employment negatively:
 - Lack of knowledge about people with disabilities
 - Negative attitudes towards people with disabilities
 - The penalty for not employing people with disabilities is low and there is no auditing
 - Disability of equal opportunities for persons with disabilities and their placement at work
- (c) Main social factors that affect employment negatively:
 - Lack of non-formal and formal education opportunities for people with disabilities
 - Limited vocational training opportunities
 - While the degree of disability should be measured, the measurement is extremely inadequate and misleading (Eren, 2010).

One of the barriers to employment of people with disabilities is the inability of the disabled to work, lack of education and knowledge about work skills. Personal factors such as high illiteracy among people with disabilities who demand jobs, being only primary school graduates and not possessing sufficient professional qualifications often make it difficult for people with disabilities to enter business life. Education and professional qualifications are issues under the responsibility of both the Ministry of National Education and the Turkish Employment Agency (İŞKUR). Therefore, it is the fact that people with disabilities are not adequately educated and not trained professionally in the appropriate fields may be attributed to the state institutions not providing them with sufficient opportunities (Güvenç, 2014).

The government uses only the quota and the quota-penalty methods as means of ensuring employment method and it does not turn to other employment methods in this regard. In the Report of the Commission on Employment Methods and Approaches at the Fourth People with Disabilities Council, the following barriers to the employment of people with disabilities were identified: Delay in the implementation of the incentive measures and the inadequacy of the incentive measures (4th Disability Council, 16-20 November 2009).

The state has basic responsibility for securing the future of all individuals and meeting their basic needs. Education, health, security and employment needs must be adequately met by the state. The Disability Law 5378, which was enacted in order to regulate the education, employment and social lives of people with disabilities, also fails to function fully due to lack of implementation and inadequate supervision. The participation of people with disabilities in working life and production relations necessitates some public social expenditure. However, more meticulously implemented projects are needed to meet these needs of the disabled (Çarkçı, 2011).

STATUS OF THE DISABLED EMPLOYMENT IN TURKEY

With the establishment of the Republic, studies in keeping with international developments in the field of disability began (Strategic Plan, 2007). While the 1961 Constitution had explicit articles on making people with disabilities productive and special education, provisions related to special education were established in the Primary and Education Law and 'Special Education Regulation' was issued for the first time based on that law (Gökmen, 2007).

Developments for people with disabilities have gained momentum since 1980, as in the rest of the world. The 1982 Constitution states, 'Everyone is equal before the law without discrimination on grounds of language, race, color, gender, political thought, philosophical belief, religion, sect and similar reasons Gök (Article 10) (Gökmen, 2007). The 1982 Constitution of the Republic of Turkey guaranteed the rights of persons with disabilities (Koksal, 2010).

Regulations for the quota method have been enacted especially for the purpose of providing special education and employment to people with disabilities. The National Coordination Board for the Protection of Persons with Disabilities was disbanded with the Decree Law 571 dated 25 March 1997 based on the Authorisation Law 4216.

According to Turkey Business Association data, the employment of people with disabilities in public institutions and the private sector in the years since 2013 has fallen below the quotas.

TABLE 1. Distribution of Employees Applying and Employing Disability Quota in Public Institutions and Private Sector by Years

Years	Application	Work Placement		Total
		Public Institution	Private Organisation	
2017	6,760	11	1,309	1,320
2016	79,321	236	14,795	15,031
2015	65,255	258	20,197	20,455
2014	77,632	232	26,118	26,350
2013	76,235	287	34,189	34,476

Source: <https://www.iskur.gov.tr/kurumsal-bilgi/istatistikler/>

In the table below, the number of quotas in public and private workplaces obliged to employ people with disabilities and the distribution of people with disabilities working as workers since 2013 are shown.

TABLE 2. The Distribution of Persons with Disabilities Employed at Obligated Workplaces

Years	Number of People with Disabilities Obligated to Work		Number of Employees with Disabilities	
	Public I	Private I	Public I	Private I
2016	8,206	104,966	10,822	92,413
2015	8,432	99,262	10,696	84,370
2014	8,417	101,823	10,422	84,706
2013	9,514	97,689	11,804	80,434

Source: <https://www.iskur.gov.tr/kurumsal-bilgi/istatistikler/>

Accordingly, the quotas are not fully filled. It is thought that the main reasons for this is the insufficient number of qualified disabled workers, the lack of quota-favourable environments of the organisations and the insufficient recognition of disabled employment.

DISABILITY EMPLOYMENT ACCORDING TO INTERNATIONAL LABOR ORGANIZATION

‘Convention on Occupational Rehabilitation and Employment of the Disabled (No.159)’ was adopted by the International Labor Organization on 1 June 1983.

Turkey ratified this agreement on 7 August 1999 (ILO, 2019).

Accordingly, each signatory State should consider the purpose of vocational rehabilitation in order to enable a person with disability to obtain, maintain and progress in an appropriate job and to facilitate the integration or reintegration of the disabled into society. Each member should formulate, implement and periodically review a vocational rehabilitation and employment policy for the disabled according to national conditions, exercises and facilities (Kayacı, 2007).

DISABLED EMPLOYMENT METHODS

International organisations are very sensitive about the employment of people with disabilities. The Universal Declaration of Human Rights, the Covenant on Economic, Social and Cultural Rights, the European Code of Social Rights and the International Labor Organization's Conventions set out the rules to be complied with and the essential policies that must be implemented. Countries are obligated to determine employment policies according to their structural characteristics in the light of these policies.

The following methods for the employment of people with disabilities were identified for implementation in Turkey, though not all of them have been applied as effectively.

Employment methods applying to individuals with disabilities are:

- ♦ employers employing individuals with disabilities without legal obligation,
- ♦ employers employing people with disabilities with legal obligation,
- ♦ protected workplaces,
- ♦ people with disabilities working at home,
- ♦ personal work method, and
- ♦ cooperative work method.

CONCLUSION

Individuals with disabilities have the right to work, produce, participate in economic and social life, to be accepted, to develop their abilities and capacities and to live independently.

The most basic way to achieve this is to ensure the employment of people with disabilities. Therefore, it is necessary to develop social policies to increase the employment of people with disabilities. This is not a gift; it is a fundamental right and the necessity of being a social welfare state. The issue of employment

should not be regarded as a problem, but as an ordinary task of the social state. The individual and society should approach the issue in the same way.

The social security of the population of developed countries has been taken into consideration to a great extent and has been made operational by legal regulations. In Turkey, the problem of the employment of people with disabilities remains important and a priority.

Resolving the problem of employment of persons with disabilities in a country where general employment issues persist, such as Turkey, is very difficult (Baykan, 2000). However, despite all the difficulties for people with disabilities, whose numbers should not be underestimated, and solutions to their unemployment problems should be addressed as soon as possible.

The Convention on the Rights of Persons with Disabilities, published in the Official Gazette on 14 July 2009, also includes regulations on labour and employment. Accordingly, if we look at article 27 of the regulation, State parties recognise that persons with disabilities have the right to work under equal conditions with other individuals. This right includes the opportunity for people with disabilities to earn their living in an open, integrative and accessible labour market and a freely chosen work environment.

States shall ensure by taking all appropriate measures, including legislation, the right to employment of all persons with disabilities, including those with disabilities already in employment. States shall prevent the exploitation of persons with disabilities under slavery and shall protect persons with disabilities against forced or compulsory labour on equal terms with other persons. States shall also ensure employment, equal opportunities and rehabilitation, which play an active role in many developments in this field (Yayman, 2012).

People with disabilities make up to 12 per cent of the population of Turkey (İŞKUR, 2017). Equal opportunities in employment should be provided for people with disabilities to integrate with society, policies should be developed to encourage the participation of people with disabilities in the labour market, a code and registration system defining the individual skills, potentials and functional capacities of people with disabilities should be developed, and people with disabilities should be directed to a suitable occupation, and job placement should be provided.

In order to increase the employment of people with disabilities, the incentive system should be developed in addition to compulsory employment practices depending on the number of employees. Arrangements should be made for the technical and financial incentives of the protected workplaces.

Efforts should be made to develop methods of employing people with disabilities that are not widespread in Turkey. By encouraging the cooperative

working method, individuals with disabilities can come together with their social environment and enjoy opportunities to work in cooperation and solidarity.

The tax advantage is provided to the disabled for the personal work method. However, this incentive is not sufficient. For this reason, micro loans should be offered to people with disabilities who want to start their own business and support the marketing of the goods and services they produce.

Protected workplaces should be established by conducting sector-based assessments for persons with disabilities who have difficulty in entering the field of employment and who do not wish to be privately employed. At the same time, such workplaces should be supported by the government and facilities should be provided for sale or purchase of manufactured goods.

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This book, titled 'Employment and Social Protection of Adults with Disability; Selected Papers', addresses *adults with disability* as one of the most disadvantaged groups in employment relations and is an attempt to be an important resource book in terms of not only being a technical reference book, but also being a good example of social responsibility and increasing the awareness in the field.

I wish to express my sincere congratulations for the authors and others, who took part in the publication process of the book as well as wishing to live in a world where there is no such a concept of 'disability' and where no one feels itself as an adult with disability.

Pevrul Kavlak

Secretary General of TRK-İŞ
President of Trk Metal Union



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