





The inclusion through marketplace of people with disability: development, evolution and sustainable professionalization

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SUMMARY

Although almost thirty years have passed since the presentation of Law 8,213 of July 1991, introducing in the Brazilian labor marketplace a hiring obligation, the debate about the contribution of companies to the development of this professional profile is still up to date. However, there is a legislative imposition in Brazil for hiring professionals with disabilities, companies still have difficulty in attract, develop, and retain these employees within their functional staff. However, three decades after the first lines were written towards greater inclusion within the national organizational environment, there is a sight of progress with the themes connected with the increase in diversity within companies, based on the presence of people with disabilities, however, there is still a space for progress in terms of including this same portion of the staffing layers. This study seeks to analyze development actions carried out within companies in the state of São Paulo, to determine whether they promote the evolution and professionalization of people with disabilities beyond the fulfillment of the quota imposed by the 1991 law. The assumed methodology of this study is characterized as descriptive with a qualitative approach. The technical procedure adopted is bibliographic research. Among the results, it was identified practical actions oriented to the human development of people with disabilities beyond the borders of the current company, actively strengthening the potentiality of this sensitive professional profile.

KEYWORDS: People with disabilities. Social inclusion. Affirmative actions.

1. INTRODUCTION

In the last few years, the labor market has shown itself to be a viable path for the social inclusion of people with disabilities (PWD), allowing for evolution and access to fundamental elements of wellbeing and social life, such as health insurance, food, and wage.

Nowadays, important discussions regarding the inclusion of people with disabilities in society through the labor market revolve around the human development applied to these professionals, the full inclusion in the work environment of the contracting company, the promotion of freedom in the workplace, career progression, and salary equity at the same level as other colleagues who do not have an apparent limitation.

This issue becomes even more relevant when thinking that organizations aim to differentiate themselves in their market, whether searching for innovation or social acceptance, by having a staff who shares the perception of plural environments, increasing diversity and inclusion (D&I).

Precisely in Brazil, the first step towards a more inclusive and plural organization took place through Law 8213 of July 1991, popularly known in the labor market as the quota law. The legislator promoted the legal reserve of positions in the staff of companies for people with disabilities. Through affirmative actions, organizations, with more than 100 employees in their structure, were forced to fill these PWD quotas.

During the first decade of the law, the debate focused on the difficulties of finding people with disabilities available to work, given that many of them received a government grant to stay home. From the change in inspection responsibility created in 1999, through decree





3298, which attributed such regulatory condition to the Public Ministry of Labor and inspection to the Ministry of Labor and Employment, the regularity of audits and the application of fines for the organizations that did not comply with the established quota, demanded that the companies look for real alternatives that could put them in agreement with what was described in the 1991 legislation.

Unfortunately, since then, what was perceived in the market was PWD's mass hiring, placing them in many underemployment situations or paying them to stay home and only appear in the organization's records for inspection purposes.

This situation can be noticed in smaller companies. However, a different reality is seen in larger companies. Seeking to attract more qualified professionals and, despite being successful in attracting this profile, they are also able to keep them in their functional staff, avoiding them leaving the company in search of another organization that promotes access to new challenges or development programs.

Reading what was expressed here so far, it is clear that the first challenge companies faced in the 1990s was the attraction of PWD to meet the quota. A second wave, strongly present in the following decade, resided in the retention of these talents. Nowadays, much leveraged by the benefits obtained from more diverse and inclusive environments, as to the teams' productivity and delivery, it seeks to enhance the development of these people with a view to evolutionary gains from the hiring of PWD.

Based on this understanding, this work aims to point out elements that can contribute to increasing the diversity and inclusion of people with disabilities in organizations.

The methodology of this study is characterized as descriptive with a qualitative approach. According to Gil (2010), this type of research focuses on decribing the characteristics of a given population or phenomenon or the establishment of relationships between variables. Descriptive research exposes the attributes of a population or phenomenon (VERGARA, 2003).

In this research, the technical procedure adopted is bibliographic research. For Lakatos and Marconi (2001, p. 183), bibliographic research contemplates public literature on the topic studied, including "single publications, newsletters, newspapers, magazines, books, research, monographs, theses".

2. PERSON WITH DISIABILITY

The human condition predicts some sort of limitation. For the World Health Organization (WHO), all human beings will have some condition that will diminish their physical or intellectual capacities, momentarily or permanently, throughout their existence, and those who survive aging will face greater difficulties in terms of the functionality of their bodies (WHO, 2011).



Revista Nacional de Gerenciamento de Cidades

A person with a disability, according to the ILO Convention nº 159 of 1983, which Brazil ratified on August 28th of 1989 through the Legislative Decree nº 51, conceptualized in art. 11, is any individual whose possibilities of "obtaining and retaining a suitable job and progressing in it are substantially reduced due to a disability" of a physical or mental character clinically recognized (BRASIL, 1989, p.2).

The terminologies used to identify a person who has a disability have changed over time. In the beginning, the most used term was "invalid", considering that for a long time it was thought that by having a specific limiting condition, the person could not exercise certain acts of life (CAMARGOS, 2008). After this first movement of using the term disability, the disabled person was constantly called for his/her disability. The person could be identified on the streets as "blind", "limper", "deaf/dumb", the "crippled", "dwarf", "exceptional" where invariably the disability had more visibility than the person. Additionally, it carried a very strong pejorative tone and, at times, even discriminatory, which caused their use to be gradually removed (GOLDFARB, 2008).

With the evolution of the treatment given to people with disabilities in society, a way was sought to identify them without emphasizing their limitation, but rather as a human being. Based on this, the following expressions were removed from international laws and treaties: Handicapped Person (PPD in Portuguese), People with Special Needs (PWSN), and People with Disabilities (PWD) (ROSS, 2000; PASTORE, 2000; SÉGUIN, 2002).

The terminology PWD is defended by Fonseca (2006, p. 123), stating that "the deficiencies do not change, they are with the person or in the person", as an intrinsic characteristic, forming and modifying the personality, making achievable or demanding adaptations for the enjoyment of the normal acts of life. International treaties and medical frameworks regarding physical or corporal limitations are currently using this nomenclature when referring to the individual with a disability. This term is already incorporated in the labor market when it highlights professional opportunities through advertisements in newspapers, social media, and the internet (FONSECA, 2006; GOLDFARB, 2008).

In the roots of human narcissism, the search for perfection denies everything different, often due to simple incomprehension, ignorance, or unfamiliarity. However, such exclusions imprint on society marks difficult to be erased, "scars" that stay permanently open. They receive attention from members inserted in society by causing a more significant mobilization in the governors of nations, and in groups organized to unhide people with great technical skills, who often do not present themselves to the world in which they are inserted, as a way of preservation. Protecting themselves from the human incomprehension of what it is to have a disability (BAHIA, 2006; GOLDFARB, 2008; LARAIA, 2009).

Pastore (2000, p. 70) says that society advances in so many aspects, but very little in overcoming prejudices, which only vary in their manifestation. Over time and due to pressure from the more enlightened segments, prejudiced groups began to refine their reaction to people with disabilities. Stereotyped behaviors appeared and, superficially, pronounced by understanding and humanism.





3. THE LABORAL UNIVERSE OF A PERSON WITH DISABILITIES

The representativeness of People with Disabilities in the world grows annually, expanding the demand for accessibility, social inclusion, and development opportunities.

In 2018, the United Nations (UN) estimated that 1 billion people, or approximately 15% of the global population, live with a disability that significantly reduces their ability to do everyday activities, such as moving around and having access to basic services common to all human beings (UN, 2018).

The representative numbers measure the size of the opportunity and the important mobilization around issues such as employability, accessibility, and regular life maintenance in community of the person with disabilities, which are fundamental elements for social inclusion. The 1980s is when Brazil begins to see the disabled person as a member of society in a condition of social fragility, however, applying a more inclusive connotation. According to Bahia (2006, p.78), it is in this period that this segment's social movement appears in the country, aiming to promote and ensure "all rights regarding social interaction".

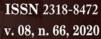
The apotheosis of this movement to fight for the PWD's rights in the country occurs with the promulgation of the CRFB in 1988, where this layer of society is officially inserted in the legal system. Without a doubt, the Magna Carta changed several understandings about the Brazilian State. Human Dignity becomes the fundamental pillar of the main legislative set in Brazil. The disabled person's rights are included in ten articles, endorsing the protection against discrimination in terms of treatment at work and access to social security (art. 7, XXXI; art. 40, §4; art. 201, §1), the competence regarding social and state assistance (art. 23, II; art. 24, XIV; art. 203, IV, V; art. 227, §1, II, §2º), the reservation of job positions in the public administration (art. 37, VIII), special education (art. 208, III) and accessibility (art. 244).

Motivated by the scenario of constitutional recognition for people with disabilities and aligned with affirmative action, practiced in other countries, the Brazilian State adopted the quota system to encourage the hiring of people with disabilities. In the private sector, the Brazilian quota system is presented through art. 93 of Law 8,213, enacted and July 24, 1991 (BRASIL, 1991).

The article mentioned foresees percentages goals regarding the mandatory hiring of PWD by private companies with a capacity of over 100 employees, progressively evolving up to the limit of 5% of the entire workforce of a company when it has 1000 employees or more.

In the present days, there are more than 30 legislative texts with authorial characteristics and interconnected with the reality of the country, mentioning and prioritizing the evolution in the treatment of the PWD, but this is strongly due to the constitutional weight attributed to the initial texts on the subject in Brazil (BONFIM, 2019).

A person with a disability is currently considered in the country to be any individual who has a complete or partial change in one or more segments of the body, capable of prejudice physical function. It can be (I) paraplegia; (II) paraparesis; (III) monoplegia; (IV) monoparesis; (V) quadriplegia; (VI) tetraparesis; (VII) triplegia; (VIII) triparesis; (IX) hemiplegia; (XI) ostomy; (XII) amputation or absence of limb; (XIII) cerebral palsy; (XIV)







dwarfism; (XV) members with congenital or acquired deformities, except for aesthetic deformities and those that do not produce difficulties for the performance of functions (GOLDFARB, 2008).

Since enacting the quota system, many changes have taken place in Brazil's labor market model. Companies used to hire professionals with technical skills that fit into their core business or professionals with practical experience. Since the sanction of Law 8,213 / 91 and its subsequent Decree 3,298 / 99, the criteria changed considering the need to hire PWD that perhaps never had a job (BIANCHETTI and FREIRE, 2000; BAHIA, 2006).

For Bahia (2006, p. 44), hiring PWD is part of the "ethical commitment to promote diversity, respect differences and reduce social inequalities" that maintain highlighted the companies' social function, that is making society more inclusive and promising to the PWD.

According to Melo (2004, p. 144-146), some other factors contribute to the difficult task of including people with disabilities in the formal labor market. In the author's understanding, "the world of work no longer accepts people with specific skills", due to the aggressive effects of globalization, high social charges, high interest rates, etc. Therefore, a professional profile is required, with solid basic training, with a keen sense of innovation, ease of socialization and teamwork, "a clarity of communication and exposure of ideas, and finally more versatile" and to be able to work in different positions, in short, characteristics that often enhance even more the limitations of people with disabilities.

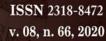
4. PEOPLE WITH DISABILITIES IN ORGANIZATIONS

Organizations that consider diversity and inclusivity in their strategies play a peculiar role in differentiating their image and responding to an increasingly diversified consumer market. The development of inclusive relationships supposes practices capable of ensuring a place in the formal labor market for people with disabilities.

The inclusion of people with disabilities in the labor market can be an important tool for the implementation of company strategies, considering both the alignment of actions for their occupational inclusion and the decision-making processes that deal with the planning of political measures to care this issue (NOHARA, ACEVEDO, and FIAMMETTI, 2010).

However, it is still a challenge for companies to deal with the diversity and professional inclusion of people with disabilities, which has forced them to rethink their management processes. In this sense, Hanashiro and Carvalho (2005) advise that companies that manage diversity use this strategy to increase efficiency and competitiveness, and not only as a social issue (HANASHIRO and CARVALHO, 2005, p. 28). Nonetheless, the company adept at incorporating diversity into its culture and management practices can be seen as socially responsible and obtain positive returns with products and services offered to society (HANASHIRO and CARVALHO, 2005; IVANCEVICH, 2008).

As a result, adopting a diversity management position implies working with the system of meaning and value shared among the company's people, which means the







organizational culture. According to Fleury (2000), diversity management gains expression in an environment of increasing diversification of the workforce and competitiveness.

According to Carvalho-Freitas and Marques (2007, p. 62), diversity can be understood as "a product emerging from a historical process of classification and attribution of characteristics that distinguish people, groups, communities and societies and that offer the justification for their distinguish social positions". The challenge is to understand how the historical context of the conceptions of disability influences the forms of behavior and makes it possible to insert people with disabilities in the labor market.

In this sense, studies on diversity oriented towards the insertion and inclusion of people with disabilities in the labor market are presented by several authors (HEINSKI and BIGNETTI, 2002; CARVALHO-FREITAS, MARQUES and SCHERER, 2004; CARVALHO-FREITAS and MARQUES, 2007; BENDL et al., 2015).

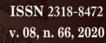
A challenge for organizations is to move from an inclusion practice adopted to follow the law to an action that contributes to their success (BERNSTEIN et al., 2015). A recent publication by the World Economic Forum points out that the most inclusive companies, compared to others, tend to have a profitability of 25% to 36% higher; display an innovation rate up to 20% higher. In addition, there is statistical evidence of a significant relationship with all employee's commitment (WEF, 2020, p. 6).

Research documents that well-organized heterogeneous teams tend to have better results over time than more homogeneous groups. In general, the latter performs better at first, but the most diverse teams can benefit from gathering different people and improving productivity over time (KORN FERRY INSTITUTE, 2019). In other words, interactions in heterogeneous groups allow the embrace of different views. This result is confirmed by Gil's (2016, p. 33) words that highlight the positive impacts of PWD inclusion.

Their presence contributes to improving the organizational climate: humanization and increased accessibility conditions for the environment contribute to productivity. It stimulates creativity, the search for solutions, the identification of business opportunities, services, and talents, which contribute to the company's sustainability. It brings positive repercussions for the lives of all employees, their families, and communities, and for the institutional image. Yet managing diversity remains a challenge for organizations. There is a crucial difference between having a heterogeneous team and developing diversity management skills and turning it into an asset for the organization (BERNSTEIN et al., 2015).

Ivancevich (2008) reports that the decisions taken along the path followed by the company depend, for example, on the adoption of diversity management programs based on specific goals. Therefore, to understand the role that these programs play in the performance of companies, Ivancevich (2008) observes the importance of dealing with the diversity of the workforce, managing the collective view of differences and similarities of people.

This attitude presupposes knowing the potential of people with disabilities regarding the behavior and physical spheres for the collective construction of solutions for the inclusive process. In this scenario, recognizing companies as the space of collective construction for the management of diversity makes it possible to reduce the stigma of people with disabilities and







create flexible organizational processes that consider the perceptions and experiences of employees and human resources professionals.

The research carried out in 2017 by I.Social in partnership with Catho and support from ABRH Brasil, entitled "Human resources professionals - expectations and perceptions about the inclusion of people with disabilities in the labor market", presents data for the 2016 biennium and 2017, completing the 2014 to 2016 historical series of the 2016 survey on the scenario faced by human resources professionals for the inclusion of people with disabilities in companies (I.SOCIAL, 2016; 2017). Regarding the main challenges present in the recruitment and selection process of people with disabilities, they highlight "behavioral and physical barriers, in addition to the lack of systematization of information about people with disabilities, human resources professionals also report having significant difficulty in finding candidates with disabilities (in general 85% of the interviewed) (I.SOCIAL, 2017, p. 13-16).

Among the difficulties still present for the recruitment and selection of people with disabilities, it can be highlighted the (1) low qualification of professionals with disabilities (19%); (2) lack of accessibility in the company (15%); (3) resistance from managers and lack of a reliable resume bank (14% each); (4) difficulty in establishing exclusive places for people with disabilities (11%). Then, (1) low attractiveness is reported due to the poor quality of the job offers (7%); (2) difficulty in dealing with people with disabilities (6%); (3) little leadership support (6%); (4) excessive absences of professionals in the interviews (5%); (5) lack of funds to hire a consultancy (2%) (I.SOCIAL, 2017, p.16). This scenario reveals the precarious working conditions and practices for people with disabilities, especially in relation to professional qualification. It seems that the perception of the PWD's low qualification is more a reflection of the quality of the job offers.

In addition to the challenges in the recruitment phase, in a review of academic publications on the presence of PWD in organizations, several factors that influence inclusion were pointed out. Among them, there are: the development of an inclusive culture in organizations that permeates all hierarchical levels with special emphasis given to the engagement of managers with inclusive practices, the availability of adapted spaces that allows reducing income differences, the adoption of practices that promote the identity of the group that encourage the feeling of belonging to the group (BALDRIDGE et al., 2015). Out of the challenges that remain, the need to promote a higher remuneration for the PWD and a greater presence in more advanced hierarchical positions was identified.

These challenges remain present in the Brazilian reality. For example, the 2016 Ethos Institute and BID survey reports that the 117 companies in the 2015 survey had only 2% of PWD among their employees. The distribution of PWD in companies shows a lower proportion among apprentices (0.83%), interns (0.06%), and trainees (0.60%). If, on the staff board, PWD represented 2.33%, this percentage decreases among supervisors (0.89%), managers (0.41%), and executives (0.64%) to zero among the members of the boards of directors (INSTITUTO ETHOS, 2016, p. 28 and 29).





5. CONCLUSION

Face the challenges arising from inclusive practices within Brazilian organizations appears to be a current and necessary theme, aiming at the evolution of the work environment promoted by the innovation achieved by the plurality of views applied to the business environment. Although the subject is in evidence, proving to be contemporary, the journey of people with disabilities in companies is far from the ideal pursued by social inclusion through the labor market, initiated by Law 8,213 of 1991 (Law of Quotas).

Approaching the third decade since its promulgation, the study pointed out that the quota law imposes difficulties on companies in the search for inclusion. The numbers collected by the reports and surveys, elaborated by national and international institutes, point out to an organizational environment that still challenges the PWD from the hiring process to maintaining their employment contract, requiring adaptation to low accessibility of facilities in companies and the surrounding areas.

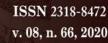
On behalf of companies, human resources professional reports identify behavioral barriers, low support from the leaders to the inclusion process, and a shortage of candidates with the necessary skills to perform the most varied organization roles. According to the Instituto Ethos and BID survey, these results lead to only 2% of the workforce's average occupation rate.

Due to its potential to develop professional and social skills, the work environment presents itself as an important motivator for the visibility and economic growth of the PWD within the social environment. However, only the assurance of a formal job, which is what the affirmative actions of the quota law seek, can subject the person with disabilities to a long wait for an opportunity that allows them to be hired and thereby start their evolutionary march.

It is necessary to think about complementary alternatives that promote the qualification of professionals with disabilities for the challenges and opportunities found in the work environment, as well as the elaboration of public policies for the training of PWD for positions that enable the evolution and achievement of all the normal acts of life in society.

A greater challenge is still adjusting the PWD treatment with the organizational culture towards an inclusive and less compensatory praxis. Inclusion, as an ethical commitment and expression of belonging to a socially responsible work environment, reveals the social fragility of the apparent inclusion.

Finally, companies should invest in adapting buildings and other surroundings environments, allowing them to compose their staff with people with a broader range of disabilities. They should also invest in training their leaders' ability to interact, and definitively, they must include this professional profile into their organizational structure,







understanding the value of diversity for success in the most different markets and target audiences.

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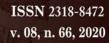
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