

EMPLOYMENT OF PERSONS WITH DISABILITIES – BETWEEN LEGAL REGULATIONS AND REALITIES OF THE BUSINESS ENVIRONMENT

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Abstract:

This paper offers an overview of the official aspects regarding the inclusion of people with disabilities in the labor market and the programs through which inclusive practices are assumed by the business environment. In this regard, we conducted a qualitative study, aiming to explore these realities, by analyzing the concrete experiences of people with disabilities in relation to the labor market in our country. The research was conducted between May and June 2025 through a series of semi-structured interviews with 14 adults with disabilities and captured their opinions on the hiring process, their activity in the work process, the relationship with employers and colleagues, as well as their personal perception of discrimination and the feeling of inclusion and non-inclusion, respectively. The results indicate major psychological and social barriers, such as fear of failure, stigmatization and discrimination, but also highlighting the importance of individual support, peer empathy and job adaptation as facilitators of inclusion. The study also reveals the discrepancy between companies' declarative commitments and the practical application of inclusive principles and emphasizes that a sustainable organizational culture based on empathy and adaptability is essential. Our findings attest to the fact that there is a need to prepare the Romanian business environment for a real conduct of inclusion, beyond the legal or declarative aspects, highlighting the economic opportunities and moral imperatives for the development of company strategies that meet the needs of an undervalued workforce.

Key words: Labour market regulations, inclusion policies, people with disabilities, impact of inclusion in the business environment, rights of people with disabilities, discrimination.

JEL classification: J14, M10, M14

1. INTRODUCTION

In the current context of globalization, there are numerous legal commitments, assumed at both international and national level regarding inclusive practices in the labor market for people from vulnerable groups. At the same time, the corporate vision, especially in highly developed countries - though not exclusively - promotes policies for the adaptation and inclusion of people with disabilities in the business environment.

The present paper aims to approach the two perspectives - theoretical and practical - adapted to the Romanian business environment, from the perspective of people with disabilities who are on the labor market. We investigate, through a qualitative approach, the relationship between this category of people and employers, the possibility of the barriers encountered, as well as the impact that inclusion can have on the economic activity of a company.

The present study represents a semi-structured qualitative research, based on open interviews, conducted with such subjects either employed or looking for a job, carried out between May and June 2025, with the aim of exploring the integration of these people in the active work environment.

The theme is motivated by its topicality as a general concern, by the growing trends of inclusion of the vulnerable workforce – both from the perspective of diversity policies, put under the sign of official regulations at the legislative level, but also from the business ones, which create and propose for adoption – at least at a declarative level – inclusive practices that prove to be essential for the longevity and prosperity of organizations (Arjya and Amresh Kumar, 2024).

At the same time, the interest also comes from understanding the impact that disabled people have on the labor market, given that in our country the number of registrations of people with

disabilities has increased exponentially – doubling in the last 20 years, reaching almost one million registrations in March this year (ANPDPD, 2025). The concern also comes from the need to understand not only the vulnerability of these people, but also the desire to highlight their real potential, to bring added value to organizations – either through loyalty, adaptability or alternative perspectives on work.

2. THEORETICAL, NORMATIVE AND APPLICATIVE REVIEW OF THE FIELD

2.1. RELEVANT STUDIES ON THE EMPLOYMENT OF PERSONS WITH DISABILITIES

Employment is an important factor in the standard of living and self-esteem for each individual, but especially for people with disabilities, for whom it not only provides income and security, but also helps them overcome social isolation and feelings of inequality and disrespect—factors that overshadow the state of disability (Schur et al., 2009).

In the literature on disability and work, the most common topic concerns employment, unemployment, and the labor market (23.3%), followed by the topic of workplace accommodation (8.1%); models, theories, and concepts about disability (7.2%); workplace attitudes and corporate culture (6.9%); and diversity management (6.4%) (Jurado, Quintana-García, & Rodríguez-Fernández, 2020).

Studies on the reasons why companies do not employ individuals from this social group have shown that supervisors consider this group of employees to be less productive and more prone to absenteeism; therefore, supervisors prefer someone without work disabilities, out of convenience (Strindlund et al., 2019; Hulsegge et al., 2020).

The attitude and perception of employers are essential for ensuring the successful integration of persons with disabilities into the labor market, as their involvement and role in employment and ensuring equity in the workplace are of utmost importance (Bengisu and Balta, 2011). The specialized literature shows that the employers' perspective represents one of the most important factors contributing to the unfavorable employment rate of these individuals (Jones, 2011; Marumoagae, 2012). In general, employers hold a negative perspective toward the employment and inclusion of persons with disabilities in the workplace (Chima, 2011; Lengnick-Hall et al., 2008).

A few studies highlight the stereotypical mindset of employers toward workers with disabilities, but empirical evidence suggests that hiring such individuals contributes significantly to the corporate culture and success of an organization (Ball et al., 2005; Samant et al., 2009).

An analysis by Vornholt et al. (2013) highlights several factors that affect the acceptance of such persons with disabilities and contribute to the persistently low employment trends of this workforce group. The authors suggest that the acceptance of persons with disabilities is influenced by three factors: the characteristics of such persons, employers, and coworkers.

Factors influencing the participation of this group of people in the workforce include age, education, and professional activity. Improving the system should take into account company size, level of disability, job assessment tools, and the use of workplace counselors (Malecka et al., 2024).

The approach to employers' attitudes toward persons with disabilities in companies of different sizes - namely large, medium, or small enterprises - is reflected in several studies. Some of these studies show that managers in large companies often question the effectiveness of the disability equality practices adopted by firms (Dibben et al., 2002; Erickson et al., 2014).

On the contrary, the authors Bacon and Hoque (2022) suggest that the continued disadvantage of disability in the workplace does not appear to be related to the size of the firm. In their opinion, job satisfaction also does not vary depending on company size. Enayati, von Schrader, Erickson, and Bruyère (2019) noted the lack of research demonstrating a positive relationship between such practices and the prevalence of the disabled workforce.

According to studies by Schaap et al. (2022), individuals with disabilities who were employed were very satisfied under the guidance of supervisors who had undergone mentor training. To

improve the capacity for sustainable employment, supervisors' training should focus more on appropriate working conditions, providing employees with opportunities to learn new work tasks, and improving supervisors' skills in appreciation, attitude, and communication.

2.2. REGULATIONS AND OFFICIAL FRAMEWORKS ON THE INCLUSION OF PERSONS WITH DISABILITIES IN THE LABOUR MARKET

2.2.1 RIGHTS OF PERSONS WITH DISABILITIES IN RELATION TO THE LABOUR MARKET

The United Nations (UN) played the most important institutional role in the development of the international treaty used as the basis for implementing regulations at the national level worldwide - the Convention on the Rights of Persons with Disabilities (CRPD). Adopted in 2006, it aims to protect and ensure the fundamental rights of persons with disabilities. The right to work is a central pillar of the CRPD, highlighting the importance of ensuring fair employment conditions, access to employment, and the need to eliminate discrimination in the recruitment process (UN, 2006).

Building on the directions outlined by the UN, the European Commission established a working group (ANED) that played a particularly important role in defining quantitative and qualitative indicators for monitoring compliance with these principles and ensuring social equity between people belonging to vulnerable groups and those from the general population.

Among the quantitative indicators that help measure the inclusion of persons with disabilities in the labour market, the most relevant are the unemployment rate among these persons compared to the general population; the comparative activity and inactivity rates; full-time or part-time employment; as well as the status of self-employed workers or employers (European Commission, 2009).

In the case of our country, government strategies have placed the integration of persons with disabilities into the workplace among their priorities. But what lies beyond the simple enunciation of generous objectives (SAR, 2010)? The answer comes from research carried out by Baciu and Lazăr (2017), which reveals a certain type of consonance between Romanian legislative provisions, institutional arrangements, and local practices, allowing the concept of "protection of persons with disabilities" to exceed its initial purpose and philosophy and begin working against persons with disabilities. Thus, instead of facilitating integration, protection becomes an instrument of exclusion by conditioning access to rights on a stigmatizing certificate, promoting selection based on medical criteria, and maintaining a terminological confusion that perpetuates structural discrimination.

Many Romanian authors mention that there is a need in our country for clear anti-discrimination legislation regarding recruitment, employment, working and promotion conditions, occupational safety and hygiene, provisions on "reasonable" workplace accommodation, and penalties (Cioca and Ivaşcu, 2016; Moraru et al., 2014; Lakatos et al., 2018).

2.2.2 EMPLOYABILITY OF PERSONS WITH DISABILITIES

Although significant progress has been made in the discourse linking business and human rights, as well as in the practices of multinational corporations, the rights of persons with disabilities are not perceived as a firm obligation for states or multinational companies. They are often considered indicative but are not enforced as mandatory standards.

The employment of disabled people has been almost completely absent from international initiatives targeting multinational corporations. For example, the United Nations Guiding Principles on Business and Human Rights (UNGPs), adopted five years after the United Nations Convention on the Rights of Persons with Disabilities (CRPD), mention these rights only in accompanying comments.

A notable and recent example that counters this trend is the United Nations and International Labour Organization Guide for Business on the Rights of Persons with Disabilities (UN/ILO Guide),

which promotes a series of principles and practices designed to support companies in integrating and sustaining the employment of these individuals (Bantekas and Stein, 2021).

There are studies conducted by administrative and legislative bodies that assess the degree of employment among vulnerable populations. International forums such as the Organization for Economic Co-operation and Development (OECD) carry out periodic reports that not only provide an overview of the market situation regarding the integration of people from vulnerable groups into the labor market, but also offer frameworks for best practices in inclusion. The latest report of this kind shows that the employment rate among persons with disabilities in the 38 member states is 28 percentage points lower than the employment rate of persons without disabilities (OECD, 2022).

Another study highlighting this discrepancy was conducted by the European Trade Union Institute (ETUI), which shows that between 2014 and 2022, in the EU27, the employment gap between persons with and without disabilities varied, on average, between 22.7 and 21.4 percentage points (Atanasova, 2023).

If we look at the example of the United States, the differences are even more pronounced. In 2024, the employment rate of this social category was 22.7%, compared to 65.5% among the general population. This results in a gap of more than 30 percentage points, with persons with a disability having an employment rate almost three times lower than those without disabilities (U.S. Bureau of Labor Statistics, 2025).

2.3. THEORETICAL PERSPECTIVES AND APPLICABILITY IN THE BUSINESS ENVIRONMENT

At the international level, we can observe that inclusive practices in the business environment are approached from two perspectives: integrated into corporate strategies as part of corporate social responsibility (CSR), which reflects the predominantly European view, and, in the case of the United States, included in programs dedicated to promoting Diversity, Equity, and Inclusion (DEI). Studies conducted among large corporations reveal a direct link between the implementation of inclusion (whether as part of CSR or DEI) and increased financial performance, although academic research in this area remains insufficient.

The first perspective, that of social inclusion as part of CSR, is indirectly correlated with turnover. Social inclusion offers the opportunity to make a company's values visible and thus makes a significant contribution to creating a strong brand and promoting its reputation as a socially responsible company. This can create competitive advantages, such as generating added value. Consequently, this can lead to increased sales and profitability (Mietlich & Oldenburg, 2019). Another study on corporate policies addressing this aspect of inclusion from the perspective of social responsibility demonstrates that organizations effectively integrating disability inclusion into their broader CSR strategies tend to achieve improved financial outcomes, such as enhanced reputation and customer loyalty, which contribute to better financial performance (Hull & Rothenberg, 2008). Among the CSR practices implemented by organizations recognized for their efforts to include persons with disabilities, four main directions can be identified: diversity and inclusion statements, employee resource groups, supplier diversity initiatives, and targeted recruitment and employment plans (Gould et al., 2019).

A second perspective on the inclusion of people from vulnerable groups in the business environment is associated with DEI practices, and empirical studies conducted in countries around the world among large corporations link the implementation of DEI programs with business performance (Sundiatu et al., 2020). DEI programs represent a set of organizational practices that support an inclusive organizational culture, promote equity, ensure equal access to opportunities, and value diversity. Such practices are common among large companies and in certain cultures, such as the Western European culture, but especially in the American one.

The implementation of DEI is an essential pillar for the development of organizations at the international level, having a positive impact on both economic performance and employee well-being. It is estimated that, in the United States, more than 80% of companies have adopted DEI initiatives

following the 2020 boom, with significant results in leadership diversity and financial performance (Elting, 2024).

In our country, although there is a legislative framework regarding the rights of persons with disabilities, the practice of inclusion in the labor market is limited by traditional mindsets, reduced accessibility, and the lack of effective policies (Bungau et al., 2019).

3. RESEARCH METHODOLOGY

Our study is a qualitative research, materialized through a series of open, semi-structured interviews with respondents who are persons with disabilities capable of working, either already active in the labor market or seeking employment. The research was carried out between May and June 2025, involving a total of 14 adults with disabilities from diverse socio-economic, educational, and cultural backgrounds. The participant group included individuals with visual impairments, motor disabilities, and cognitive disabilities, reflecting a broad and commonly used classification of disability that encompasses conditions affecting physical, sensory, and cognitive functioning, without aiming to exhaustively capture all existing typologies. Regarding their educational level, out of the 14 individuals interviewed, two completed only general education (eight grades), one respondent attended a special education school, four graduated from vocational school, five are high school graduates, and two individuals hold a higher education degree.

We emphasize the difficulty of selecting participants; people from vulnerable groups who are willing to openly share their professional experiences are few, with some individuals' reluctance considerably limiting their willingness to participate in such studies. The difficulty in recruitment for these types of research may reflect the very problem of the "invisibility" of persons with disabilities in the labour market.

The interviews were conducted face-to-face, in the presence of a facilitator, using an interview guide with open-ended questions, which allowed the discussion to be adapted to each respondent's experience and the cadence of their responses.

The purpose of this study was exploratory, focusing on the interviewees' experiences with the hiring process, their activities at work, relationships with employers and colleagues, as well as their personal perceptions of discrimination and feelings of inclusion or non-inclusion in the business environment. The decision to initiate an exploratory qualitative study was driven by the intention to more clearly delineate the research universe at an early stage, by gaining an in-depth understanding not only of participants' perspectives, but also of the language, meanings, and terminology through which experiences of disability and employment are articulated. This approach enabled the identification of context-specific patterns, subjective interpretations, and socially embedded narratives that are particularly relevant when examining sensitive and under-researched topics, such as the integration of persons with disabilities in the business environment, while simultaneously laying the groundwork for the formulation of subsequent research hypotheses and the development of a longer-term analytical framework. At the same time, the qualitative and exploratory nature of the study entails inherent limitations, including the inability to generalize findings to broader populations due to the small, non-representative sample, the limited replicability and external verification of results. The researcher's bias also represents important limitations, given that their presence and interpretative role may influence data collection and analysis. This challenge is particularly salient in research involving people with disabilities, where the topic itself may be emotionally charged or potentially vulnerable for participants, and where maintaining analytical distance while ensuring ethical sensitivity requires continuous reflexivity on the part of the researcher.

To analyze the results, we used a process of qualitative data interpretation conducted in several stages. The data were presented and organized by fully transcribing the interviews and noting relevant observations. The information and responses were then coded, observing patterns and identifying recurring expressions in the respondents' shared discourse. Additionally, we identified the frequencies of key terms, which were then assigned to sub-themes. These sub-themes were subsequently grouped into several major themes, presented in the graph in the results section, to

highlight the distribution and intensity of discussions on the main areas of interest: “Psychological and Social Barriers,” “Enabling Factors of Inclusion,” “Perceived Economic Impact,” and “Positive Experiences and Good Practices.”

4. RESULTS

The topics addressed and the responses provided by the participants were organized into four major themes and nine distinct sub-themes, established based on the recurrence of ideas, conceptual similarities, and relevance to the research objective. Their distribution is summarized in Figure no.1, using four distinct colors, with histograms illustrating the total frequency of mentions associated with each sub-theme.

A. The first and most prominent theme, based on both the number of respondents and the frequency of references, was identified as Psychological and Social Barriers. This theme captures two interrelated but analytically distinct stages of participants’ experiences. The first stage concerns the period preceding employment and is characterized by pervasive fear and anxiety related to labor market entry. Almost all respondents (12 out of 14), with a total of 23 recurrent mentions, expressed a profound fear of not being able to find a job, accompanied by doubts regarding their own capabilities and concerns about repeated rejection. Participants described feelings of inadequacy, hopelessness, and emotional distress associated with unsuccessful job searches, as illustrated by statements such as: “I’m afraid I can’t cope”; “I was desperate”; “I cried when I couldn’t find a job”; “I felt useless, like I was no longer worthy”; and “I feel beaten by fate, without hope.” These narratives highlight the anticipatory anxiety surrounding employment, which functions as a significant psychological barrier even before direct contact with employers.

The second stage within this theme emerges after employment is secured and relates to experiences of workplace discrimination and disability labeling. Participants reported that once their disability became known, they perceived noticeable shifts in the attitudes and behaviors of colleagues or supervisors, often marked by marginalization, disregard, or stigmatizing language (“They look at you differently; they ignore you.”; “If you say you have a problem, no one pays attention to you.”; “He called me disabled when it was just us!”). Such labeling practices were identified with a total of 19 references, indicating their salience across participant narratives. These experiences had a deeply negative impact on participants’ self-esteem and sense of belonging, leading some to conceal their disability whenever possible or to express a preference for isolated forms of work, such as park or animal caretaking. Workplace discrimination was coded separately and emerged in 16 distinct mentions, being illustrated through accounts of what participants perceived as unjustified dismissals or indirect pressure to resign (“At Carrefour, I was accepted at first, but then they fired me without clearly explaining why.”). In response to these experiences, respondents consistently emphasized the importance of equal opportunities and fair treatment, articulating a normative expectation that organizations should evaluate individuals based on competence rather than physical or cognitive conformity (“Every company should give chances to everyone, not just the perfectly fit.”).

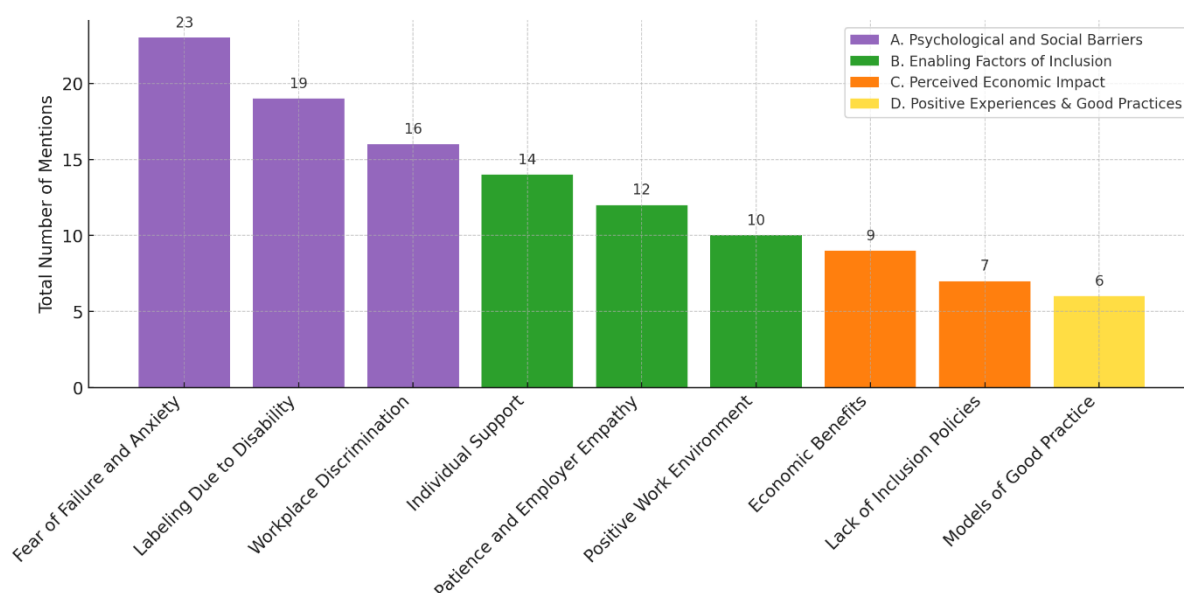


Figure no. 1. Frequency of subtopics grouped on the 4 major themes

Source: Own elaboration

Another aspect that emerged from the discussions with the interviewees was that their employability does not depend on the size of the company but rather on the lack of competition for a given job - specifically, whether the position is not highly sought after on the labor market - and whether the company does not have a strong reputation or is not a brand for which there is intense competition for employment.

B. Regarding the second theme, Enabling Factors of Inclusion, participants emphasized the importance of individualized support received from key actors who facilitated and mediated the process of job acquisition, emphasizing not only the role of mentoring in fostering inclusion, but also the critical value of personal recommendations and guided assistance in accessing employment opportunities. Notably, this form of individual support emerged as the most frequently mentioned topic within this theme, with a total of 14 recurrent references across participant narratives.

Moreover, according to some participants, successful workplace integration depends on team support and the patience of supervisors: “If the boss is patient with you, you learn anything.” Another sub-theme perceived as a major factor for inclusion was the patience and empathy of coworkers; participants expressed a desire for a work environment with empathetic, understanding, and open colleagues (“At the company where I work now, I was lucky: the bosses and colleagues explained everything to me patiently”; “They have to be patient with you; otherwise, you can’t learn”), emphasizing the importance of constructive feedback instead of abrupt sanctions (“If I were a boss, I wouldn’t fire someone directly; I would talk to the employee”). A unique suggestion was to “educate people from an early age through tolerance courses.”

The sub-theme of positive experiences, although less prevalent, indicates that a supportive work environment can make a decisive contribution to the well-being of disabled people, as reflected in participants’ accounts such as: “I really like my job the way it is: stable, with good colleagues.” This sub-theme was identified through a total of 10 references, with 6 participants explicitly highlighting the importance of a positive work environment. Rather than portraying inclusion as complete or unproblematic, these accounts suggest that feeling accepted, supported, and respected within the workplace plays a crucial role in shaping participants’ overall sense of belonging.

C. The third theme, the Perceived Economic Impact, highlighted two important directions. On the one hand, the interviewees believe that persons with disabilities, if given the opportunity, become stable and dedicated employees - more loyal than persons without disabilities, who represent a more fluctuating workforce. These aspects result in an indirect economic benefit that companies can gain by hiring candidates from vulnerable groups: “I believe that a company earns a lot if it hires people

with disabilities, because we are punctual, we care a lot about the job, and we respect the company.”; “A company wins if it hires people with disabilities, because we are serious.”

On the other hand, the lack of inclusion policies emerged as a distinct and recurring issue, identified in 7 references across participant narratives. Participants noted that some companies tend to prioritize formal compliance with legal obligations over the effective employment and meaningful integration of disabled people, a concern reflected in statements such as “I really want to work,” which expressed frustration with being formally employed yet insufficiently involved in work tasks, as well as with the absence of an organizational culture centered on empathy and inclusion and broader societal misunderstandings regarding vulnerability and support needs.

This lack of inclusion differs from direct workplace discrimination in that it is primarily manifested through institutional omission rather than explicit exclusion, as illustrated by everyday organizational practices that fail to accommodate individual needs, including situations in which employees were either underutilized or asked to perform physically demanding tasks despite documented health limitations.

D. While the lack of inclusion policies reflects the absence of structured organizational mechanisms that support integration, positive experiences and models of good practices capture contexts in which such mechanisms are actively present and meaningfully applied. This fourth theme, Positive Experiences and Models of Good Practices, although the least recurrent across the dataset (6 references), highlighted the importance of adapting workplace conditions, adjusting the pace and requirements, which are considered crucial for the performance of employees with disabilities: “If the position is adapted, we can work much better.”

Respondents expressed the need for jobs adapted to their needs, with less physically demanding tasks, stable schedules, and opportunities to participate in training courses with personalized support. A positive experience reported showed that an environment in which the employee received constant support led to successful integration: “At work, they welcomed me very well, colleagues helped me, and now I am happy.”

5. CONCLUSIONS AND DISCUSSIONS

Our qualitative exploratory study reveals the realities of the Romanian labor market from the perspective of persons with disabilities, helping to highlight the glaring discrepancies between the formal commitments made by companies regarding inclusion programs and the actual experiences and challenges faced by these individuals during the hiring process. By thematically analyzing the interviewees’ responses, we were able to identify not only recurring patterns but also concrete suggestions and measures to improve inclusion in the business environment.

The results of the interviews reveal, to a large extent, a discrepancy between the commitments of companies - which remain largely declarative - and the actual practice of inclusion, which often appears superficial. Even when companies employ disabled people, their organizational environments are not adapted to accommodate vulnerabilities, and deviations from the norm are treated disproportionately.

Although legislative interventions and official directives strive to prohibit discrimination in various areas of social life, including employment, people from vulnerable groups continue to face barriers in the workplace that prevent them from performing effectively in general or effectively compared to their counterparts without disabilities. The findings of many studies highlight the gap between the discourse of employers and government officials and that of workers with disabilities (Remnant et al., 2022).

Following the thematic analysis in the current study, we can conclude that the highest frequency of responses regarding the feelings expressed by the subjects relate to psychological and social barriers, indicating that these aspects prevail and represent a major challenge in the employment process of persons with disabilities. The lower frequency of mentions of inclusion enablers in the discussions highlights their importance but does not necessarily indicate their adoption by companies. Meanwhile, the lowest frequencies recorded for positive experiences and models of

good practices underline the acute need to develop sustainable organizational strategies for inclusion. These results reflect the ineffective implementation of support policies and the lack of an inclusive organizational culture. Moreover, it can be concluded that the business environment prioritizes formal, surface-level compliance, and therefore an accessible and empathetic work environment is rarely encountered in practice.

Findings from peer-reviewed studies attribute inclusion practices to contributing to organizational performance (Arjya & Amresh Kumar, 2024; Mietlich & Oldenburg, 2019; Hull & Rothenberg, 2008) and argue that investing in inclusion policies is not only a legal or moral obligation, but also an economic opportunity. Building on this idea, the present study emphasizes the importance that interviewees placed on employer support and empathy, as well as the adaptation of job positions to meet employees' needs - inclusive strategies that can radically transform the professional experience and support performance. It can be concluded that it is essential not merely to mechanically increase the percentage of employees from vulnerable groups, but to cultivate an inclusive organizational culture as a long-term development strategy.

At the same time, we believe that the topic of workplace inclusion deserves greater academic exploration. This study represents a first exploratory step toward a deeper understanding of the business impact when individuals from a particular vulnerable group enter the business environment.

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