

PUBLIC AWARENESS ON DISABILITIES EMPLOYMENT: MOVING TOWARDS INCLUSIVE SOCIETY

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ABSTRACT

This study aims at answering the questions on how the public awareness on disabilities employment, why the implementation of people with disabilities employment in Jakarta still finds a lot of barriers and how the government of Indonesia overcomes these problems in moving towards inclusive society. This study employed a phenomenological approach to understand how participants experienced the phenomenon. Semi structured interviews were conducted to a total of 10 participants consists of entrepreneurs, private industries, government institutions, employed and unemployed people with disabilities to get their perspectives on what problems they face in employment opportunity and what reactions have been shown by the industrial sectors and entrepreneurs to include people with disabilities to develop their knowledge and skills in the development of the country. The research proved that the public awareness on people with disabilities employment still needs to enhance. Various campaigns and education programs should be implemented to create open minded society. This study provides insights on the importance of providing employment opportunity for people with disabilities, discusses the coercive actions taken by the government and offers recommendations for future research.

KEYWORDS: Public awareness, People with Disabilities, employment opportunity, inclusive society

INTRODUCTION

Globally, there are over one billion people with disabilities out of which 80 percent live in developing countries (WHO, 2011). Over 450 million people with-in this population are in the working age, which provides a demographic advantage to the economies in facing the aging population issues. However, the estimates reveal that percentage of unemployment among people with disabilities ranges from 50 to 70 percent in the industrialized world and 80 to 90 percent in developing countries. In many developing countries, self-employment in the informal sector is relatively higher among those willing to work due to the attached social stigma and social desirability bias concerning disability in the organized sector (WHO, 2011).

Population Census 2010 stated that the number of PWD in Indonesia were 11 million or 4.66 percent of the population. Other statistics estimated that the figures were 6 million or 2.45 percent (Susenas 2012) and 1 million or 0.45 percent (Podes 2011). Higher figure was published in Riskesdas (2013)

11 percent of people aged 15 years or why the implementation of people with disabilities employment in Jakarta still finds a lot of barriers and how the government of Indonesia overcomes these problems in moving towards inclusive society.

Labor force among PWD showed lower rate (60 percent) than in people without disabilities (PWOD) (72 percent). The unemployment rate of PWD was lower (8 percent) compared with that of PWOD (11 percent). However, there was quite large number of inactive people among PWD—people who do not carry out housework (not housewife) or schooling but are not included in labor force. The figure reached 25 percent for PWD, far beyond PWOD (7 percent only). This fact has brought us to suspect the existence of discouraged workers among PWD. In Indonesia, where the disability rate is around 4.29 percent, people with mild disabilities have a 64.9 percent chance of being employed and people with severe disabilities get less than 10 percent employment chance (Adioetomo et.al.,2014). Specifically, a true picture of the employment rate of people with disabilities in this region is unavailable (UNESCAP, 2015).

One of the problems faced by people with disabilities when they are adults is the difficulty of getting a job. They are excluded from normal people when trying to seize employment opportunities, people with disabilities who are ready to work have the ability to work, even though they have to use tools. So far, he said, job opportunities for people with disabilities are still very small. Only a few people, few companies want to recruit them as workers. A number of State-Owned Enterprises (SOEs) that still do not want to employ persons with disabilities (permanent disabilities) despite being mandated in Law No. 4/1997 and Government Regulation No. 43/1998. In this provision, it was confirmed from 100 workers, one of whom was a person with a disability. In the era of President Joko Widodo's leadership, the Government, Regional Government, State-Owned Enterprises and Regional-Owned Enterprises were required to employ 2% of people with disabilities, from previously only 1% of the total number of workers.

This fact is inversely proportional to the conception of fulfilling the right to obtain employment for Indonesian citizens guaranteed by the country's constitution namely the 1945 Constitution of the Republic of Indonesia. The Government of Indonesia has stated expressly that getting decent work is the right of all people. Likewise with persons with disabilities, which specifically according to Law number 8 of 2016 concerning Persons with Disabilities are declared entitled to obtain work organized by the Government, Regional Government, or the private sector without discrimination.

Based on the description above, this study aims to answer the question on how the public awareness on employment disabilities, why the implementation of people with disabilities employment in Jakarta still finds a lot of barriers and how the government of Indonesia overcomes these problems in moving towards inclusive society

LITERATURE REVIEW

Disabilities Employment

It is well known fact that employment is an important factor of livelihood and self-esteem for every individual, especially people with disabilities for whom it not only provides income and security, but additionally helps to overcome social isolation, feeling of unequal status and respect that shadows disability (Schur et al., 2009).

Across the world, people with disabilities are entrepreneurs and self-employed workers, farmers and factory workers, doctors and teachers, shop assistants and bus drivers, artists, and computer technicians (Domzal, et.al. 2008). Almost all jobs can be performed by someone with a disability, and given the right environment, most people with disabilities can be productive. But as documented by several studies, both in developed and developing countries, working age persons with disabilities experience significantly lower employment rates and much higher unemployment rates than persons without disabilities.

Disability involves a multidimensional condition in which PWD are more likely to have lower education, fewer formal education qualifications, lower training, to be unemployed, to be paid less if they are employed, and to have less access to public service than people with no disabilities (PWOD) (Mitra and Sambamoorthi, 2008; Schur et.al., 2009; Trani and Loeb, 2012). In addition, it is acknowledged that many PWD in developing countries live in rural areas where access to training, work opportunities, and services are limited (ILO Report, 2009).

Several studies have investigated the barriers and challenges for PWD to participate in labor market. ILO Report (2009) identifies the barriers to work among adults with disabilities using national US data National Health Interview Survey Disability Supplement for the year 1994/95. They realize that “pre-hiring” steps are essential and become potential points for policy intervention. The reasons for being discouraged from looking for work are, from the most frequently cited: the lack of appropriate jobs being available, family responsibilities, lack of transportation, inadequate training, fears about access to the full complement of opportunities once on the job, and being discouraged by family or friends because of further burdens that may fall to them if a relative or friend with a disability goes to work.

Two critical issues strongly relate in employment, one of it relates to Equal Employment Opportunity (EEO) and Labor Discrimination. EEO is done by the government to make sure that all individual has the same opportunity for employment without differentiation in the race, age, sex, religion or ethnic group (Wilson, 2012). EEO first sparked by US government in form of 14th Amendment (ratified on 1868) that declare it is illegal for any states to establish or enforce any law that would limit privileges of US citizens and in common, courts would see this law to prevent discriminations based on sex, origin, nationality or race (Dessler, 2003).

According to Domzal (2008) most of the worldwide person with disabilities employee as entrepreneurs, stock farmers, factory workers, teachers, drivers, store clerk, artist and computer technician (2008). A person with disabilities can do almost all occupation along with a supportive environment; a person with disabilities can be productive workers. In Houtenville studies, Andrew, David, Robert, and Richard (2009) working level for a person with disabilities seems to decrease in the 21st century. In terms of employment and participation on the labour market, persons with disabilities are an underemployed group of the workforce (Colella & Bruyère, 2011). For people with disabilities, employment is particularly important, because having a disability often means being socially isolated (WHO, 2011). Being employed is one opportunity to reduce this isolation and an important tool to reduce poverty (Schur, 2002). Research evidenced that work remains important and meaningful for persons with disabilities and keeps its health promoting effects over time (Saunders & Nedelec, 2014). However, it should be noted that employment is not always inherently beneficial (Broom et al., 2006).

Dimension of Social Inclusion

Social inclusion touches almost all dimensions of life, both individual and societal. These dimensions can be categorized in many different ways. In fact, there are various attempts to categorize the dimensions of social exclusion and inclusion. As each context or purpose of social inclusion varies significantly, it would be best if each society or community identify the most appropriate dimensions in consultation with wide range of stakeholders. Also, social inclusion can be promoted at many different levels, which has different objectives and target beneficiaries.¹

As a pre-requisite, respect for all human rights, freedoms, and the rule of law, both at national and international levels, are fundamental. Every member of society, no matter what his or her economic resources, political status, or social standing, must be treated equally under the law. Legal instruments ensure the guiding principles that will guarantee equity, justice and equal opportunities for all citizens.² Violators of human rights should be brought to justice. The judiciary which serves to protect just societies must be impartial, accountable and inclusive to giving weight to the opinions of those who defend the inclusiveness of the society at the local, regional and national levels. Maintaining the security of all individuals and their living environment is paramount in creating a feeling of inclusion and an atmosphere of participation in society.³

The concepts of social integration and social inclusion are similar ones, and in fact overlap each other in many ways. However, some differences exist which are useful to be examined in order to

¹ Creating an Inclusive Society: Practical Strategies to Promote Social Integration, DESA 2009.

² Equity refers to a condition in which society is characterized by justice, equality, impartiality and fairness, including fair and equal distribution of power, economic resources, opportunities, goods and services across the social spectrum. In an equitable society people are not excluded from the activities of society, such as education, employment, or health care and there is no bias or favoritism.

³ Summary of E-dialogue on "Creating an Inclusive Society: Practical strategies to promote social inclusion", organized by DPSD/UNDESA, 23 May - 17 June, 2007.

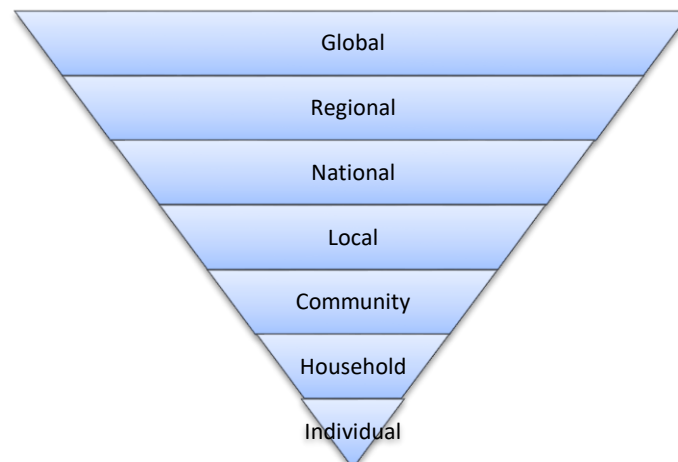
avoid confusion. It is worth mentioning that any attempts to differentiate these two concepts will inevitably face a challenge, as there is no single agreed definition for either. The concept of social integration was created through political consensus among member states at the World Summit for Social Development. Social inclusion or social cohesion were preferred terms for some, however, it was a consensus agreement that the concept of social integration allows broader interpretation. The Social Summit approached social integration in terms of goals, principles and process. It is important to understand that social integration is not an end-state that societies can achieve, but a dynamic process in which societies engage in order to further human development.⁴

Normatively speaking, the dominant image, framework, ideal or paradigm of an inclusive society varies (Silver, 1994). The discourses and terminologies of social inclusion also differ: solidarity, integration, cohesion, social capital (Alba & Foner 2014; Beauvais & Jenson 2002; Berger 1998; Berger-Schmitt 2000; Bernard, 1999; Daly & Silver, 2008; Favell, 2001; Brunkhorst & Flynn, 2005; Kymlicka, 2010; Putnam, 2007; Silver, 1994; Stjerno, 2005; Taylor, 1992). In essence, conceptions of social inclusion describe the ways a society's parts fit together and share values. Social inclusion needs to occur on various dimensions and multiple levels. It is a process through which the dignity of each individual is recognized, needs and concerns of all people are reflected, rights of all people are not only guaranteed in legislation, but also respected, and people are able to participate actively in life activities. The process of social inclusion needs to take place simultaneously at multiple levels, from the individual, community and local levels, to the regional and national levels, as social inclusion is a subject which concerns all stakeholders in society. While social inclusion involves formal (societal) level engagements, ensuring that institutions in society reflect, uphold, respect, and activate the inclusive processes within society, it at the same time, addresses the informal (individual) level of engagements, and as such, perceptions and experiences of individuals, how they think and feel, also need to be taken into account. Social inclusion reflects, on the one hand, an individual's experience of and possibilities for self-actualization, and on the other hand, societal capacities to eliminate causes of exclusion and ensure equal opportunities for all.⁵

⁴ Participatory Dialogue: Towards a stable, safe and just society for all", UN, 2007.

⁵ Final Report of the Expert Group Meeting on "Creating an Inclusive Society: Practical strategies to promote social inclusion", May (2008), unpublished.

Figure 1
The multiple levels involved in a social inclusion process



Source: DESA, 2009

People Awareness and Discrimination towards People with Disabilities in Employment

According to the World Report of Disability, released by the World Health Organization (WHO), employment rates for people with disabilities (PWD) are lower than those of the overall population. Data show worldwide, the employment rates for men and women with disabilities are 52.8 and 19.6%, respectively, compared with 64.9% for men without disabilities and 29.9% for women without disabilities (WHO, 2011). Governments worldwide are trying to promote the employment of PWD by motivating workforce participation and reducing discriminatory tendencies.

People with disabilities are disadvantaged in the labor market. For example, their lack of access to education and training or to financial resources may be responsible for their exclusion from the labor market – but it could also be the nature of the workplace or employers’ perceptions of disability and disabled people. Social protection systems may create incentives for people with disabilities to exit employment onto disability benefits.⁶

The highest law, the 1945 Constitution of the Republic of Indonesia Article 28 I paragraph (2) states that every person has the right to be free from discriminatory treatment on any basis and has the right to get protection against such discriminatory treatment. Under the regulation there is Law No. 13 of 2003 concerning Manpower which guarantees equal opportunities and treatment without discrimination on any basis to realize prosperity. Article 5 of Law No. 13 of 2003 mandates the

⁶ Sickness, disability and work: breaking the barriers. A synthesis of findings across OECD countries. Paris, Organisation for Economic Co-operation and Development, (2010).

opportunity for persons with disabilities, that every worker has the same opportunity without discrimination to obtain work. Next in article 19 it is mentioned about job training specifically for people with disabilities. The article contains instructions regarding the provision of job training for workers with disabilities carried out with due regard to the type, degree of disability and ability of workers with disabilities concerned. Article 67 paragraph (1) of Law No. 13 of 2003 concerning Labor also regulates the issue of protection for disability, employers who employ workers with disabilities are required to provide protection in accordance with the type and degree of disability. The process of recruitment to on the job training and protection of workers for disabilities that have been regulated in an Act-invitation becomes an opportunity for disability in filling the vacant spaces for the formation of workforce needs both within the scope of government, State-Owned Enterprises (SOEs), Agencies Regionally Owned Enterprises (BUMD) and private companies.

The company still wants to find quality human resources without disabilities. This can be seen from the selection process carried out both in private companies, BUMD, BUMN and government organizations. There are still many requirements used in the selection process that require physical and mental perfection of the applicants. According to Noemijati (2008: 561) the problem often faced by organizations is the reality of bias when the test process for selection is carried out. Kusumardani S., Diah (2005: 76) identified that managing labor diversity by respecting employees is one of the challenges faced by companies today. Workers with different characteristics will also arise challenges related to different ways of acting and communicating (Kusumardani S., Diah, 2005: 84).

Cases of rejection of companies in prospective workers with disabilities also often occur in Indonesia. There are some experiences of friends like a blind person who were rejected just because they could not read the typed results. Even though with a scanner and a computer talking, reading typing is not a problem. After all, now is the digital era. There are also Deaf people who cannot work in an office just because they cannot answer phone calls, even though the main job description is not a telephone operator. There are still many other cases that are actually caused by a low understanding of the employer regarding persons with disabilities that there is an obligation to empower them. It is not even an obligation that is a burden, there are also benefits that companies will get if they employ people with disabilities.

RESEARCH METHODS

Methodology is concerned with the process and the method by which the researcher acquires knowledge about the world (Creswell, 2007; Edwards & Skinners, 2009; Punch, 1998) that may be helpful in answering the research questions and objectives of the present study. Research methodology helps the researcher to get data through multiple sources, e.g., questionnaires, face-to-face interviews, focus group interviews etc. It is argued that methodology plays a vital role in achieving research objectives. It points the research towards positivism/objectivism or interpretivism, according to the research objectives. If one of the research objectives is to supplement knowledge or

fill an existing gap, then it would point towards positivism (quantitative methods). If the research objective is problem solving or exploring the phenomenon under study, then it would recommend interpretivism (qualitative methods) (Creswell, 2007).

A phenomenological approach is employed in this research. Phenomenology is an approach to qualitative research that focuses on the commonality of a lived experience within a particular group. The fundamental goal of the approach is to arrive at a description of the nature of the particular phenomenon (Creswell, 2013). According to Creswell (2007), a phenomenological study describes the meaning for several individuals of their lived experiences of a concept or a phenomenon (p. 57). When the research problem is to understand the common experiences of several individuals about a phenomenon, a phenomenological study is appropriate. Therefore, this study uses a phenomenological approach since it explores the experiences of the participants.

The types of data required in this study consist of primary data and secondary data. The primary data were collected from the semi structured interviews because it can direct the interview more closely, to have a pre-determined set of questions while simultaneously allowing the interviewees sufficient flexibility to shape the flow of information given (Wilkinson and Birmingham, 2003). Robson (2002) also says that it is appropriate to use the interview when the individual perceptions of processes within a social unit are to be studied and the interviewer can ask more questions, if the answer does not come up to expectations. For the secondary data, the documentation techniques were applied.

Data analysis technique used in this research is qualitative analysis technique. The process of data analysis begins by reviewing all data that has been obtained from various sources. Then data reduction was done by making the abstraction. The next step is to organize the data in units. The units were then categorized in the next step. Categorization was done while making coding. The last stage was to check the validity of the data. After this stage was completed, then interpretation of data was done, so that the stages in qualitative data analysis include: data unit processing, data reduction, categorization of data including checking the validity of data, and interpretation of data (Moleong, 2008).

The participants for in depth interview consists of 10 participants, namely entrepreneurs, government institutions, employed and unemployed people with disabilities to get their perspectives on what problems they face in employment opportunity and what reactions have been shown by the industrial sectors and entrepreneurs to include people with disabilities to develop their knowledge and skills for the development of the country.

RESEARCH FINDINGS AND DISCUSSION

Interviews conducted with employers obtained data that there are still many job seekers with disabilities who do not yet have the skills, so that when they come to apply for jobs to companies, it is difficult for company leaders to accept them. So that job seekers with disabilities can have job opportunities that are in accordance with the demands and needs of the labor market, they must be equipped with the readiness of education, skills, talent development and interests of job seekers with disabilities, as well as the readiness of job providers in accepting workers with disabilities, including in terms of providing adequate accessibility at work.

The Law on Persons with disabilities requires the government, regional government (BUMN), BUMN / BUMD to employ at least 2 percent of people with disabilities from the number of workers. Private companies are required to recruit 1 percent of workers with disabilities. However, the government has not yet made more detailed technical regulations related to these regulations as said by one businessman:

“The government must make detailed technical rules to facilitate employers in recruiting workers with disabilities. So employers can carry out the mandate properly, for example, a garment factory that recruits people with disabilities. The government needs to regulate what accommodations are needed for the workforce to carry out their work. It is the duty of the government to help employers to be able to employ people with disabilities. ”

In addition, the government needs to set out detailed regulations regarding salaries or incentives provided by private companies that employ people with disabilities. Implementing regulations that are made to regulate this matter must be detailed so that employers no longer accept persons with disabilities solely because they fulfill the obligations set by the government. Likewise, the implementing regulations provide administrative sanctions for employers who do not provide adequate accommodation and facilities that are easily accessible to workers with disabilities. Sanctions start from a written warning; cessation of operational activities; freezing of business license; and revocation of business license.

In addition, training programs for persons with disabilities have been strengthened by the collaboration between 2 Ministries, namely the Ministry of Social Welfare and the Ministry of Manpower. The two ministries signed an MoU to carry out job training for people with disabilities in state-owned companies, which will then immediately recruit people with disabilities as employees. From the description above, it is known that there have been quite a lot of efforts made by the government related to policies that have been made to improve the welfare of persons with disabilities, but unfortunately, it is still not maximized in its implementation below. Indeed training for people with disabilities is not only in Indonesia, but in other developing countries is also still very limited. (ILO Report, 2009).

“In my opinion what is done by the government to build public awareness to better respect people with disabilities is quite good. This is evidenced by the formulation of policies that are 'pro disability'. However, implementation in the field needs to be monitored more effectively so that acts of discrimination do not occur again and will more and more of our society including entrepreneurs both senior and novice entrepreneurs who understand the importance of providing opportunities for people with disabilities to work, because they have the same rights as us. Thus their participation in development can create an inclusive society in Indonesia. ”

An interview with a government official illustrates that in the era of President Joko Widodo's leadership, the Central Government, Local Government, State-Owned Enterprises and Regional-Owned Enterprises were required to employ 2% of people with disabilities, from previously only 1% of the total number of workers. This 2% quota provision means that the above institutions are required to employ at least 2% (two percent) of persons with disabilities from the number of employees or workers. But it does not stop there, the provisions that pro persons with disabilities must be accompanied by good implementation as well. The Disability Act mandates the government to issue 15 implementing regulations consisting of 12 Government Regulations (PP), 2 Presidential Regulations (Perpres) and 1 Minister of Social Affairs Regulation (Permensos). The National Development Planning Agency (Bappenas) simplified it into 9 implementing regulations namely 7 PPs, 1 Perpres and 1 Permensos. The formation of various implementing regulations has been addressed to each of the relevant Ministries. The most important thing is that entrepreneurs have an awareness that recruiting people with disabilities is not an option but an obligation because at present our country is realizing an inclusive society.

At present, the regulations that have been included in the discussion process are the regulations concerning the National Disability Commission (KND) and the Draft Ministerial Regulation on Social Disability Card. The Government Regulation on the National Disability Commission is very necessary because it will facilitate the implementation of the Law on Persons with Disabilities. During this time the affairs related to persons with disabilities spread in several Ministries and institutions so that the handling is not focused. With the establishment of the KND, it is expected that the direction of government policy towards persons with disabilities can run on target and as expected.

While 7 other implementing regulations, namely 7 PPs, according to Fajri have not been followed up by relevant ministries including the Ministry of Manpower. There are a number of provisions concerning employment in the Law on Persons with Disabilities that need to be regulated in more detail in implementing regulations. For example, regarding disability service units, the employment quota for persons with disabilities of 2 and 1 percent, incentives for private companies and the application of administrative sanctions.

If the implementing regulations concerning employment mandated by the Disability Act have been issued, this will encourage businesses to employ workers with disabilities. The implementing regulations must specify detailed and clear provisions so that employers are not confused to implement them. Likewise, the implementation of sanctions is intended for those who commit violations. The goal, of course, is to open access to decent jobs for persons with disabilities so that the government can ensure that all citizens have equal rights to work regardless of race, age, gender, religion, or ethnicity (Wilson, 2012).

Researchers also conducted interviews with persons with disabilities, both those who had worked and those who had not found work. From the interview, it was obtained that there are still many people with disabilities in Indonesia who find it difficult to find work. Of the 3 persons with disabilities who have gotten jobs, all three stated that before they finally got a job, they had been called for interviews more than 50 times. But after the interview, there was no follow up. The company refused in various ways. In fact, Law Number 8 of 2016 concerning Persons with Disabilities, particularly Article 53 paragraph 1 requires the government, regional governments, state-owned and regional businesses to employ at least 2% of persons with disabilities from the number of employees. Then, Article 2 requires private companies to employ at least 1% of people with disabilities. The three persons with disabilities were even surprised because they were called to work after the interview process was carried out for quite a long time, which was around 3 to 4 months.

“It seems that the company is just trying to recruit people with disabilities and this is just fulfilling the quota from government regulations. When I came to work on the first day, I was only informed of my duties, but there was no staff assigned to guide me let alone give briefings or training. I was placed in the Administration and Finance section because I was a Bachelor of Economics. While I was working, from the beginning I tried to learn by myself by asking the staff there. However, I'm grateful, I can quickly adjust. At the company, I was the first person with a disability to be recruited by the company. Therefore, it is not surprising that at the beginning of my tenure, I received a lot of discrimination from other employees.”

Another case with 3 other people with disabilities who have graduated from college three years ago have not yet been hired to work at a company. All three said that they had applied for jobs to more than one hundred companies but until now no company had accepted them as employees. Actually they have participated in training held by the government, but unfortunately after completing the training for 3 months, it was not accompanied by government cooperation with the private sector or the State Owned Company for their recruitment so that people with disabilities had to fight alone after that. As we know that in Indonesia, community awareness including entrepreneurs is still very low for people with disabilities. If the government does not help by providing socialization and understanding to the public including employers, unequal treatment and discrimination continues.

Thus, persons with disabilities have not obtained a decent life and an inclusive society is still far from expectations.

CONCLUSION

From the above data, it can be concluded that up to the present time, there are still many job seekers with disabilities who do not yet have the skills, so that when they come to apply for jobs to companies, it is difficult for company leaders to accept them. The Law on Persons with disabilities requires the government and regional government to employ at least 2 percent of people with disabilities from the number of workers. Private companies are required to recruit 1 percent of workers with disabilities. However, the government has not yet made more detailed technical regulations related to these regulations as said by one businessman. Training programs for persons with disabilities have been strengthened by the collaboration between 2 Ministries, namely the Ministry of Social Welfare and the Ministry of Manpower. However, the implementation in the grass root is not running smoothly. So, it is urgent for the government to arrange the preparatory training programs for people with disabilities in order that they can participate in the industrial revolution 4.0. For further research, it is recommended to conduct the study on training programs for the people with disabilities to face the IR 4.0 with different approach.

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