

Limits of binding legislation for the professional integration of persons with disabilities

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The right to work is part of fundamental social rights to guarantee coverage of the vital needs of any person. The Swiss Constitution provides that authorities are committed to assure that any person able to work ensure its maintenance by working under fair conditions. The right to work is not synonymous with a concrete right to employment. The political and social context of Switzerland nowadays underline the importance of rehabilitation and the intensification of vocational integration efforts. However, recent studies shows that many employers do not consider the subject as important. Some Swiss regions have adopted binding legislation on the matter. However, the effectiveness of these measures are somewhat discussed. Questions arises with respect to the implementation of binding quotas for hiring of persons with disabilities. Through a double methodology based on interviews and a questionnaire, the aim of the survey is to analyze the understanding and implementation of legislation by public authorities and institutions as well as to describe the social representations of potential employers about the vocational integration of people with disabilities. The results highlight a critical positioning of employers facing stick legal dispositions. The attention of employers addresses the labor market conditions and less socio-political obligations. There is a wide shared sense of ignorance of the needs of persons with disabilities and strong fears in this context. Training and awareness, through job coaching, seems to be a solution to develop of a real professional integration. The survey highlights both the inefficiency of the legal framework and the need to influence social representations of disabled workers through information, awareness and training actions. Job coaching of potential employers and employees seem to be a good way to explore.

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