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INCLUSION OF PEOPLE WITH DISABILITIES IN THE LABOR MARKET: BETWEEN THE FAMILY PERSPECTIVE AND PERSONAL AUTONOMY

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ABSTRACT

The present work aims to understand how the family influences the person with disabilities (PCD) to enter the labor market, The methodology used was qualitative having as method the exploratory bibliographic survey in books, reports, government websites and academic articles from Google Scholar, Scielo, Capes journals and ResearchGate. The data analysis instrument was Bardin's content analysis. Regarding the results, it was evident that the most important factor for the insertion of PwD in the labor market is the mentality of family members, which can be overprotective, which inhibits insertion, such as openness to entrepreneurship or encouragement to the professionalization of PwD, which will drive them to work as a form of professional fulfillment, autonomy and full citizenship.

Keywords: Formal Labor Market. Family. Inclusion. Person with Disabilities.

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INTRODUCTION

Major challenges are socially imposed by the educational, economic and assistance system for people with disabilities (PwD) regarding autonomy through active participation in the formal labor market. The autonomy taken here goes beyond the lens of financial return, as it conceives the subjectivity of the PwD for full citizenship, inclusion and combating deprivation of liberty.

In Brazil, Law No. 13,146, of July 6, 2015, the Brazilian Law for the Inclusion of Persons with Disabilities (Statute of Persons with Disabilities) establishes in Article 34 that "Persons with disabilities have the right to work of their free choice and acceptance, in an accessible and inclusive environment, in equal opportunities with other people" (Brasil, 2015). Despite the legal apparatus and advances in reparation policies such as quotas, the problem of the inclusion of people with disabilities persists.

Becker (2018) shows that school attendance and participation in the labor market of PwDs in Brazil are significantly affected by structural conditions, reflecting low participation - only 25.6% have completed high school and 29.2% work formally (IBGE, 2023). A scenario that denounces ableism reinforced in prejudice, underutilization of vacancies and the predilection of certain deficiencies in the organizational environment (Neves-Silva; Prais; Silveira, 2015), creating hierarchical relationships between the types of disability, whether physical, mental, sensory or intellectual.

This reality ratifies dilemmas for people with disabilities and their families, considering that such dynamics have the potential to influence the choice of area, professional position, location, etc. This is because the family, as the first social group in which the individual is inserted, builds a network of influence among the members individually and/or collectively that determines patterns of behavior and personality formation (Batista; France, 2007; Fiamenghi; Messa, 2006; Santos, 2005). Thus, it is important to reflect on: How does the family influence the decision of the person with disabilities to enter the labor market?

The objective of this article is to present a theoretical discussion on the inclusion of people with disabilities in the formal labor market from the perspective of the influence that the family exerts on individual decision-making. Thus, the central themes for the construction of the proposed critical reflection consider: i) addressing the family influence in the decision-making process of people with disabilities; and ii) reflect on the formal labor market for people with disabilities.

We start from the assumption that this is a complex and often collective decision, as it involves the family in its tensions, expectations, controls and fears. According to Lopez-

Felipe and Manzanera-Roman (2019), the family has a dual role in the decision, being able to inhibit or stimulate the entry of people with disabilities into the labor market.

From this point of view, this article seeks to contribute to the discussion of the theme to broaden the debate on family relationships and subsidize changes in organizations and public policies in order to subvert the logic of inclusion impregnated with an unequal reality. After all, from the perspective of the person with disabilities active in the formal labor market, their action claims the citizen function, a political act, and involves their own and family dilemmas.

Methodologically, the research is of an exploratory nature with the adoption of a qualitative and interdisciplinary approach for the advancement of organizational studies, from the perspective of diversity, equity and inclusion (DE&I).

The data collection instrument adopted consisted of an exploratory literature review, covering books, articles, scientific and government reports, as well as public policies and legislation related to the theme. The sources were obtained through platforms such as Google Scholar, Scielo, Capes journals and ResearchGate. According to Gil (2008), bibliographic research is a methodology that provides a comprehensive view of the problem studied, being fundamental for exploratory studies.

The data analysis instrument used was content analysis, which, according to Bardin (1977), consists of categorizing the content collected and, based on these categories, identifying relationships on the researched theme. The analysis considered as inclusion criteria the fulfillment of the theme, through the keywords: formal labor market; family; inclusion; person with disabilities.

DEVELOPMENT AND PRESENTATION OF RESULTS

PEOPLE WITH DISABILITIES: LEGAL CONCEPTIONS AND THE LABOR MARKET

The inclusion of people with disabilities (PwD) in the labor market is a complex issue, influenced by a history of prejudice and discrimination. Over time, the social structure has imposed significant barriers to the inclusion of PWDs, depriving them of fundamental opportunities such as education and work, which are essential for full citizenship.

The recognition of the work of PwDs is crucial for their visibility and appreciation in society. Santos and Carvalho-Freitas (2018), for example, emphasize the efforts of PwDs to achieve social identity and independence, revealing a strong desire for learning and contribution. However, financial challenges persist, with remuneration being essential for survival and autonomy (Lima et al., 2013; Tette et al., 2014).

The process of inclusion of people with disabilities: legal aspects

In the general list of all Brazilian laws on the rights of people with disabilities, approximately 35 laws and decrees are recorded (Brasil, 2024), with the second decade of the 2000s (2010-2020) being the period with the highest incidence of legal apparatuses. Thus, Chart 1 informs the conceptual evolution of disability in legal writing, specifically observing two decrees and one law, respectively, from 2001; 2009; and 2015.

Chart 1 - Conceptual evolution of disability in Brazil, from 2001 to 2015

Law	Term	Definition	Emphasis
Decree No. 3,956, of October 8, 2001;	Disabled person	"The term "disability" means a physical, mental or sensory restriction, of a permanent or transitory nature, which limits the ability to perform one or more essential activities of daily living, caused or aggravated by the economic and social environment".	• Restriction in three foci; • Nature linked to the temporal state; • Environment as aggravating or causing limitation.
Decree No. 6,949 of August 25, 2009	People with Disabilities	"People with disabilities are those who have long-term impairments of a physical, mental, intellectual or sensory nature, which, in interaction with various barriers, can obstruct their full and effective participation in society on an equal basis with other people".	• Long-term notion; • Change from restriction to offside; • Addition of intellectual disability linked to nature; • Concept of multiple barriers; • Plurality in writing.
Law No. 13,146, of July 6, 2015	Person with Disabilities	"A person with a disability is considered to be one who has a long-term physical, mental, intellectual or sensory impairment, which, in interaction with one or more barriers, may obstruct their full and effective participation in society on an equal basis with other people".	• Concept of simultaneous barriers; • Reinforcement of subjectivity with the use of language in the singular.

Source: Prepared by the authors based on BRASIL (2001; 2009; 2015).

In Decree No. 3,956, of October 8, 2001, the term used was Person with Disabilities and the emphasis was on the restriction in three focuses: physical, mental or sensory; in nature linked to the temporal state; and in the environment as an aggravator or cause of limitation. It is worth noting that both the terms Person with Disabilities (PPD) and People with Special Needs (PNE) are currently considered incorrect.

The term Person with Disabilities was defined by the United Nations Convention on the Rights of Persons with Disabilities, approved on December 13, 2006 by the UN General Assembly. In Brazil, it was validated by constitutional amendment, by Legislative Decree No. 186/2008 and promulgated by Decree No. 6,949, of August 25, 2009. The emphasis of the decree presented the notion of the long term; the change from restriction to offside;

nature linked to the classification of disability, with the addition of intellectual disability; the concept of multiple barriers; and plurality.

In turn, Law No. 13,146, of July 6, 2015, advanced in the conception of barriers to simultaneous barriers, impeding full social participation, contemplating a political reading of the multiple oppressions suffered by PwD who fit into more than one marginalized social group in Brazilian society. Another interesting aspect was the reinforcement of subjectivity, by combating the universalization of Persons with Disabilities, with the use of language in the singular.

Legal aspects of the inclusion process

The first national law is Law No. 8,213 of July 24, 1991, which provides for Social Security benefit plans, popularly known as the Quota Law for People with Disabilities. The Law establishes proportions to employ people with disabilities, using the criterion of number of employees: for companies with 100 to 200 employees, the legal reserve is 2%; from 201 to 500, 3%; from 501 to 1,000, from 4%; and companies with more than 1,001 employees must set aside 5%.

The national scenario of legislation on the inclusion of people with disabilities in the labor market experienced a 10-year hiatus until the enactment of 2001, influenced by an international movement of human rights political agenda between the end of the 1990s and the first decade of the 2000s. These influences resulted in regulations, with emphasis on: i) Decree No. 3,956, of October 8, 2001; and ii) Decree No. 6,949, of August 25, 2009.

The first historical moment was in Guatemala in 1999, with the Inter-American Convention for the Elimination of All Forms of Discrimination Against Persons with Disabilities (CIADDIS), which signified a collective effort of several international institutions, highlighting the Convention on the Occupational Readaptation and Employment of Disabled Persons of the International Labor Organization (ILO-Convention 159), according to Brasil (2001). Article 3 of the Convention established that the States Parties should commit to the adoption of legislative, social, educational, labor, or any other measures whose objective was to combat discrimination against persons with disabilities.

The second moment was the International Convention on the Rights of Persons with Disabilities and its optional protocol, in New York, which was signed on March 30, 2007 by the signatory countries. The Brazilian government deposited the ratified text with the Secretary-General of the United Nations on August 1, 2008, but only on August 25, 2009, Brazil promulgated the Convention through Decree No. 6,949.

Decree No. 6,949 is based on the principle of respect for their inherent dignity and establishes in Article 27 the provisions on labor and employment, with emphasis on items a; and; h; and k.

> (a) Prohibit discrimination on grounds of disability with respect to all matters relating to forms of employment, including conditions of recruitment, employment and admission, retention in employment, career advancement and safe and healthy working conditions;
> e) To promote employment opportunities and professional advancement for people with disabilities in the labour market, as well as assistance in seeking, obtaining and maintaining employment and returning to employment;
> (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
> k) Promote professional rehabilitation, job maintenance and return-to-work programs for people with disabilities (Brasil, 2009, p. 14).

This decree brings an advance by establishing commitments in both the public and private spheres of the formal labor market, as well as the guarantee of professional advancement through a career plan. Another aspect to be highlighted is the social responsibility of organizations in the realization of the right to work, "including those who have acquired a disability in employment" (Brasil, 2009, p. 13).

Just six years later, Law No. 13,146, of July 6, 2015, was enacted, which instituted the Brazilian Law for the Inclusion (LBI) of Persons with Disabilities, better known as the Statute of Persons with Disabilities. An important advance in the law was the establishment of control and inspection bodies, according to article 93, paragraph 2:

> The Ministry of Labor and Employment is responsible for establishing the inspection system, as well as generating data and statistics on the total number of employees and the vacancies filled by people with disabilities and by rehabilitated Social Security beneficiaries, providing them, when requested, to unions, employee representative entities or interested citizens (Brasil, 2015, p. 25).

The LBI defines the barriers to the social participation of people with disabilities and establishes six main types of barriers: urban, architectural, transportation, communications, attitudinal and technological. The expansion of the technical assessment of the barriers and environmental factors that prevent the full participation of people with disabilities in society is confirmed as a principle for inclusion. According to Simonelli et al. (2020), barriers are not limited to physical or social space, as they can promote simultaneous oppression in relationships and routines, further contributing to the deprivation of freedom, the right to the city, and social participation.

Thus, the law contributed to the validation and encouragement of public policies, which require permanent, integrated and articulated action for the "full social participation of people with disabilities" (Brasil, 2015, p. 11). A reflection of reinforcement of the fight

against ableism with the policy of quotas in public exams and in admission to higher education in previous years, for example.

The person with disabilities and the labor market

For Brunhoff (1991), the notion of labor market is that of equilibrium between the supply and demand of a factor of production for a price called wage. The labor market can be considered, therefore, as a "thermometer" of the economy. Both in periods of development and in periods of crisis, it undergoes variations that are mainly measured by unemployment (Varella and Pierantoni, 2008).

In the universe of the labor market, the inclusion of PwDs is still a complex issue in the twenty-first century. It is undeniable that we live in a society with a history of prejudice and discrimination, in a highly competitive market, with a constant struggle for a job (Schneider, 2019). For Maciel (2000), in Brazil, there is a significant portion of individuals with some form of disability who face discrimination in the society in which they live and are often excluded from the labor market.

Throughout history, the social structure has presented obstacles to the inclusion of these people, relegating them to the margins and depriving them of the opportunity to participate fully in life, such as attending school or having a job, which is fundamental for the exercise of their full citizenship. Each type of disability influences behavior and triggers different forms of prejudice and discomfort. Physical disabilities, such as paralysis, blindness, or amputations, are readily identified and raise more immediate concerns due to their visibility. Meanwhile, mental and hearing disabilities may go unnoticed initially, but they tend to generate more anxiety as the reality faced by these people is perceived.

Maciel (2000) also points out that the widespread lack of understanding in society often leads to considering disability as a chronic condition, a burden or a problem for both companies and society in general. The common perception of disability is complex, often portraying people who are blind, deaf, or mentally or physically disabled as incapable, vulnerable, and disenfranchised.

Work, therefore, plays an important role in the formation of the subject, enhancing their development and social inclusion, in addition to contributing significantly to the formation of the subjects' identity, such as overcoming barriers, combating the stigma of disability and generating a positive impact on society (Galvão *et al*., 2018). For Lima *et al*. (2013) work also contributes to the context of the right of PwD to seek a better quality of life, improving skills and competencies, both in the execution of work activity and through it.

It is also worth highlighting the feeling of usefulness and appreciation, arising from the dedication to perform a work activity, since, according to Lima *et al.* (2013, p. 57) "as the work of people with disabilities is recognized by others, it becomes visible and they are no longer invisible to society". Santos and Carvalho-Freitas (2018) also complete by highlighting the effort undertaken by these subjects in order to obtain social identity, training, personal independence and recognition at work, such efforts reveal the desire to learn and offer the best in the function offered to them.

However, challenges are still part of this process, especially at the financial level. For Lima *et al*. (2013) and Tette *et al*. (2014), for example, the financial counterpart and the material return attribute meaning to work, as it enables survival, security, independence and autonomy. Galvão *et al*. (2018) do not associate remuneration with an objective or an element that generates meaning like the other authors, but with a consequence of the work and needs of individuals.

Finally, it is worth noting that the role attributed to work by individuals with disabilities has a direct impact on their own performance. However, as elucidated by Simonelli *et al*. (2020, p. 454), the act of including demands "not only the effort of 'people who have surpassed themselves', but a set of actions by various actors and institutions that makes it possible to participate in work in a decent way".

FAMILY AND THE FORMAL LABOR MARKET FOR PEOPLE WITH DISABILITIES

The presence of a member with a disability in the family nucleus not only challenges current social norms, but also fosters a profound review of family concepts and practices. According to Buscaglia (2006), the family plays a fundamental role in the formation of values and perceptions about disability, directly influencing the professional trajectory of individuals with disabilities. The reassessment of these perspectives is crucial to promote the independence and autonomy of these individuals in the labor market, contributing to the construction of a more inclusive society.

Family and professional career of the person with disabilities

Buscaglia (2006, p. 77-78) highlights the importance of the family in the formation of standards of conduct, personal identity, moral orientation, intellectual progress and structuring of cultural and social institutions. As an influential social force, the relevance of the family is unquestionable to any scholar interested in human growth, development, personality formation, and behavior.

Specifically, in the context of families with people with disabilities, the presence of a member with a disability challenges established paradigms and conventional norms. Our society often lacks encouragement to reflect on what deviates from the standard, what is not socially accepted as the norm. Thus, the presence of a person with disabilities in the family requires a reassessment of the models of thought and the exploration of new concepts that adjust to this reality. Consequently, the family must adapt to this new reality, reviewing its perspectives, values and daily practices (Vigotski, 1991; Buscaglia, 2006).

Within this conceptual framework, the influence of the family in the construction of the professional trajectory of people with disabilities is a crucial and multifaceted aspect to be analyzed. Not only does the family provide emotional and practical support, but it also plays a key role in shaping expectations, values, and perceptions about work and disability. As Dessen and Polonia (2007) argue, changes in social structure are mainly achieved through family interactions, characterized by a dynamic of reciprocal influences between family members and different social contexts. Thus, when we consider the intersection between family and the professional career of people with disabilities, the importance of family influence in the construction of this trajectory becomes evident. The family faces the challenge of adapting their thinking models to include the reality of disability.

It is worth noting that the family also faces its own dilemmas and challenges when dealing with the inclusion of people with disabilities in the labor market. From reviewing expectations and values to adapting daily practices, the family is confronted with the need to reconstruct their perceptions and approaches to work and disability. According to APAE (2022), it is common for families of people with disabilities to seek to establish a welcoming and protective family environment, which, in some situations, can limit the independence of these individuals.

The professional trajectory of people with disabilities is shaped by a complex network of influences, in which the family plays a central role. By offering emotional support, practical guidance and value formation, the family contributes significantly to the development of self-confidence and autonomy of the person with disabilities. This support is crucial for building a solid and satisfying career, as the expectations and perceptions cultivated in the family environment often determine the aspirations and opportunities that will be sought in the job market.

Therefore, the interaction between the family and the professional career of the person with disabilities illustrates the importance of a family environment that not only welcomes, but also encourages independence and self-sufficiency. Adapting family expectations and practices to include the reality of disability not only promotes more

inclusive development, but also challenges and transforms established social norms. Therefore, the family emerges as a crucial agent in promoting an inclusive and successful professional trajectory for people with disabilities, reflecting a more equitable society that is aware of its diversity.

The influence of the family on the decisions of the person with disabilities

According to Rego and Maluf (2012, p. 218), "the family is originally the place where man is inserted by birth or adoption and develops, through lived experiences, his personality and character". There are several forms of family that exist today and the traditional concept has changed, encompassing new forms, however, we can affirm that "the prevalent model of family formation is the nuclear family, that is, composed of parents and offspring" (Rego; Maluf, 2012, p.224). For this reason, the form adopted in the present work, for the purpose of analysis, is that of the nuclear family.

When dealing with the factors that influence the family of the person with disabilities to support it or not, Schwartzman *et al*. (2023) cites several factors such as: the level of education and mentality of its members; issues of logistics and community, government and other family support. For López-Felipe and Manzanera-Román (2019), the attitudes of family members towards entrepreneurship by people with disabilities is the most crucial aspect of the family dimension. Depending on the family model, the attitude can prevent or foster entrepreneurship, overprotecting them or giving them the necessary support and encouragement.

According to Rego and Maluf (2012), the family attitude is one of the main aspects that determine the entrepreneurship of people with disabilities. The family, in general, tends to be overprotective and reduce the independence and decision-making capacity of people with disabilities. In this context, family members, companions, people with disabilities themselves, representatives of associations and technical professionals, all emphasize the importance of emotional support from family and friends to counterbalance aspects related to the psychological dimension, such as low self-esteem.

Schwartzman *et al*. (2023) identified the importance of developing family members' skills in relation to individual beliefs and mentalities related to the employment of the disabled and the involvement of the family, through active participation in the process of getting and staying in employment, the preponderant factors for the insertion of the disabled in the labor market. They also emphasize the importance of directing and supporting the family through the system of access to jobs; learning opportunities with other families of people with disabilities and the use of a network of personal family relationships to connect

with employment opportunities. Family members can also strengthen the social skills of the disabled through their insertion in volunteer services.

The change in mentality of family members becomes essential so that they can seek help and get involved in support networks for family members, government services, Non-Governmental Organizations-NGOs and companies that are willing to engage in this process of generating autonomy for the disabled, which will bring benefits to them, to the family and to society as a whole.

FINAL CONSIDERATIONS

Responding to the guiding question of the present study on how the family influences the decision of the person with disabilities to enter the labor market, we verified, in the light of the bibliographic reference raised, that analysis criteria were established, namely: a) the historical evolution of people with disabilities; b) level of education and mentality of family members; c) a matter of logistics and community, government and other family support. It was noted that the person with disabilities now has the right to social inclusion and access to the workplace, however, if the factors described above are not favorable, the establishment of specific norms and legislation will be of no use.

It was also evident that the most important factor for the insertion of PwD in the labor market is the mentality of family members, which can be overprotective, which inhibits insertion, such as openness to entrepreneurship or encouragement to the professionalization of PwD, which will drive them to work as a form of professional fulfillment and of great social importance, since diversity in the workplace has been shown to bring sustainable social development and a fairer and more equitable society.

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