

Marketing without moralising. Service orientation and employer relations in the Swiss disability insurance

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Robert Castel's observation that, historically, physical impotence, incurable diseases, and visibly insufferable ailments have always been the best passes for welfare benefits (Castel 2000: 45) has become obsolete. Castel included these marks of disabilities in what he termed "handicapologie" (ibid.: 27), i.e. the catalogue of legitimate reasons for being exempt from the social obligation of work. He also noted, however, that the boundary between ability and inability to work is always contested. With the activating turn of social policy in the 1990s disabilities lost the status of an unquestionable legitimation for welfare. More precisely: disabilities no longer conferred entitlements to so-called "passive" benefits – rather, in the context of productivist labour market and social policy people with disabilities were now also seen as human capital potential and prospective workers to be steered towards the labour market by means of "active" measures. With a series of internationally comparative reports the OECD was a driving force of the reorientation of disability policy (e.g. OECD 1992; 2006; 2010). In these reports the main focus was on correcting disincentives and establishing active support systems to promote the labour market inclusion of the individuals concerned, but at the same time the lack of coordination, efficiency and effectiveness of the respective public administration and service providers was also deplored. As remedies of these problems New Public Management strategies were recommended such as quasi-competition by benchmarking, monitoring by performance evaluations of outputs and outcomes, outcome-based funding of service providers, profiling customer-clients, customer orientation and the like (Clarke/Gewirtz/McLaughlin 2000; Newman/Clarke 2009; OECD 2010: 145ff.).

In Switzerland, the primacy of occupational integration over pensions has been a guiding principle of disability insurance since its inception in 1960 (Canonica 2017; Germann 2008). In fact, the very concept of disability is defined with respect to a person's work capacity or, more precisely, to his or her earning capacity: in the context of the insurance, disability is constituted by diminished earning capacity of a specified degree due to medically confirmed

lasting health impairments (Nadai/Canonica/Koch 2015: 34ff.; Tabin/Piecek-Riondel/Perrin et al. 2016). Nevertheless, in the wake of the welfare state crisis discourses in the late 20th century disability insurance, too, became the target of alarmist debates focussed on rising costs for pensions and the fact that pensions were most often one-way streets without return into the labour market (Lengwiler 2007; OECD 2006). Since 2004 there have been three major reforms of the Disability Insurance Act with the aim of cost reductions by curbing the number of pensions. The main focus of these reforms was on activating clients by restricting access to pensions and by enforcing participation in rehabilitation measures (Nadai et al. 2015; Probst/Tabin/Courvoisier 2015), yet at the same time the administrative apparatus of the insurance itself was put under scrutiny. In the political debate disability insurance was criticised for being inflexible, too slow and bureaucratic in processing applications for pensions and integration measures. Thus, it was argued that disability insurance ought to be transformed from “pension insurance with insurance mentality to integration insurance with a *service culture*” (Guggisberg/Egger/Künzi 2008: V, italics added).

While service orientation pertains to all ‘customer’ groups (clients, doctors, private insurers, employers), the service rhetoric is most prominent with regard to employers. Although activation strategies target first and foremost insurance clients, their success is actually just as much, if not more, dependent on employers as gate-keepers to the labour market. Consequently, in disability policy reports and research *employers* are identified as *key actors* (Marin/Prinz/Queisser 2004; OECD 2010). Since there are no legal obligations such as employment quota or rehabilitation duties in Switzerland, disability insurance must work with persuasion to win employers for the goal of occupational integration. In this context *modernising the bureaucratic organisation* is seen as essential: in order to cooperate with business actors on an equal footing the welfare state administration has to become more business-like itself. Yet, prior to delivering its services disability insurance is faced with the issue of *creating a demand* for them at all. For employers disability insurance clients and people with health impairments in general range far down the labour queue. Many employers rather avoid hiring or retaining them and simply have no experience in handling the problem (Baumgartner/Greiwe/Schwarb 2004; Domzal/Houtenville/Shartma 2008; Heymann/Stein/Moreno 2014; Shaw/Darazz/Bezzina et al. 2014). Therefore, the first challenge is to establish the labour market inclusion of people with disabilities as a pressing concern for employers – only then will they become the customers the service-oriented insurance might actually serve.

Based on empirical data from ethnographic research this chapter analyses the structural and cultural remodelling of disability insurance and its implication for the work of disability insurance staff on the ground.¹ In particular, the focus is on the “market imagery” (Newman/Clarke 2009: 79) and the “win-win”-rhetoric used in addressing employers both on the level of marketing the insurance as such and on the case-related level of ‘selling’ particular clients to particular employers. As I will show, in the context of the currently pervasive conflation of market and society (Crouch 2011; Shamir 2008) disability insurance *repackages a normative issue in market terms*. Below this surface of market imagery, I contend, however, that disability insurance must make use of less obviously economic rationales and strategies, because market logic alone is inadequate to mobilise employers. These seemingly ‘non-economic’ justifications can best be understood within the theoretical framework of the Economics of Conventions (EC).

The interdisciplinary, pragmatist approach of EC is focused on the problem of coordinating action in situations of uncertainty. Social situations are seen as characterised by “cognitive indeterminacy” (Eymard-Duvernay 2002: 62), because in most situations there is a plurality of rationales available to interpret and justify actions. Therefore, actors need to assess which rationales provide an appropriate frame for action under particular circumstances. These rationales (“conventions”) are anchored in overarching societal “orders of worth”, which each centre on a specific notion of the common good and provide principles of equivalence to judge and rank the value of social objects (Boltanski/Thévenot 2006; Eymard-Duvernay/Favereau/Orléans et al. 2005; for an overview of conventions see Diaz-Bone 2015: 139-153). In the economic sphere conventions refer to the construction and assessment of the quality of goods, services and labour. Quality conventions rest on an infrastructure of socio-cognitive and material forms such as classifications, technologies, norms, standardisations and the like (Thévenot 1984). The premise of the co-presence of a plurality of rationales in social situations implies that economic organisations represent compromises between different conventions – generally, at least between the market and the industrial convention (Boltanski/Thévenot 2006). In the market convention the value of economic objects is determined by supply and demand, and costs-benefit-calculations, whereas the industrial convention values expertise, efficiency, planning and standardisation. Disabled workers, for example, may appear unprofitable in market terms inasmuch they may be less productive as non-disabled workers. Assessed according to the industrial convention they may be rated as

less valuable because they may not fit neatly into the given coordination of work, so that adjustments of the material infrastructure or of work routines may be needed. As I will show, the employment of disabled people is also justified with respect to the domestic and the civic convention. In the domestic convention the worth of a person is determined by his or her position in networks of interdependencies, loyalties and trust (Thévenot 2001), while the civic convention ranks actors according to their engagement for the common good as opposed to pursuing self-interest only. In the economic sphere this valuation frame is manifest in calls for equality and non-discrimination (Diaz-Bone 2015: 147). Thus, to engage employers disability insurance must deploy these conventions in situationally appropriate ways, both in public campaigns and in case-related interactions.

The activating turn and the reorganisation of disability insurance

In Switzerland disability insurance is regulated by a federal law while the administration of the insurance is managed by 26 cantonal disability insurance offices. The transformation from welfare bureaucracy managing pensions to service provider evolved with three major reforms of the Disability Insurance Act between 2004 and 2012. These reforms were twofold: on the one hand, they pertained to the regulation and handling of entitlements, on the other hand to the governance of disability insurance. With respect to governance, disability insurance and its cantonal offices were gradually reorganised by borrowing New Public Management ideas. Among other amendments, the reforms strengthened the job placement services, which had existed before but were now redefined as an “entitlement”. Active job placement includes initiating contacts to employers or negotiating the terms of employment on behalf of clients. Thus, employer relations necessarily come to the forefront, and counselling and information of employers regarding integration and social insurance questions were added as new tasks of disability insurance. Employer networks and respective databases were created, and many cantonal offices designated specialised staff to handle these networks (Geisen/Baumgartner/Ochsenbein et al. 2016: 104).

The new tasks ensuing from the three *activating reforms required additional staff* and, moreover, *changed the nature of work* in the disability insurance offices. With each reform the offices were accorded more personnel for occupational integration and job placement. The new integration jobs go hand in hand with new *job profiles*. Following the activating reforms the basically administrative task of handling claims for pensions and medical or technical aids had to be complemented by interactive work in relations with clients and

employers. On the one hand, activation involves people-changing work (Hasenfeld 2010: 21), which is akin to professional social work and necessitates an orientation to the needs of clients (van Berkel/van der Aa 2012; Marston/Larsen/McDonald 2005; Nadai/Canonica 2012). On the other hand, handling employer relations also requires interactive skills albeit not quite the same ones. Above all, in dealing with employers staff need a “salesman’s mentality” and a “realistic” attitude to the possibilities and limits of occupational integration (Nadai 2017: 117f., see also Guggisberg et al. 2008: 39ff.; Geisen et al. 2016: 101). In one of the disability insurance offices of our study, for example, integration specialists are often university graduates with a degree in psychology or other social sciences (e.g. social work), while job placement specialists are expected to be solid “practitioners” with professional experience in various industries and good contacts to private businesses. Whereas the profile of the former is oriented to understanding the needs of clients and support them in the often difficult return to work, the skills of the latter are geared to negotiating with employers. The interviewed disability insurance managers and staff all agree that dealing with employers requires a distinct blend of qualities and knowledge, namely “economic understanding” and “a feel” for employers: “You need to know how to speak their language and to understand the problems of those businesses”. Understanding businesses includes an unsentimental assessment of how the clients’ limited work capacities might or might not match employers’ demands. Furthermore, keen perception of a situation and swift decision-making are considered crucial to countervail the bureaucracy-stereotype. Knowing the appropriate business language and economic thinking as well as acting efficiently is believed to be indispensable in order to be taken seriously in the business world and to win employers’ trust, which again is seen as the decisive factor for mobilising employers. So, merging the necessary employer orientation and client orientation instead of assigning them to separate functions like, for instance, in German public employment services (Sowa/Reims/Theuer 2015: 8) results in “a very complex job profile that no one can really fit” as the head of an integration department said. Whereas in relations to clients disability insurance staff acts in the *role of social worker and counsellor*, vis-à-vis employers they find themselves in the *roles of advertisers of disability insurance services and sellers of labour*. Although client-oriented social skills are acknowledged as important, the interviewed managers and staff emphasise above all the qualities and knowledge needed to cooperate with employers, because “employers are our main focus”.

From bureaucracy to service provider: cultural modernisation

“When I started here”, the communication manager of a disability insurance office recalls, “employees told me they never mention in public that they work for disability insurance.” Staff did not want to talk about their job because they were afraid of having to defend themselves against the widespread criticism of disability insurance. The notoriously *negative image* of the insurance troubled not only frontline workers but was also identified as a *major obstacle to reforms* by management and by the Federal Social Insurance Office. The following diagnosis in the communication concept drafted by the communication manager cited above is quite typical:

“The brand IV has a negative connotation.² There are prejudices (bureaucratic, complicated, slow, inefficient, inflexible, too harsh, too lenient, not transparent). The tasks of IV are not sufficiently known (legal mandate, integration measures, role of medical services). Representation in the media is mostly negative, presentation of individual cases provoke negative emotions.”

The negative image was believed to be pervasive in public, but most detrimental to the cooperation with employers. As a communication concept of the national Conference of Disability Insurance Offices summarises, employers associate “work incapacity, problems, billions of deficit and red tape” with the insurance. The paper concludes that disability insurance has to create a new “corporate brand”. To this end a national *employer campaign* was launched in 2009 to communicate the 5th reform of the Disability Insurance Act, which had introduced new financial incentives and support for employers. The campaign, designed by a commercial marketing agency at costs of several million Swiss francs, was soon deemed ineffective by the federal authorities, however, and replaced by activities initiated by cantonal offices with federal funds. Instead of communicating some rather general slogans to an undefined mass audience by means of posters and media advertisements these activities should target employers on a local level and in more specific ways. The cantonal offices of our in-depth case studies, for example, organise networking events and seminars for employers, participate at regional trade fairs, publish electronic newsletters and information brochures, present good practice-examples on their websites, thank cooperative employers with small “give-aways” and the like (see also Geisen et al. 2016: 19). Again, professional marketing agencies and techniques are involved, developed by in-house communication departments or by commercial agencies commissioned for specific marketing activities.

The core messages of these marketing activities are, first, to establish disability insurance offices as “professionals for job retention and reintegration”, who fully “meet the demands of a modern service enterprise” (communication concept, cantonal office). Second, occupational integration is presented as a “win-win”-affair. Yet, the idea that employers should consider buying or retaining a ‘flawed commodity’, i.e. the labour of workers with limited work capacity, is not an inherently economic view, but a normative societal goal.³ The topic of disabled people’s access to the labour market has been successfully put on the political agenda by the disability rights movement as a matter of justice, citizenship and social inclusion (Heymann et al. 2014; Maschke 2004; Wansing 2005). When disability insurance publicly promotes occupational integration, it somewhat reluctantly joins these “moral entrepreneurs” (Gusfield 1996) to *advocate the common good*. Yet, against the backdrop of the economisation of political discourse and public administration, it must not too obviously appear as moral agent (Nadai/Canonica 2016). Disability insurance offices try to avoid appearing obtrusive or idealistic, as the director of a cantonal office declared: “We don’t evangelise or moralise”. Rather, with the omnipresent catchphrase of integration as a win-win-affair the essentially normative issue of the labour market inclusion of marginalised people is repackaged in the economic language that is supposedly more appealing to actors of the economic world.

Presenting occupational integration as unequivocal success is the core message of national and cantonal public relations activities. Indeed, “success stories” with testimonials of clients and employers appear as a distinct communicative genre on websites, in glossy brochures and in short videos available on the websites of the cantonal offices and of the Conference of Disability Insurance Offices. Success stories and other elements of the campaign in general promise the *reconciliation of economic and social benefits*. In concrete instances, however, the latent message is ambivalent. This is apparent in the main video of the current employer campaign (entitled “success stories”), in which four employers talk about their experiences with disabled workers and, to a lesser extent, with the services of disability insurance.⁴ In fact, only in the last ten seconds of the three-minute-video the services of disability insurance are explicitly mentioned. Moreover, disability insurance remains an abstract and mute entity, i.e. we do not see or hear any job placement or integration staff. Rather, it is exemplary employers, who address an audience of other employers thereby realising the idea, that disability insurance needs to speak the language of employers to win them over. The focus of the video is on employers’ reflections about the rewards of “giving these people a chance”.

Disabled workers are described as “top workers”, whom the employer would not want to “give away”. But they are also “different” from other staff, because they show “ups and downs”, they “can’t always deliver 100%”, they need more supervision than other workers, and sickness absences occur at unpredictable intervals. Therefore employing people with health impairments is also “a bit of an adventure” which, nevertheless, “pays off” because – out of gratitude for having a job at all – disabled workers are highly motivated and loyal employees. On the manifest level, the video posits an unequivocal profit for employers. Latently, however, considerable risks are also apparent, namely inconsistent performance levels including unpredictable absences as well as the extra effort for close supervision. From an economic point of view these risks translate into financial costs and losses: loss of productivity, costs for maintaining production despite absences and performance fluctuations, and supervision costs.

The real pay-off, the video suggests, is to be found elsewhere, namely on the level of *social relations* within the company and between the company and society. The socially minded employer who gives disabled people a chance acts as the patriarch assuming responsibility for the ‘company family’ and is rewarded by the loyalty and hard work not only of the disabled workers but of all of his staff.⁵ In this way, employing disabled people is legitimised with respect to the hierarchic interdependencies of the *domestic convention*. Moreover, the paternalist employer gains public reputation for showing solidarity and assuming social responsibility, i.e. the *civic convention* is also brought into play. Tapping into the civic convention, over the last 10 years at least a dozen awards for ‘integration-friendly’ businesses has been created in Switzerland, more than half of them with the participation of cantonal disability offices. Awards generate honour for the recipient as well as for the donor and at the same time they create the diffuse mutual indebtedness inherent in social exchange (Vogt 1997: 238). The award enhances the symbolic capital of the honoured companies but also commits them to exemplary behaviour towards people with health impairments in the future.⁶ By explicitly inviting the businesses to use the award as a marketing tool, the institutions awarding the prizes actively construct the link of social and economic gains implied in the win-win-argument, which is a mainstay of the popular corporate social responsibility discourse (Brejning 2012; Crouch 2011; Shamir 2008). In this way disability insurance avoids inappropriate ‘evangelising and moralising’ on behalf of the disabled, while still launching moral appeals albeit in the modernised form of “market-embedded morality” (Shamir 2008). As Shamir argues, the more the distinction between society and the market is dissolved in

neoliberal thought, the more socio-moral issues “become ‘the business of market actors’” (ibid: 3). But in contrast to legal obligations market-embedded morality is based on self-regulation: businesses freely choose to assume social responsibility and by doing so they simultaneously further their own interests. Instead of moralising disability insurance thus ‘argues the business case’ to induce employers to take normative societal considerations into account (Nadai/Canonica 2016).

Employer relations on the ground: market deals and networking

The public campaign uses employers to market the normative goal of disabled people’s labour market inclusion as well as the disability insurance services to other employers. On the case-level disability insurance staff cannot stay discretely in the background and when it comes to finding employment for specific clients the ‘sales pitch’ must be more specific than the rather general arguments used in public campaigns. Especially the job placement process is actually described as a sales act or “human trafficking”, as one job placement specialist called his task, adding apologetically: “We deal in people. Human trafficking may sound brutal, but these people need a job after all.” Dealing in people may start with sending anonymised client profiles to businesses and inquiring for possible job openings. But most often it happens in direct interaction with employers. In these personal encounters job placement staff basically argues along the same lines as the media campaign. In particular, they also stress *economic advantages*, which are spelled out in more detail and tailored to the case at hand. For example, they promise to “find the needle in the haystack”, i.e. to propose job candidates with the perfect profile for a given job thus helping to save search costs and risks and enabling smooth operations. By emphasising how the fit between worker and job enables the efficient coordination of work the matching argument draws on the *industrial convention*. The screening function of disability insurance’s job placement service is furthered by offering different types of work trials provided by the Disability Insurance Act. Work trials are used to test the work capacity of clients in the realistic setting of a normal job as opposed to sheltered employment. For businesses they constitute *free labour*, because clients receive disability insurance benefits (daily allowances) instead of a salary paid by the employer.⁷ Since employers are not obliged to offer the client a regular job afterwards, the trials also constitute a kind of ‘product warranty’ – in case of insufficient performance the ‘defective’ labour can be returned (Nadai 2017). Temporary wage subsidies during the adjustment period of newly hired insurance clients are another financial incentive, which job placement staff uses as extra “candy”, when an employer seriously considers offering a regular job to an insurance client

but is still somewhat hesitant (Gonon/Rotzetter 2017). Work trials and wage subsidies use the market mechanism of price-cuts to stimulate demand for a ‘non-competitive commodity’ i.e. the labour of disabled people.

Although the law and the respective ordinances define entitlements to work trials and subsidies in some detail, job placement staff believes that it is crucial to decide fast and to be flexible and generous instead of being “a stickler for the letter of the law”. Being generous and using these incentives “creatively” means granting or prolonging work trials even if either the client or the employer does not meet all the conditions. Likewise, in the case of temporary wage subsidies for newly hired employees in regular jobs – meant as compensation for lower productivity during the adjustment period – we observed that insurance staff was ready to offer or prolong them in cases where they were not convinced that the particular client actually needed extra adjustment time (for an example see Gonon/Rotzetter 2017). Yet, because “regular employment is worth its weight in gold for these people”, generosity is seen as a successful integration strategy:

“I try to empathise with the employer and to feel what might be appropriate. (...) I’m generous with daily allowances. I don’t haggle, I think, hey, you have to support an employer who has the stamina and understanding [for a long rehabilitation process].”
(integration specialist)

In using the term “haggling” for what might be described more accurately as interpreting and applying the law to concrete cases the act of negotiating the terms of vocational rehabilitation is framed as a *market deal* – moreover, a deal to support the employer not the client.⁸ In the eyes of the integration specialist cited here the negotiation is not an instance of haggling, presumably because she is generous and is not openly trying to get a better deal for disability insurance or her client. As sociological observers, however, we might come to the conclusion that haggling is not needed because the employers’ wishes are anticipated and factored into the deal without the employer actually having to quote a price. In our study we only observed one interaction between disability insurance staff and employer, in which a job placement specialist bargained in favour of the client (in this instance for a higher wage). Usually, however, either the explicit demands of employers were accepted or – like in the quotation – disability insurance staff proposed terms that they felt were “realistic” and acceptable to employers in the first place. To remain with the market metaphors: disability insurance staff is

well aware that employers dispose of a rare good, namely jobs for people with limited work capacity. Moreover, insofar occupational integration has become the overriding concern and the most important benchmark for disability insurance there is no way around the cooperation with employers, so these can dictate the price.

Even though case-level cooperation with employers is predominantly framed as market transactions, disability insurance staff believes that ultimately employers' willingness to hire or retain disabled workers is not motivated by economic calculation but by a *moral sense of social responsibility* (Nadai/Gonon/Rotzetter in press). Moreover, they are convinced that this moral motivation is intrinsic and cannot be generated by extrinsic incentives or persuasion.⁹ Rather, they see social responsibility as rooted in corporate culture and tradition, in paternalist conceptions of the employer's duty of care, in personal experiences with disabled people and the like, i.e. in factors outside the control of disability insurance. In other words, despite the market imagery used to describe negotiations with employers the readiness to even consider dealing with disability insurance is attributed to non-market determinants, namely to employers' social bonds within the 'company family' and with society. On the one hand, the social ties of the enterprise as a hierarchically structured community create reciprocal obligations between employers and employees.¹⁰ Inasmuch a company is seen as part of a wider (local or national) community, on the other hand, obligations extend to that community, e.g. by "giving a chance" to a disabled job applicant or provide temporary workplaces for a work trials in order to "contribute to society".

Consequently, the main strategy of disability insurance staff is *to build long-term personal relations with particular employers* in order to generate the diffuse reciprocal obligations inherent in social relations. Successful cases of job retention support or job placement are deemed the most effective means to secure long-term loyalties – the satisfied customer will come back and do business again. Therefore, interactions with employers are constantly assessed with respect to maintaining the relation. If, for example, the job placement specialist realises that a particular case will not result in successful integration he or she redirects the focus of the interaction to keeping up the relation to the employer in view of a potential cooperation in the future. "Building trust" is seen as essential for maintaining relations. This involves being a reliable partner, relieving employers of "paperwork", listening and being sympathetic to their concerns, being honest (i.e. not foisting unsuitable clients on them) and

accommodating employers' demands: "We accept the terms of the employer, because this is the free labour market."

Even though disability insurance would like to see itself as professional "partner" on a par with employers there is a fundamental asymmetry in the relationship. In general, employers dictate the terms and disability staff accepts them or even anticipates them. There are, however, *differences according to company size*. All disability insurance offices in our sample agree that gaining access to SMEs is easier than cooperating with big companies. Big companies usually have health management systems and in-house social services with expertise in handling the problem of workers with health impairments. They see disability insurance only as a last resort for employees, when in-house rehabilitation attempts have failed and they expect disability insurance to then accept this outcome and grant a pension.

"I simply expect a smooth service. I told the director of the disability office, look, if I want something of you, you can be sure that I really need it. We save you so much work, you don't have much to do with us, so if I need your help, you can be sure that we have tried everything and I want your staff to know that and to toe the line!" (Head of in-house social services, multinational company)

Even if disability insurance does not always "toe the line", it finds itself in a structurally weak position, because big companies do not need support for dealing with their own employees while almost never accepting insurance clients as job applicants. Neither do financial incentives carry much weight: the big companies "pick them up" whenever they are entitled to them, but these incentives are not a decisive factor. The relations with SMEs are more symmetrical. On the one hand, disability insurance is just as dependent on their willingness to accept disabled workers as it is on big companies. On the other hand, especially small businesses do not have the expertise or the resources to manage long-term sickness absences or workplace adjustments. Disability insurance here serves as a kind of substitute health management. Insurance staff sometimes describes the relations with these small businesses in almost therapeutic terms with the employer appearing more like a client than like a customer. It is important to "listen to" employers, to have "sympathy" for their concerns and to be there for them, so "the employer feels I have a backing, they don't shunt it off to me, but IV is still there for me." In the context of counselling insecure employers the above-mentioned work trials also function as a lever for disability insurance to influence the terms of a possible

employment, e.g. by suggesting workplace adjustments and negotiate expected performance level and pay. During and after the trial period there are evaluation meetings between disability insurance and employers; the trial thereby provides a reason to keep in touch with businesses and to strengthen long-term social ties.

When disability insurance sees employers as the focus of its new service culture and conceptualises the task of occupational integration as “human trafficking” the clients seem to disappear from the picture. They seem to be mere *transaction objects* within a sales act on the one hand and within the social relations disability insurance wants to establish with businesses on the other hand. Indeed, the strategy of building long-term social ties with particular employers gives them structural precedence over clients, since clients change faster than businesses – clients’ entitlements to job placement services for example normally do not exceed six months. Moreover, long-term relations with clients are undesirable because this would be an indicator of failed occupational integration. Furthermore, clients are in a weaker position since they are legally obliged to actively participate in any occupational rehabilitation measures, while employers are not: businesses cannot be sanctioned for not cooperating with disability insurance. Nevertheless, clients cannot be reduced to passive objects of negotiations between employers and disability insurance. Just like any worker they are an “abstract unity of labour power substitutable by other such units”, in other words a commodity, but at the same time workers are also “concrete individual[s] with specific skills, knowledge, and creativity” (Jessop 2017: 4). While being dependent on selling their labour power – a necessity, which has been reinforced by activation policies (Gilbert 2002; Lessenich 2013; Tabin/Probst/Waardenburg et al. 2013) – clients still have *agency* with respect to how they ‘market’ themselves. Disability insurance staff regards the motivation and self-presentation of clients as decisive factors for successful integration. Thus, the self-will of clients has to be taken into account. If the clients are not able or not willing to project confidence in their own work capacity job placement staff cannot persuade employers to purchase their labour power. Moreover, their own standing as competent service providers is jeopardised, because their judgment of the client’s employability proves inaccurate. Therefore, prior to putting clients on the market, i.e. to contacting an employer on their behalf, insurance staff needs to assess not only their work capacity but also their attitude. Are they motivated and do they have a “realistic” understanding of their options and their value in the labour market – if not, can their attitude be influenced? Therefore, *employer orientation and client orientation cannot be separated* completely. Even though employers are the more powerful customer group, clients

have at least the negative power to obstruct the deal – albeit at putting their own labour market access at risk.

Conclusions

In Switzerland disability insurance was affected rather late by the transformations observed throughout Western welfare states since the late 20th century, both with respect to the redirection of policy goals and to the redesign of public services. Profound changes were not initiated until the first decade of the 21st century, when the primacy of labour market inclusion over pensions was reinforced by a series of reforms aiming at the activation of clients. Likewise, New Public Management as the neoliberal strategy to infuse public administration with market principles reached disability insurance cantonal offices long past its heyday and in diluted forms. The main elements of NPM such as the marketization of public services or installing “quasi-consumer choice mechanisms” to stimulate competition (Newman/Clarke 2009: 79) are notably absent. None of the customers (clients, employers, doctors) can choose his or her preferred social insurance office – allocation is simply given by residence – neither has the core function of disability insurance (the management of pensions) been handed over to private providers.¹¹ Furthermore, controlling cantonal offices by benchmarking seems to be largely without consequences. The target agreements between the Federal Social Insurance Office as supervising body and the cantonal offices may have “strengthened competition between cantons” (OECD 2010: 151), but in the absence of sanctions (e.g. cuts in funding) the competition amounts to “naming and shaming” only (ibid.: 150). Instead, change happened primarily on the level of *discursive modernisation*, whereby the use of market imagery marks the transition from inefficient and legalistic bureaucracy to modern service provider with customer focus. Employers as gatekeepers to the labour market became the most important customer group, all the more so because they also represent the business world from which the public administration is supposed to learn to become an efficient service provider.

Yet, before professionally serving employers disability insurance first has to create the demand for its services and the ‘commodity’ it deals in, namely the labour of people with health impairments. In pure market logic, it is unreasonable to hire or retain workers with permanently limited work capacity, but in face of the cultural predominance of market imagery it seems just as unreasonable to appeal to economic actors with non-economic arguments. Therefore, disability insurance makes use of the *win-win-rhetoric* to anchor a

normative societal issue – the social inclusion of disabled people – in “market-based morality” (Shamir 2008). This discursive strategy simultaneously reaffirms the “infusion of the capitalist ethos in the realm of social protection” (Gilbert 2002: 42) and the concept of “voluntariness” of Swiss disability policy, i.e. the idea that the employment of disabled people ought to be a self-chosen social responsibility for employers, not a legal obligation (Canonica 2017).

However, market rhetoric and market mechanisms alone are not sufficient to stimulate the respective demand. In cost-benefit terms, it may pay to retain sick employees to save costs for personnel turnover and to preserve human capital. But when it comes to hiring, the calculating employer may come to the conclusion that in terms of supply and demand of labour “no one really waits for [disabled] people, because I can get ten other people who bring me 100% [performance]”, as an interviewed supermarket manager said. Therefore, disability insurance is more successful regarding job retention than helping jobless clients to get hired (Bolliger/Fritschi/Salzgeber et al. 2012; Guggisberg/Bischof/Jäggi et al. 2015). Insurance staff on the ground, while fully accepting the necessity of acting as a business-like service provider, does not believe that employers act primarily on market rationales. They attribute employers’ openness to disabled workers to *moral values and social ties*. In interactions with employers they situationally switch between the market, domestic and civic conventions in their arguments, thus acknowledging that market logic is not the only framework for economic action. Likewise, their dealings with employers are not modelled on the fleeting contacts between anonymous buyers and sellers in the market place. Instead, they follow the template of long-term social relations entailing reciprocity by building personal relations with particular employers who – in the case of SMEs – may even be seen as clients in need of support rather than customers. So, both disability insurance as an institution and its frontline workers engage in market imagery while implicitly or explicitly relying on non-market forces. Still, market discourse has an effect: it puts employers in the position of customers exerting the consumer choice of buying or discarding the labour of disabled people. Welfare state support thus marks disabled workers as residual labour that the customer-employer will only buy at a state-sponsored discount, if at all.

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² IV is the commonly used acronym for the official term "Invalidenversicherung" (invalidity insurance).

³ Of course, not every disability affects work capacity in significant ways: depending on the job and the kind of disability an impaired worker may be as productive as any non-disabled person. But the work capacity of clients of disability insurance's integration or job placement services must by definition be reduced, otherwise they would not be entitled to these services.

⁴ The video is available on different websites (e.g. <http://www.ivsk.ch/dynasite.cfm?dsmid=98718>). Employer quotes are from the video; the disabled employees are shown in the video but they do not speak for themselves.

⁵ In our study respondents from the economic field often described their companies as a „family“ and this occurred not just in small family businesses but also in big (multinational) companies.

⁶ One company of our sample experienced the downside of honour when it was attacked as „hypocritical“ for dismissing a sick employee exactly with reference to the social award obtained a few years before the incident.

⁷ The law specifies different forms of trials depending on the phase within the rehabilitation process and on the purpose of the trial. For one type of trial employers even get a financial compensation on top of the free labour, which is meant as compensation for the extra-time and effort needed to instruct and supervise insurance clients.

⁸ Daily allowances are financial entitlements for clients, so it is even more striking that the integration specialist stresses the support for the employer.

⁹ The employers in our sample share this belief and explain their engagement with a moral commitment to social responsibility. Yet, both sides also point to the limits of social responsibility set by „economic reality“.

¹⁰ Our data show that these informal social obligations go beyond the statutory periods of protection against dismissal during sickness leave – the companies of our sample tend to retain sick employees longer than they must according to the law (Nadai/Gonon/Rotzetter in press).

¹¹ Job placement and coaching are to some degree outsourced to private agencies.