

THE MORALIZATION OF LABOR. ESTABLISHING THE SOCIAL RESPONSIBILITY OF EMPLOYERS FOR DISABLED WORKERS

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ABSTRACT:

As a “fictitious commodity” (Polanyi), that cannot be separated from the human being who is its owner, labor has a special moral significance. However, this moral quality is not a given but must be asserted in struggles over the value of labor. With the example of disabled workers in Switzerland, this paper examines the moralization of labor as a means to revalue a category of workers who range far down the labor queue. Moralization mediates the tension between the normative societal goal of inclusion for disabled people and the freedom of employers to select the most “productive” workers. Drawing on the theoretical approach of the Economics of Convention the paper analyzes the valuation frames proposed by economic and welfare state actors in political debates over the establishment of the Swiss disability insurance and the role of employers regarding occupational integration. A core concept used in negotiations of the value of disabled labor in the public arena and within individual businesses is the “social responsibility” of employers. Historically, employers’ associations successfully promoted the liberal principle of voluntary responsibility to prevent state interference in the labor market. In contrast, disability insurance argues predominantly within the market and the industrial convention to “sell” its clientele in the context of employer campaigns and case-related interactions with employers. Only recently, both sides started to reframe the employment of disabled people as a win-win affair, which would reconcile economic self-interest and the common good.

By virtue of being inseparable from its owner, labor is a “fictitious commodity” (Polanyi, 2001 [1944]) endowed with special moral significance. Unlike ordinary goods produced for sale, labor is not a market commodity itself but a precondition for commodity production. Subjecting it to market mechanism alone “would result in the demolition of society” (Polanyi in Fraser, 2012, p. 6). Historically, the attempt to create a self-regulating market economy, disembedded from social institutions and social norms, provoked a counter-movement aiming at social protection thereby leading to the creation of the welfare state. By providing alternative sources of income (social transfers) the welfare state enables decommodification, i.e. an escape from the labor market under specified conditions (Offe, 1984). Thus, even in liberal market economies the purchase and use of labor is to some degree regulated by the law; moreover, it is shaped by conventions based on mutual expectations about fairness (Salais, 2001). Likewise, the seller of labor is not only forced by necessity to offer his or her work capacity in the market, but also by the social norm of independence through wage work. The normative imperative of work has been exacerbated with active labor market policies introduced throughout Western welfare states since the 1990s that led to the recommodification of labor by tightening access to social insurance and welfare benefits in case of unemployment or work incapacity (Gilbert, 2002).

This is particularly problematic for jobseekers with poor employment prospects, such as *disabled people*. Whereas historically, visible impairments and incurable diseases constituted the best passes for welfare benefits (Castel, 2003) disabled people are now also expected to work for their living (Nadai, 2018). Getting disabled people into employment has become a priority of disability policy (OECD, 2010) and disability organizations demand access to the labor market as a social right (Bösl, 2010). In short, there is a broad societal consensus that employment constitutes the hallmark of social inclusion for disabled people.¹ Yet, the disabled are clearly disadvantaged compared to non-disabled people: they have lower employment rates, are more often unemployed and economic recessions hit them harder (Heymann, Stein & Moreno, 2014; OECD, 2010). Welfare states attempt to compensate for this comparative disadvantage with a variety of legal and social policies. For instance, financial incentives and counselling for employers are meant to stimulate the demand for disabled labor. Alternatively, the normative goal of inclusion may be enforced by legal obligations such as employment quota or anti-discrimination laws (Tschanz & Staub, 2017). Regardless of the concrete forms, such

¹ Some critical researchers and activists questions this consensus and call for the right of disabled people *not* to work and still be accorded full citizenship (Grover & Piggot, 2015).

policies testify to the *moral nature of labor* in that they are expressions of a societal responsibility to promote the employment of a vulnerable population. It is controversial, however, in what ways and to what extent the state may interfere in the labor market to this end. Respective political debates touch on the relation between the state and the economy and, in particular, on the *role of employers*. Why should they have to act against their preferences and hire or retain workers, who range far down the labor queue?

Using the example of the occupational integration of disabled people, this paper examines the *moralization of labor*. Research on the labor market inclusion of the disabled tends to take the normativity of this issue as a given and to investigate, for example, forms and causes of discrimination and exclusion or ways to overcome them. In contrast, the focus of this paper is on how economic and welfare state actors *actively turn the employment of disabled people into a moral issue*. Moralization, we argue, is a means to handle the tension between the normative societal goal of social inclusion for disabled people and the economic self-interest of firms to select only the most attractive workers in the labor queue. Following Lowe (2010, p. 294) we understand moralization as “the process through which activities, practices, phenomena, objects, and subjects acquire a moral standing that transcends personal preference or mere cultural convention”. This process is initiated and sustained by moral entrepreneurs, i.e. collective actors and activists, who put their cause on the public agenda to establish, reinforce or combat particular normative issues (Becker, 1963). Moral arguments locate the employment relation beyond a mere market transaction between buyer and seller of labor power and thus *broaden the framework for the valuation of labor*. At the center of the moral vocabulary (Lowe, 2010) used in negotiations of the value of disabled labor is the concept of the “social responsibility of employers”. How do employers and welfare state actors conceptualize responsibility and how is the vocabulary of responsibility used in political debates on the labor market inclusion of disabled people? In what ways does the use of the concept affect the valuation of labor power?

The paper is based on empirical data from an interdisciplinary study of the cooperation between disability insurance and employers in Switzerland.² As is well known, Switzerland is hard to place with regard to market coordination and welfare arrangements, both in typologies of

² The research was funded by the Swiss National Science Foundation (grant 10017_153638). The project comprised an historical study of the implementation and development of the Swiss disability insurance (Canonica, 2017a,b), and a sociological analysis of current occupational integration practices of employers and disability insurance offices (Gonon & Rotzetter, 2017; Nadai, 2018; Nadai, Gonon, & Rotzetter, 2018).

welfare regimes and of varieties of capitalism (Schröder, 2013). Regarding the role of employers in disability policy, it presents an interesting case too, because respective policies rest firmly on the *liberal principle of “voluntariness”* of employers’ engagement for the occupational integration of disabled people (Canonica, 2017a). To date there are virtually no legal obligations for employers: neither employment quota, nor rehabilitation duties, nor strict antidiscrimination legislation regarding employment decisions. Nevertheless, the employment rate of disabled people in Switzerland is among the highest of the OECD-countries (OECD, 2010, p. 50). Obviously, this fact cannot be explained by the rather moderate interventions of disability policy, nor can it be accounted for by market forces only. Rather, we propose that the relatively favorable labor market situation of disabled people in Switzerland is partly due to cultural and political conceptions of employers’ moral responsibilities towards society and workers. We argue that employers used overt moralization in political struggles over the design of disability insurance to prevent state interference in the labor market. The ensuing lack of coercive means and substantial monetary incentives forces disability insurance to act as moral entrepreneur to promote disabled people as valuable labor.

The next two sections present the theoretical framework of the study and a brief description of data. The following two sections show with historical data how employer associations used the moral vocabulary of responsibility to establish the concept of voluntariness in disability policy and how macroeconomic change and public criticism led to shifts in their argumentation. We then examine the moralizing communication activities of disability insurance. The last empirical section turns back to employers and analyzes conceptions of responsibility on the level of individual companies. The paper concludes with a discussion of the transformations of justifications for the employment of disabled people.

Theoretical framework

In public discourse, the employment of disabled people is mostly debated in normative terms as an issue of rights, social justice and equality. Accordingly, employment barriers are often attributed to stereotypes, discrimination or employers’ amoral economic self-interest. In market terms, disabled workers seem to be unprofitable labor, because their impairments may limit

their productivity and/or may necessitate costly workplace adjustments.³ Economic rationality is thus equated with the market logic of cost-benefit calculations and at the same time productivity or fit into a given work organization are treated as objective facts. The emerging sociology of valuation as well as economic sociology dispute such reifications and point to the complex social and cultural processes of producing, assessing and institutionalizing value judgements (Aspers & Beckert, 2011; Beckert & Musselin, 2013; Krüger & Reinhart, 2016; Lamont, 2012). Value is not an inherent feature of economic objects; rather, it is a social construction based on specific technologies, criteria and evaluation frames. A prominent theoretical approach to issues of valuation in economic life is the French Economics of Convention framework (EC). EC posits a plurality of rationales for coordinating economic action and judging the quality of actors, actions and objects. The central term “conventions” denotes societal *orders of worth* as foundations for value judgments and as *principles of equivalence* to rank objects according to their “greatness” (Boltanski & Thévenot, 2006).⁴ Quality conventions rest on an infrastructure of socio-cognitive and material forms such as classifications, technologies, norms, standardizations and the like (Thévenot, 2001). Orders of worth are centered on specific notions of the common good, thus they represent *ideal moral orders*. The plurality of quality conventions in a given context confronts actors with the problem of handling evaluative ambiguity and accounting for judgments. This “imperative of justifications” arises especially in “critical moments”, when tacit routines are disrupted and disputes arise (Boltanski & Thévenot, 1999, 359 f.). One way of handling disputes is by making compromises; in fact, economic organizations generally rest on the fundamental compromise between market and industrial logic. Yet, compromises between contradictory conventions are inherently unstable and therefore prone to criticism, which in turn is a major trigger of change (Boltanski & Chiapello, 2005).

The employment of disabled people constitutes such a critical moment, insofar disabled people fall short of the performance standards set by the model of an “ideal worker”, which underlies the coordination of production in a given enterprise (Foster & Wass, 2012). At this moment, the question of the appropriate quality convention and the fairness of the respective tests to assess their value as workers arises, and explicit justifications are needed. Why would it be

³ We do not suggest that impairments necessarily have negative effects on work performance in every job. For our argument, it is not important, whether performance problems are “real” or just negative stereotypes, and whether they result from specific impairments or are the effect of disabling social, material and cultural barriers.

⁴ The issue of determining the value of labor is a key topic of EC, see e.g. Eymard-Duvernay 2012; Salais, 2001; Salais & Thévenot, 1986.

legitimate to use other frames than the market logic of productivity and profit or the industrial logic of fit into an efficient work organization? Moral arguments are used to bring into play other quality conventions, namely the domestic and the civic orders of worth. In the domestic convention the value of actors is based on their positions in networks of interdependencies, loyalties and trust, whereas the civic convention values solidarity, equality, fairness and engagement for the collective good (Boltanski & Thévenot, 2006). In the case at hand, in both orders of worth it is actually the employer, who gains “greatness” through protecting disabled employees or granting disabled job seekers access to the labor market. We contend that these conventions, although always available in the background, must be “activated” in disputes, and this is done by constructing a moral vocabulary, i.e. a set of arguments, code words, symbols and the like, that provide a consistent logic to underpin moral claims (Lowe, 2010).

Data and methods

The historical analysis of the establishment of the concept of voluntary responsibility in struggles over regulation, presented in the following two sections, draws on archival data and published sources of several employers’ associations, public administrations (primarily the Federal Office of Social Insurance), disabled people’s associations and of four large companies. The study covers the period of 1945 to 2008 (for details see Canonica, 2017a). The subsequent sociological analysis in the sections on the role of disability insurance as moral entrepreneur and on the contested practices of social responsibility in businesses is based on in-depth ethnographic case studies in two firms and two cantonal disability insurance offices, and interviews and one-time observations in additional disability offices and firms.⁵ The focus of observations and interviews was on interactions between disability insurance staff (job placement specialists) and employers (human resources managers, supervisors, in-house social workers etc.). The overall database comprises observational fieldnotes, 32 interviews in the business field, 19 interviews in the field of disability insurance, as well as visual and textual documents of these organizations and of a national employer campaign. Data collection and analysis followed grounded theory methodology with respect to sampling, constant comparison and coding techniques (see Nadai, Gonon and Rotzetter, 2018).

⁵ In Switzerland, disability insurance is regulated by federal law, while the administration of pensions and occupational integration is managed by 26 cantonal disability insurance offices.

Social responsibility against “state interventionism”

In comparison to other Western European countries, in Switzerland disability insurance was implemented rather late, namely in 1960. The risk of disability was to some degree covered by the public accident insurance and by the social insurance compensating the loss of earnings during military service (Lengwiler, 2006). In the absence of social insurance, a system of occupational integration, based on private initiative had evolved in the immediate post-war period. In the 1940s and 1950s a veritable “integration boom” was under way (Germann, 2008, p. 189). The main actors were disability associations and career counsellors, supported by employers’ association, who shared the vision of establishing a *liberal policy of occupational integration* (Canonica, 2017a, pp. 53-67) in order to avoid welfare state “interventionism”. Therefore, they opposed the implementation of a disability insurance for a long time (Fracheboud, 2015, pp. 56 f.).

Instead, they promoted the “*principle of voluntariness*”, which highlighted the individual responsibility of the involved actors. This concept of the voluntary underpinning of the employment of disabled people was elaborated within a moral vocabulary that encompassed the notions of responsibility, freedom, equality and the popular political belief in the “special case Switzerland”. *Responsibility* for the labor market integration of the disabled should be anchored on the local level and sustained by personal relations. Employers’ associations argued that impersonal assistance provided by the welfare state would weaken the power of mutual support in society. Moreover, according to a memorandum of an employer association, the “bureaucratization” of aid was deemed to undermine the “joy of giving”. Because it was grounded in personal responsibility, private support was regarded as morally superior to welfare state interventions. Furthermore, the concept of voluntariness guaranteed *freedom*, for both the employers and the disabled. This argument was brought up in opposition to the quota systems of other Western European countries: employment quota for the disabled violated the freedom of contract in the labor market. Employers and disabled workers would both benefit from the lack of regulation because in a liberal Swiss system they could meet as labor market actors on a par. In contrast, legal obligations would restrict the freedom of choice and lead to random job placement. On the one hand, companies that did not meet the requested quota would be forced to fill job vacancies with unsuitable workers. On the other hand, such regulations might lead to job allocations that disregarded the individual abilities and inclinations of the disabled persons. Moreover, as disability associations underlined, quotas

were potentially discriminatory because the persons concerned were stigmatized as “inferior” workers in need of state protection, which affected their personal dignity (Canonica, 2017a, p. 56).

Responsibility was also a *moral duty for the disabled*. First, the normative imperative of earnings one’s living through wage work applied to them too – work was a corollary to equal citizenship. Second, disability aid associations and career counsellors were convinced that a good match between job requirements and the skills and preferences of job seekers could outweigh the labor market disadvantages of the disabled and create market equivalence with non-disabled persons (Canonica, 2017a, pp. 53-58). Hence, from a liberal standpoint, successful labor market inclusion depended essentially on the self-responsibility of the disabled people: on their motivation and efforts to become employable. This conviction was strengthened by the fact that the economic prosperity of the post-war period created a market demand for labor, which facilitated the occupational integration of disabled workers. Therefore, the Swiss principle of voluntariness was not only morally superior to legal enforcement but also more *conducive to market efficiency*. This line of arguments thus echoes the profoundly liberal set-up of the labor market in Switzerland (Tanner, 2015, p. 553)

Within the framework of the moral vocabulary of voluntary responsibility, employers downplayed market considerations and highlighted the philanthropic dimension: the employment of disabled people was interpreted as *an act of bourgeois charity* (Canonica, 2017a, p. 101). With respect to the *domestic order of worth*, employers adopted the role of the “patriarch” protecting weak members of the company community (Canonica, 2017b). As economic history shows, corporate welfare was a central dimension of corporate culture in Switzerland (Tanner, 2015, p. 285) and forming companies into communities was an important goal of the enterprises (Bernet & Tanner, 2015, p. 16). As members of the “company family” employees, who became disabled, were often not dismissed but could keep their jobs. Hiring workers with known disabilities, on the other hand, was justified in terms of the *civic convention* as a responsibility towards society. Altogether, hiring and job retention were both interpreted as a moral duty that a company complied with because businesses were also regarded as civil society actors. Market and industrial arguments were mentioned as well but they played a minor role. In fact, enterprises generally did not frame disabled labor in terms of economic profit but regarded disabled workers as unprofitable (Canonica, 2017b, p. 245). Rather, market logic was eschewed in many cases in that the salaries of disabled workers were not based on productivity only. If a strictly performance based pay would have been too low,

some companies added a so-called “social salary”, which was not directly linked to actual performance (Canonica, 2017a, p. 73 f.). This is an indicator that the employment of disabled workers was motivated by moral concerns of the employer.

Persistence and transformation of the vocabulary of voluntary responsibility

In the long run, employers and their allies in the struggle against state interventionism could not prevent the establishment of disability insurance. Yet, the moral vocabulary of voluntary responsibility was inscribed into the design of the new insurance, which was finally implemented in 1960. On the one hand, disability insurance built on the existing liberal system of occupational integration and the Disability Insurance Act did not contain any legal obligations for employers. On the other hand, labor market inclusion was the primary aim of the insurance, whereas pensions were secondary – hence, the motto “*rehabilitation before pension*” (Germann, 2008). Disabled clients were thus foremost conceptualized as potential workers and wage earners. This conception corresponded to the idea of disabled people as equal labor market participants that career counsellors promoted before the implementation of disability insurance. Moreover, it helped to dissuade employers’ concerns about the costs of social insurance. To realize the primacy of integration over pensions various measures were introduced to improve the employability of insurance clients. In contrast to the employers’ insistence on morality, disability insurance thus drew on market and industrial logic and tried to advertise its clientele as productive labor. Employers were addressed as “*homo oeconomicus*” acting primarily on cost-benefit calculations.

The 1960s and early 1970s were a phase of constant *economic boom*. Therefore, the market-oriented strategy of disability insurance was rather successful during that period. Labor demand was very high and employers regarded disabled people as an important source to keep up production. Vocational rehabilitation measures introduced by disability insurance made its clients more employable, thus economically more attractive. Moreover, the option of partial disability pensions sometimes replaced “social salaries” paid by employers, i.e. disabled labor became cheaper. In addition, disability insurance financed workplace adjustments, which previously had to be paid by the companies themselves. Taken together these factors provided favorable conditions for the occupational integration of disabled people.

The *economic crisis* of the mid-1970s led to a change of behavior on the part of employers. They became more reluctant to employ disabled people. The occupational integration services

of disability insurance complained about growing difficulties to place their clients in the labor market. During the economic boom, employers had been lauded for their cooperation. Now, in face of the crisis and the problems of integration *public criticism* arose. Given that the employers had always emphasized the moral dimension of employing disabled people, had underlined their own social responsibility and had framed the issue in almost philanthropic terms, the use of the moral vocabulary now exposed them to criticism. The economy was blamed by the public, the media and politicians for not taking the duty of social responsibility seriously. Employers were accused of hypocrisy for not practicing what they had preached themselves.

The accusations that addressed employers as “corporate citizens” did not lead to a change in behavior but to *shifts in justifications*. Employers abandoned the language of charity and service to society and turned to *cost-benefit arguments* to demonstrate why occupational integration frequently failed. For example, employers’ associations stressed the additional costs of employing disabled people. Furthermore, they turned the tables and started to *blame the disabled workers* for the failure of integration: they did not work hard enough to improve their employability and they did not really want to work but relied on pensions (Canonica, 2017a, p. 190 ff.). Thus, employers resorted to the mechanism of responsabilization of neoliberal discourse (Shamir, 2008) that fitted the moral vocabulary of voluntariness and self-responsibility of all actors involved in occupational integration. Besides, with this argumentation employers’ associations implicitly rejected public criticism and located the problem elsewhere – namely with the disabled people themselves.

However, the domestic convention remained the most important justification for the employment of disabled people. Employers were still committed to the idea that it was their moral duty to protect their “company community” and to support their disabled employees (Canonica, 2017a, p. 221). This may explain why during the recession of the 1970s access to the labor market became more difficult but disabled people already in employment were rarely dismissed. While public criticism led to changes in employers’ legitimations, it could not enforce the employment of disabled people: attempts at vocational rehabilitation for those without a job remained largely unsuccessful. Federal authorities reacted by setting up a task force to deal with the problems of occupational integration. In line with disability insurance’s established way of market-oriented argumentation the group proposed *financial incentives* for employers to increase the value of disabled labor. Employers’ associations rejected this proposal, however, because they upheld the idea that integration should not rely on market

logic but on morality. In the 1980s and 1990s employers came under attack again. In the mid-1990s, Switzerland was hit by the highest unemployment rates of the post-war period (Degen, 2013), which had a strong impact on disability insurance. The increasing number of disability pensions and the according “cost explosion” became the topic of a public crisis discourse about disability policy (Lengwiler, 2007, p. 339). Employers were accused of disposing of workers with limited work capacity and of forcing them to resort to welfare state support. Disability insurance was turned into a “catch basin” (Studer, 2012, p. 957) for workers at the far end of the labor queue who could not find employment. Employers’ associations countered the public accusations by launching awareness campaigns for their members, which, however, still proposed the classical system of vocational integration with the emphasis on the importance of personal and local contact without too much interference by the welfare state.

A fundamental shift in employers’ argumentation occurred not until the turn of the century in the course of a significant *cultural and structural transformation of the economy*. The neoliberal idea of shareholder value and according management concepts gained ground in the Swiss economy (David & Mach, 2012; Tanner, 2015, pp. 492-500). Organizational restructuring, cost cutting and offshoring to low wage-countries led to a marked reduction of unskilled jobs. These were exactly the kind of jobs many disabled workers held. Transferring redundant labor to the welfare state was regarded as an easy and cost-effective solution to get rid of workers with limited productivity. Employees with health problems were increasingly viewed as *cost factors*, i.e. according market logic came to the foreground. Hence, in the 1990s “health management” was introduced in large Swiss companies to bring expenditures for sickness leaves, rehabilitation, disability pensions and the like under control (Canonica, 2017a, p. 259). Employers also realized that transferring employees to the welfare state was not necessarily the most cost-efficient solution because the premiums for social insurance and pension funds increased with the number of sick days, disabled employees and early retirements for health reasons. Therefore, taking care of social and health issues made economic sense and the “business case” for social responsibility (Shamir, 2008) became an integral element of business strategy and of “image-management” (Tanner, 2010). In this context employers started to change their arguments and strategies. In 2008 disability insurance implemented a new scheme for job retention, called “early detection and intervention”, which allowed employers (and other actors) to report people at risk of permanent impairments to disability insurance after 30 days of sickness leave or because of repeated short absences. This preventive approach was compatible with the health management systems introduced in larger

enterprises and it provided support for small and medium enterprises that did not have their own health management systems. Employers' associations approved of these reforms and now also welcomed the financial incentives that were introduced with the same reform of the Disability Insurance Act. Moreover, for the first time, they spoke up for a more intensive cooperation with disability insurance and they even accepted to be mentioned in the respective law. Article 7c of the Disability Insurance Act of 2008 states: "The employer cooperates actively with the disability insurance offices. He contributes to an adequate solution to the extent that is acceptable for the employer." In sum, today the system of occupation integration in Switzerland is still a liberal one, without any legal obligation to employ disabled people. Instead, the law now propagates the kind of "moral duty" – which is how employers interpret the article (Wiler, 2007, p. 40) – that employers struggled for over a period of 60 years.

Disability insurance as moral entrepreneur

As demonstrated so far, employers have been successful in establishing the concept of voluntary social responsibility as the unquestionable foundation of Swiss disability policy. Moreover, in the past decade the policy focus on occupational integration has gradually been accentuated to the point of replacing the original disability insurance slogan "integration *before* pensions" by the motto "integration *instead of* pensions". This puts disability insurance under pressure to attain high performance goals such as the substantial reduction of pension rolls and the reintegration into the labor market of thousands of longtime disability pensioners. To meet these goals the insurance must meet the double challenge of *creating a market demand for disabled labor* and a demand for its own services for employers (Nadai, 2018). In the political debates around the recent reforms of the Disability Insurance Act the insurance was criticized for being bureaucratic, inflexible and insensitive to employers' needs. Hence, it ought to be remodeled into a modern service provider that would be taken seriously by businesses. Disability insurance offices therefore intensified their efforts to mobilize employers by creating employer networks and designating specialists to handle employer contacts (Geisen et al., 2016). Furthermore, a national publicity campaign was launched in 2009, which was later replaced by cantonal activities, financed with federal funds (Nadai, 2018). On the cultural level, the transformation to a professional service provider required developing a "feel for employers" and knowing how "to speak their language", as interviewed disability insurance staff phrased it. Speaking the language of employers means most of all to avoid "evangelizing

and moralizing”. Instead, insurance staff believes, it is important to stress the economic profit for the employer and camouflage moral appeals in the win-win-argument that is a mainstay of the popular corporate social responsibility discourse (Shamir, 2008). Yet, they also believe that ultimately employers’ willingness to hire and retain disabled workers hinges on their personal sense of social responsibility. Moreover, in their view this morally grounded “openness” for disabled workers cannot be generated by means of policy incentives or persuasion, but must be there in the first place. Mobilizing employers thus involves the paradoxical tasks of influencing something that is believed to be intrinsic and of acting as moral entrepreneur without appearing as such. The respective activities of disability insurance reflect the *tension between explicit moral reasoning and promising economic profit*.

In public campaigns, occupational integration is invariably portrayed as a success. Indeed, success stories of integration are a distinct communicative genre comprising testimonials of employers and disabled employees on websites, in brochures and in short videos, which are used in networking events for employers and published on websites. For example, in a video entitled “success stories”, jointly produced by the Federal Social Insurance Office and the Conference of Disability Insurance Offices, four employers talk about their experiences with disabled workers, who had been placed in their firms by disability insurance.⁶ The disabled are described as “top workers”, whom the employer would not want to “give away”. They are endowed with the special qualities of being very loyal, highly dedicated and motivated. In the end hiring disabled workers “pays off” and the employer feels in his heart the “satisfaction” of “giving these people a chance”. Our observations of case-related personal interactions between disability insurance staff and businesses show that the arguments used in this context follow similar lines. Employers are sometimes reminded that by “giving someone a chance” they might “make a contribution to society” or that by “not letting down a sick employee” they would “earn the respect” of their staff.

Disability insurance thus describes the quality of disabled labor in terms of the *civic* and the *domestic convention*: the disabled workers are valuable as a medium through which the employer gains greatness. The civic-minded employer, who offers disabled people access to the labor market, contributes to the common good by helping to realize the societal values of fairness and equal opportunities. The same moral message is conveyed by awards for socially

⁶ Employers’ quotes in this paragraph are taken from the video (retrieved from https://www.youtube.com/watch?feature=player_embedded&v=gCba4zxQPhw).

responsible employers: in Switzerland since the 1980s at least twelve awards have been created to honor companies with a high commitment for the employment of disabled people. Prizewinners are encouraged to mention the award for publicity purposes; thus honoring is anchored in a win-win vocabulary that reconciles altruism with self-serving economic goals. On top of reputational gains in public, the socially responsible employer profits by strengthening the ties of mutual obligations within the company. As generous patriarch, the employer protects the “company family”, who out of gratitude repays by loyalty and hard work. In the domestic order of worth, the value of the worker lies not just in being a medium to enhance the employer’s greatness, but he or she actually becomes more productive by working harder than contractual obligations require.

The moral vocabulary of disability insurance stresses the gains of employers, which are primarily located in the soft factors of good relations between the company and its internal and external stakeholders. Yet, disability insurance must also *address the economic viability*, i.e. the costs of the proposed moral responsibility. In this respect, the latent message contained in public campaigns and in case-related interactions actually questions the manifest declarations of success. The video quoted above posits a payoff, but also describes hiring disabled people as a bit of an “adventure” because of their “ups and downs”, because they “can’t always deliver 100%” and because they need more supervision than others do. These problems increase management costs and, more importantly, amount to unpredictable work performance, which affects production. Erratic performance and sickness absences may lead to productivity loss or may require workarounds. Both problems have a negative effect on the *market value* and on valuation according to the *industrial* convention. Success stories gloss over these problems and remain vague as to the exact nature of the promised payoff. However, when insurance staff negotiates the value of disabled labor on the ground in interactions with employers they must provide more specific arguments (Gonon & Rotzetter, 2017; Nadai et al., in press). First, they promise to “find the needle in the haystack”, i.e. to deliver candidates who fit the profile of a given job. The perfect *match between worker and job* then obliterates the handicap, as it were, because if the disabled worker fulfils the demands of a particular job he or she is as productive as anyone else is. A second strategy consists of *reducing costs and risks* by offering work trials or temporary wage subsidies. Temporary trial periods are tantamount to free labor, because instead of a salary, the worker receives insurance benefits. Trials also constitute a kind of product warranty, because the employer is not obliged to offer the person on trial a regular job afterwards. However, insurance staff does not regard financial incentives as yielding a profit

for businesses but rather as *compensation* for risks and extra effort.

Overall, the attempt to reconcile moral appeals with claims of economic viability, as expressed in the win-win rhetoric, results in an ambivalent argumentation. On the manifest level, the employment of disabled workers is presented as a modest risk that still pays off, not least because disability insurance is there to cushion employers' risks. While public campaigns stress an actual, yet rather vague profit, disability insurance staff on the ground argue more modestly: they only promise to safeguard employers from the risks and losses they would not incur in the first place if they hired only the most productive workers. Therefore, the latent message actually is that according to market and industrial conventions the quality of disabled labor is low. Instead, it pays off within the framework of the domestic and the civic conventions: responsible employers earn a good reputation in public as well as the respect and engagement of their staff.

The contested limits of social responsibility

Whether as an effect of disability insurance's current moralizing efforts or as a historical legacy: the moral vocabulary of voluntary social responsibility is still present today. Among managers, supervisors and human resources staff of the businesses in the sample of the sociological study we found the shared belief in social responsibility as prime determinant of the employment of disabled people. At the same time, they are convinced that moral considerations must nevertheless tally with the harsh facts of "economic reality". As a supermarket manager said: "Frankly, no one really waits for these people, because in the end the cost benefit ratio doesn't work out." So, how do employers interpret and practice the self-imposed moral commitment to social responsibility?

Above all, when legitimized with respect to the domestic convention, responsibility pertains to the company family, i.e. to *job retention*. Being a responsible company means not to dismiss employees who suffer long-term work incapacity as soon as possible. The firms in our sample retain sick employees *beyond the legal period of notice* in case of sickness and they justify this with a moral duty of care.⁷ However, because this duty is associated with the reciprocity of social exchange (Cropanzano & Mitchell, 2005), it is restricted to employees who fulfil their part of the mutual obligation. On the one hand, responsibility is dependent on seniority, i.e. on

⁷ In Switzerland, the legal period of notice in case of sickness depends on employment duration: from 30 days in the first year to 180 days from the sixth year of employment on.

long-term service for the firm; on the other hand on the personal work performance and loyal behavior of the disabled person before the onset of work incapacity, and on his or her willingness to cooperate in vocational rehabilitation. Yet, inasmuch the employer's responsibility extends to the whole staff, fairness principles may also turn against a disabled person: "I can't expect the team every other year to put in extra work for Mr. [name] over several months", explains the supervisor of an employee with recurrent depressions and long sickness leaves. Thus, moral obligations must be balanced within a web of interdependencies, taking into account possible consequences in terms of overall staff loyalty and productivity.

While the legal period of notice marks the bottom line of social responsibility, the *terms of the company's sickness benefits insurance* define the *upper limit*. Usually, employers' felt duty of care ends at the latest when the entitlement to sickness benefits that compensate the employers' salary costs expires.⁸ Beyond that period, further employment occurs very rarely; if so, it is financed by a company welfare fund. Moreover, the respective workers usually receive a partial disability pension; hence, the employer merely pays a small salary. Even then, this kind of socially motivated employment is only granted for people who are still productive to some degree. As interviewees from several businesses stated: "We're not a sheltered workshop." Labor law, occupational social insurance schemes and state disability pensions thus function as part of the material and immaterial infrastructure that set the parameters of valuation (Thévenot, 2001): they enable and delimit the space of social responsibility for workers who rank low according to market and industrial quality conceptions (Nadai et al., in press).

The valuation of job applicants from the external labor market, however, follows market and industrial conventions only. Disabled job candidates are not yet included in the solidary ties of the company family; hence, they are primarily evaluated as competitors in the labor market. With regard to external job candidates, social responsibility is expressed in "giving someone a chance". This means primarily to offer *places for temporary work trials* to disability insurance clients. Work trials are regarded as a chance for the insurance client to regain ground in the labor market: to develop and demonstrate work capacity, to network, to obtain favorable references for the further job search etc. Some of the large companies in our sample declared openly that they would neither hire insurance clients nor offer work trials, because they had "a lot of wear and tear" among their own staff to take care of. In contrast, for a few SMEs the free

⁸ Sickness benefit insurance is not mandatory in Switzerland, but common in medium and large companies. The terms vary; often the insurance pays benefits for up to 720 days of sick leave; however, shorter coverage is possible.

labor provided by work trials was valued and even sought-after as profitable, because in routine jobs the disabled interns are productive after a short adjustment period and because in a small company the wage of a single worker represents a higher percentage of overall salary costs than in a large company. For these companies the civic engagement of giving a chance to a disadvantaged category of workers goes hand in hand with an economic profit.

The practices and the extent of social responsibility are always contested, both on the level of individual cases and on the level of general company policy. Job retention in particular cases becomes a matter of negotiations between direct supervisors, higher level managers, human resources personnel and in-house social services over the balance between upholding the self-image of a socially-minded company and keeping up production and performance standards. In owner managed (mostly small to medium) companies a general openness for disabled workers stands and falls with the attitude of the owner or owner family. In contrast, in larger (stock) corporations a policy of social responsibility may have to be justified to the top management and to the board of directors, i.e. to people who are far removed from concrete cases and whose job is primarily to increase company profits. Especially in multinational corporations our interviewees also registered conflicts with internationally based management unfamiliar with Swiss regulations and custom: “Then the boss in America says, what?! I’m supposed to keep someone on the payroll who has been sick for two years? Are you crazy?!” In general, staff turnover in management can constitute critical moments when practices of responsibility are called into question – in several companies supervisors and human resources personnel were concerned that the present policies were about to be abolished in the near future.

Conclusions

More than other economic goods labor is a commodity with moral significance, and its moral quality is especially salient in the case of the employment of disabled people. As statistical data around the globe document clearly, employers prefer non-disabled workers: people with health impairments are disadvantaged in the labor market (OECD 2010). Yet, there is a societal consensus not to resort to a seemingly simple solution of this problem, namely to the decommodification of disabled people through social transfers. Rather, labor market access is generally regarded as a right and a duty of disabled people. Hence, there is a need to either force or persuade employers to purchase labor that they regard as unattractive in terms of the profit logic of the market convention or with respect to the efficiency ideal valued by the

industrial convention. If the law does not provide the option of enforcement – as is the case in Switzerland – businesses must be persuaded and this requires a revaluation of disabled labor. The *moralizing strategies* described in this paper *promote alternative yardsticks to evaluate workers* who differ from the abstract worker that serves as general quality standard for labor (Foster & Wass, 2012).

Social responsibility represents the core concept of these moralizing efforts by framing a seemingly irrational preference for “second-rate” labor as a deeply moral choice. The socially responsible employer balances the profit-driven selection of the most productive workers with altruistic considerations of the common good, namely of the social inclusion of disabled people. Employers’ responsibility manifests itself in the protection of workers who become disabled while already in employment, or in giving a chance to disabled jobseekers by offering them a regular job or at least the opportunity of work training as part of the vocational rehabilitation process. Thus, responsibility draws on the domestic and the civic quality convention respectively (Boltanski & Thévenot, 2006): the value of disabled workers is determined within the web of mutual obligations between employers and staff, and it stems from being the object of the employer’s display of civic virtues. Yet, the evaluation of labor according to the domestic and civic conventions remains in conflict with the logics of the market and industrial orders of worth. As our historical analysis shows employers were more inclined to adhere to social responsibility in times of economic prosperity than during recessions. And the sociological part of our study of employer practices points to the structural limits of moral considerations: social responsibility pertains to members of the company family only and it remains within the limits of company and state forms (Thévenot, 2001) like social insurance, company welfare funds, and labor law regulations that define the duties of employers towards disabled employees. Moralization cannot simply override the predominant quality conventions for evaluating labor that focus on workers’ productivity. Rather, it enables compromises between different conventions by furnishing actors with legitimate reasons to take into account social criteria too.

Typically, the pressure to introduce moral concerns like social responsibility as an antidote to pure market forces comes from civil society actors and social movements (Balsiger, 2016; King & Pearce, 2010). In the case analyzed in this paper, the *employers joined the ranks of moral entrepreneurs* who proposed the voluntary moral responsibility of economic actors as the best way to promote the employment of disabled people. In alliance with disability associations, career counsellors and political parties, they fought, first, against the establishment of a social insurance for the disabled, and after the implementation of the insurance in 1960 to prevent

any legal obligations for businesses. For employers' associations the struggle for asserting moral values with respect to the purchase of labor was part of a political battle against state interventionism in the labor market. The astonishing alliance of employers and disability associations as representatives of those who were the victims of the economic logic of market actors was possible, because it was *entrenched in the market liberalism* that is characteristic for Switzerland (Tanner, 2015). The moral vocabulary of voluntary responsibility stressed market freedom for employers and disabled workers alike: both should enjoy the unrestrained freedom of choosing workers or jobs according to their preferences. The freedom of moral actors would then result in a far more efficient allocation in the labor market than state regulations like employment quota could ever achieve.

For roughly six decades, employers' associations used moralizing as an important defense strategy against state regulation. Moral argumentation is an *ambivalent resource* in political struggles and disputes over the value of labor, however, because those who use it can be held accountable for failing the ideals they preach. From the late 1970s on, employers were recurrently *criticized in public* for shirking their self-professed responsibility whenever the situation of disabled workers in the labor market deteriorated due to economic downturns or the structural transformation of the labor market. Employers had tacitly switched from the domestic and civic quality conventions for disabled labor to a market-based evaluation; they now disregarded unprofitable labor. Critics reacted to the perceived violation of justice according to the orders of worth that employers themselves had used to legitimize their struggle against state regulation. The public allegations thus amounted to corrective rather than radical criticism (Boltanski & Chiapello, 2005): the aim was to reinstall the validity of existing conventions, not to replace them. While employer associations first continued to rely on their time-tested moral vocabulary and even twisted it to blame disabled workers themselves, on the company level a *shift in justification* became apparent in the 1990s. Both the crisis discourse regarding the rising costs of disability insurance (Lengwiler, 2007) and the advent of profit-maximizing shareholder value models of economic behavior heightened the awareness for cost-benefit issues in the employment of disabled people. Employers did not relinquish the vocabulary of social responsibility altogether, but they now highlighted a specific facet. As demonstrated above social responsibility had always been rhetorically coupled with market viability: morality contributed to efficient allocation of labor. Whereas this argument implied macroeconomic gains, the new reading promised a direct pay-off for the individual company: in the context of new health management systems, the vocational rehabilitation of incapacitated

employees helped saving costs and preserving human capital. In this way, the employment of disabled people was reframed as a win-win affair, which would serve both economic self-interest and the common good.

In contrast to employers' explicit moralizing, *disability insurance* acts as a somewhat *reluctant moral entrepreneur*. As we have shown, by the time disability insurance was implemented the concept of voluntary social responsibility was already firmly established, and given the high demand for labor during the three decades of economic boom the concept worked well enough for successful occupational integration. In this context, disability insurance stressed the market- and industrial convention-based valuation. In recent times, the use of market logic was reinforced, because disability insurance had to parry political allegations of being an inefficient and ineffective bureaucracy; hence, it attempted to remodel itself into an employer-friendly service provider attuned to market demands. Thus, there is a convergence of the legitimations used by employers and disability insurance. Yet, disability insurance actors are well aware of the *limits of profit-oriented rationales* – they too believe that a moral sense of responsibility is an indispensable ingredient of employers' willingness to employ disabled people. Therefore, the domestic and civic conventions are still indispensable in negotiations with employers and in public campaigns. It is with respect to notions of fairness, mutual responsibilities and solidarity that employers can be held accountable to contribute to the normative goal of inclusion for all members of society and to treat their employees as more than a mere commodity to be discarded when they do not function properly anymore. Therefore, moral appeals are unavoidable but against the backdrop of the pervasive economization of public discourse (Crouch, 2011), they must not appear as “evangelizing and moralizing”. So the win-win catchphrase suits both economic and welfare state actors by preserving the precarious compromise between market and industrial conventions on the one hand, and domestic and civic rationales on the other hand.

The rewriting of the moral vocabulary of responsibility from one-sided altruism to the reconciliation of economic profit and common good fits well into the “general neo-liberal drive to ground social relations in the economic rationality of markets” (Shamir, 2008, p. 3). Hence, the “business case”-argument for moral behavior of economic actors is a core topic of the corporate social responsibility discourse. It is used widely to advocate causes as diverse as fair trade (Schmelzer, 2010), ethical fashion (Schiller-Merkens, 2017), animal welfare (Balsiger, 2016) or equality in the workplace with regard to gender, sexual orientation, race, and, as shown here, to disability (Grosser, 2011). Arguing the business case marks a shift from a rights-

based equality approach to the vocabulary of profitable diversity (Özibilgin & Tatli, 2011). Thus, couching moral claims in economic language seems to be an indispensable strategy for those who seek to infuse markets with morals nowadays.

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