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How is the 'Problem' of Employment for Disabled People Represented in New Zealand Government Policy? A Post-structural Discourse Analysis

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Abstract

Disabled people have persistently lower employment than non-disabled, and disability scholarship has analysed the ways in which the social construction of 'work' participates in the marginalization of disabled people. Disability-related hiring, workplace practices and labour organisation are often influenced by goverment policy. This article reports on a post-structural discourse analysis of disability employment policies in New Zealand, analysing how these policies represent employment issues for disabled people. Findings show that despite employing language that reflects social understandings of disability, policies reproduce discourses that view disability as a limitation of the body rather than a social construct shaped by environmental factors. Paid employment was constructed as crucial for full participation in society, positioning unemployed disabled people as missing out on full citizenship. The policies construct employers as central to addressing underemployment of disabled people, but overlook ongoing systemic discrimination, focusing on information as a strategy to achieve inclusive employment practices. While these policies emphasise inclusion, they often neglect to challenge the organisation of work itself, positioning disabled people as needing to adapt to pre-existing work structures, without considering broader systemic reforms that go beyond just inclusion of disabled people in work structures that have persistently excluded them.

Keywords

disability, discourse, labour organisation, policy, problem representation, work

Background

A common experience for disabled people living in industrialized countries has been exclusion from 'standard' opportunities for work, particularly paid work (Barnes, 1999; Grue, 2023). This issue has been framed in different ways in different times and places. In many countries, a gradual shift toward inclusion in employment for disabled people has taken place since the second world war, and later intensified with the introduction of neoliberal economics. In response to rising unemployment and escalating social assistance costs in the 1970s, Western nations shifted their focus toward 'activating' social assistance recipients. Implementation of 'active labour market policies' (ALMP) aimed to adapt the workforce to meet new market demands. Led by US workfare policies in the 1990s, characterized by a significant transition from unconditional welfare to conditionality which necessitated work-related activities for social assistance benefits, European policies also expanded to include subsidized work programmes (Lødemel & Trickey, 2001). The policy changes aligned with the growing popularity of the concept of 'active' citizenship, which emphasized labour market participation. This strategy encompassed all population groups, including disabled people, with the transition highlighting the importance of productive citizens in sustaining welfare budgets, but also emphasizing individual benefits of being employed, such as social

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Data Availability Statement included at the end of the article

inclusion, improved financial situation and better health (Halvorsen et al., 2017; Kuznetsova & Yalcin, 2017). Common now is the view that the majority of adults both want to and should work, and that they have the right to do so even if they are labelled as 'disabled'. This view is reflected in government policy which emphasises opportunity for paid work in 'mainstream' jobs as a fundamental right and provides initiatives to increase employment among disabled people (Hwang et al., 2024). These policies address a 'problem' that there is often a gap between the goal of inclusive employment and actual employment practices, which remain discriminatory (cf. Berre, 2023; Hoque et al., 2014).

While equity-focused human rights movements have pushed for inclusion in employment as a *social* project, much of the actual change has been focused on the type of vocational rehabilitation offered to *individuals* and support and/or obligations for employers, rather than equity-oriented transformation of the labour market (Titchkosky, 2003). Several studies have raised questions about the sustainability of these welfare policies and if they are really as universally inclusive as they appear to be. For instance, the Nordic countries are often touted for their exemplary welfare systems and inclusive work policies. However, while employers typically provide accommodations for short-term disabilities, as well as mobility or sensory impairments, they frequently fail to adequately support people with more complex or permanent impairment (Goodall et al., 2024; Kuznetsova & Yalcin, 2017). The competitive labour market often remains inaccessible to people labelled as intellectually disabled, who are frequently referred to limited sheltered work placements (Garrels & Sigstad, 2021). This situation has also raised concerns about the welfare system's potentially disabling effects on people with partial work ability, as it may steer them toward permanent welfare dependency rather than facilitating their integration into the broader labour market, which often leaves the hard-to employ people behind (Garrels & Sigstad, 2021). This reflects a perspective that frames disability as an individual problem, expected to be minimally inconvenient to employers, reinforcing ableist norms and ideals in the Nordic welfare systems (Garrels & Sigstad, 2021; Goodall et al., 2024).

In the United Kingdom, as discussed by Mehta et al (2021), recent welfare policy reforms aimed at reducing unemployment rates among disabled people have enforced compulsory re-assessment and required participation in work-related activities for disability benefit recipients. In aligning disability benefit conditions with unemployment benefits, disabled people have become subject to inequitable conditionality and sanctioning that has detrimental effects on them (Mehta et al., 2021). In another critique, a study by Horsell (2023) reveals that while Australia's National Disability Insurance Scheme (NDIS) has a well-articulated focus on choice and control as foundational principles in disability services, market agendas often overshadow the social justice objectives of NDIS in actual implementation. There is also lack of engagement with First Nations people and disabled people from culturally and linguistically diverse backgrounds, risking further marginalizing of the disadvantaged groups (Horsell, 2023).

Thre are similar challenges in Aotearoa New Zealand, where the present study was conducted. The first version of the New Zealand Disability Strategy (NZDS) was published in 2001, and since then there has been a gradual shift away from viewing disability as located in the individual person toward adopting a 'social model of disability'. In the social model, disability is understood to be a product of the interaction between a person's functioning and the environment within which they live – emphasising that socio-cultural forces create disability, because environments and systems are set up in ways that privilege certain ways of functioning (Thomas, 2010). For example, streets and buildings are designed for people who can mobilise by walking; school systems are designed for learners who can sit still and listen for sustained periods of time. The NZDS advocates for the description of people who are marginalised in this way as 'disabled people' because they are people who have been disabled by the systems and structures of society, rather than 'disability' being attached to them as an individual person (Office for Disability Issues, 2016). In this context there are multiple government agencies that share responsibility to ensure disabled people's wellbeing is being attended to, including the newly established Whaikaha/Ministry of Disabled People. Employment is an explicit part of the NZDS, but the persistent gap between disabled people and non-disabled people in regard to employment over the years since it was published remains. In the June 2024 quarter, Statistics New Zealand reported a 40% point gap for employment: 39.8% for disabled people compared with 80.3% for non-disabled (Statistics New Zealand, 2024). This demonstates that policies have not yet addressed the issue successfully. The problem appears to be common. In addition to the studies outlined above, a recent study comparing laws and policies across a large number of countries noted that despite increased anti-discrimination measures implemented in accordance with the United Nations Convention on the Rights of People with Disabilities, actual employment opportunities are reported to be more complex to realise (Heymann et al., 2022).

Policy analysis can be a mechanism for highlighting how social issues are reproduced, and identifying theoretical insights that can shift the problem. Post-structural methodologies understand problems as real in the sense that they manifest in the world, but they are socially constructed and fluid. Therefore, in post-structural policy

analysis, policy is understood to be active in the construction of the 'problems' they exist to address – often reproducing dominant discourses (Bacchi, 2009). This process enables a critical analysis of both intended and unintended effects, including what is obscured or 'written out' in current problem representations. Rather than seeking to define the 'real' problem, the focus is on making visible what it *does* when we construct a problem in a particular way. This is a particularly useful form of analysis when seeking to identify hidden assumptions within policies that structure (and limit) possible action (Bacchi, 2009).

The purpose of this study was to investigate the particular problem representations in Aotearoa New Zealand government policies aiming to support disabled people to work, and the effects those representations have in shaping possible action.

Methods

Study Design

The methodology employed was a post-structural discourse analysis of policy, using the questions articulated in Carol Bacchi's What's the Problem Represented to be (WPR) approach to policy analysis (Bacchi, 2009; Bacchi & Goodwin, 2016). In WPR, the problems that are being constructed in the policy are identified through the actions proposed to address them, and those 'problem representations' and their relationships and effects are critically analysed. Bacchi's WPR methodology (2009) draws from the work of Michel Foucault and sets out six broad questions:

1. What is the problem represented to be (in the policy)?
2. What presuppositions or assumptions underlie this representation of the problem?
3. How has this representation of the problem come about?
4. What is left unproblematic in this problem representation? Where are the silences? Can the problem be thought about differently?
5. What effects are produced by this representation of the problem?
6. Where or how has this representation of the problem been produced disseminated and defended? How could it be questioned, disrupted and replaced?

In the 2016 iteration of WPR (Bacchi & Goodwin, 2016) there is an additional question relating to 'self-problematization'. In the present study, this final question translated into a commitment to read the problem representations identified through two critical lenses following the post-structural analysis – Critical Disability Studies and anti-racism (Came & Griffith, 2018). The application of Critical Disability Studies related to the focus of the policies on disability, and involved viewing the discourse analysis through the lens of scholarship that questions taken-for-granted constructions of disability and disabled people, examining what those constructs do and also what else disability could be (e.g., Fritsch, 2015; Goodley & Runswick-Cole, 2016; Meekosha & Shuttleworth, 2009; Shildrick, 2019). The anti-racist lens was applied because the policies are located in Aotearoa New Zealand – a country that espouses a commitment to bi-culturalism, where there is a Treaty – Te Tiriti O Waitangi (1840) – that presents an obligation to ensure that Māori (indigenous peoples) self-determination and authority is upheld, but nevertheless where there is ongoing marginalisation of Māori worldviews and ways of being and doing (Came & Griffith, 2018; Houkamau et al., 2017). The application of an anti-racism lens in this study was done by discussing the representations in the policy through the knowledge and experience of people who work with disabled people within a Māori practice model. The detail of these two analyses will be reported separately, but the insights from both are incorporated into the overall findings described in this article.

Study Team

The core analytic team for this study included one academic based in Aotearoa New Zealand who is familiar with the policy, local vocational rehabilitation practices and the broader cultural context (first author), and one academic who is experienced with social work and policy specific to the area of vocational rehabilitation but lives and works outside of Aotearoa New Zealand in a non-anglophone context (second author). Both academics had prior experience critically analysing vocational rehabilitation policy and practice, and the first author was experienced in post-structural analysis.

Materials

Inclusion criteria specified policy published by government authorities in Aoteaora New Zealand that directly addressed the intersection between disability and work or employment and were about guiding action in this space. Policies for inclusion were identified through two methods. The first was identifying policy that is well known and often utilised within vocational support for disabled people and then seeking out related policies that were referenced by or linked to those already identified. The second was going to websites that were designed to help disabled people, those who support them, or health and social service providers, and identifying the policies that

informed or supported the resources available. Applying this process, eleven documents were initially identified, but after first reading only four met the inclusion criteria. The reasons texts were excluded were that they were a partial version of a policy already included, or simply referred to other policies ($n = 3$), they were focused on a marginalized group other than disabled people ($n = 4$), or they were a position statement from an interest group rather than government policy ($n = 1$).

Four policy documents were selected for analysis: three published by the Ministry of Social Development/ Te Manatū Whakahiato Ora, and one by Accident Compensation Corporation – a Crown Entity (responsible to a government Minister) that administers a 24-hr no-fault injury compensation scheme.

- *Working Matters: An Action Plan to ensure disabled people and people with health conditions have an equal opportunity to access employment (2020)* was considered to be the overarching policy. The purpose of this policy is to set out appropriate actions across government departments. It is published by the Ministry of Social Development, but very little information was publically available about its origins or development process. This is referred to below as *Working Matters*.
- *Job and training support funds (2018, 2023)* information published by the Ministry of Social Development was treated as policy relating to funding for equipment and support for disabled people to access work. First introduced in 1994, there were two versions of this policy available for analysis: a very detailed 2018 version published by *Workbridge* who administered the fund for many years, and the web page (accessed in 2023) that succeeded the Workbridge version once the Ministry of Social Development took over administration of the funds. Due to the differential with regard to detail, both versions were used in analysis, and during reporting we were careful to verify as much as possible what was current. This is referred to below as *Support Funds*.
- *Lead toolkit for employing disabled people (2021)*, also published by the Ministry of Social Development, was organised into two parts – the 'policy' part which elaborates the problem and the approach, and the 'toolkit' part which is a resource for employers to enact the policy. It had been available for over a decade, but was last updated in 2021. Unlike the other policies, the *Lead Toolkit*, as it is referred to throughout the rest of this article, had an identified author: who identifies as a disabled person, has had a long career in disability advocacy and was a respected government advisor until retirement.
- *Accident Compensation Corporation vocational rehabilitation services operational guidelines (May 2023 version)* is published by the Accident Compensation Corporation as a guide for providers of vocational rehabilitation services funded by the Accident Compensation Corporation regarding requirements and expectations for the delivery of services, and also an operational guide for the Accident Compensation Corporation regarding these services. This policy specifically relates to injured people who are eligible for vocational rehabilitation services through the 24-hr no fault accident compensation scheme which has been part of New Zealand legislation since 1974, although a more intensive provision of vocational rehabilitation has been an increasing focus since the early 2000s (Accident Compensation Act 2001). This document is referred to below as the *Injury Vocational Rehabilitation Operational Guidelines*.

Analytic Process

The study applied the WPR questions through a detailed analysis guide developed specifically for the project. This guide was divided into five parts (Table 1), incorporating and expanding on the core questions in Bacchi's (2009) WPR methodology.

Part 1 of the analysis guide asked questions of each policy that covered the basic discursive problematization. This covered aspects like: what is the 'problem' that is being addressed; what things become nameable and describable in this policy (discursive objects); what types of people are constructed and how are the relationships set up (both who is subject to the policy and other actors); where is the problem located; and what actions are required. Part 2 referenced the analysis from part 1, asking about exclusions and silences: who is excluded from this policy; what action does this policy exclude or discourage (implicitly or explicity); what is 'written out' of both the construction and the response to the problem? Part 3 brought the previous two parts together with questions that address the conceptual logics of the policy: what dominant discourses can be identified that the policy relies on, and what is taken-for-granted in the way it it conceptualized? During the initial stage of analysis, the first and second authors independently analyzed each policy using the analysis guide parts 1 to 3 and then came together to discuss and compare each analysis and generate a combined analysis document for each policy. Identification of discursive elements of the policies was consistent across analysts. Differences at this stage

Table 1. Analytic Guide Developed for the Study.

Part 1: Basic discursive problematisation (WPR Q1, 6)	• What key objects and concepts does this policy re/produce and rely on? • What key subject positions does this policy re/produce and rely on? • From whose authority does this policy draw its legitimacy? How is that authority constructed? • What is explicit or implied about the origins and development of this policy? • Where is the problem located? • What action is required and how is the need for that action constructed (implied or explicit)? • Who (subject positions) are the intended beneficiaries of this policy, and why? • Who (subject positions) are responsible for the problem, according to this policy (explicit or implied)?
Part 2: Exclusions and silences (WPR Q4)	• What are the boundaries of the subjects of this policy (who is in, who is questionable, who is excluded)? • Who may benefit from this policy that are not the intended beneficiaries, and in what ways (stated or unstated)? • What thought or action does this policy discourage, exclude or make 'wrong'? Is there implicit or explicit suppression of competing discourses? • What actors are 'written out' of the construction of the problem? • What actors are 'written out' of the response to the problem?
Part 3: Conceptual logics (WPR Q2, 4)	• What is taken for granted about the intended beneficiaries in the way the problem is constructed? • What is taken for granted about who should act and how in the way the problem is constructed? • What other taken for granted 'truths' are identifiable in the way the problem is constructed? • Overall, what conceptual logics and dominant discourses does this policy rest on
Part 4: Effects (WPR Q5)	What effects (discursive, subjectification, lived) are produced by this particular representation of the 'problem' in the Aotearoa New Zealand context?
Part 5: Production and disruption (WPR Q3, 4, 6)	• How and where has this representation of the 'problem' been produced, disseminated and defended? • What are the conditions of possibility for this particular representation of the 'problem'? • How can the 'problem' be conceptualized differently, for example, applying whānau ora (Māori approach to health) and Critical Disability Studies lens? • How has it been and/or how can it be disrupted and replaced? • What role does Kaupapa Māori and Critical Disability Studies play in these disruptions, or what potential do they have to play a role?

tended to show things that were missed – for example, where one analyst had been able to see an exclusion that was not identified by the other.

Next, to compare and constrast the analytic insights across the four policies the first author created diagrams of the connections and disconnections between discursive constructs, problematizations, exclusions and conceptual logics to unpack the various representations and their effects across policies. At this stage it became clear that while there were differences between policies regarding what was specifically addressed, there was a clear consistenty in the discourses that were being employed, and the exclusions and silences. The final part of this stage was to create analytic essays that expanded on the discursive relationships constructed in the policies. This formed the foundation of the analysis report.

Parts 4 and 5 of the analytic guide formed the next stage, which introduced the two critical lenses as described above. Part 4 asked about the effects of the policies were as a whole (i.e., together, as they are applied in a governmental context, rather than the individual policy). The critical lenses were applied here as a comparison against the analysis from the previous stage – asking what the policies make thinkable and doable, for whom. The critical lenses sensitised the analysts to the effects of the 'problem' representation with respect to marginalized communities. Part 5 addressed how the particular representations of the 'problem' constructed in the policies had been disseminated and defended, and where the sites of resistence are. These last two parts included both comparison of findings against issues raised in relevant academic scholarship, and workshop-style discussion considering findings in context of everyday practice experiences for a organisation who work with disabled people within a Māori practice model (see acknowledgements). The final stage was to draw all the analysis together to consider the discursive representations across the policy landscape and the opportunities, constraints, and gaps that it creates.

The findings reported in this article are a synthesis and summary of what was identified through the analysis. Because the analytic questions work together and inform each other, the analysis is not presented question by question, but organised according to the key

constructs identified and their effects. In the interests of being concise, this article excludes discussion of genealogy (how this has come about) and conditions of possibility (what enables and maintains this version of the 'problem').

Findings

This section first presents an overview of the problem representations across all the policies and also within each. The remaining discussion expands on key constructs from across the four policies, showing how they relate to each other and participate in the overall problem representations: productive citizenship, work, disabled people, employers, the labour market and the economy. Where appropriate, there are short quotations from the policy documents to illustrate points. However, many examples are a synthesis across various instances within and across policies and as such are described rather than quoted.

The 'Problem' of Employment Disadvantage for Disabled People Across Each of the Four Policy Documents

In *Working Matters*, the problem is located explicitly with a lack of leadership and attention in government to address un- and under-employment of disabled people, and with businesses who need to stay on top of changing technologies, market needs and opportunities to employ a diverse range of people. Required action is collaboration across government departments to provide information, improve funding and incentives, create new approaches, monitor action and measure success. Implicitly, there is also an aspect of normative judgement in communicating that disabled people should *want* to do paid work because it is the obvious way to participate fully in society.

In the *Support Funds* policy, the primary problem is located in costs associated with the equipment and support needed to enable disabled people to work in 'mainstream' jobs that exceeds what is reasonable to expect employers or workers to pay. However, it also constructs a secondary problem of people using the fund to get equipment that should be funded in some other way or to support work that is not seen to be appropriate. Thus, the action is about controlled access to a fund dedicated to covering disability-related costs in the workplace.

In the *Lead Toolkit*, the problem is located in ignorance among employers regarding how and why to employ disabled people. Thus, the required action is about increasing the perceived value of disabled employees, and increasing confidence of employers to work with disabled employees. The latter may involve upskilling on disability etiquette and how to enact reasonable accommodations. In making employer conduct towards disabled candidates for work the focus of the toolkit, it also constructs 'disabled people' as a category of potential employees with distinct qualities.

In the *Injury Vocational Rehabilitation Operational Guidelines* the problem is located with the injured body that is a potential precipitator of work-disability, and the processes by which the injured body re-integrates back into working life which could either exacerbate or ameliorate work-disability. The action is focused on directing vocational rehabilitation toward a goal of 'independence' through the management of relationships and rehabilitation tasks.

Constructions of Productive Citizenship

Opportunity to work is constructed in these policies as unquestionably 'good' for people – by reducing disadvantage and increasing wellbeing. This is presented as fact with supporting evidence. Indeed, while there is a knowledge base supporting these statements that consists of research about the differences in wellbeing and disadvantage among employed versus unemployed people (Australasian Faculty of Occupational and Environmental Medicine, 2011), there are several things that are silenced in the way this is represented.

Firstly, there is an implicit silencing of variation among different people and different work situations regarding the impact of work on wellbeing and disadvantage. The possibility that work is not always 'good' is hinted at in the *Working Matters* policy, although never explicitly acknowledged. For example, on page 26 there is a discussion of 'good' and 'safe' use of emerging labour market opportunities – implying that there are 'bad' and 'unsafe' variants out there. Looking forward from this statement it is leading into a section discussing intermittent work and gig economy – both labour market trends that have been criticised for exploitation of workers (Snider, 2018). However, exploitation is never actually mentioned. The closest it comes is the statement that "care needs to be taken to harness these new options and business models while also protecting workers" (p. 26). There is also implicit messaging about *who* might be able to 'harness these new options' safely: the image in this section is of a young, smartly-dressed white man sitting in a wheelchair in front of a laptop computer. Perhaps this man has the markers of privilege that imply he will benefit from, rather than be exploited by, intermittent or gig work. However there is no explicit discussion or acknowledgement of social context, or of the intersections between social forces that drive exploitative work arrangements and existing discrimination for disabled people.

Another thing that is obscured by the construction of the undisputed 'good'-ness of work is that the taken-for-granted state in which paid work is such a central part of a person's wellbeing (financially and socially) is itself a social construct – an effect of the primacy of paid work in Western cultures above other occupations and livelihoods (Fadyl et al., 2020; Pass, 2014). Again, this is reproduced in various ways in the policies. In the early part of *Working Matters*, employment outcomes are defined as being in paid work or various other options including "business ownership or other arrangements." Even "volunteering" and "caring" are mentioned in passing. However, because it is phrased as 'employment' throughout, there is an emphasis on the economic aspects, and anything that is not employment is largely left out. 'Employment' is dominant in all the policies. Implied, therefore, is that the policies are mostly about promotion of economic self-reliance for disabled people. However, neoliberal economics has a built-in expectation of maintaining a level of *un*employment (the non-accelerating inflation rate of unemployment), so it could be argued that the benefits derived from these 'productive citizenship' policies within neoliberal governmental logics may not be greater levels of employment across the population, but the individual responsibilization of employment status – people feeling that they *could* and *should* be employed, and striving for it as part of a project of self-betterment (Howell, 2021). This points to a more cynical interpretation of the bureaucratic work in things like outcome tracking, which has the apparent aim of increasing employment of disabled people. Perhaps instead it is more like maintaining the illusion of striving to reduce unemployment but functioning mainly to maintain behaviours of responsibilized employment-seeking.

Opportunity to access work is constructed as a problem across three of the four policies, and this problem is implicitly located in the community, in the relationship between business/employers and disabled people. However, the policies also reproduce this problem in that they rarely talk about disabled people and employers as an assemblage, or as overlapping (i.e., disabled employers), but more often as separate entities to be dealt with in different, distinct ways. It could be argued that this conceptually reinforces the gap that *Working Matters* and *Lead Toolkit* actually intend to address – disabled people not being included as part of workplace culture.

Participation in *employment* particularly (rather than work more generally) is constructed as necessary to be fully a part of society. In the *Lead Toolkit* policy, there is a notion that disabled people are being denied access to full citizenship by employers who are ignorant to their potential (and employers are conversely being denied access to great workers due to their ignorance). Thus, it is taken-for-granted that both parties have a huge incentive to realise in an employment relationship. In *Working Matters*, there are passing mentions of broader conceptions of work but a recurring focus on employment particularly, and initiatives have a strong focus on employers – existing and potential. What none of the policies come into conversation with, or even acknowledge, is the neoliberal economic and governmental systems that most likely work in tension, or even conflict with these articulated goals.

Disabled People as Workers. Disabled people and people with health conditions are constructed as offering employers something different to what other employees do – creating a discourse of 'uniqueness' that also unintentionally maintains a discourse of 'otherness'. However, this is one of the rare instances in which employers and disabled people are discussed as entwined. In this construct, disabled people help employers become more holistic, more inclusive and better at what they do through their unique contributions to a workplace. In the *Lead Toolkit* one of the key constructs is that there is overwhelming evidence that the organisation would be better off employing disabled people. This is linked to 'untapped' talent, retention of employees due to the loyalty and commitment of disabled workers, and the notion that disabled people will *disrupt* current policies and practices, but in a beneficial way. In the *Lead Toolkit* there is a fervent construction of disabled people as unjustly excluded from employment, but this construct is dependent on the characterisation of disabled people as loyal, committed, talented, and positively disruptive to a workplace.

One of the discursive effects of this representation is that there is an implicit exclusion of disabled people who cannot be easily constructed as 'valuable', 'talented' and 'committed' individuals (reminiscent of constructs of the 'abled-disabled' (Titchkosky, 2003)). In addition, there is a reproduction of the person-category of 'autonomous individual worker'. This category is evident in multiple places, but of particular note the *Injury Vocational Rehabilitation Operational Guidelines* funds vocational rehabilitation and vocational supports for an *individual*, and the *Support Funds*, while having some provision for human-support such as a job coach, strongly encourages the use of technology that leads to '*independence'* from other people. This is not just an abelist construct, but also a Western modernist one, marginalising people who primarily operate within community (Kara et al., 2011; Reindal, 1999). There is little room in these policies for inter-dependence and connectivity between people that might transform what is possible for disabled people to contribute as workers. Rather than asking what disabled people contribute to a workplace as they are, they are

offered 'support' and continue to be expected to work in ways that have up to this point excluded them (Titchkosky, 2003).

Again from the *Lead Toolkit*, discussion of the 'transformational' potential of disabled employees assumes that this transformation will be immediately obvious as valuable from the employer's existing worldview, rather than something that might change the way an employer sees the world and thus reconstruct 'value' for them. There is a paradox where the benefits of employing disabled people are simultaneously constructed as obvious and self-perpetuating (once employers 'get it' they will naturally want to employ disabled people) and as needing to be closely monitored with statistical tracking (implying, by contrast, that it is more about social responsibility and ethical action). In the latter, employing disabled people is constructed as a 'goal' with 'targets', rather than a natural flow-on from realising the advantages.

Constructions of Work

Across all the policies, but particularly evident in *Working Matters*, the economy and the 'nature of work' (meaning how work is organised) is constructed as being affected by outside forces (such as disruption as a result of the pandemic), but not manipulatable with intent or purpose. Reference is made to "economic drivers" and "the labour market" as a given – the ground on which all else is built, but a force that follows its own law, unable to be changed. The 'social' and 'economic' are often paired and constructed as co-located ("social and economic sense," "long-term social and economic development"), but it is unclear what this relationship is. The economy and the labour market can lead to constraints such as job shortages and competition for work, but also to opportunities such as "skill shortages" that can be matched with the "talent and skill among disabled workers." This obscures the economy and the labour market as social constructs, which in turn rules out of any possibility for related intervention (e.g., for the purpose of social change, equity, etc).

Regarding what 'work' is, *Working Matters* constructs work with reference to implicit norms of full-time stable employment (the origins of which are European and relatively recent – with industrialised wage labour). This norm is produced through the reference to its 'other' – where 'diverse work outcomes' include part-time and intermittent work. Despite the increasing commonality of part-time and intermittent work in broader society, these forms of work are still constructed as diversifications/deviations. This is further reinforced in the way the language of 'diversity' is used across the policy to signify not-mainstream. In relation to people, 'diverse' is about the people that need to be purposefully included (because it will not just happen), and with work arrangements it is the work that is different from what the mainstream might expect to have within the current social norms and economic pressures. The aspirational 'fully inclusive labour market' is one that includes disabled people (see later discussion of this notion). The language of 'diversity' and 'inclusion' – while intended to be positive – also reproduces the 'other' (not mainstream/normal) and the 'outside' (of what is taken-for-granted as standard/regular/ordinary) (L. J. Graham & Slee, 2008; Titchkosky, 2003). An alternative approach, for example, might be coming into conversation about what work *could* be if we (in a society) took the perspectives of all people regarding what was desirable and would meet the needs that work fulfils without assuming that it had to be the same as it is now, or that the requirement is that people who do not currently fit need to be 'included' in what is 'already'. This is what Hoskins and Jones refer to as a "genuinely shared discussion"– doing visioning work in relationship as an all-inclusive 'us' (2022, p. 312).

The construction of work across all the policy documents (explicit and implicit) is that of paid work, mainstream (i.e., not reserved for disabled people) and paying at least minimum wage. The definitions of work are assumed to be related to fairness and equity – and at face value this is consistent with access to work under the *United Nations* (2006) which New Zealand has signed. However, this starts to look different when it is enacted as a requirement in policy at the exclusion of other possibilities. In the *Support Funds* policy, for instance, there are exclusions where support funds are unavailable for someone to work in a self-employed business that is not oriented toward profit, or for any unpaid work. In the *Injury Vocational Rehabilitation Operational Guidelines* vocational rehabilitation services are designed almost exclusively around supporting people to return to paid work. This could actually be a restriction of viable options, potentially excluding some that might be desirable and accessible. It is also a suppression of discourses that value other forms of social participation or contribution (such as care, creative endeavour, unpaid community work), or livelihoods derived in ways other than paid work (such as community exchange, indigenous hunting and gathering practices).

Another implicit assumption in the construction of work across these policies is that jobs pre-exist people. This is embedded in the notion of 'mainstream employment' being jobs that are 'standard' rather than taking on different forms in response to a collection of people with various abilities and strengths. It is also evident in the *Injury Vocational Rehabilitation Operational Guidelines* approach to vocational rehabilitation where there is a construct of a hierarchy where return to the same job with the same employer is the primary goal,

and other outcomes are considered to be 'accommodation' and/or not as desirable. In the *Lead Toolkit*, jobs are discussed as having "core requirements" which are distinct from the methods used to fulfil them (p. 35). While there is an acknowledgement here that people can do jobs in different ways, it maintains the notion that there is a job that pre-exists the people doing it and that the latter must adapt to the former. This way of constructing jobs automatically excludes people who do not function in ways that are consistent with the construct of a specific 'role'. It divides people within workplaces into their separate jobs, rather than being viewed as an assemblage that operates together to get the work done. It is also a silencing of relational identities – constructing an 'autonomous individual worker' from an assumption of individual identity and individual functioning – notions that have been critiqued from both indigenous and critical disability perspectives (Fadyl et al., 2021; Fritsch, 2015).

Constructions of Disabled People

Three of the four policies explicitly construct disabled people, and in fairly consistent ways. In *Working Matters*, the *Lead Toolkit* and the *Support Funds* policy, 'disabled people' is coupled with a separate term: 'people with health conditions'. Discursively, they are simultaneously two person-categories (because they are articulated separately) and one person-category (functionally a collection of both). This deliberate separation communicates that people with health conditions may not identify as disabled people, and vice versa, but both need to be considered disadvantaged for work. However, the policies do not actually articulate distinct provisions for 'disabled people' and 'people with health conditions' that identify their different needs. Therefore, a key discursive effect is to create one category of people that includes both these descriptions, which largely ignores the potentially different needs that might justify the separate labels. As they are treated as one category, our analysis refers to the more frequently used 'disabled people', including both.

Working Matters, as the overarching policy, contains a lot of discussion of the needs of disabled people and people with health conditions. However, the labels of 'disabled people' and 'people with health conditions' are not used consistently through the document. This same overarching category group appears variously as "disabled employees" (p. 21), "people with diverse access, support or health needs" (pp. 22–24), "people who experience disadvantage in labour markets due to disability or health issues"(p. 6), "people with high support needs" (p. 19), "people with significant barriers" (p. 20). The latter three terms – contrary to the intent of the term 'disabled people' – inscribe the problem as located with individual bodies rather than produced in social processes.

As might be expected, the structure of the policies being about a category of people called 'disabled people' also promote a tendency to homogenise disabled people and emphasise their (assumed) similarities to each other in contrast to non-disabled people. This is particularly evident in the *Lead Toolkit* which contains statements like: "disabled people expect …" (p. 26), and describing disabled people throughout as "untapped talent", "loyal and committed employees", and a source of positive change in an organisation. However, it becomes apparent this is a discursive device to encourage employers to consider disabled people as desirable employees when later in the document employers are advised that disabled people have unique experiences and understanding and "don't make assumptions about what a disabled person needs" (p. 51). *Lead Toolkit* works to represent disabled people as 'deserving' *and* 'not demanding' – a discursive tactic required for the project of increasing employment potential when the focus is primarily on employer acceptance (Grue, 2023).

In the *Injury Vocational Rehabilitation Operational Guidelines* there is no explicit construct of 'disabled people', and disability is instead an implied problem that the policy exists to prevent and/or ameliorate through rehabilitation and active management of return to work. Although disabled people do not feature in this policy, the entire policy constructs work-disability as something to be vigorously avoided. The urgency of the effort to provide the "right service, right time" toward a goal of "independence" (the *only* destination articulated in the policy (pp. 17–18)) implicity constructs work-disability as bad, mostly avoidable and located in the individual.

In these constructs of disabled people, it is taken-for-granted that impairment is the problem. While there is some acknowledgement that disabled people are disabled by the structures of society, the problem is still stubbornly located in the impaired body. When viewed instead through a Critical Disability Studies lens, a different question is posed: what is disability showing us? For example: rather than assuming the problem is located with the disabled person simply because that was where it was made visible, work-disability could be taken as an indicator that something was problematic in the work structures of a society (Hammell, 2009; Mosleh, 2019). In addition, disability could be seen as an invitation to further cultivate our understandings of human being and doing, and the possibilities within human societies. In these examples, the identification of disability is an invitation to move outside what is usually taken-for-granted; an impetus to think more critically about what

is possible (Fritsch, 2015; Goodley & Runswick-Cole, 2016; Shildrick, 2019).

Finally, despite Aotearoa New Zealand having non-Western notions that overlap with 'disabled people' – offering understanding from a different worldview and an opportunity for inclusive and expanded thinking – these notions were marginalised in the policies about work, if present at all. The assumed universalism of 'disabled person' as an identity and the marginalisation of indigenous and other non-Western identities perpetuates systemic racism – in this case where the structures of society are designed with the assumption that those who are subject to them fit within the worldview of the colonial power (R. Graham & Masters-Awatere, 2020; King et al., 2009).

The Role of Workplaces and Employers in Producing and Addressing Disadvantage for Work

> It is important to support good employers with the information and tools that will allow a fully inclusive labour market to thrive, and to stop people from falling out of work when they acquire support, access or health needs. Working Matters, p. 22

Working Matters and *Lead Toolkit* maintain a significant focus on employers as the location for possible change. Employers are constructed as key to addressing the problem of un- and under-employment of disabled people. There is an implicit message around lack of education for the general population on how to interact with and work with disabled people. However, the problem of general lack of this type of education is not central, and there is little discussion of social context more broadly. The focus on employers serves to discursively reinforce the notion that 'disabled people' and 'employers' are separate categories.

The employer subject positions in the *Lead Toolkit* and *Working Matters* draw on discourses of the 'good employer', echoing decades earlier notions constructed in equal employment opportunity initiatives (Jones, 1995). In *Working Matters* the 'good employer' is portrayed through statements about what employers want and need to be supported in. In both policies it is made clear that employers should aspire to become those who employ disabled people and be (explicitly) supported to do so by the government. Unlike equal employment opportunity initiatives, which explicitly articulated 'good employer' practices, *Working Matters* remains silent on specific actions by employers. In the *Lead Toolkit*, the 'good employer' is broken down into various roles. The first is organisational leadership, who will recognise the good business case for employing disabled people due to low cost and high return, and recognise that employing disabled people is a key indicator of a successful management group. The second group is managers, who will be driven to attract the best people and get the most out of them, and see with clarity that disabled people will enhance the organisation in a number of important ways. The third is human resources professionals who will uphold their responsibility to evidence-based and ethical actions regarding employee recruitment and retention. In both these policies, indicators of progress on achieving the desired outcomes utilise markers like statistical analysis of the number of disabled people (or people within various diagnostic categories) who are in employment, rather than directing attention to things like changes in business operations or employer attitudes (Schur et al., 2005).

The converse – the 'bad employer' (or anything else that is not the 'good employer') is not explicitly present in the policies. The implication is that reason and logic will prevail to mean that every employer aspires to be a 'good employer' to benefit themselves and fulfil their responsibilities within society. Once they have the 'facts', their actions will match their new knowledge. Active discrimination against disabled people with regard to opportunity for employment is implied as a problem throughout the policies, but is not engaged with. Because of this, there is no direct discussion of discrimination in terms of where it comes from and how it is perpetuated, and it appears that there is an assumption that ignorance is the main issue.

Discussion

How the 'Problem' of Employment for Disabled People is Represented

Across all the policy documents analysed, the 'problem' was constructed as un- and under-employment of disabled people, translating into a denial of full societal participation. The notion of a "fully inclusive labour market" implies that disability should not be a 'real' problem for employment – that the issue, presumably, is discrimination. However, the problem is never constructed explicitly as discrimination or other forms of ableism (cf. Kwon & Archer, 2022; Lindsay et al., 2023), and therefore never addressed as such in the policies. Alongside this, paid employment was constructed as crucial for full participation in society – positioning unemployed disabled people as lacking a full enactment of citizenship. What is obscured in this construction is that a level of unemployment is a necessary feature of neoliberal economic policy – so what is derived from these 'productive citizenship' or 'active labour market participation' policies within neoliberal governmental logics

may primarily be the individual responsibilization of employment status (Howell, 2021).

Issues Made More Difficult to See by These Representations of the 'Problem'

Relating back to the goal of 'inclusive' labour market, logic would suggest that the intent is to ensure that disabled people are not over-represented among the long-term unemployed. However, this constructs disability primarily as a label, not as a circumstance. Disability-as-label assumes that people are simply getting it wrong – that there is little issue with employment other than that people labelled with 'disability' are being inappropriately excluded. However, the matter that the label 'disability' itself implies ability is the issue is rarely engaged with. Neither does this approach engage with the contention that it is work organisation itself that is disabling – a persistent question thoughout the findings of this analysis. Even in the policies themselves, despite a clear intent across the policies to use the *language* of the 'social model' of disability, disability was consistently located within individual bodies (i.e., more aligned with an individualising 'medical model') in the way the problems and solutions were actually constructed. In this context, the notion of 'inclusion' actually creates an 'othering' of those who are not already included – the 'them' to the 'us' already here (L. J. Graham & Slee, 2008; Hoskins & Jones, 2022). It assumes that what is here now is to be expanded to include these others, rather than engaging with a collective re-visioning that treats these 'problems' as indicators of a possible need for something different (Fritsch, 2015; Hoskins & Jones, 2022).

This sole focus on 'inclusion' also diverts discussion away from labour market organisation as a problem we need to attend to – something that is becoming increasingly urgent to examine as the world seeks to decarbonise economies (Ding & Hirvilammi, 2024). While it is implied across the various policies that the 'problem' does have some location in society, this is only vague, and 'society' or social organisation is not held responsible. The problem is never located within government policy, or the labour market itself. By individualizing disability, society and its structures are largely written out of the problem of unemployment and underemployment of disabled people (Grue, 2023; Titchkosky, 2003). Furthermore, by focusing almost exclusively on paid employment as the goal, there is a suppression of discourses that value other forms of social participation or contribution, or livelihoods derived in other ways (Pass, 2014). This mirrors the critique that ecosocial initiatves where people spend time doing unpaid work with social and ecological benefits are not counted as productive citizenship within neoliberal welfare state employment services (Stamm et al., 2020).

Across the policies, employers are constructed as key to addressing the 'problem', but the issue regarding employers is largely focused on their misunderstandings and/or ignorance and their powerful role in effecting change within current labour market organisation. At the same time, there is a coupling of 'employers' with the 'labour market' and as such the 'economy', which is constructed as a condition within which we operate, not something that should be intervened with. This limits possible action, and obscures the 'labour market' and 'economy' as human constructs that are maintained by collective social forces. In doing so, enabling 'society' to treat work-disability as a problem *revealed* rather than *created*, and located with individuals rather than something we are all collectively responsible for and to. Some authors have proposed to address this issue with social responsibility by extending responsibilization outward from the focus on disabled individuals – for example a "relational responsibilization" focused on employers recently proposed by Vincent et al. (2024). These initiatives confront discrimination more directly, but arguably maintain many of the other discourses that obscure disabling work organisation. It also raises questions about the ability of employers to fulfil these needs in the context of current labour market pressures. For example a recent study of work accommodation policy in Norway concluded that although there has been a trend in shifting responsibility for workplace accommodation from government authorities to employers, it is questionable how realistic it is for each workplace to have such extensive expertise in disability accommodation, and without other changes it is unlikely to have the desired impact on employment of disabled people (Vedeler & Anvik, 2023).

Elements of these findings point to salient critiques within disability scholarship and anti-racism literature – as indicated throughout the analytic discussion. They are also echoed in the problems with disability-focused employment policy rasied by local disability advocacy organisations – for example the New Zealand Disabled Persons Assembly's report on their members' experiences regarding access to support funds (Desmarais, 2023). The contribution of this article is to show how these elements are coming together and operating *across* contemporary policy in fairly consistent ways, and point out the enduring effects of the ways policy is framed – effects that are hard to attend to because policy almost always reproduces dominant discourses – obscuring more diverse possibilities for action behind apparently common-sense solutions. Michalko and Titchkosky (2009), in their summary of the sociological role of disability studies, argued that in that context 'disability' is a socio-political

construct which takes up the function of problematizing 'normalcy' – making normalcy itself visible and therefore open to interrogation and change. Indeed, this is the type of contribution that the analysis described in this article makes to the sociology of work. Here 'normalcy' is the assumptions that are being perpetuated about the ways in which the 'labour market' needs to operate, including what counts as a job, work and productive citizenship.

The analysis presented in this article centralises the issue that these policies that are intended to be for the benefit of disabled people (giving them better access to work and employment) go about this by reproducing disability as the problem, ignoring the ways in which the social organisation of work creates disability (and other problems), and trying to intervene through 'inclusion'. Mitchell and Snyder (2020) refer to this phenomenon as "neoliberal inclusionism"– a tendency driven by the neoliberal principle of 'market value' to reformulate what is apparently included in normative valuations, making some forms of difference less visible and therefore no longer problems to contend with. Where successful, this inclusion might be experienced as good for some people in some ways, but a significant problem with neoliberal inclusionism is that it obscures difference and exclusion – meaning the effects of exclusion endure but it is more difficult to see (Mitchell & Snyder, 2020). To take a key example in the policies analysed, disabled people are positioned as needing to be employed to show they are participating as 'full citizens', but this is coupled with an enduring problem that it remains difficult to obtain work. Enacting neoliberal inclusionism, the problem is not taken to be one where the enduring problem of 'disability' makes visible an organisation of work where some people are persistently excluded, but the situation is interpreted as one where everyone is included in theory, so it remains up to the individual actors to work out how that should happen. The actors who are tasked with this problem include disabled people and employers, and also the civil servants, non-government organisations and others whose job it is to maintain the project of trying to increase employment inclusion – including the policy writers themselves.

These findings have congruence with critical analysis of similar policies in other jurisdictions. A study of legislation and policy in Uganda found that while the legislation and policy around disability and employment was progressive, achieving inclusion was severely restricted by the boarder social and cultural context that governed labour markets and employer behaviours (Griffiths et al., 2020). Van Aswegen's critical discourse analysis of the Comprehensive Employment Strategy for Disabled People in Ireland found similar discursive mechanisms and silences as this study has: revealing an individualization and responsibilization of disability and a normative approach to employment inclusion, while silenceing the structural inequities that marginalize disabled people in the labour market (Van Aswegen, 2020). Finally, Horsell's (2023) analysis of the Australian NDIS, although the scope extended beyond just work, highlighted similar issues in how markets are treated as the answer to addressing disabled people's needs, instead of addressing critiques that these market-based systems are perpetuating ableist norms and exaccerbating disabling conditions in the social and political environment.

Conclusion and Recommendations

The problem highlighted by this analysis is not one that can be addressed by writing new policy about employment for disabled people, but a larger social project that looks at this issue with a different lens and considers what 'disability' shows us about our assumptions of how employment should happen, what productive citizenship is, and how it could be otherwise. This could be assisted by the analysis presented here, by taking forward what it shows about the way that policy framings operate as an *example* of the wider discourses that are being reproduced in a variety of ways. This could open up conversations and debates about what could be otherwise, and why – there is an opportunity for the critique presented here to be taken up by organisations who have already been actors in trying to increase employment inclusion – providing a different campaign to be pursued alongside or instead of inclusion. Finally, it is an important conversation within the sociology of work because of the opportunity to take this analysis into existing and emerging conversations about the organisation of work within neoliberal societies, overlapping with other important issues like race and gender equity and climate-foc transitions.

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