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Research paper

## Better at work: Activation of partially disabled workers in the Netherlands



### *Mieux vaut être au travail : l'activation des travailleurs partiellement inaptes aux Pays-Bas*

Trudie Knijn\*, Frits van Wel

Centre of social policy and intervention studies (SOPINS), department of social science, Utrecht university, Heidelberglaan 1, 3584 CS Utrecht, Netherlands

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#### ABSTRACT

This article presents a unique analysis of how activation agencies in the Netherlands cope with partially disabled employees on the basis of tailor-made individual assessments, representing and executing the shift towards a policy paradigm in activation to work—a synchronic instead of diachronic approach to disability and employability. We focus on two aspects of the administrative process of implementing the new policy: transparency and conditionality. Questions are: do individualised, customised assessments of disability benefits, in contrast to standardised ones, contribute to transparency in assessing partly disabled employees, and how do these workers experience and cope with the conditionality of the benefits? The experienced reality of the targeted partially disabled workers is elaborated upon to understand the implementation of an individualised system. We conclude that the gap between social policy and its implementation needs reconsideration.

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\* Corresponding author.

E-mail address: [g.c.m.knij@uu.nl](mailto:g.c.m.knij@uu.nl) (T. Knijn).

## R É S U M É

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Cet article analyse la manière dont les intermédiaires de l'emploi accompagnent aux Pays-Bas les salariés partiellement inaptes sur la base d'une évaluation individualisée. Ce nouveau type d'accompagnement constitue un changement de paradigme dans les politiques publiques d'activation, par une approche synchronique plutôt que diachronique du handicap et de l'employabilité. Nous nous concentrons sur deux aspects de la procédure administrative résultant de cette nouvelle politique : la transparence et les conditions d'attribution. Nos questionnements sont les suivants : ces évaluations individualisées et adaptées des allocations liées au handicap, par contraste avec des attributions standardisées, contribuent-elles à la transparence de la procédure pour des salariés partiellement inaptes ? Comment ces travailleurs appréhendent-ils le caractère conditionnel de l'attribution des prestations ? La réalité éprouvée par les personnes visées est examinée en détail pour mieux comprendre la mise en œuvre d'une politique individualisée. Nous concluons que le décalage entre cette politique sociale et sa mise en œuvre demande sa reconsidération.

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## 1. Introduction

New social policy legislation was introduced in the Netherlands in line with the Lisbon agreement and the EU Social Protection Committee 2006–7, placing employees with chronic health problems in a synchronic position: they can be assessed as simultaneously being sick or disabled and employable. With this legislation, a new approach has been added to the existing Active labour Market Policies (ALMP) (Bonoli, 2005) in the Netherlands by assessing the proportion of the income a partially disabled employee is expected to earn on top of the disability benefit, i.e. the remaining earning capacity. In this article we outline the shift towards the new policy paradigm and the way it is implemented by the activation agency, the UWV. In contrast to most of the literature, we delve into the way clients have experienced this implementation by focusing on two aspects, transparency and conditionality. Three questions are central: do individualised, customised assessments of disability benefits contribute to transparency in assessing partially disabled employees? Is recognition of these workers' limitations, capacities and sense of self present in the assessment process? And how do these workers experience and cope with the conditionality of the benefits?

## 2. Backgrounds of policy shifts concerning disabled workers

The Netherlands, like many other countries, has introduced several disability policy reforms since the 1980s. Initiatives taken in the 1970s and 1980s in the context of the Disability Insurance Act (DIA; or *Wet op de Arbeidsongeschiktheidsverzekering*, WAO, 1967) appeared to secure a low inflow, a high outflow and high rejection rates (OECD, 2003). However, at the end of the 20th century the country witnessed again a rapid increase in the number of employees on disability benefits, reaching an absolute maximum of nearly 1 million beneficiaries out of an active labour force of 8 million in 1999 (Aarts, de Jong, & van der Veen, 2002; Smulders & Nijhuis, 1999).

In-depth studies of the OECD (2008) on disability policies show a wide variety of disability benefit systems across countries. The Netherlands has been characterised in a former report (OECD, 2003) as a deviant and hybrid regime, with disability benefits that encompass work injuries, a two-tier system for those who have or haven't contributed via premiums, and a fast pace of reforms from the 1990s until now. That regime has been defined as reactive to old social risks, protective in its compensation for medical risks of heavy work, and in particular appearing to lock in claimants instead of supporting

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