The Unpaid Labor of Persons with Intellectual Disabilities in Institutional and Community-based Disability Services

written by Jihan Abbas | December 5, 2012

Drawing on the work of scholars, advocates, and historians, I wrote this article (based on my October 4 talk at the disability rights forum) to examine the unpaid labor of persons with intellectual disabilities in institutional and community settings. In general, my PhD research, and this piece, are aimed at contributing to the literature that examine intellectual disability and work. I am hopeful this will contribute to collective efforts to challenge the exploitation of persons with intellectual disabilities and make visible what has historically remained invisible — the tremendous capacity and contributions of persons with intellectual disabilities in the world of informal and unpaid labor.

The work experience of persons with intellectual disabilities remains overlooked in much of the literature. In part, this is because of an emphasis on paid work. As persons with intellectual disabilities have historically experienced low rates of employment, their place within labor studies and their contributions in the world of work are often overlooked. Furthermore, because of their absence from paid employment there is a misconception that persons with intellectual disabilities cannot or do not work. However, as I will illustrate, while this notion has been reinforced over time through exclusionary and exploitive social policies presented as rehabilitation and training, "work" is in fact central to the history of disability policy and programs for persons with intellectual disabilities. A closer examination of programs within institutions and the community reveal the legacy of unpaid, exploitive, and invisible labor that directly challenges these misconceptions.

While I speak about labor in institutional and community settings, I am doing so with the understanding that persons with intellectual disabilities remain institutionalized and incarcerated in some Canadian provinces and U.S. states. My goal in examining labor in these spaces is not to suggest that "deinstitutionalization" has been realized and that institutions are no more. Rather, I want to illustrate the legacy of economic exploitation, which has, and continues to thrive in both segregated and community settings, in order to illuminate the problematic nature of current disability policy where issues of "work" are concerned.

The Institution

Much of what I draw on is based on scholarly work and narratives that have emerged from the Rome State School, which was an institution located in Oneida County in central New York. Many of those incarcerated within these institutions were believed to pose a threat in large part because of their perceived "idleness." Yet, the literature and emerging narratives speak to a rhythm of institutional life that reflected anything but idleness. Indeed, within the institution, unpaid labor consisted of two important functions: education and training, both of which in fact served to alleviate administrative pressures.

By the 1920's most institutions had "prevocational" and "vocational" training for kindergarten-aged inmates whereby young children where encouraged to integrate tools into their play. [1] This mean that by the age of six, these young inmates would have been learning to hammer nails, wash rages, and punch holes in leather. [2]

It is important to note the gendered nature of work and training within the institution. For example, male inmates were often tasked with more physical labor (agriculture, maintenance etc.) while female inmates tended to be assigned housekeeping and care related chores. Some patient narratives which have emerged reflect the use of "working boys" and "working girls," classifications which also reflect the role of perceived ability in work assignments.

Patients deemed as "higher-functioning" would provide care to those with greater needs.[3] Working-aged inmates would assist in feeding other inmates (sometimes as many as three to four other inmates), cleanup after meals, bathing other inmates, laundry services, cleaning duties, and general supervision.[4] Historians have noted that in the Rome State School, chores like making the beds, mopping and providing attendant care to other inmates were referred to as "domestic training."[5] In addition to these tasks, agriculture programs, where many inmates labored, provided produce that fed those within the institution.[6]

Inmate labor served a cost-saving function, and this unpaid labor enabled the institution to accommodate growing populations.[7] The line between paid and unpaid work within the institution was often fuzzy at best. Indeed, it was not unusual for inmates to perform the very same tasks as paid attendants. For example, one inmate within an Illinois asylum who labored for eight years was hired back as a paid attendant after he left the institution.[8] Another inmate, who had been assigned to the laundry, carried out tasks that were indistinguishable for the non-disabled paid staff. Although he lost his arm in 1907 because of a workplace incident, nothing materialized from the subsequent investigation as lawmakers appreciated the role of this labor in keeping down institutional costs.[9]

As one historian has noted, inmate labor had direct impact on the internal economy of institutions as it reduced direct costs associated with paid care.[10] There is also evidence to suggest "good working patients" were transferred between various institutions as they were viewed as valuable resources to site administrators.[11]

The often-indistinguishable nature of inmate labor from the labor of paid staff, coupled with the necessity of this labor for the effective and efficient functioning of these sites, reveals the exploitive nature of inmate labor embedded within early forms of disability services.

While there were some shifts in terms of the justification for this labor, the exploitation remained central. For example, early on this unpaid labor was unabashedly presented as integral to the economical running of the institution. Later shifts saw work framed as a therapeutic activity to keep inmates occupied.[12] In the final years of some institutions, "workshops" emerged, with some even operating outside of the institution, as a belief emerged that inmates needed to learn an occupation, and that work and home life should be physically separated.[13]

The Community

While there are important spaces within the community in which persons with intellectual disabilities labor without pay, in this piece I will focus on sheltered workshops. This focus is important, as I believe the current economic climate is creating conditions in which this exploitation is being reframed not just through policy discourses, but also publicly as a form of corporate goodwill.

In these segregated and non-competitive work sites participants earn significantly less than stipulated minimum wages, their pay is often classified as a "gratuity," and participants are likely to be classified as beneficiaries, trainees, or clients rather than as employees.[14] These classification help workshops avoid existing labor laws.

In terms of policy rhetoric, workshops are often justified through arguments around social integration, occupational integration, and rehabilitation.[15] While these programs theoretically exist to support and prepare individual to enter or re-enter the labor force, in reality they typically "service" individuals deemed unemployable,[16] which leaves persons with intellectual disabilities heavily represented in workshops.[17]

Within the workshops there is a clear emphasis on tedious and labor-intensive tasks, which include shredding, collating, sorting, assembling, and repetitive and monotonous tasks like stuffing envelopes. The website of one of the workshops I researched actually advertises that persons with disabilities can reduce the employers' costs for time-consuming and tedious tasks. In those workshops included in my own research, government and corporate clients are heavily represented. Additionally, many of the tasks within workshops are actually quite intricate and reflect skilled labor that would otherwise demand higher pay (i.e. wood working, furniture building etc.).

A recent report by the National Disability Rights Network (NDRN) outlines the problematic nature of these sites, noting their violation of existing policies, including the Americans with Disabilities Act, their reinforcement of segregation, poverty that is tied to participants receiving below minimum wage, and an emphasis on non-transferable skills.[18]

By operating both as a human service agency and as a business,[19] these sites avoid traditional labor costs because of their human service function, while at the same time fulfilling very real business purposes. This enables businesses that contract their services out to sheltered workshops to take advantage of their cheap labor, and thus exploit the social and economic vulnerability of those with intellectual disabilities.[20]

Conclusion

There is a wealth of research that illustrates how alternative employment models are better suited to helping individuals with intellectual disabilities find real and meaningful employment. Yet despite data that illustrate the benefits of open rather than sheltered employment, workshops remain positioned to succeed because of their access to a cheap and marginalized pool of labor. In today's economic climate, this gives clear incentives to maintaining these sites, which creates the urgent need for advocates to integrate the experience of persons with intellectual disabilities into mainstream equity and labor rights debates and movements.

Notes

1. J.W. Trent, *Inventing the Feeble Mind: A History of Mental Retardation in the United States*. Berkeley: University of California Press, 1994.
2. Ibid., p. 109.
3. K. Johnson & R. Traustadottir, *Deinstitutionalization and People with Intellectual Disabilities: In and Out of Institutions*, Part 1—Living Inside, London: Jessica Kingsley Publishers, 2005.
4. Ibid.
5. Douglass 1914 as cited in Trent, p. 109.
6. Trent.
7. Ibid.
8. Ibid.
9. Ibid.
10. G. Reaume, *Remembrance of Patients Past*, Oxford, 2000, Chapter 5 "Patients Labour," pp. 133-180.
11. Ibid.
12. Johnson & Traustadottir.

13. Ibid.
14. L. Visier, "Sheltered employment for persons with disabilities," *International Labour Review*, 137(3), 1998: 347-365.
15. Ibid.
16. G. Reaume, "No Profits, Just a Pittance: Work, Compensation, and People Defined as Mentally Disabled in Ontario, 1964-1990," in S. Noll & J. Trent, J. (eds.) *Mental Retardation in America*, New York: New York University Press, 2004, pp. 466- 493.
17. P. Thornton & N. Lunt, Employment Policies For Disabled People in Eighteen Countries: A Review, 1997.
18. National Disability Rights Network, "Segregated & Exploited: The failure of the Disability Services System to Provide Quality Work," January 2011.
19. G. Albrecht *The Disability Business: Rehabilitation in America,* London: Sage Publications, 1992.
20. Reaume (2004).

Jihan Abbas is a Vanier Canada Graduate scholar and PhD candidate at Carleton University in Ottawa, Canada. Her research interests include disability and the labor market, social policy, and inclusion.