

Challenges Faced in the Termination of Persons with Disabilities from a Segregated Workshop in Mombasa, Kenya

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Abstract

The Association for the Physically Disabled of Kenya (APDK) provides rehabilitation programs for persons with disabilities as well as segregated labor opportunities. In Mombasa, Kenya, ADPK operates Bombolulu Workshops and Cultural Centre as a segregated housing complex, containing work programs in producing fair-trade jewelry and mobility aids. Ability to permanently reside at the facility is tied to continued employment at the organization, which for laborers dismissed in cost-cutting retrenchments in 2011 and 2012 has presented difficulties in living and housing. The objective of this study was to assess the effect of dismissal on quality-of-life in persons with disabilities resident at Bombolulu. The study was conducted via interviews with administration, one focus group discussion amongst terminated employees, and observation of facility operations over the course of six weeks. The sheltered workshop model was found to produce marked gains in quality-of-life, yet these effects are nullified upon employees' termination. The future of the sheltered workshop model is discussed.

Keywords: *disability, poverty, Kenya, rehabilitation, community, development*

1 Introduction

1.1 Persons with disabilities in the labor force

Persons with disabilities (PWDs) have unique challenges in the labor market and in their daily lives. The disability status of an individual is a major predictor of one's labor force participation, for a wide range of disabling symptoms (Stern, 1989). This has been exacerbated in the West under contemporary neoliberal policies, which frequently require paid work as a prerequisite to receiving state welfare benefits, rather than welfare being a redistributive public service (Lister, 1998; Wilton & Schuer, 2006). This shift been undertaken ostensibly to liberate persons with disabilities from the yoke of government dependency, yet it has failed to provide accessible labor opportunities for these people to enter (Wilton & Schuer, 2006). As a result, persons with disabilities have experienced increased necessity to compete for employment.

In Kenya, persons with disabilities are widely excluded from the labor market. Of 1,697 persons surveyed in the country, only 16.3% had primarily spent their last week in paid employment (National Coordinating Agency for Population and Development & Kenya National Bureau of Statistics [NCAPD], 2008). When including work within family businesses – the informal sector possesses a considerable proportion of Kenya's laborers (Livingstone, 1991) – the total amount of Kenyans with disabilities in consistent employment remains extremely low at 49.6%. 7.2% of Kenyans surveyed reported never having been employed, with most of these respondents being in the 15-24-year-old cohort.

Compounding this phenomenon is a lack of access to education for Kenyans with disabilities. In the same national study, over 70% of respondents had not attended schooling past the primary education level, and 4% report having experienced having been refused entry into a school due to disability.

1.2 Segregated Communities

There is a long history of segregated employment opportunities for persons with disabilities. In the United States since 1840, segregated educational and labor opportunities have been available for the disabled in order to shelter them from competition on the labor market, where it was expected that they would surely be overlooked (National Disability Rights Network [NDRN], 2011). Even today, United States federal law provides an exemption to the minimum wage for persons with disabilities in section 14 (c) of the Fair Labor Standards Act of 1938, who are permitted to be paid lower rates than abled workers. The vast majority of certificates authorizing employment of disabled workers at below minimum wage are awarded to rehabilitation centers, where disabled people perform paid labor in a segregated setting (Employment Standards Administration [ESA], 1991). The National Disability Rights Network has on this point objected strongly to the continuation of segregated employment in the United States, calling the system a condescending and oppressive “dead end” for workers with disabilities (NDRN, 2011, p. 32). However, Cobley (2012) argues that in the developing world, building broad-based support mechanisms is a more pressing goal than true integration.

While many sheltered workshops may encourage long-term or permanent employment, it is inevitable that workers will depart from their positions, as in any formal employment situation. Persons with disabilities, however, exist in a more precarious state than abled workers and can be expected to be affected by loss of employment differently than others. Specifically, the termination of an employee can have a strong influence on a person’s life. This study set out to survey the effects of termination on employees of a facility run by the Association for the Physically Disabled of Kenya (APDK).

2 Methodology

2.1 Study Site

APDK provides rehabilitative and assistance services to persons with physical disabilities throughout Kenya. In the coastal city of Mombasa and the surrounding areas, APDK’s Coast Branch operates three large facilities. Bombolulu Workshops and Cultural Centre employs PWDs in the production of jewelry, textiles, wheelchairs, and toys, as well as in presentations of indigenous Kenyan cultural activities for visitors. Likoni Furniture Workshop is another sheltered workshop invested in the manufacturing of high-end furniture. Port Reitz Rehabilitation Clinic, an independent part of the larger state-owned Port Reitz District Hospital, specializes in long-term inpatient care for children with correctable physical disabilities, including a small classroom to ensure continuous education even when treatment occurs during the school year. At Bombolulu and Likoni Workshops, most employees are provided housing in residential facilities owned by APDK and cordoned off from the rest of the town, paid for out of the garnished wages of residents. Both workshops have also been the subject of former study by Cobley (2012). APDK Coast Branch also operates a microfinance program referred to as Income-Generating Programme (IGP) or *Faida* (Swahili-language word for “profit”), issuing small loans to PWDs for the operation and maintenance of their own small businesses in the informal sector (for further discussion of the *Faida* program, see Wameyo, 2015; also Cobley, 2012).

At Bombolulu Workshops, the subject of this study, commodity production is primarily for export. Global fair-trade jewelry retailers are the organization’s largest clients, with produced items affixed the brand of the client before packaging. Despite frequent high-volume sales, the organization is most reliant on donations from non-governmental organizations to fund its operations, previously reported by Cobley (2012). In 2011 and 2012, the organization terminated over twenty of their permanent staff to cut costs. These former employees were instructed to vacate their APDK-owned residences, yet still reside on-site due to a judicial injunction temporarily preventing their eviction.

2.2 Data Collection

The study was performed through four interviews with APDK Coast Branch administrative staff, one focus group discussion, and observation of employees' and administrators' activities over the course of six weeks working alongside production staff. Topics discussed with administrators covered compensation of workers, costs of state of APDK finances, and reasons for employees' departure. The group discussion consisted of twenty-one former employees who had been dismissed in the retrenchments of 2011 and 2012. Following the taxonomy of social-science group discussions outlined by Frey and Fontana (1991) the discussion conducted at Bombolulu was structured as a formal field interview and phenomenological in nature. Questions focused on quality of life before and during residence at Bombolulu, compensation for work, and life prospects post-dismissal. A currently-employed member of the bureaucratic staff served as an interpreter for Swahili and a volunteer from within the group translated to and from Kenyan Sign Language.

3 Findings

3.1 Project Sustainability

Administrators throughout APDK Coast Branch lamented the organization's reliance on donations, expressing a desire for their projects' self-sufficiency. At Bombolulu and Likoni, frequent reference was made to a decline in funding, blamed primarily on a change in donors' opinions on the efficacy and morality of sheltered workshops. Reference was frequently made to the U.N. Declaration on the Rights of Persons with Disabilities, whose ratification by the Kenyan government was paradoxically followed by a decline in donations to APDK. Staff explained this discrepancy as the result of foreign donors' belief in the passage of disability-focused law as inherently implying its effective enforcement.

Today, many of the residential blocks at Bombolulu are commercially rented to abled persons in order to generate revenue, a break from APDK's initial goals of providing shelter for the needy.

3.2 Quality of Life in Kenya

Workers described their lives before APDK as a spiral of poverty. They had felt ignored by society, with a lack of medical attention or accessible education. Only a handful graduated secondary school, although a few did graduate from post-secondary education. Even for college graduates, it was difficult or impossible to find stable employment. Those with degrees were no more likely to report having had independent employment than those without a primary school education, and those who did still described heavy dependence on family for care and shelter. Jobs attained were almost exclusively in tailoring or as house help, with little variation. Compounding these effects were the impacts of single motherhood, a frequently cited problem for the women who made up a majority of the group discussion's participants, detailing that their male partners had fled upon learning of their pregnancy.

3.3 Employment

Usually by word-of-mouth, discussion participants had in young adulthood learned of APDK's sheltered workshop programs and traveled to Mombasa to seek employment. The promise of independence was the greatest draw for them, as dependence on family for basic necessities well into adulthood felt humiliating. At APDK, workers felt that they could be the arbiter of their own destinies. As one worker described "life became easy for the first time." For those with children to care for, a home of one's own and a reliable paycheck was invaluable. Daycare services are available at Bombolulu even for non-affiliated families outside APDK, and during the school break – when this study took place – it was common to observe children playing throughout the day on the large sports field and playground.

Not all aspects of tenure at Bombolulu were so described as a blessing. The former workers described low salaries and a high cost of living while at the facility. Most found it possible to sustain themselves at the most basic level, yet most agreed with one worker who stated, "I couldn't save even a shilling." Administrators reported the average salary to be 17,600 KES (approx. \$176 USD) per month, after garnishment for residential

utility costs. However, workers detailed that payment was based on individual production, not on labor-hours worked. Some reported having worked dawn-to-dusk to meet their production quotas, with no overtime. Concurrently, there was a shared resentment amongst workers regarding the administration – primarily seen as able-bodied – raising their own salaries while the aging workforce struggled to make ends meet. Despite having full-time employment, the workers reported having to survive on loans from an informal credit union formed amongst themselves. Several workers described having gone stretches of up to two days without food, waiting for the next paycheck.

3.4 Effect of Termination

When Bombolulu administration declared the cost-cutting retrenchments in 2011 and 2012 of those who comprised the focus group discussion, advance notice was given one month beforehand. The workers, however, thought one month's warning was inadequate. Having expected to work for APDK until retirement age, dismissal left the laborers in a position of uncertainty whether they would be able to find employment outside. Compounding this was the mandate to vacate their employer-supplied housing, a labor relation uncommon in factory work. Despite receiving a court injunction temporarily permitting continued residence, many live in fear of the day they are permanently evicted. No members of the discussion said they knew of a place to move to should they have to leave Bombolulu.

APDK's mission statement is "to enable persons with different abilities to overcome their physical limitations by empowering them economically and socially so that they become fully-integrated members of their communities," inscribed on the external wall of a housing block clearly visible upon entry into Bombolulu. During the focus group discussion, a collective murmur discord echoed in response to recital of this statement. Regarding economic empowerment, the workers felt that their socioeconomic position had not improved during the course of their tenures, going so far as to declare that their lives are more difficult now than before entering the employ of APDK. Many had worked since young adulthood, and now lacked the vitality they had possessed at the time of their application to work at Bombolulu. Families who had formerly provided support were cited as no longer being able to, having aged in the decades their children had worked for APDK. Furthermore, many had chosen to raise families at the workshop, and without income or savings it has become difficult to provide for them. As one worker put it, "I've gone from the support of a family to supporting a family."

These resentments have led to concern in the eyes of the terminated workers over whether APDK administration truly cares for PWDs' quality of life. As one worker stated and several concurred, "this place was founded by persons with disabilities, it belongs to us."

4 Discussion

Despite grandiose goals, APDK's use of the sheltered workshop model has presented issues both in its sustainability and in its ability to care for PWDs. In concurrence with what Cobley (2012) and NDRN (2011) have argued, the segregated system fails PWDs in many ways and serves to maintain a two-tier employment system. Workers feel cut-off and are unable to reach the promised self-sufficiency. It is advised that disability-rights organizations continue to make inclusive approaches, as discussed by Cobley (2012).

5 Limitations

Due to restrictions on independent undergraduate research, it was not possible to conduct one-on-one interviews with non-administrative employees of APDK. No focus group discussion was conducted amongst those currently in the employ of the workshops, as was planned, nor amongst those who had retired and vacated their residences of their own volition, most of whom no longer lived near Mombasa. The single focus group discussion in this study took three weeks to organize, and as it was held in the final week of the study no follow-up inquiries could be investigated.

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