



NATIONAL PROFILES OF WORK INTEGRATION SOCIAL ENTERPRISES: PORTUGAL

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The "ELEXIES" Project

This project is specifically concerned with the different types of social enterprise for integration, also known as work integration social enterprise (WISE) in 12 EU countries. Its aim is to identify and describe their main characteristics as social enterprises, the type of work integration they provide, their numbers, and how they have developed and are supported. The ultimate goal of the project is to build a database accessible on internet.

The study is conducted using the EMES Network definition of social enterprise as a common reference point and guideline for determining the social enterprises to be included in the study. The EMES definition distinguishes, on the one hand, between criteria that are more economic and, on the other hand, indicators that are predominantly social.¹

Four factors have been applied to corroborate the economic and entrepreneurial nature of the initiatives.

a) A continuous activity producing goods and/or selling services

Social enterprises, unlike the traditional non-profit organisations, are normally not engaged in advisory activities as a major goal or in the redistribution of financial flows (as, for example, grant-giving foundations). Instead they are directly involved in the production of goods and the provision of services to people on a continuous basis. The provision of services represents, therefore, the reason, or one of the main reasons, for the existence of social enterprises.

b) A high degree of autonomy

Social enterprises are voluntarily created by a group of people and are governed by them in the framework of an autonomous project. Although they may depend on public subsidies, public authorities or other organisations (federations, private firms, etc.) do not manage them, directly or indirectly. They also have the right of participation and to terminate the project.

c) A significant level of economic risk

Those who establish a social enterprise assume totally or partly the risk of the initiative. Unlike most public institutions, their financial viability depends on the efforts of their members and workers to secure adequate resources.

d) A minimum amount of paid work

As in the case of most traditional non-profit associations, social enterprises may also combine monetary and non-monetary resources, voluntary and paid workers. However, the activity carried out in social enterprises requires a minimum level of paid workers.

¹ See C. Borzaga & J. Defourny (2001), *The Emergence of Social Enterprise*, London, Routledge, pp.16-18.

To encapsulate the social dimensions of the initiative, five indicators have been selected:

i) An initiative launched by a group of citizens

Social enterprises are the result of collective dynamics involving people belonging to a community or to a group that shares a certain need or aim. They must maintain this dimension in one form or another.

ii) A decision-making power not based on capital ownership

This generally means the principle of "one member, one vote" or at least a voting power not distributed according to capital shares on the governing body which has the ultimate decision-making rights. The owners of the capital are obviously important, but the decision-making rights are shared with the other stakeholders.

iii) A participatory nature, which involves the persons affected by the activity

Representation and participation of customers, stakeholder orientation and a democratic management style are important characteristics of social enterprises. In many cases, one of the aims of social enterprises is to further democracy at local level through economic activity.

iv) Limited profit distribution

Social enterprises not only include organisations that are characterised by a total non-distribution constraint, but also organisations like co-operatives in some countries, which may distribute profits only to a limited extent, thus avoiding a profit-maximising behaviour.

v) An explicit aim to benefit the community

- One of the principal aims of social enterprises is to serve the community or a specific group of people. To the same end, a feature of social enterprises is their desire to promote a sense of responsibility at local level.
- The database of work integration social enterprise has been produced for each country. Due to different circumstances in each country (especially legislative frameworks) there have been slightly varied approaches to mapping the sector. Researchers have generally made a great effort to ensure that the most interesting and progressive initiatives are represented. There are certain types of social enterprise which have their own legislative framework, and which are *exclusively* concerned with work integration. The second type, concerns those social enterprise which are exclusively engaged in work integration, but though they are recognisable as a distinctive type, they do not enjoy a complete and specific legal recognition, and thus generally operate under a range of different legal forms also used by organisations out of the field of work integration. Other types of social enterprise do not have their own specific legislation, and only a proportion of that type will be engaged with work integration. Researchers have made particularly strong efforts to ensure that the first two categories are included, but lack of data has meant that some of the latter category may be missing.

National Profiles of Work Integration Social Enterprises: Portugal

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Introduction

The social enterprise concept is not yet stabilised in Portugal. There is an on-going discussion about the meaning and the contents of this concept, namely among the representative unions of third sector organisations. The Portuguese third sector covers a wide range of organisations, including *misericórdias* (charitable organisations closely related to the Catholic church), mutual benefit associations, private institutions of social solidarity (*Instituições Particulares de Solidariedade Social*, or IPSS) and co-operatives.

Referring to the definition of work integration social enterprise (WISE) adopted for the purpose of the present study, we have identified two types of work integration social enterprises currently operating in Portugal: sheltered employment and insertion companies. Both types may be run / promoted by different third sector organisations (referred to above).

The criteria used for the identification of these two types of work integration social enterprises are to be found in the EMES definition of the social enterprise. A major concern was the direct involvement in the production of goods or the provision of services to people on a continuous basis.

Therefore, a certain number of initiatives, namely within the social employment market, were not considered, since they do not fulfil the WISE's criteria. This is the case of the Insertion Employment Programme (*Programa Inserção Emprego*) and of the workshop schools (*Escolas oficina*) which, although aiming at the social integration of disadvantaged groups, do not undertake productive work.

Insertion Companies

1. Brief historical description

The Social Employment Market was launched by the Government in 1996, as part of a set of measures aiming at an active intervention towards the promotion of employment among socially disadvantaged or vulnerable groups, such as disabled people, long-term unemployed, drug addicts, or young people looking for a first job. It was included in a strategy for the eradication of poverty and social exclusion.

The programme "Insertion Companies" (*Empresas de Inserção*)² was created in 1998 within the Social Employment Market. It aims at the local social development through social economy and the development of a new social entrepreneurial spirit, thus contributing to the resolution of problems of unemployment, training, poverty and social exclusion through the creation of jobs and economic activities addressing unsatisfied social needs such as home-care, proximity services, green spaces arrangements, rehabilitation and restoration of patrimony.

2. Key features

2.1. Legal form(s) and structure of ownership

Insertion companies may be created by non-profit collective bodies; they have administrative and financial autonomy, are organised according to an entrepreneurial management model and aim at the socio-professional reintegration of long-term unemployed or those at a disadvantage in the labour market.

Insertion companies may have several legal forms, namely associations, co-operatives, foundations or private institutions of social solidarity.

2.2. Pursued goals

The main goals of insertion companies are: i) the fight against poverty and social exclusion through professional integration or reintegration; ii) the acquisition and development of personal, social and professional skills adequate to the exercise of an activity; iii) the creation of jobs, in order to satisfy social needs left unmet by the market and to promote the local social development.

As far as the workers engaged in the integration process are concerned, insertion companies are intended to foster: i) the improvement of their self-esteem; ii) the acquisition of curriculum, experience and basic and professional qualification; iii) the acquisition of habits of discipline and capability of relationship; iv) the access to a personal follow-up system, aiming at the definition of a life project; v) the access to a regular income.

² Resolução do Conselho de Ministros n.º 104/96, of 9 July; Portaria n.º 348-A/98, of 18 June; Despacho n.º 87/99, of 5 January; Despacho n.º 16758/99, of 27 August.

Insertion companies are envisaged as a trampoline to the integration or reintegration of the beneficiaries in the normal labour market.

2.3. Type of jobs provided

Each worker engaged in an integration process has an individual integration plan, which may comprise the following phases: i) professional training, aiming at the development of personal, social and professional skills, the duration of which is limited to 6 months; ii) professionalisation, through the exercise of an activity in the insertion company, aiming at the development and consolidation of the acquired skills.

Consequently, there are two types of contract: i) a training contract defined by the Institute of Employment and Professional Training (*Instituto do Emprego e Formação Profissional*, or IEFP), which acts as a training organisation. Each trainee is granted a training scholarship amounting to 70% of the national minimum wage (except in cases in which a more favourable treatment is defined by law); ii) a labour contract between the persons in integration process and the insertion company; this is a fixed-term contract established on a full-time basis for a period of at least 6 months and up to 24 months.

2.4. Weight of training

Training is not compulsory. When training is part of the individual integration plan, it has a maximum duration of 6 months and aims at the development of personal, social and professional skills. This training is accredited by the IEFP.

2.5. Type of employed workers

The main addressees of this measure are the long-term unemployed and the unemployed who are at a disadvantage in the labour market, namely alcoholics in rehabilitation, guaranteed minimum income beneficiaries, the disabled, former convicts, young people at risk, lone parents, people with psychiatric disorders in rehabilitation, the homeless, drug addicts in rehabilitation and prostitution victims.

The presence of administrative and management staff, as well as staff for the follow-up of the insertion process, such as psychologists, social workers, etc. is foreseen in the insertion companies, although their salary is not covered by the financial support provided by the IEFP.

In practice insertion companies have revealed not to be perfectly adapted to the disabled people's needs (according to one FENACERCI's director³), in particular because of the maximum duration of 24 months for the integration period.

³ The FENACERCI, as we will see subsequently, is the National Federation of Co-operatives of Social Solidarity.

2.6. Type of resources

There are technical and financial supports for the creation of insertion companies; these supports complement other sources of funding, such as market resources from commercial activity.

Technical support is provided by the IEFP in collaboration with public and private institutions which are willing to co-operate; this support may involve identification of local needs, training in management, preparation and follow-up of people in insertion process, from the admission until the actual integration back into the "ordinary" labour market.

The amount of financial support is defined in each year in the budget of the IEFP. Financial support may assume in a cumulative way the form of a non-refundable subsidy and of a loan without interest. The non-refundable subsidy is equivalent to 50% of the eligible investment costs, but it can not be higher than 18 times the national minimum wage for each job created for the workers in integration process. The loan without interest, which is refundable in a period of up to 7 years (including an initial two-year period during which the company does not have to redeem the loan) has a maximum amount of 20% of the eligible investment costs, but it can not be higher than 18 times the national minimum wage for each job created for the workers in integration process.

As to the payment of the workers, during the phase of professional training the IEFP co-funds the costs linked to the training scholarship and the insurance against personal accidents. During the phase of professionalisation the IEFP co-funds wage costs and contributions to social security due by employers, up to 80% of the national minimum wage.

Volunteer resources do not seem to be very significant (though in one of the insertion companies promoted by a FENACERCI associate the support and follow-up of the integration process is assumed by a volunteer).

2.7. Links with public policies

The creation of insertion companies is directly linked with a public policy (run by the Ministry of Social Security and Labour and the IEFP) aiming at the fight against poverty and social exclusion through the development of a social entrepreneurship.

The status of insertion company is granted by the Commission for the Social Employment Market upon application by the company.

2.8. Basic data

At the national level, 564 insertion companies were created between 1998 and 2001: 67 in 1998, 308 in 1999, 107 in 2000 and 82 in 2001.

As to the total number of employees, insertion companies involved, at the national level, 555 employees in 1998, 2,640 in 1999, 3,109 in 2000 and 3,758 in 2001.

7 co-operatives of social solidarity (*Cooperativas de Solidariedade Social*)⁴, members of the FENACERCI, are promoters of 8 insertion companies. A total of 69 people are employed by these: 27 disabled, 17 long-term unemployed, 8 guaranteed minimum income beneficiaries, 4 former drug addicts, 1 single mother, 1 with psychiatric disorders, 1 administrative, 1 gardener, 1 co-ordinator, 6 technical support staff and 2 non-specified.

3. The relation to the EMES socio-economic criteria

3.1. A continuous activity producing goods and/or selling services

Insertion companies have a continuous activity producing goods and/or selling services.

Their activities are mainly addressing unmet social needs such as home-care, proximity services, green spaces arrangements, rehabilitation and restoration of patrimony.

As to the insertion companies promoted by FENACERCI associates, these are active in fields such as gardening, home-care, family support, cleaning services and adapted transports.

3.2. A high degree of autonomy

Insertion companies have administrative and financial autonomy. They are organised and function according to an entrepreneurial management model. Each insertion company must have its own administrative and management staff; there also exists a team for the follow-up of the integration process, including representatives from the organisation who initially created the insertion company, the IEFP and the Ministry of Social Security and Labour.

3.3. A significant level of economic risk

A percentage of the investment costs is not covered by state financial support, thus being assumed by the insertion company.

As to the insertion companies promoted by FENACERCI associates, in 4 of these 8 companies the dependency upon state subsidies is higher than 65%. However, the selling of services ensures, in one of these insertion companies, 71% of the income and even, in another one, 100% of those.

3.4. A minimum amount of paid work

As to the workers in integration process, wages are paid having the national minimum wage as a reference amount. The IEFP co-funds 80% of the salary.

⁴ Partial data, based on the replies to the postal questionnaire.

Insertion companies must assume the costs linked to administrative and management staff as well as to the teams who ensure the follow-up of the integration process.

3.5. An explicit aim to benefit to the community

Relevant impacts are expected at the level of the local communities in which insertion companies are created, especially in terms of job creation, satisfaction of social needs, fixation of population in regions in desertification process, etc.

Moreover, these initiatives aim at the creation of employment for socially disadvantaged or vulnerable groups.

3.6. An initiative launched by a group of citizens

Insertion companies must be created by a group of citizens legally organised as a non-profit collective body.

3.7. A decision-making power not based on capital ownership

Insertion companies are organised according to an entrepreneurial management model though decision-making power is never based on capital ownership.

In most cases, namely when insertion companies are promoted by co-operatives, they are based on a principle of democratic management.

3.8. A participatory nature involving the persons affected by the activity

Although the participation of the persons involved in the activity is expected, in most cases this participation is not really effective.

3.9. A limited profit distribution

Since insertion companies are promoted by non-profit organisations, all profits should compulsorily be re-invested in the initiative.

4. The supporting umbrella structures

The insertion companies analysed in this identification sheet which are promoted by co-operatives of social solidarity are associated to the National Federation of Co-operatives of Social Solidarity (*Federação Nacional de Cooperativas de Solidariedade Social*, or FENARCERCI).

There is a private institution of social solidarity named the "Pro World Social and Economic Group" (*Grupo Sócio-Económico Pró Mundo*), which is composed of 7 insertion companies (operating in different sectors of activity: 4 of them in gardening, 1 in building, 1 in carpentry and 1 in metalwork). This group is acting as a support and representative structure for these insertion companies.

It also has to be mentioned that there are organisations/networks of organisations mostly addressing local development issues in disadvantaged areas, namely through job creation, which may act as support structures for insertion companies. This is the case of *Animar* and *Solidários*.

5. The innovative features

The role of the insertion companies in the promotion of the independence and autonomy of the workers - at the personal, social and professional levels - is stressed as the most innovative feature by FENACERCI associates. What is also stressed is the importance of putting in relation persons belonging to different vulnerable groups, having in common that they are disadvantaged in the labour market. The monitoring and follow-up of each individual integration process by a specialised team is also mentioned.

Sheltered Employment

1. Brief historical description

As already mentioned, the Social Employment Market was launched by the Government in 1996, as part of a set of measures aiming at an active intervention towards the promotion of employment among socially disadvantaged or vulnerable groups, such as disabled people, long-term unemployed, drug addicts, or young people looking for a first job. It was included in a strategy for the eradication of poverty and social exclusion.

"Sheltered Employment" (*Emprego Protegido*)⁵ was created back in 1983; it later became part of the Social Employment Market. It aims at the promotion of the exercise of a paid activity and the corresponding personal and professional valorisation of disabled people, facilitating, as much as possible, their transfer to the "normal" labour market.

Work under sheltered employment may be done in specific Centres, the Sheltered Employment Centres (*Centros de Emprego Protegido*, or CEPs) or in a normal work environment, the so-called "enclaves" (*Enclaves*).

CEPs are independent units of production, namely with an industrial, artisanal, agricultural, commercial character, or of services selling, specifically created or adapted to the beneficiary population.

Enclaves are constituted by small or large groups of people who develop their professional activity in special conditions but in a normal work environment.

2. Key features

2.1. Legal form(s) and structure of ownership

Sheltered employment may be promoted by the state as well as by other public, private or co-operative organisations.

Although it is not possible to get data distinguishing sheltered employment created by the state from sheltered employment created by other organisations, it is recognised (namely by one FENACERCI's director) that the state does not play a major role as an actual promoter of sheltered employment, nor even as a receiving structure for this type of workers.

CEPs are organised according to normal entrepreneurial models, with the adaptations required either by the nature of the employees or the need of complementary support to their aims. The number of jobs occupied in CEPs by workers who are not covered by sheltered employment may not overcome 25% of the total number of jobs.

⁵ Decreto-Lei n.º 40/83, of 25 January; Decreto-Lei n.º 194/85, of 24 June; Decreto Regulamentar n.º 37/85, of 24 June; Decreto-Lei n.º 247/89 of 5 August; Decreto-Lei n.º 8/98, of 15 January.

Each enclave has its own regulation, defined in accordance to the norms and regulations approved by the Ministry of Social Security and Labour.

2.2. Pursued goals

Sheltered employment aims at the social and economic integration of disabled people. A final goal is the integration of these people in the normal labour market whenever possible. However, several obstacles have been identified as preventing the attainment of this final goal.

2.3. Type of jobs provided

After a probation period, if the worker is accepted he/she will sign a permanent full-time labour contract. The labour contract in sheltered employment is run by the general principles of the individual labour contract, and general labour legislation is applied.

2.4. Weight of training

On-the-job training in a probation regime is foreseen for up to 9 months. This training is accredited by the Institute of Employment and Professional Training (*Instituto do Emprego e da Formação Profissional*, or IEFP).

2.5. Type of employed workers

Sheltered employment involves disabled persons with an average capacity to work which is equal to or higher than 1/3 of the normal capacity required from a non-disabled worker in the same job. It aims at the personal and professional valorisation of the disabled workers.

2.6. Type of resources

There are technical and financial supports to the creation of sheltered employment provided by the Ministry of Social Security and Labour, namely through agreements and protocols with the IEFP.

These supports complement other sources of funding, such as market resources from commercial activity.

Technical supports consist of: support to the elaboration of the preliminary studies to the creation of CEPs or enclaves; follow-up of the activities; detachment of specialised staff of the IEFP or temporary lending of equipment.

Financial supports consist of subsidies or loans. The "Financial Support to the Installation" is a non-refundable subsidy or a loan with no interest (in some cases, these two may be cumulated). The loans with no interest must be redeemed in semestrial payments in a period of up to 15 years. The "Financial Support to Functioning" is composed of a non-refundable subsidy for the conservation and maintenance of facilities and equipment; payment of the probation grant (equivalent

to 70% of the national minimum wage, including the social security contributions due by the employer); and the co-funding of the wages of the workers under sheltered employment.

Voluntary work is usually not common in sheltered employment.

2.7. Links with public policies

The creation of sheltered employment is directly linked to a public policy (run by the Ministry of Social Security and Labour, namely through the IEFPP) aiming at the fight against social and economic exclusion of disabled people.

The creation of CEPs and enclaves is authorised by the Ministry of Social Security and Labour upon application.

2.8. Basic data

At the national level, 23 enclaves and 16 CEPs were created between 1998 and 2001. 17 enclaves were created in 1998, 3 in 1999, none in 2000 and 3 in 2001; 16 CEPs were founded in 1998 (1 of which disappeared in 1999), 1 in 2000 and none in 2001.

Still at the national level, the number of employees rose from 707 persons in 1998 to 723 in 1999; it decreased to 677 in 2000 and 646 in 2001 (enclaves and CEPs altogether)⁶.

According to the data provided by FENACERCI associates, these promote 2 enclaves and 6 CEPs; the number of employed persons is 21 in the enclaves and 121 in the CEPs.

3. The relation to the EMES socio-economic criteria

3.1. A continuous activity producing goods and/or selling services

Sheltered employment units have a continuous activity producing goods and/or selling services.

The CEPs and enclaves promoted by FENACERCI associates develop their activity in sectors like gardening, laundry services, restaurants, textiles, book-binding, paper recycling and firewood.

3.2. A high degree of autonomy

CEPs and enclaves are juridically and economically autonomous.

However, they are subject to the tutelage of the Ministry of Social Security and Labour in matters such as:

⁶ The available data, produced by the Commission for the Social Employment Market, do not give separate figures for enclaves and CEPs in terms of employees.

- a) evaluation of the working conditions;
- b) fiscalisation and control of the initiatives as well as of the supports they receive;
- c) respect of the defined rules.

3.3. A significant level of economic risk

According to the data provided by FENACERCI associates, most enclaves and all but one CEPs have a high degree of financial autonomy.

The dependence on state subsidies is in average about 30%. The main source of resources is the selling of products and services.

3.4. A minimum amount of paid work

The payment of the work performed in sheltered employment corresponds to a remuneration which is calculated on the basis of two factors: the remuneration of a worker with normal capacity working in the same job, and the level of capacity and autonomy of the disabled worker. However, this remuneration may never be inferior to the national minimum wage guaranteed for the sector of activity. In cases where the remuneration calculated in function of the work capacity would be below the national minimum wage, the difference is supported by the Ministry of Social Security and Labour.

During the probation period, the worker receives a remuneration equivalent to 70% of the national minimum wage, fully ensured by the Ministry of Labour and Social Security.

3.5. An explicit aim to benefit to the community

Sheltered employment has as its main aim the promotion of social and economic autonomy of disabled people.

The main impact in the local community being stressed by FENACERCI associates that promote sheltered employment is the satisfaction of needs of local consumers (private people, schools, enterprises, etc).

3.6. An initiative launched by a group of citizens

Any modality of sheltered employment may be created by co-operatives, and co-operatives are composed by a group of citizens legally associated as a non-profit collective body. In the case of the enclaves the co-operative continues to play a role in the enclave's development.

3.7. A decision-making power not based on capital ownership

CEPs are organised according to an entrepreneurial management model with the required adaptations. Decision-making is not based on capital ownership.

When sheltered employment is promoted by co-operatives it is run by a principle of democratic management.

3.8. A participatory nature involving the persons affected by the activity

The participation of the workers is promoted and supported, for example through the creation of discussion forums with the follow-up team. However, given the characteristics of these workers, in practice this participation is difficult to achieve.

3.9. A limited profit distribution

Any profit generated by the enclaves may be used by the organisations promoting these enclaves.

All profits generated by the CEPs should compulsorily be re-invested in the CEP.

4. The supporting umbrella structures

The CEPs and enclaves analysed in this identification sheet which are promoted by co-operatives of social solidarity are associated to the National Federation of Co-operatives of Social Solidarity (*Federação Nacional de Cooperativas de Solidariedade Social*, or FENARCERCI).

Still in terms of umbrella structures, although not acting as a federation, there is another national organisation grouping several regional / local organisations promoting sheltered employment, the Portuguese Association of Parents and Friends of the Mentally Disabled Citizen (*Associação Portuguesa de Pais e Amigos do Cidadão com Deficiência Mental*, or APPACDM).

5. The innovative features

The role of CEPs and enclaves in the promotion of the independence and autonomy of the workers - at the personal, social and professional levels - is stressed as the most innovative feature by FENACERCI associates.

The development of activities in the domain of environment protection, such as gardening and paper recycling, must also be mentioned.

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