Employee Representation in the New World of Work: The Dynamics of Rights, Voice, Performance and Power

The Impact of Representative Employee Participation and Employeewell-Being: Comparative Danish and New Zealand Cases

Raymond Markey, Candice Harris, Katherine Ravenswood, Gay Simpkin & David Williamson
(Auckland University of Technology)

Ole Busck, Herman Knudsen, & Jens Lind (Aalborg University)

Abstract
The paper introduces an international comparative project evaluating the impact of representative employee participation processes on the work environment. The work environment includes occupational health and safety outcomes, job security, working hours (quantity and distribution in shifts etc.) and employee satisfaction. Two main indicators of the work environment are absenteeism and labour turnover.

Representative employee participation and regulation of the working environment occur through two different but potentially interrelated processes in Denmark and New Zealand (NZ):

1. law-based regulation and OHS delegates, focusing on physical disease/injury;
2. agreement-based participative structures e.g. joint consultative committees (JCCs) or cooperation committees, focusing more broadly on the work environment, including psycho-social issues affecting wellness/well-being.

We had two specific research questions:
1. What characterises employee participation in establishments with good and less good working environments?
2. What correlations are there between effective employee participation and positive work environments?

Boxall et al. (2003) argue that voluntary labour turnover represents one end of a continuum from retention at the other end. This continuum includes a sequence of withdrawal responses including lateness and absenteeism, in response to unsatisfactory employment. Absenteeism includes absence from work because of injury or sickness, which indicates an unsafe work environment if it is work related. Labour turnover and absenteeism are commonly employee withdrawal responses to an unsatisfactory work environment (Boxall et al. 2003). Apart from satisfaction with pay and job security, the major contributors to labour turnover have been found to be the extent to which employees feel that their contributions are valued and their well being cared for by the employer, and if the employer listens and recognises merit and work/life balance. Boxall et al. (2003) found that the propensity to leave a job was mitigated by feelings of empowerment and a sense that employee contributions are valued by employers.

Studies (Walters et al. 2005) have found that worker representation and consultation through OHS committees produced better OHS than management acting alone. In addition, the existence
of a broader framework of participative practice through European-style works councils or JCCs or trade unions tends to impact positively on the effectiveness of OHS committees (Knudsen 2005; Fairbrother 1996; Saksvik and Quinlan 2003). Studies also suggest that OHS committees may broaden their jurisdiction beyond narrow conceptions of OHS, particularly where no European-style works councils exist, as in NZ (Bernard 1995; Knudsen 1995; Walters et al. 2005). In practice it is difficult to separate OHS from work/life issues (Lamm 2002), or from technological or organisational change (Heller 1998).

Linkages have been tested by comparing Denmark and New Zealand. Both have small economies and legislation for OHS delegates, but in NZ wider participative practices are not well-developed by legislation or employer/union agreements as in Denmark with cooperation committees.

Four key service industries were targeted because of their importance and relative under-representation in the literature: Hospitality, Education, IT and Health, as well as Food Manufacturing because of its significance in Denmark and NZ. Two case studies were undertaken for each industry. A multi-method approach included document analysis, interviews of managers and employees and an employee survey.

The results show strong, though complex connections between quality of work environment and effectiveness of employee participation. Danish employees tended to feel more empowered than their NZ counterparts who tended to feel more stressed. However, this did not necessarily translate into greater job satisfaction, or less absenteeism and labour turnover for Danish employees.

References
P. Saksvik, & M. Quinlan (2003), ‘Regulating systematic occupational health and safety management: comparing the Norwegian and Australian experience’, Relations Industrielles, 58(1), 33-56.
John Godard  
University of Manitoba, Canada  

Carola Frege  
London School of Economics, UK  

Carola Frege and I are in the process of finalizing surveys of 1250 workers in each of Germany and the US and are trying to get them into the field in the next few weeks. A central question we are addressing is why representation varies and how it matters re dignity, fairness, justice etc. So what we are doing definitely fits and Carola and I have already discussed possibly presenting something from it at your conference.
‘Responding to the changing nature of work: European trade unions and ‘precarious’ workers’

Rebecca Gumbrell-McCormick (Birkbeck, University of London)

Abstract for international CRIMT conference, Québec, 16 – 18 June 2010, themes 2 and 3 Assessing the response of collective actors to wider changes at work and 3) Assessing new actors, emerging models and strategies for change

This paper seeks to address one of the key problems facing trade unions and industrial relations systems, that of the decline of traditional long-term job security (mainly on the basis of ‘permanent’ or ‘open ended’ contracts of employment) and the rise of temporary, agency, ‘dependent self-employed’ and other ‘precarious’ forms of employment. The paper draws on the initial results of a three-year study of the strategies developed by trade unions in ten west European countries in response to globalisation and other major changes in the world of work by Steen Scheuer (University of Southern Denmark), Richard Hyman (LSE) and this author. This study includes both quantitative research based on a large-scale telephone survey in each country, and qualitative research based on semi-structured interviews with union leaders and academics, as well as an extensive review of secondary literature from unions, the EIRO, ILO and other sources.

The decline of ‘traditional’ contracts of employment and the increase in various forms of precarious employment form a major theme in almost all the countries we have studied. The specific form ‘precarity’ takes in each country varies, depending on its legal and IR systems and its prevailing levels of job security, demonstrating the agility of employers in exploiting the weakest link in every national system. The use of agency work to undercut existing terms and conditions has been further facilitated by the recent European Court of Justice rulings in the Laval, Viking, and Luxembourg cases. Often it is the most vulnerable workers – women, young workers and members of ethnic minorities – who are most directly affected by precarity, while in the current economic climate, precarious workers are sometimes seen as a ‘buffer’ against job losses among ‘core’ workers. This division between those with stable ‘permanent’ employment and those without leads to conflict between the interests of different groups of workers.

In all countries where ‘precarity’ has emerged as an important phenomenon, it has had a negative effect on trade unions’ ability to organise and represent workers and to carry out effective industrial action. Trade unions in the ten countries have responded to these challenges differently, depending on their strength, ideological orientation, form of organisation (single or multiple national centres and weaker or stronger workplace representation) and strategic orientation (‘service’ or ‘organising’ models), and also on the structure of collective bargaining and the framework of labour law. The union response has varied from maintaining a focus on ‘traditional’ permanent workforces to innovative forms of local organising to the formation of new unions or sections within unions specifically aimed at temporary or agency workers. This paper will give an overview of the general pattern of precarious work across the ten countries and then focus on a small number of specific cases of trade union action, before presenting general conclusions on the nature of the union response to the challenge of changing patterns of work.

Dr. Rebecca Gumbrell-McCormick, Lecturer, Department of Management, Birkbeck College, University of London, Malet Street, London WC 1E 7 HX, UK, tel. (home) 01727 739 687, (work) 020 7631 6777, fax 020 7631 6769, email r.gumbrell-mccormick@bbk.ac.uk.
Au modèle homogène de représentation issu de la citoyenneté industrielle qui garantissait les droits du salariat, de nouvelles formes plus ou moins ajustées au système antérieur ont vu le jour suite à la flexibilisation de l'emploi et ont institutionnalisé le précariat (Castel, 2009) des travailleurs temporaires ou occasionnels. Plutôt hétérogènes, ces nouveaux contrats issus de la sous-traitance ont posé un nouveau défi à la représentation syndicale traditionnelle qui a cru, en procédant à la syndicalisation de contractuels, reprendre contrôle de cette diversification du monde ouvrier. A tort! C'est que l'articulation entre les nouvelles formes de flexibilisation de l'emploi et des systèmes de représentation sensés les encadrer n'a pas garanti la citoyenneté au travail des travailleurs contractuels. Se pose alors la question de la pertinence du modèle de citoyenneté industrielle à encadrer équitablement les droits aussi bien du salariat que du précariat.

Au blocage institutionnel relevant de l'administration des conventions collectives des uns et des autres, les acteurs syndicaux recourent à des moyens jusque là inédits pour faire tenir ensemble des travailleurs que le salaire et les conditions de travail divisent. Mais jusqu'où le syndicat peut-il aller dans la régularisation du précariat, s'il doit au préalable négocier au rabais avec ses partenaires que sont l'État et le patronat les conditions mêmes de la citoyenneté des contractuels? Deux études de cas au Québec dans l'industrie de la première transformation, appartenant à la même centrale syndicale mais à deux différentes firmes multinationales nous permettront de répondre à cette question de la représentation des salariés à l'épreuve de la flexibilisation du travail.

Partant d'entretiens réalisés auprès d’une trentaine d’acteurs dans chacun des sites, il apparaît qu’au-delà de l’encadrement structurale des nouveaux rapports collectifs, des stratégies de bricolage institutionnel (Campbell, 2007) ont permis une mise à jour des systèmes de représentation au-delà du modèle de la citoyenneté industrielle. Redéfinissant les conditions du bien-être des travailleurs, les initiatives syndicales face à la sous-traitance, entre collaboration et opposition, ont donné lieu aussi bien à de nouvelles formes d'exclusion que d'intégration des travailleurs; bref, à des nouveaux régimes de citoyenneté au travail dont cette communication est l'objet.
Institutions or Actors: What Really Matters for Worker Representation?

Christian Dufour, Adelheid Hege, Christian Lévesque and Gregor Murray
(Institut de recherches économiques et sociaux (IRES), HEC Montréal, Université de Montréal)

Recent comparative studies of flexibility practices in unionized production sites highlight both the commonality of pressures associated with globalization and the persistent diversity of workplace union responses across different national contexts.

Plausible explanations of this diversity can be ascribed to institutional effects (the impact of different types of institutional regime), to organizational contingencies (both internal as related to size, technology and historical markets strategies and external as related to product and other market conditions), and to variations in actor capacity. Despite this range of potential explanations, the literature invariably seems to be pulled back to first- and second-order explanations of how external factors such as the “home” and “host” country effects of institutional regimes or particular sets of organizational contingencies or even particular actor histories shape their responses.

Recent studies certainly point to the need to disentangle the conceptual underpinnings and the complex interactions behind this persistent diversity. Pointing to the need to go beyond idealized national models, Meardi et al (2009a) highlight their “internally heterogeneous and dynamic”. Sector and company contexts clearly affect actor strategies (Meardi et al, 2009b), but the variations in these strategies cannot be systematically linked to institutional, sectoral or organizational factors (Kahancova, 2007). Dufour et al (2009) highlight the complex construction and apparent path dependency of local union actor strategies.

The challenge is to move beyond an understanding of institutions as formal sets of arrangements and towards an understanding as ongoing and contested norms and meanings. In so doing, we want to locate variations in and explanations of the autonomy of the actors of representation vis-à-vis these institutional settings. How do these actors mobilize the institutional instruments at their disposal and seek to maintain or change their effects? Can they in fact do so?

In an effort to understand these interactions, this paper examines actor strategies in different institutional contexts faced with comparable sets of organizational contingencies. Drawing on case studies of five sites in two multinational companies (sites in France and Germany for one of these companies and sites in Belgium, France and Canada for the other company), this study permits us to scrutinize the interactions between actors and their institutional contexts. The particular interest of this approach is that these different systems of representation are each experiencing a period of self-doubt and introspection as regards their capacity to deal with the forces of globalization.

Competing explanatory strands run through the analysis. Faced with common pressures, different institutional arrangements do indeed define and limit the range of responses. Yet the diversity inscribed in the varied interactions between actors of representation and their different institutional regimes is related to their ability to mobilize and act upon different institutional resources. Ultimately, this is related to their ability to act upon themselves.