Governing work and employment relations: civil society organisations and the state

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Steve Williams, University of Portsmouth UK; Brian Abbott, Kingston University UK; Edmund Heery, Cardiff University UK

Stephen.Williams@port.ac.uk
Civil society organisations, ‘civil regulation’ and ‘governance’

• Increased recognition of the role of civil society organisations (CSOs) as ‘new’ or ‘emerging’ actors in work and employment relations; especially worker voice and coalitions with unions

• Civil regulatory efforts by CSOs: an essentially private mode of regulation? However, CSOs often try to achieve their objectives by engaging with states

• The contribution of a ‘governance’ perspective: new and more complex arrangements for regulating economic and social life
Data collection methods: researching civil governance

• Two rounds of data collection (2008 & 2012) with 35 UK-based CSOs involved in the field of work and employment relations

• Health & well-being charities; work-life balance and carers’ organizations; equality and diversity organizations; public interest legal organizations; vulnerable workers’ organizations

• Key informants (e.g. chief executives, policy officers, project managers)
Business-oriented civil governance
• Promoting changes in employers’ policies and practices directly; efforts to shape managerial practice
• Direct, and largely cooperative positive relationships with employers; with an emphasis on the business benefits of taking action
• Manifest in formal ‘codes’, ‘certification’ schemes etc; and informally through a focus on ‘awareness-raising’ and so forth
• CSO interventions often informed and validated by changes in the statutory framework; and also the shadow of the law
Service-oriented civil governance

• Influencing employers’ policies and practices, by providing employment-related services; particularly relating to employability and labour market integration

• The use by CSOs of project and contract-based funding, often provided by government and other agencies

• Key challenge for CSOs: managing the tension arising from a dependency on state support for delivering labour market services with a concern for promoting workers’ rights that inclines them to be critical of state policy
Policy-oriented civil governance
• Involves CSOs using lobbying techniques to shape the policy agenda of states, and thus indirectly influence employers’ policies and practices; often operating as ‘policy insiders’
• CSOs as repositories of specialist knowledge and expertise; claims that policy work is grounded in the experiences of clients and constituents
• But effectiveness of policy-oriented civil governance is dependent upon the receptiveness of policy-makers
Representation-oriented civil governance
• Captures efforts by CSOs to influence employers’ policies and practices *indirectly*; by working to ensure that existing laws are properly enforced
• Encompasses the work done by CSOs in advising, representing and sometimes litigating on behalf of workers
• Some CSOs, especially public interest legal organisations, are dependent upon the state for funds; austerity-related funding cuts mean that demand for from workers has grown at a time when services are threatened

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Mobilisation-oriented civil governance
• Involves efforts by CSOs to organise and mobilise workers collectively, marked by a focus on activist campaigning and explicitly challenging the interests of employers
• Prepared to campaign to change state policies, while sceptical of their effectiveness; ‘policy outsiders’
• A concern with ensuring that workers themselves collectively determine CSO objectives; sympathetic to, and eager to forge links with, unions
From ‘civil regulation’ to ‘civil governance’

• Research findings point to the different ways in which CSOs seek to regulate employers’ policies and practices
• This involves five types of interaction, or relationship, with the state
• CSOs try to exercise influence over employers, not just directly, through civil regulatory efforts, but also indirectly, as part of wider governance arrangements
• The concept of ‘civil governance’ captures the large degree to which CSOs’ regulatory efforts operate in relation to the state, rather than instead of, or outside it