

Factors influencing worker and safety rep participation – How to understand the OHS participation process

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Abstract

Workers' and safety reps' formal rights to participate in OHS management are important but knowing them is not enough to explain the variation in forms and effects of participation. This paper aims to present a structure of the participatory process. It is a discussion paper to support further debate and research and not a new empirical study. Underlying workers' participation are mechanisms which shape how they perceive and take risks at work. This delimits their support to safety reps. How reps can use their formal rights also depends on the general industrial relations at the worksite and on the internal and external labour market balance between management and workers. Finally, the position of reps and other workers in such participation, may be influenced by the general OHS knowledge in working life and by the level of support from labour inspectorates and from OHS services.

Keywords: Worker participation, Safety representatives, OHS management, Industrial relations, Risk perception, Labour market.

1. Worker participation in the management of occupational health and safety – Why and What

Worker participation is motivated by two rationales. On the one hand workers and reps are to support and help the employer in his – and his managers' – occupational health and safety management (OHSM). Their experience and support is important:

- Experts don't know everything. You also need shop-floor experience to identify and prioritize what to do in OHSM.
- Hands-on knowledge of production is usually needed to develop and implement workable solutions (as opposed to the frequently non-used exhaust ventilators, lifting-devices, safety rules etc).
- When they have been part in identifying the problems and developing the solutions, workers are more likely to implement-use these, including to adhere to safety rules.

If management tries to improve the work environment, the investment of worker input in OHSM is – for these reasons – a cost-efficient means to maximize the OHS benefits for a minimum of resources, even counting the costs of participation. This perspective assumes much of a common interest to improve OHS, though it recognizes that such improvements have to be cost-efficient and prioritized, i.e. that OHSM too has to operate with scarce resources.

On the other hand, workers are to influence OHSM as such. They require that their employer reduces OHS risks at work. In most workplaces, this implies that the employer has to improve his OHSM in order to deliver such improvements. This rationale is based more on a conflict of interest between workers and employers, between the OHS- and the profit-interests in production. However, one can also advocate that workers should be able to require better OHSM from a less antagonistic perspective. Even managers with a strong interest (for whatever reason) to improve OHS, are mainly to promote a cost-efficient production. They need that workers as stakeholder promote their stake – i.e. in good OHS – to be able to prioritize OHSM among all other management duties.

Neither the cooperative nor the conflict perspectives are thus pure. In practice, they are mixed and-or interact, depending on which aspects of the problem are brought to the focus by the workers and-or their safety

reps on the one hand and by the managers on the other. From the start of industrial relation, workers and reps have tried to argue all their cases – not only OHS – through arguments that what they want is (also) good business. Whenever they convince managers-employers of this, it is the most successful strategy. Conflict and-or consensus are thus perspectives, not separate interactions between managers and workers. How they mix is an empirical question to be determined case by case.

However, as perspectives the two different rationales for participation are important. Workers largely use different avenues, arguments and resources in a cooperative participation than in a more conflict oriented interaction with management. An analysis of factors that influence the effectiveness of worker participation thus have to take both perspectives into account.

The different relations between workers and employers also influence the forms of participation. There is a broad consensus that individual workers should be able to propose and resolve as many issues as possible with their supervisors. However, opinions vary how effective such a direct participation can be in real production. From the cooperative perspective, it is argued that many OHS-issues are complex and-or overarching and that workers' shop-floor OHS-competence therefore is best used through elected safety reps with more training and more duty and time to reflect and investigate issues. And from a conflict perspective, reps are regarded to be more able to put pressure on recalcitrant managers. Many employers resist reps just for that reason, as the reps interference in their management prerogatives. From a participation point of view, direct worker participation and safety reps are thus not alternatives but different avenues to be combined as effectively as possible within the workplace interaction with management [1].

2. Formal rights and organisational support do not explain the level of participation

Worker participation in OHSM is by far the largest form of interaction between employer-managers and workers-unions within the general industrial relations. For example, half all elected union officials in Sweden are safety reps. Despite this, OHS participation is often neglected within studies and debates on industrial relations [2]. Studies on worker participation through safety reps are rather few and often isolated from a broader perspective of e.g. industrial relations. Research on direct worker participation in OHSM is even more scarce.

Those studies, there are on safety reps usually focus on a formal level. They look at the number of reps, their rights, training and support on the one hand and on the other how this influences OHS outcomes. The latter is measured by various indicators, often LTI or other accident based figures (while occupational diseases nearly everywhere is a much worse problem). Issues being looked at are e.g.:

- Formal rights to paid time off, to training, to access to management information and plans, to joint committees and other fora for a dialogue.
- Level of training, provisions of information and access to expert advice.
- Support by unions, mainly measured rather crudely as getting a back-up by a union or not.

There are also some case-studies of how participation works. These look at formal rights and organisational support of safety reps but also at the empirical relations between management and workers. Though research is limited, an extensive literature overview would be too much for this limited paper. See instead Walters et al. [3].

The formal level is no doubt fundamental. The few cases studies we have, indicate the need for worker and rep rights to knowledge, to action etc. And they indicate the need for reps (and workers) of active union support, even if this has been hard to demonstrate statistically [3]. Yet, at least in countries with reasonable formal rights of participation, both workers and reps use these right much less than they could. They promote their OHS interests much less than they have a right to, even when they have a reasonable union support.

In discussions with unionists and OHS researchers, these discrepancies may be explained by references on the one hand to lack of information, learned passivity etc and on the other to the real power-relations at work, which override the formal rights of participation.

Such explanations look both under the use of formal rights (at what shapes worker perspectives) and above it (at the real resources and supports of workers in their interaction with management). Yet, these essential other levels than the formal one are rarely included in research on how to understand the participation process. To place the formal rights and support of worker participation, directly and through reps, in this wider setting is thus the aim of this paper, divided into

- Risk perception, i.e. what shapes individual rationalities in defining their OHS situation.
- Formal rights and support, with a special focus on how these aim to support reps' normative power and on how workers in growing casual jobs lack such rights.
- Organisational strength to exercise these rights.
- Economic-market position to support workers demands.
- Social and political support to influence social norms, and as direct support to workers and reps.

3. Risk taking and worker participation

What you don't know, you don't suffer from, is one of many proverbial half-truths. In the case of OHS, it is blatantly untrue. Many serious health risks are hard to experience directly. Yet you can only be active against risks you perceive. For workers this is even harder. They often violate safety rules and frequently disregard daily risks and see these as unavoidable parts of the job. This has often called for measures to increase workers' *risk awareness*. Prevention through awareness of risks, usually means risks as OHS-experts define them from a background of individually based, psychological analyses of risk behaviour with the aim that workers should work safely. However, such experts rarely help workers to demand prevention of these risks instead (as is required by law). The outcome of this perspective may be that accident victims are blamed, and that explanations and solutions are only looked for in individual or group behaviour.

Why workers take risks is an issue within several academic disciplines where psychology is only one. Sociological and more specific organisational approaches focus mainly on different rationales in different situations. You have to handle the risks you are exposed to, within the boundaries given by the organisation and the work task. Taking control over risks within everyday work means to find a rationale of balancing carefulness in what you perceive you can handle and not a paranoia of risks you cannot avoid. You need to strike a balance of neither being reckless nor harping on risks which are perceived to be inherent in the job. Risk taking is thus *not* only about un-awareness and/or ignorance, but more about competent control over well known, calculated risks occurring in everyday work situations. This calls for a different analysis and for preventive measures other than those offered by the risk awareness perspective.

Risk taking may be analysed as part of the production logic, where cutting corners is necessary to keep up with production pressures. Often you have to pay for your own safety, as work on piece-rate is slowed down by following all safety procedures. A "double standard" is not unusual, where management on the one hand emphasises OHS and carefulness, but on the other do not make changes in the production that would make it possible to work "by the book". Dealing with the competing logics of production and OHS becomes part of the workers' competence, where one learns to work "safe enough", based on knowledge and know-how transmitted from more experienced workers to newcomers.

Incorporating risk taking – both direct risks for accidents and more long term risks – in everyday work practice will make it difficult to articulate critique of the work environment in forms that can be accepted both by managers and workers. The scope of worker participation in OHSM - including their support to their reps – may therefore be limited, excluding several issues and areas. Worker participation can therefore not be expected to cover all aspects of OHS. Providing formal access is insufficient for all risks to be raised, even if this is promoted by management.

Against risk awareness stands the alternative concept of *risk assessment*. When the first implies that workers should handle risk individually the latter is usually seen as a step in managing the risks, i.e. as far as possible through prevention [4] [5]. The shifting of focus from workers/individuals to the work environment also alters the preconditions for worker participation, making room for worker influence on the preventive measures where worker knowledge of the specific work environments and tasks can be of use. Yet, managers who (for various reasons) want to mobilize workers in such risk assessments often find this difficult. Distrust from other aspects of the industrial relations may spill over into OHSM participation, especially when there is a perceived threat of redundancies. Repeated worker surveys (in Sweden), show that workers top three interests persistently are job security, good pay and a safe and sound work environment. Thus if management want to mobilize workers for one of these three, this must not be perceived to go against the other two, i.e. improved OHS should not be perceived to be paid by the workers' wages nor their jobs.

4. Which formal rights and what union support?

Workers' formal rights of participation operate within these complex processes which shape the perceptions of risks and rationales of how to handle them. To separate the effects of rights to information, to participate and to refuse dangerous jobs from general OHS enlightenment, workers collectives and culture of prevention is difficult. The formal rights are usually stronger in countries with stronger unions, some level of co-operation within industrial relations and an ideology that risks can and should be prevented. This does not mean that formal participative rights are unimportant. However, to study and to improve worker participation, we therefore need more precise national information on these rights, on numbers and types of reps, on their training, forms of support and activities etc. Only scattered, incomparable data exist of this.

Yet, we know some things. For example, trained reps are more active and effective than untrained ones [6] [7]. And there is a growing gap between participative rights and economic structures. The former usually operate only within the employment relationship. This is not enough, with the increase of casual labour and network production. Except for some access to worksites, even Swedish safety reps lack a right to a dialogue with e.g.

customers, suppliers or others who influence production and thus its working conditions. There is a need to extend such participatory rights. However, such reforms can hardly be separated from other labour law responsibilities and rights outside the employment relation, as discussed e.g. by Johnstone [8].

But both in- and outside the traditional limits of participation, it is hard to differentiate between the effects of formal rights and of other factors which support active worker and rep participation in OHSM (including their economical strength, as discussed below). When we try to measure the effects of participative rights, we have to specify what type of power these rights entail. Workers, and sometimes their safety reps, often have a right to refuse dangerous jobs. Yet, this economic power to decide over production is very restricted. You - and the rep - may only refuse or stop work which poses an imminent and serious danger. Sweden has a working population of some 4 000 000 employees, with a good 100 000 safety reps. These reps stop dangerous work around 50 times per year [9], i.e. around the number of fatal accidents at work. When this happens, either management accept the reps' demands or the labour inspection is called to (at once) settle the issue (which is what shows up as 50 cases a year). I.e., even when reps override the employers decisions on how to run production, this is only temporary in attendance of the verdict of the authorities.

The right to refuse or stop dangerous work may therefore be overrated as an economic power. That the reps' decisions overrule those of the employer only occurs at a very small fraction of all millions of decisions concerning safety and health at work. However, as a symbolic power this right is probably of much greater importance. Behind every rep stop which the inspection settles, are many more which are settled between the local partners. I.e. the stop forces management to take precautions which satisfy (at least minimally) the rep's demands. Even more often, the threat of stopping work pushes management into action [9]. Yet, these measures are in both cases taken voluntary by management, albeit under pressure.

The effect of the right to refuse or stop dangerous work is thus mainly that it is an ultimate instrument to make management listen to the demands of worker and reps. This illustrates what the right of participation mainly is about, namely a right to a dialogue with management on the work environment. The power of workers and reps in this dialogue is mainly a normative power, of getting information and arguments and opportunities to seriously discuss these with management. If management then continues to refuse to amend risks, workers and reps have to rely on the state - i.e. the labour inspection - to settle the difference. Stopping and refusing work is "only" a way to make the inspection come at once (which does not reduce the importance of this ultimate "argument" to make management accept a more normal dialogue).

It is as rights of a dialogue, we have to study the various rights of workers and the more extensive rights of safety reps, such as to get information, to get paid leave for training, to investigate problems on paid time, to get speedy replies from management, and to raise issues in joint committees [10]. Swedish safety reps have some of the most extensive such normative rights of a dialogue. A rep who uses these fully can demand - and have a right to get - investigations of all kind of risks, to call in the inspection when needed. If management obstructs this, they can be sued by the union or overruled by the inspection. As there are risks enough also in Swedish workplaces, an active safety rep thus have rights enough to become a real pain in the neck of management (though only to her/his employer, which thus increasingly is not enough).

However, Swedish safety reps rarely have a position to take on management in prolonged conflicts. To stop work in exceptional cases is much less of a threat to the employers' management prerogative than to consistently obstruct this by all kinds of OHS demands, even when these may have a sound base. To do so, a safety rep would face the reality that management decides in all other questions. In Scandinavia safety reps are rarely physically threatened but management can resort to many more hidden repercussions than open harassments (for which they can be sued). For her-his position at work not to become untenable, a "too" active rep would need a very strong back-up by both other workers and the union. Such worker support is delimited by all the factors discussed above. On the union side, even strong ones do not always support their reps. Too much OHS-activism may be seen as a problem in their other relations to management. And at least in Sweden, there is often a rift between work environment issues and (the union appointed) safety rep on the one hand, and the more prestigious and influential bargaining side of shop stewards and union officers on the other. Many officers and local shop stewards are unaware that the Work Environment Law often give workers much stronger rights of influence through participation than they get when negotiating according to the Co-determination Law. This goes especially for all organizational issues at the workplace. The central union succeeded to include them as a major aspect of the work environment in the 70s, but within both local and central unions those from the negotiating side often leave safety reps - and their stronger rights - outside discussions of work organisation, wage systems, competence schemes and similar issues, despite their important OHS effects.

In their details, these are specific Swedish problems. Yet, they illustrate the general problem that formal rights of participation are often hard to use in practice. And safety reps may not take support from other workers for granted but neither can s/he be sure to get backup from the union. When we look at for example, what training and which organisational practices (and worker rights) support an effective participation, we have to place these and other formal rights in this wider setting.

5. Industrial relations and labour market positions to back OHS-demands

Employers and governments often try to depoliticize OHS-participation by ignoring possible conflict of interests and by separating this participation from other aspects of the industrial relations. Yet, the purpose of participatory rights is not only to co-operate within the employer's OHSM but also for workers and their reps to oppose managers when they see a need for this. Thus conflicts of interest and opposing actions are inherent in OHS-participation, even when – like in Sweden – both of the social partners emphasize consensus. What safety reps and individual workers can do with their formal participatory rights is therefore much determined by the general industrial relations. There is no room here to go in any depth into what shapes these relations, but how one can use formal OHS rights is influenced by e.g.:

- Explicit forms and implicit traditions which largely determine what and how you can act as a shop steward, including as a safety rep.
- Organisation and culture of management, especially in interacting with workers and their reps and in en-/discourage opposition in such interactions. For example, participation can be used as an anti-union means for employers when they are much stronger in this interaction than the workers [11].
- Strength of the union through levels of organisation, worker mobilization, policies to support participation etc. Yet, even strong unions may be poor in integrating OHS participation with negotiations, as mentioned above.

The industrial relations between managers and workers is mainly based on their relations in production. Within the employment relationship, modern production partly enhances participation. Workers have more training and often an increased daily autonomy of how to do their job. This gives them, and their reps, more insight in production, including in safer alternatives. They also get better position to demand such alternatives [12]. On the other hand, outsourcing, casual labour and other networking of production weakens the position of workers. Even within organisations, workers increased "autonomy" means that production responsibilities are decentralised to individuals and groups, usually in combination with a leaner staff. Workers and their reps may supervise themselves more often but this also means that they have to choose between taking time to look into OHS issues or to do their job. OHS-demands are partly directed to how they perform their own "autonomous" jobs. Job enrichment and similar changes may thus also strengthen the popular misconception that injuries and diseases are mainly caused by risky worker behaviour ("blame the victim"). The internalization of production responsibilities are why it is hard to mobilize white-collar employees against their risks at work, of e.g. stress and violence but also of physical work hazards.

Workers' positions in the organisation of production creates an internal labour market of supply and demand of skills, efforts, motivations etc for the various tasks to be done, including participation on OHS issues. This interacts with the external labour market. Even within organisations, the perspectives, positions and actions of workers is much influenced by the scarcity or abundance of their type of labour on the market. When there are many who can and do leave for other jobs (the exit option), managers are more willing to listen to the voice of those that stay [13]. For example, reformed working conditions within the famous "new factories" of Volvo and other employers were very much a reaction to a shortage of labour in the long-term Swedish post-war boom [14].

6. Social and political support for OHS participation

How reps and workers can use their participatory rights is also influenced by what support they get from other actors. The general knowledge of the work environment is an important background factor for how both workers and managers perceive and try to handle risks at work. It is not by chance that behavioural safety is especially popular among US employers, who still can deny the need for an ergonomic standard. Nelkin [15, p 19] described the effects of a lack of knowledge of OHS risks in the US. She found that: "*Conflict prevails over – the significance of risks, – the adequacy of evidence, – the methodologies for evaluating and measuring risk, – the severity of health effects, – the appropriate standards to regulate industrial practice and even – the communication of risk information*".

R&D, training, information and media coverage are thus important to raise the general work environment knowledge in organisations, both among managers and workers. Besides making it easier to identify and handle OHS risks, such increased knowledge will also provide a common ground for an OHS dialogue. If the principle of prevention is spread, it will also make this dialogue more open to suggestions from workers.

Support from the labour inspection (OHS authority) may also be important for the quality of the local OHS-dialogue. Within the EU, workers have a legal right of OHS-participation, but labour inspections may differ in how they interpret and enforce the national regulations on this. To inspect if workers and reps have formal

opportunities to participate is not the same thing as looking further into what these opportunities amount to in practice. However, labour inspections seem to be reluctant to enforce the participatory rights with any vigour. They are reluctant to be seen as choosing side between the industrial relation partners, despite that supporting the right of worker participation is the aim of the regulations.

The OHS-experts are another potential ally. They too are supposed to be impartial but the difference between awareness and assessment of risk, is only one example of how their perspectives and actions can influence participation in OHSM. In relation to worker participation, there are differences between academic disciplines but also national variations in formal organisations and instruction to the OHS services and in cultures within these.

7. Conclusion: Factors influencing worker and safety rep participation

The purpose of the discussion above is not to state that everything relates to everything else, which is neither new nor helpful. This overview may instead warn against too simple comparisons between varying national formal rights of worker participation in OHSM. More importantly, it may perhaps help to advance our understanding of this participation – and thus our chances to support it – through:

- Being a starting point from which we can assemble broader national facts and figures on the various types of worker participation, number of safety reps, their rights of a dialogue etc.
- A limited number of in depth case-studies, which aim to further disentangle the relations between the many factors influencing the participation process. This should include an analysis of the various studies we have on these relations, i.e. in much more depth than is possible in this brief overview.
- Possible statistical studies on the effects of various forms of worker participation, but only if there is a reasonable chance to control for most of the major influencing factors discussed.

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