



# Understanding effective worker health and safety representation

**Andrew King, John Oudyk and Alan Hall**

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# LOARC Participants

- Alan Hall
- Ellen Simmons
- Laura Lozanski
- Sari Sarinen
- Terri Aversa
- Robert Storey
- Andrew King
- John Oudyk
- Syed Naqvi
- Nancy Johnson
- Nick DeCarlo
- Wayne Lewchuk
- Alec Farquhar

# Worker OHS Representation

“The worker as an individual, and workers collectively, have been denied effective participation in tackling these problems; thus the essential principles of openness and natural justice have not received adequate expression”

James Ham, 1976

# Internal Responsibility – the Challenge and the Crisis

- Weak Enforcement
- Increasingly temporary and contingent employment
- Decline in unionization
- Experience rating

What makes a worker OHS Representative effective?

Alan Hall

# First Exploratory Study (Hall et al, 2006)

- Thirty one unionized auto parts and assembly plants in SW Ontario
- Union OHS committee co-chairs were interviewed about how they saw their roles as worker representatives and as committee representatives, the kind and scope of issues raised in committee or with management, the steps and tactics they used to get these issues addressed and their reported success in getting them addressed.
- Interviews were open-ended, 1-2 hours, transcribed and using a grounded theory approach to manually coded and analyze.

# Representatives initially distinguished along three dimensions

**Safety vs. Health** - Focus on immediate and visible safety issues vs. greater attention to both health and safety issues

**Scale of Issue** - Focus on smaller scale issues with limited impact on production or costs vs. greater attention to large scale interventions requiring environmental engineering changes or redesign

**Surface vs. Causation** -Emphasis on surface consequences vs. greater focus on identifying and correcting underlying causal factors.

# Further Analysis

Further analysis identified **six dimensions**:

- 1) Relations with management
- 2) Representative understanding of their role and objectives
- 3) Relations with workers
- 4) Type, Level, Intensity, Breadth of Knowledge
- 5) Source and Use of Knowledge
- 6) Level of Activism

Classified into two styles of worker representation ...

Dimensions of Representation	Technical - Legal	Political Activism
<b>Relations with Management on/off JHSC</b>	Cooperation and Trust Accept Management Rationale	Adversarial, Limited Trust, Frequent Challenges to management claims, independent requests
<b>Role and Objectives of Worker Representative</b>	Monitoring and Inspection, Assure Minimal Compliance, Small scale/low cost intervention, Manage worker behaviour	Advocate, Organize, Focus on reacting to workers' concerns, finding hidden hazards, defending workers; willingness to take on large issues
<b>Relations with Workers</b>	Interact during inspections, workers as problems, often exercise authority over workers	Strong ties, frequent interaction, organize collective action
<b>Level, Intensity, Type and Breadth of knowledge</b>	Shallow understanding of hazards limited to personal/occupational experience and management provided information; limited political knowledge	Deep personal knowledge of hazards and underlying sources grounded in work experience and interaction with workers; basic political insights; knowledge of limits of OHS law
<b>Source and Strategic Use of Knowledge</b>	Knowledge is not used strategically nor tactically; limited attempts to access independent information	Use personal experience and worker accounts, common sense and logic are key.
<b>Level of Activism</b>	Low to Moderate	Moderate to High

Dimensions of Representation	Technical - Legal	Political Activism	Knowledge Activism
<b>Relations with Management on/off JHSC</b>	Cooperation and Trust Accept Management Rationale	Adversarial, Limited Trust, Frequent Challenges to management claims, independent requests	Strategic Targeted Cooperation, Limited Trust, Will Challenge with Evidence and Alternatives
<b>Role and Objectives of Worker Representative</b>	Monitoring and Inspection, Assure Minimal Compliance, Small scale/low cost intervention, Manage worker behaviour	Advocate, Organize, Focus on reacting to workers' concerns, finding hidden hazards, defending workers; willingness to take on large issues	Advocate, Inspect, Negotiate, Organize, <b>Research</b> ; long and short term goals, large scale issues
<b>Relations with Workers</b>	Interact during inspections, workers as problems, often exercise authority over workers	Strong ties, frequent interaction, organize collective action	Strong ties, frequent interaction, organize collective action, educate workers.
<b>Level, Intensity, Type and Breadth of knowledge</b>	Shallow understanding of hazards limited to personal/occupational experience and management provided information; limited political knowledge	Deep personal knowledge of hazards and underlying sources grounded in work experience and interaction with workers; basic political insights; knowledge of limits of OHS law	Practical <b>and</b> Science based knowledge of hazards and effects; Ability to do research (literature searches, hazard mapping, etc.) and capacity to understand and organize findings; good knowledge of the law; political insights
<b>Source and Strategic Use of Knowledge</b>	Knowledge is not used strategically nor tactically; limited attempts to access independent information	Use personal experience and worker accounts, common sense and logic are key.	Use Research to challenge management claims, develop arguments and costed solutions, to build worker support for action
<b>Level of Activism</b>	<b>Low to Moderate</b>	<b>Moderate to High</b>	<b>High</b>

# Hall, Oudyk, King, Naqvi and Lewchuk (2015)

- 1) Can worker representatives be differentiated by the amount of time spent on different kinds of representation activities?
- 2) Are these differences related to the kinds and scope of changes that representatives attempt and the outcomes of those attempts?
- 3) Can we identify core strategic and tactical orientations and practices associated with these differences in activity levels, change efforts and outcomes?
- 4) What factors help to explain these differences

# Methodology

**Survey** – On-line and Hard Copy distribution of 30 question self-administered questionnaire (1192 completed; 542 completed hard copy; N=888 valid worker representatives). Sample self-selected and not random. Questions included how much time spent on different representation activities, what kinds of changes they had sought in their role as representatives, and how successful in getting specific changes plus some work and demographic characteristics which included employment security measures.

**Follow-up Interviews** - 50-120 minute taped phone interviews; Interview Guide format; transcribed and coded using NVivo. 50 Interviews total representing random sample according to reported success in gaining changes.

**Survey Data Analysis:** Cluster analysis used to group subjects according to their similarity on selected measures. The measures used here were how much proportional time representatives spent on 10 activities (attending committee meetings, preparation for meetings, doing inspections, writing/reading reports, interacting with workers, interacting with managers outside committee, organizing and mobilizing workers, educating workers, getting education for themselves, and doing independent information gathering and research on OHS issues). Principal components factor analysis was also used to reduce these ten activities to two categories – information gathering and organizing, and legally mandated JHSC activities. Factor analysis of self-reported impact scores was also conducted yielding three categories – large impact changes, small impact changes, and violence/harassment changes. Multi-level linear regression was then used to test models predicting to impact.

John Oudyk

# Who answered the survey?

variable	percentage/ average
member of a union	88.7%
median number of workers (50 <sup>th</sup> %tile)	150
level of concern regarding layoffs (lower more concern)	2.5
more than 10% temp workers	89.1%
more than 50% temp workers	7.5%
average years with current employer	9.5 yrs
elected by workers	41.5%
appointed by union	39.1%
female	42.3%

# Who answered the survey?

variable	percentage/ average
member of a JH&SC	90.9%
worker/union co-chair	39.0%
worker/union rep	59.9%
>3 yrs of JH&SC experience	52.4%
>3 yrs as JH&SC co-chair	23.9%
ave # of worker JH&SC reps	5.3
ave # of mgmt JH&SC reps	3.9
>5 paid hrs/wk work on H&S	20.4%
>20 paid hrs/wk work on H&S	9.9%
>5 <u>un</u> paid hrs/wk work on H&S	9.9%
filled out survey online	60.8%

# How do they spend their time?

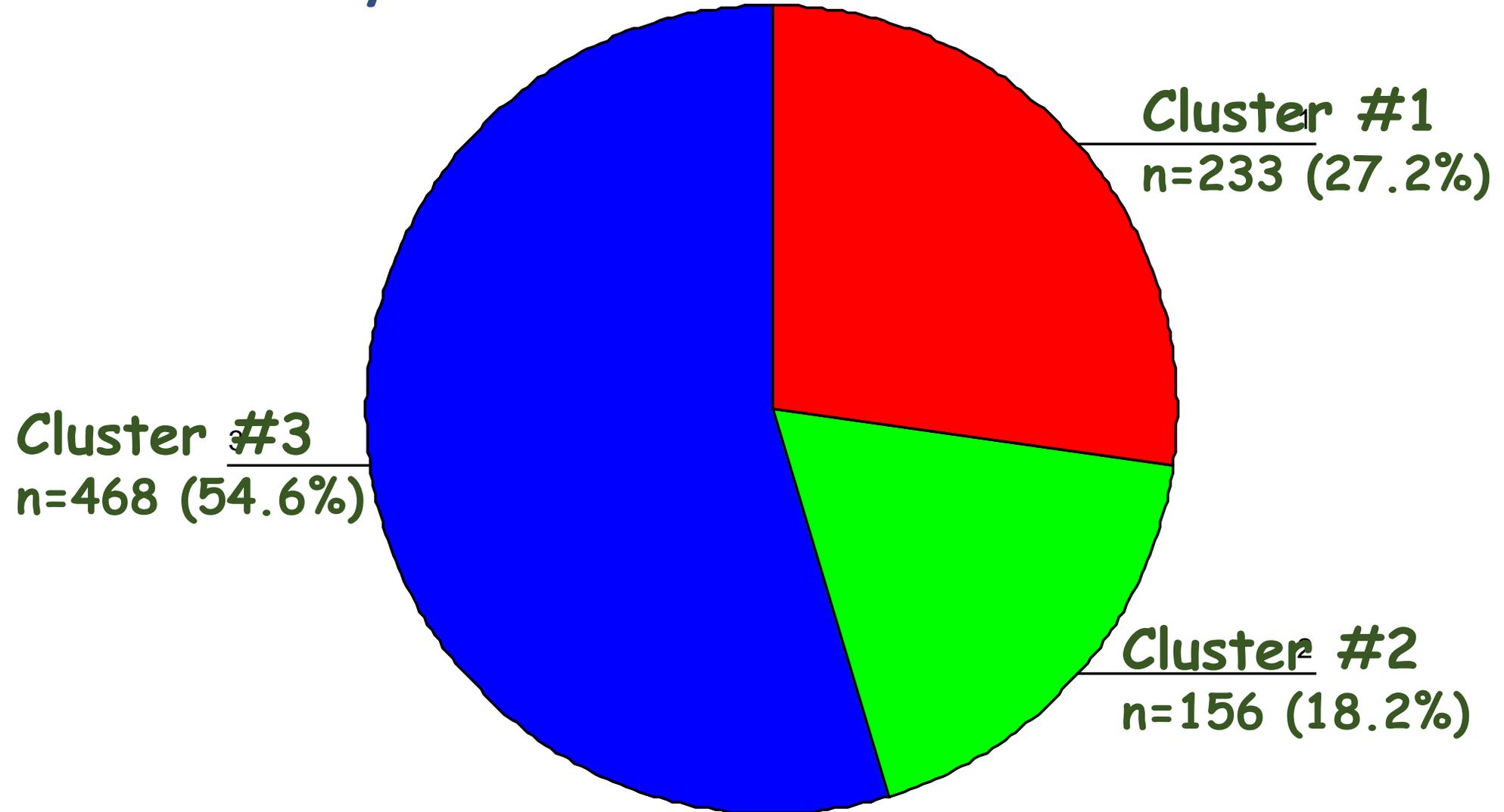
<b>Health and Safety representation tasks:</b>	<b>average time score</b>
dealing with <b>workers</b>	<b>5.9</b>
dealing with <b>managers/supervisors</b>	<b>5.2</b>
<b>inspections/investigations</b>	<b>5.2</b>
<b>H&amp;S meetings</b>	<b>5.0</b>
doing <b>searches</b> for information	<b>4.7</b>
reviewing or writing <b>reports</b>	<b>4.2</b>
<b>preparing</b> for H&S meetings	<b>4.1</b>
<b>organizing</b> worker support for H&S	<b>4.1</b>
<b>training</b> of workers	<b>3.1</b>

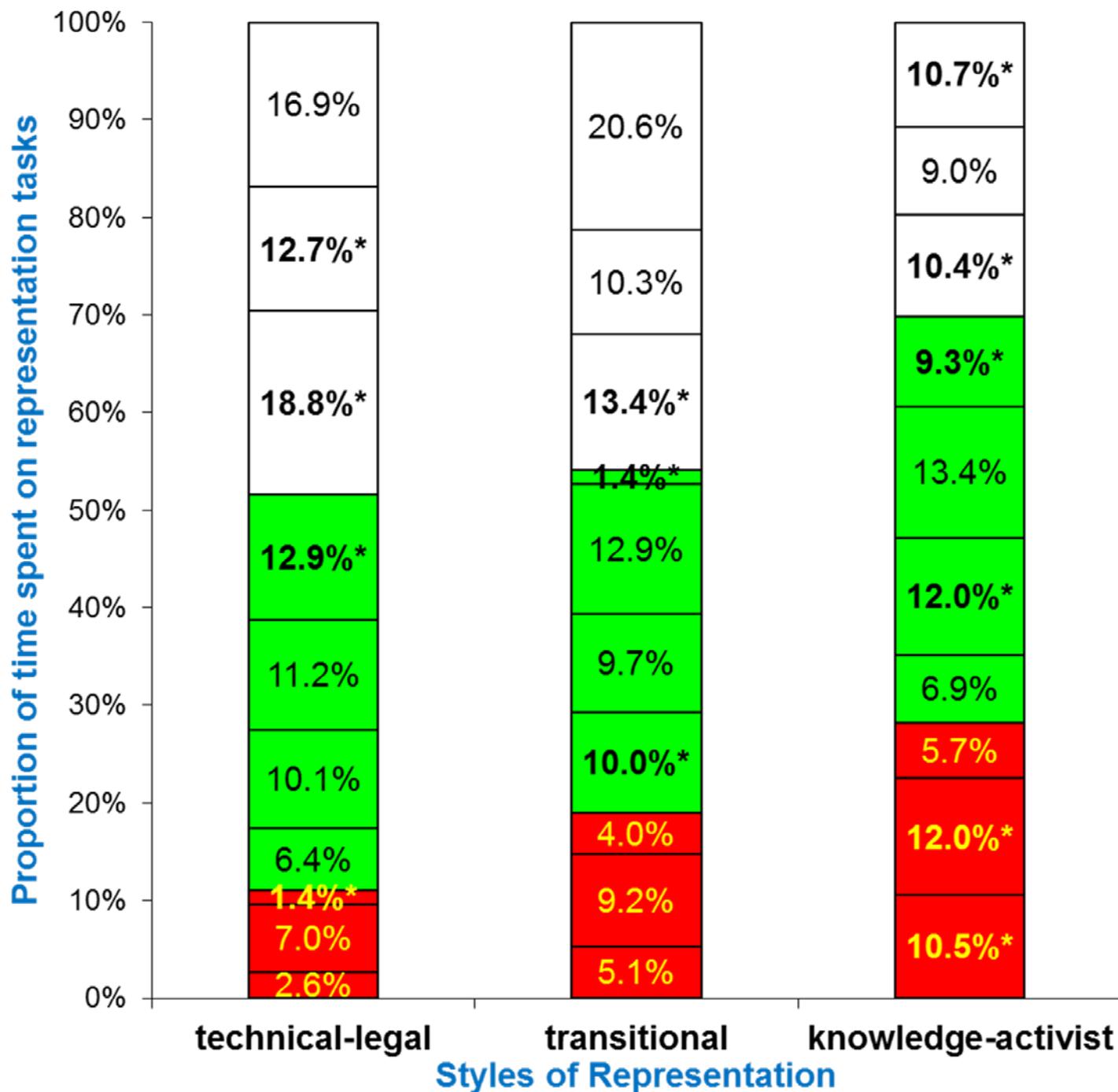
# Attempts at Change & Successes:

variable	% attempted	success score
housekeeping	83.8%	2.6
personal safety equipment	77.7%	3.1
replace/retire unsafe item	77.5%	3.0
other significant changes	74.0%	2.3
work process reorganization	72.5%	2.3
redesign work space/station	72.1%	2.5
worker training program	67.9%	2.6
substitution	67.6%	2.4
violence	65.6%	2.4
harassment	64.5%	2.3
air quality	58.4%	2.1
address workload	52.7%	1.6

Health and Safety representation tasks:	average percentage of time spent on task
attending JH&SC & other H&S meetings	14.2%
doing inspections, investigating accidents and incidents	13.2%
dealing with workers about problems or issues	12.7%
dealing with managers and supervisors about problems or issues	11.1%
preparing for JH&SC & other H&S meetings	10.2%
doing your own searches for info through the web or libraries	10.1%
reviewing or writing reports	8.8%
building and organizing worker support for health and safety	7.4%
getting more training for yourself	7.4%
deliver or provide specific health and safety training to workers	4.2%

# Cluster Analysis Results:





## Factor 1 – legally mandated JH&SC activities

- attending H&S meetings
- preparing for H&S meetings
- doing inspections/investigations
- reviewing/writing reports

- dealing with workers
- dealing with managers/supervisors
- getting training for yourself
- delivering H&S training to workers
- doing searches for information
- organizing worker support

## Factor 2 – information gathering & organizing activities

# Breakdown by economic sector

	cluster #1	cluster #2	cluster #3
healthcare	21.5%	18.3%	15.2%
education	21.5%	18.3%	12.0%
social service	10.5%	16.3%	16.1%
manufacturing	9.6%	11.8%	16.5%
utilities	10.1%	4.6%	7.6%
retail	6.1%	6.5%	5.2%
transportation	4.4%	7.2%	6.3%
mining	4.8%	4.6%	4.1%
security/police/correctional	3.1%	3.3%	5.7%
construction	1.3%	2.0%	3.9%
food or restaurant	2.6%	3.3%	1.1%
accommodation/tourism	1.8%	0.7%	1.5%

# Categories of changes – Factor Analysis

## **Narrow impact changes (traditional, basic H&S issues)**

- have management purchase new personal safety equipment or replaced old/worn safety equipment
- the delivery of a new training program for workers
- make improvements in basic housekeeping

## **Broad impact changes (expanded, more complicated H&S issues)**

- substitute an important product, practice or chemical used in the workplace that you believed was hazardous
- significant reorganization of a work process or method
- replace or retire unsafe tool or piece of machinery, equipment, or furniture
- change the number of employees in order to address workload or safety issues including resisting management cuts to the number of workers, introduction or major modification of an air quality or ventilation system
- expansion or redesign of a specific work space/work station

## **Workplace Violence and Harassment impact changes (2 separate items combined)**

# Multi-level linear regression:

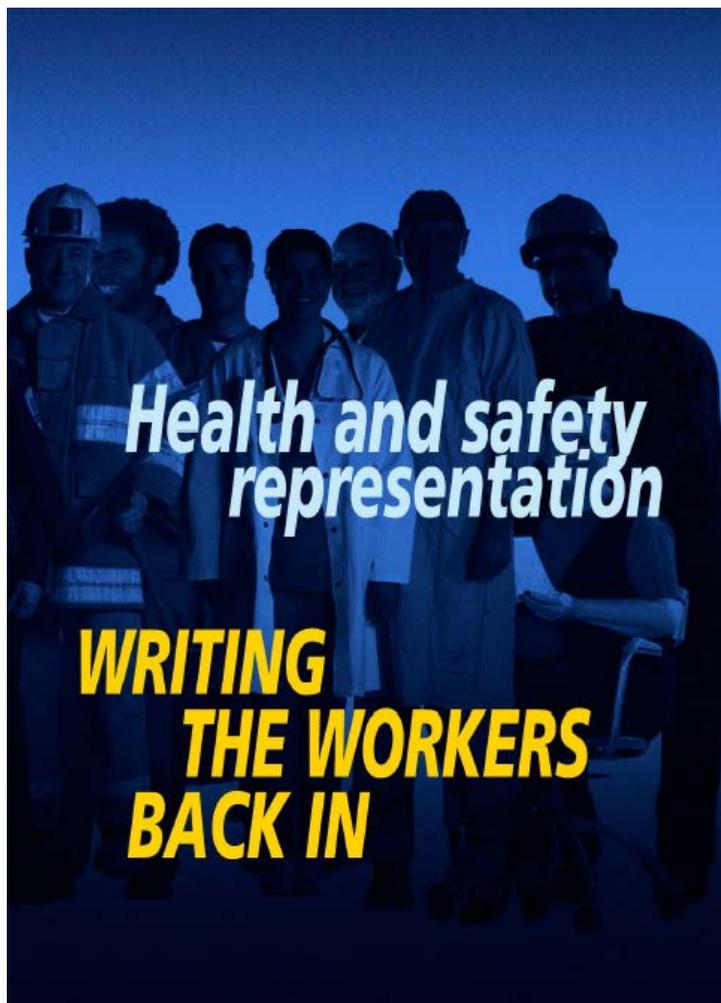
- Multi-level linear regression is appropriate if your data is nested (e.g. by economic sector)
- This method allows you to apportion the variance explained by the model both within groups and between groups

variables	impact (all) score sum	large impact score sum	small impact score sum	violence & harassment impact score sum
Ln(tenure/seniority)				
Ln(number of employees at workplace)		0.10		
gender		0.08		-0.05
Ln(percentage temporary workers)				
union				
layoff score				
elected				
JHSC position	-0.08		-0.09	
JHSC tenure	0.17	0.10	0.15	0.12
JH&SC Co-Chair	0.10	0.16		0.15
Ln(paid time)	0.19	0.16	0.15	
Ln(unpaid time)				
Ln[info/org activity time] – Factor2	0.30	0.25	0.23	0.23
Ln[time on legislated activities]- Factor1				
management responsiveness				
online participants				
R <sup>2</sup> (within)	37.5%	31.9%	24.7%	16.9%
R <sup>2</sup> (between)	45.3%	37.1%	29.6%	9.8%

# Conclusions:

- The findings provide support for the argument that greater research emphasis needs to be placed on what worker representatives actually do to achieve change, rather than just relying on the employment conditions to explain different outcomes.
- This analysis also supports the argument that a ‘knowledge activist’ style of representation (i.e. emphasizing Factor 2 Activities) has a greater impact than a Technical-Legal style of representation (i.e. limited to Factor 1 Activities).

# Interviews:



## Ten operating principles for guiding effective participation

From the survey and stories, we started to see similarities in the elements that made knowledge activist representatives more effective and successful. We were able to summarize them:

1. *Research*: Strategically conduct and use research to make claims, present solutions, and build legitimacy and trust.
2. *More than just meetings*: Emphasize the importance of working with and outside committees. Effective representation requires an activist approach.
3. *Mobilize your influence*: Recognize and understand the challenges and consequences of representation. Know how to mobilize influence using knowledge, the law and worker support. Be prepared for push back from some in management.
4. *Listen to workers*: Making change requires listening to and acknowledging concerns of other workers. Build from their experience and engage them with education that is needed. Train co-workers in health and safety. Engage them in the monitoring and change process.
5. *Address authority*: Understand that influencing management requires an ongoing effort to educate and influence their way of seeing things (e.g. constantly reinforce messages like health and safety pays).
6. *Build trust*: Recognize the importance of building relationships in the committee and in the workplace and build trust, mutual respect and legitimacy.
7. *Be assertive*: Be assertive, persistent and keep your cool. Be diplomatic. Figure out how to move forward over the long term if there is resistance. If you draw a bottom line, have a strategy to defend that bottom line.
8. *Build solutions*: Don't just identify the problem. Provide and work with management to develop solutions that address the source of the hazard.
9. *Use inspections and minutes*: Recognize the value of inspections, reports and minutes but do not define your role just in these terms. Beware management efforts to confine your activities to a technocratic or bureaucratic box (i.e. keeping reps busy with reports, imposing long drawn out processes for decision-making, responding to numerous minor issues and limiting access to shop-floor or workers).
10. *Use the law strategically*: Recognize the limitations of the law but know and use the law and regulations where they provide leverage. Develop a relationship of trust with local MDL inspectors and use that relationship tactically and strategically.

So if we want to make a difference,

- Promote knowledge activism – face the challenge of reprisals.
- Do the principles of KA apply to employer health and safety representatives?

“Conflict is not evidence that the joint committee system is failing. Rather it is evidence that the parties have moved from the difficult stage of choosing among different alternative solutions and are dealing with the costs involved.”

John O’Grady, “Joint Health and Safety Committees, in  
*Injury and the New World of Work* 2000.