SPECIAL INTEREST SYMPOSIA:

Contesting the Meaning of Work:
Academic and Practical Implications for Asia and Beyond

Convenor: John W. Budd, The University of Minnesota (jbudd@umn.edu)

Though typically unstated and sometimes unconscious, conceptualizations and mental images of work have real world consequences. This proposed symposium examines alternative perspectives on how work is understood and how these understandings determine who is and is not valued as a worker. Important themes will include the ways in which narrow views of work devalue and marginalize certain groups of workers, the need to contest dominant meanings of work, and strategies for broadening views of work in order to enhance the standing of these marginalized workers. The cases discussed are from Asia, but the academic and practical lessons are broadly applicable.

1. Meanings of Work: A Conceptual Synthesis

John W. Budd, University of Minnesota

This presentation provides a conceptual foundation for the symposium by synthesizing the diverse ways in which thinkers and practitioners conceptualize work. For example, among the many ways we think of work is as a source of income; a way to act in the world through creating, serving, controlling, or caring for others; a source of freedom or servitude; an economic activity in which labour is a mere commodity; a source of psychological fulfilment; or a social relation shaped by class, gender, race, and power. This framework provides a set of alternative meanings of work, and helps us see how certain meanings are created and reinforced in popular culture, workplace and household practices, and public policies. The presentation concludes with some implications for how views of work within academia affect research agendas.

2. Defining Workers: Implications for Protection, Recognition and Representation for Informal Workers

Annie Delaney (Victoria University ), Rosaria Burchielli (La Trobe University), and Jane Tate (Homeworkers Worldwide)

Over the past two decades women across the world have entered the informal and casual workforce in unprecedented numbers. This paper discusses some of the difficulties in achieving basic workers’ rights for homeworkers and other informal workers with a focus on the concept of the employment relationship and its limitations as far as informal workers are concerned. It argues that legislative change alone has proved ineffective and that a multi-pronged approach is needed. Hence what is needed is new ways of thinking about employment and work, and structure of rights and protection that can provide a minimum level of social and economic security to homeworkers and other informal or precarious workers.
Until recently international standards set through tripartite negotiations at the ILO reflected the traditional model of the male worker, in full-time and permanent employment over a lifetime. It is an open question whether this model can still provide adequate protection for workers in industrialised countries, with the growing fragmentation of the workforce and erosion of the welfare state. For other countries, where the majority of workers have always been in informal employment, this model poses even more problems. The fundamental problem is that the traditional definition of worker or employee tends to exclude the poorest workers, those in the most irregular and precarious work. This paper aims to explore the concept of an inclusive definition of a worker, where all workers are entitled to minimum levels of protection as a right.

3. “Not Real Workers”: Can School-Aged Part-Time Workers be Full Industrial Citizens?
Janis Bailey (Griffith University), Paula McDonald (Queensland University of Technology) and Robin Price (Queensland University of Technology)

When rejecting a paper of ours on part-time school student workers, a journal editor advised that the subject of the paper was ‘not workers, but potential workers’. Yet, in Australia as in other Anglophone countries, school student labour makes a considerable contribution to the economy, particularly in retail and hospitality, with around three-quarters of Australian school students performing paid work at some time during their high school years. Such experiences must at some level have an impact on those young workers: with social and, potentially, individual significance.

This component of the symposium explores the conceptualisation of teenage work, and workers, from a variety of perspectives, including the young workers themselves, their teachers, their employers, unions and other stakeholders, drawing from research conducted in Queensland in 2008-2009. We address the following questions: why do young people work, what do they derive from their experiences, and what therefore is the ‘meaning’ of work for such employees? What do others say about such issues, and how accurately are teenagers’ views represented by other ‘stakeholders’? Rather than being simply a short-term, market-driven exchange, work for young people is their first experience of industrial citizenship and the exercise of rights and agency and, in the right circumstances, provides a degree of personal fulfilment and a set of rich social relationships.

4. The Work and Settlement of Temporary Labour Migrants in Australia
Donella Caspersz (University of Western Australia) and Chris F. Wright (Macquarie University)

A close connection between immigration selection and settlement has traditionally existed in Australian public policy. However, since the mid-1990s, industry demands for labour market flexibility have led to a shift in the emphasis of selection policies towards temporary work visas. These policy shifts coincided with an emerging public discourse around the issue of labour migration. Motivated by concerns about the effects of temporary labour migrants on work opportunities for the broader community, increasingly hostile public attitudes towards government immigration policy have emerged. The trade union movement, which in recent decades has supported or remained neutral towards labour immigration policies, has become prominent in this negative discourse.

The aim of this presentation is to review recent policy developments to explore the following questions: How do we conceptualise the work of labour migrants given the emerging negative public discourse? What are the implications for the work and settlement of labour migrants in Australia? How can policymakers, labour market actors and academic researchers respond to this public discourse around labour migrants?
The impact of trade unions on national economies

Convenors: Chew Soon Beng (asbchew@ntu.edu.sg) and Chris Wright, Macquarie University (chris.wright@mq.edu.au)

An extensive literature exists on the contributions of labour unions towards wages and employment. However, few studies examine the role of labour unions in helping or hindering governments in their respective countries in ensuring full employment in the era of globalization, or in combating recession or in raising the standard of living. This symposium, we will bring together a group of industrial relations experts, each of whom will examine the impact of labour unions on the effectiveness of economic performance in a selected country.

The selected countries and the corresponding experts are:

Australia -- Professor Russell Lansbury
USA -- Prof Janice Bellace
Canada -- Prof Anil Verma
Taiwan -- Professor Joseph Lee
UK -- Prof Chris Wright
Singapore -- Prof Chew Soon Beng
HRM in Healthcare and Care Work in the Asia Pacific Region

Convenors: Timothy Bartram, La Trobe University (t.bartram@latrobe.edu.au) and Fang Lee Cooke, Monash University (fang.cooke@monash.edu).

Effective management of those who work in the care sector (e.g. healthcare, aged care and social care) plays a crucial role not only in contributing to the well-being of the community and society, but also in building a resilient, productive, and innovative care workforce. In the last decade the role of HRM and other workplace innovations within the healthcare sector and their potential to effectively contribute to the well-being of employees, and improved healthcare outcomes for patients has become an important area of interest for health care practitioners and management scholars. This special interest symposium seeks to examine issues related to HRM and other workplace innovations across a range of care professionals and care organizations within the Asia Pacific region. The objective is to advance the theoretical and empirical knowledge of effective management of human resources and implementation of workplace innovations in the care sector that will inform subsequent management, government and social policy debates at national and transnational levels.

Presentations

1. **The changing nature of work in Australian aged care**
   Bill Harley (The University of Melbourne), Leisa Sargent (The University of Melbourne) and Belinda Allen (Monash University)

   Like many OECD countries Australia has an ageing population. With the growth of the aged portion of the population forecast to continue to increase, there is huge demand for aged-care provision. At the same time, changes in the regulatory environment and funding arrangements have put providers under pressure and led to changes to working arrangements in the industry. This paper reports on findings from a four-year study of Victorian aged-care workers, jointly funded by the Australian Nursing Federation and the Australian Research Council, and plots key changes in working arrangements and their impacts on the experience of work in aged care.

2. **The Long and winding road: tracking a shift towards high-performance HRM**
   Keith Townsend (Griffith University) and Adrian Wilkinson (Griffith University)

   Effective people management is critical in hospitals. However, the sector has often been cited as one which falls behind in the management of its human resources. This paper will present a longitudinal study of a hospital that has undergone an ambitious shift from what can be described as an ad-hoc system of human resource management (HRM), to one based around a high performance model (HPHRM). The motivations behind the shift will be explored along with an analysis of where the management has succeeded and where the approach has not yet reached the HPHRM model. Our research evidence suggests that there have certainly been changes in the HRM system at The Hospital. However, the aggregated employee engagement data does not explain the nuances that the T1 and follow up T2 interviews provide. Overall, there is a clear sense from our interviewees that The Hospital is a better place to work than it was at T1.

Ruth Ballardie (Victoria University), Greg Bamber (Monash University), Timothy Bartram (La Trobe University), Richard Gough (Victoria University), Sandra G Leggat (La Trobe University), Amrik Sohal (Monash University) and Pauline Stanton (Victoria University)

Process Re-engineering (PR), such as Lean Management (LM) and Six Sigma (SS), is used increasingly around the world in healthcare. Manufacturing industries have successfully used Process Re-engineering for years. Toyota developed LM to cut costs and improve quality and involves identifying and reducing non-value adding process steps. SS is a system of quality control to reduce the number of defective parts in complex devices to six standard deviations from the mean. SS supplements LM approaches by reducing inefficiencies in value-adding operations and identifying and reducing variation. Many hospitals use these methods or their own local adaptations for example the Alberta Way, however there is little research on how these methods impact on the work practices of hospital staff.

This paper compares Lean Management approaches in public hospitals in two jurisdictions - Alberta, Canada and Victoria, Australia. The paper explores the policy context in which the hospitals operate, the nature of the methodologies adopted, the particular processes utilised including type of change process and both the anticipated and actual impacts on the work practices of public hospital employees. The paper is based on case study evidence and investigates how process re-engineering methodologies are implemented in certain hospitals in Australia and Canada by examining work practices and work life of staff. These are key issues considering the world-wide shortages of health professionals and problems with staff retention and greater concerns about quality, patient satisfaction and clinical outcomes.
Multinational Enterprises in Australia and International Comparative Context

Convenors:
Anthony McDonnell, University of South Australia (Anthony.mcdonnell@unisa.edu.au), John Burgess, Curtin University (john.burgess@curtin.edu.au), Pauline Stanton, Victoria University (pauline.stanton@vu.edu.au), Timothy Bartram, La Trobe University (t.bartram@latrobe.edu.au) and Brendan Boyle, University of Newcastle (brendan.boyle@newcastle.edu.au)

Multinational enterprises (MNEs) are central actors in the international economy. There are 82,000 MNEs in the world, controlling 810,000 foreign affiliates, accounting for around a third of total world trade, employing approximately 80 million people outside their home bases (United Nations 2010). They may be viewed as “an emerging global class of organizations” with the potential to “form their own intra-organizational field”, which act as a conduit, diffusing innovative, leading edge employment practices – or repressive, employee-unfriendly practices – across the countries in which they operate.

This symposium will report on research being undertaken by an international network of academics who are conducting parallel surveys of MNEs and employment practice (see http://www.unisa.edu.au/chrm/projects/intrepid). More specifically, comparative studies have taken place in Australia, Canada, Ireland, Spain, Singapore, Mexico, Norway, Denmark, Argentina and the UK. These surveys represent the most comprehensive investigations of the employment practices in MNEs in their respective countries. Each study documents the variety of employment practices among MNEs and explores the level at which decisions on such issues are determined, how practices are transferred across borders, and how policies are monitored and enforced. These national level studies have evolved into the creation of an international dataset that provides an unprecedented opportunity for cross-national, comparative analysis of MNEs and employment practice.

References


The Evolution of Labour Law in the Asia-Pacific Region:
Methodological, Comparative and Regulatory Perspectives

Convenors: Peter Gahan, The University of Melbourne (pgahan@unimelb.edu.au) and Richard Mitchell (Monash University, richard.mitchell@buseco.monash.edu.au)

In the debate about the evolution of labour law and the regulation of labour markets, attention has slowly but increasingly turned to a consideration of the case of newly developing countries. This has been partly with a view to tracking the flow of ideas from developed to developing nations, and the influence of one legal system upon another, but also to observing the durability of labour law systems under the influence of globalising economic forces. In this discussion different methods have been employed to gauge legal influence, and an awareness of the importance of particular socio-economic, cultural and political contexts established. The group of papers presented in this symposium pursue several of these themes. The participants include a group of researchers associated with an Australian Research Council project examining the application of legal origins theory to labour law in Asia, and an International Labour Organisation funded project on labour law in developing countries.

Papers include:

Sean Cooney, Peter Gahan, Petra Mahy and Richard Mitchell

“Understanding the evolution of labour law in developing nations: three country studies.”

How do we understand the evolution of labour law in developing countries, and what does this understanding add to the current literature in comparative labour law? Some recent trends in comparative law have set out to explain the evolution of legal systems through highly generalised arguments that group countries according to their legal origins, the pattern of their development, and/or their particular regulatory style in shaping markets (including labour markets). With few exceptions, however, these lines of inquiry have engaged with developed rather than developing countries. Consequently, many of the issues dealt with remain open for examination in the nations of Asia, Latin America and Africa. The purpose of this paper is to engage with these comparative law debates by providing an historical account of the evolution of labour regulation in three countries: China, India and Indonesia. Our analysis is based on detailed templates tracing the history of legal developments in the modern era in relation to a range of key matters of work law, including the labour contract, labour standards and collective labour relations. The paper makes two major arguments. First, we maintain that that there is a complex range of influences shaping labour law in each of the three countries, and that the extent of any particular influence (colonizing power, ILO standards, domestic political and economic factors, and so on) varies in relation to different aspects of labour law. In short, there are multiple, inter-related ‘origins’ of labour law. Second, we note that formal labour law systems often have limited and, in some cases, little or no application to most workers. This observation points to the need for further study identifying the nature and source of norms which regulate labour and work in practice.

Shelley Marshall – “Two innovative regulatory strategies for tackling informal work.”

When labour market regulation fails it can result in informal, low and exploitative conditions and vast inequality between workers. Informal work is a great challenge for regulators and a serious problem: it is linked with poverty, low job quality and, it is by nature, insecure. It is also associated with low productivity, low revenue for the government, and it shows no signs of disappearing in many countries around the world.
Indeed, in many countries the informal economy has been the main source of employment growth in recent years, particularly in developing and transition economies. Drawing on evidence from India and Australia, this paper sketches two strategies for bringing about labour market regulation change. Because tackling informality requires maximally efficient enforcement pyramids and strong regulatory levers so as to overcome the countervailing pressures that encourage non-compliance, informal work provides a useful testing ground for these regulatory strategies.

Peter Gahan – The ‘leximetric turn’ in comparative law: what can it tell us about the evolution and consequences of labour market regulation in the developing world?

Over the last decade or so legal scholars have sought to develop new quantitative methods for coding different dimensions of a legal system. This ‘leximetric turn’ in legal scholarship has enabled legal scholars to make large scale, longer run comparisons in the character and evolution of legal systems around the world, and has produced a number of novel (and sometimes controversial) findings. This body of work has also played a highly influential role in academic and public policy debates. Yet, the reliability and validity of leximetric coding remains unestablished. This paper examines and compares the key leximetric measures purporting to code for different aspects of labour law. This analysis identifies a number of significant methodological challenges that researchers employing leximetric analysis need to account for in use and interpretation of quantitative data in comparing legal systems, and offers a number of recommendations for the development of more reliable and valid leximetric measures of labour law.

Richard Mitchell (Monash University); Anthony O’Donnell (La Trobe University); Ian Ramsay (University of Melbourne) and Michelle Welsh (Monash University) – Corporate Governance and the Protection of Labour: The Socio-Political Context of Regulatory Evolution

In the past few decades, a growing scholarship has sought to account for the origins of dispersed and concentrated systems of corporate ownership and governance. The literature variously emphasizes political and legal differences amongst countries. Some approaches specifically examine the co-evolution or ‘complementarity’ of corporate governance and labour law. Recently, Christopher Bruner has explored the role of labour law and welfare state protections in accounting for distinct corporate law regimes in two similarly dispersed systems of ownership: the United States and the United Kingdom. In this paper, we give an overview of this argument and explore its adequacy in explaining the Australian case: in particular the role of Australian labour market regulation and social welfare policy in shaping the governance of Australian corporations.
Managing Workplace Disputes and Conflict: Varieties of Experience in Different Countries

Convenor: Greg Bamber, Monash University: gregbamber@gmail.com

For many years, workplace conflict, particularly strikes, was a mainstay of industrial relations (IR) research, along with unions. Since then, there has been a rise of direct bargaining at the individual and enterprise level, a decline of union membership in most developed market economies and changing intellectual fashions. Consequently, this most important of phenomena (workplace conflict) is a relatively neglected area. Nevertheless workplace conflict deserves more attention, including at the ILERA Congress.

The topic of this symposium is closely related to the general themes of this Congress, especially track theme 3: The future of worker voice and representation, which includes dispute resolution procedures, and macro-level systems of social dialogue between unions, government, employers and other non-government bodies. The topic of this symposium is also relevant to at least two of the other tracks i.e. track 1: Changing contours of employment relations systems and labour market regulation, which includes developments in employment relations systems and labour market regulation in different Asia-Pacific countries and track 2: HRM – trends and challenges, which includes the changing face of HRM and labour management-strategies.

This symposium will include papers that consider causes, consequences and management of workplace conflict. In particular, this symposium will make a new contribution by blending innovative conceptual frameworks with lessons from what is distinctive in the experience of several countries and industry sectors.

Papers include:

1. “Workplace Dispute Settlement: Efficiency and Justice Perspectives”
   Bernadine Van Gramberg, Professor & Deputy Dean, Swinburne University; Greg J. Bamber; Brian Cooper & Julian Teicher, the last three are each academics, Monash University, Australia; corresponding author: Greg Bamber <gregbamber@gmail.com>

2. “Improving Dispute Resolution By Linking It To An Integrated Model of Conflict”
   John W. Budd, Professor, University of Minnesota; Alexander J.S. Colvin, Professor, Cornell University; corresponding author: John Budd <jbudd@umn.edu>

3. “Settling Grievances in India”
   Dr Fang Lee Cooke, Professor of Human Resource Management and Chinese Studies; Monash University & Dr Debi S. Saini, Professor of HRM, Management Development Institute, India, email: debisaini@mdi.ac.in; corresponding author: Fang Lee Cooke <fang.cooke@monash.edu>

4. “Does Australia Still have a Unique System of Dispute Settlement?”
   Greg R Smith AM, Deputy President and Chair, International Development Committee, Fair Work Australia; corresponding author: <smith.dp@fwa.gov.au>