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McDonald, Paula K. and Waterhouse, Jennifer M and Kellner, Ashlea (2008) Sacked! Young Workers Dismissal and the Psychological Contract. In Stanton, Pauline and Young, Suzanne, Eds. *Proceedings 22nd Conference of the Association of Industrial Relations Academics of Australia and New Zealand - Workers, Corporations and Community: Facing Choices for a Sustainable Future*, pages pp. 305-315, Melbourne, Australia.

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SACKED! YOUNG WORKERS' DISMISSAL AND THE PSYCHOLOGICAL CONTRACT

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Despite the vulnerability of youth in paid work, little is known of the circumstances surrounding breakdowns of the employment relationship for this cohort. This study utilised over 1,200 cases of employee enquiries to a community advocacy organisation to explore the types and circumstances of workplace dismissal. Results indicate that dismissal is most commonly associated with bullying, harassment and taking personal leave. Many of the circumstances which emerged were concerning and demonstrate a range of poor outcomes in situations where employers capitalise on youths' inexperience, limited representation and relative difficulty in seeking legal redress. The findings expose exploitation within the youth labour market that violates both the psychological and legal contract of employment.

INTRODUCTION

Employment legislation in Australia has sought to shift the negotiation of working conditions to the individual level and to reduce the intervention by third parties, particularly unions, in the employment relationship. Simultaneously, protection against unfair dismissal has been removed for a large number of workers (Robbins and Voll 2005; ACTU 2007). By virtue of their age, limited experience in the workforce, concentration in tenuous industries and low levels of union membership, young people are especially susceptible to workplace exploitation in this context (ABS 2005b; Young Workers Advisory Service [YWAS] 2005) with research suggesting declining pay and working conditions and greater precariousness of employment (ACTU 2003b; Commission for Children and Young People 2005; Office of Industrial Relations 2005b). Although youth workers represent a significant proportion of the labour force, little is known of the circumstances in which young people work (ABS 2004a), particularly where employment relationships break down. This research uses psychological contract theory as a framework to explore dismissal cases involving youth; a useful perspective in explaining implicit promises made between employer and employee and the likely outcomes when obligations are not met.

The Australian Youth Labour Market

Young workers between 15 and 24 years (ABS 2004b) make up 20 percent of Australia's labour force yet their patterns of employment vary dramatically from workforce overall. Though the youth participation rate has remained relatively stable over the past 20 years at around 70 percent, figures show that 20 years ago four-fifths of working youth were employed full time, compared to only half today (ABS 2005b). Further, while two decades ago only 18 percent of youth were employed part time, now this work is performed by 45 percent of the youth labour force. In 1984, 60 percent of young people working part time were concurrently participating in study; by 2003 this had increased to 75 percent (ABS 2005b) driven principally by the demand for higher qualifications to gain full time entry level positions (Mangan and Johnston 1999).

Industrial change in Australia as well as other key factors such as low wages, low levels of unionisation, poor knowledge of employment rights, high rates of bullying, sexual harassment and workplace injuries and limited bargaining ability have compounded the vulnerability of working youth (ABS 2004a; Commission for Children and Young People 2005; Lauritsen 1995; McDonald et al., forthcoming; Office of Industrial Relations 2005b). Young people are highly represented in casual employment arrangements (Pocock, Buchanan and Campbell 2004; ABS 2006), the majority of whom are employed part time. These workers encounter difficulties such as very long or frustratingly short shifts, lack of notice

given to attend work, inadequate or inconsistent hours and being subject to unilateral or unjust dismissal (Lauritsen 1995).

Young workers are not protected by adult minimum wage decisions in Australia and typically earn between 30-50 percent of an adult wage (ABS 2005a). Compounding these low wages, studies show that practices such as unpaid overtime and wages, unpaid trial work and illegal wage deductions are especially common among employed youth (Office of Industrial Relations 2005b; Lauritsen 1995; McDonald, Backstrom and Allegretto, 2007). Further, unionisation among young workers (and casual workers more generally) is low. While one quarter of the labour force have union membership, only 13 percent of youth are union members (ACTU 2003a). Young workers therefore have less opportunity to take advantage of the better working conditions achieved through union negotiated agreements or the benefits of having an advocate against unfair work practices (McDonald and Dear 2005).

Young workers have limited knowledge of the employment contract and their rights, have under-developed bargaining skills compared to adult workers and are uncertain of the terms under which they are employed (Commission for Children and Young People 2005; Office of Industrial Relations 2005b). Young people are also less willing to challenge unfair practices or terms of employment due to a lack of knowledge of their rights and of the support services available, and minimal or no previous bargaining experience (YWAS 2005). Yet the ability to negotiate is becoming increasingly critical as government policy favours individual agreements on the premise that bargaining power is evenly distributed (Chase and Harvey 2006).

Types and Circumstances of Dismissal

Frameworks for describing and categorising types of employee dismissal are varied. While some studies measure dismissal simply as occurring or not occurring (Robbins and Voll 2005), others categorise it more specifically as voluntary (resignation) or involuntary (such as direct termination or redundancy) (Rousseau and Aquino 1993). Wageline (2006) identifies dismissals as redundancy, constructive and summary – also known as ‘instant dismissal’. Constructive dismissal is defined as termination of employment at the instigation of the employer, when the employee has no other choice than to resign due to the circumstances at work (Job Watch 2003). Other sources also refer to threatened dismissal (Lawlink, 2007; Office of Industrial Relations, 2005a). Thus, five distinct types of termination have been identified: resignation, actual (summary/instant), redundancy, constructive and threatened.

Legislation, particularly distinctions between lawful, unlawful and unfair dismissal, provide some examples of the types of circumstances likely to lead to dismissals. For example, the WorkChoices amendment indicates ‘operational reasons’ as a lawful circumstance of dismissal in smaller workplaces. An employer can also fairly and legally dismiss employees for circumstances involving misconduct, theft, fraud or poor performance at work (Wageline 2006). In contrast, unlawful termination legislation identifies a number of circumstances leading to termination, such as discrimination (on the grounds of sex, pregnancy, race, religion and so on), leave (e.g., sick leave, parental leave) and where an employee refuses to alter contractual details such as pay or benefits (WorkChoices 2006). Bullying and non-sexual harassment have also been identified as common causes of resignation and constructive dismissal (Job Watch 2003).

Despite the identification of some circumstances which may lead to dismissal, no empirical studies have detailed the relative occurrence of different forms of dismissal, or the circumstances preceding it. A major barrier to the study of dismissal in Australia is that there is currently no central body that collects this data for different groups of employees. The

AIRC releases statistics about the number of unfair or illegal dismissal cases reported to it annually but does not detail the associated circumstances. Furthermore, these statistics do not capture dismissals that are unlawful but uncontested in formal jurisdictions nor dismissals that are lawful, such as those associated with short-term casual employment. Given that employees in more tenuous employment relationships may have fewer expectations of what an employer is obliged to provide in terms of the psychological contract (Van Dyne and Ang 1998), the nature of dismissal for these groups is particularly hidden.

The Psychological Contract in Employment

The concept of the psychological contract emerged in the 1960s to describe the shared expectations of mutual obligations between employers and employees (Argyris 1960). It differs from the formal employment contract in that it is intangible and can take forms such as verbal discussions, behaviour, practices or policies (Morrison and Robinson 1997; Rousseau 1990). A psychological contract is constructed as perceived obligations and beliefs held by the employer or employee that the other is bound to fulfil, a promise made explicitly or implicitly regarding a future exchange (Morrison and Robinson 1997). The promise can involve expectations of working hours, privacy, security, promotions or training (Robinson and Rousseau 1994).

A mutually satisfied psychological contract can have far reaching positive consequences for the organisation and the individual. Fulfilment of the employer's obligations will increase employee commitment, support, identification with the organisation, innovation, creativity and organisational citizenship behaviours (Coyle-Shapiro and Kessler 2000; Moyle 2001). In contrast, research suggests that psychological contract violations are relatively common and are linked to a host of negative behaviours including employee absences, job dissatisfaction, reduced trust and loyalty, decreased performance, reduced citizenship behaviours, and retaliation behaviours such as theft or vandalism (Coyle-Shapiro and Kessler 2000; Morrison and Robinson 1997; Robinson and Rousseau 1994; Turnley and Feldman 2000).

Shifts in patterns of employment, especially globalisation and a reliance on casual workers, have significantly altered expectations and complicated the process of their fulfilment (Coyle-Shapiro and Kessler 2000; Morrison and Robinson 1997; Pate and Malone 2000). Smithson and Lewis (2000) studied the impact of young people's perception of job security on their expectations of work in terms of a changing psychological contract. They found that young workers do not always view insecure work as a violation of the psychological contract as older workers do; however they still acknowledge the disadvantages of insecure work.

Explicit links between dismissal and psychological contracts are undeveloped in previous research. However, we argue that some form of psychological contract violation between employer and employee occurs prior to the final termination of the formal employment contract. Further, it is likely that the cessation of the formal contract is itself a violation of the 'promise' by the employer of ongoing work. This study explores the circumstances of employment where the psychological contract has broken down and dismissal has occurred or been threatened. It extends previous work in the area by identifying the nature of workplace dismissal cases that were not necessarily formally challenged and is unique in its focus on youth workers.

METHODS

The study utilised data from the Young Workers Advisory Service (YWAS). As part of a larger study which also explored the demography of cases and legal outcomes, we addressed the following research questions: (1) What types of dismissal were most commonly reported by young workers in Queensland? And (2) What are the circumstances which led to the breakdown of the psychological contract and subsequent dismissal?

Sample

Data consisted of 1,259 cases (64% female, 36% male) involving workplace dismissal reported to YWAS between March 2002 and February 2005. YWAS is a state government supported service that assists young people to gain information, referral and representation on employment issues. YWAS employees are comprised of volunteer and paid employees who have industrial relations, law or social science backgrounds. Employees assist clients via email, phone and walk-in service, and record details of their client interactions in an electronic, text-based database. All calls of longer than five minutes made to the service are recorded. Enquiries are categorised according to subject matter such as health and safety, dismissal and discrimination. These categories are not mutually exclusive and enquiries may be listed under more than one classification. Callers resided in urban, regional or rural Queensland at the time the employment issue occurred and were aged 15 to 24 years.

Procedure and Analysis

The data were categorised in Excel according to type of dismissal and circumstances leading to the dismissal. Categories were determined via a content analysis approach carried out by reading a substantial set of cases to identify logical, precise and distinct divisions of the data (Marshall and Rossman 1995). Consistent with the different types of dismissal identified previously, types of dismissal were coded as (i) actual, (ii) threatened, (iii) constructive, (iv) resignation or (v) redundancy. Given the absence of an established framework for the circumstances leading to dismissal, coding categories for this phase of the analysis were developed inductively. The emergent categories were derived by developing groups which satisfactorily encompassed all circumstances of dismissal evident in the data (Harris 2001). They were (i) bullying and harassment (e.g., physical violence, verbal harassment); (ii) discrimination (e.g., pregnancy); (iii) leave or personal circumstances (e.g., dismissal following leave for a work-related injury); (iv) poor performance (e.g., inadequate customer service); (v) theft, misconduct or fraud (e.g., giving discounts to friends) (vi) operational reasons (e.g., liquidated business); and (vii) pay/contract related issues or complaint (e.g., questioning rate of pay). Within each of these major categories, sub-categories were also identified. For example, 'leave/personal circumstances' was further categorised as sickness/medical condition; injuries; personal reasons; sick/family/ bereavement leave; and unexplained absence. Coding categories were validated by an independent researcher.

RESULTS

Type of Dismissal

In around two-thirds of cases (66%) the employee was 'actually' or unilaterally dismissed from their position. In one-fifth of cases, the dismissal was threatened. Constructive dismissal, where the employer's behaviour or conditions of employment involved the employee having little choice but to leave their job, was evident in 6% of cases. Constructive dismissal often involved involuntary reductions in work hours, highlighting the close nexus between work hours and job security. Redundancies accounted for 5% of the sample and 4% were resignations.

Circumstances Leading to Dismissal

The most frequently occurring circumstance categories were bullying/harassment and leave/personal circumstances, together accounting for over one third of all cases. Allegations of theft, misconduct and fraud accounted for a further one fifth of cases. Less frequently reported were cases related to pay or contract based complaints, allegations of poor performance at work, alleged discrimination and operational reasons beyond the control of the employee (see Table 1).

Leave or Personal Circumstances

The most commonly occurring circumstances category (one-fifth of cases) was personal or leave based circumstances. This category covered a range of issues, the most common being dismissal related to illness. In many cases the employee reported taking a single sick day, for example: *'Had a sick day with tonsillitis, provided medical certificate, but told shifts no longer available.'* One-fifth of employees dismissed for sickness explicitly stated that they provided their employer with a medical certificate. Several cases described serious health issues that clearly restricted the employee's ability to attend work, such as removed wisdom teeth, cancer and mental breakdown. Also commonly reported in this category were work or non-work related injuries. Four-fifths of these injuries occurred during the course of employment and were often associated with occupations involving high physical demands such as trades, cleaning and hospitality. One case states: *'Chemical burns at work to eyes and stomach. Coerced into resigning when put in WorkCover claim'*. Another typical case describes a male apprentice's experience: *'Required 8 weeks off due to work injury - employer agreed then terminated apprenticeship on return'*. The remaining cases of injuries occurred outside work or travelling to or from the workplace. One fifth of employees in this category were dismissed due to personal reasons, which included an inability to work required hours, inter-office relationships or issues with friends or family members in the workplace. For example, a female sales employee was fired for having a relationship with a co-worker and another for being unable to work weekends in a popular fast-food restaurant due to personal circumstances. The remainder of cases were dismissals related to absences from work associated with bereavement leave, carer's leave, attending to an emergency, or going on holidays or honeymoon.

Bullying and Harassment

A further one-fifth of cases were associated with bullying and harassment. Sexual harassment was frequently reported, affecting one quarter of all clients who were bullied or harassed. For example, one sexual harassment case detailed a female employee who was dismissed after refusing the sexual advances made by her employer. Cases typically involved touching, kissing, or inappropriate comments or questions, often by the employee's manager or supervisor. A small number of bullying and harassment cases involved physical abuse, such as a staff member being hit with a ruler when they made mistakes and new employees being assaulted and having their property damaged by colleagues. Around one-fifth of cases in this category experienced verbal abuse, such as managers berating an employee in front of customers or colleagues. The remaining cases involved general bullying behaviour or unfair treatment. For example, many employees experienced long term mistreatment or bullying by co-workers or managers, which resulted in little choice but to leave their employment.

Alleged Theft, Misconduct and Fraud

Alleged theft, misconduct and fraud were associated with one-fifth of cases. Misconduct accounted for more than half these cases. Misconduct included situations where employees were accused of assault, such as physical harm and threats against colleagues and management. Disobedience also occurred, such as *'failed to remove nose ring when asked'* and *'Did not attend induction training as requested'*. A few employees were dismissed due to drug and alcohol related incidents such as smoking marijuana at work or arriving at the workplace under the influence of alcohol. Damage to property such as stock or a company car was also described. While some cases of damage appeared to be intentional, the majority were apparently accidental. The remaining misconduct cases included events such as, *'allowed a friend to enter the office without permission'*, *'personal use of the internet'* and *'improper reporting of hours on the timesheet'*. A number of fraud and theft related cases also arose in this circumstance category. One employee was constructively dismissed after he was

accused of fraudulent work practices. A further 94 cases were theft-related, such as accusations of stealing goods or money, giving away stock, or providing unapproved discounts. A typical case of theft read, '*Caught giving discount to friend and threatened with dismissal*'. In many cases, accusations were made without evidence to substantiate claims.

Pay or Contract Related Issue

The most frequently occurring cases in pay/contract-related issues were those that experienced a direct cancellation or change to the employees' contracts (44%). Typical cases include: '*Forced to sign declaration changing to casual*' and '*Demoted to day shift operator with no notice or warnings after 6 years*'. A further one quarter of cases in this category made a complaint or query to their employer about their rate of pay, such as questioning their award entitlements. Another quarter of cases queried how to recover unpaid money from employers, such as superannuation, wages or annual leave and were dismissed or threatened with dismissal as a result of these enquiries. In one case, a female employee at a gentleman's club had her final week's pay withheld as she did not provide a week's notice of her resignation, despite being on a casual contract.

Poor Performance

In cases where employees had been dismissed due to poor performance, descriptions generally involved unsatisfactory attitude, less than optimal communication and inaccuracies in work duties. Cases regarding attitude involved the employee acting unhappily, angry or 'bitchy' at work. One case, categorised as a communication issue, involved a personal care assistant, '*Not listening well and not taking infection control measures*'. Errors in accuracy at work included cases such as a counter assistant who '*made mistakes on the cash register*', and a trainee who '*forgot to sign the previous week's timesheet*'.

Discrimination

Most cases in this category involved discrimination on grounds which are prohibited under Australian legislation such as the *Sex Discrimination Act 1984*, the *Age Discrimination Act 2004* and the *Racial Discrimination Act 1975*. State jurisdictions adopt a similar approach (Ronald & Pepper, 2004). The most commonly occurring sub-category of discrimination, accounting for around half of cases, was related to pregnancy. One example was an airline employee who was experiencing morning sickness at work. She discussed her pregnancy and the potential of reducing her hours to part-time with her manager, only to be dismissed and then re-hired as a casual. Many other employees had their hours involuntarily reduced or were terminated after they revealed they were pregnant. In approximately one third of the alleged pregnancy discrimination cases, the relationship between employer and employee became strained when the employee took leave associated with morning sickness or other physical complications of pregnancy. Other types of discrimination which occurred frequently were on the grounds of disability, gender, age and appearance. A typical case describes a male cleaner who was dismissed because of his learning disability and where the employer refused to make reasonable accommodations. Age discrimination occurred when employees were deemed either too old or young for the position. Several cases of age discrimination were reported as coinciding with a birthday after which time their pay rates would increase. The remaining cases involved discrimination based on the grounds of race, health status and criminal history.

Operational Reasons

The final and least frequently occurring circumstance category was dismissal due to operational reasons. The most commonly reported problem was employers who had indicated the reduced availability of working hours. This was closely followed by a change in management or ownership of the business. One employee felt her position was threatened when the '*...business partner sold his share of the company and all staff were made casual.*'

Other themes included redundancy of a position, the business struggling with financial problems and being unable to afford staff, closure or liquidation, or an organisational restructure.

Circumstance categories and sub-categories	N	% of Cat.	Circumstance categories and sub-categories	N	% of Total
Leave / Personal Circumstances	244		Poor performance (N = 151)	151	
Sick leave		42	General performance issues		71
Injury		29	Errors or inaccuracy		16
Personal leave		19	Poor attitude		8
Other leave		8	Poor communication		5
Unexplained absence	2				
Operational Reasons	106		Discrimination	120	
Less hours or work available		32	Pregnancy		49
Changed manager / owner		24	Disability		12
Financial reasons		15	Gender		11
Position redundant		13	Age		8
Business liquidated		13	Appearance		8
Organisational restructure	3	Health	6		
Theft, misconduct or fraud	228		Race	3	
Misconduct		57	Personal	2	
Theft		41			
Fraud		2			
Pay / Contract related issue or complaint	177		Bullying / Harassment	233	
Contract changed or cancelled		44	Unspecified harassment		46
Complaint about rate of pay		27	Sexual harassment		24
Complaint about wages owing		24	Verbal harassment		21
Repayment of monies to employer	5		Physical harassment	9	

Table 1. Proportion of circumstance categories and sub-categories

DISCUSSION

This study investigated 1259 cases of dismissal by young employees reported to a community advocacy organisation. It identified various circumstances surrounding the termination and the type of dismissal which occurred. Results indicate that dismissals are frequent and protections for youth are currently inadequate, with many cases indicating a concerning tendency for employers of youth to breach fundamental legislative requirements. The implications of these findings and for psychological contract theory are discussed.

Protections for Youth Inadequate

The large number of dismissal-related calls received by YWAS over the three year period suggests both a high frequency of dismissal and a critical need for cost-free advice and advocacy for young workers. However, prior research on some other work-related problems indicates that the number of complaints received often represents only a small proportion of actual incidences (Marquis and Filiatrault 2002). For example, studies of sexual harassment reporting behaviours have found that far fewer employees who experience sexual harassment, actually submit a formal complaint and that reporting injustices is often stifled due to actual or perceived negative consequences such as being labelled as a complainer or believing that nothing can or will be done about the complaint (Pershing 2003). Thus, it is likely that this study represents only a fraction of incidences that actually occur and that a larger number of youth experience similar circumstances but choose not to report it.

The workplace circumstances leading to dismissal which were most frequently reported in the data were bullying and harassment, discrimination, leave/personal circumstances, and

pay/contract complaints, collectively representing around two thirds of all complaints. Bullying of a non-sexual nature is not defined or covered explicitly in existing Australian legislation in the same way as other negative workplace behaviours such as discrimination (Burns 2004). Nonetheless, an employer who allows bullying to occur in the workplace is in breach of occupational health and safety requirements for failing to provide a safe work environment and supervision (Burns 2004). Bullying is thought to affect around one in five young workers (ACTU 2003b; Office of Industrial Relations 2005b) which is particularly concerning given the lack of definition and coverage provided in the law (Burns 2004).

Dismissal associated with sexual harassment was also commonly reported in the data. Many of these cases described explicit, intimidating and violating acts which included lewd comments, inappropriate touching and two cases of rape. Alleged perpetrators were more often managers than colleagues and many cases described employees who had tolerated the circumstances for an extended period of time. These findings indicate a reluctance by young people to complain internally and for those that did report specific incidents, ineffective or negative responses by employers. Young employees also reported discrimination on a range of grounds. Particularly concerning was the high number of females dismissed while pregnant, though dismissals were also associated with age, gender, race and disability. These grounds are prohibited under anti-discrimination and unlawful termination legislation (WorkChoices 2006), although discrimination on the ground of physical features (weight, size or other bodily characteristic) is only unlawful under the Victorian *Equal Opportunity Act* 1995 (Ronalds & Pepper, 2004). The frequency of discriminatory-type behaviour in the data suggests that the oversight required to effect the legislation and prevent such occurrences involving young people is less than effective.

Effectively overseeing legal workplace practice is complex and made more so by the significant number of small employers in Australia. Furthermore, employment legislation over the past decade has been aimed at reducing third party institutional involvement, particularly the reach of unions. As the involvement of unions is increasingly circumscribed, the role of other organisations and individuals in educating and protecting young workers becomes progressively more important. Such roles may be undertaken by community-based or government supported institutions as well as educators and parents. However, these supports are often constrained or ill-equipped to deal with the magnitude of injustices which occur. Community organisations are usually subject to funding cycles which threaten their existence, educators are being increasingly pressured to expand the scope of curriculum and parents may have insufficient knowledge or insufficient influence to adequately respond to problems in their children's workplaces.

Other areas where young employees experienced significant problems in their employment were in relation to their pay or formal employment contract. The *Workplace Relations Act* 1996 and subsequent amendments prohibits an employer from dismissing an employee on the grounds that they have filed a complaint or participated in proceedings against an employer. Failure to correctly remunerate employees can also involve serious financial consequences for employers (Ronfeldt 2007). Despite these protections and the fact that many reported cases of underpayment had well-founded grounds for seeking formal redress, the findings demonstrate that an employer can often treat a young worker unfavourably with few repercussions. Dismissal may an expeditious course of action for employers because fair processes such as adequate warnings for misconduct or poor performance, providing a period of notice, paying out leave, or offering a redundancy, is more complex and costly than dismissal. Employers are also likely to be aware that there is a low possibility that misdemeanours will be challenged, particularly for young people who often lack knowledge of their rights. Youth are

also particularly susceptible to unfair treatment when they are casual, unskilled employees and thus easily replaced.

Violation of the Psychological Contract

The data showed that the final termination of employment was very often the culmination of a series of incidents which were inconvenient (or perceived to be inconvenient) to the usual flow of work and business, or which threatened maximum productivity. Such events included time off for injuries, illness or family responsibilities, or when an employee queried their rate of pay or made a complaint of bullying. To some extent, interruptions to ideal conditions in the work environment, such as illness, injuries, pregnancies or attending to non-work responsibilities, are inevitable. The level of tolerance of various employers to these disruptions obviously varies. Some youth were apparently dismissed after a single day of absence, while other cases, particularly those involving sexual harassment and allegations of poor performance, often involved lengthy time frames. In general though, as the conflict continues, the perspectives of obligations between employers and employees becomes increasingly incongruent (Coyle-Shapiro and Kessler 2000). The psychological contract breaks down and a cessation of the employment relationship results. Thus, while employees initially have a high level of trust in their employer and a belief that their expectations will be fulfilled (Robinson 1996), many of the actions taken by employers in this study demonstrate a violation of the psychological contract.

The literature does not effectively explore whether the psychological contract covers the employees' expectations of fundamental legislative rights. These rights include compensation when injured, the entitlement to leave and return to a position where applicable (especially parental leave), the right to be free from discrimination and harassment, and the right to question pay and contract details where discrepancies arise. Legislative rights are not always stated in employment agreements or, in small organisations, documented in written policy or procedures, and are often inadequately understood by young workers (Commission for Children and Young People 2005). When unlawful acts occur however, they are highly consistent with key aspects of the psychological contract including trust, mutual obligation and promises of a future exchange (Morrison and Robinson 1997) and are therefore critical factors in understanding situations where employment relationships break down.

The distinction between breaches of the psychological contract made by either employers or employees is not always a useful one. The data for this study suggests breaches are sometimes mutual, particularly in situations where one violation results in a cascading series of events which causes a deterioration in the employment relationship. Research on employee misconduct for example, often uses trait and agency theory to suggest that deviant behaviours are influenced by individual characteristics, yet they do not take situational factors into account and fail to explain that even the most honest and ethical employee can resort to deviant behaviours if a serious breach of trust has occurred (Kidder 2005). While certain acts of misconduct evident in the data appeared to be self serving, circumstances prior to the alleged incident such as employer betrayal, may lead to demonstrations of retaliation or 'deviant' behaviours (Elangovan and Shapiro 1998). The data cannot confirm this possibility and the question of who first violated the psychological contract is often difficult to unravel, but the fact that assistance from an external agency was sought by employees accused of misconduct lends confidence to such a conclusion.

Furthermore, many cases of alleged misconduct or theft were unsubstantiated and may have been used as convenient justifications for dismissals where other factors were at play, such as imminent pay rises associated with increased age, the requirement to pay sick leave, or perceptions of reduced commitment associated with pregnancy. Certain cases involving

dismissal for poor performance may also have been masking other motivations of employers. Such allegations of theft, misconduct or poor performance, if false, are particularly punitive and damaging because they not only result in loss of employment, but also have a substantial impact on the reputation and future job prospects of the young employee.

Limitations of the Study

A number of limitations of the study are acknowledged. The main disadvantage of using secondary data sources is that it was originally collected for a different purpose (Castle 2003). Cases varied in the depth of information provided and represent only the perspective of the employee without considering the employer's tale of events. Indeed, psychological contract violation has been discussed almost exclusively from the perspective of the employee (Coyle-Shapiro and Kessler 2000). In some cases, employees described instances constituting justified dismissal, based on their admitted misconduct or poor performance, though the majority of callers held the view that their dismissal was unfair and/or unlawful. The nature of the sample itself also poses limitations on the generalisability of the study. The study does not represent young people who have positive and productive relationships with their employers or who experience dismissal but do not report it. The research does however reveal the complexities of employment relationships and highlights the types and circumstances of dismissal in employment, specifically for young people which have been lacking in literature to date.

Conclusion

The principal aim of this study was to investigate young workers' experiences of the breakdown of the employment relationship and the psychological contract. The findings suggest that young employees often have unmet expectations of a fair and safe work environment. Many of the circumstances associated with the dismissals emerged as concerning and demonstrate a range of poor outcomes in situations where employers exploit the vulnerability of young employees and capitalise on their inexperience, limited representation and relative difficulty in seeking legal redress. Changes to industrial relations legislation and the current political agenda suggest that the trend for declining support of employees at work will continue into the future. While services such as YWAS recognise and appropriately respond to young employees, by the time a young worker contacts the service, the damage is often done. Thus, while the value of support provided by such services is not in question, policy and legislation needs to consider how to prevent such situations from occurring in the first place. An increased awareness of workplace problems which affect youth is fundamental for educating young people about their rights and for reassuring them that their expectations of a fair and safe workplace must be satisfied.

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