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Ouvrage recensé :

Worker Representation and Workplace Health and Safety, By David Walters and Theo Nichols,
New York: Palgrave Macmillan, 2007, 177 pp., ISBN 978-0-230-00194-7.

par Geneviève Baril-Gingras

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et de son organisation ? » Poser la question c'est y répondre.

Abordant *l'histoire et le développement de l'analyse sociétale*, la dernière partie rassemble trois textes illustrant les engagements théoriques de l'auteur dans la partie la plus récente de son parcours. La définition (de l'analyse sociétale) privilégiée par Marc Maurice est celle que donne Sellier (cité par Reynaud). « La formation du salaire se réalise dans des conditions sociales qui se différencient à trois points de vue : différenciation des modalités et de localisation des conflits (*rapport industriel*), différenciation de l'organisation hiérarchique du travail (*rapport organisationnel*), différenciation des modes d'acquisition de la compétence technique (*rapport professionnel*). L'interdépendance entre ces trois rapports sociaux constitue le système salarial (ou rapport salarial) au sein duquel jouent les forces spécifiques du marché du travail » (Reynaud, 2007 : 273). L'intérêt de citer cette définition ici réside dans son rôle déterminant dans la « division du travail » de recherche, par champ d'intérêt, entre les principaux membres de l'équipe de Marc Maurice, ce dernier étant chargé du *rapport organisationnel*. Ce *rapport organisationnel* est par ailleurs clairement explicité à travers les textes choisis et les trois problématiques qu'ils portent.

La première prend la forme d'un essai typologique proposant une tentative de théorisation de la comparaison internationale et de ses retombées sur la portée et les limites de l'analyse sociétale. La deuxième expose, sous forme de contribution au débat théorique sur la régulation sociale, deux grandes interrogations portant, l'une sur le statut de l'autonomie de l'acteur dans les formes de la régulation sociale et de l'action collective, l'autre sur le rapport entre régulations locales et régulations globales. Le troisième texte est une réponse de l'auteur à certaines critiques stigmatisant les conséquences invalidantes du « caractère daté » (Lallement) des données de l'analyse sociétale. Marc Maurice opère un retour lucide et courageux sur la vulnérabilité croissante de l'analyse sociétale (« est-elle encore d'actualité ? ») face aux menaces de caducité théorique provenant de ce déterminisme, diffus mais manifeste, attribué par les

« nouvelles théories » au « supranational » et au « local ».

Une synthèse de ces trois moments-clés du parcours théorique de Marc Maurice ne pourrait être qu'approximative, tant les thèmes traités par ces textes renvoient à des enjeux théoriques et à des débats spatialement et temporellement marqués, et pas seulement comme l'admet l'auteur en raison du caractère *daté* des données de l'analyse sociétale. En dernière instance, nonobstant ce caractère, la *construction sociale des acteurs de l'entreprise* apparaît comme une thématique toujours pertinente, pour peu que les lecteurs de cet ouvrage, sociologues du travail ou non, puissent, comme le souhaite l'auteur, « s'approprier ces textes du passé » et les mettre à l'épreuve des débats actuels, pour le moins complexes, entourant ces mutations contemporaines de l'univers du travail que les sciences sociales du travail ont tant de mal à appréhender.

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Worker Representation and Workplace Health and Safety

By David Walters and Theo Nichols, New York: Palgrave Macmillan, 2007, 177 pp., ISBN 978-0-230-00194-7.

The subject of this excellent book – workers representation in workplace health and safety – is relevant to both policy and practice. The growing share of precarious forms of work makes consideration of effective forms of worker representation increasingly important. In this vein, this book helps to reinstate occupational health and safety (OHS) as an industrial relations matter rather than a technical and/or managerial exercise. It is also refreshing because it embeds the discussion in sociological theory; an approach not typically adopted in literature addressing prevention in OHS.

By reviewing existing evidence (both quantitative and qualitative) and conducting well organized case studies, the authors' objective was to determine the most effective arrangements for worker representation and consultation concerning workplace health and safety. They also wanted to establish optimal

conditions for these arrangements and investigate the means by which they do protect workers. They fulfilled these objectives in a way that is relevant to the British legislation – where employee representation in health and safety is restricted to recognized trade unions – and on an international basis.

The quality of the book is derived from the solid scientific experience and social reflection of the authors. David Walters is Professor of Work Environment at the Cardiff Work Environment Research Centre, Wales, UK. He has published quality studies on workers role in OHS, both in the UK and in Europe, and on OHS regulatory and inspectorate strategies which aim to address changes in the world of work. He is also the editor of a relatively new scientific journal, *Policy and Practice in Health and Safety* (2003). Theo Nichols is Distinguished Research Professor, Cardiff School of Social Sciences, also at Cardiff University. He has previously made a key contribution with his work “The sociology of industrial accidents” (1997) and has written many articles on work organization. Both authors’ work offer impressive examples of the richness of articulating solid sociological theory and well exploited empirical data.

In Part 1, Chapter 1 exposes “The Development of Statutory Measures on Worker Health and Safety Representation” in the UK, placing it in its historical, social and political context. It also examines the development of European directives and suggests that these represent an example of a general tendency towards a “process” approach to managing OHS where “consultation” has a central role but not always “representation.” Distinguishing between direct and representative participation, the authors illustrate, using evidence, the barriers to the effectiveness of direct participation, unless workers have sufficient power and resources. Thus, individual workers rights (like the right to refuse) are essential but often have limited impact, especially in smaller enterprises. Looking at the UK requirements on workers representation in OHS and at the limited implementation of the EU directives on that matter, they thus conclude that “representatives in workplaces that do not recognise trade unions are disadvantaged in terms of the rights they may exercise, and workers in such

workplaces are also more likely to experience so-called direct representation or, in other words, to lack any (collective) representation in health and safety at all.” (p. 23). Despite differences in industrial relations and OHS regimes, this conclusion suggests that there are weaknesses in many countries requirements, especially in the context of declining levels of unionism. Worker participation may then only occur if it seems good for business, but not because it is a right.

Chapter 2’s literature review on the effectiveness of representative worker participation is extensive, providing an enlightening summary of the main findings of the English-based quantitative and qualitative studies on the subject, including studies from outside the UK (other European countries, Scandinavia, Australia, United States and Canada. We may regret here that some important work done in Québec – e.g. by Marcel Simard and coworkers – has not been published in English, but it would not contradict the conclusions of the authors). Walters and Nichol’s rigorous approach to previous work (in particular their re-analysis of the data used by Reilly *et al.*, 1995) is also pertinent. They sum up there examination of the literature by stating “that the weight of the evidence would seem to be broadly in line with the idea that better health and safety outcomes are likely when employers do not manage OHS without representative worker participation and that, in a more positive vein, in various ways, joint arrangements, trade unions and trade union representation on health and safety at the workplace are likely to be associated with such outcomes.” (p. 29). But the great variability in the quality and reliability of the studies does not generate a clear picture of the role of different forms of representative participation in OHS. The authors’ statistical reanalysis of data from the British Workplace Industrial Relations Surveys concludes that there is a mediated union effect on safety and therefore, insofar as this issue is concerned, organized labour is beneficial to workers. Specifically, the effect of health and safety committees with at least some members selected by unions is significant and negative (on the number of injuries) compared to the base group of committees with non members selected by unions; the effect of the presence

of OHS representative is beneficial, but the effect of management alone deciding on OHS is not significant (p. 39).

Besides the rigorous analysis of secondary statistical data, the authors have used case studies in two contrasting economic sectors. Chapters 3 and 4 each present these results. The book addresses such methodological issues with sophistication and attention to detail. The chemical industry was chosen as an example of a sector where conditions are favourable for effective workers representation in OHS. It is thus considered as a place where the “preferred model” inscribed in the British regulation would be more likely found. Because of the fragmentation of work, the multiplication of subcontractors, etc., construction typifies a less favourable context. We regret that the authors decided not to use the case studies they had undergone in the retail sector, explaining that it would not have added to the analysis. As women may be more present in this sector than in the chemical or construction industry, it may have illustrated other challenges to workers representations in OHS, in particular when risks are less easily recognized, like the musculoskeletal and psycho-social ones.

Five cases were studied in each sector, combining site visits, observations, surveys addressed to workers (with respectable answer levels), interviews with workers, workers representatives and managers at different levels. Case sampling took into account firm size and type of workers’ representation arrangements. Those teaching qualitative research methods could also give as an example the systematic intra and inter cases analysis made by the authors: demonstrations are always solidly grounded, without complaisance.

Case studies from the chemicals industry occurred in workplaces where trade unions were recognized. But the authors observed that even in these conditions, arrangements for meaningful consultation and representation were not present in all cases, and that these activities were constrained in some of them, the potential of the legislation not being achieved. This observation questions the British regulation “preferred model” itself and its assumptions about workers capacity to apply it without inspectorate action.

The five case studies in the construction industry took place in firms and worksites of different sizes, where there were different approaches to consulting workers on OHS, directly or through representatives. The most effective approaches were those in which trade unions were involved, giving way not only to meaningful representation but also to a wider range of approaches to direct consultation. The employees of subcontractors fared less well, their experience of OHS management arrangements, and of provision for consultation on that matter, illustrating the weakening effects of this fragmentation of work organization.

In Part three, the authors reflect on “what works” and on the policy implications of their observations. They conclude that “the preconditions for the effective operation of the regulatory model were not found in many workplaces and consequently adequate arrangements for consultation and representation were far from ubiquitous across the ten case studies in the two sectors,” as the coverage of these arrangements declines and as employers more often claim to rely on direct consultation (p. 143). In fact, the preconditions for effective workers representation and consultation, even if already required by European Union and UK law, are rarely found: among these preconditions are effective external inspection and adequate management and support on OHS matters including commitment of senior management and competent risk evaluation and control. The changes in the organization of work increase the problems of implementation of effective workers representation and consultation arrangements.

The authors thus examine proposals for reform, of the legal provisions, and of the compliance strategies of the inspectorate, which they conclude have to be strengthened. The study thus suggests that there is room to increase the specific rights of health and safety representatives, by taking the example of other EU countries, Australia and New Zealand. Sweden provides workers’ OHS representatives the right to stop dangerous work, and some Australian States and New Zealand the right to issue provisional improvement notices. Among the provisions given as example, there are those providing more comprehensive training

of OHS workers representatives and access to time off for training. These and other measures could inspire the actual revision of the Québec Act respecting occupational health and safety, as those looking for regulatory improvements elsewhere, like the strengthening of requirements on the release of representatives to carry out their OHS functions at the workplace, right of access to information and protection from victimization.

The authors reflect on the problem of workers' representation in small enterprises, a subject the first author has dedicated much excellent work to. In the case studies, the best practices were observed in the larger workplaces, whatever the sector. In discussing this problem, the authors refer to the Swedish experience of regional health and safety representatives for workers in small enterprises, which is known as the most effective and now longstanding participative arrangement in OHS for small businesses. Recent reforms in some Australian States have been inspired by this experience. Other experiences are examined, as the authors state that "Future strategies to improve worker representation in OHS will need to embrace unionised and non-unionised workers. It will also need to enable *all workers* involved in an establishment's activity to be represented, whether as an employee of the firm or not, or as a contractor of the firm or of another business, and regardless of whether the person actually works at the firm's premises," referring among others to the case of the employees of contractors (p. 162). Finally, if the study clearly shows the important role trade unions play in supporting workers' representation, the authors underline the underestimated role OHS matters may play in union renewal initiatives.

This exemplary book reaffirms that OHS has to be understood in the context of the social relations of production and strengthens the evidence of the preventative role of workers representation (and not only "participation") in occupational safety and health at a time when the "safety is good for business" discourse is dominant, but promotes more underreporting than prevention measures.

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Labour Conditions for Construction: Building Cities, Decent Work and the Role of Local Authorities

Edited by Roderick Lawrence and Edmundo Werna, Ames, Iowa: Wiley-Blackwell, 2009, 282 pp., ISBN 978-1-4051-8943-9.

Construction has always lain at the heart of civilized endeavour, providing not only immediate needs such as shelter, water and heating but also the infrastructure for future growth and social improvement. In both the developed and developing world it remains a mass employer. This study, edited by Roderick Lawrence and Edmundo Werna, seeks to explore how the concept of "decent work," as enunciated by the ILO's Director General in 1999, is understood and acted upon within the developing world's construction industry. The central thesis of the study is that the success or failure of the ILO's endeavours will largely be determined by the attitudes of local government. In their introduction to the book, Lawrence and Werna argue that, with globalization, "both power and management have been decentralized to the local level almost everywhere." To explore this thesis, and commitment to the concept of "decent work," three case studies were undertaken – Bulawayo in Zimbabwe (by Beacon Mbiba and Michael Ndubiwa), Dar es Salaam in Tanzania (by Jill Wells) and Santo Andre in Brazil (by Mariana Gil).

The three cases studies that lay at the core of this book make for grim reading. As the concluding summary in the book's conclusion makes clear, the "concept of decent work was only known and applied in one of the three local authorities: Santo Andre." Even here, as Gil's case study observes, 80 per cent of the construction workforce was engaged in the informal economy with the City Council showing "no concern about formalizing these jobs or guaranteeing social protection of the workers involved." Things were bleaker in the other two cities, both of which were experiencing a process of general economic decline that was forcing more and more into the informal economy. Wells, in her study of Dar es Salaam, states that the construction sector had become a refuge for those displaced from other sectors of the economy, including retrenched public servants. In all three cities, underemployment