Some pieces for the worker participation puzzle from New Zealand

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Worker participation in Occupational Health and Safety (OHS) management is a legal requirement in many countries including New Zealand, but not many resources are allocated to the evaluation or identification of how worker participation contributes to the establishment and maintenance of healthy and safe workplaces. This paper analyses and summarises the findings of 11 unpublished student projects conducted between 2011 and 2014 that assess the effectiveness of worker participation in OHS management in New Zealand. It is concluded that while legal requirements for worker participation in New Zealand are unenforced by the inspectorate, legislation compels organisations to implement employee participation systems and that OHS management audit schemes can give a structure for implementation. Further, the right to training for health and safety representatives has not resulted in timely training nor in training of all representatives. Representatives who attend training find their knowledge needs covered and their knowledge improved and they report becoming more confident at performing their role.

Practitioner Summary: The following factors appear to facilitate effective representative worker participation: participation in training and fora for discussion of OHS issues, work organisation that allows representatives contact and communication with managers and co-workers, allocation of time to perform the role; support from managers and co-workers.

Keywords: Health and safety representative, health and safety committee, direct worker participation, intervention, evaluation

1. Introduction

Implementation of Robens type legislation was initiated in 1992 in New Zealand by the Health and Safety in Employment (HSE) Act 1992, but did not include direction on how to involve employees in the management of Occupational Health and Safety (OHS). More specific direction on the organisation of worker involvement was introduced to the legal framework via the HSE Amendment Act 2002. The Amendment Act required employers with more than 30 employees (or otherwise at the request of one worker or a representative) to establish an employee participation system. The Amendment Act required management and workers to cooperate in good-faith to agree on the design, implementation and review of a worker participation system that fits their organisation. If they could not agree on a system, they would have to adopt a prescribed system which included election of Health and Safety (HS) representatives or elected employees to a HS committee. The number of HS representatives should be determined by employee count and organisational factors such as types of work, number of worksites and work organisation (e.g. shift work) (Harris, Olsen, & Walker, 2012).

The effect of the Amendment Act has not been assessed, even though it was recommended in a review by Walters in 2005 (Harris, et al., 2012). Only fragments of worker participation in OHS in New Zealand have been researched. Harris et al. (2012) found that the HSE Amendment Act 2002 and audited OHS management scheme supported the development of representative worker participation. Additionally, the study found that HS representative within the metal manufacturing industry contributed positively to OHS management but had different roles and impact depending how the role was interpreted and communicated in the organisation. Factors found to impact on their effectiveness included their primary job role, education and training, and access to resources (Harris, et al., 2012).

Effectiveness of worker participation in OHS management in New Zealand workplaces has also been assessed in small projects conducted as part of an assignment in one of the academic papers by a number of students in the Graduate Diploma in Occupational Safety and Health at Massey University. Each project collected small data sets on different forms of worker participation, including what affected and influenced forms of participation. Individually, findings from each project did not contribute much to our understanding of worker participation, but can provide greater insight when
considered altogether. This paper combines and reanalyses 11 unpublished student projects and describes their contribution to our understanding of how workers impact OHS management, including implementation and any effect of legal intervention in the field of worker participation in OHS management.

2. Method

Thirteen unpublished student projects under the topic “Assessment of the effectiveness of worker participation in OHS management” conducted 2010-2014, were reviewed. The projects were completed as part of a third year compulsory course for the Graduate Diploma in Occupational Safety and Health offered by Massey University. The project course was equivalent to an eighth of a full years study and ran over nine months.

Eleven projects were assessed to be of a quality to be included in the review for this paper (see Tables 1 to 4). Two projects were excluded because data collected were neither presented in the report nor in appendices. As part of the review, the following factors were identified and summarised in tabulated format: authors’ names, year, title, aim of study, study methodology and methods, results and conclusion. The results presented in the reports were assessed and developed further by identifying and extracting data presented in appendices. Data extracted into the summary table were further condensed in a new table and finally presented in the four tables (1-4) presented in the result section of this paper. The tables organise the projects in different themes of worker participation. Table 1 presents projects on external factors may influence worker participation (two projects); Table 2 presents projects on HS committees (two projects); Table 3 presents the projects on Student projects on direct worker participation (four projects); Table 4 presents projects on HS reps (three studies). The specific methods for each project are presented in the four tables. Most of the studies (10 out of 11) were case studies. Six of these included multiple case studies. One study was based on an internet questionnaire about HS representatives’ perceptions of the approved HS representative case. Case study based projects all included qualitative methods, mainly semi-structured interviews. Some also included structured researcher administered questionnaires and focus groups. Most projects included the perspectives of different organisational stakeholders e.g. managers, HS representatives, workers and HS coordinators or managers.

The effectiveness of worker participatory structures was commonly assessed by benchmarking perceptions of participatory practices against pre-defined standards, described in the Amendment Act and/or the organisations’ worker participation agreements. Stakeholders’ perceptions of how well the criteria underpinning these standards were met provided a measure of effectiveness. It can be considered an attempt to use realistic analysis and programme theory (Olsen, legg, & Hasle, 2012; Pawson, 2006).

3. Results

The results of the analysis of the student projects are presented in Tables 1 – 4.

Table 1. Student projects on effect of external factors that may influence worker participation

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<th>Author</th>
<th>Aim</th>
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<tr>
<td>Colebrook et al. 2014</td>
<td>Identify how reasonable opportunities for employees to participate in workplace health and safety is interpreted and applied.</td>
<td>Semi-structured interviews with 1 HS inspector, 4 HS managers from 4 different large organisations with workplaces nationwide.</td>
<td>Reasonable opportunities for worker participation in OHS were not enforced by the inspectorate. The organisations provided reasonable opportunities for worker participation based on elected HS representatives.</td>
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<td>Wilson &amp; Ponga 2013</td>
<td>Does implementation of ACC’s Workplace Safety Management Practices Programme audit scheme influence worker participation in OHSM?</td>
<td>Semi-structured interviews with OHS manager, rep. from management and employees from 4 organisations certified to the highest level in the programme.</td>
<td>The organisations had good systems for worker participation based on HS representatives. Development of worker participation originated from a supportive and encouraging culture. The audit scheme provided a structure for OHS management from where worker participation could grow.</td>
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Table 2. Student projects on HS committees

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<td>Potgieter et al. 2013</td>
<td>Identify how health and safety committees contribute to effective employee participation in OHS M through HS representatives</td>
<td>3 organisations, in each org semi-structured interviews with 1 HS professional, 1 manager, 3-4 HS representatives</td>
<td>All organisations had formal role description for HS representatives. HS representatives felt supported by the OHS committee through: 1 training, 2 HS tools, 3. Information about legal aspects, 4. HS committees were a forum for discussion. HS representatives, professionals and managers felt HS reps fulfilled their role. Barriers to fulfilling the role included lack of time and management commitment to OHS.</td>
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<td>Hollingum et al. 2012</td>
<td>Identify how members of HS committees perceive the effectiveness of the committee</td>
<td>Semi-structured interviews with 4 members of each committee</td>
<td>The members of the committee did not receive HS training. 75% did not have a clear understanding of worker participation in HS. Managers and workers had different opinions of the effectiveness of HS committee. Managers were more positive than workers.</td>
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Table 3. Student projects on direct worker participation

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<td>Bermingham et al. 2012</td>
<td>Identify factors that promote and deter employees to participate in reporting hazards in the workplace</td>
<td>Semi-structured interviews with employees from 2 large companies (n=2X25) and 4 small companies (n=20)</td>
<td>The majority knew what a hazard was. All knew the organisation had a system for reporting hazards. Less than half (43%) knew what hazard to report. 30% reported always hazards when identifying them, 54% did it sometimes and 16% (all from SME) never reported hazards. Factors encouraging reporting: experiencing action taken after reporting, it contributes to a safe environment. Factors discouraging reporting: paperwork, time needed for reporting, experiencing no action after reporting and the perception of reporting not being part of their job.</td>
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<td>Hardy 2011</td>
<td>Identify barriers and facilitators for unskilled workers participation in written hazard identification</td>
<td>Case study. Researcher administered questionnaire. Identification of hazards from pictures, questions about participation in required hazard identification</td>
<td>Participated in hazard identification mostly to satisfy requirements from management, so ‘got around’ requirement of doing monthly hazard identification by doing it on their own tasks they perceived as easy to identify hazard in.</td>
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<td>Cardiff 2011</td>
<td>To identify facilitators and barriers for unskilled workers’ participation in written hazard identification</td>
<td>Researcher administered questionnaire (n=12), 2 focus groups (n=2x3) about identification of hazards from photos</td>
<td>Barriers for not reporting: no feedback on why action was not taken on reported hazards, the paper work involved in reporting, management not listening to what people say. Facilitators that could improve reporting: better contact with management and knowing the HS representative and training in identification of hazards</td>
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<td>Ward et al. 2011</td>
<td>To identify if HS on the toolbox meeting agenda is an effective tool for employee participation in an organisation.</td>
<td>Questionnaire survey of 24 employees (out of 108) and 10 managers (out of 20), Semi-structured interviews with 5 managers, and 10 observations of different departments toolbox meetings.</td>
<td>OHS on toolbox meeting took an average of 2.5 minutes out of an average meeting time of 9 minutes. The aim was perceived as communication of OHS issues and managers and workers felt it satisfied their needs. Discussions were dominated by management, workers were commutable raising issues. Managers addressed more solutions than workers.</td>
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<td>Stephenson et al.</td>
<td>Identify how HS representative training met HS reps' need for knowledge, the reps' use of knowledge and barriers and facilitators for use of knowledge in the organisation.</td>
<td>Internet based questionnaire. Link sent to 2,300 that had participated in HS rep course (Jan-Sep 2014). Response from 340 (15%).</td>
<td>50% of respondents were elected more than two years prior to attending the training course. The course covered the HS representatives’ need for knowledge. Most representatives identified they had a need for knowledge on statutory duties, legislation. 50% needed knowledge on hazard management and incident reporting. 82-75% had used their knowledge on legislation and statutory duties. 50% had used their gained knowledge on other areas combined. 78 – 86% felt the course had improved their ability to perform their role on the following areas: 1. fostering positive HS practices, 2. promote HS to employees, 3. communicate HS issues to employer, 4. participate in HS committees and 5. participate in hazard management. Factors facilitating knowledge use: confidence/knowledge gained through stage one course (31%), company culture (29%), compliance requirements (23%), employer support (10%), awareness shared with peers (8%). Factors preventing knowledge use: no opportunities for use (43%), lack of guidance (22%), lack of support from management or peers (13%), lack of accountability or role description (11%), time or resource restrictions (11%).</td>
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<td>Bardwell et al. 2012</td>
<td>Identify what encourages or discourages employees to become or continue as HS reps</td>
<td>Semi-structured interviews with 3-4 HS reps, 3-4 previous HS reps and 3-4 workers (non reps). Judgemental sampling in 4 medium to large NZ companies.</td>
<td>One company did not encourage employee participation. Ways of encouraging employees to become HS reps were by providing training, defining the role as helping to ensure a safe working environment, financial incentive, support from management. HS reps and previous reps were encouraged by the opportunity to improve and be involved in safety. Discouragements were: not having enough time, high work load. Previous HS reps and “never reps” were discouraged by management that were unwilling to listen and co-workers’ negative attitudes to safety. There was a narrow understanding of the HS rep role (only 4 elements of the role mentioned in the Act was mentioned by the interviewees)</td>
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<td>O'Neill et al. 2012</td>
<td>Identify how HS reps fulfil their role in hazard management as defined in HS Act and organisations participation agreement and factors facilitating or hindering this</td>
<td>Three case study organisations. Semi-structured interview in each org with 2 HS reps, their managers (2) and their co-workers (4). Total of 24 interviews.</td>
<td>Organisations were committed to OHS and were in an OHS accreditation scheme. HS reps fulfilled the role described in the employee participation agreement and the Act. Managers, co-workers and HS reps saw the HS rep’s as communicating HS issues from co-workers and identifying hazards but management also saw it as the policeman to make sure co-workers followed HS rules and used personal protective equipment. HS reps had positive impact on hazard management by helping workers comply with HS rules, communication of hazards and co-workers’ knowledge about OHS. Facilitating factors: support from management, interaction with other HS reps &amp; HS committee members, time allocation. Hindering factors: too little HS training, lack of support from management, shift work. HS reps were perceived to improve hazard management and safety.</td>
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4. Discussion

Some of the projects had findings that related not only to the topics of their own table but also to topics in some of the other tables. The results will be summarised across the projects related to main topics. First we discuss how some external factors may or may not influence worker participation in organisations (section 4.1). Then we will discuss how training supports HS representatives and the uptake of approved HS rep training courses (section 4.2). Following on from this we turn to discuss the enactment of the HS rep role and the impact on OHS (section 4.3). Hereafter we discuss what motivates HS reps to become representatives and what facilitates or hinders their role enactment (section 4.4). In the penultimate section 4.5 we discuss the different forms of direct worker participation and what encourage workers to participate in hazard identification and reporting. Finally we discuss the limitations of the student projects (section 4.6).

4.1 External factors influencing worker participation in OHS management

Colebrook et al (2014) (Table 1) found that the legal requirement for employers to provide “reasonable opportunity for workers to participate in OHS management” was not enforced by the New Zealand inspectorate. This meant that a legal definition of the obligation could not be established. It was then left to the individual organisation to interpret their obligations. This study found that the large case study organisations provided a formal structure for representative worker participation using HS representatives and HS committees which the students and the interviewed OHS professional in the organisation assessed to give workers “reasonable opportunities to participate in OHS management”, taking into account the geographical distribution of worksites and the employee count at worksites (Colebrook et al., 2014). This indicates that some large organisations with employed OHS practitioners implement legal requirements related to worker participation without the enforcement of the legislation, but it does not give an indication of how widespread this is. The outcomes of this project do not identify why these organisations implemented the legal requirements for worker participation. It could be due to international influence, previous established employee participation systems negotiated by trade unions or high management commitment to management of OSH.

The project by Wilson and Ponga (2013) (Table 1) of how audited OHS management system schemes influence systems for employee participation in OHS, indicates that the OHS management system required by the audit scheme provided a structure for worker participation, but the stakeholders perceived that the culture of the organisation was the basis for the development of their good worker participation system. All four organisations described the culture as supportive and encouraging. All four organisations had agreements with the trade unions that integrated representative worker participation in OHS management. Strong trade union involvement was one of the external factors Walters and Nichols (2006) identified to facilitate employee participation that can improve health and safety, so this could be one of the reasons for the findings.

The above discussed projects that looked at legislative requirements and national incentive schemes built on audited OHS management systems found that an organisation’s internal environment contributed more to the creation of worker participation systems that complied with the law and was more effective than external factors.

4.2 Training of HS representatives

The obligation of employers to allow a HS representative two days paid leave each year to attend approved HS training (Section 19E (Parliament of New Zealand, 2002)) does not seem to result in widespread provision of training of HS representatives. Hollingum et al. (2012) (Table 2) found that the interviewed HS committee members had not attended the approved HS training and Stephenson et al. (2014) (Table 4) found that more than 50% of the HS representatives attending the approved stage one training did more than two years after they were elected.

The HS representatives that attended stage one training perceived the course covered their need for knowledge related to their role as HS representative. Additionally, attendance at training improved their ability to perform their role in relation to fostering positive HS practices; facilitating communication between employees, employers and HS committees; and participating in hazard management (Stephenson et al., 2014) (Table 4). Finally 50% of the HS representatives that attended the course had used the knowledge they gained at the course.

The findings suggest an issue with upskilling workers elected as HS representatives. Half of new HS representatives (attending the approved stage one training) only complete stage one course two years after being elected to the role. Further, HS representatives attending HS committee meetings...
in case study organisations committed to OHS are not trained even though the course helps to improve knowledge and facilitates the performance of the role.

4.3 HS representatives’ role description, perception and enactment in organisations

Both Potgieter et al. (2013) (Table 2) and O’Neill et al. (2013) (Table 4) found that case study organisations had clear descriptions of the HS representative role encompassing the legal description of the role. In these organisations, managers, workers and OHS practitioners perceived the HS representatives filled the role, although OHS practitioners felt that some representatives fulfilled their role better than others. This was primarily attributed to differences in personality, commitment, interest in OHS and their available time (O’Neill et al., 2013) (Table 4). This could indicate that the role is clearly described and understood in organisations but Hollingum et al (2012)(Table 2) found that a large proportion of HS committee members did not have a clear understanding of the HS representative’s role even though the organisations were committed to OHS. The project by Bardwell et al. (2012) (Table 4) found that HS representatives had a narrow understanding of the role compared to the legal description. This indicates that understanding of the HS representative role is not fully disseminated or implemented in organisations in New Zealand. This supports the conclusion by the Independent Taskforce on Workplace Health and Safety (2013), which was tasked with assessing the New Zealand regulation of OHS in 2012.

The projects discussed in this section confirm that HS representatives focus on the operational rather than the strategic level (Bardwell et al., 2012; O’Neill et al., 2012; Potgieter et al., 2013) and they identify the main tasks for HS representatives as a) participation in hazard management (particularly identification), b) communication of OHS issues from co-workers and being a link between management, workers and OHS committees (Bardwell et al., 2012; O’Neill et al., 2012; Potgieter et al. 2013; Stephenson et al., 2014). One project also identified the HS representative as an enforcer of OHS rules (O’Neill et al., 2013). The project by Stephenson et al. (2014) (Table 4) supports the emphasis of these aspects of the role. They found that HS representatives attending stage one training expressed needs for knowledge particularly around their statutory duties, hazard management and incident reporting.

4.4 HS Representative motivators, barriers and facilitators

Bardwell et al. (2012) (Table 4) looked specifically at what motivated HS representatives to become representatives. They found that provision of training and identification of HS representatives as people that help keep co-workers safe encourage workers with an interest in OHS to become HS representatives. Some organisations also tried to encourage workers to become HS representatives by providing financial incentives, but that was not mentioned as a motivator by the HS representatives. Potgieter et al (2013) (Table 2) found that even though none of the HS representatives volunteered for the role, they enjoyed it.

Overall, the projects revealed the following barriers to becoming or fulfilling the HS representative role:

- insufficient OHS training (O’Neill et al. 2012) (Table 4),
- lack of time and high work load or shift work (Bardwell et al., 2012 8Table 4); O’Neill et al. 2012 (Table 4), Potgieter et.al 2013 (Table 2)); Only 11% of respondents in the survey by Stephenson et al. (2014) (Table 4) identified workload and lack of time as a barrier and
- low management commitment (Bardwell et al., 2012; O’Neill et al. 2012 (Table 4); Potgieter et.al 2013 (Table 2)) also identified by 13% in Stephenson et al. (2014) (Table 4);
- co-workers negative attitude towards safety (Bardwell et al., 2012; Stephenson et al. 2014 (Table 4))
- not having an opportunity to use knowledge gained on stage one course (Stephenson et al. 2014 (Table 4))

Factors that facilitated fulfilment of the HS representative role were also identified in the case studies. Training was identified by Potgieter et al. (2013) (Table 2) and is supported by Stephenson et al. (2014) (Table 4) who identified that HS representatives gained confidence on the courses helping them use to use the knowledge. A supportive company culture was identified by Wilson and Ponga (2013 (Table 1)) and mentioned by 29% in the survey of HS representatives (Stephenson et al. 2014 (Table 4)). A HS committee that provides a forum for discussion of OHS issues was identified by O’Neill et al. (2012) (Table 4) and Potgieter et al. (2013) (Table 2). Support from management and the employer was a facilitating factor identified by O’Neill et al. (2012) (Table 4), but it was only mentioned as being present by 10% in the survey by Stephenson et al. (2014) (Table 4). Finally, allocation of time was identified by O’Neill et al. (2012) (Table 4). Lack of time was mentioned as a barrier above.
4.5 Forms of direct worker participation

Toolbox meetings seemed to satisfy workers’ and managers’ need for communication about OHS issues, but their effectiveness as a mechanism of worker participation was not assessed (e.g., identifying hazards and controlling them). Discussion of OHS was dominated by management and can be seen as a way for management to communicate OHS issues to workers (Ward et al. 2011) (Table 3).

Compulsory reporting and identification of hazards resulted in workers identifying hazards in their tasks where it was easy to identify them. The workers did it to satisfy management, not to ensure that all hazards were identified (Hardy, 2011) (Table 3). This form of ‘forced’ worker participation does not seem to fulfil the purpose of worker participation in hazard identification. For workers to be able to participate in hazard reporting, it is important that workers know what hazards to report not just to know what a hazard is (Bermingham et al. 2012) (Table 3). It was found that workers in large organisations are more likely to participate in reporting of hazards than workers in small business (Bermingham et al. 2012).

Factors that encourage workers to participate in hazard identification and reporting were when they experience action taken after reporting, they felt it contributed to establishing a safer workplace, they had good contact with management and they know their HS representative, and can use the representative as a communication channel (Cardiff, 2011) (Table 3).

The factors that discouraged or prevented workers from participating in hazard identification or reporting were identified as too much paperwork (Bermingham et al., 2012; Cardiff, 2011), too time consuming (Bermingham et al. 2012), experience that no action was taken (Bermingham et al. 2012) or management did not give feedback or did not listen (Cardiff 2011). Birmingham et al. (2012) also found that some workers did not report hazards because they did not see it as part of their job.

These projects on direct worker participation highlight potential issues with toolbox meetings and compulsory hazard identification and reporting.

To support effective direct worker participation in hazard management it is important that the workers receive feedback on reported hazards and that management take action or explain why actions are not taken.

4.6 Limitations of the studies

As most of the studies are case studies, based on interviews with a variety of organisational stakeholders, they only give a picture of how worker participation functions in some organisations. It is not possible to generalise from these studies but it gives an indication of how it works in some organisations. Case studies in the area of OHS and worker participation are likely to be based in organisations that are committed to worker participation so findings from case studies may be more positive, i.e. worker participation is more effective than is the case for all organisations. However, it is still possible to learn about factors that facilitate and hinder worker participation and how worker participation can impact on health and safety.

The questionnaire survey of HS representatives had a low response rate (15%). It is likely that the respondents are HS representatives that are employed in jobs where they have regular access to computers and do not have low literacy which could mean that they are engaged, and well-resourced HS representatives. It can therefore be expected that a higher proportion of the respondents use the knowledge they have gained than the average of the HS representative attending the training.

5. Conclusions

For some New Zealand organisations, legal requirements for worker participation support the establishment of formal participatory systems even though the requirements are not enforced by the inspectorate. Incentives to participate in OHS management audit schemes requiring formal worker participation seem to provide a structure for worker participation for some organisations. OHS practitioners acknowledge this but they perceive the organisations commitment to OHS and its supportive culture to be a more important factor for implementation of effective worker participation.

The analysis in the present paper, based on the findings of student projects, support the conclusion that HS reps contribute positively to OHS management and function as a means for communication of OHS issues between workers, management and OHS committees. The HS representatives’ role varies between organisations and the organisations’ descriptions and understanding of the role varies. Having and knowing the HS representative can facilitate unskilled workers’ participation in hazard reporting.
Factors that influence how well the HS representatives fulfil their role were identified as: participation in training (including the approved training course), a supportive company culture, having a forum for discussion of OHS issues (e.g. a HS committee), support from management and co-workers, and allocated time for the HS representative role.

Factors that had a negative influence on the HS role performance included co-workers’ negative attitudes towards safety, high workload, and some forms of work organisation like shift work that hinder contact with management, co-workers or HS committees. Workers that become or have been HS representatives are motivated to become HS reps by provision of training and a perception of the HS rep role as helping with providing a safe workplace.

The projects on direct worker participation identified that toolbox meetings could satisfy managers’ and workers’ perceived need for communication of OHS issues but it cannot be concluded that it was effective direct worker participation. Compulsory reporting of hazards as a form of worker participation in hazard identification does not fulfil the intent of identifying important hazards. To support effective direct worker participation in hazard management it is important that the workers receive feedback on reported hazards and that management take action or explain why actions are not taken.

Since the analysis in the present paper is based on student projects, it only provides indications about the implementation of worker participation in organisations that can be perceived to have a positive attitude towards OHS. It cannot be claimed that they give a good picture of which organisations implement worker participation or not, why they do it or don’t do it and whether and why it results in better prevention of injuries. It is therefore important to conduct larger, more complete, studies that combine quantitative investigation of the implementation of different forms and combinations of worker participation in OHS management with case studies of organisations in different contexts (e.g. small and large, different industries, different levels of unionisation of the workforce etc.) in order to identify different interventions that can facilitate effective forms of worker participation.

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