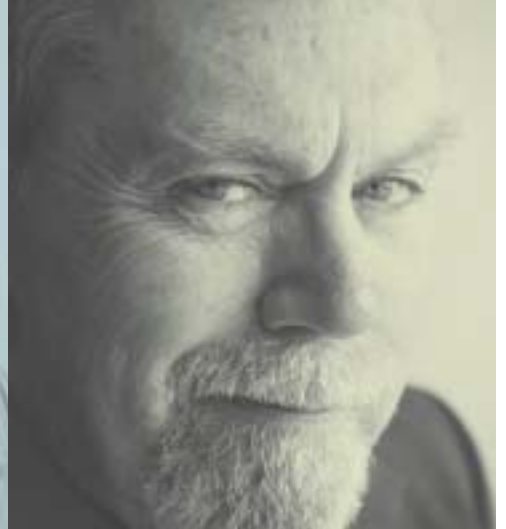


# the workplace review

NOVEMBER 2007  
VOLUME 4 ISSUE 2

DISCOVER, SHARE, TRANSFORM



The Changing Face of the Workplace.



retirement work scheduling surveillance incivility health & safety



# Better Workplaces

*Better Workplaces* is a research initiative of the Sobey School of Business. It is a key focus in our ongoing effort to produce research that has a meaningful impact on the way we do business. The *Better Workplaces* research agenda is aimed at developing insights into the balance of factors that encourage positive organizational outcomes, including improved organizational performance and customer care, employee health and safety, good community-workplace relations, and ethical business practices.

One of the initiatives under the Better Workplaces umbrella is the introduction of this new electronic journal – *The Workplace Review*.

## Mission

The mission of *The Workplace Review* is to become a regional forum where people can explore different perspectives of work.

*The Workplace Review* will emphasize research that is current and relevant, with a high potential for immediate application and impact.

## Scope of the eJournal

*The Workplace Review* showcases the strength of international faculty who are in touch with day-to-day workplace challenges. Drawing upon our diverse community of researchers, from the Sobey School of Business and other Atlantic Canadian universities, the journal will reflect developing issues in the functional specialties of marketing, finance, operations, information systems, economics, accounting, and management. It will address issues such as personnel staffing and selection, human resource management, leadership and coaching, occupational health, industrial relations, spirituality, diversity management, corporate governance and business ethics. The journal will remain flexible enough to incorporate future or emerging issues. All articles will focus on the central theme of the challenges and opportunities surrounding work, working and the workplace, but will not necessarily reflect the views of Saint Mary's University and the Sobey School of Business.



# the workplace review

DISCOVER, SHARE, TRANSFORM

November 2007

contents

04

03

LETTER FROM THE EDITOR

Electronic Monitoring  
in the Workplace: A review and  
discussion about future trends.

13

08

ALTERNATIVE WORK SCHEDULES AND RELATED  
ISSUE AMONG ATLANTIC CANADIANS.

How Rude!  
Incivility in the Workplace Hurts  
More than just Feelings

30

21

INDUSTRY, LABOUR AND GOVERNMENT IN  
NORWEGIAN OFFSHORE OIL AND GAS SAFETY:  
WHAT LESSONS CAN WE LEARN?

Abolishing Mandatory  
Retirement? A Complicated  
Proposition.

IF YOU HAVE SOMETHING YOU WANT TO SAY, research or information you want to share, or comments or reactions to articles you've read in this issue, please write to the managing editor: [anthony.yue@smu.ca](mailto:anthony.yue@smu.ca)



# Letter *from* the Editor

BY ALBERT J. MILLS

This issue of the Workplace Review revolves around the changing face of the workplace. We mean that quite literally through reference to issues of diversity at work but also figuratively where we discuss the changing character, or face, of the workplace.

In the first of our diversity articles Gordon B. Cooke takes a look at alternative work arrangements. Reviewing evidence on the role of education in employment opportunities, Cooke contends that individuals, employers and government need to pursue vigorous commitment to higher education and skills upgrading for the rapidly changing workplace. He concludes that good quality jobs should contain alternative work schedules to meet the needs of employers and employees alike. Our second major article looks at the “complicated” issue of extended retirement ages. Examining the impact of and the background to recent changes to mandatory retirement, Amy Warren argues that it is a two-edged sword that can increase the pressures on some people to continue working beyond a point that they had hoped to retire but also an opportunity to continue to earn and enjoy a rewarding work life. For employers it can ease labour shortages and the need to replace experienced workers but it can also extend the impact of non-productive workers on the organization. Warren contends that, with the new choices and challenges, it is a struggle worth having.

In a series of articles on the changing character of the workplace, Camilla Holmvall and Lori Francis tackle the growing problem of incivility, or rude behaviour, at work. They show in detail how rudeness at work not only affects individual feelings but the workplace climate and with it a range of performance indicators. In the following article Susan Hart, examines the Norwegian Offshore Oil and Gas industry for indicators of best practices and argues that Canada has much to learn from the Scandinavian focus on participation and cooperation.

Finally, our lead article focuses on the ethically troubling issue of electronic monitoring of the workplace. In George Orwell's *1984* the central face of the futuristic workplace is that of “Big Brother.” Written in 1948 (Orwell just reversed the numbers), Orwell predicted a dark future where the minute aspects of a person's life would be constantly monitored. So powerful was the imagery that there was a general sigh of relief when the year 1984 came and went without anything approximating the pervasive monitoring that Orwell predicted. But that was on the cusp of the information technology (IT) revolution that has since brought sweeping changes. Those changes have brought with them a number of advances but also dangers. A good example is the advent of the CCTV camera, whose widespread use has assisted with security but has some people concerned about its potential for abuse in the new ability to track people's movements across a city. Similarly computer technology allows people to undertake a range of jobs and leisure activities from a variety of locations but it also increases the ability of others to track what people do when they are engaged in those activities. It is not the time for panic. 1984 is still not upon us. But, as Wendy Carroll indicates in our opening article, electronic monitoring of workplace activities is widespread — with over 35% of North American workers being monitored — and has grown tremendously (up 40%) over the past fifteen years. Carroll's thought-provoking article encourages us to think about the benefits and dangers of workplace monitoring as we move into the next decade of the 21<sup>st</sup> century. ○—

# Electronic Monitoring in the Workplace: A review and discussion about future trends.

BY WENDY CARROLL

MONITORING EMPLOYEES IN THE WORKPLACE IS BY NO MEANS A NEW PHENOMENON. HOWEVER, WITH THE PROLIFERATION OF TECHNOLOGY OVER THE PAST 25 YEARS, THE DEVELOPMENT OF ELECTRONIC MONITORING (EM) CAPABILITY HAS INCREASED SUBSTANTIALLY, PROVIDING EMPLOYERS WITH A MYRIAD OF OPTIONS FOR CAPTURING PERFORMANCE AND CONDUCTING SURVEILLANCE.

Many employers are embracing these technologies and developing EM practices accordingly. Evidence of this trend can be found in a 2001 study by the American Management Association (AMA) which found that about 78 per cent of firms electronically monitor employees in some way [2]. This represents an increase of over 40 per cent since the early 1990s when estimates indicated that 35 per cent of employees were being monitored electronically [3].

The pervasive use of electronic monitoring (EM) practices has led to much debate among academics and practitioners. While some view the application of EM as a means to increase firm performance through the richness of information available, others posit that it is a repressive experience for employees that decreases their performance and challenges their right to privacy. This article aims to provide background on the evolution of electronic monitoring in the workplace, as well as highlight recent findings about the effects of

electronic performance monitoring (EPM) practices. In addition, future trends in this area will be discussed with a focus on the employers' use of EM to reach beyond the employees' workplace into their cyber world of blogs and social networks such as facebook.

## THE EVOLUTION OF EM

Firms have employed various practices over time to monitor employees for the purposes of control and compliance [4]. Initially, these practices were manually applied and often times required self-reporting by employees for tracking of productivity and performance. With increased automation in the workplace, many of the technologies introduced to enhance performance of the job also provided enhanced tracking and monitoring capability. These advancements generated practices and policies which leveraged the new electronic monitoring capabilities and led to the gathering of vast amounts of information about employees.

Some of the most often cited reasons by firms for using EM include legal compliance and liability, performance review, productivity management, and security concerns [3]. Techniques and practices of electronic monitoring range from recording and reviewing emails, phone messages and internet browsing to tracking employee attendance, interactions with customers and quality of work. A further and equally contentious aspect of electronic monitoring involves the use of video surveillance cameras throughout a firm's locations. Concerns about electronic monitoring vacillate between issues of stress and employee satisfaction, these resulting from performance and productivity practices and infringement of privacy rights within the workplace as a consequence of surveillance and tracking of (or access to) personal communications at work.

#### DIRECTIONS FOR EPM

The introduction of electronic performance monitoring (EPM) has shifted employees from a state of intermittent to continuous monitoring [5]. In the past, traditional performance monitoring (TPM) systems typically monitored employees by reviewing documents or conducting side-by-side observations. These methods provided employees with a point in time assessment in which they had some type of control over the event or activity. EPM systems introduced a new layer of complexity in that many aspects of the employees' work can be monitored in real-time or stored for review at a later time. These electronic sources provide copious amounts of information to supervisors in areas such as attendance, work time, accuracy, quality and interactions with customers. In short, this evolution in technology has transformed EM to an "always-on" experience for employees.

This transformation of the employee monitoring experience has garnered much attention from practitioners and researchers alike. Specifically, research attention has increased on the uses and effects of EPM practices on employee and firm performance. However, the results have been mixed to date [eg., 7, 8, 9]. While

some studies indicate that the use of EPM increases performance, others suggest that it may indeed deteriorate it. Some practitioners and researchers suggest that this new capability to track and access information on multiple levels enhances managements development of employees which in turn positively contributes to increased firm performance relating to customer, employee, operational and cost outcomes [10]. Yet other studies show that the impacts on employees being electronically monitored provides organizations with more varying performance outcomes which may negatively impact employee satisfaction and stress [eg, 10, 11, 12-14]. As a result of these mixed results, a growing body of literature has emerged in an attempt to gain a deeper understanding of the effects of these new practices. However, this body of research has also continued to contribute to debate and confusion about the implications of EPM on performance outcomes.

It is agreed by most researchers that the mere presence of EPM positively affects performance outcomes. However, over time researchers have discovered other factors which coincide with the presence of EPM and also affect performance outcomes. For example, when an employee's perception of an EPM practice is positive there tends to be a positive effect on performance. The research to date has also revealed several other factors such as type of EPM, intensity and frequency of the monitoring and employee perceptions of control and fairness. In an attempt to reconcile some of these differences and debates, a meta-analysis was conducted which focused on examining these key factors associated with the presence of EPM [15]. Through this study it was revealed that employee perceptions of control and fairness have a strong effect on performance outcomes. In sum, the study showed support for claims that EPM presence increases performance. However, it further revealed that performance outcomes are positive when employees perceive EPM practices to be fair and if they have some type of control over the process.



In line with these findings, the National Workrights Institute made several suggestions for firms considering the implementation of EPM practices [16]. These guidelines include:

**GUIDELINE FOR EPM PRACTICES**

<b>1</b>	Ensure the EPM practice is necessary	Although a somewhat obvious starting point, it has been found that many firms adopt EPM practices without determining if they really are required or if they will improve performance outcomes.
<b>2</b>	Engage employees	By involving employees in the development and application of EPM practices alternate solutions may emerge which may negate the implementation of EPM. If the situation still requires implementation of EPM, then the employees will be part of the development and design of the practice which will increase perceptions of control and fairness.
<b>3</b>	Set specific scope	Develop EPM practices with a specific scope and directed outcomes to avoid a) capturing and measuring everything without a goal or target and b) blurring the lines between work and personal employee space.
<b>4</b>	Conduct event-based EPM	Drive EPM based on situations or events in the workplace rather than an “always-on” state.
<b>5</b>	Provide notice	Give employees proper notice that they are going to be monitored. This guideline is consistent with recommendations by the American Management Association (AMA).
NATIONAL WORKRIGHTS INSTITUTE: <a href="http://www.workrights.org">www.workrights.org</a>		

With the continued growth and development of electronic performance monitoring technologies and practices both academics and practitioners should continue to work together to further understand the implications of EPM practices on firm and individual outcomes. Continued research such as Zweig and Scott's (2007) recent study on supervisor fairness will advance the ways in which we design and apply EPM practices in the future [17].

**BLURRING THE LINES BETWEEN WORKPLACE AND PERSONAL**

EM from its inception has been followed closely by discussions about privacy. Due to the often cited nature of EM as both intrusive and invasive, issues relating to ethical and legal considerations, such as employee privacy, have been at the centre of debate [eg., 18, 19, 20]. An employee's right to privacy is often raised with practices that capture and record employee communications which can be both business and personal. On the one hand, some practitioners

have argued that the workplace is owned by the employer and that the use and tracking of all within it is both the legal and financial responsibility of the firm [21]. On the other hand, others have argued that employers reach beyond the workplace to engage employees in their private space and should therefore expect some personal communications to happen within the workplace [16]. Further, it has been argued that there are specific places and instances within the workplace that employees have a right to expect privacy. These cases have been most notable in instances of locations of surveillance cameras. For example, it is reasonable to expect a surveillance camera to be in open areas to monitor traffic around exits and parking lots but it is unreasonable to place one in a bathroom stall.

However, with the increasing ‘virtualness’ of the workplace, the lines between work space versus private space are becoming even more blurred. The following

discussion is not intended to provide a legal perspective on privacy in the workplace and interpretations of PIPEDA or other legislative framework [See 22], but rather to examine some of the emerging trends and issues relating to EM and privacy.

EM – *on the job*: A focus on productivity in the workplace often lends to EM practices which track an employee's use of computer and telephone. These practices frequently range from capturing data in email, voice mail, live telephone conversations, documents on hard drives and internet surfing to measuring productivity by counting key strokes and tracking time on the computer [21]. According to AMA's 2005

firm has increased attention on both blog and social networking community message boards [23]. The risk of security breaches of information has heightened the focus on scanning for information on the internet about the firm. For example, employees are creating interest groups where employees, both present and past, share information and thoughts about the firm. Concerns for employers range from the release of content of a confidential email to the discussion of embarrassing internal problems. In either case, this leap into the cyber world to electronically monitor existing employees poses interesting and new debates about privacy. The second reason, and perhaps even more contentious, is the recent trend by Human

**“Within two decades, electronic monitoring has taken a deep rooted and systematic place in the fabric of the North American workplace.”**

study [4], employers are primarily concerned with the inappropriate use of the internet by employees. In line with this concern, over 76 per cent of the firms reported to have web surfing EM practices. However, it can also be noted from the same study that over 55 per cent of the firms reported the use of an EM practice of retaining and reviewing employee emails. Further, 50 per cent of the firms also acknowledged a practice of storing and reviewing employee computer files. Within the context of these monitoring practices, firms have reported incidents of dismissing employees for misuse of internet (27 per cent), email (25 per cent) and phone (6 per cent). These practices of gathering both business and personal information not only blur the lines but also open firms up to other legal liabilities, such as human rights charges based on the personal information accessed.

EM – *in cyberspace*: Blogs and social networking communities have emerged to further blur the lines between work space and personal space. Employers have begun to electronically monitor these spaces for two reasons. First, growing concerns about the release of confidential and proprietary information about the

Resource professionals to use electronic monitoring to gather additional information about candidates seeking a position with a firm. According to a recent study by the Ponemon Institute (2007), 35 per cent of HR professionals surveyed had '*googled*' a candidate seeking employment [24]. While some practitioners argue that the information is in the public domain and is open for such use, others charge that integrating such information, especially without the candidates' knowledge, will fuel issues of privacy and human rights.

Within two decades, electronic monitoring has taken a deep rooted and systematic place in the fabric of the North American workplace. As capability continues to grow and public information is readily available on the internet challenges of privacy and effects on employee performance will continue to escalate. Without question, future legal and ethical debates about the use of such EM practices and the demarcation between workspace and private space will surge forward. By the way, don't forget to "*google*" your name to see exactly what information your future or current employer may be gathering about you through electronic monitoring.



What does your cyberspace profile say about you? And, should it matter? These are the questions yet to be determined in the ever developing world of electronic monitoring. ☹—

#### RELATED LINKS OF INTEREST FOR THIS ARTICLE:

American Management Association

<http://www.amanet.org/>

Ponemon Institute

<http://www.ponemon.org/>

National Workrights Institute

<http://www.workrights.org/>

Office of the Privacy Commission [http://www.priv-com.gc.ca/fs-fi/02\\_05\\_d\\_17\\_e.asp](http://www.priv-com.gc.ca/fs-fi/02_05_d_17_e.asp)

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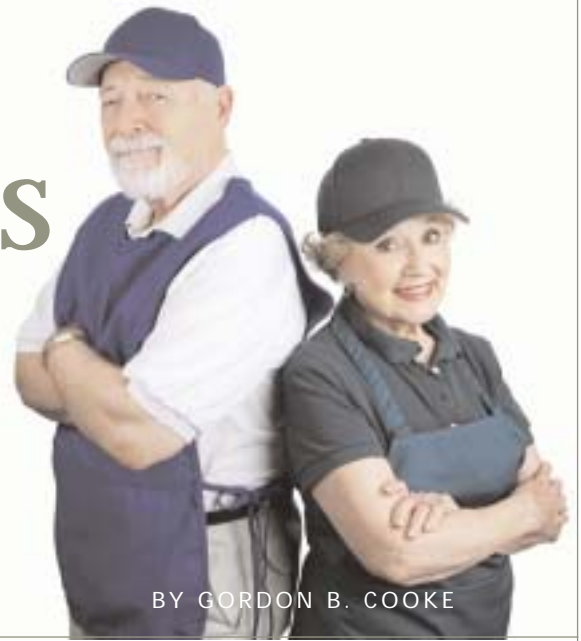
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## Profile:

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# Alternative Work Schedules and Related Issues among Atlantic Canadians



BY GORDON B. COOKE

## The Issues:

A modern reality in the workplace is the existence of alternative work arrangements including non-permanent employment, schedules that vary in terms of workweek length, the degree of control exercised by the employee, and whether or not those work hours occur during traditional hours of business. About 15% or more of jobs in Canada have part-time hours [1], while about 12% of jobs are non-permanent [2]. Moreover, the incidence of temporary and part-time work is positively correlated [3]. It is estimated, for instance, that 30% of permanent workers in Canada had a non-standard schedule of one type or another, versus almost 50% among non-permanent workers [4]. In addition, almost one in five individuals regularly work weekends in Canada [5]. While it is true that some workers prefer part-time and/or temporary jobs or various scheduling alternatives, the prevalence of these types of jobs is primarily driven by the employer seeking improved productivity and flexibility [6][7]. From a worker viewpoint, the problem is that these jobs are typically associated with poorer pay and other working conditions [3][8][7].

These arrangements exist at a time when many of us are concerned that some Canadians have plenty of secure employment opportunities, featuring full-time hours and high pay, while others seem only able to access poor quality, insecure jobs [9][10][11]. Although job quality can be measured in numerous ways, most workers prefer permanent over non-permanent employment, a 'normal' full-time workweek length over something shorter or longer, a work schedule that allows work to be balanced with other life obligations, and a sufficient hourly wage. These are, of course, only the tip of the iceberg. Nonetheless, I suggest that these are reasonable measures to get a sense of job quality (for a recent ranking of good job traits, see [12]).

There is also regional disparity in Canada with poorer economic conditions in Atlantic Canada, on average, than in the other provinces [13]. Canada's overall unemployment rate

has recently been near its lowest level in three decades [12], and even parts of Atlantic Canada are experiencing a skilled labour shortage [14]. Nonetheless, unemployment in Canada in 2003 – the year studied – was almost 10% in Nova Scotia and above 10% in the other three Atlantic provinces, and while over 9% in Quebec, ranged from 5% to 8% in the other provinces [15]. Thus, although there were improvements on an absolute basis, the relative disparity in Atlantic Canada continued. Moreover, where weak(er) economic conditions exist, workers will be more likely to access part-time, temporary and/or otherwise unattractive jobs [16][17]. Another commonly heard concern is that young workers face employment challenges such as lower hourly wages or higher unemployment and, if employed, a higher likelihood of having a temporary job [3][8][18]. Less educated young workers are even more likely than those who are relatively highly educated to have unstable, low-paying, poor quality jobs [3][19][8]. Thus, attaining education is often touted as a way for workers to find and retain a good job.

In this article, these issues are considered by using labour market information, attained education, and age for workers both within and outside of Atlantic Canada. This topic seems especially worthy of attention because an additional trend is the increasing mobility of labour. In Canada, the particular concern is the westward movement of workers away from Atlantic Canada [20]. The purpose of this paper is to explore whether job quality is lower for Atlantic Canadians, on average, compared to elsewhere in Canada. The first step in this exploration is to consider the thoughts and findings of others.

## Research Results:

These results are based on descriptive statistics generated using Statistics Canada's 2003 Workplace and Employee Survey (WES). Since the WES essentially captures all of the labour force among the ten provinces, this study is based on 800,000 workers in Atlantic Canada and 11.3 million workers elsewhere in Canada. A few methodological necessities follow. Workers are sorted into age groups of 22-30, 30-50, and over 50, representing younger, middle-aged, and older workers, respectively. Employment status is non-permanent if it is a casual or on-call arrangements, or if the worker has a contract term with a specified ending date. Otherwise, the job is considered to be permanent (i.e. open-ended and ongoing). For work week length, less than 30 hours, between 30 and 45 hours, and over 45 hours are categorized as part-time, normal full-time, and long full-time lengths, respectively. Three other alternative work schedule components are: having a work week that usually includes Saturdays and/or Sundays, those with unsocial hours (i.e. having usual hours outside of the 6 a.m. and 6 p.m. workday), or those with little work notice (i.e. knowing their weekly hours of work in advance by one week or less). These are designed so that the prevalence of any or all of them is another sign of possible poor quality schedules. Workers are also separated on the basis of attained education. Those with at most high school are classified as lower-educated, while those with at least some post-secondary education are classified as higher-educated. Additional methodological details are available upon request from the author.

Table 1 presents descriptive statistics for work schedules and related variables. Results are presented for lower and higher educated workers, within and outside of Atlantic Canada. Data are provided for younger, middle-aged and older worker categories.

## ALTERNATIVE WORK SCHEDULES

TABLE 1: ALTERNATIVE WORK SCHEDULES AND RELATED ISSUES

	LOWER-EDUCATED WORKERS		HIGHER-EDUCATED WORKERS	
<b>YOUNGER WORKERS</b>	Within Atlantic Canada	OutsideAtlantic Canada	Within Atlantic Canada	OutsideAtlantic Canada
<b>EMPLOYMENT STATUS</b>				
Permanent	78.9%	95.1%	83.5%	90.3%
Non-Permanent	21.1%	4.9%	16.5%	9.7%
<b>WORKWEEK LENGTH</b>				
Part-time	15.0%	10.2%	14.4%	12.8%
Normal Full-time	80.2%	83.1%	80.1%	82.5%
Long Full-time	4.8%	6.7%	5.5%	4.7%
<b>OTHER COMPONENTS</b>				
Weekend hours	37.2%	28.4%	18.7%	22.6%
Unsocial hours	61.2%	25.2%	21.2%	20.0%
Little schedule notice	36.9%	14.2%	16.0%	13.3%
Wage < \$10/hr	34.7%	24.1%	25.5%	13.6%
Wage: \$10-\$20/hr	59.0%	66.2%	60.0%	56.4%
Wage: \$20+/hr	6.2%	9.7%	14.5%	30.0%
<b>MIDDLE-AGED WORKERS</b>				
<b>EMPLOYMENT STATUS</b>				
Permanent	88.0%	91.1%	90.1%	94.4%
Non-Permanent	12.0%	8.9%	9.9%	5.6%
<b>WORKWEEK LENGTH</b>				
Part-time	6.4%	13.5%	12.0%	10.6%
Normal Full-time	77.0%	77.8%	80.3%	81.2%
Long Full-time	16.6%	8.7%	7.7%	8.2%
<b>OTHER COMPONENTS</b>				
Weekend hours	20.8%	19.8%	16.5%	16.0%
Unsocial hours	20.9%	22.2%	14.9%	15.3%
Little schedule notice	9.0%	11.1%	11.4%	7.6%
Wage < \$10/hr	29.6%	17.9%	15.0%	5.3%
Wage: \$10-\$20/hr	53.6%	52.3%	44.7%	38.8%
Wage: \$20+/hr	16.9%	29.8%	40.3%	55.9%
<b>OLDER WORKERS</b>				
<b>EMPLOYMENT STATUS</b>				
Permanent	87.7%	89.0%	87.8%	90.7%
Non-Permanent	12.3%	11.0%	12.2%	9.3%
<b>WORKWEEK LENGTH</b>				
Part-time	7.9%	17.1%	8.4%	15.3%
Normal Full-time	77.1%	72.3%	79.0%	76.2%
Long Full-time	15.0%	10.6%	12.6%	8.5%
<b>OTHER COMPONENTS</b>				
Weekend hours	15.6%	18.0%	9.7%	14.9%
Unsocial hours	23.7%	16.9%	21.6%	18.0%
Little schedule notice	12.2%	14.2%	7.3%	9.7%
Wage < \$10/hr	33.8%	11.5%	8.8%	5.7%
Wage: \$10-\$20/hr	46.1%	56.7%	43.5%	32.6%
Wage: \$20+/hr	20.2%	31.8%	47.6%	61.6%

## Younger workers, Lower-educated

More than 95% of lower-educated younger workers outside of Atlantic Canada have permanent employment, and 90% work either a “normal” full-time or long full-time workweek length. Also, under a quarter earn less than \$10/hour. These astonishingly high figures are likely a reflection of the selection effect in a buoyant economy, in which some young workers discontinue their education because they have a readily available (full-time) job opportunity [21]. Only 79% of comparable Atlantic Canadians have a permanent job, and only 85% have a normal or long full-time workweek length. Moreover, the likelihood of working unsocial hours or receiving little notice of work is more than twice as high among those within Atlantic Canada. Additionally, more than one third earn less than \$10/hour compared to less than one quarter of those elsewhere, although very few younger, lower-educated workers anywhere are highly paid.

## Middle-aged, Lower-educated

It is interesting to see that the proportion of middle-aged lower-educated workers with a non-permanent job is lower in Atlantic Canada and higher elsewhere, relative to comparable younger workers within each region. Compared to each other, though, Atlantic Canadians are still more likely to be in a non-permanent job. Otherwise, there are few material differences in work schedule lengths or other scheduling components between the two groups. One exception is wages, with middle-aged workers in Atlantic Canada being almost twice as likely (30% vs. 18%) to earn less than \$10/hour, and workers outside Atlantic Canada being almost twice as likely to earn more than \$20/hour (30% vs. 17%).

## Older, Lower-educated

Regardless of location, more than one in ten older workers with lower education is in a non-permanent job. However, while 17% of older workers outside of Atlantic Canada work part-time hours per week, this percentage falls to only 8% inside Atlantic Canada. Conversely, 15% of Atlantic Canadians in this category work at least 45 hours per week versus 11% elsewhere. These differences indicate a tangibly longer average workweek for older lower-educated workers in Atlantic Canada. It is important to note that one third of Atlantic Canadians earn less than \$10/hour, which is three times the proportion elsewhere. Given this result, it is not surprising that Atlantic Canadians are less likely to earn \$10-\$20/hours or in excess of \$20/hour. Nonetheless, a higher proportion of Atlantic Canadians indicate that they work their preferred workweek length.

An optimist might hope that older lower-educated Atlantic Canadians love their job and want a long(er) workweek. Realists are likely to attribute that preference to work long hours, despite the strain that older workers often feel, is due to the low(er) wages. (For an in-depth discussion of these issues, see [22][23]). Others have also found that Atlantic Canadians are somewhat less likely to want fewer work hours for less hourly pay, and are

somewhat more likely to want more hours of work for more hourly pay, relative to workers elsewhere in Canada [24]. Rather than being seen as facilitating work-life balance, shorter workweeks in Atlantic Canada is properly viewed as a form of underemployment or marginalization. As a final observation, there were no tangible differences in work schedule components.

## Lower-educated – Overall Thoughts

Looking at lower-educated workers overall, a couple observations come to mind. One is that younger workers in Atlantic Canada appear to have the poorest working conditions as judged by the much higher likelihood of having a non-permanent job and/or having part-time hours, and/or other unfavourable scheduling components. A couple solutions come to mind. Where possible, these workers should try to acquire post-secondary education of some type. Regrettably, though, if they are not interested in pursuing more education, then they seem to have better employment prospects elsewhere (Fort McMurray, anyone?).

A second general observation is that, regardless of age, a significant minority of lower-educated workers are low-waged in Atlantic Canada, while the proportion drops sharply elsewhere between younger and middle-aged, and middle-aged and older workers. Thus, it appears that the penalty of having lower education is endured for longer in Atlantic Canada. It is true that a higher proportion of older workers outside of Atlantic Canada have a non-permanent or part-time job relative to middle-aged workers, and that this trend is repeated among middle-aged workers versus younger workers. When coupled with higher hourly wages, rather than being a negative, this could be a sign that these workers can afford to choose non-standard employment that fits better with their other life obligations [22][23]. I next turn to the situation of the more highly educated worker.

## Younger workers, Higher-educated

Younger workers within Atlantic Canada are much more likely to have a non-permanent job than those elsewhere (17% vs. 10%), while about one in seven in either region have a part-time workweek length, and one in twenty work long full-time hours per week. The other work schedule components did not tangibly vary. However, the Atlantic Canadians were almost twice as likely to earn less than \$10/hour (25% vs. 14%), and were half as likely to earn over \$20/hour (14% vs. 30%).



## Middle-aged, Higher-educated

Middle-aged workers within Atlantic Canada are also more likely to have a non-permanent job (10% vs. 6%), although the gap has narrowed. The prevalence of part-time hours is the same in both regions, at about one in nine. Again, other scheduling components do not vary much between workers in the two regions. Although the likelihood of earning less than \$10/hour dropped in both regions among middle-aged workers relative to those younger, Atlantic Canadians were three times as likely to be in this situation (15% vs. 5%), and are also less likely to earn more than \$20/hour (40% vs. 56%).

## Older workers, Higher-educated

Relative to their middle-aged counterparts within both regions, older higher-educated workers are more likely to have a non-permanent job. Those outside of Atlantic Canada are also more likely to have a part-time workweek or to work weekend hours. In isolation, these are consistent with existing findings that alternative work arrangements suit a segment of older workers who do not require the security an income from 'standard' employment [22][23]. However, one in eight of older, higher-educated Atlantic Canadians have a long full-time workweek, which suggests a desire or need to remain fully employed. It is also reassuring to see that very few of these workers earn less than \$10/hour, regardless of region, although those outside of Atlantic Canada are much more likely to be highly paid.

## Higher Educated—Overall Thoughts:

It is worth noting that although 'other scheduling components' do not vary much between regions within each age group of high-educated workers, there is still an overall pattern. Moving from the younger to middle-aged to older cohorts, there is less likelihood of working weekends or unsocial hours or receiving little work notice. More generally, the gap in job quality between Atlantic Canada and elsewhere is narrower among higher-educated workers, and that job quality is better among these workers relative to those with less education.

## Thoughts and Implications

The purpose of this article was to explore whether job quality is lower for Atlantic Canadians, on average, compared to elsewhere in Canada. Rather than relying on perceptions or anecdotal information, recent Statistics Canada data was utilized during this exploration. Although the labour market issues discussed in this piece are well-known, no similar studies were found that analyze these issues concurrently from an Atlantic Canadian perspective. Based on the variables used in this study, work schedules and job quality in general are better outside of Atlantic Canada. That said, conditions are tangibly better for

higher educated workers compared to lower-educated workers, and for older workers compared to younger workers. In particular, younger, lower-educated workers in Atlantic Canada have the poorest conditions in terms of likelihood of having a non-permanent job, being low-waged, or having other unfavourable work schedule characteristics (i.e. weekend or unsocial hours, little notice of work). These are expected results for a region with a relatively weaker economy and higher unemployment. Consistent with existing research, the results also showed that more educated workers throughout Canada have higher quality jobs.

Although not shown in the tables, 6.6% of Canadian workers (using the WES 2003 figures) are within the group of four Atlantic provinces. Among lower-educated workers, Atlantic Canadians represent about that same proportion among those who are classified as younger, middle-aged, or older. However, by age, there are relatively few higher-educated workers in Atlantic Canada, while a higher proportion of higher-educated workers in this region are classified as older. The most logical explanation, based on the results in this study and a review of existing literature, is that too many younger, educated workers in the Atlantic provinces have migrated to other parts of Canada.

These results again confirm the value of acquiring education. Educated workers are likely to have better employment prospects now and in the future if they have the skills sought by employers. Given the magnitude of these issues, it is an understatement to say that there are significant implications for individuals, employers, and governments. A number of young workers are not receiving the skills and opportunities needed for them to live a productive, rewarding life. Simply put, these marginalized individuals are more likely to find only unstable, insecure employment with poor hourly wages, short(er) workweeks, and other unfavourable working conditions. In turn, Maxwell, when writing for the journal *Policy Options*, makes a convincing case that this leads to a number of social ills for workers and their families [25]. However, it is also worth remembering that even if job quality is potentially higher elsewhere, there are certainly lifestyle benefits in Atlantic Canada [14].

In the end, individuals need to take responsibility and to pursue education and skills-upgrading with vigour, and to understand the consequences of not doing so. That said, Maxwell argues that the implications are so serious that employers, in addition to governments, have a role to play. As Canada continues to experience labour shortages and structural unemployment and underemployment, progressive employers will see the merits of providing good quality jobs that contain work schedules and other arrangements that address the wants and needs of workers. ○—

## profile

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# How Rude!



## Incivility in the Workplace Hurts More than Just Feelings.

BY CAMILLA M. HOLMVALL & LORI FRANCIS

A coworker borrows your favorite red stapler and doesn't return it. Your boss hovers over you while you are on the phone. In an effort to quell your groggy afternoon state, you go to the break room to get a cup of coffee but find only burnt drops in the carafe; no-one has taken the time to put on a new pot. You receive an email composed entirely of lower case letters that is rife with spelling mistakes and acronyms – many of which you cannot decipher. You hear your coworkers in the hallway talking about going to lunch, but no-one stops to invite you. What do these incidents have in common? They are all examples of

workplace incivility, and research shows they can be hazardous to your, and your organization's, health.

Put simply, uncivil behaviours are those that violate workplace norms for mutual respect. Such behaviours are generally rude and impolite and display a lack of concern for others [1]; they reflect acts of thoughtlessness rather than thoughtfulness. In contrast to behaviours that might be considered more blatantly aggressive (e.g., yelling, threatening, or pushing), it is often unclear whether perpetrators of incivility intend to cause harm to others. Perhaps the aforementioned

pilferer of staplers simply forgot to return the implement, reflecting an oversight rather than malicious intent. Though these types of uncivil behaviours are low-grade and may seem trivial, don't be fooled; research suggests that the consequences of incivility can be far-reaching. As such, it is important to understand what contributes to incivility in the workplace, and what can be done about it.

### PREVALENCE AND CONSEQUENCES OF WORKPLACE INCIVILITY

The prevalence of incivility in North American workplaces is estimated to be high. In one study, 71% of respondents reported experiencing incivility over a 5-year time frame [2]. In another study, 89% of respondents reported that incivility is a serious problem, and most perceive that it has worsened over the past 10 years [3]. Thus, though studies suggest that acts of physical violence in the workplace are relatively uncommon [4], lower grade acts of incivility clearly are not.

Experiencing incivility, either as a victim or an observer, can lead to a number of negative consequences for employees as well as their organizations, making incivility important to study as well as monitor in the workplace. Quite understandably, being the target of rude treatment may leave employees in a bad mood. Victims might experience psychological distress, irritation, and hurt feelings [5][6]. Lower levels of psychological well-being and health satisfaction have also been linked to incivility [5] as has lower job satisfaction [2]. Witnesses of incivility may also worry about the state and health of their work environment.

Experiencing incivility may also adversely impact employees' performance, and thus, potentially, organizational profits [3]. Targets of incivility may become preoccupied with the uncivil incident, worrying about it and the potential for similar interactions in the future. Some may also spend time avoiding the perpetrator rather than focusing on the tasks at hand [3]. Employees may also withdraw both physically and psychologically from work, sometimes permanently by quitting their jobs [6]. If leaders do not take action to

prevent or address incivility once it has occurred, employees may begin to distrust their organizations because the prevailing message is that workplace incivility is tolerated and even acceptable. Over time, repeated acts of incivility may erode the organization's culture to the point where incivility is the new norm [1][6].

In addition to the potential negative effects of incivility already noted, acts of incivility might escalate into more serious forms of workplace mistreatment such as aggression or violence. Indeed, it is generally believed that acts of aggression and violence are not spontaneous in nature; rather, they can be traced back to more lower-grade verbal incidents or an escalating pattern of negative exchanges between individuals over time [1][4].

In their influential article on the topic, Andersson and Pearson [1] elucidate the process by which incivility might spiral into aggression or violence. For example, Sue might repeatedly interrupt her coworker Ellen while she is speaking. Ellen feels that this thoughtless behaviour violates social norms regarding acceptable interpersonal conduct at work, leaving her feeling hurt and unfairly treated. She reciprocates by giving Sue a dirty look when she interrupts. Sue wonders why Ellen shoots her dirty looks, thinking that such behaviour is unfair and unjustified. After a time Sue further escalates the conflict with Ellen by making a snarky or nasty comment about something Ellen is saying. The process outlined in this example may continue, potentially to the point of aggression or violence. Sometimes the players are not even consciously aware of their actions or the pattern of incivility in which they are engaged.

As Andersson and Pearson [1] note, not all acts of incivility will necessarily trigger an escalating spiral such as the one described above. For example, the parties in the uncivil exchange may keep their behaviour at the same intensity level, exchanging uncivil actions in a "tit-for-tat" manner (e.g., neither party says good morning to the other). The target may also choose to give the perpetrator the benefit of the doubt (e.g.,

assume that he or she is having an “off” day or is simply excited about the information he or she is trying to share) or the perpetrator may apologize for his or her discourteous behaviour, ending the cycle before it begins.

Initial uncivil acts may also spawn secondary incivility spirals, in which a witness to incivility may model the uncivil behaviour in an interaction with another party [1]. Furthermore, going back to the scenario described above, it is possible that Ellen may feel unable to reciprocate or retaliate against Sue if Sue is in a position of higher authority. In that case, Ellen might take out her hurt feelings on an innocent and unsuspecting third party [6]. This latter scenario may be quite common, given that instigators of incivility are frequently of higher status than their targets [11].

Clearly, incivility is a problem that can have negative repercussions for both employees and their employers. Understanding the factors that contribute to the phenomenon is therefore of vital importance.

**FACTORS THAT MAY CONTRIBUTE TO WORKPLACE INCIVILITY**

Why is it that people forget or fail to abide by social niceties at work? There are likely many factors that contribute to workplace incivility. For example, the world of work is changing: employees and employers are tasked to do more with less, creating new pressures and stresses. New electronic media for communication (e.g., email, instant messaging) are taking over, which may facilitate uncivil exchanges. Moreover, many workplaces are becoming less formal, potentially blurring the line between appropriate and inappropriate conduct. Although research on the factors contributing to workplace incivility is still in its infancy, some studies have begun to document factors that may contribute to the erosion of manners at work.

One factor thought to promote incivility is a high workload. Given speculation that workloads will only continue to increase in the future [3], it is important to document its effects on the workforce. In our own research [7] we studied the connection between work-

load and uncivil behaviour in a laboratory experiment. Using e-mail exchanges as our medium for investigating incivility, we found that individuals assigned a high workload instigated and reciprocated more incivility than those with more manageable workloads. Why might this be? Though not directly tested in our work, there are a number of processes that might explain why a high workload can cause greater incivility. When workloads are high, people may have less patience for low-grade uncivil behaviour, possibly leading them to be more likely to reciprocate uncivil acts. In addition, feeling “under the gun” may also make people feel that they have less time for social niceties, leading to the perception that terseness and incivility are necessary to get the job done [3].

Dissatisfaction with one’s job and feeling that one is unfairly rewarded for one’s work have also been linked to greater incivility perpetration [8]. Employees who feel that they are not appreciated for what they do or who are not happy in their jobs may seek to get back at the organization or leaders by behaving in an uncivil manner. Furthermore, unpleasant work conditions might induce a negative affective state in the employee which may, consciously or not, translate into more uncivil interactions in the work environment [8].

Although its effects are not yet fully documented by research, an organization’s culture or climate may also have an impact on incivility [1]. Many organizations have shifted from formal climates (characterized by, among other things: formal dress, the use of proper titles when addressing superiors, structured work environments) to more informal ones (characterized by: informal dress, the use of first names or nicknames in addressing others, work environments decorated to suit employees’ individual tastes). Whereas this shift can benefit organizations and is desired by many employees, in more informal work climates the rules for what constitutes appropriate conduct may be less clear. Thus, informal climates may be more conducive to incivility [1].

Workers have also become increasingly reliant on electronic forms of communication such as e-mail,



text-messaging, and instant messaging. As compared to more traditional modes of communication (e.g., memos), electronic communications tend to be more informal, potentially making incivility more likely. In fact, research has shown that, in comparison to traditional memos, spelling and grammar tend to be worse in e-mails and the tone tends to be less polite [9]. People may also say things in an e-mail that they would normally filter or hold back in a face-to-face interaction. Moreover, e-mail lacks non-verbal cues (e.g., facial expressions, tone of voice) that normally help the receiver interpret the intentions of the sender [9], which may make perceptions of incivility – and therefore incivility spirals – more likely. For example, in verbal communication, sarcastic or joking remarks are normally made in a distinct tone of voice, which allows the receiver to identify the remarks as such. Because there is no tone associated with current forms of electronic communication, it is easy for a receiver to misinterpret the intent of the sender, perhaps mistaking sarcasm for genuine meaning. Although tone can be communicated using symbols (such as a smiling or winking face), such symbols may not be understood by all members of an organization.

The sheer volume of communication that many employees have to deal with in a day (e.g., 100+ emails in their in-box) may also promote brevity in responding, leading to uncivil messages [3]. Moreover, because it is easy to respond quickly in electronic communication, people may send messages in the “heat of the moment” without stopping to think about whether the content is in fact appropriate [9]. Of course, the advent of electronic communication has also made it possible to contact an individual around the clock, with the expectation that the receiver can and should respond quickly [9] even at home in the evenings and on weekends. This may contribute to the perception of an unmanageable workload, leading to feelings of overwork and exhaustion and thus potentially increasing the tendency toward uncivil behaviour.

Individual factors, including personality characteristics of employees, may also relate to incivility perpetra-

tion. It is possible that those with “hot” temperaments might be particularly likely to instigate and escalate incivility [1][6]. That said, most of us are probably capable of being uncivil, often without realizing that this is how we are perceived. In fact, research suggests that we are quite willing to identify uncivil behaviours in others, but we may underestimate the likelihood that we may violate social norms ourselves. Indeed, in a series of studies summarized by Johnson and Indvik, 89% of people surveyed think that incivility and rudeness are serious problems, yet 99% report that their own behaviour is civil [3]! In our own research [7], we find that, compared to evaluations by objective raters, people do overrate the civility of their own behaviour. Why might we show this type of bias? There are many possible reasons. We may feel our intentions are transparent to others, so we assume that our behaviour doesn’t come across as rude. If we don’t know we are coming across as rude, it may be difficult for us to change our behaviour. We may also view acting uncivilly as justified if we feel others have treated us poorly, as beliefs in the norm of reciprocity are well documented [10].

#### POSSIBLE INTERVENTIONS TO MINIMIZE WORKPLACE INCIVILITY

In light of the documented negative effects of incivility and its potential to escalate into more serious forms of workplace mistreatment, it is important for organizations to take action to target and prevent incivility in the workplace. Such actions may take many possible forms:

**1.** From a primary prevention standpoint, to the extent that stressful working conditions contribute to acts of incivility, TARGETING WORKPLACE STRESSORS may help to prevent uncivil workplace exchanges. How exactly might an organization go about doing this? Though difficult, making workloads more manageable would be an excellent start [7]. In addition, examining and targeting factors that contribute to low job satisfaction and feelings of unfairness (e.g., by making work more interesting and meaningful to employees, and rewarding them for work done well) may lessen feelings of stress and negative affect [8].

When stressors cannot be minimized, creating stress management policies and rejuvenation practices in the workplace may be a fruitful intervention [3].

**2.** CREATING CLEAR GUIDELINES for appropriate behaviour at work may also be important, especially for domains in which incivility is particularly likely, such as in e-mail communication. Specifically, constructing, posting, and monitoring “etiquette guidelines” may help to increase awareness of the problem [3][11] and limit its occurrence. Of course, to make sure that all employees take issues of incivility seriously, those in positions of authority should model civil behaviour. In addition, there should be consequences for any employee who violates norms for respectful work behaviour [3].

**3.** Relatedly, PROVIDING EDUCATION for employees on incivility may help to reduce its occurrence. Many of us do not realize that our actions may be perceived as uncivil and we would surely think twice about our behaviour if we thought we were hurting others. Knowing that particular factors may contribute to our own incivility (e.g., feelings of stress, high workload) may allow us – and encourage us – to monitor our own behaviour more effectively. When possible, giving our fellow employees the benefit of the doubt when they violate a norm of mutual respect may also prevent incivility spirals from occurring.

Although there is much left to learn about workplace incivility, research in this area is burgeoning. With continued investigation, and the implementation of positive policies and practices by organizations, the goal of creating and fostering psychologically healthy and productive workplaces should be attainable. ○—

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profiles

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# Industry, Labour and Government in Norwegian Offshore Oil and Gas Safety: What Lessons can we Learn?

BY SUSAN HART

The Scandinavian democratic tradition focuses on participation and cooperation between all parties involved to facilitate positive change. [1] Industry and labour play an important policy role on government boards, commissions and committees, and Norway and Sweden are particularly notable in their efforts towards consensus generation at the policy-formulation stage. [2] Dovetailing with this central level of cooperation is an industrial relations pattern that features "...a strong tradition for negotiation and high union density, stable relationships and a low conflict level, and ability for local flexible problem solving through different forms of participation and cooperation." [3] This overall context is important in understanding Norway's offshore oil and gas safety regime.

In Norway, both industry and labour were involved in developing energy policy and the regulatory framework. [4][5] Some form of tripartite process has been a historical feature of offshore safety and is strongly endorsed by the government today:

THE TRIPARTITE COOPERATION ESTABLISHED IN THE PETROLEUM ACTIVITIES IN NORWAY IS UNIQUE IN BOTH A NATIONAL AND INTERNATIONAL PERSPECTIVE. CONTINUED GOOD COOPERATION BETWEEN THE AUTHORITIES, EMPLOYEE AND EMPLOYER ORGANIZATIONS IS ALSO A PRECONDITION FOR REACHING THE GOVERNMENT'S GOAL OF THE NORWEGIAN PETROLEUM INDUSTRY LEADING THE WORLD WHEN IT COMES TO HEALTH, SAFETY AND THE ENVIRONMENT. [6:1]

According to a senior ministerial official: "both the [offshore] regulations and the audit system have been designed on the assumption that there will be well-functioning cooperation between the parties." [7] However, as Saksvik and Quinlan point out [1], although the Norwegian regulatory framework in general is "explicitly tripartite and workers and their representatives have clear rights...in practice these rights are not always exercised." [1:43]. An example of this is illustrated offshore by a study of two Norwegian production platforms where employee participation and cooperation between the parties was weakened by cost cutting and work reorganization. [8] In contrast, Atkinson [9], based on his substantial experience as a senior safety delegate offshore in Norway, highlighted the advantages to both operator and employees of extensive cooperation in safety related matters on another platform. A potential gap between policy and practice, the push towards social dialogue in the European Union [10], and the possible lessons for Canadian stakeholders justify an interest in studying Norway's collaborative approach to offshore safety.

### AIM AND METHODOLOGY

The paper aims to further our understanding of how Norwegian tripartite cooperation works in practice from the perspective of the three parties involved: industry, labour, and the government. A qualitative methodology was selected to more effectively capture the complexity of party relationships. Interactive interviews enabled the interviewees to highlight issues they thought were important, rather than the researcher categorizing them beforehand. Interviews were conducted in Oslo, Stavanger and Bergen in May 1999 and June 2000 with representatives of the central industry and labour associations, the offshore regulatory agency and its ministerial supervisory division. To discover how the collaborative process worked from the perspective of participants operating at an intermediate (for example, union safety specialists covering a number of workplaces) and workplace level, managers and union representatives were interviewed according to access, given that the aim was not to generalize but to understand and, possibly, to extrapolate. [11]

Also, the author traveled offshore in 1999 and 2000 to three oil and gas production platforms, for a total of four days, where interviews were held with Offshore Field Managers, a Safety Superintendent, four Senior Safety Delegates, five Safety Delegates, three Medics, and a group of Maintenance Workers. All experiences offshore, including helicopter travel and a comprehensive tour of two installations, enriched the researcher's background knowledge of the offshore workplace, enabling a better understanding of potential hazards and industrial relations.

Onshore interviews were taped. This was awkward and restrictive offshore, so notes were taken of interviews, personal conversations and observations and entered into a research diary. Interview transcripts and all notes were analyzed to identify emerging themes of interest and concern. An additional source of information was the analysis of articles featuring verbatim interviews with senior officials of the parties in the quarterly publication of the offshore regulatory agency, The Norwegian Petroleum Diary, until its last issue in December 2003. The website of the PSA, previously the NPD, provided documentation on recent cooperative initiatives. This blend of data collection allowed an interesting pattern of changing dynamics to emerge in the tripartite process during the period from the 1990s to the present. Based on this research material, the following section analyzes the perspectives of the three parties up to approximately the year 2001. Major themes are, on the one hand, an overall endorsement of a cultural and institutional tradition of cooperation and, on the other hand, the identification of pressures undermining a traditional consensus. After consideration of how government subsequently moved to rebuild consensus, the conclusion explores how far Canadian parties may learn from the Norwegian experience.

### INDUSTRY, LABOUR AND GOVERNMENT PERSPECTIVES

#### ENDORSEMENT OF A CULTURAL AND INSTITUTIONAL TRADITION OF COOPERATION

All interviewees referred to the importance of cooperation between the parties. One union official referred to a cooperative tradition dating from before the post war social democratic consensus and the institutional structure and process based on it. Interestingly, the 20-year leader of the largest offshore union (NOPEF) remarked in a 1999 issue of The Norwegian Petroleum Diary that unions occupied a central role in Scandinavia, where no government would dream of making a proposal of any substance without consulting them, and continued:

The same applies in industry. But Scandinavian unions are known for working constructively, purposefully and politically. That's perhaps our greatest strength. And does that mean we're in the pocket of the establishment? You bet – because we've become in many ways part of that establishment. But when the alternatives are to be present where the decisions are taken or to stand outside and howl at the moon, the choice is simple. And in the final analysis, I'm not sure who's in which pocket. [12:22]

The Vice President of Norsk Hydro endorsed the role of labour in the oil industry in the same issue:

THE CONSTRUCTIVE APPROACH TAKEN BY NORWEGIAN UNIONS HAS ALWAYS IMPRESSED ME... IN NORWAY, EMPLOYEES ARE REPRESENTED ON THE BOARD AND THEREBY NORWAY HA[S] AN EDGE OVER THEIR COUNTERPARTS ELSEWHERE... OUR SOCIAL DEMOCRATIC TRADITION WILL ALSO HOPEFULLY HELP TO MODERATE THE IMPACT OF LOW OIL PRICES, BECAUSE MANAGEMENT – IN COOPERATION WITH THE UNIONS – MUST THINK CAREFULLY BEFORE TAKING DRASTIC MEASURES. [13:26]

This cooperation is institutionalized by the tripartite and bipartite committees working from the ministerial level down to the offshore workplace. In 2000, there was a tripartite ministerial board for the design and administration of a cost reduction program (NORSOK), plus two others established to develop a strategic response to two new issues in the industry: the environment and internationalization. The Norwegian Petroleum Directorate (NPD) featured an extensive tripartite committee system established to develop safety policy. For example, in 1999, the operating and contractor companies, the unions and supervising ministry participated in a committee established to review the offshore safety regulations. In the same year a new tripartite committee to study drill floor safety was announced. [14] The head of NPD's safety division emphasized in his interview that everyone was consulted so that when the final decision was announced, "all parties will have had input and there should be no problem with its acceptance".

The Federation of Norwegian Trade Unions (LO) official also endorsed this collaborative process: "[the parties] have developed a healthy atmosphere between workers and employers, mainly through various kinds of committees". This enabled them to work out new strategies to deal with current challenges, not only in the workplace but also at a national level. The Norwegian Oil Industry Association (OLF) spoke of their "very close relationship with the unions, and with the government. Everybody is the same; we can walk into the unions, they can walk into here, or the government. We don't always agree, but there is no conflict". Labour, government and other interested parties were incorporated into the development and management of OLF projects. For example, at that time, the operating and contractor companies, the unions, the government and the NDP had been invited to participate in a committee to study helicopter safety. The OLF endorsed the need for labour's involvement through the safety delegates and working environment committees: "We have to do this in cooperation ... industry considers them to be an equal on the platform". The majority of safety managers interviewed also saw labour's role in a positive light.

However, the interviews also revealed factors undermining the traditional cooperation between the parties; these are considered below, broadly categorized as cost cutting during the late 1990s plus industrial restructuring, work reorganization and the erosion of labour's influence over safety.

### COST CUTTING DURING THE 1990S

The OLF representatives were extremely concerned about the high costs of operating in Norway and global competitiveness, hence their pressure on the NPD to conduct a major review of the offshore safety regulations. With the introduction of more objective risk analysis in the 1990s, they saw a downward trend in risks that could withstand efficiencies; interestingly, there were indications of increasing risk at that time. [5][15][16]

One manager remarked that building smaller, less expensive platforms brought with it the potential problem of living quarters being nearer to production modules, compared with the older, bigger installations where accommodations were further away or in completely separate units with bridge connections. Another manager pointed out the difficulty of justifying safety costs when oil prices were low; some senior management thought that “we’re safe enough”, but he believed in constantly improving safety and carefully monitoring the “paper system”. A different manager welcomed regulatory review and OLF’s promotion of safety standard equivalents. His initiative of a flat and flexible organization for his company’s new production platform had led to the removal of the safety manager. The union had “backed out” of the initiative so the working environment committee members were elected as representing employees, rather than appointed by the union, as was usually the case.

The LO official interviewed sat on the NORSOK board. He recognized the need for lower costs and outlined labour’s strategy of extending the committee system: “[We are] working together to try to find the answers. Sometimes it works; sometimes it doesn’t”. The cost reduction program in the U.K. was company driven whereas in Norway “...we do it differently... we are part of the struggle to find solutions”. For example, if only one person was removed then a union-management team would review the whole labour process to ensure that no unanticipated hazards resulted.

The Health, Safety and Environment (HSE) staff specialists from both unions were clear on the serious safety consequences of cost cutting. The Norwegian Oil and Petrochemical Workers’ Union (NOPEF) linked reduced safety standards with the industry’s attempt to maintain profits in hard times; they and the Confederation of Oil Workers’ Union (OFS) referred to the same examples. First, a helicopter crash in 1997, with twelve deaths, was caused by the daily shuttling of workers to and from a small platform with limited living quarters, leading to pressure on a system not designed for this frequency of travel (see also [5]). Second, a drilling rig from the U.K. was initially approved by the NPD but after complaints from both unions, investigation had revealed non-compliance with several Norwegian standards concerning technical matters, living conditions, and psycho-social aspects (hostile worker-management and co-worker relationships, including racial and sexual discrimination). Both unions argued that delayed reporting was caused by intimidation of the safety delegates concerned. OFS representatives highlighted an inspection system that “had been weakened over recent years”, especially problematic with the increasing use of floating installations. For them, this case illustrated a lessening of the NPD’s ability to control the oil companies through license compliance due to the Norwegian sector’s decline in a global economy offering cheaper production overseas.

The Director of the Safety and Working Environment division at the NPD referred to the same rig in the context of a general problem they had experienced with drilling rig contractors. He described regulating



drilling companies as “a tremendous challenge... Rig owners do not always handle management responsibility as they should”. Drilling rigs were often between 15 to 20 years old, it cost money to comply with the regulations, and there was a need to monitor whether the safety management system “actually does what it says it does”. The regulatory body had apparently closed four drilling rigs the previous year in 1998.

While downsizing was “under control” overall, and had been handled reasonably well, one problem the NPD Director noted was where some senior management had merely told their subordinate managers to “cut 25% with no detriment to safety” and leave it at that, with no follow up or analysis of the long term effects. Echoing the LO, he stressed the importance of labour involvement in a systematic and inclusive approach, so that consequences not immediately apparent may be identified; for example, an electrician whose position is cut may also be part of the volunteer fire-fighter team. Indeed, the head of the overall regulatory body also commented on the safety ramifications of cost cutting in The Norwegian Petroleum Diary, in the context of increasing risks and fewer resources:

WE'RE PICKING UP EVERY DAY ON PROPOSED COST CUTS, WHICH, IF IMPLEMENTED, WOULD POSE A THREAT TO SAFETY. SO IT'S ABSOLUTELY ESSENTIAL THAT WE HAVE THE RESOURCES TO COUNTERBALANCE THE PROCESS CURRENTLY UNDER WAY IN THE INDUSTRY. THE INJURY FREQUENCY OFF NORWAY HAS DECLINED OVER THE YEARS. RECENT ANALYSES THAT EVALUATE THE ACCIDENT RISK FOR THE CONTINENTAL SHELF AS A WHOLE SUGGEST THAT THIS TREND COULD REVERSE. THESE STUDIES INDICATE THAT THE DANGER OF ANOTHER MAJOR DISASTER IS STEADILY RISING. THE SERIES OF NEAR MISSES WE'VE WITNESSED RECENTLY CONFIRM THERE ARE GROUNDS FOR CONCERN. [17]

The head of the ministerial division responsible for the NPD pointed to the cost cutting era as the source of pressures from the industry, backed by the energy department. It appeared that traditional working relationships were being threatened. For example, the industry wanted regulatory reform to allow shorter rest periods onshore. The NPD and the Ministry had decided this was not needed because the companies could, if they chose, renegotiate the working schedule with the offshore unions. From the union interviews it was clear that adversely altering the existing pattern would be a strike issue, and may well explain why the industry was trying the regulatory route. In fact, the long term health effects of continuous shift working [18][19] were becoming an increasing source of tension between the industry and the unions, culminating in a strike by OFS in June 2000 over their demand for early retirement for offshore workers. Industry's concern with lowering costs was also revealed in their challenge of NPD guidelines “every day on the technical side”. These developments had caused the Ministry to consider moving towards more legislative compliance, indicating that what had hitherto been a cooperative approach by the supervising government department would now be shifting towards a stricter regulatory role.

### **INDUSTRIAL RESTRUCTURING, WORK REORGANIZATION AND EROSION OF LABOUR'S INFLUENCE**

The only private sector Norwegian oil company, Saga, was in difficulty in 1999 and both Statoil and Norsk Hydro made a bid for it. Saga's manager noted the potential problem of the reduction of safety personnel following any merger. The company's assets were finally halved between Statoil (then 100% state owned)

and Norsk Hydro (50% state owned). Some union and manager interviewees observed that uncertainty and tension caused by all the changes would likely divert the workforce's attention away from safety.

During the same year, the board of directors at Statoil was completely changed by the government, and in 2001, a major shift in Norwegian oil policy occurred, with the partial privatization of Statoil through the selling of 20% of the state's direct financial interest in the industry. [20] The change was announced as a strategic move to enhance the company's competitive position in the global economy and to enable international expansion. [21] This restructuring of the domestic oil sector was paralleled by a wave of mergers of the international oil companies between 1998 and 2002, such as between Total, Fina and Elf, now named Total, as well as the joining of BP with Amoco, Exxon with Mobil, Chevron with Texaco, and Phillips with Conoco. Bearing this in mind, the NPD expert in safety representation noted in his interview that "the tradition of labour involvement is challenged by the new merger processes".

Moreover, this internationalization of the oil industry in Norway was seen as causing increased work reorganization, of particular concern to the OFS and echoed in the interviews at the NPD and its supervising Ministry. OFS saw the casualization and fragmentation of work associated with the increasing use of contractors in the industry as a threat to job security and safety; company demands for flexibility led to lower pay and few, if any, benefits. An earlier comment by NOPEF's leader elaborated on the safety implications of contractual employment:

OUTSOURCING AND HIRING-IN OF LABOUR LEADS TO UNCLEAR EMPLOYER RESPONSIBILITIES, AND THE CONSEQUENCES CAN EASILY BE THAT THE OPERATING COMPANIES' COMPETENCE IS WEAKENED OR COMPLETELY DISAPPEARS. THE WORK ENVIRONMENT AND TEAM SPIRIT IS CORRODED, COMPANY IDENTITY AND LOYALTY IS DILUTED, SAFETY IS UNCONSCIOUSLY GIVEN LOWER PRIORITY AND WORK REGULATIONS ARE CIRCUMVENTED. [5:104]

Turning to the NPD, its representatives indicated that they were grappling with regulating contractor companies, but were pleased with a recent legislative amendment clearly locating responsibility for safety in the operating company, along with the legal requirement of contractor coordination. The regulators also encouraged operators to use contractor compliance to ensure Norwegian standards were met.

Changing and uncertain employment relationships leading to less union control and thus less effective input into safety programs and practices emerged as of central importance in the OFS interviews. In contrast, two senior managers interviewed were critical of the current right of unions to appoint their officials as working environment committee members. During the NPD interviews, it became clear that the legitimacy of the unions' role in safety was being fundamentally questioned by industry; nevertheless, the regulator's expert endorsed unionized safety representation as the most powerful channel of influence for the worker. This indication of labour's weakened participatory power due to restructuring and work reorganization in the Norwegian offshore is consistent with a general trend in the country and internationally. [1]

At the strategic level, labour's relative power on existing tripartite agencies had diminished, as had the tripartite avenues available to them. For example, the LO representative referred to the increasing

difficulty of appealing to the government in the event of disagreement with their employer counterparts. And he noted that “with the Labour Party government, it was easier for us to get [special] committees that we saw as important”. In addition, LO had objected strongly in 1989 to the removal of the NDP’s tripartite board because of its effect on their influence over policy. This objection was despite a high level of tripartite collaboration throughout the operation of the NPD via its committee system, endorsed by the federation’s representative as a channel of influence unique to Norway. To understand the loss of tripartite governance, however, it is important to note that a much larger degree of delegated authority is granted to boards like the NPD than we would expect in Canada. [2] The Director of the ministerial supervisory division confirmed in her interview that “most authority is delegated” to the regulatory agency and continued: “...if the NPD Director sees a problem, he writes to the Ministry and if we agree, we say OK”.

### REBUILDING TRIPARTITE COOPERATION

Analysis of the NPD’s *The Norwegian Petroleum Diary* revealed their continued concern with the safety consequences of cost cutting, especially in the context of aging - of offshore installations and the work force - and often as part of the rationale for a new offshore HSE policy approved by Parliament in 2001, comprehensive regulatory reform and the restructuring of the NPD. [22][23][24][25][26][27][28] A former manager of NPD’s supervisory division remarked “both we and the unions believe the industry currently pays too little attention to safe operation. The oil companies have taken a joint grip on this, and we hope to see new approaches to safe working.” [24] Reflecting this focus on cost cutting, the new regulations included a tightening up on the requirements for operation and maintenance.

The strength of this message on deteriorating standards from the NPD and the government was signaled by the special supplement on “HSE and Profitability” in the Fall 2001 issue of the *Norwegian Petroleum Diary*. There were a number of verbatim interviews reported, including those with top officials of the three parties: the Director of the NPD, the Minister of Labour and Government Administration, the former chief executive of Statoil, and the HSE coordinator for the largest offshore union, NOPEF. The Minister’s interview was strongly worded, in a culture usually concerned to avoid conflict [4]; he referred to the new safety policy as “a direct response to a fairly negative trend we’ve seen, and a clear signal that the authorities will monitor offshore developments more closely than before... If the industry fails to demonstrate the necessary willingness or ability to take action ... I’ll have to adopt tough sanctions.” [28:26] Particularly relevant to this discussion, the Minister noted at the beginning that “...mutual trust between employers and employees has weakened as a result of recent change processes” [28:25], echoing senior NPD staff who stated that “...battle lines between unions, employers and the authorities became sharper and the various sides also failed to agree a shared perception of the risk picture.” [23:19]

At this time, the government side was clearly concerned about the erosion of trust and consensus between the parties. It is argued here that the subsequent new HSE policy was not only developed to reverse the decline in offshore safety standards but was also aimed at rebuilding that consensus. For example, the Minister stated in the above article that a reversal of “recent developments... also involves re-establishing the good dialogue between the various sides.” [28:26] The development of the new HSE White Paper in 2001 on the offshore sector, the basis of the new policy, was in itself a classic example of tripartite policy formulation, “characterized by extensive cooperation ... [through] a Safety Forum

involving the Ministry, the NPD, the employers and the unions" [29:18], followed by feedback from all parties on the Paper before moving to the parliamentary stage for approval. Also, the parallel regulatory reform, effective January 2002, was developed in conjunction with a tripartite body called the External Reference Group for Regulatory Development (now called the Regulatory Forum), and the new streamlined regulations were sent out for consultation before being presented to Parliament. Furthermore, a result of the new safety policy was to establish a "Working Together for Safety Project", whose participants included oil companies, contractors, the Norwegian Shipowners' Association, and the unions, with the NPD as an observer. The aim of the group was to act as a vehicle for promoting progress on HSE, with a focus on company cultures, structures, organization and management, and a mandate to produce recommendations to industry. [30] The Safety Forum was established in 2001 "on account of a negative HES trend" (Head of OFS, cited in [6]) and because "...good three-way cooperation had to be revitalized... to re-establish trust... [as] relations towards the end of the 90s had become somewhat cool" (Director General of NPD, cited in [6]). The Forum is still in existence today, dealing with a wide range of issues including policy development and research initiatives, along with the other two tripartite bodies outlined earlier, as promoted by the Minister of Labour and Social Inclusion during the Safety Forum's fifth annual conference in 2006. Referring to the future challenges in a sector noted for rapid change in technology, method and organization, she continued:

IT IS THUS CRUCIAL THAT WE HAVE FLEXIBLE, ACCESSIBLE AND COMPETENT FORUMS SUCH AS THE SAFETY FORUM, THE REGULATORY FORUM AND WORKING TOGETHER FOR SAFETY, WHERE THE PARTIES CONTRIBUTE TO THE SAFETY ASPECTS OF THESE DEVELOPMENTS. [6]

### WHAT CAN WE LEARN?

Given a history of adversarial industrial relations in our own offshore oil industry [31], the Norwegian experience is instructive. Clearly, there is not the same tradition of cooperation and consensus in Canada and so any innovative developments in this direction will likely be more fragile than in the Scandinavian countries. Nonetheless, an important first step is to recognize the fundamental interconnectedness of the offshore collaborative model in Norway. Cooperation and consensus is institutionalized at the enterprise, intermediate and central levels. If there is a disconnect at any level, such as a lack of shared risk perception at the enterprise level, then the tripartite process at the strategic level is threatened, as shown in the research presented here. Bearing in mind this interconnectedness, the current research points to three preconditions to effective collaboration. First, industry must recognize the legitimacy of organized labour's equal and co-determinist role in health and safety policy development, including issues related to regulatory reform. Second, organized labour has to recognize that the industry has to operate competitively in a global economy, while in turn promoting high standards. Third, government has to play a key role in encouraging the establishment of tripartite structures and be committed to building and sustaining consensus. None of this is easy. In Canada, both the federal and provincial governments must have the political will to develop and sustain tripartite cooperation. The attempt at collaborative regulatory reform aimed at incorporating provincial occupational health and safety regulations into the Atlantic Accord is a step in the right direction but it has lost impetus, mainly due to political conflict [31]. ○—

## profile

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# Abolishing Mandatory Retirement?

## A Complicated Proposition.

BY AMY WARREN



IN RECENT YEARS the topic of retirement is getting a great deal of attention in Canada. Currently, Newfoundland and Labrador employers are in the midst of changing their mandatory retirement policies to reflect the newest amendment to the province's Human Rights Code. This amendment, which took effect in May 2007, states that discrimination based on age for individuals age 19 and over is prohibited. Prior to the amendment to the Human Rights Code, employers in Newfoundland (except for those in the Federal Public Service) could force employees to leave the workplace at the age of 65 [1]. Newfoundland and Labrador is not the first province to make changes to its Human Rights Code. A report in 2001 by the Ontario Human Rights Commission called for a ban of mandatory retirement in Ontario and legislation to ban mandatory retirement was introduced by the Ontario government in June of 2005[2]. Other provinces that have placed similar bans on mandatory retirement include Alberta, Manitoba, Quebec, Prince Edward Island, Nunavut, the Yukon and the Northwest Territories. However provinces like Nova Scotia still have mandatory retirement policies in place and therefore permit individuals to be forced to retire at the age of 65 [3].



There is some debate about the number of workers who are bound by mandatory retirement policies. Some authors state that about half of Canada's workers are in occupations with mandatory retirement policies [4] however, others contend that 85 % of Canadians face mandatory retirement policies [5]. After speaking to a variety of employers and employees and after conducting an extensive literature review on this issue it became clear that there is some doubt as to whether or not lifting mandatory retirement policies will in fact mean a large number of workers will stay on past the normal retirement age of 65. More specifically, some employers feel that most employees seem to voluntarily retire at age 65 if not earlier, so there is some doubt as to whether or not changing mandatory retirement policies will have a major impact on the number of people who will stay with their employer beyond the age of 65. To investigate this claim, consider the following: according to the 2002 Government of Canada General Social Survey, the majority of retirees had retired voluntarily, while 26.9% were forced to retire. Approximately 29% of retirees returned to work in some capacity, with early retirees being the most prone to re-entering the workplace (when compared to on-time retirees) [6]. So although most people seem to be voluntarily retiring, at the time of our survey over 25% of employees in Canada were being forced out of their jobs.

Since some statistics reveal that there are indeed workers who feel they have been forced out of their jobs at the age of 65 due to mandatory retirement policies, it is important to review the arguments for why these policies should exist. Some of the perceived pros of mandatory retirement are as follows:



Easier to predict the supply of labour



New blood enters the organization as people retire and/or more junior employees get promotion opportunities



Unproductive employees exit before or at the age of 65



Employees do not feel any pressure to work beyond the age of 65 to assist with labour shortage issues

In contrast, some of the perceived cons include:



Forcing employees out of the organization at the age of 65 may mean that key skills are lost and in turn employers could face a labour shortage, particularly considering that the baby boomers will soon be reaching the age of 65.



This is an ethical issue: people should not be forced to leave the workplace if they are able to work. They should be able to choose when they want to retire.



Forcing people out at the age of 65 may adversely impact minorities and women, further reducing diversity in the workplace.



Mandatory retirement policies may actually promote age discrimination; older workers are not necessarily being valued for their depth of knowledge and experience as their value is downgraded once they reach the age of 65.

It can be inferred that mandatory retirement policies do actually make it easier for employers to gauge how many people will be exiting the organization and therefore how many people will be needed to enter to fill the upcoming gaps. However, most people retire early, which implies that predicting the supply of labour has always been a little difficult as we cannot simply assume that people will retire at the age of 65. Also, most employers have policies whereby the employee must give a certain amount of notice of their planned retirement date (over and above regular notice periods). Such a policy can remain in place if mandatory retirement policies are banned. Furthermore the statistics illustrate the majority of employees voluntarily exit the organization and therefore the existing, more junior, employees will in fact have promotion opportunities.

**“...ending mandatory retirement for faculty could mean that Canadian universities begin to attract more talent from the United States, since mandatory retirement does not exist for faculty there [8].”**

To illustrate the challenges associated with existing legislation, consider the following example. When McKenzie-Leiper discussed her experience with mandatory retirement as a tenured professor at an Ontario university, she actually stated that she was being “forced to retire” [7]. In her case, the union and employer had agreed to a mandatory retirement age in the terms and conditions of employment, but some time prior to her actual retirement these terms were under review. Even though she got involved in the process of writing new terms, they were never changed. She later hired a lawyer and filed a complaint of age discrimination, and formally requested that a grievance be filed. Despite the fact that the faculty association had received two legal opinions, both of which outlined they should grieve the matter, the association voted against filing a formal grievance. Subsequently, McKenzie-Leiper’s lawyer filed a complaint with the Human Rights Commission, and a mediator eventually advised the Commission that it could not really rule on the issue. More specifically the mediator stated: “the Commission’s hands are tied because it does not deal with people aged sixty-five or older”. The principal of the college made statements to the media that outlined “older faculty members with high salaries should retire and clear the way for young people” [7], this being a common argument of those in favour of mandatory retirement [4]. Since the case of McKenzie-Leiper, Ontario has banned mandatory retirement but this professor’s experience may indeed be reflective of a portion of employees in provinces where mandatory retirement policies still exist. Even though it may be argued that once an employee turns 65 it is time for them to move on (so others in the organization can have more opportunities), in some cases organizations may actually become more attractive to a larger pool of qualified applicants by banning such policies. For example, ending mandatory retirement for faculty could mean that Canadian universities begin to attract more talent from the United States, since mandatory retirement does not exist for faculty there [8]. This type of opportunity could also become available in other industries where labour shortages will be prominent.



Some employers worry that “problem” (i.e. unproductive) employees will now have the opportunity to stay on past their normal retirement date. In response to this perception it is important to note that employers still have legal rights to dismiss employees for cause and to enforce Bone Fide Occupational Qualifications/Requirements, and many organizations do have performance appraisals in place that should capture a person’s ability to do their job. Furthermore, there are some statistics we need to consider when trying to predict whether there will now be an influx of people wanting to stay on after the age of 65. According to Statistics Canada, the average life expectancy between 1997 and 2003 for Canadians was 79.5 years old, which means on average Canadians have about 10 years to live if they retire at the age of 65 [9]. When Canadians over the age of 65 were asked to rate their own health, the largest percentage of respondents, 36.6%, rated their health as good, 26.6% rated their health as fair or poor, while 25.2% rated their health as being very good [10]. Finally, when considering the overall health of Canadians over the age of 65, on average, people can expect to live 11.7 disability-free years [11]. Some research reveals that people are retiring earlier than ever before, with the exception of individuals who have higher levels of education. One reason for this may involve the length of service of such individuals, as those with higher levels of education take longer to enter the workforce [12]. So even though health statistics may lead one to believe that quite a few Canadians will be staying on to work past the age of 65, labour statistics reflect the continuing trend for people to retire before the age of 65.

One study from the United States researched the issue of mandatory retirement policies and the impact of lifting such policies within the academic profession. Overall, the researchers found that lifting mandatory retirement policies would not have any major consequences given that most faculty retired prior to the mandatory retirement age [13]. However, this study is dated and comes from the United States, and the results may not hold for other countries. In support of this, other authors contend “there may be considerable interest among older workers to continue to work with proper incentives and real opportunities” [14].

When there are mandatory retirement policies in place employees for the most part are free from feeling any pressure to stay on if there happens to be a labour shortage issue. Some employers and governmental bodies see lifting mandatory retirement policies as a way to curtail the upcoming labour shortage. To further investigate this argument it becomes important to consider some additional statistics. The Canadian population is growing at a slower rate than ever before. Furthermore, the population is aging and there are “relatively low labour force participation rates among older Canadians” [14]. In addition,

as the workforce gets older, North American employers will be facing labour shortages [15]. According to a government discussion paper, the main area that will be vulnerable to labour shortages is management. Since higher levels of education and experience are required in such occupations, it takes longer to find candidates to fill the positions vacated by retirees [16]. A recent Government of Canada report noted that, if people worked an average of three more years, the effects of aging (or in other words the effects of a labour shortage due to an aging workforce) could be handled over a period of 20 years [16]. So will employees face greater pressure to stay on past the age of 65? A survey cited by one group of authors found that between 1996-2003 the percentage of people opposed to mandatory retirement in Canada increased by 10%, from 20% to 30% [17]. Another group cites a Government of Canada survey from the 1990s that found “only one in five men” noted their desire to keep working after 65, for women the ratio was one in ten. However, this survey also found that the older people get the more likely they will oppose mandatory retirement policies [14]. So, while more people oppose mandatory retirement, this does not mean that a majority of workers will want to continue working after the age of 65. Nevertheless, they may feel the pressure to do so if their employer is facing a shortage of labour.

**“Overall, there are many arguments both for and against mandatory retirement and in recent years more provincial governments have changed their respective human rights legislation to prohibit mandatory retirement. Reasons behind the change may indeed stem from the predicted labour shortages due to the baby boom generation approaching age 65.”**

Even though there are provincial differences concerning mandatory retirement, according to the Canadian Human Rights Act “the termination of an individual’s employment because he or she has reached the normal retirement age for workers in the same occupation is not seen as discriminatory” [18]. Some authors believe forcing people to retire not only impacts labour market economics, but also creates an ethical issue. The argument is that forcing individuals to retire before they want to leave the workplace is unjust [8]. Those who are near the retirement age, in particular managers and executives, may not necessarily want to quit their jobs. More specifically, “although many welcome it, for most people who have no clear idea what to do, retirement can be the most difficult transition in life” [19].

Some authors note that women and minorities may in fact face more negative consequences from mandatory retirement policies, often because they have entered full time, more lucrative employment later than white men have. These same authors contend that the very nature of the existing CPP benefits system negatively affects these groups regardless of mandatory retirement policies, since the CPP amount

is based on years of service and salary. They add that mandatory retirement can actually benefit employment equity groups as more and more positions will become available as the majority of baby boomers reach the age of 65 [4].

In relation to diversity, employers also should take into consideration that older workers are a diverse group. Arguably, older workers have not been mentioned in the diversity literature in any detail, and have largely been ignored in traditional diversity initiatives [20] so diversity is rarely seen as a term that incorporates the plight of this group. This is evident in the fact that more people and governments in general have not been up in arms about forcing people to retire when they are 65. Not only is the very definition of diversity vague in that it talks about the inclusion of different groups of people, but people's understanding of diversity does not seem to include the necessity and the benefits of having workers over the age of 65. Although age is often mentioned as an aspect of diversity, few studies focus on this particular dimension of diversity. However, the very nature of diversity is to value differences and older workers with a breadth and depth of knowledge and experience could in fact add to an organization's diversity.

Overall, there are many arguments both for and against mandatory retirement and in recent years more provincial governments have changed their respective human rights legislation to prohibit mandatory retirement. Reasons behind the change may indeed stem from the predicted labour shortages due to the baby boom generation approaching age 65. Irrespective of any labour shortage is the question of whether employees in occupations where these shortages will occur will actually want to stay on past the normal retirement age of 65. The literature is simply not conclusive on this issue. A number of questions remain to be answered. For example, as more and more mandatory retirement policies are lifted will more workers want to stay on past the age of 65? Will a new norm be established once mandatory retirement has been out of the picture for a certain period of time? Maybe more importantly, if a large number of people begin to stay on beyond the age of 65 might governments then see a need to raise the age upon which an individual may start to collect CPP benefits? This question is not meant to provoke fear; instead it may be an important factor when evaluating the potential long term consequences of banning mandatory retirement. To more fully understand the effect mandatory retirement policies have on people's actual retirement decisions, employers must consider that whether or not an organization has a mandatory retirement policy is simply one variable that could potentially impact a person's retirement decision. General research regarding retirement has illustrated that many factors impact a person's decision to retire, including finances [21], whether or not they have a spouse or dependents [22], and health [23] just to name a few. Speculation regarding the effect mandatory retirement policies have on people's retirement decisions without also considering these and many other variables would be just that, speculation. ○—

## profile

Amy Warren is a PhD Candidate (SMU), and has been with the Faculty of Business at Memorial University since September 2003. Amy's conducts research on retirement decisions, motivation, employment equity, and health and safety.

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