

**THE SIGNIFICANCE OF WORKER AND WORKER  
REPRESENTATIVES PARTICIPATION IN  
EMPLOYER-PERSONNEL RELATIONS PROGRAMS:  
SHIFT WORK, FLEX(i)TIME, ABSENTEEISM,  
ERGONOMICS**

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**ABSTRACT**

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The enforcement of the United States Occupational Safety and Health Act's (OSHA) safety and health standards in regard to threshold limit values (TLVs) and safety practices is established by easily understood programs. A clear role for workers, their representatives, and management personnel in OSHA enforcement programs is prescribed in the law and through rules and regulations. OSHA standards are established in public hearings in which both labor and management state their positions.

Employees are not opposed to working different shifts. The problem arises when schedules are arbitrarily established by management. Full participation of workers can mean that those wishing to work second and third shifts can be given preference.

Absent workers usually result in more work for employees at the same job site. Employer absenteeism programs, however, usually rely on a penalty system which negates worker participation. A fair system which uncovers the reasons for excessive absenteeism could start to put a dent into this ever present problem.

Engineer design professionals responsible for ergonomic programs often do not incorporate the ideas of workers and their representatives into the design of new machinery and work patterns the purpose of which is to lessen workplace hazards. The reduction of workplace boredom and fatigue is also a function of design expertise. First line supervisors are also often excluded from this process.

Professional collective bargaining, labor, and management negotiators agree that hazard control programs promulgated on the national level ultimately must be enforced on the shop floor through already existing collective bargaining relations.

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The enforcement of the United States Occupational Safety and Health Act's (OSHA) safety and health standards for threshold limit values (TLVs) and safety practices is established by easily understood regulations. OSHA enforcement provides a relatively clear joint role for workers, their representatives, and management personnel through rules and regulations which guarantee a degree of worker participation at workplaces. OSHA standards are established in public

hearings which also guarantee their participation. Similarly, OSHA inspectors must be accompanied by representatives of workers.

Union contract clauses further clarify labor and management relations in regard to safety and health issues. Such contract clauses are appearing with greater frequency as federal court and OSHA Administration (within the Department of Labor) issue rulings creating the parameters for the federal role in enforcing safe and healthful conditions. These clauses result also as the awareness of workers grows and prevention and control of job hazards begin to demand attention on a par with wages, hours and benefits.

This growing clarification of labor and management roles as established by OSHA rules and regulations and union safety and health contract clauses is severely restricted as issues come closer to management prerogatives relating to assignment of employees and programs to penalize absences from the workplace.

The demand for greater productivity has brought increased pressure on plant managers to manipulate work schedules and achieve reductions in absenteeism. At the same time, workers and their representatives respond to increased mechanization and automation calling for worksharing solutions including shorter working hours with no reduction in pay, a voice in the assignment of personnel in shift work and in the engineering design of equipment which lessens unhealthy and unsafe conditions, but which also increased production (often to keep existing incentive payments).

While top management gives directives to plant managers on productivity issues, and refuses to yield to employee demands for participation, plant managers nevertheless often appeal to union leadership to help implement such programs. Where union leadership has agreed to these changes, they often incur membership opposition. The net result of these contradictions is to increase demands for specific contract guarantees for workers' rights to participate in any area affecting their welfare and working conditions. To some extent this has caused new federal legislation initiatives.

#### SHIFT WORK AND FLEX(i)TIME

Continuous production questions characterize all industrialized countries, especially in steel, auto, oil, rubber, mining and other mass production processes. In fact, more industrial and service operations are moving toward maximum utilization of production and service facilities which means more job opportunities between the hours of 5:00 p.m. and 8:00 a.m.

This 15-hour time period is being filled by new full shifts or by other means such as 10-hour days (for four days) or by increasing overtime demands by plant managers who strive to make this mandatory.

Workers are not automatically opposed to working late shifts and (four) ten-hour days, though such agreement is usually tied to demands for substantial overtime penalties. However, severe health effects are increasingly arising out of these new personnel programs (especially when they are imposed on workers arbitrarily).



A new federal study of workers in hospitals reveals a number of health problems developing among rotating shift nurses and food processors, such as acute respiratory infection and upper-gastrointestinal tract diseases<sup>5,6,7</sup>. These workers had more accidents, worse sleeping problems, more fatigue, more menstrual problems, used alcohol more, encountered more interference with their sex lives, and tended to find less satisfaction in their personal and domestic pursuits. These rotating shift workers were compared with fixed shift workers.

Studies reviewed by this federal report compared key issues, that is, not whether shift work was necessary, but the internal problems which arise from different methods of conducting shift work. The study reports conflicting results on whether rotating shifts (and flex-i-time assignments although not specifically cited) or consistent assignment to one shift yield worse or better working conditions and unhealthy side effects.

What the federal study did, however, was to open the key issue of how assignments are made. The significance of this issue lies in how it helps to resolve many hazardous conditions. "Since our study found that worker satisfaction played a major role in worker adjustment to shift work, we believe that a plausible strategy for employers wishing to encourage worker adaptation to shift work would be to attempt to maximize worker shift preference."<sup>6</sup> In fact, some large industrial unions have negotiated contract clauses which give shift preference to workers with the greatest seniority. This has given some relief to workers who want to work a particular shift, usually the day shift. These shift preferences as negotiated are by the month or per certain groupings of weeks.

A major consideration on the choice of shifts is the responsibilities of heads of households. This issue has become increasingly important as new women workers with household responsibilities are being hired into workplaces in the second and third shifts. There are increasing reports that many new women industrial workers have to leave their new jobs in order to keep their families intact. Thus new job rights are lost and unemployment is increased<sup>3</sup>. Karasek<sup>4</sup> and Ashford<sup>2</sup> have done extensive research on increasing the authority of workers and unions at the workplace as a means toward increasing worker satisfaction and OSHA enforcement, respectively.

Absenteeism has always been a major problem arising from the constant pressures for smooth work schedules and greater productivity. It is generally recognized that absenteeism is not only a result of actual illness; but it is also a reaction to imposed work schedules without worker agreement and participation. As for the workers, absenteeism usually causes harder work schedules since plant managers try to avoid hiring workers to fill the jobs, but pressure the smaller work staff to handle the full production load.

Any program which addresses absenteeism clearly should be handled as part of the safety and health activities of the union and employer. If a worker is absent because of an illness, that illness may be work-related, but not documented or compensated as such since it is very difficult for workers to get workers' compensation for job-related illnesses. But also, as has been seen in the studies on shift work and similar personnel programs, a worker "takes off" because of

unhappiness with the job itself. Anyone forced to work for long periods, some seven days a week for weeks at a time, will deliberately take time off for personal or family reasons.

Punitive employer programs to stop absenteeism have proven ineffective, incur union hostility and poor labor-management relations, and lose an opportunity for joint administration which could lead to their resolution.

Ergonomics programs to increase productivity and lessen workplace hazards could also learn from the lessons of OSHA Administration. Unfortunately, engineers who design new machinery seldom consider the opinions of workers on the impact of machine design on the workers who will ultimately use the device. Two notorious examples of engineering and production advances which create great risk for workers are the Zone Meter Translators (ZMTs) used in the Post Office Department and the Visual Display Terminals (VDTs) in the newspaper and communications industries. True, both these devices increased the productivity of workers assigned to them; but they also caused tremendous resistance from these same workers due to severe health effects.

The ZMT machines made it possible for mail sorters to sort mail by zip codes at a 1-per-second clip. VDT operators are able to translate information from the telephone and other communications on to a screen for the rapid dissemination to others for review and then to ultimate use in typesetting and other processes.

Both ZMT and VDT operators reacted swiftly to these high-pressured production methods which yielded severe headaches, high blood pressure and hypertension and other health problems. The net result of these advanced technological methods has been an increase in employee dissatisfaction with the job and increased absenteeism. Thus production has not reached the capacity originally predicted by engineering experts<sup>1</sup>.

Participation of employees and their representatives not just engineers in these ergonomics programs starting with the original design and continuing through actual implementation of the engineering breakthrough seems logically to be the only way in which such production innovations can be made to work with maximum results, but not at the expense of job safety and health.

### 360 DEGREE SOLUTION

The solution to this often perplexing problem is the immediate negotiating of collective bargaining clauses which fully incorporate shift work and flex-i-time personnel programs; programs which address absenteeism; and programs of ergonomics into the safety and health language of the contract. This is the first step on employee participation. The next steps will require trade union safety and health committees which reflect shop steward and committee responsibilities and membership participation to address such problems on an ongoing basis.

The lessons learned from successful job safety and health hazard control and prevention programs should be generalized to these other personnel (manage-

ment rights) areas. The most important lesson is the value of guaranteeing participation of employees in decisions which affect their lives.

Collectively bargained clauses are the logical remedies for the hazards brought on by the personnel programs listed in this paper. Rules and regulations promulgated by government regulators can be helpful in establishing these practices. However, to close the circle requires the enactment of federal legislation to fill the loopholes between existing labor relations legislation including: The 1970 Occupational Safety and Health Act; The National Labor Relations Act (and its amendments); The Fair Labor Standards Act. This would pave the way for broader worker participation in shift work assignments, absenteeism programs, and ergonomic design efforts.

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