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A FAREWELL TO INDUSTRIAL SOCIOLOGY: THE INFLUENCES OF ETHICAL GUIDELINES ON WORKPLACE ETHNOGRAPHIES

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ABSTRACT
To promote transparency and the protection of participants, respect for persons, justice and integrity as well as for protection against litigation, universities and research-funding agencies in Australia adopted the National Statement on Ethical Conduct in Research Involving Humans (NHMRC 1999). In many other countries there are similar statements. However, the ways that such statements are often implemented by Human Research Ethics Committees (HRECs) are in conflict with an important stream of industrial sociological research, which is significant for employment relations and human resources management. This stream seeks to deconstruct workplaces and delayer management rhetoric to understand the realities and complexities of the social relations of production. There is a fundamental pluralist assumption of industrial sociology which challenges management’s unitarist view of the workplace as essentially harmonious. While views of workplaces as being conflictual and exploitative have to be tempered with an understanding of the accommodative and co-operative nature of workplace relations, there is nevertheless a general recognition of acts of resistance, as well as those of cooperation. The way in which the National Statement is typically implemented in Australia means that many HRECs require written, informed consent, which in the first instance will usually be that of management. A possible unintended consequence may well be a research focus on consensus which is at best one-sided and at worst seriously misleading. It is unlikely that managerial consent will be granted unless there is a "good news story" guaranteed. This paper explores the ways in which HRECs may influence workplace research.

1 INTRODUCTION
Ethnographic research methods involve direct, first-hand observation of behaviour. This may include participant observation (Friedman & McDaniel 1998, p. 115). Detailed written notes are usually the mainstay of such fieldwork, but ethnographers may also use cameras, or various forms of audio and/or video recorders. These methods are the foundation for many important works in social anthropology, in particular. Nevertheless, such methods have also provided worthwhile insights in: education, sociology, politics, criminology, marketing and other social-science fields. Some of the influential studies of

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1 An HREC may be known in the USA by other names e.g. an institutional review board, a human research review committee or a research ethics board. Apparently US research colleagues face some similar issues to those discussed in this paper, though the national framework differs significantly from that in Australia.
industrial sociology, work and employment relations have used ethnographic research methods in: North America, Europe and Australasia (e.g. Roy 1952; Beynon 1973; and Kriegler 1980).

Ethnographic research methods provide a beneficial complement to quantitative research methods. The latter may include the conduct of surveys, which can be invaluable, for example, in mapping relatively quickly the extent of particular behaviours (e.g. absenteeism or industrial action) and testing theories. However, ethnographic methods can be more appropriate for generating explanations of and questions about behaviour (i.e. why people engage in absenteeism or industrial action and how they maintain or challenge solidarity).

Public policy should be informed by high-quality social research. This may seek to promote the citizens’ rights. Such research can help to support and promote a liberal democratic society. Those who conduct social research invariably confront ethical tensions. The changing politics of community values may precipitate changes to ethical frameworks for the conduct of social research. The National Statement has been one such response. It has its origins in the Nuremburg Code and the Declaration of Helsinki, by the World Health Organisation (WHO) (www.nhmrc.gov.au/publications/synopses/e35syn accessed 08.11.06) in an attempt to ensure that medical-type research would be regulated in an ethical manner. The purposes of the National Statement are to:
1. protect the welfare and rights of participants in research and
2. facilitate research that is, or will be, of benefit to the researcher's community or to humankind (Fact Sheet www.nhmrc.gov.au accessed 04.11.2006).

This paper discusses to what extent purposes 1. and 2. might be in conflict with each other, in practice.

While there has been regulation of health-related research for fifty years, the broadening of regulation to other forms of social science and humanities research, is a relatively recent development since the 1980s, triggered by concern for human rights and an increasingly litigious society. The National Statement has been contested by social scientists. Some claim that there was inadequate consultation and as a result the National Statement provides a framework that is inappropriate for the social sciences (Cribb 2004; Israel 2004). General criticisms include arguments by researchers that: first, the National Statement has induced “ethics creep” (i.e. that processes of ethical review have become unwieldy, intrusive and excessively demanding). Second, the institution-based Human Research Ethics Committees (HRECs) which are mandatory under the National Statement, have limited expertise in the full spectrum of research techniques, and base their decision-making on their own interpretations "of amorphously expressed standards" in the National Statement (Gillam 2004; Israel 2004:vi). Third, HRECs try to apply an inappropriate medical-research paradigm and do not empathise sufficiently with the conditions under which social scientists operate (e.g. criminologists researching drug use amongst the homeless). Such other social scientists have expressed their concerns for research in their disciplines. In our field, we should also join the public debate. Hence, we offer the following observations from website research of the 38 Australian universities, bearing in mind examples of classic works of industrial sociology since the 1950s.

2 The 1999 version of the National Statement is currently being reviewed, see: www.nhmrc.gov.au/ethics/human/ahec/projects/statementsec.htm There have been many submissions on the 2006 second consultation draft of the National Statement, which in general promises to be more suitable for social scientific research than the 1999 version. At the time of writing, a revised National Statement has not yet been published. But the Chair of the National Statement Working Party writes that it is aiming to make the processes “more flexible and more responsive to the needs of specific kinds of research, without compromising the protection that is afforded to participants. We believe that getting this balance right will improve the process of ethical review of research.” (www.nhmrc.gov.au/publications/_files/drc.pdf accessed 04.11.2006).
The primary purpose of the *National Statement* is the protection of the welfare and rights of participants in research. As interpreted by Southern Cross University, “these rights take precedence over the expected benefits to human knowledge derived from the research” (www.scu.edu.au/research/grc/index.php?pid=90&cat=3&subcat= accessed 08.11.06). Queensland University of Technology states that “the research team must always place the welfare of research participants ahead of the objectives of their research” (QUT Research Ethics Booklet 1999, 12:8). But how well does this sit with the University of Melbourne’s guiding principle that “research is the pursuit of truth” (www.unimelb.edu.au/EcecServ/Statutes accessed 21.12.04). In the case of industrial sociology, whose truth—customers’, management’s or workers’? If the latter, which categories of worker?

This paper raises a fundamental ethical question about the extent to which there is a right to acquire knowledge versus the right to privacy. On this, the *National Statement* is clear. It has been adopted in the interest of transparency and the protection of participants, respect for persons, justice, integrity as well as for protection against litigation. However, this is in potential conflict with industrial sociological research and a researcher’s right to acquire knowledge and disseminate it without management excluding the researcher or regulating the information which management provides. Could it be that management’s refusal to grant the research access denies the workforce’s (or the customers’) right to have their "truth" told?

## 2 DISCUSSION

For an industrial sociologist, the power relations of ethics regulatory frameworks and workplace relations have shifted. A researcher conducting a workplace study is subject to specific obligations and responsibilities to their participants (the members of the workforce and their management, and also to "the enterprise"), the HREC and their university. But who are the "participants"? Concurrent with this broadening of the ethics regulatory net which has captured industrial sociology, has been the *National Statement*’s adoption of the broader term of "participant" rather than "subject". As defined by the *National Statement* a participant includes not only those who are the principal focus of the research but also those on whom the research impacts, whether concurrently or retrospectively (www.nhmrc.gov.au/publications/infiles/e35 accessed 08.11.06). The University of the Sunshine Coast HREC interpreted this to mean "humans (living or dead) who are the principal focus of research and those human upon whom the research of its findings may impact” (www.usc.edu.au/University/AbouttheUniversity/Governance/Policies/Research accessed 21.12.04). This is a very wide net encompassing “living or dead” and where the findings “may” impact. The implications of gaining written, informed consent from all participants is that consent must be obtained from every person involved in, or sharing the researcher’s observations, not just those persons who are the focus subjects of the observation. Such a requirement fails to understand the conditions under which industrial sociologists operate. Under such guidelines Beynon’s (1973) seminal workplace ethnography based on observations of and interviews with workers at the Ford Motor Company, could not have been conducted. If applied to Beynon’s (1973) account of a dead Ford worker’s corpse lying unattended on the factory floor while management insisted on co-workers continuing on the line, who indeed would be deemed to be the participants: the supervisor, the deceased, the deceased’s family, the co-workers, the Ford Motor Company? It is unlikely that written consent for publication of the facts would be given by the Company.

The University of Melbourne included “organisations” in the domain of "participant" (www.research.unimelb.edu.au/ethics/human accessed 21.12.04). Can an organisation be a "subject" of research and give its consent to research participation? (Casey 2001).
The National Statement requires organisational approval for any workplace study. However, organisational consent is merely a token with no guarantee that the study can proceed to completion. This makes research design and the prospect of completing a workplace study highly problematic. A recent case of written consent from a CEO granting a researcher full access to the workforce was thwarted by a middle level manager in her gatekeeper role to her staff, and protective of her own performance bonus. This was her right as an individual under National Statement guidelines. The study had to be abandoned without recourse to the CEO, lest the manager suffer retribution and "harm" if the researcher identified her unwillingness to participate. In such a situation it is the researcher whose reputation is besmirched for what is deemed to be his failure to complete the study.

This is symptomatic of a particular shift in ethics regimes which has seen the reassessment of the role and rights of subjects who were once assumed to be passive and compliant. However, the question must be asked: Have current changes now built such barriers to the actual conduct of workplace ethnographies, as to make research outcomes skewed, misleading, and impractical to conduct? This could be the case since the ethics regimes imply a research design with documentary evidence of consensus among all participants, and mandatory written informed consent from every individual participant, and at every hierarchical level within the organization.

The fair and reasonable intention of the National Statement is to prevent "harm" to participants. The new regulatory framework draws on an extended concept of harm which is all-embracing (Dodds et al. 1994). The University of New South Wales defines "harm" as "physical, psychological, spiritual or emotional" (www.ro.unsw.edu.au /ethics/human/ethics_policies accessed 08.11.06) which is a wide net to cast in social science research. Monash University required procedures to be in place to protect participants from any "distress, embarrassment or other harm that might be caused when the data is reported" (www.monash.edu.au/resgrant/human-ethics/humanresearch accessed 21.12.04). Several institutions indicate the appropriateness of counselling services for participants. There are also specific provisions in the National Statement when dealing with participants who might be at risk due to a power differential between the researcher or other participants in the study. Queensland University of Technology's interpretation of this is that special consideration needs to be given:

.... to situations where unequal power relationships exist between participants and researchers or where participants occupy junior or subordinate positions in hierarchically structured groups. Examples include:.....employees ... and their employers or supervisors.....Researchers should also be aware that the perception that such a relationship exists can be as significant as an actual relationship (QUT Research Ethics Booklet 1999, 19:1).

Industrial sociologists research phenomenon in “hierarchically structured groups”, namely work organisations. Unequal power relationships in those organisations are the very phenomena which labour process theorists seek to observe, analyse and publish if the “truth” of those in a subordinate position is to be heard. Griffith University identifies that the ethics protocols are all about “the protection of vulnerable populations” (www.griffith.edu.au/or/secure/booklet/humans/booklet_01/ content02), but protection should not merely be procedural, but also a holistic approach to the vulnerable people’s rights for their story and "truth" to be heard. We doubt that race-sensitive studies such as Kapferer's (1972) study of the social relationships between African workers in an Indian-owned clothing factory in Zambia, and Rimmer's (1972) study of race and industrial conflict in a group of Midland foundries in the United Kingdom, would have been approved by an HREC.

It is significant that under the requirements identified above, seminal works in industrial sociology, from the early factory studies through to the 1990s workplace studies, could
not have been conducted. Roy's (1952) seminal work on "goldbricking" in a steel-processing plant's machine shop is unlikely to have made it through the current ethics regime:

*I here report and analyse observations of restrictions made during eleven months of work as a radial-drill operator in the machine shop ... For ten months I kept a daily record of my feelings, thoughts, experiences and observations. I noted down the data from memory at the end of each workday, only occasionally making surreptitious notes on the job... I did not reveal my research interest to either management or workers. I remained "one of the boys on the line", sharing the practices and confidences of my fellows and joining them in the ceaseless war with management, rather indifferently at first, but later wholeheartedly (Roy 1952, p.427).

Under most Australian HRECs, Roy's study would be deemed to be deceptive and "covert", for withholding information about the primary researchers' identity or institutional affiliation is usually seen as ethically unacceptable. This has significant implications for workplace studies where the ethnographic tool of participant observation has been used by researchers who gain employment with an organisation to observe, analyse and deconstruct the social relations of the workplace. As previously identified, the subtleties of power in the labour process cannot be identified from a detached position, but need to be observed and analysed through exposure to the phenomenon. In most instances, the researchers fulfill their duties as employees, but may withhold from management (and perhaps co-workers) their concurrent role of researcher. If this is not acceptable to the employer and/or co-workers, once revealed, provisions such as the University of Queensland protocols, permit any "subject" to withdraw from the study at the point of declaration or at any future point prior to the conclusion of the study, and take with them any observations/data which may involve them. This returns the argument to the notion of "truth" and the philosophical chasm between unitarist (typically managers') and pluralist (typically workers') viewpoints of control and conflict in the workplace. While there can be accommodation and co-operation, there is rarely one "truth" accepted by all. This may leave researchers in a chasm of their own, never confident that the data can be finalised and secured if any party has the option of withdrawing their pertinent data from the study.

Under these guidelines, Krieglser's (1980) significant study of work and factory life at BHP's Whyalla Shipyard is unlikely to have received ethics approval. As a labourer he found that:

... working as a manual worker, albeit for only a brief period, gave me the opportunity to experience some of the routine, discipline, danger, feelings of satisfaction and achievement, frustration and disappointment that working men encounter in their daily lives. There is considerable merit in the view that understanding human beings and explaining their actions requires that one put oneself in their position, thereby closely identifying with them, and that only then, through a process of introspection and learning, will one find oneself in a position to understand behaviour (Krieglser 1980, p. vii).

We are not suggesting that we should return to the days of Elton Mayo's 1923 research into labour turnover in a Philadelphia textile mill. Experiencing difficulties with making observations of the workers, Mayo (1933) established a small dispensary in the plant with a qualified nurse who collected data through the many confidences that were made to her by the factory workers who visited her for medical assistance. Such deception is unacceptable in twenty-first century research paradigms. The argument is not that research should be conducted without any protection of participants and their interests, but rather that the burden on researchers of satisfying regulatory bodies of the justification for their research and of the adequacy of their methodology, is too great.
It is exacerbated by the inconsistency in the interpretation of the National Statement, by HRECs. Social researchers struggle to comply with codes of conduct, which vary from institution to institution. For example, the technique of snowball sampling (participant referral) is not acceptable at James Cook University (no other university mentioned snowballing), yet the technique is part of the “toolkit” for many social researchers. For University of Newcastle researchers, when audio or video taping interviews, participants must be advised in the information sheet that they will be given the opportunity to review, edit or erase the recording (www.newcastle.edu.au/research/human/docs/hrec43 accessed 08.11.06) No other university specified this. Such a provision raises questions about the researcher’s right to retain data which was freely given with full consent, thereby securing the data set for the research. The University of Sydney also requires researchers who tape interviews to include in their consent forms: “where the information will be published; who will have access whilst the information is stored in the Department; what will happen to the material once the storage period of 7 years has expired” (www.usyd.edu.au/ethics/human/pol/admin accessed 08.11.06). The certainty of actions seven years hence is at the very least problematic.

HREC protocols covering interviewing widely vary. In the case of face-to-face interviews, for the University of Sydney, “only rarely will home visits be acceptable” and where approved “the subject should have a friend/chaperone present and so should the researcher, to protect both the subject and the researcher from any charge of impropriety”. Additionally, there is to “be no interviewing after dark or before sunrise” and “interviews will be conducted in an open area near domestic housing or a busy road”. (www.usyd.edu.au/ethics/human/pol/admin accessed 20.12.04). If this provision had been applied to the seminal work of Lipset and Bendix (1952) on labour mobility, then the 935 interviews with Oakland California wage earners could not have been conducted. The study also begs the question whether the comprehensive interview questions about the participants, their fathers and their male siblings would have made it unscathed through ethics committee scrutiny. Israel reports that such a provision was applied to an experienced researcher because of "potential impropriety" in that it was felt by the HREC that:

......the researcher might endanger the interviewees and herself by visiting their homes and was prepared to back its speculative assessment of the risk posed, even though the researcher had already completed a study of this nature without incident (Israel 2004, p.30).

Danger is certainly of concern, as reported by Calvery (2000) in his study of nightclub bouncers and the fear of reprisal from the "industry's door" consequent on publication of the findings. However this must be measured against the researcher’s own assessment of the risks.

For many HRECs the interpretation and implementation of the National Statement is a question of the key guiding principle in the Statement, namely risk management (Casey 2001). Deakin University requires researchers to identify if the “research to be undertaken in a politically unstable area, or an area where criticism of government and institutions might put participants and/or researchers at risk” (www.research.deakin.edu.au/ethics/human accessed 21.12.04). One must ask if the “risk” is a question of emotional and physical welfare, or primarily that of litigation. As the University of Western Australia puts it, the ethics guidelines are as seen as “a framework ...for the protection of individual research workers from possible misunderstandings” (www.research.uwa.edu.au/policies/welcome/policies/guidelines_onresearch_ethics_and research_conduct accessed 22.12.04). Very few universities prominently feature the risk of litigation as a factor which shapes their ethics protocols, with the exception of Murdoch University which clearly identifies the need to protect individual researchers and the University from legal action. James Cook University (www.jcu.edu.au/office/research_office.Ethics.index accessed 21.12.04) categorises
research techniques into six risk management categories. Burawoy’s (1991) cases in the classic work *Ethnography Unbound* which employ the technique of participant observation would all fall into the high risk Category 5 or 6, of “substantial deception”, sometimes with “at risk populations” such as the homeless. At the high end of the risk continuum, it is unlikely that Burawoy’s research would have received ethics approval.

3 CONCLUSIONS

Our aim is not to criticise the principles of the national ethics framework, but instead our focus is on the 1999 *National Statement* and the unintended consequences of the ways in which it has been applied to ethnographic-style research. We are pointing out the difficulty of conducting research when confronted by practical impediments which constrain professional procedures and techniques, and in the case of labour-process workplace studies, threaten to curb research outright. Research in organisations is almost inevitably a sensitive process as the researcher mediates power relationships, and negotiates tactical and strategic compromises (Bryman 1988). However the overlay of the *National Statement* adds an additional complexity to workplace ethnographies which potentially hinders exploration of the hidden processes of power and conflict in workplace relations, and brings into question the integrity of research which only reports managerial “truth”.

Dodds et al. (1994) in their review of the appropriateness of ethical frameworks to social science research argue against consequentialism, namely that the means justifies the end. They argue strongly that individuals should not bear the burden of costs associated with research which is justified by researchers on the basis of the wider “good of society” and the potential understanding to all that the knowledge might bring. For them, individual good and personal liberty have primacy over social good. Personal liberty involving the control of information over ourselves belongs to the individual and is not to be traded-off for a vague notion of social good (Dodds 1994, p. 36). Accordingly government has an obligation to protect personal liberty through appropriate legislation and frameworks such as the NHMRC *National Statement*.

This issue lies at the heart of workplace ethnographies, namely the extent to which there is a right to acquire knowledge versus the right to privacy, whether individual, collective, private or commercial. The *National Statement* has been adopted in the interest of transparency and the protection of participants; however, it is in potential conflict with industrial sociological research which seeks to deconstruct unitarist and pluralist frames of reference and behaviours to understand the realities and complexities of the social relations of the workplace. An unintended consequence of the *National Statement*’s Kantian emphasis on the primacy of participants' rights, reinforced by the requirement of written, informed consent (which in the first instance is generally that of an enterprise’s management), may compromise the integrity of the research. Perhaps an unanticipated consequence of the *National Statement* is that it induced social scientists to be “servants of power” to an even greater extent than they were in the first half of the 20th century, as illustrated in Baritz’s (1974) trenchant analysis.

It is unlikely that managerial consent will be granted unless there is benefit guaranteed and management’s "truth" assured, and it is unlikely that HREC consent will be granted unless there is managerial consent. Access is not a new problem, Jackall (1978) reports that in his study of workers in a large, branch banking system, seven major corporations all refused permission on the grounds that they "feared that I might discover or unleash, latent worker resentments" (1978, p. 5).

Even when the mandatory enterprise approval from a CEO is given, it is in effect meaningless in a hierarchical organisation. Given the nature of participants’ rights to participate and withdraw from the study at any time, without reason, access needs to be
negotiated with each level of participants within the hierarchy, and with each individual participant. Couple this with the ability of any participant to withdraw the use of the information/data which they have supplied, at any stage of the project prior to completion, and we must ask if a researcher could ever be confident that a project is viable and if the data set is secured, prior to completion of the project.

The application of the medical-based NHMRC's National Statement has stifled industrial sociology in Australia. The 1999 National Statement was interpreted in ways that constrained much ethnographic-style research. This is unfortunate since such research is a valuable complement to other approaches to research, for instance, in uncovering issues like: workplace conflict, sabotage, bullying, harassment, inequality, abuse, corruption and other forms of unethical behaviour. It remains to be seen how the new National Statement will be interpreted by HRECs. We hope that they will have a much more appropriate and lighter touch than hitherto, so that the conduct of ethnographic-style research in workplaces can be approved in Australia.

4 ACKNOWLEDGEMENTS AND METHODOLOGY

We express grateful thanks to all those who facilitated this research. It was based on a review: of the literature and some of the seminal works in industrial sociology; the current National Statement; submissions to the Review of the National Statement [183 were received by the National Statement Working Party in the second round of public consultation from January to March 2006 and are accessible on their website (http://www.nhmrc.gov.au.ethics/humans/ahec/projects/statementsec)]; of Australian universities’ ethical guidelines which are available on their websites. All 38 sites were accessed. This review was conducted in 2006. The paper also draws on discussions with and interviews with several PhD students and other colleagues about their experiences with various universities’ HRECs. This was on the basis of anonymity, so they are not named here. We are grateful to the good people who serve on ethics committees. This paper is not intended to imply any criticisms of them. Several people have made helpful comments on earlier drafts including: Gary Allen, Roger King, Drew Nesdale and Adrian Wilkinson.
5 REFERENCES


