

Over-compliance

Efforts to improve occupational safety and health began with rules and compliance. Complying with these laws and safety standards greatly improved the workplace. As the understanding of incident causation became more sophisticated, other methods were used to engage employees and involve those on the front line in assessing and mitigating risks and hazards in a more proactive way. As approaches continue to evolve, a new movement is gaining favor that the author calls over-compliance: a process that consists of enhanced rules exceeding legislated and industry standards. This movement includes an unflinching zero tolerance for errors whereby rule breakers are harshly sanctioned or fired. The major question posed by this article is: Does over-compliance tend to improve or hinder safety performance? This article examines the evolutionary path that led to over-compliance and why it appears to be a good solution yet has unintended consequences. Those consequences, although unintentional, defeat the established goal of over-compliance. The authors examine the gap between academic knowledge and common practice and assumption; to do so, they use established facts based on more than 50 years of study and the successful application of theories in management and behavior.

Compliance: The Beginning

To improve safety performance, compliance addresses basics. These involve laws, regulations, some non-legislated or industry standards, and company rules. Compliance is simply managing and following laws or standards, primarily to avoid penalties for noncompliance. However, compliance simply means meeting the minimum standards set forth by society in the form of legislation, which many companies realize. Early efforts to improve safety began with simple compliance, which was aligned with the scientific management theory of the 1920s. Also termed Taylorism, after its founder Frederick Winslow Taylor, this theory and practice focused on the industrialization of workplaces and efficiency. Taylor is mostly remembered for advocating piece work, or paying employees for each unit of work completed, such as material moved or parts assembled (Taneja, Pryor & Toombs, 2011). Taylor also believed there is one best way to perform a task.

However, any such approach is doomed to fail because no two people perform the same task in the same way. Taylorism stressed "improved utilization and conservation of human and physical resources". Taylor is famous for using a stopwatch to time employees (Taneja, Pryor & Toombs, 2011, p. 63). He advocated inflexible control of the workplace, assuming that employees did not need to think independently. He believed that strong incentives such as quotas set by time and motion studies would boost production and profit.

However, Taylor's scientific management had dehumanizing effects that led to distrust and suspicion among employees, which in turn led to a public furor. While some saw a strong correlation between Taylor's ideas and efficiency, the application of these ideas did not always work. Also, some evidence indicates that Taylor may have fabricated some of his results. Taylor's pioneering work in quality, cost accounting, ergonomics and human engineering, as well as the concept of measuring to manage, are still reflected in management and business

today. His success after the publication of *Shop Management* (1903) and *The Principles of Scientific Management* (1911) cement his place as the father of scientific management. Another major contributor to the management field's scientific school of thought was Max Weber. He stressed the bureaucratic organization as a hierarchy with impersonal written rules, officials with expert training, performance measurement and corrective action. His original work had and continues to have major influence in today's organizations

Motivation & Engagement

Eventually it became evident that rule-driven scientific management was not the key to greater organizational functioning. As a result, other researchers took a different approach toward organizational efficiency. In 1943, Maslow proposed a hierarchy of needs, progressing from basic physical needs such as food and shelter through emotional needs such as recognition and respect; it culminated in self-actualization, whereby employees could be self-fulfilled and creative (Maslow, 1943). However, as positive and relevant as Maslow's theory about human nature may be, little evidence supports his assertions. Nonetheless, the hierarchy of needs concept is an invaluable contribution to the theory of motivation. Today, leading companies recognize that the most productive employees are those who feel needed, valued and respected.

In 1960, McGregor formulated his management theories X and Y. Both theories involve assumptions that managers make about employees. Theory X assumes that all employees are inherently lazy, hate work and therefore need to be motivated by fear. Theory Y assumes that employees can accept responsibility and can be motivated by rewards of achievement. McGregor advocated empowerment and open management. He believed that management by direction and control, or Theory X, is inadequate to motivate. Employees are not able to use their capabilities, are discouraged from accepting responsibility and are encouraged to be passive, thereby eliminating meaning from their work. They could develop into employees who resist change, lack responsibility and develop an unwillingness to follow.

In 1968, Herzberg looked at what motivates employees and coined the term hygiene factor. He described hygiene factors as those extrinsic to the job such as "company policy and administration, supervision, interpersonal relationships, working conditions, salary, status and security," contending that these factors lead to job dissatisfaction and the "primary cause of unhappiness on the job". On the other hand, motivators, or intrinsic factors, stem from individual personal needs such as recognition, achievement, responsibility, job content, and growth potential or advancement. Taylor had proposed that money was a powerful motivator in introducing piece work but Herzberg found that money was only a motivator as a means of recognition. Through the 1950s and into the 1970s, businesses were working to influence and engage employees using various theories and practices. A less authoritarian approach, emphasizing behaviors and attitudes became more important and became another piece of the rule and compliance mind-set.

Beyond Compliance



Figure 1

Simple compliance cannot garner great safety performance because it only involves the required minimum. Ferry contended that minimum compliance yields minimum benefits. He believed there was a mistaken assumption that doing more would cost more, contending that going beyond compliance may prove less costly in the long run. Exceeding compliance means moving to a higher standard and having company rules and processes beyond the basics. This helps companies avoid the "compliance trap", whereby a company believes itself to be in compliance but can still be found out of compliance by an inspector or auditor, and still experience serious incidents. OSHA states that Voluntary Protection Programs (VPP) sites have better performance than non-VPP sites as evidenced by positive correlations between injury rates and participation in the program. Many companies have also moved away from simple safety programs that focus only on compliance to management system approaches. A key aspect of this advancing sophistication has been the adoption of more risk-based approaches in managing safety rather than solely detection and correction of physical hazards. With more focus on employees, the concept of behavior-based safety (focusing on employee acts and behaviors) developed. Some models focused on attitudes and beliefs designed to improve communication and engagement. As management systems became popular, so did audits and the concept of continuous improvement in systems and processes. Safety incentives or rewards for safe behavior also increased.

The Cult(ure) of Zero Incidents

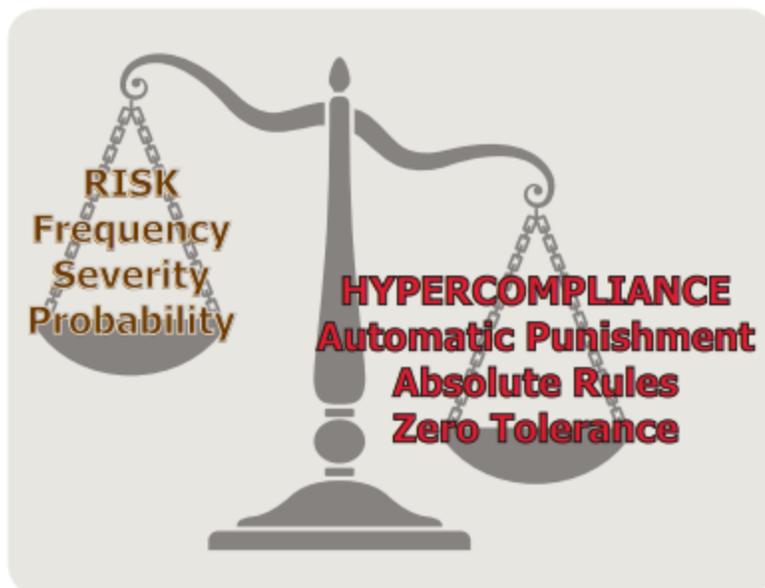


Figure 2

The concept of zero incidents implies that sustained perfection in an innately error-prone system is somehow achievable. This concept, as well as the belief in safety culture, arrived together and dominate the current safety landscape. Belief in zero has a wide base and includes concepts such as zero fatalities, zero injuries or zero incidents . This zero concept stirs emotion since employees would agree that they or a loved one should not be injured, thereby becoming the one beyond zero. This has led to the zero-tolerance concept. However, in reality people live inside a fallible human system. Therefore, even though reaching zero is highly admirable it is not a consistently achievable human goal. One problem with the zero goal is that if employees think it is not achievable, they may not be mentally committed to the concept. Setting and reaching a goal means the goal must be achievable. Without a plan to get to zero that has both substance and thought, such goals can become counter-productive. This mind-set has set the stage for over-compliance.

Over-compliance

Over-compliance is increasing rules and legislated standards to a higher level in order to ostensibly achieve better safety performance. It is a human trait to look at things in terms of structure. If events are not going exactly as planned or there are an unacceptable number of incidents, perhaps something new is needed to get past the current plateau. In such instances, more controls or rules are sometimes added to ensure uniform employee expectations and guidance. Underlying over-compliance is the belief that more rules, including more stringent ones, will make for a safer workplace. For example, if safe height is 6 ft, it is reduced to 3 ft. If safety glasses are required, goggles will be substituted. If compliance is not 100%, the penalty for noncompliance is raised.

Over-compliance is all about making more stringent rules in select areas and correlating them with zero tolerance for noncompliance. Many large companies in different industries have engaged in this approach, primarily by making a list of rules that carry automatic heavy penalties. Large energy companies have such programs and they are becoming popular with their primary contractors as well. These rules are usually termed as lifesaving or absolute safety rules. Good examples can be found in the International Association of Oil and Gas Producers (IOGP) and Canadian Oil Sands. IOGP developed 18 lifesaving rules organized into eight core and 10 supplementary rules (IOGP, 2013). In Canada, there are seven main regional safety rules and 12 supplemental rules (OSSA, 2015). Breaches of such rules are investigated and discipline is applied up to and including termination.

Another example is the rule making body of the international shipping industry known as the International Maritime Organization. Every time a shipping incident takes place anywhere in the world, this organization comes up with new regulations and rules. The emphasis is clear. The most likely outcome for employees is termination when they are found to be breaking these rules. These rules usually are well thought out and focus on areas where incidents are likely to occur. Pictograms well illustrate the intent of the rule. The rules themselves and the attention being drawn to them are understandable. Some rules are specific (e.g., Do not walk under a suspended load), whereas others are more specific (e.g., Wear a seatbelt; use PPE). They address specific hazards (e.g., Conduct gas testing) or activities (e.g., Do not use a cell phone while driving). Therefore, a rule that stipulates that all traffic rules must be obeyed, regardless of one's location, makes sense. However, it establishes an entirely new reality when someone failing to come to a full stop at a stop sign can be terminated or barred from a workplace.

Another example is an employee forgetting to replace his/her safety glasses when reentering an area where eye protection is required. Because the rule is broken, the employee would be investigated and disciplined because of zero tolerance for unsafe acts and zero tolerance for rule breakers. In raising the compliance bar, the workplace can theoretically become safer, as a higher standard is now in place. The rationale for over-compliance is that the company believes it can be absolutely sure that no employee is overexposed to danger and that all employees are held to a higher, safer standard. Large companies communicate that sites are safer with zero tolerance for rule breakers, a supposed necessity to improve safety performance.

The universal rules of over-compliance have little to do with risk. Their main focus is to demonstrate to the workforce that the company is committed to safety and will not tolerate any acts or omissions that are unsafe regardless of the risk actually posed. When a company terminates a rule breaker, it sends a clear message that safety is important and unsafe behaviors and acts will not be tolerated. There are no exceptions.

(To be continued in next issue)

Readers may please note that D. L. Shah Trust brings out two e-journals on a fortnightly basis. These are mailed to those persons or institutions who are desirous of receiving them:

These two e-journals are:

1. Safety Info
2. Quality Info

If you or your friends or colleagues wish to receive these journals, you may send us an email requesting for the same. There is no charge for these journals. Our e-mail address is:

dlshahtrust@yahoo.co.in

or

haritaneja@hotmail.com

or

dlshahtrust@gmail.com

You can also access these journals on our website: www.dlshahtrust.org

<p>Published by : D. L. Shah Trust, Bell Building, 2nd Floor, Sir P. M. Road Mumbai 400001 email: dlshahtrust@yahoo.co.in Ph: 022-2283 8890 Subscription: Free on request (soft copy only)</p>	<p>Edited by : Hari K Taneja, Trustee, D. L. Shah Trust email: dlshahtrust@gmail.com TeleFax:022-230 9609 Phone: 022-2309 6529 Subscription: Free on request (soft copy only)</p>
---	--