



HAPPY INDEPENDENCE DAY TO ALL OUR READERS

Over-compliance (continued ...)

Over-compliance: The Good Side

Much of the literature provided by companies around over-compliance stresses factors such as:

- zero tolerance for unsafe work;
- zero tolerance for rule breakers;
- valuing safety;
- acting decisively to ensure a safe working environment.

These are all laudable goals and great intentions. As noted, if an industry or operation has reached a plateau and still experiences incidents, it can become frustrating when the way to improve performance is unclear. Doing nothing is not an option. Therefore, the approaches and systems must evolve. Since compliance originated by tightening rules, establishing new, more stringent rules seems a sensible response. With tougher rules and higher penalties, it makes sense that incidents should diminish. Doing more of what is or has been successful is a natural response. Applying the same logic to crime, higher penalties and tighter enforcement by more police officers should result in an elimination of crime. The truth is that any approach loses effectiveness at a certain point.

Over-compliance: Unintended Consequences

Sending a strong message to the workforce about accountability and communicating clear expectations is often mentioned in safety circles. No doubt, accountability and clear communication are necessary and essential for the system to function. However, what companies intend to communicate often is not what employees actually perceive. One of the greatest examples is committing to zero incidents. Does that mean employers do not want any incidents or that they do not want to hear about any incidents? It is natural for managers and executives who feel that improvement is needed to propose additional rules or controls to clearly communicate their intent and expectations. These changes are often heralded with a communications or awareness phase. Currently, many companies involve their employees in workplace change, thereby attempting to obtain support and commitment. However, it is unclear if any frontline employees asked to have more stringent rules or higher penalties for those who break them. The concept of over-compliance seems to involve several specific issues.

- 1) Does this approach improve safety performance? Rules or standards that are simply more stringent may not actually do anything to reduce risk. This makes these standards less relevant to employees because such rules may be perceived as unnecessary and as detracting from improving safety.
- 2) Is it necessary to tell employees to comply or be fired? Is this a case of employees who simply will not follow the rules? Does it reflect a belief as in McGregor's Theory X that those employees must be motivated by fear?

- 3) Does this undermine the discretion of supervisors? Much responsibility and reliance is placed on supervisors and managers who are paid to exercise their judgment on a daily basis.
- 4) How many absolute rules can the average person memorize? Memory is not infinite. Usually short and simple messages work the best for the purposes of memory. Can every employee remember the critical seven or eight rules and the supplementary rules? With lists, most people can only remember considerably fewer than eight. Is the message too complex?

Should Over-compliance Work?

After 50 years of trying to engage and empower employees, over-compliance takes business back more than a century to the principles of scientific management. Virtually every company spends a great deal of time and resources trying to engage employees. Through the progression of the empowered workplace, there has been increasing evidence of higher productivity, profitability, job satisfaction and safety performance as well as lower occupational stress and absenteeism. People tend to crave stability and structure, and rules and accountability are part of that structure. However, this practice can be overdone.

For example, does firing someone for making errors make employees feel valued? Most of the rules are specific to frontline employees but firing a supervisor and manager is possible. That would send a powerful message, but probably not one about a high commitment to safety. How do employees feel when they see a manager fired for making an honest mistake? When employees are targeted with a communication campaign for routine duties such as entering confined spaces or using fall protection they may not feel they are valued or capable members of the organization. Like all such efforts, the reason over-compliance is doomed to fail is that it suppresses the very goal it desires. The goal is an involved, engaged workforce that is actively involved in proactive measures to reduce risk in the workplace by using their experience, skills and initiative.

Rules

The Necessity of Rules

Throughout safety and organizational literature, much has been written on the subject of rules. There seems to be general agreement that rules are an inherent part of organizational and safety programs to ensure protection of lives, property and resources. Since all organizational roles, including safety, demand some level of accuracy, all roles require employees to know and use some standardized steps or rules. However, "Required steps are useful only if they do not obscure the desired outcome". It is contended by some that there are two requisites for obedience: legitimacy and unilateral nature of authority relationships. This represents the classic view of traditional hierarchies with top-down control, clear division of labor and subunits, centralized decision making and standardized behavior patterns , with employees considered incompetent or not having time to come up with rules .

In reality, rules and procedures are attempts to control the characteristics of humans. Some contend that rules are actually organizational constraints, progressively restricting freedom of action as they increase limitations to freedom of choice and discretion. Some question whether

the rules are supposed to control or support activities. They also question whether the employee is in control or is being controlled. Safety has its own set of additional rules. It is stated that safety work rules direct the safety program. These rules must be enforced and whenever broken, the perpetrator must be punished. However, one of the concerns about punishment after an act was that people may simply try not to get caught again. However, the possibility exists that such rule- or law-breaking may be indicative of distinguishing between good defiance and unacceptable violation.

It is also questioned whether there is factual information or a true basis for initially formulating the rules. Some safety management authors have expressed similar concerns. One author states, "It should not be assumed that actions taken to be in compliance with laws, codes, standards and regulations address an organization's principal risks or that doing so, by itself, will attain effective hazards management". This concept is echoed by some others, who contend that establishing a causal link between the incident rates and some regulatory requirements may be difficult. In any case, initially employing a means of controlling the causes responsible for the presence of injurious agents should occur prior to regulation

Potential Problems With Rules

Static rules present several problems. First, static rules do not capture the true complexity of organizational situations. Second, they tend to reflect a gap between work as envisioned by more senior experts and the actual work performed by employees. Third, it is impossible to create rules to cope with all eventualities and situations. Finally, no rule is ever final, especially in command-and-control regulatory environments. Therefore, if an incident occurs, the event often results in even more rules and regulations, thereby increasing both operational complexity and compliance difficulties.

Too Many Rules

When organizational procedures are designed, smooth and efficient operations are the goal. Often employees are not considered. Especially in inflexible and rigid organizations, some managers have a basic mistrust of people, thereby believing that their only recourse is to impose rules to achieve desired behaviors. The effect of this philosophy forces employees to accept the status quo by conforming to the limitations of accepted patterns and rules. If there are too many rules, it is possible that some rules may be overlooked or obscured, thereby increasing overall risk. This would mean that numerous rules in complex technologies could be less effective.

It is stated by some that there are "many examples of steps hindering the very outcomes they were designed to facilitate". The more employees are preoccupied with following rules, the less they are able to consider innovative solutions and may become unaware of new situations to which the rules do not apply. This preoccupation can lead to more mistakes, which in turn induces more regulations, thereby creating a vicious circle. The rules that seem most problematic for employees are those that define specific actions or behavior, leaving the least room for individual choice because every time a rule is made, a choice is taken away. These rules may save time and effort by clarifying tasks and responsibilities, but they are "creating a culture of compliance that slowly strangles the organization of flexibility, responsiveness and, perhaps most important, goodwill". Detailed rules may cause resentment as employees feel

they are not trusted because they are being watched. They also can feel dependent, not being able to take responsibility for their own actions or styles. This situation can be demeaning.

Too many, especially detailed, regulations can discourage innovation, creativity, initiative and new ideas, reduce compliance and contribute to uncertainty. Additionally, learning can be weakened (Another drawback of excessive rules is that if employees do not see rules as enhancing their safety, or as not relevant to their jobs, they are less motivated to comply. This may lead to rule violations. If no adverse event occurs other than noncompliance, confidence in the rules can diminish as well.

According to some, two contrasting paradigms appear to exist in operation concerning a view of rules: top-down view versus bottom-up. These two models have been classified as models 1 and 2.

Model 1 is the classic rationalist view of rules as constraints on behavior, established by those persons considered experts who are higher in the organizational hierarchy. Safe work consists of barriers and rules in order to successfully complete tasks. Rules are static and are not to be violated. There are strong limitations on employee freedom of choice and discretion, and employees are considered incapable of establishing rules. Model 1 is predominant in safety management. This is readily apparent when reading safety management literature that emphasizes the danger of not following procedures, the majority of which discusses the prevalence and reasons for violations.

Model 2 generally applies to complex, high technology operations whereby employees are the experts. The bases for rules are reflections of employees' reality and experiences, including social patterns of behavior. Interest in Model 2 occurred because of dissatisfaction with Model 1. Some propose a synthesis of the two models, combining the strong points of each, since there are lessons to be learned from both paradigms.

High-Reliability Organizations

Concurrently with over-compliance, another approach focuses on organizational resilience and high reliability. These organizations push decision making down as far as possible and rely on expertise in the field rather than on rules and punishment. Such organizations are often called learning organizations, as they can recover quickly from problems or incidents. This quick recovery indicates organizational resiliency. They are committed to learning from failure and refuse to simplify what is inherently complicated.

High-reliability organizations are those that cannot afford large-scale failures because of the potential catastrophic consequences. This approach has its roots in the study of aircraft carrier flight deck operations, nuclear power plants, hospitals and air traffic control. In each of these instances, small failures must be understood, resolved and learned from before they can become or lead to larger-scale failures. This means paying attention to small failures or weak signals in the system. The organization must be resilient, or able to recover quickly from failures, but it is also expected to learn from failures. Such organizations rely on mindfulness or being constantly alert to one's environment and situation.

The principle of mindfulness can be compared to driving a car. We expect that traffic incidents will occur. We cannot assume that everyone will always follow the rules of the road. Sensitivity is maintained by being alert: scanning traffic signs, signals, possible obstructions and the behavior of the traffic (e.g., erratic drivers, varying speeds). Additionally, resiliency is maintained because we are ready to take alternate routes or approaches should such maneuvers be necessary. Complex or tightly coupled systems need employees who are mindful. Tightly coupled systems (i.e., no slack in between stages of the process) have little time for recovery from failures, whereas loosely coupled processes have lags that can allow more time for recovery. High reliability organizations tend to be tightly coupled. They are preoccupied with failure and expect that failure is always possible and will occur within the system. As a result, they are reluctant to simplify, rationalize or take things for granted. These organizations require employees with expertise who are engaged and alert, paying attention to operations to enable them to move quickly and improvise solutions when unexpected failures arise.

Discussion

Many developments have been aimed at encouraging employee involvement to increase safety performance. Companies with an engaged workforce see many benefits. Engaged employees affect safety and the company by going the extra mile on behalf of the company. An involved employee is much more likely to take ownership of the work site and act proactively to resolve problems, correct physical hazards and reduce the risk of developing unsafe conditions. Optimizing culture for involvement is tied to better safety results. Employees understand the necessity of compliance with safety and organizational rules. They do not want to be injured or worse. In high-hazard industries, employees are acutely aware of the importance and necessity of paying attention to absolute rules that allow for no margin of error. The rules are not new, but penalties for infractions have increased.

When too many rules have become restrictive and undermine employee discretion and initiative, employees will passively obey rules, expecting automatic consequences if caught breaching them. With over-compliance, penalties for specific violations have increased. This would seem to be demotivating. If employees have no control and no involvement, they will become less motivated and engaged. Perhaps the final issue is that the absolute system must be administered by people. Mistakes are likely to be made and elements missed. Therefore, some people may break the rules but not be sanctioned. The perception of inequity can lead to widespread dissatisfaction and seriously erode the credibility of the rule scheme.

The purpose of organizational rules should be one of management's most basic responsibilities: focusing people toward performance. Standardizing the ends to achieve this performance prevents management from having to standardize the means to attain these ends. In other words, the required outcomes should be defined, but not the detailed activities for achievement. Rules should apply and be adapted to the diversity of real situations. They should be matched to the characteristics of the employees and to the situations in which the rules are required. In addition, unnecessary rules should be eliminated and regulatory language simplified.

With any organizational rule-setting, the employees' expertise and collaboration is essential to achieve final goals. Employees should participate in the decision of what is unsafe because "part of rule-setting responsibility belongs to those people for whom the rules are intended". It is advocated defining outcomes, then letting each person find his/her individual means to meet

those outcomes. With overly strict rules, employee innovation and creative ideas can be suppressed. When strict rules are changed, eliminated or relaxed they allow for more employee involvement, thereby encouraging employees to take more responsibility. There is much evidence supporting employee involvement as a significant positive factor in helping organizations meet their goals.

Conclusion

Over-compliance is a step back in time for safety and it flies in the face of all we have learned about human motivation, involvement and resultant safety performance. Much has been learned about human behavior since the days of Taylor. Regressive over-compliance thinking, with its excessive rules and penalties, is an approach that will not lead to a safer workplace. Getting beyond performance plateaus takes critical thinking and new approaches, including those of an interdisciplinary nature. In evolution, there are many failures for every success. Perhaps it is time to move on.

**This Article is now concluded.
Views of the readers are invited.**

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