

## Workers' Knowledge of their Legal Rights and Resistance to Hazardous Work

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Volume 45, numéro 3, 1990

URI : <https://id.erudit.org/iderudit/050607ar>

DOI : <https://doi.org/10.7202/050607ar>

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Éditeur(s)

Département des relations industrielles de l'Université Laval

ISSN

0034-379X (imprimé)

1703-8138 (numérique)

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Citer cet article

Walters, V. & Denton, M. (1990). Workers' Knowledge of their Legal Rights and Resistance to Hazardous Work. *Relations industrielles / Industrial Relations*, 45(3), 531–547. <https://doi.org/10.7202/050607ar>

Résumé de l'article

Cet article présente les résultats d'une étude qui a porté sur les connaissances, les perceptions et les actions des travailleurs en matière de santé et de sécurité au travail. Elle visait à découvrir s'il existait une corrélation entre leur connaissance de la loi et leurs actions face à des risques. Pour ce faire, 492 travailleurs ont été interviewés. Ceux-ci provenaient de huit établissements du sud de l'Ontario qui incluaient des petites et grandes entreprises, du secteur privé et du secteur public, certaines syndiquées et d'autres non.

Les variables retenues, pour établir des relations avec la connaissance de la loi, ont été regroupées en quatre catégories: caractéristiques de l'entreprise (importance, syndicalisation et secteur d'activité); connaissance et appréciation des problèmes touchant la santé et la sécurité au travail (perception des dangers, temps perdu à la suite d'accidents ou de maladies reliés au travail, comportement des contremaîtres sur les questions d'hygiène et de sécurité, harcèlement des salariés contestataires, connaissances de leurs représentants en matière d'hygiène et de sécurité); sentiment de maîtrise personnelle (dans l'exécution de leur tâche et dans le souci de leur santé et de leur sécurité); enfin, variables démographiques (âge, scolarité, sexe, langue).

Les résultats indiquent que les travailleurs, dont la situation est meilleure dans l'entreprise et sur le marché du travail (syndiqués, de sexe masculin et possédant un degré de scolarisation plus élevé), étaient plus susceptibles de mieux connaître la loi. Il en était de même pour ceux qui ont indiqué avoir le sentiment de maîtriser leur travail, leur santé et leur sécurité. Les travailleurs considérant leur tâche dangereuse, conscients de la valeur de la contestation et connaissant leurs représentants en matière d'hygiène professionnelle et de sécurité, étaient aussi généralement mieux informés de leurs droits.

Parce que trop peu de travailleurs avaient recours aux «mécanismes internes de responsabilisation» que prévoient la loi, l'action des travailleurs a été mesurée en utilisant le recours au refus de travailler. La vaste majorité de ceux-ci consistaient en négociations informelles avec les contremaîtres plutôt qu'en refus formels comme le prévoit la loi. La volonté de refuser les tâches dangereuses était plus fréquente chez ceux et celles qui étaient quelque peu au courant de la loi et qui étaient conscients de la nécessité d'avoir de meilleures mesures d'hygiène professionnelle et de sécurité pour surmonter les dangers dans leur milieu de travail. Les travailleurs de l'industrie recouraient d'avantage au refus de travailler que les employés d'hôpitaux. Les salariés les plus âgés ainsi que les femmes étaient davantage enclins à refuser de travailler.

On n'a trouvé aucun lien direct entre l'action des travailleurs et la syndicalisation, la connaissance de son représentant en santé et sécurité ainsi que le sentiment de maîtrise personnelle de la tâche. Cependant, ces facteurs ont pu avoir des effets indirects par leur relation avec la connaissance de la loi.

Politiquement, ces données signifient que les travailleurs ont besoin plus que de l'information sur les risques en milieu de travail, il faut s'efforcer de les informer de leurs droits, principalement les femmes, les non-syndiqués et ceux dont la scolarisation est moindre. De plus, il importe de mieux évaluer ce qui, outre le manque de connaissance de la loi, empêche les travailleurs de recourir aux mécanismes existants pour atténuer les dangers découlant du travail.

# *Workers' Knowledge of their Legal Rights and Resistance to Hazardous Work*

**Vivienne Walters**  
**and**  
**Margaret Denton**

*The paper presents data from a study of workers' knowledge, perceptions and actions regarding occupational health and safety. The correlates of workers' knowledge of health and safety legislation are analyzed, as well as the links between their knowledge and their resistance to hazardous work. The data suggest that workers who are most disadvantaged in the workplace are least likely to be aware of their rights. The correlates of action regarding health and safety are less clear, though knowledge of the legislation was related to resistance to hazardous work.*

Now that occupational health legislation has been in place in many jurisdictions for more than a decade, greater attention is being devoted to its impact. A growing literature points to the importance of participatory rights of workers and the progressive nature of the legislation which guarantees such rights. Yet such acknowledgements are also accompanied by cautions and a number of studies indicate ways in which the legislation does not appear to fulfill its potential. Calavita's (1986) study of the Italian legislation introduced in 1970 shows how its impact is constrained by economic and political contradictions. Carson and Henenberg (1988) have reviewed recent Australian legislation and they too question the ability of

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\*\* The research was funded by the Social Sciences and Humanities Research Council, with supplementary grants from the Labour Studies Programme and the Arts Research Board of McMaster University. Ted Haines was co-investigator. We would like to thank Andy Oxman for helpful comments on an earlier draft of this paper, and Brenda Nussey and Lynda Hayward for their help with data analysis.

law to achieve its potential when the 'structural relationship between capital and labour' is unchanged. Research in Québec under the direction of Renaud (Renaud, Trudeau, St-Jacques and Dubé, 1989; Renaud and St-Jacques, 1988) has also shown how health and safety legislation has to be understood in terms of the social relations which shape definitions of risk. Non-unionized workers have not been in a position to exercise their right to refuse unsafe work and the right acquired a narrower definition during its first five years. In Ontario, a study of joint health and safety committees has cast doubt on the effectiveness of the committees, which appear to have tenuous links with the workforce (Advisory Council on Occupational Health and Occupational Safety, 1986). In these ways both theoretical and empirical work point to the limits of the law in reducing hazards in the workplace.

Yet despite the growing interest in the impact of occupational health and safety legislation, we still know little about whether health and safety policies shape the ways in which workers deal with hazards in the workplace. Few studies have focussed on workers themselves (Nelkin and Brown, 1984; Luce and Swimmer, 1982; Frenkel and Priest, 1979) and we have few indications of the extent to which legislation empowers workers. This paper addresses such issues and presents data from a study in southern Ontario of workers' knowledge, perceptions and actions concerning occupational health and safety. In particular, we will look at workers knowledge of the relevant legislation and the extent to which this appears to help workers address health and safety issues.

Even in widely different approaches to occupational health and safety — those of Viscusi (1983) and Nelkin and Brown (1984), for example — it is assumed that knowledge enables workers to make choices regarding the hazards they will tolerate. The focus is typically on workers' knowledge of hazards and it is that which is embodied in the recent spate of legislation regarding workers' 'right to know'. Our emphasis here is somewhat different, in that we look at workers' knowledge of their legal rights. This, too, may be critical if workers are to exercise choices in responding to hazards — that they know their rights as well as having a right to know. We will look at the correlates of workers' knowledge of their rights and ask whether knowledge is associated with resistance to hazardous work.

It is the 'internal responsibility system' that forms the core of health and safety policy in Ontario. This places the onus of health and safety in a plant on the shoulders of labour and management, and thereby reduces state intervention. In theory, issues should be resolved through structures established at the plant level. Central features of the internal responsibility system are joint health and safety committees, workers' health and safety

representatives and workers' right to refuse work they believe to be unsafe. Such an approach to the regulation of hazards in the workplace has been criticized for a number of reasons. For example, Digby and Riddell (1986) and Sass (1986) have pinpointed ways in which the authority of joint committees and the participation and power of labour are limited. The system can be further weakened by poor enforcement of the legislation and by the diminished role of the state. Nevertheless, this is the major mechanism which allows for worker participation in occupational health and safety — a structure which establishes processes for the expression of workers' concerns and facilitates the collective definition of what are unacceptable hazards. It recognizes differences of interest while providing a structure for dialogue and resolution of problems. The opportunities for worker participation are, however, modest.

The preliminary results of the study discussed in this paper indicated that the majority of respondents recognized hazards in their work and that the priority accorded to health and safety generally followed just after the 'bread and butter' issues of wages, job security and pensions (Walters and Haines, 1988a). However, despite their concerns about hazards, a substantial proportion of respondents did not pursue them. When they did, they were unlikely to make use of the internal responsibility system (Walters and Haines, 1988b). Their ties with their supervisors were much stronger than those with their own health and safety representatives. Joint Health and Safety Committees were seldom referred to at any point in the interviews. And hardly any respondents had refused to work under the provisions of the legislation. Almost all the situations described as 'refusals' were informal, with none of the assurances of investigation and protections against penalties that are specified in the Act. They represented informal negotiations between worker and supervisor, wherein the problem might be resolved, the work simply assigned to someone else, or the worker required to continue working.

Apart from such indications of lack of use of the internal responsibility system, the other striking finding was that a substantial minority of respondents — 44% — knew nothing about the legislation. As well, 29% of respondents could not name their health and safety representative, even though this was their main link with the structure for representing workers' interests regarding hazards at work.

Pursuing these themes, this paper starts by looking at the correlates of workers' knowledge of occupational health and safety legislation — an indication of respondents' awareness of their legal rights. We then examine the importance of this knowledge in relation to actions regarding health and safety — in this case, the informal work refusals respondents described.

Nelkin and Brown's (1984) is the most comprehensive of the studies of workers' perceptions of hazards and responses to risk. Their interviews suggest that workers who experience least control in their work and who are most marginal, are least likely to be involved in occupational health and safety issues. These workers are also more likely to accept and adapt to hazards. Our own analysis adopts this perspective and focusses on variables indicative of the ways in which workers are more or less disadvantaged in the workplace and labour market. In general, our expectation was that the stronger the position of workers, the more likely they would know their rights and act on their health and safety concerns.

### THE SAMPLE

A total of 492 workers from eight workplaces were interviewed between April 1984 and March 1985. The workplaces were chosen so as to include both unionized and non-unionized, large and small, and public and private sector workplaces. We also aimed to cover both light and heavy industry as well as occupations with a substantial representation of women. (Because of problems in securing the co-operation of employers, we were not wholly successful in achieving these goals; non-unionized workers are not as well represented in the sample as was originally planned and women tended to be concentrated in hospitals. Unfortunately, this means that we must be especially cautious in interpreting data regarding unionization and gender.) In only two instances did employers co-operate with us in identifying the population to be studied. In two cases we developed snowball samples and in the others we relied on union records in drawing our sample. The overall response rate was 64% and the breakdown by workplace, along with other characteristics of the sample, is shown in Table 1.

In the larger workplaces we selected (where feasible, in conjunction with workers' representatives) job categories or departments and sampled within these. In such cases we aimed to include occupations with exposure to distinct hazards — lead, for example — as well as others with low level exposures to less harmful agents. In the smaller workplaces there was less need for such selection and we sampled from the total workforce. The questionnaire was structured but also contained many open ended questions. Most people were interviewed in their homes. Some interviews took more than four hours, while the shortest were completed in 45 minutes. When necessary, we drew on the services of an interpreter.

**Table 1**  
**Sample Characteristics**

<i>Type of Workplace</i>	<i>Unionized</i>	<i>Approx. Size</i>	<i>Extra Hazards</i>	<i>Sample<sup>1</sup></i>	<i>Response Rate</i>	<i>N</i>
1. Steel	Yes	9,000	Silica, lead	R*	58	82
2. Steel	No	11,000	Silica, coke oven emissions	S	63	34
3. Carpets	Yes	160	Carpet dyes & chemicals	R*	71	41
4. Cans	Yes	400	Solvents	S	77	53
5. Brakes	Yes	210	—	R	64	46
6. Rubber	Yes	1,300	Carbon black, benzene	R*	62	55
7. Hospital	Yes	1,015 beds	Ethylene oxide, radiation, anaesthetic gases	NR*	62	78
8. Hospital	No	435 Beds	''	R	63	103

<sup>1</sup> R: All or a random sample from selected work areas.

NR: Random sample of those agreeing to the release of their name and address.

S: Snowball sample: constructing a sample by starting with a short list of names and asking each respondent to give additional names.

\*: Sampling from union lists which may have been out of date.

## VARIABLES AND MEASURES

The general questions which shaped our analysis were: What are the variables associated with knowledge of the legislation? Which workers are most likely to know something about the legislation? To what extent can workers' actions regarding occupational health and safety be explained by their perception of their work as hazardous and their knowledge of their legal rights? What other variables help to account for whether respondents acted on their health and safety concerns? Because this is a virtually unexplored area, we were seeking to identify patterns in the data rather than testing well grounded hypotheses. In selecting the independent variables, we were guided by observations in related literature as well as logical expectations. The variables were grouped into four categories: features of the workplace; respondents' experience or observations regarding occupational health and safety; their control over their work; and demographic variables. We anticipated that each of these would be associated with knowledge of

health and safety legislation. And, each of these, along with knowledge of health and safety legislation, was expected to be a determinant of workers' actions regarding occupational health and safety.

### **Knowledge**

The measure of knowledge was whether respondents knew something about the content of the occupational health and safety legislation. Knowledge was measured as a dichotomous variable, with knowledge scored as 1 and lack of knowledge scored as 0.

In the model predicting workers' actions regarding occupational health and safety, three additional measures of knowledge were explored. These included whether respondents knew the identity of their health and safety representative; whether respondents had taken a training course in occupational health and safety; and whether they knew preferred strategies for controlling hazards according to the tenets of industrial hygiene<sup>1</sup>. Each of these were measured as dichotomous variables with 1 referring to knowledge and 0 to lack of knowledge.

### **Action**

Because so few workers turned to the internal responsibility system, it was not possible to analyse their use of their legal rights. Instead, the measure of action used in our second model was whether respondents had informally refused work during the past twelve months. As a measure of action it signifies attempts to negotiate and change aspects of work, though workers have no guarantees of investigation or protection against reprisals. Action was measured as a dichotomous variable.

### **Determinants of Knowledge and Action**

*Workplace* variables were size, unionization, and sector. We expected that workers in larger firms and unionized workers would be more likely to know something about the legislation because they are more likely to have access to training programmes as well as other educational resources. We had no reason to predict differences between industrial and hospital

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<sup>1</sup> Reducing exposure at source, compared with monitoring the workplace or workers, or using personal protective equipment.

employees — a division which was also one between private and public sectors. If anything, we suspected that hospital employees might be less motivated to take an interest in their health and safety because of the traditional emphasis on service and the priority assigned to patients' interests. Again, these three variables were measured as dichotomous variables so that for sector, 1 indicates a hospital, 0 an industry; for unionization 1 indicates the presence of a union, 0 no union; and for size 1 is a large industry, 0 is a small one.

The second group of variables focused on aspects of *experience or observation regarding occupational health and safety*: perception of hazards in work, experience of lost time for reasons related to work, supervisor's attitude to health and safety, experience or knowledge of workers being hassled for raising health and safety issues, and whether the respondents knew their health and safety representative. Here, we anticipated that workers would be more likely to know something about the legislation if they considered their work to be hazardous, if they had experienced lost time due to work related problems, if their supervisor indicated a positive attitude to occupational health and safety by enforcing safe working practices, and if they knew their health and safety representative. Experience or awareness of workers being hassled was included because labour has so often referred to this as a problem and we were curious to see whether it had any association with knowledge and/or action. These indicators of experience or observation regarding occupational health and safety were all measured as dichotomous variables.

Respondents' sense of *control of work* was the focus of the third category. We looked at their general feeling of control (a composite measure derived from respondents' ratings of five aspects of control regarding pace of work, freedom in how to go about doing the job, assessment of their influence on how the company/hospital is run, amount of decision making, and the extent to which they are asked for comments or suggestions regarding their work). On the composite measure, respondents ranged in value from 1 to 4. Also, we included respondents' rankings of their control over their occupational health and safety. In both cases, we expected higher control ratings to be linked with knowledge of the legislation.

The final category included *demographic variables*. We predicted that respondents with higher educational levels and those with English as a first language would be more likely to know something about the legislation. The influence of age and gender were less easy to anticipate, though there is some indication that younger workers and males are more likely to be familiar with the legislation (Luce and Swimmer, 1982). Gender and language were both measured as dichotomous variables with 0 for males



and 1 for females; 0 for English and 1 for a spoken language other than English. Age was measured as years of age while education was measured as the number of years of education.

Many of these variables indicate ways in which workers might be advantaged or disadvantaged in the workplace or the labour market. Workers who are in a relatively strong position and less likely to experience discrimination are unionized, male, English speaking and of higher educational level. The dimensions of experience/observation focus on the costs of occupational accidents and illnesses to workers and the ways in which they may have faced deterrents to dealing with health and safety problems. Workers' sense of control over their work is another related theme. Each can signify variations within labour in terms of either empowerment or discrimination.

## ANALYSIS

The analysis involved several steps. First we looked at zero-order regression coefficients for the dependent and independent variables. Then we followed a step-wise technique, regressing knowledge on each category of variables in turn. A similar pattern was followed in relation to action. In the second analysis we looked first at the association between knowledge and action, and then introduced each of the other categories of independent variables to see whether they were associated with action independently of their links with knowledge.

The data are analyzed using standard multiple linear regression procedures<sup>2</sup>. This technique allows us to assess the relative contribution of, for example, the measures of workplace, on knowledge of the legislation, controlling for the effect of experience, control, and demographic characteristics.

As mentioned previously, the measures of knowledge and action used there are dichotomous dependent variables. In dichotomous dependent variable regression, two important assumptions underlying standard linear regression analysis — the normality of the distribution and homoscedasticity — are violated. The possible consequences of these violations have been well documented (Goldberger, 1973; Knoke, 1975; Gillespie, 1977). These researchers have argued that when the split of the dichotomous dependent

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<sup>2</sup> The regression models used pairwise deletion of missing values. With the exception of knowing your health and safety representative each measure had very few (less than 4 per cent) missing values. The question on knowledge of your health and safety representative was not applicable to one of the steel industries, resulting in 11% missing data on this variable.

variable is approximately 50/50, the violation of these assumptions has little effect on final results. When the split is extreme, especially when it is in excess of 90/10, the consequences can be severe. The overall split on the knowledge measure is 44/56, and on the action measure is 31/69, within the safe limits of 23/75 suggested by Knoke (1975). Gillespie (1977) does caution, however, that significance tests performed on the results of dichotomous dependent variable regression should be interpreted cautiously.

## FINDINGS

### Knowledge of the Legislation

Regression models for knowledge of occupational health and safety legislation are presented in Table 2. In all but three instances (education, age and control over occupational health and safety) zero-order regression coefficients indicated significant correlations between the independent variables and knowledge of the legislation. However, several of these associations were no longer significant when we controlled for associations between the independent variables.

The models are presented in a stepwise fashion. From left to right, each model successively adds a new set of variables and the model shown on the far right is the «final» model. This model uses variables found to significantly relate to knowledge of the legislation controlling for other significant effects<sup>3</sup>.

*Workplace:* Both industrial sector and unionization were found to be related to knowledge of the legislation with unionized workers and workers from industries being more likely to know something about the contents of the legislation. The effect of size was no longer significant once variables measuring sector and unionization were introduced into the model.

*Experience/Observation:* Of the five measures of experience or observation, three remained significant when measures of the workplace were also included in the model (see Model 2). And, when knowledge was regressed on workplace, experience, control and demographic factors, the experience

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<sup>3</sup> Two measures of action — informal refusal to work and whether respondents had asked for health and safety information during the past year were included in an earlier version of the model to predict knowledge of the legislation. Neither of these variables were found to influence knowledge once other controls were introduced.

**Table 2**  
**Regression Models: Knowledge of Legislation**

	<i>Zero Order Regression Coefficients</i>	<i>Model 1</i>	<i>Model 2</i>	<i>Model 3</i>	<i>Model 4</i>	<i>Final Model</i>
<i>Workplace</i>						
Sector (0 = Ind) (1 = Hosp)	-,335**	-,270**	-,192**	-,202**	-,148	-,186*
Unionization (0 = Non Un) (1 = Union)	,239**	,130*	,115*	,117*	,134*	,116*
Size (0 = Small/Med) (1 = Large)	,182**	,063	,072	,085	,112	
<i>Experience/Observation</i>						
Work Hazards (0 = No) (1 = Yes)	,174**		,149*	,162**	,132*	,157*
Hassling (0 = No) (1 = Yes)	,289**		,169**	,174**	,174**	,195**
Lost Time (0 = No) (1 = Yes)	,156**		,046	,049	,040	
Spvr's Attitude (0 = Neg) (1 = Pos)	-,092**		-,037	-,049	-,032	
H&S Rep (0 = DK) (1 = K)	,248**		,235**	,188**	,150**	,157**
<i>Control</i>						
Over Work (1-4) (low-high)	,143**			,117**	,079**	,083**
Over H&S (1-4) (low-high)	,036			,053*	,052*	,049*
<i>Demographic</i>						
Age (Coded in Yrs)	,004				,000	
Gender (0 = M) (1 = F)	-,362**				-,195**	-,221**
Education (Code in Yrs)	,004				,035**	,037**
Language (0 = Eng) (1 = Other)	-,215**				-,114	
<i>Constant</i>		,542**	,296*	-,078	-,363	-,442**
R-Value		,341	,459	,509	,547	,536
R <sup>2</sup>		,116	,211	,259	,299	,287

\*P < ,05    \*\*P < ,01

or awareness of hassling for raising health and safety issues, a perception of the work as hazardous, and knowledge of the health and safety representative showed significant relationship with knowledge of the legislation.

*Control of Work:* Control over work was found to be significantly related to knowledge in each of the models presented in Table 2. The measure of respondent's control over health and safety, although not significant at the zero-order regression level, was found to be significantly related to knowledge of the legislation when workplace and experience measures were controlled.

*Demographic Variables:* Age of the respondents was not found to be related to their knowledge of occupational health and safety legislation. Controlling for all other factors in the model, males were more likely than females to have knowledge of the legislation and those with higher levels of education were more likely to have knowledge of the legislation.

### **Negotiating Conditions of Work**

Data regarding the analysis of informal work refusals are presented in Table 3. As can be seen in the first column, almost all the independent variables were significantly correlated with refusal to work. The exceptions were whether respondents had taken a health and safety training course, feeling of control over occupational health and safety and level of education. None of these became significant in subsequent regression models.

*Knowledge:* Regarding knowledge, a prime question for us was whether knowledge of the legislation was associated with workers' actions with respect to occupational health and safety. This was significantly linked with informal work refusal until we added sense of control and demographic variables to our models. In the final model, retaining only the significant independent variables, knowledge of the legislation became significant once again. Lack of knowledge of the best industrial hygiene strategies for dealing with hazards was consistently associated with refusing to work. Taking a health and safety course showed no significant association and was dropped from the final model.

*Workplace:* Of the workplace variables, only sector was consistently significant, with industrial workers being more likely than hospital employees to refuse to work. The significance of unionization and size disappeared when we controlled for the other variables.

*Experience/Observation:* Similarly, the only aspects of experience/observation which were consistently significant were experience or awareness of hassling and a perception of the work as hazardous.

**Table 3**  
**Regression Models: Action — Informal Refusal to Work**

	<i>Zero Order Regression Coefficients</i>	<i>Model 1</i>	<i>Model 2</i>	<i>Model 3</i>	<i>Model 4</i>	<i>Model 5</i>	<i>Final Model</i>
<i>Knowledge</i>							
Legislation (0 = DK) (1 = K)	,246**	,243**	,163**	,104*	,083	,085	,117**
Industrial Hygiene (0 = DK) Strategies (1 = K)	-,118**	-,107*	-,107*	-,096*	-,094*	-,086*	-,090*
Course (0 = No) (1 = Yes)	,006	-,025	,021	,018	,005	-,000	
<i>Workplace</i>							
Sector (0 = Ind) (1 = Hosp)	-,276**		-,197**	-,189**	-,193**	-,345**	-,380**
Unionization (0 = Non Un) (1 = Union)	,200**		,076	,074	,076	,069	
Size (0 = Small/Med) (1 = Large)	,120		,008	,007	,014	,040	
<i>Experience/Observation</i>							
Work Hazards (0 = No) (1 = Yes)	,204**			,161**	,165**	,135*	,122*
Hassling (0 = No) (1 = Yes)	,309**			,197**	,203**	,197**	,207**
Lost Time (0 = No) (1 = Yes)	,104**			-,10	-,07	,003	
Spvr's Attitude (0 = Neg) (1 = Pos)	-,079**			-,020	-,025	-,024	
H&S Rep (0 = DK) (1 = K)	,124**			,040	,036	,037	
<i>Control</i>							
Over Work (1-4) (low-high)	,063*				,043	,025	
Over H&S (1-4) (low-high)	-,009				,016	,022	
<i>Demographic</i>							
Age (Coded in Yrs)	,007**					,007**	,008**
Gender (0 = M) (1 = F)	-,197**					,168*	,158*
Education (Code in Yrs)	-,014					-,004	
Language (0 = Eng) (1 = Other)	-,155*					-,060	
<i>Constant</i>		,253**	,297**	,186	,064	-,161	-,108
R-Value		,286	,363	,429	,436	,470	,458
R <sup>2</sup>		,082	,132	,184	,190	,221	,210

\*P < ,05    \*\*P < ,01

*Control of Work:* Neither of the dimensions of control of work was significantly associated with refusing to work.

*Demographic Variables:* Of the demographic variables, age and gender were significant. Older workers and women were more likely to report refusing to work.

## DISCUSSION AND CONCLUSIONS

One pattern that emerges in these models is that the workers in a stronger position in the workplace and labour markets were most likely to know something about occupational health and safety legislation. Unionized workers, males, and those with a higher level of education, were more likely to know something about their rights. So too, knowledge was associated with workers expressing a sense of control in their work and over their health and safety, though the relationships, if they are direct, could be in either direction — knowledge being a result of a sense of control or a pre-condition of this. The nature of the associations between workers' awareness of the legislation and their recognition of the work as hazardous, or their experience of hassling, are unclear. One explanation is that respondents who know that their workplace is hazardous and who know about workers being hassled are more motivated to familiarize themselves with their legal rights. The importance of workers' health and safety representatives could be two fold — it may be that they educate workers about their rights, or, that in the process of learning about the legislation, workers are informed of the identity and role of their representative.

Workers who had some knowledge of their legal rights but lacked knowledge of the best industrial hygiene strategies for dealing with hazards were more likely to have informally refused to work. It is interesting that though the right to refuse unsafe work was the right which was most frequently recalled, few respondents had actually initiated a refusal under the legislation. It may be that awareness of that right empowers workers — because they have the right to refuse, they feel that their informal refusals carry more weight (Walters and Haines, 1988b). (Yet many of the refusals did not remove the hazard in question and the value of this informal negotiation is open to doubt.) Luce and Swimmer (1982) have also noted a weak link between knowledge and action.

Several other factors apart from knowledge of the legislation were related to informal work refusals, though the meaning of some of these associations is not readily apparent. Industrial workers were more likely to refuse and this may be a reflection of a greater service orientation among

hospital employees, who might be encouraged by the hospitals or by a professional ideology to put the interests of patients and the institution above their own. Refusals are more consistent with industrial work, in which contractual elements and conflict are more explicit. Seeing the work as hazardous and experience or observation of hassling were also important determinants of informal work refusals. Older workers were more likely to have refused and this is perhaps a reflection of their greater security, protected by seniority. But the same cannot be said about the association with gender, for it is women who are most likely to experience discrimination and insecurity. The role of gender is uncertain. Contrary to our expectations, women may have been more ready to assert themselves regarding occupational health and safety, or else better able to recall or recount such instances. On the other hand, problems with the gender distribution in our sample may help to account for this finding.

The lack of importance of some variables on action was surprising. For example, we had expected that unionization, knowing one's health and safety representative, and feeling a sense of control in work (especially over health and safety) would be important, since they represented either a resource for respondents or an outcome of action. It appears that each of these may have an indirect effect on action through their association with knowledge. That is, workers who are unionized, who know their health and safety representative, and who feel a sense of control over their work are also more likely to have knowledge of the legislation. When knowledge of the legislation is introduced into the model, the independent effects of the other three variables disappear.

This is an initial exploration of what it is that facilitates workers' knowledge of their rights and what enables them to act on their health and safety concerns. The data presented here suggest that workers are often not aware of their rights and that this is particularly true of workers who are most disadvantaged in the workplace and the labour market. The correlates of action are less clear and because the numbers were small, it was not possible for us to look at who actually exercised their legal rights and made use of the internal responsibility system. The policy-related implications of these data are that if we are to devote more attention to improving workers' knowledge of their rights, particular emphasis should be placed on women, non-unionized workers, and those with lower levels of education; workers who are most likely to experience discrimination and lack good representation. At the same time, more attention could be devoted to understanding and strengthening the role of workers' representatives, especially since they are envisaged to be critical links in the internal responsibility system. We also need to understand more fully what it is, apart from lack of knowledge, that prevents workers from exercising their rights in seeking to improve their conditions of work.

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### ***La connaissance de ses droits et la réticence des travailleurs devant le travail dangereux***

Cet article présente les résultats d'une étude qui a porté sur les connaissances, les perceptions et les actions des travailleurs en matière de santé et de sécurité au travail. Elle visait à découvrir s'il existait une corrélation entre leur connaissance de la loi et leurs actions face à des risques. Pour ce faire, 492 travailleurs ont été interviewés. Ceux-ci provenaient de huit établissements du sud de l'Ontario qui incluaient des petites et grandes entreprises, du secteur privé et du secteur public, certaines syndiquées et d'autres non.

Les variables retenues, pour établir des relations avec la connaissance de la loi, ont été regroupées en quatre catégories: caractéristiques de l'entreprise (importance, syndicalisation et secteur d'activité); connaissance et appréciation des problèmes touchant la santé et la sécurité au travail (perception des dangers, temps perdu à la suite d'accidents ou de maladies reliés au travail, comportement des contremaîtres sur les questions d'hygiène et de sécurité, harcèlement des salariés contestataires, connaissances de leurs représentants en matière d'hygiène et de sécurité); sentiment de maîtrise personnelle (dans l'exécution de leur tâche et dans le souci de leur santé et de leur sécurité); enfin, variables démographiques (âge, scolarité, sexe, langue).

Les résultats indiquent que les travailleurs, dont la situation est meilleure dans l'entreprise et sur le marché du travail (syndiqués, de sexe masculin et possédant un degré de scolarisation plus élevé), étaient plus susceptibles de mieux connaître la loi. Il en était de même pour ceux qui ont indiqué avoir le sentiment de maîtriser leur travail, leur santé et leur sécurité. Les travailleurs considérant leur tâche dangereuse, conscients de la valeur de la contestation et connaissant leurs représentants en matière d'hygiène professionnelle et de sécurité, étaient aussi généralement mieux informés de leurs droits.

Parce que trop peu de travailleurs avaient recours aux «mécanismes internes de responsabilisation» que prévoit la loi, l'action des travailleurs a été mesurée en utilisant le recours au refus de travailler. La vaste majorité de ceux-ci consistaient en négociations informelles avec les contremaîtres plutôt qu'en refus formels comme le prévoit la loi. La volonté de refuser les tâches dangereuses était plus fréquente chez ceux et celles qui étaient quelque peu au courant de la loi et qui étaient conscients de la nécessité d'avoir de meilleures mesures d'hygiène professionnelle et de sécurité pour surmonter les dangers dans leur milieu de travail. Les travailleurs de l'industrie recouraient d'avantage au refus de travailler que les employés d'hôpitaux. Les salariés les plus âgés ainsi que les femmes étaient davantage enclins à refuser de travailler. On n'a trouvé aucun lien direct entre l'action des travailleurs et la syndicalisation, la connaissance de son représentant en santé et sécurité ainsi que le sentiment de maîtrise personnelle de la tâche. Cependant, ces facteurs ont pu avoir des effets indirects par leur relation avec la connaissance de la loi.

Politiquement, ces données signifient que les travailleurs ont besoin plus que de l'information sur les risques en milieu de travail, il faut s'efforcer de les informer de leurs droits, principalement les femmes, les non-syndiqués et ceux dont la scolarisation est moindre. De plus, il importe de mieux évaluer ce qui, outre le manque de connaissance de la loi, empêche les travailleurs de recourir aux mécanismes existants pour atténuer les dangers découlant du travail.

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ISBN 2-7637-7131-9

1 volume, 1987, 296 pages, \$23.00

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