

New Labour and the Promotion of Work-Life Balance: Business Case Arguments vs Social Justice Arguments

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This article examines management attitudes towards government attempts to promote family friendly employment policies via provisions in the Employment Relations Act 1999 (ERA) which acted to provide employees with up to three months unpaid parental leave, extend the minimum period of maternity leave from 14 to 18 weeks and allow employees time off work to attend to 'family emergencies'. More specifically, it is concerned with establishing the ethical basis of managers' opposition and/or support for these measures and the extent to which they are convergent with the Government's promotion of 'family friendly' policies on instrumentalist ethical grounds: that is, that family friendly policies are 'good for business'.

Initially, the Labour government's approach to employment regulation is examined and attention paid to how this approach has influenced the way in which the issues of work-life balance and family friendly policies have been approached. The second section then considers the ethical issues entwined within the 'work-life balance' issue. The third and fourth sections subsequently provide an outline of a study conducted by the authors to investigate employer responses to the ERA and analyse the findings obtained. Finally, a concluding section uses the presented findings to discuss the viability of the Government's ethical approach to work-life balance and, in particular, to consider how far they justify its utilitarian, business-based perspective on the matter.

The Labour Government, Employment Regulation and Work Life Balance

Since coming to power in 1997, successive Labour Governments have pursued an approach to employment regulation that has avowedly sought to strike an appropriate balance between promoting the fair treatment of workers and enabling employers to retain the ‘efficiency’ that they obtain from flexible labour practices. In seeking this objective, they have pursued a ‘third way’ approach to such regulation that has embodied a departure from ‘old Labour’s’ social democratic interpretation of employment relations and the role that this sees for the state in intervening to redress power imbalances between capital and labour. As an illustration of this, compare the opening line of *In Place of Strife* in 1969 – rejected by the unions at the time as being too restrictive on their members’ rights– to that of *Fairness at Work* (FaW) – the white paper that formed the basis of the ERA. *In Place of Strife* begins:

There are necessarily conflicts of interest in industry. The objective of our industrial relations system should be to direct the forces producing conflict towards constructive ends (HMSO 1969, para 1)

FaW begins:

This White Paper is part of the Government’s programme to replace the notion of conflict between employers and employees with the promotion of partnership (HMSO 1998, Foreword).

The restrictive nature of the statutory trade union recognition procedure put in place by the ERA provides a further illustration of this shift in approach, as does the decision not to significantly reverse the reforms to the law on industrial action introduced by earlier Conservative governments (Novitz 2000; Smith and Morton 2001; Towers 1999). The same is also true of the more recent, albeit unsuccessful,

attempt to block the adoption of a European directive on national level workforce consultation arrangements (Hall et al 2002)

The rejection of a more interventionist approach to employment regulation can, in turn, be attributed to the 'third way' belief that such intervention is seen as risky, futile and inappropriate. It is seen as risky and futile because the nature of globalisation enables transnational capital to move to nation states that possess more favourable regulatory regimes. Therefore, somewhat in common with New Right formulations, it is argued that over-regulation will deter investment – a view that has been more pessimistically described in terms of a 'race to the bottom' scenario (cf Sklair 2001), where governments compete with each other in an attempt to undercut their competitors' social wage. The 'third way' approach also sees such intervention as being inappropriate because bi-polar interpretation of interests, pitching labour against capital, is seen as being superseded by a more complex pattern of interests and values (Driver and Martell 1998; Giddens 1999). In this neo-pluralist reformulation of the role of the state (Ackers 2002), labour is seen to constitute merely one competing interest group that is ranged against a wider array of individually and collectively organised producer and consumer interests and (significantly) value systems that the state needs to broker between.

The issue of 'work-life balance' could be seen as being both boosted and neglected by this change of agenda. In appending the issue of 'family friendly policies' onto the 'fairness at work' agenda, the Government, on the one hand, can be seen to be pursuing the logic of incorporating more 'modern', 'non-producer' aspects into employment regulation. On the other, as a consequence of its third way thinking, the Government can be seen to be coy about regulating employers on the issue for fear of

putting in jeopardy its business-friendly credentials. In order to square this uncomfortable circle, Labour's preference is to adopt a voluntaristic approach which emphasises best practice and culture change; where compulsion exists, the Government emphasises the 'facilitator' function of regulation:

"My ambition for this White Paper goes far wider than the legal changes we propose. It is nothing less than to change the culture of relations in and at work – and to reflect a new relationship between work and family life." (Tony Blair, Foreword to Fairness at Work White Paper HMSO 1998)

Nevertheless, the family friendly provisions of the ERA *have* added to the 'regulatory burden' on employers and *have* acted to reduce the scope of managerial prerogative - and in doing so *have* added to employer costs – up to £51.7 million, by the Government's own estimates (DTI 1999). Their introduction could, to some extent, therefore be seen as somewhat inconsistent with the Government's desire to be seen as pro-business. However, this degree of this inconsistency should not be overstated. Thus, it needs to be borne in mind that the provisions concerned did not derive from any 'third-way', 'mutual gains' perspective, but from the need to bring UK law into compliance with the European Parental Leave Directive. In addition, it should be noted that a minimalist and, in some cases, inadequate approach to the transposition of the Directive into domestic law was adopted (McColgan, 2001; Smith 2000)¹.

An important point, with regards to the ethical basis of the Government's approach, is not that the content of FaW is universally bad for employees – it does offer some improvements here; it is that FaW is *written* in a way that suggests that business interests are not merely a consideration, but are the priority. Thus, while a number of

proposals were put forward aimed at enhancing the rights of employees, the emphasis is consistently on the potential benefits to business in terms of 'flexibility' and the promotion of 'best practice'. The rationale put forward for the proposed family friendly measures in FaW is, moreover, consistent with this theme of business-friendliness. For example, the document stresses how 'successful', 'modern' businesses (large and small) have already made family-friendly adjustments for workers for recruitment and retention purposes. Furthermore, even where compulsion is mentioned, it is still discussed in a manner that suggests that the Government is acting in the best interest of business. In short, in addressing the work-life balance issue, FaW places it in a framework that emphasises the benefits to business interests, rather than those of workers or, indeed, of 'family life'.

Ethics, Employers and Work Life Balance

Based on a model devised by Billing and Alvesson (1989), Liff and Dickens (2000) discuss the dilemma of, on the one hand, reconciling the distinction between managing diversity and equality and, on the other, of orienting the ethical approach along either social justice or more utilitarian 'business case' rationales. It is the second of these dilemmas that forms the analytical focus for what follows.

At an individual or organisational level, ethical standpoints can range from ethical egoism (to pursue ones own best interests), to Kantian rights-based ethics (to pursue some universal ethical principle). At a societal level, the distinction is between deontological (rights-based) and teleological (outcome based) arguments (Winstanley and Woodall 2000). Taken together, these different standpoints provide, in broad

¹ It should be noted that subsequent extensions have been made to the ERA proposals: in the Budget Statement of 2001 and, currently, in the Employment Bill 2002

terms, two main ethical bases for Government policy action in the field of employment relations. First, such action could be pursued on social justice grounds aligned with a universalist, deontological rights-based position. Alternatively, it could be pursued from a 'business case' standpoint aligned with teleological, utilitarian instrumentalism.

The social justice case therefore revolves around advocating a policy on the basis that it is 'the right thing to do', while the business case relies more on persuading potential opponents of the likely benefits of *not* opposing. In practice, these bases of advocacy tend to manifest themselves via the advocacy of legal intervention (absolute rights) and the advocacy of a voluntary 'best practice' approach that emphasises cultural change (business case).

Social justice claims for work-life balance

Transposing these arguments into the work-life balance issue, it may be argued that the social justice case for work-life balance is concerned with redressing the discrimination women face in the workplace – whether this relates to women not being treated equally or whether it relates to women not having their different circumstances taken into account (Liff 1997). Table i, below, usefully quantifies some of the financial implications of this discrimination in terms of the differences between men and women in terms of life-time earnings associated with child care responsibilities.

Table i Women's lifetime earnings

Skills level	Gender Gap – the cost of being female	Mother Gap – the impact on a woman's lifetime earnings of having two children	Parent Gap – the difference in earnings between a mother of two and a father of two
Low skilled (no qualifications)	£197,000	£285,000	£482,000
Mid skilled (qualified to GCSE level)	£241,000	£140,000	£381,000
High skilled (graduate)	£143,000	£19,000	£161,000

(Source: Work and Parents Green Paper: DTI 2000 p9)

Such earnings differences, however, do not, of course, capture other, less easily quantifiable, labour market detriments caused by being the primary carer in the home. These include the effects that parental responsibilities have on such employment-related matters as promotion, job security and status.

Business case arguments for work life balance

In contrast to this, the business case argument for work-life balance may be described as seeking to utilise better the potential contribution made by a currently undervalued section of the workforce. Thus, rather than treating women's external circumstances and responsibilities as being marginal to central business concerns, it is argued that, by taking them more into account, organisations can gain through improved recruitment and retention; enhanced workforce performance and greater worker commitment to organisational objectives. For example, the Chartered Institute of Personnel and Development (CIPD), in a position paper on the subject, lists a range of business benefits from adopting family friendly policies (IPD 1999). In this scenario, it is therefore seen as possible for employees and employers to both gain by 'deconstructing' current preconceptions about standard career structures and redefining employment to 'meet the work-family challenge' (Lewis and Lewis p161).

Findings from the Workplace Employee Relations Survey lend some support to this perspective. Thus, Cully *et al* (1999) report various reasons that employers gave for adopting family-friendly policies. These benefits included happier staff (50%), improved retention rates (36%), and ‘other improvements’ such as reduced absence (24%). They also note, however, that of these employers, 74 per cent attributed no costs to them and that 84 per cent stated that such schemes were ‘cost effective’ (ibid. p.75). As a result, in the case of these employers, it cannot be safely assumed that they would be as supportive on business-based grounds, where family-friendly policies had more direct cost implications associated with them. This is particularly so, given that other research suggests that, in cases where work-life balance policies exist, they take a lower priority than ‘flexible work practices’; and are often not actively promoted (Bond et al 2002).

Ethical arguments against work life balance

What we do not get from such evidence are the reasons given – and hence the ethical ‘justification’ - for those employers that do *not* operate such family friendly policies. This is understandable: it is, by definition, easier to rationalise why an organisation does something than why it does not. Consequently, we know less about the reasons employers currently may have for not adopting family-friendly policies. It may be due, for example, to a lack of awareness and/or understanding about the issue. However, insofar, as they reflect more conscious decision-making processes, it is reasonable to expect employers to be motivated by an equal and opposite reaction to the reasons for support: that is opposition based on ‘business case’ reasons and opposition based on ideological principles.

Crudely we may expect the business case against work-life balance policies would be the cost. Ethically this would be justified, on instrumentalist grounds, as being bad for both the efficiency of the organisation and the job security of other employees. The case against work-life balance, from a 'social justice' point of view, will be, in contrast, principally ideological and based on the 'rights' of employers. Such ideological opposition is therefore likely to be aligned with 'new right' assertions of the primacy of the entrepreneur in society; with unitarist concerns about internal challenges to the managerial prerogative; and with anti-feminist assumptions about the respective roles of men and women in the workplace.

While it has to be acknowledged that 'new right' embodies a whole variety of – often inconsistent (Gamble 1994) - analyses and policy prescriptions, the basis of opposition from this quarter is easy to formulate. New right opposition to family-friendly policies stems from beliefs relating to the primary position of business in promoting societal prosperity and the related importance of maximising the ability of employers to respond to market pressures. From this viewpoint, ascribing 'rights' to employees runs the serious risk of distorting the labour market and, more generally, constraining employers' ability to generate wealth. It is also seen as morally wrong to infringe upon the employer's freedom to secure – what is in essence - a voluntary agreement undertaken between employer and employee (Friedman 1962).

Unitarist concerns about work-life balance are based upon similar anxieties as the new right – except that they are expressed at an organisational, rather than societal, level. These concerns focus on the principle that employers should be free from external interference in the relationship that they have with their employees, concerns that are, in turn, linked to a belief that employees work within a shared and unified culture

determined by the employer (Fox 1966). While discussions around the unitarist frame of reference have, admittedly, been predominantly concerned with the issue of the legitimacy of workplace trade union activity, there seems no reason why it cannot be equally used to support the idea that employers should not be forced into making allowances for employees' independent and non-workplace interests.

Anti-feminist opposition is likely to be associated with the equal, but opposite, challenge to feminist critiques of social structure and organisational culture. So, feminist critiques focus on structural factors discriminating against women (stemming from the division of labour between paid employment and unpaid domestic labour); and the role that conventional, male dominated, organisational cultures play in supporting such discrimination (Kirton and Green 2000). Consequently, the anti-feminist position - the backlash (Faludi 1992) - emphasises the inequity of 'making special allowances' for female employees in comparison to their male colleagues. In particular, anti-feminist opposition is likely to be associated with opposition to 'the principle' that employers should 'subsidise' the personal choices made by some of their employees, or, that staff without family commitments should not have to be treated 'less favourably' than those with them.

It should, however, be noted that, while it is useful to separate conceptually business case opposition from ideological opposition for the purpose of this discussion, these two positions are likely, to some extent, to overlap inasmuch as an ideology mobilises the interests and values of its constituents and presents them as universal reality - a point that is usefully highlighted in Fox's discussion of the attractions of the unitarist perspective to managers (Fox, 1966). For example, 'business case' argument against work-life balance could arguably be seen as being the ideal expression of ideological

opposition. That is, if work-life-balance conflicts with the values of business leaders, then this *necessarily* implies harm to the interests of business as a whole, and, by extension, to the interests of all. Such a conflation of values-based and instrumentalist rationales is an inherent problem in being able to empirically investigate the motive bases of such opposition, but not an insurmountable one, as the analysis below demonstrates.

In summary, then, we can identify, as highlighted in Figure i, a number of potential ethical responses that employers could have to the family friendly aspects of the ERA. These different responses are: approval on social justice grounds; approval on pragmatic business grounds; opposition on pragmatic business grounds; and opposition on ideological or ‘principle’ grounds.

Figure i: Employer attitudes to family friendly policies

Social Responsibility/Ideology				
A p p r o v e	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Family friendly policies are welcome because they are socially responsible</td> <td style="width: 50%; padding: 5px;">Family friendly policies are not welcome because they represent an imposition on the rights of employers and other less demanding employees</td> </tr> </table>	Family friendly policies are welcome because they are socially responsible	Family friendly policies are not welcome because they represent an imposition on the rights of employers and other less demanding employees	D i s a p p r o v e
Family friendly policies are welcome because they are socially responsible	Family friendly policies are not welcome because they represent an imposition on the rights of employers and other less demanding employees			

Family friendly policies are welcome because they will lead to improved participation of employees previously marginalised by their home commitments	Family friendly policies are not welcome because of the detrimental effect they will have on costs
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Business Case/Utilitarianism

Initial responses to FaW by employer groups, moreover, serve to illustrate that these different ethical positions are utilised in practice. For example, the Confederation of British Industry (CBI), representing large businesses, took a ‘pragmatic’ business-case view, arguing that the principles were right, but that a ‘minimalist approach’ to implementation should be adopted to ensure that employers could be protected from possible abuse from certain employees (CBI 1998). In contrast, other employer groups adopted a range of more hostile approaches incorporating opposition on utilitarian and ideological grounds.

The utilitarian position was most clearly evident in the comments made by organisations representing small businesses, such as the Federation of Small Businesses and the British Chambers of Commerce, the latter of whom made the following observation:

“Many smaller employers think twice at present about employing women of childbearing age, and the additional burdens which these proposals seek to impose, will only encourage such discrimination, ultimately providing fewer opportunities for prospective female employees.” (BCC 1998)

In terms of opposition based on ideological grounds, this was perhaps best represented by the Institute of Directors (IoD), whose policy stance combined the identification of various ‘practical’ problems with values-based opposition to ‘the principle’ of regulating business *per se*: a perspective captured by Ruth Lea’s complaint about the seeming imbalance of the employer needing to hold open jobs for women on maternity where “...the woman has no obligation to return.” (IoD, 1999). However, such opposition is perhaps best captured by the following, personal, observations of the leader of the CBI:

“Everyone understands and sympathises with the call for paid parental leave and a right to part time work for returning mothers. People will seek greater security and protection but to legislate for that will limit the growth of new employment. Sadly, the nature of work in the future will by definition be insecure and needs, for its very existence, to be unprotected.” (Clive Thompson: CBI Annual Dinner Speech, 16 May 2000)

Research Methodology

The findings presented here are taken from wider research conducted on employer responses to ERA which involved a survey of employers. Two thousand questionnaires were sent out in the first week of September 1999 - thus seeking initial responses to the ERA as it achieved Royal Assent. The sample was drawn from two randomly selected samples of one thousand organisations in the Greater London and Central Scotland areas covering all sectors and sizes of employers with over 20 employees. A response rate of 26.38% was achieved, which very closely reflected the sample in terms of Standard Industry Code (SIC) sector.

Questionnaires were addressed to 'The Director of Personnel' in order that the person most likely to deal with the issues contained within ERA would be the respondent. Given the 'business case' basis of support for family-friendly policies being offered by HR-oriented professional bodies (specifically the CIPD), it was felt that HR specialists would be those who were most familiar with the issues involved. However, in recognition of the fact that dedicated HR specialists are still relatively rare in smaller organisations and in certain sectors (Millward et al 2000), we asked respondents to state their job title.

In addition to seeking information on other issues covered by the ERA, respondents were asked to assess the degree to which they 'personally approved' of the three main 'family friendly' reforms, and to indicate how far they thought that the policies would have a positive or negative impact on their organisation. In the analysis that follows the responses to these questions are used as proxies for the 'social justice' and 'business case' standpoints relating to work-life balance already discussed.

Survey Findings

The findings are presented via a three-stage process of analysis. In the first stage, an overview is provided of the responses obtained to the questions on approval and organisational impact in order to see, in crude terms, how far the Government's promotion of the business-case for family friendly policies is shared by employers. At the second stage, the inter-relationships between the 'personal approval' and 'impact' responses are explored to further identify how support – or lack of it – for the government's policies is being expressed. Then, at the third stage, a cross-sectional analysis is conducted to identify the personal and organisational factors associated with this support or opposition.

Personal approval and impact rating of family friendly policies

The analysis in this section proceeds as follows. Initially the overall responses obtained to the questions asking about ‘personal approval’ and ‘organisational impact’ are presented in turn. Following this, these two sets of responses are compared in order to gauge the relative importance of the ‘social justice’ and ‘business case’ perspectives.

Table ii shows the extent of personal approval that respondents gave in relation to the three areas of policy change. As can be seen, the new provisions on ‘maternity leave’ and ‘family emergencies’ receive net approval, while the opposite is the case with regard to those on unpaid parental leave.

Table ii: Approval

	Maternity Leave	Parental Leave	Family Emergencies
Personally approve	258 (52%)	161 (32%)	263 (53%)
Personally neutral	97 (19.5%)	71 (14%)	82 (16%)
Personally disapprove	142 (28.5%)	269 (54%)	152 (31%)
Total	497 (100%)	501 (100%)	497 (100%)

(Column percentages rounded)

Responses to the perceived impact of the three sets of policy changes are shown in table iii, below. Here, we see that, overall, the respondents did not anticipate positive outcomes from the changes, with those perceiving a detrimental impact from the reforms outweighing those perceiving a positive impact.

Table iii: Impact

	Maternity Leave	Parental Leave	Family Emergencies
Positive impact	88 (18%)	72 (15%)	92 (19%)
Neutral impact	216 (44%)	106 (22%)	159 (33%)
Negative impact	183 (38%)	303 (63%)	227 (47.5%)
Total	487 (100%)	481 (100%)	478 (100%)

(Column percentages rounded)

When the two sets of responses are compared, it can be seen that the supporters of the ‘business case’ for family-friendly policies are outweighed by those with ‘business-case’ objections. In addition, it also seems that the ‘business case’ receives less support than the ‘social justice’ one. Thus, on all three policies, responses indicating

personal approval were more than twice as common as those which pointed to perceived organisational benefits; and in all three cases opposition based on the perceived negative impact was higher than opposition on pure principle.

Cross-tabulation of business-case and social justice approval

In this section we go on to conduct a more in-depth analysis of the inter-relationships between 'social justice' and 'business-case' support. These combinations are detailed in Table iv, along with brief observations concerning the degree of support/opposition they offer for the government's approach and the probable rationale for this support/opposition. In distinguishing between combinations of rationales in this way, it is possible to address, if not remove, the problem of ideology – that is the difficulty associated with being able to be sure that values-based support/opposition is being conflated interests-based support/opposition.

As can be seen, it is argued that the ideal expression of support for the Government's approach would be combination 1 - the pragmatist. Such a manager would be 'personally neutral' about improving employee rights, but would be able to see the benefits to the business of such reforms. A less favourable combination (for the Government's rationale) would be combination 2: the manager who 'personally supports' family friendly regulations and who thinks it will improve the business. This combination could be considered to be less favourable because the convergence of these positive views make it more difficult to be certain whether the perceived benefits of family-friendly policies are not *determined* by personal approval. Below this combination is the, apparently incongruous, 'disapprove but it will improve the business' combination. This situation is a difficult one to conjure in the mind; it suggests a manager who thinks that introducing more generous maternity/parental

leave arrangements would enhance the performance of the organisation, yet would not voluntarily do so because they personally abhor the idea. The authors are sceptical about the logic of such a rationale, but this combination remains, in theory, in support of the Government's position.

A range of combinations in the middle (4,5 and 6) would tend to be agnostic. At the bottom is the combination – combination 9 - most likely to reflect the ideal-type ethical opposition to the Government's approach: 'personally neutral, but will adversely affect the business'. Penultimate to this, is the combination of those that 'personally approve' but perceive a negative effect. Those hostile on both 'personal approval' and 'impact' are less of an indicator because, like those who 'doubly approve' above, may be less certain that the perception of negative effects are not coloured by their ideological hostility to the principle.

Table iv: Matrix of approval/impact combinations (ranked in order of support for Government ethical rationale)

Rank	Combination	Support/opposition for Government approach?	Probable rationale for support/opposition
1	Personally neutral, but will improve business	(supports government rationale)	The ideal 'business case support' scenario?
2	Personally approve <u>and</u> will improve business	(supports government rationale)	Convergence of views: unclear if 'rights based' approval affects perception of effects
3	Personally disapprove, even though it will improve business	(potentially supports government rationale)	Logic of this rationale unclear– implies 'spitefulness' as basis of opposition?
4	Personally approve and will not affect business	(does not support or oppose government rationale)	Instrumentalist: 'approve' but do they already comply?
5	Personally neutral and will not affect business	(does not support or oppose, government rationale)	Agnostic, instrumentalist?
6	Personally disapprove, but will not affect business	(does not support or oppose, government rationale)	Ideological, not business case, hostility
7	Personally disapprove <u>and</u> will adversely affect business	(opposes government rationale)	Convergence of views: unclear if ideological hostility affects perception of effects
8	Personally approve, but will adversely affect business	(diametrically opposes government rationale)	Dissonance – 'should do it anyway'? (or) don't like to be seen disapproving 'on principle'?
9	Personally neutral, but will adversely affect business	(diametrically opposes government rationale)	The ideal 'business-case rejection' scenario?

Cross-tabulating these data according to these criteria produces some interesting findings (see tables in appendices for details). It can be seen that the ideal expression of the Government's ethical approach (combination 1) applies to only 1, 3 and 2 respondents for the issues of maternity, parental leave and family emergencies respectively. For combination 2, the situation is more favourable, with 79 (15%), 58 (12%) and 83 (17%) respondents respectively falling with it. Conversely, combination 9 – that which is the ideal expression of opposition to the Government's ethical approach – accounts for 23 (5%), 29 (6%) and 28 (6%) of the respondents respectively and combination 8 accounts for 44 (9%), 55 (11%) and 74 (15%) of respondents. Consequently, support for the Government's approach, as embodied in combinations 1 and 2, is counterbalanced by the opposition to it reflected in combinations 8 and 9. Combination 7 – less reliable but unambiguously a hostile combination - is the most frequent of all the combinations, accounting for 116 (24%), 219 (46%) and 125 (26%) of views on maternity leave, parental leave and family emergency leave respectively. These totals far outweigh the corresponding ones of 8 (2%), 11 (2%) and 7 (1.5%) relating to the opposite, if incongruous, pro-Government perspective contained in combination 3.

Overall, therefore the results of the above analysis add weight to those arising from the data presented in the previous section. This is, namely, that there is not only far from universal support for the business case rationale for family friendly policies, but that the degree of such support which does exist is outweighed by business case opposition.

Links between responses and personal and organisational factors

The third level of analysis carried out on the 'approve'/'impact' responses was to conduct a cross-sectional analysis in order to identify whether they were significantly associated with a number of personal and organisational factors. These factors were industry sector (based on SIC classification), organisation size, the gender composition of the workforce, the proportion of workers on non-standard contracts and whether or not the respondent was an HR specialist. Somewhat surprisingly, no linear relationships were found for gender composition, organisation size or the use of non-standard labour. Responses, in relation to all three areas of reform were, however, found to vary significantly with industry sector and the job description of the respondent.

As regards industry sector, support for the Government's view that the family friendly reforms are 'good for business' was significantly more likely to come from the transport/communications and finance sectors than from any other. Respondents who personally approved of them were also more likely to be employed in the finance industry, as well as the public/voluntary sector. In contrast, managers that anticipated a negative impact came disproportionately from the manufacturing and wholesale/retail sectors. In addition, managers from these sectors, as well as the construction industry, were most likely to express personal disapproval.

Perhaps of more import, here, however, is the relationship that the job description of the respondent had with approval. Given the relatively high profile that voluntarist, best practice approaches to work-life balance issues are being given by organisations such as the CIPD, the views of HR practitioners on this subject may also be expected to reflect Government views. On this, our data shows that HR specialists are

significantly more likely to personally approve of the reforms than any other category of respondent – with 78 per cent of HR Specialists responding positively compared to an average of 52 per cent for the population as a whole². However, as we have found elsewhere, these HR Specialists’ views about impact do not reflect their level of personal approval: while they are more optimistic than their non-HR counterparts, still only 29% perceive a positive outcome from maternity leave improvements.

In contrast to this, those who describe themselves as ‘Director’, ‘Managing Director’ or ‘Chief Executive’ are significantly more likely to perceive a negative organisational impact (58 per cent compared to an average of only 38 per cent), although they do start from a position of personal opposition – a significant 62 per cent compared to the average of only 29 per cent.

Conclusion

In this article the authors have sought, through the use of survey data, to assess how far employers appear likely to be supportive of the Government’s business case argument for the adoption of family friendly policies. Overall, the findings presented cast doubt on the extent to which such support exists.

More specifically, the survey findings reveal that only a relatively small minority of respondents, ranging from 15% to 19%, considered that the three sets of regulatory provisions would have a positive organisational impact. In contrast, much larger percentages of them, ranging from 38% to 63%, felt that they would have a negative effect on their organisations. Furthermore, when the inter-relationships between the responses given on ‘organisational impact’ and ‘personal approval’ were analysed, a similar picture of relatively low support for the Government’s business case argument

² For simplicity, figures cited in this section refer to the breakdown for opinions on ‘maternity leave’

was obtained. Indeed, the two striking features of the reported results is that respondents appeared more likely to express opposition for the ERA's provisions on instrumentalist grounds than support; yet that where support was evident, it was support based on social justice, rather than on instrumentalist, grounds.

In general, then, the authors' survey findings do not provide great support for the Government's apparent belief that business family-friendliness can be significantly enhanced through a combination of legislative minimalism and business case advocacy. Moreover, the findings further suggest that this approach is likely to be particularly problematic in certain areas of the economy, such as the manufacturing and retail sectors, and in organisations where there is an absence of human resource specialists. It would therefore seem, on the basis of the findings reported here, that if the Government seriously desires to make employment more family-friendly, then it needs to place greater emphasis on a social justice and rights-based approach to the issue.

only. The patterns are the same for 'parental leave' and 'family emergencies'.

Appendices: cross-tabulation matrices

Crosstabulation of approval/impact rating for maternity leave regulations

		Impact: maternity leave			
		Positive	Neutral	Negative	Total
Approval: maternity leave	Approve	79	128	44	251
	Neutral	1	71	23	95
	Disapprove	8	15	116	139
	Total	88	214	183	485

(χ^2 Pearson = 218; sig = 0, df = 4)

Crosstabulation of approval/impact rating for parental leave regulations

		Impact: parental leave			
		Positive	Neutral	Negative	Total
Approval: parental leave	Approve	58	46	55	159
	Neutral	3	33	29	65
	Disapprove	11	27	219	257
	Total	72	106	303	481

(χ^2 Pearson = 161; sig = 0, df = 4)

Crosstabulation of approval/impact rating for family emergencies regulations

		Impact: family emergencies			
		Positive	Neutral	Negative	Total
Approval: family emergencies	Approve	83	97	74	254
	Neutral	2	49	28	79
	Disapprove	7	13	125	145
	Total	92	159	227	478

(χ^2 Pearson = 164; sig = 0, df = 4)

Approve of Maternity Leave: by Job Description

		Approve	Neutral	Disapprove	(Total)
HR Function	Count	136	31	7	174
	%	78.2%	17.8%	4.0%	100.0%
General Manager	Count	38	20	20	78
	%	48.7%	25.6%	25.6%	100.0%
Director/MD/CEO	Count	22	24	76	122
	%	18.0%	19.7%	62.3%	100.0%
Other	Count	60	20	38	118
	%	50.8%	16.9%	32.2%	100.0%
(Total)	Count	256	95	141	492
	%	52.0%	19.3%	28.7%	100.0%

(χ^2 Pearson = 138; sig = 0, df = 6)

Impact of Maternity Leave: by Job Description

		Positive	Neutral	Negative	Total
HR Function	Count	49	86	36	171
	%	28.7%	50.3%	21.1%	100.0%
General Manager	Count	13	33	30	76
	%	17.1%	43.4%	39.5%	100.0%
Director/MD/CEO	Count	8	42	70	120
	%	6.7%	35.0%	58.3%	100.0%
Other	Count	18	51	46	115
	%	15.7%	44.3%	40.0%	100.0%
(Total)	Count	88	212	182	482
	%	18.3%	44.0%	37.8%	100.0%

(χ^2 Pearson = 49.5; sig = 0, df = 6)

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