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How Provisional Improvement Notices Influence Employee Voice and Silence

Phillip Ho

School of Sociology, The Australian National University, Acton, ACT 0200, Australia; Phillip.ho@anu.edu.au

Abstract: Health and safety representatives (HSR) have the power to issue provisional improvement notices (PIN) to their employer for safety breaches. This paper examines how PINs influence workplace dynamics or employee voice. Semi-structured interviews were conducted with HSRs and other key stakeholders. They provided details of their organisations which were used to form three case studies. Some HSRs did not believe PINS would be required as management had implemented a positive safety culture. Other HSRs feared retaliation and were afraid to issue PINs. Overall, how PINs influence employee voice was primarily driven by workplace dynamics, management attitudes as well as broader economic and political factors. There was evidence that PINs increased the confidence of HSRs to perform their duties.

Keywords: provisional improvement notice; employee voice; worker participation; health and safety representative; employee silence

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1. Introduction

Australian trained health and safety representatives (HSR) have the power to issue their employer with formal safety notices, called provisional improvement notices (PIN), for contraventions of the *Work Health and Safety Act 2022* (WHS Act) [1]. This power could undermine managerial prerogative as it provides workers with the power to direct management to address safety issues. On the other hand, worker-issued notices could be a valuable tool to ensure employers are meeting their safety obligations. This article examines how worker-issued safety notices influence workplace dynamics and employee voices.

PINs were first enacted in the State of Victoria, Australia, in 1985 [2] and have since been enacted across all major Australian jurisdictions [3]. Internationally, the Antipodes (Australia and New Zealand) are the only countries to have enacted legislation awarding workers the power to issue notices [4]. New Zealand PINs legislation mirrors the Australian WHS Act, and both have significant fines for non-compliance [1,5].

The United Kingdom safety legislation has provisions for either workplace-elected or union-appointed HSRs [6]. Union-appointed HSRs differ from workplace-elected HSRs as they have the power to investigate hazards and complaints, receive information from inspectors and can attend health and safety committees [6]. Union-appointed HSRs, as well as workplace-elected HSRs do not have the power to issue safety notices [6].

The European Union Directive 89/391 provides European workers with the power to have elected representatives [7]. Under the directive, HSRs have the right to ask the employer to take appropriate measures and to submit proposals to mitigate hazards or remove sources of danger; however, they do not have the power to issue safety notices [7].

In the United States of America, the Occupational Safety and Health Act provides employee representatives with the power to accompany the regulator when they are inspecting or questioning persons [8]. The Occupational Safety and Health Act 1984 does not have other legislative provisions granting powers to employee safety representatives [8]. The Canadian Labour Code 1985 has provisions for health and safety representatives, which

grant them the power to conduct audits and checks, conduct investigations and participate in the development of safety policies but does not grant them the ability to issue PINs [9].

PINs are the most stringent powers awarded to HSRs as there are significant fines for non-compliance [1]. PINs are highly technical and require the HSR to cite sections of the WHS Act they believe are being contravened or potentially contravened, and the HSR must state how they believe the legislation has been breached [1]. A PIN may refer to codes of practice or provide directions on how to remedy the contravention [1]. A PIN could be issued to any person, including the person conducting the business or undertaking (the employer) or other duty holders including workers, officers, and visitors [1]. PINs are primarily issued to their employer and are usually physically given to management [10]. Before a PIN can be issued, the HSR must have completed approved HSR training and have consulted with the person being issued the PIN [1].

This paper examines how PINs influence workplace dynamics or 'employee voice' and is divided into three sections. First, the concept of 'employee voice' is examined. Second, the research methods are provided, and the three organisational case studies are outlined. Third, the results are discussed with employee silence to illustrate how PINs influence employee voice.

1.1. Related Works and Literature Review

Employee voice describes how employees can have a say regarding their work and describe the ability to influence decisions within their workplace [11,12]. PINs are a very formal type of employee voice as it provides HSRs with the legislative power to influence safety decision-making.

The comparative analysis model for industrial democracy outlines the variety of contextual variables and internal factors which influences employee voice [11]. Contextual variables include economic factors, cultural factors, and the legal framework [11]. Economic factors describe how favourable economic conditions tend to improve working conditions and encourage employee voice. Cultural factors describe the prevailing ideologies within the nation and the emphasis it places on employee voice. The legal framework encompasses government incentives and legislation that promotes employee participation structures.

Internal factors influencing employee voice include the historical and ongoing organisational structures and the power of actors within the organisation [11]. Power dynamics within the workplace are a major influence on the effectiveness of employee voice structures. Internal and external factors influence each other, operate in a static environment, and cannot be examined in isolation [11]. Figure 1 demonstrates how internal and external factors influence the effectiveness of employee voice structures.

The factors that influence the effectiveness of health and safety representatives mirror many of the internal and external factors outlined in the comparative analysis model for industrial democracy. The effectiveness of health and safety representatives is shaped by a strong legislative framework, the size and the type of industry sector, the casualisation of the workplace, internal labour processes and work intensity, external support from the inspectorate and unions, senior management commitment and their level of health and safety knowledge, whether safety is explicitly outlined in collective agreements, management prioritising a participatory approach to safety and the influence of the organisations' safety professionals [13–16].

Providing employee voice to workers has been linked to positive outcomes, including improving conflict resolution, providing a channel for employees to voice their concerns, granting employee participation in the decision-making process, and improving the issue resolution process [17]. Employee voice structures can address negative behaviours in response to perceived unfairness at work, can lead to increased employee commitment, and can reduce the high human and economic cost of workplace conflict and turnover [17].

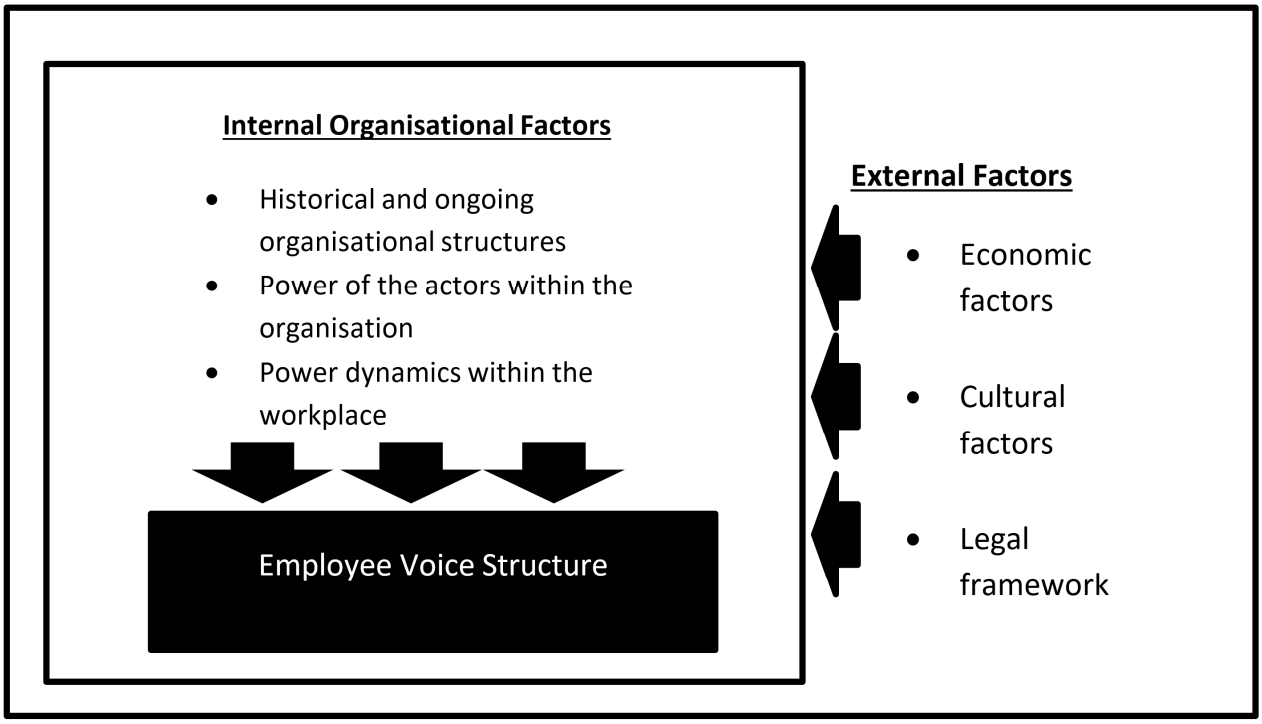

Figure 1. Comparative analysis model for industrial democracy [11] outlining factors that influence employee voice structures. This figure outlines the external and internal factors that influence employee voice structures.

Despite the positive benefits that accompany employee voice, there has been evidence that worker participation mechanisms have not been effective and have not achieved their intended goals. A longitudinal case study of a large steelwork's health and safety committee found that there were significant frustrations between workers and management over a significant period of time, with the following themes persistently emerging: the inability or reluctance of management to deal with plant and equipment safety issues, safety issues were becoming industrial relations issues, and management had often attempted to separate employee voice from union collective organisation [18]. A separate study examining the effectiveness of health and safety committees concluded that it would be inadequate to assume that health and safety committees are operating effectively and have fostered greater consultation and promoted high standards of health and safety [19]. Surveys conducted by the Australian Council of Trade Unions and the Victorian Trade Hall Council revealed that 43 per cent of respondents did not believe health and safety committees worked properly or well [20–22]. The surveys also revealed that management-dominated safety committees, budgets, and red tape were used to delay action on safety measures and the same issues were being raised over again in each committee [20–22].

These themes emphasise the current discourse of how health and safety issues are increasingly becoming industrial relations matters [23]. Furthermore, the industrial relations climate has intensified in the Anglophone countries, where there has been a withering away of employee voice due to the reduction of trade union density and an increase in precarious work practices (i.e., the rise of online platform workers, contracting, subcontracting, and labour hire practices) [24,25].

Employee voice is often studied within the discipline of human resource management which accepts a pluralist approach to the employment relationship [26]. Pluralism acknowledges that employee voice is seen as a common goal for both employees and managers and is associated with being pro-social, informal, and individual [26]. This understanding has been critiqued for being too partial to management and failing to recognise the competing interests within the employment relationship [27].

Employee silence is often defined as the anthesis of employee voice and is used in this paper to provide an additional perspective to understanding workplace dynamics and how employee silence may influence safety outcomes [28]. Employee silence acknowledges the broader industrial relations environment where there are often competing interests between workers and management [28,29]. Exercising employee silence could include purposely withholding ideas and concerns about their organisation that may harm the overall interests of an organisation [28]. The employee silence literature has identified two primary factors that influence whether employees speak up or not [28]. First is 'voice efficacy', which is defined as the perception that speaking up is futile and no one listens [28]. The second is 'psychological safety', which is described as the real or imagined consequences of speaking up. Within the workplace context, psychological safety is influenced by multiple factors, including how others perceive their image, co-worker relations, their own identity, social capital, career development, the threat of being tasked with unappealing work, and their relationship with their supervisors [28]. Within the safety literature, there are various issues that stop workers from raising issues, including the perception that the safety issue is minor, that the risk/harm is part of the job, the fear of negative repercussions that accompany voicing safety concerns, as well as the perception that the worker is often to blame for health and safety issues in the workplace [14,19,30,31].

Safety climate is another lens of analysis used in this paper to understand workplace dynamics and is defined as the employee's safety attitudes, beliefs, and values [32]. Safety climate is shaped by four dimensions, the attitude of senior executives, safety supervision, safety production and environment, and the implementation of safety training and education [32]. Safety climate provides an important approach to understanding the application of PINs and highlights that voice structures must be contextualised within the workplace amongst production and management pressures.

Worker representatives play a significant role in shaping health and safety in the workplace. The International Labour Organisation states that worker representatives improve health and safety outcomes, management practices, safety culture and injury rates [13]. There are several preconditions which must be met for effective worker representation and consultation, including a regulatory framework that provides rights for worker representation, adequate facilities for safety representatives, a commitment of senior management to health and safety, management competence in risk management, training provided to representatives, and strong communication between representatives and their constituents [13]. The most effective worker-representative structures are often found in large organisations with relatively stable employment practices and with a strong trade union presence [13]. Health and safety representatives increasingly play a critical role in promoting workplace safety due to the broader changes in the socio-economic environment such as decreased external involvement, the decline in trade union membership, the reduced role of safety regulators, and the broader legislative approaches to increase individualisation and 'responsibilisation' within the workplace [15]. These shifts outline the growth of responsibility and accountability from employers and regulatory bodies to the workers [33].

There is limited literature examining PINs and how they operate in practice. The recent review of the WHS Act found that PINs were time-consuming and time-intensive for the regulator as well as the business community [34]. HSRs and the business community expressed concern that regulators would cancel PINs on technical grounds and that the inspector would not solve the underlying safety issue that the PIN was issued to address [34]. The review recommended a change to the law that if a PIN was to be cancelled on technical grounds by the inspector, the inspector must deal with the safety issue which led to the issuance of the PIN [34].

Empirical research investigating PINs including HSR surveys revealed that only a small amount of HSRs (25 per cent) had previously issued a PIN [21,22]. Of the HSRs who have issued PINs, 75 per cent [22] and 90 per cent [21] found them effective. The surveys also outlined several internal workplace factors that limited HSR effectiveness, including inadequate support to fulfil their duties and limited resources such as time, training, and

access to legislation [20–22]. HSRs also stated that they were also subject to bullying and harassment from management [20–22].

Internationally, surveys of employee representatives, including the British Workplace Employment Relations Survey 2004, revealed that establishing employee participation structures that were aligned with management and unions had the best opportunity for success [35]. A large portion of employee participation structures dealt with health and safety issues as the overwhelming topic [36]. The survey reported that 76 per cent of union employee representatives had 'good' or 'very good' relationships with management [36].

1.2. Motivational Background

This study builds on the HSR surveys by providing greater contextualisation of the workplace through the use of case study methodology. This study contributes to a richer understanding of workplace dynamics, including how HSRs interact with management, the situations HSRs would use PINs within their workplace, and how HSRs believe management would respond to PINs. This study also combines both the theoretical understanding of employee voice and employee silence to provide a broader in-depth understanding of the various factors that influence the use of PINs in the workplace and the situations where HSRs would issue PINs to their employers.

2. Methods

To understand how PINs influence employee voice, semi-structured interviews and case study methodology were conducted with HSRs, union representatives, a safety inspector, and employer association representatives. The HSRs interviewed had completed HSR training.

Semi-structured interviews were selected for several reasons, they granted the researcher the opportunity to ask follow-up questions and to clarify the responses of the respondents and they also provided the interviewees with the freedom to describe in detail their experiences, the context and their rationale [37]. The interview questions focused on the following themes:

- When did the HSR expect to issue PINs
- Did HSRs understand how to issue a PIN
- How did they expect PINs would be received within the workplace
- Their work environment
- Their relationship with unions and management
- Other formal safety grievance procedures

Case study methodology was used as an important tool to combine the experiences of the HSRs within their workplace. Case study methodology provides a greater appreciation of the environment and is best used to contextualise the living phenomenon [38]. Each case study provides a segregated understanding of each community, as they are influenced by different cultures, customs, histories and practices. Three workplaces were used as case studies and are presented individually to better understand how PINs influence employee voice for each separate workplace.

Participants were recruited through advertisements placed in an HSR newsletter. The unions, the safety regulator, and employer associations were contacted directly and forwarded relevant representatives to the study. The interviews took place either over the telephone or face-to-face. With the consent of the participants, the interviews were recorded and later transcribed and sent back to the participants to confirm the validity of the interview. Once the data had been validated, the data was analysed through thematic analysis. University research ethics approval was granted before engaging the participants.

3. Results

The coding of the results is first discussed then the three organisation case studies are outlined independently to contextualise the data into specific workplaces. The case studies include Market Research Co., Warehouse Co., and State Government Department.

3.1. Coding of Results

The results were coded through thematic analysis, which describes the identification of implicit and explicit ideas within the data [39]. Codes are developed from the identified themes and linked to qualitative data [39]. The thematic analysis captures the complexities of meanings within the text and is the appropriate tool to analyse the results of the interviews [39]. The themes were coded through inductive methodology after the data was collected and transcribed. The results are outlined in the codebook of the interviews in Table 1.

Table 1. Codebook of the interviews. The codebook provides a summary of the key themes which were observed from interviews conducted with HSRs and stakeholders.

Theme	Count
PINs are technical and legalistic *Example: I don't know how to cite legislation, I am not confident filling out a PIN*	8
Dilemma HSRs face when raising safety issues and being victimised *Example: I want to do the correct thing and don't want to be bullied for it*	6
Workplace environment affecting the issuance of PINs *Example: Even if I issue a PIN in my workplace it won't work*	6
Not confident to issue a PIN *Example: I'm not confident to issue a PIN at my workplace*	5
Empowerment of HSRs *Example: I feel empowered with PINs*	4
The legal role of PINs *Example: PINs have the backing of legislation*	4
Same issues being repeatedly raised *Example: The same safety issues were raised in safety committees and not addressed*	4
Representing the views of the workers *Example: I must represent workers on safety issues*	4
Consultation in the PIN process *Example: I must first consult with the person before issuing a PIN*	2
PINs should be used sparingly *Example: PINs should only be used in exceptional circumstances*	2
Role of the Inspectorate *Example: PINs can be reviewed by the inspectorate*	2
HSRs are not intimidated to issue PINs *Example: I am confident to issue PINs at my workplace*	2

The results demonstrate that HSRs found PINs overwhelmingly technical and legalistic, difficult to complete and they were not confident in issuing PINs. Another significant theme was that the work environment including the dilemma HSRs faced when wanting to raise safety issues but were afraid of victimisation had a significant influence on whether the HSR would issue PINs.

Individual workplace case studies are provided below to further understand the work environment and how PINs would be used in three separate workplaces.

3.2. Market Research Co.

Market Research Co. had phone rooms in Sydney, Australia, that employed around 150–200 casual staff. Market Research Co. was placed under economic stress as the Australian dollar was high, and competition for market research work overseas had put pressure on management to cut costs and increase productivity. The budget constraints limited the capacity for management to address health and safety issues. Chronic safety

issues were often ignored by management. The HSR from Market Research Co. provides the following insight:

> *"If they [management] keep telling us that you have the right to go to these [work health and safety] meetings and you will be paid, they tell us to do that, and when we raise something to get something addressed, they ignore us."*

The HSR believed management only wanted everything completed correctly on paper. The meetings were intended to "tick boxes" rather than achieve meaningful safety outcomes. The HSR did not believe PINs would make a difference, as there was an overriding culture of managerialism. The HSR from Market Research Co. summed up the situation as follows:

> *"PINs won't be effective because of layers of management, financial issues, [the] research industry is shrinking, and the phone rooms in New Zealand are cheaper, so they don't want to spend money on [safety] equipment."*

The HSR was not confident filling out PINs as they did not know who to issue it to, how to cite legislation, unsure if it would address the problems, and were afraid of management recriminations.

3.3. Warehouse Co.

Warehouse Co. is an online retail warehouse that employs around sixty staff. Warehouse Co. has an excellent safety management system and was proactively addressing all safety concerns. From the HSRs' perspective, management took safety issues seriously and systematically scheduled health and safety meetings and risk assessments. Due to the positive management culture, the HSR did not foresee using PINs within their workplace. The HSR saw value in PINs as they provided a tool for enforcement if the issue could not be resolved through the usual channels.

> *"As an HSR, it makes you feel good as you have the backing [of legislation and government], that PINs are a serious thing and that it has to be looked at [by management]."*

The HSR believed PINs provided them with a greater sense of self-confidence to raise issues with management because they had the power to issue PINs if the problem was not addressed. As PINs had the backing of legislation and the safety inspectorate, the HSR felt protected if they had to issue a PIN. The HSR was confident in filling out PINs as they had a background in law. The HSR did not have any involvement with unions due to the excellent relationship between management and employees.

3.4. State Government Department

The State Government Department is based outside Sydney and has over 500 workers on site. A recent change of government to the Conservative Party imposed budgetary restraints, cuts to staff numbers, as well as an increased workload. This amplified the number of psychosocial claims for stress, burnout, and depression. Psychosocial issues were raised by HSRs to management, but management did not offer any solutions as they did not recognise psychosocial illnesses as safety issues. Management did not engage or provide meaningful solutions to address the psychosocial issues and often pushed safety issues to one side and ignored and bullied the HSRs if they continued to raise safety concerns.

The HSR had a background in health and safety and could cite legislation and knew how to complete PINs and believed they are a valuable tool to get the attention of management. The HSR was asked about issuing a PIN to get the issue resolved, but the HSR was reluctant to issue PINs as they had feared being victimised and bullied. It was not the gross forms of bullying that the HSR was fearful of, but the subtle forms of harassment and missed opportunities that management could impose on the HSR if they had issued a PIN.

4. Discussion

The findings revealed that economic conditions, political climate, and management were integral to influencing employee voice and PINs within the workplace. This was also reflected in the thematic analysis, which revealed that the workplace environment and the dilemma of raising safety issues had influenced how HSRs performed their duties.

The technical aspects of completing PINs were a significant issue HSRs identified and was raised eight (8) times through the interviews. The regulator had published a wide range of public guidance material and PIN templates and required HSRs to be trained before they could issue PINs [10,40]. Despite the high level of support provided, the HSRs still found that they were difficult to fill out and complete. The recent Boland Review called for expanding HSR training to increase the effectiveness and the understanding of the WHS laws for HSRs, which may increase the HSRs' understanding and application of the law when completing PINs [34].

External economic pressures were seen to influence managerial attitudes to safety. This finding mirrors the literature where wider economic challenges have a direct causal link to work practices, such as corner-cutting, work intensification, and excessive working hours, leading to a greater number of safety issues [30]. The wider economic considerations influence employee voice as management delayed and ignored safety issues because they did not have the resources to address the underlying problems.

The three case studies show that managerial prerogative is central to employee voice. Within the State Government Department and Market Research Co., management created an atmosphere where HSRs were reluctant to raise concerns because they were afraid of reprisals from supervisors, including victimisation and bullying. Within Warehouse Co., management cultivated a positive safety environment by listening to workers' concerns and had addressed issues promptly.

The HSR's reluctance to speak up could be explained within the 'employee silence' literature. Employee silence describes how employees feel when they are intimidated and bullied by management to not speak up [41]. Employee silence could be explained by management conjuring up an inner fear by acting in ways to discourage employees from speaking out [42]. The organisational norms and culture often reinforce employee silence [29]. When employees had the confidence to bring up problems, their concerns often fell on 'deaf ears' [42]. Market Research Co. HSR experienced this phenomenon when issues were repeatedly raised, and management ignored their concerns. Similarly, issues raised by the State Government Department HSR were pushed to one side, problems would persist, and management would refuse to respond.

To address the issue of 'deaf ears', Harlos [42] argues that the answer needs to include communication and emotional skills training, cultural change, and successful informal voice systems. Furthermore, accepting that conflict is inevitable and working within a culture of conflict with negotiation skills could address some of the underlying and systemic problems of 'deaf ears' [42]. Mutual respect and open lines of communication are also fundamental to the success of employee voice. This arrangement was apparent in Warehouse Co., where the HSR did not feel fear or have any reluctance to raise safety issues. This could be attributed to the positive norms, culture, and forces nurtured by management [43]. This atmosphere granted workers plenty of opportunities to voice their concerns through other channels (i.e., informal discussions) and demonstrated to the HSR that management took health and safety seriously.

Management in State Government Department and Market Research Co. were reluctant to address safety issues due to their economic and political circumstances. Due to these broader influences, they were constrained on how they could react to the safety issues and did not believe safety issues were a priority, hence safety issues continued to fall on deaf ears.

PINs as a Formal Form of Employee Voice

PINs are a highly formalised form of employee voice as they derive their power from legislation and can be enforced by the inspectorate. Legislatively, HSRs are protected from discrimination and coercive and misleading conduct [1]. The formality of PINs ensures accountability and transparency within the workplace, as PINs could be used to hold management accountable for health and safety breaches. Conversely, the transparency and accountability provided by PINs may also be used as a weapon by management to ensure employee silence. HSRs must formally identify themselves on the PIN [1]. Once the PIN has been received, the person who received the PIN must put it in a prominent place, further drawing attention to the HSR [1]. Most of the HSRs in the study feared recrimination if they used PINs and were afraid of being singled out or bullied for raising issues.

This often left HSRs with a dilemma. On the one hand, the HSR has a responsibility to ensure the health and safety of its fellow workers. This is weighed against the HSR's desire to "keep the peace" and not stir up trouble against management (State Government Department HSR). Harlos [42] proposes multiple elements that could be introduced to increase the effectiveness of formal voice systems. First, protect the person speaking out. When they use the formal employee voice system, they must not be exposed to management retribution. Second, ensure that employee voice systems are perceived as being credible and objective and must be readily accessible and easy to use. Finally, the system must address issues within a reasonable timeframe. These suggestions are built on the assumption that management is willing to address safety issues and put in place mechanisms to address 'deaf ears'. Legislatively, HSRs are protected from management's 'discriminatory conduct', and there could be regulatory action against an employer that has engaged in discriminatory conduct against HSRs [1].

Milliken, Morrison, and Hewlin [44] provide another perspective on understanding employee silence. They found employees did not want to voice their concerns due to social consequences and accompanying negative labels. The HSRs in our study did not want to cause trouble and just wanted the safety matters addressed. Within the workplace, labels are automatically assumed to be true (e.g., troublemakers always try to stir trouble) [44]. Labels have social implications, as it is assumed that the label is a valid characterisation if it proceeds them (e.g., Jane is a trouble maker and any problems that she raises, she does so to cause trouble). The process of social labelling changes the social identity of the individual and their interactions within the social group. The outcome of labelling includes loss of trust, credibility, respect, social rejection, weaker ties with the broader social group, difficulty in getting cooperation and a lower likelihood of promotion [44]. These characteristics are often interrelated so that a smear on an individual's characterisation transcends across multiple social domains and social networks. This often influences other facets of their life and is a manifestation of an individual's identity. A HSR who is afraid of destroying their public image may be reluctant to raise grievances. Staying silent and not exercising employee voice could be a rational choice and is often the easier path for HSRs, especially if their previous attempts to raise concerns through informal channels fell on deaf ears.

From a safety climate perspective, organisational communication is an ongoing complex process which workers and management create, maintain and change [45]. Communication includes both formal and informal interactions as they create shared meanings and safety climate within a work organisation [46]. Managers can play a significant role in conveying the organisational message through formal communication and can create conditions for greater informal communication between colleagues [46]. The degree of management influence on communication could be improved if management provides common goals or integrative tasks that can lead to positive outcomes [46].

This case study builds on the existing literature by providing an understanding of the reluctance of workers to voice their concerns and why they may continue to exercise

employee silence even though they have legislative powers to improve health and safety in the workplace [18,20,21,47].

5. Conclusions

Workplaces that took a 'high road' approach to employee voice had effective voice structures and a proactive approach that addressed employee concerns (i.e., Warehouse Co.). Management within these workplaces instituted and cultivated a positive safety culture. Safety issues were taken seriously and addressed promptly. PINs provided the HSR with greater self-confidence when they performed their role because they had the knowledge that PINs had the backing of legislation and the safety inspectorate with potential fines for non-compliance.

This contrasts with the 'low road' approach to employee voice. Management ignored the complaints of workers and bullied the HSRs when issues were brought up (i.e., Market Research Co. and State Government Department). The voice structures were only implemented to fulfil their legal obligations on paper, and the actual meetings did not achieve meaningful outcomes. Management bullied and intimidated HSRs by conjuring and maintaining an inner fear of recrimination to enforce employee silence. Overall, some HSRs did not believe PINs would be effective in their workplaces, and they were scared to issue PINs. This finding may explain why only a limited number of HSRs have issued PINs (25 per cent of HSRs) [21,22].

HSRs should be encouraged to issue PINs when there are chronic and ongoing safety issues. The literature revealed that despite their limited use when PINs were issued, they were highly effective (75 per cent and 90 per cent) [21,22]. Furthermore, the recent review of the Australian Model Safety legislation recommended a change in the law requiring inspectors to address the underlying safety issue after investigating a PIN [34]. This change in law should increase the success of PINs as the inspector attending the workplace would be required to address the safety issue rather than review the PIN on technical grounds.

Workplace dynamics have a major influence on the issuance of PINs. Management and the broader economic/political environment were seen as key factors which influenced employee voice systems. To increase management commitment to implement a 'high road' approach to employee voice, management should recognise that increasing employee voice provides workers with opportunities to correct workplace issues and increases organisational problem-solving, leading to overall improved company performance [12]. There was evidence that PINs did increase the confidence of HSRs overall, and with the proposed changes in the law, PINs could be more effective.

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Institutional Review Board Statement: The study was conducted according to the guidelines of Australian National Statement on Ethical Conduct in Human Research, and approved by the University of Western Sydney's Human Research Ethics Committee (protocol code H9779 and date of approval March 2013).

Informed Consent Statement: Informed consent was obtained from all subjects involved in the study.

Data Availability Statement: Data is not available due to ethical and privacy restrictions on the data.

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