

Health and Safety Regulatory Reform in Australia: Challenges and Issues for Smaller Ethnic Firms

Rowena Barrett^{*}, Susan Mayson^{**} and Susanne Bahn^{***}

Abstract

In recent times significant change has occurred to the Australian health and safety regulatory context. In this paper we consider the potential response of smaller firms in general, and ethnic owned and/or operated smaller firms in particular. We draw on literature examining smaller firms' responses to regulation and apply this to what little we know about smaller ethnic firms in Australia in the context of the regulatory change. We highlight the challenges to owner managers and what could be done to engage and support smaller ethnic firms to realise the opportunities resulting from this regulatory change.

Keywords

Australia, health and safety regulation, ethnic smaller firms.

Introduction

Smaller firms make important contributions to servicing and producing Australia's economic growth, wealth, employment and innovation. Of the 2.05 million economically active firms, 40% have employees but of these very few employ significant amounts of people (just 1% of firms employ more than 200 people) (ABS 2010). Our interest is in smaller firms that employ up to 100 people and specifically those owned and operated by members of Australia's many ethnic communities.

A firm that is connected to an ethnic group, functions in a way that is open mainly to the members of that ethnic group and draws on resources (such as customers, suppliers, labour and finance) from within that ethnic group, is usually taken to refer to as an ethnic firm (Jones & Ram 2008). The development of ethnic firms is underpinned by migration. Indeed, early theories of ethnic entrepreneurship focussed on migrants' labour market disadvantages as the key push factor for self-employment and business development (Volery 2007). Yet Australia's long history of migration means this 'traditional' view of an ethnic firm may be misleading, particularly when an open business migration channel exists and business migrants are encouraged to settle in Australia. Indeed some old and successful immigrant businesses such as Myers (Australia's largest department store chain) or the Grollo and Doric Groups (Melbourne and Perth based large construction and development groups) do not fit the 'traditional' ethnic firm stereotype.

* Rowena Barrett, Edith Cowan University, r.barrett@ecu.edu.au

** Susan Mayson, Monash University

*** Susanne Bahn, Edith Cowan University

Australia's history of migration has led to a diverse population with 27% of the population (some 6 million people) born outside Australia (ABS 2011). This diversity is reflected in smaller firm ownership where 29% of those who own and operate smaller firms were born overseas (ABS 2008). With this diversity many ethnic firms will not fit the stereotype of a firm that operates where there are low barriers to entry or in areas with a concentration of members of the same specific ethnic group. However many will and we see this for example in the ethnic food sector and in ethnic enclaves such as the Chinatowns that exist in major Australian cities. Some ethnic firms serve their co-ethnic community while others use their ethnic authenticity to serve to the wider market be it in serving ethnic food or arranging travel to their home country for example. Clearly there is a presence of first and multi-generational ethnic families and communities in Australia, but we know surprisingly little of the extent, nature and operations of smaller ethnic firms in the business community.

The purpose of this paper is to assess what is known about smaller firms and particularly smaller ethnic firms in terms of their response to the changing health and safety regulatory context. The reform agenda sees the Council of Australian Governments overseeing a process of harmonising state and federal laws to reduce complexity for business (<http://www.coagreformcouncil.gov.au/>). The reforms to health and safety also reflect Australia's aspiration to be a world leader in health and safety practice through changed workplace practices (ILO 2005). As such the Australian Work Health and Safety Strategy (AWHSS) 2012-2022 sets a target of reducing work-related injuries by 30% and fatalities by 20% over its ten year period (Safe Work Australia 2011). The AWHSS sits alongside the harmonisation of all state based health and safety legislation. The aim has been for all State governments to enact legislation that mirrors the national Work, Health and Safety Act 2011 (WHS Act) and for this to have been completed by 1 January 2012 (Safe Work Australia 2010). So far all jurisdictions except Victoria (which has chosen to retain its legislation) and Western Australia (which has agreed to enact a version of the WHS Act in 2014) have complied (Tooma 2012), although with some variations.

Smaller firms must respond to this regulatory change but it is unclear whether and how this will occur. Smaller firms are vulnerable in the face of regulatory change due to their adaptive capacity and lack of resources, expertise and managerial knowledge (Baldock et al 2006; González et al 2010). We would argue that smaller ethnic firms would be even more vulnerable because of their unequal access to valuable forms of human, social and financial capital (Kloosterman & Rath, 2001). We pursue this argument after outlining the key elements of the health and safety regulatory change. We then move to what research has said about smaller firms, particularly smaller ethnic ones and regulatory change. In the final section we examine research on smaller firm owner-managers' attitudes to regulation in order to make recommendations for ways in which they can be engaged and supported in this changing regulatory context. We argue that stereotypical views of smaller ethnic firms may be unhelpful and that further research is needed to understand the impact of regulatory change on these firms.

Health and Safety Regulatory Change

The purpose of regulation is to enhance and maintain an efficient market economy, while, at the same time, providing safeguards for workers, consumers, firms and the environment (BRTF 2005). However, popularly, any discussion of regulatory effects on smaller firms cites it as being a burden and negatively affecting firm performance. Linked to this is the

stereotype of smaller firm owner-managers as overt individualists who avoid regulation and/or shirk their regulatory responsibilities (see for example Hasle et al 2012).

That said, much regulation does not have smaller firms as its focus and thus smaller firms are disproportionately affected by regulatory regimes and in some circumstances they bear regulatory costs which are at least 35% higher than larger firms (Chittenden et al 2002). Regulatory costs can be incurred from complying with policy or through the administration of the policy (Storey & Greene 2010). In the UK the cost of regulation over the period from 1998-2008 was estimated to be £77 billion (British Chambers of Commerce 2009). When the focus is specifically on smaller firms and WHS, it has been calculated in the UK that WHS regulations compliance costs are seven times higher for the smallest firms compared to the largest ones (£111.59 per employee compared to £15.99) (Lancaster et al 2003). However, to date research has not been conducted in Australia to determine the costs to smaller firms in relation to responding to the changes in WHS regulation.

The cost burden of regulation contributes to concerns that business regulation simply creates 'red tape' that deters individuals from engaging in business. Indeed, the COAG reforms are all about "cutting red tape to make it easier to do business" (Senator Nick Sherry quoted Crowe in the *Australian Financial Review*, 11 Feb 2011). The harmonisation of health and safety legislation seeks to develop a level playing field for all employers and workers and thus improve health and safety outcomes at work. But by January 2013 Victoria and Western Australia were still resisting harmonisation and although the other states and territories had introduced new legislation they had done so with some variation to suit jurisdictional requirements. The Acts are supplemented by national Regulations and Codes of Practice, and are managed and enforced by state-based agencies while being overseen by the federal agency (Safe Work Australia 2010).

Harmonisation reduces difficulties of firms operating in multiple jurisdictions but the impact of the harmonisation will be felt differently across jurisdictions. This was behind the Victorian Government's resistance. Using a report prepared by PriceWaterhouseCoopers (2012) the then Premier argued that the reforms were regressive and would compromise productivity in the State. Moreover the costs were too prohibitive, especially for smaller firms (Baillieu & Rich-Phillips 2012), which was consistent with Access Economics' (2011) predictions that the changes required to be undertaken by smaller firms would not be offset by reduced complexity.

There are specific elements of the WHS Act that pose challenges for smaller firms in terms of their capacity to respond given their resource poverty and other vulnerabilities that impact on smaller firm owner-managers' choices about workplace actions; for example, the due diligence clause in the WHS Act places personal liability on company directors for workplace health and safety. Company directors, or those persons conducting a business or undertaking, are deemed personally liable for breaches and the associated fines have been increased to \$3M with up to five year jail terms (Safe Work Australia 2010). This is new in some jurisdictions and concern has been expressed about how smaller firms will manage in the event of being found guilty of a breach and subsequently fined (Baillieu & Rich-Phillips 2012).

These due diligence provisions also have considerable documentation requirements and this is problematic for smaller firms (see Eakin et al 2010). The due diligence clause is underpinned by the 'duty of care' concept which requires employees to be consulted. This means employers are required to consult and communicate with employees about a range of health and safety issues including about the nature of risks and hazards in the nature of present in current their operations; allocation of resources, and processes to ensure a safe system of work; disseminate knowledge of WHS matters; implement practices that facilitate a timely response to incidents and implement a processes that enables full legal compliance (Safe Work Australia 2010).

While improved health and safety performance is the ultimate goal of the health and safety regulatory reforms, it is unclear whether this will be achieved in smaller firms generally and smaller ethnic firms specifically. What little we know about the effect on, and response by, smaller ethnic firms to regulatory change of this type we turn to in the next section.

Smaller Firms, Regulation and Health and Safety

Smaller firms' responses to regulation go beyond simple cost-benefit calculations and depend on a complex interaction of cultural, contextual and economic factors in concert with owner-managers' responses as well those of employees and other stakeholders (Barrett & Mayson 2008; Mayson & Barrett 2006; Wilkinson 1999). Recent studies have taken into account the complex economic and social structural location of smaller firms as well as their owner-managers' understandings of, and motives for, action in response to regulation and its effect on firm performance (see Anyadike-Danes et al 2008; Kitching 2006; Vickers et al 2005). This would also be the case in terms of smaller ethnic firms where the diversity between and within ethnic groups, and within and between home and adopted home country contexts (be they social, cultural, political, economic, regulatory, educational etc), plays an important role in understanding their behaviour and functioning (Baldock et al 2006).

We can see this in a UK study where the impact of health and safety regulations on ethnic minority businesses (EMBs) was examined (Baldock et al 2006). While the study found no significant differences between EMBs and white owned businesses in making compliance related health and safety improvements, it did show that variations existed between different ethnic groupings in the sample. For example, employment size and sectoral context differentiated EMBs' compliance responses to health and safety improvement measures where factors such as type of industry, pressure by customers and trade associations may increase awareness of regulation and hence compliance (Baldock et al 2006). Lee's (2008), study of small Korean dry cleaning firms in the USA, found that regulatory compliance (or non-compliance) was constructed by the owner-managers through a "web of regulatory politics" (p. 138) embedded in the firms' environment. Gunningham (1999) has noted that the risk of penalties for non-compliance is a key driver in managerial action regarding safety regulation. Inspection regimes, the accessibility and relevance of information about health and safety requirements, publicity of penalised for non-compliance, the availability of training are all factors that will affect how smaller firms respond. Indeed whether the smaller firm is part of a supply chain or subcontracts to a larger firm also will play a role as the WHSS requires larger firms and state regulators to work together to support smaller firms in their supply chains to become compliant.

That said, we do know that smaller firms are structurally vulnerable when facing regulatory compliance. Resource poverty gives rise to “structures of vulnerability” (Nichols 1997: 161) and this can mean relevant infrastructure is less likely to exist in smaller firms. Compliance demands could be felt more keenly in smaller ethnic firms because they may be less aware of legislative requirements and less able to comprehend the requirements of legislation due to language difficulties and their location in informal areas of the economy (Baldock et al 2006). Indeed we need to take note of Azmat and colleagues (Azmat 2010; Azmat & Zutshi 2012a; 2012b; Azmat & Coghill 2005) studies of immigrant entrepreneurs in Australia and their perception of corporate social responsibility (CSR). These studies shows that home country contextual factors, such as culture, institutional environment and socio-economic development, play a role in how immigrants interpret host country regulations and these are likely to affect understanding of and compliance with regulation. Further, Azmat and Coghill (2005) suggest that if the immigrant entrepreneur’s home country lacked robust regulatory frameworks, had a culture of poor enforcement and insufficient processes to safeguard organisational practice and where corruption thrived, then the immigrant entrepreneur may face difficulty in responding to their host country’s regulation.

In terms of health and safety, it is understood that poor performance is more likely to be “related more to the inadequate management of risk than to the absolute seriousness of the hazards faced” (Baldock et al 2006: 829). In smaller firms there is more likely to be a lack of awareness of what constitutes a risk rather than an absence of risk (González et al 2010). Even if there is an awareness of risks, then the documentation of risks can be problematic (Eakin et al 2010), especially in smaller firms whose management systems generally lack formality, and as Barrett and Mayson (2008; Mayson & Barrett 2006) have established, this is particularly so in regard to managing the employment relationship. Indeed the European Survey of Enterprises on New and Emerging Risk which was a study of 28,649 managers and 7,226 health and safety representatives in 31 European countries, found that rather than risks being absent in those firms without a documented policy, management system or action plan, it was more likely there was a lack of awareness of risks (González et al 2010).

A smaller firm owner-manager’s awareness or perception of risk underpins whether actions are taken to mitigate risk, and in the case of health and safety, this is whether they implement health and safety management processes and practices. Eakin (1992) found in her analysis of interviews with 53 small business owners, that risks were ‘normalised’ because WHS was not understood as “a bureaucratic function of management but as a personal moral enterprise in which the owner did not have legitimate authority” (Eakin 1992: 689). Holmes and Gifford (1997) made similar findings in their analysis of narratives of health and safety from employers and employees in the Victorian painting industry, while MacEachen et al (2010) explain this in terms of the informal workplace social relations that limit employer and employee perceptions of risk in smaller firms.

Cross national and cross cultural differences have also been found in relation to the perception of risk (see for example Renn & Rohrman 2000; Rohrman & Chen 1999). For example a study of risk perceptions of employees in a Greek and an English bakery found those in the UK bakery were better aware of risk definition (Alexopoulos et al 2009). While education and training played a role in the recognition of risks the results did suggest that there were cross national differences in attitudes related to managing WHS.

Arguably, whether it is a result of a lack of risk awareness, lack of documentation of risks or a perception that risks do not need ‘managing’, there is likely to be some (negative) impact on the health and safety performance in smaller firms. This could be further compounded by smaller firms being less likely to be inspected by regulatory agents than larger firms and less likely to employ WHS practitioners (Pilkington et al 2002; Walters 2001). Furthermore there is less likelihood that relevant infrastructure such as employee training and union organisation will exist in smaller firms, despite these elements being critical to the representative participation that underpins improved health and safety management practices (Frick & Walters 1998; Quinlan & Johnson 2009).

Care must be taken not to tar all smaller firms with the same brush. Rigby and Lawlor (2001) pointed to the nature of employer-employee relationship in smaller firms and owner-manager’s own health and safety values as critically influencing the management of health and safety in the Spanish smaller firms. Mayhew’s (1997) study of Australian smaller firms, found that core business and economic pressures were the dominant factors affecting health and safety compliance. Similarly Walters and Lamm (2003) argue that the smaller employers’ training and experience will impact on whether or not they are likely to be compliant with health and safety regulations.

Taking a similar line of reasoning and looking at responses to regulation more widely, Anyadike-Danes et al (2008: iii) concluded that, “knowledge of regulation, coupled with internal capacity to respond positively can and does enable business owners to adapt business practices and products to overcome some of the constraining influences of regulation”. More than half their sample of 1205 smaller firms accommodated regulations while “sizeable minorities” (p. ii) reported beneficial impacts. Mutually interlocking relationships between regulation and performance were explored further by Kitching (2006). He focused on ‘regulatory tendencies’, to show that smaller firm owner-managers’ agency connects regulation to firm performance. Regulation may constrain smaller firms activity through compliance, but could also enable and motivate other activity by making certain actions possible or by encouraging certain activity in others.

In terms of understanding the regulatory context, Safe Work Australia has considerable resources available online for employers and employees. Fact sheets address matters in different industries and for different types of work and workers. The National Safe Work Australia Week is held annually while the annual Safe Work Australia Awards acknowledge excellence in work health and safety at an organisation and individual level on a national stage. State based health and safety agencies also run training as well as provide information and resources in an array of languages. So too do a host of private companies and consultants. However there are issues around getting information to smaller firm owner-managers. Research shows that the ‘what’s in it for me’ needs to be emphasised if smaller firm owner managers are to engage with externally sponsored business support initiatives (Billington, Neeson & Barrett 2009). Their preference is for learning opportunities that enable value to be drawn from interactions and communications with others and these require a good relationship with the training provider (Devins et al 2005; Billington et al 2009).

In terms of smaller ethnic firms and their potential responses to the health and safety regulatory reform, there is much we can speculate and very little that is known. Research tells us that members of ethnic communities are now as equally likely to be pulled into realising an opportunity through self-employment and business development as be pushed by necessity (see Volery 2007). Differences will emerge between the ways businesses are run depending

on whether the owner manager is a first or later generation migrant. Indeed this is what is suggested by the mixed embeddedness approach (Kloosterman 2010; Kloosterman & Rath 2001; Kloosterman et al 1999; Ram et al 2008; Vershinina et al 2011). Mixed embeddedness places ethnic entrepreneurship within the wider social, political and economic institutional frameworks and opportunity structures of the entrepreneur's adopted homeland. It seeks to transcend the push-pull dichotomy by highlighting ethnic entrepreneurs' embeddedness in co-ethnic social networks, and the interpretation of these in the context of being embedded in wider sectoral, spatial and regulatory environments. While, mixed embeddedness has been applied in the context of new im/migrant entrepreneurship, it has also been applied to explaining entrepreneurship in older ethnic communities (Vershinina et al 2011). This is possible as the opportunity structure is the realization of opportunities available at any point in time in an economy and these are determined by socio-political institutional factors but also depend on the (personal and group) resources available to individuals at the time of start-up.

Understanding how smaller ethnic firms will respond to the regulatory change is not straightforward and therefore we turn to the Vickers et al (2005) typology of small firm responses to regulation which we think can be deployed as a guiding framework that moves us beyond stereotyping smaller ethnic firms.

Attitudes to, and Responses of Smaller Firms to Regulation

Vickers et al's (2005) typology of owner-manager attitudes and responses towards regulation developed from their study of 1087 UK small firms provides a useful framework for analysis of responses to WHS regulation. 'Avoiders/Outsiders' are likely to be non-compliant and keep a low profile so as not to attract attention. This is where, stereotypically, we would expect to locate a proportion of smaller ethnic firms. As Gunningham and Kagan (2005) note, the risk of enforcement is a key driver in managerial action towards health and safety compliance, and if risk is perceived to be low, then avoidance might result. Those with little to fear from losing business as a result of regulatory intervention or unconcerned about adverse publicity if they are in breach (Baldock et al 2006; Wright 1998) are likely to be Avoiders/Outsiders. Smaller ethnic firms that sit at the margins of the formal economy or are well-embedded in their co-ethnic community may be difficult to locate in order to enforce compliance. Moreover language difficulties and the reliance on informal information and advice structures (Baldock et al 2006) may also complicate matters here and unwittingly make smaller ethnic firms more likely to be avoiders and/or outsiders.

'Reactors' are either 'minimalists' or 'positive responders' and they comply because of the demands placed on them by their customers, supply chains or through public procurement processes (Fairman & Yapp 2005; Wright 1998). 'Minimalists' view regulations as an unnecessary burden, are suspicious of external agencies and employ 'short cuts' and/or dishonest measures. Their behaviour may be encouraged by being difficult for regulatory agents to reach and they are therefore less likely to be influenced by traditional regulation methods (Baldock et al 2006; Walters 2001). For instance, Bahn (2008) found minimalism to occur around health and safety issues in her study of the WA construction industry at times of high production. Minimalism might also result when there is difficulty in interpreting the legislative requirements, as in Fairman and Yapp's (2005) study of UK hairdressers.

'Positive Responders' use external agencies, such as customers and inspectors to ensure they are compliant with regulations, and are tolerant of regulatory intervention as long as it is accompanied by clear guidelines (Baldock et al 2006). In Baldock et al's (2006) study of 180 small firms of which 143 were ethnic owned, they found Bangladeshi-owned catering firms were more compliant than Chinese and Turkish owned firms because they were located in the formalised hospitality sector and not only had pressure from customers applied on them but they were more likely to be inspected. Similarly, Charles et al (2007) argue that in the Australian construction industry, that unless pressure brought to bear on smaller firms by larger project management ones that deal with high profile clients, then there is little likelihood voluntary codes of practice for WHS will be adopted. However, positive responders may be thwarted by the multiple agencies that operate in the WHS space, which Rigby and Lawlor (2001) found confused owner-managers who were unsure of their differences and what they were required to do in order to comply. For smaller ethnic firms in Australia understanding the array of information emanating from agencies dealing with WHS and the lack of easily accessible information in languages other than English could present problems. Moreover Lord Young's (2010) review of the UK's 1974 Health and Safety at Work etc Act showed firms appeared to be positive responders but that was because they operated in "a climate of fear" (p.11), leading them to over-comply and incur excessive and unwarranted costs.

The final type, 'Proactive Learners', have a sound awareness of regulation which is supported by workplace policy and practice. Anyadike-Danes et al (2008) found complementary policy measures have the potential to enhance business performance in response to regulation and so it could be expected that within this category of smaller firms there is some positive impact of regulation on performance.

Discussion and Conclusion

The health and safety regulatory change in Australia, most notable in the harmonisation of state based health and safety legislation, aims to create a level playing field for business by reducing complexity. Together with the new AWHSS, Australia aims to ensure working lives are healthy, safe and productive (Safe Work Australia 2011). Moreover, in recognition of the importance of smaller firms, the AWHSS states: 'It is important that national strategic activities support improvement in the capability of small business to successfully manage health and safety risks' (Safe Work Australia 2011: 3). However the smaller firm sector is large and diverse and nearly one third of all Australian firms are owned and operated by individuals born outside Australia. Many more again will be owned and operated by second and older generation members of Australia's many old and new ethnic communities.

However when the literatures on smaller firms, smaller ethnic firms and health and safety are brought together, we can see there are questions about how smaller firms generally and smaller ethnic firms specifically might adapt to the regulatory change. Importantly, while we understand certain factors shape attitudes to health and safety risk, more generally we have scant knowledge about Australian smaller firms' responses to regulation and even less knowledge about smaller ethnic firms. For this latter group, responses to health and safety regulation must be understood using a framework that accounts for their heterogeneity created by their embeddedness in co-ethnic social networks, and the interpretation of these in the context of being embedded in wider sectoral, spatial and regulatory environments social and economic contexts.

If we use the Vickers et al (2005) typology, the temptation is to take a stereotypical view of smaller ethnic firms and predict that they are likely to fall into the 'Avoiders/Outsiders' type in their response to regulatory reform. This may be the case for newer migrants in business who may have limited resources at their disposal and could suffer from difficulties communicating with regulators or understanding their responsibilities through a lack of English language skills. However for those who entered Australia on a business migrant visa, the possibility of a penalty and the potential for that to affect their visa conditions, could mean these ethnic entrepreneurs are more likely to be positive responders or proactive learners.

So to say that many smaller ethnic firms are vulnerable in the face of regulatory change is, we think, too simplistic given the diversity within Australia's ethnically owned and operated smaller firm community. We have demonstrated this using the Vickers et al's (2005) analytical framework in the context of the mixed embeddedness approach to explaining ethnic firms. Mixed embeddedness seeks to transcend the push-pull dichotomy by highlighting ethnic business owner's embeddedness in co-ethnic social networks, and the interpretation of these in the context of being embedded in wider sectoral, spatial and regulatory environments (Ram et al 2008). These interpretations will differ with the passing of time (Vershina et al 2001) and therefore it is also necessary to consider the historical context of ethnic business development within the Australian economy if we are to understand the ways smaller ethnic firms will respond.

As we can see there is a challenge in coming to an understanding of smaller ethnic firms' responses to regulatory change and determining the ways to support them so that good health and safety outcomes can be facilitated. Others are watching Australia's progress with these health and safety reforms too (Templer 2012). As such, we have presented a rich research agenda for the future. Research that is specific to ethnic smaller firms and their understanding and support needs in terms of regulatory change and compliance is needed, and not simply in Australia.

References

- Access Economics (Jan 2011), *Consultation Regulation Impact Statement for National Harmonisation of Work Health and Safety Regulations and Codes of Practice*, Access Economics Pty Ltd.
- Alexopoulos, E.C., Kavadi, Z., Bakoyannis, G. & Papantonopoulos, S. (2009), Subjective risk assessment and perception in the Greek and English bakery industries, *Journal of Environmental and Public Health*: 1-8.
- Anyadike-Danes, M., Athayde, R., Blackburn, R., Hart, M., Kitching, J., Smallbone, D. & Wilson, N. (2008), *The Impact of Regulation on Small Business Performance*, Report for the Enterprise Directorate of BERR. London: Kingston University.
- Australian Bureau of Statistics (Aug 2008), *Australian Small Business Operators – Findings from the 2005-2006 Characteristics of Small Business Surveys, 2005-2006*. Cat. No. 8127.0. Available at www.abs.gov.au.
- Australian Bureau of Statistics (June 2011), *Migration, Australia, 2009-10*, Cat. No. 3412.0.
- Australian Bureau of Statistics (Oct 2010), *Counts of Australian Businesses, Including Entries and Exits, June 2007-June 2009*, Cat. No. 8165.0. Available at www.abs.gov.au.
- Azmat, F. & Coghill, K. (2005), Good governance and market-based reforms: A study of Bangladesh, *International Review of Administrative Sciences*, 71(4): 625–638.

- Azmat, F. & Zutshi, A. (2012a), 'Perceptions of corporate social responsibility amongst immigrant entrepreneurs', *Social Responsibility Journal*, 8: 63-76.
- Azmat, F. & Zutshi, A. (2012b), 'Influence of home-country culture and regulatory environment on corporate social responsibility perceptions: The case of Sri Lankan immigrant entrepreneurs', *Thunderbird International Business Review*, 54: 15-27.
- Azmat, F. (2010), Exploring social responsibility of immigrant entrepreneurs: Do home country contextual factors play a role? *European Management Journal*, 28(5): 377-386.
- Bahn, S. (2008), Size does matter: The influence of business size on the accident/incident rate in the civil construction industry in WA, *Journal of Occupational Health and Safety*, 24: 343-52.
- Baillieu, T. & Rich-Phillips, G. (April, 2012), Media Release: Proposed Commonwealth OH&S Laws to hit Victorian Businesses Hard. 4 April 2012. Available at: http://www.premier.vic.gov.au/images/stories/documents/mediareleases/2012/120412_Baillieu_Rich_Phillips_Proposed_Commonwealth_OHS_laws_to_hit_Victorian_businesses_hard.pdf.
- Baldock, R., James, P., Smallbone, D. & Vickers, I. (2006), Influences on small-firm compliance-related behaviour: the case of workplace health and safety, *Environment and Planning C: Government and Policy*, 24: 827-46.
- Barrett, R. & Mayson, S. (2008), The formality and informality of HRM practices in small firms, in R. Barrett and S. Mayson (eds) *International Handbook of HRM and Entrepreneurship*. Cheltenham: Edward Elgar.
- Better Regulation Task Force [BRTF] (March 2005), *Regulation: Less is More: Reducing Burdens, Improving Outcomes*. Available at www.berr.gov.uk
- Billington, L., Neeson, R. & Barrett, R. (2009), The effectiveness of workshops as a managerial learning opportunity, *Education + Training*, 51(8/9): 733-46.
- British Chambers of Commerce (2009) Burdens Barometer 2009. Available at www.britishchambers.org.uk
- Charles, M.B., Furneaux, C., Pillay, J., Thorpe, D., Castillo, C.P. & Brown, K. (2007), Uptake of an OHS Code of Practice by Australian construction firms, Paper presented at CIB2007 World Congress: Construction for Development, 14-17 May 2007, Cape Town, South Africa.
- Chittenden, F., Kauser, S. & Poutziouris, P. (2002), *Regulatory Burdens of Small Business: A Literature Review*. Available at www.bis.gov.uk/.
- Crowe, D. (11 February, 2011), COAG falls behind on key economic priorities. *Australian Financial Review*, p. 11.
- Devins, D., Gold, J., Johnson, S. & Holden, R. (2005), A conceptual model of management learning in micro businesses: Implications for research and policy, *Education + Training*, 47(8/9): 540-51.
- Eakin, J.M. (1992), Leaving it up to the workers: Sociological perspective on the management of health and safety in small workplaces, *International Journal of Health Services*, 22(4): 698-704.
- Eakin, J.M., Champoux, D. & MacEachen, E. (2010), Health and safety in small workplaces: Refocussing upstream, *Canadian Journal of Public Health*, 101(2): 29-33.
- Fairman, R. & Yapp, C. (2005), *Making an Impact on SME Compliance Behaviour: An Evaluation of the Effect of Interventions upon Compliance with Health and Safety Legislation*. Sudbury: HSE Books.
- Frick, K. & Walters, D.R. (1998), Worker representation on health and safety in small enterprises: Lessons from a Swedish approach, *International Labour Review*, 137: 367-89.
- González, E.R., Cockburn, W. & Irastorza, X. (2010), *European Survey of Enterprises on New and Emerging Risks: Managing safety and health at work*, European Risk

- Observatory Report, European Agency for Safety and Health at Work, Spain. Available at <http://ohsa.europa.eu>.
- Gunningham, N. & Kagan, R.A. (2005), Regulation and business behaviour, *Law and Policy*, 27(2): 213-218.
- Gunningham, N. (1999), *CEO and Supervisor Drivers: Review of Current Literature and Current Practice*, Canberra: NOHSC.
- Hasle, P., Limborg, H.J., Kallehave, T., Klitgaard, C. and Andersen, T.R. (2012), The working environment in small firms: Responses from owner-managers, *International Small Business Journal*, 30(6): 622-639.
- Holmes, N. & Gifford, S.M. (1997), Narratives of risk in occupational health and safety: Why the 'good' boss blames his tradesman and the 'good' tradesman blames his tools, *Australian and New Zealand Journal of Public Health*, 21(1): 11-16.
- International Labour Organisation (ILO) (2005), *Report on the Regional Tripartite Workshop on National Occupational Safety and Health Programmes*, Proceedings of Regional Tripartite Workshop on National Occupational Safety, Thailand.
- Jones, T. & Ram, M. (2007), Re-embedding the ethnic business agenda, *Work, Employment and Society*, 31(3): 439-57.
- Kitching, J. (2006), A burden on business? Reviewing the evidence base on regulation and small-business performance, *Environment and Planning C: Government and Policy*, 24: 799-814.
- Kloosterman, R. & Rath, J. (2001), Immigrant entrepreneurs in advanced economies: Mixed embeddedness further explored, *Journal of Ethnic and Migration Studies*, 27(2): 189-202.
- Kloosterman, R., Van Der Leun, J. & Rath, J. (1999), Mixed embeddedness: (In)formal economic activities and immigrant businesses in the Netherlands, *International Journal of Urban and Regional Research*, 23(2): 252-66.
- Kloosterman, R.C. (2010), Matching opportunities with resources: A framework for analysing (migrant) entrepreneurship from a mixed embeddedness perspective, *Entrepreneurship & Regional Development*, 22(1): 25-45.
- Lancaster, R., Ward, R., Talbot, P. & Brazier, A. (2003), *Cost of Compliance with Health and Safety Regulations in SMEs*. Prepared by Entec UK Ltd for the Health and Safety Executive. Available at www.hse.gov.uk/research/rrpdf/rr174.pdf.
- Lee, E. 2008. Socio-political contexts, identity formation and regulatory compliance, *Administration & Society*, 40(7): 741-769.
- Lord Young (Oct 2010), *Common Sense: Common Safety*. Available at www.number10.gov.uk.
- MacEachen, E., Kosny, A., Scott-Dixon, K., Facey, M., Chambers, L., Breslin, C., Kyle, N., Irvin, E. & Mahood, Q. (2010) Workplace health understandings and processes in small businesses: A systematic Review of the qualitative literature, *Journal of Occupational Rehabilitation*, 20(2): 180-98.
- Mayhew, C. (1997), *Barriers to Implementation of Known Occupational Health and Safety Solutions in Small Business*. Canberra: AGPS.
- Mayson, S. & Barrett, R. (2006), The 'science' and 'practice' of HRM in small firms, *Human Resource Management Review*, 16: 447-55.
- Nichols, T. (1997), *The Sociology of Industrial Injury*, London: Mansell.
- Pilkington, A., Graham, M., Cowie, H., Mulholland, R., Dempsey, S., Melrose, A. & Hutchinson, P. (2002), *Survey of Use of Occupational Health Support*, Sudbury: HSE Books.
- Pricewaterhouse Coopers (2012), *Impact of the Proposed National Model Work Health and Safety Laws in Victoria, Summary Report of the Supplementary Impact Assessment*, accessed 4 April 2012. Available at <http://www.pwc.com.au>

- Quinlan, M. & Johnstone, R. (2009), The implications of de-collectivist industrial relations laws and associated developments for worker health and safety in Australia, 1996-2007, *Industrial Relations Journal*, 40: 436-43.
- Ram, M., Theodorakopoulos, N. & Jones, T. (2008), Forms of capital, mixed embeddedness and Somali enterprise, *Work Employment & Society*, 22(3): 427-46.
- Renn, O. & Rohrman, B. (2000), *Cross-Cultural Risk Perception. A Survey of Research Results*, Kluwer Academic Publishers, New York, NY, USA.
- Rigby, M. & Lawlor, T. (2001), Health and safety in small firms with reference to Spain, *International Small Business Journal*, 9: 31-48.
- Rohrman, B. & Chen, H. (1999), Risk perception in China and Australia: An exploratory cross cultural study, *Journal of Risk Research*, 2: 219-41.
- Safe Work Australia (2010), *Model Work Health and Safety Bill*, Revised Draft 26/11/2010. Available at www.safeworkaustralia.gov.au.
- Safe Work Australia (2011), *National Work Health and Safety Strategy 2012-2022*, Available at: www.safeworkaustralia.gov.au
- Storey, D.J. & Greene, F. (2010), *Small Business and Entrepreneurship*, FT Prentice Hall: UK.
- Templer, L. (2012), New Zealand and the proposed Australian model workplace health and safety act, *New Zealand Journal of Employment Relations*, 37(1): 90-96.
- Tooma, M. (2012), The end of work health and safety harmonisation? *OHS Professional*, March 2012:10-11.
- Vershinina, N., Barrett, R. & Meyer, M. (2011), Forms of capital, intra-ethnic variation and Polish entrepreneurs in Leicester, *Work, Employment and Society*, 25(1): 1-17.
- Vickers, I., James, P., Smallbone, D. & Baldock, R. (2005), Understanding small firm responses to regulation: The case of workplace health and safety, *Policy Studies*, 26(2): 149-69.
- Volery T (2007) Ethnic entrepreneurship: A theoretical framework: In Dana LP (ed) *Handbook of Research on Ethnic Minority Entrepreneurship: A Co-evolutionary View on Resource Management*, Cheltenham: Edward Elgar, pp. 30-41.
- Walters, D. & Lamm, F. (2003), OHS in small organisations: Some challenges and ways forward, *Working Paper 15 National Research Centre for OHS Regulation*, Australian National University, Canberra.
- Walters, D. (2001), *Health and Safety in Small Enterprise*. Oxford: PIE Peter Lang.
- Wilkinson, A. (1999), Employment relations in SMEs, *Employee Relations*, 21: 206 -17.
- Wright, S. (1998), *Factors Motivating Proactive Health and Safety Management*. Sudbury: HSE Books.