Putting Human Resource Policies into Practice:  
The Adoption and Implementation of HR Policies in Canadian Workplaces

1. Project Summary

The road from policy to practice is rarely a straight path moving in one direction. This research will examine ways in which three specific human resource policies gained credence, spread and were implemented in Canadian workplaces. It will explore the roles of Human Resource professionals in developing and interpreting policy, and the ways in which HR professionals influence the access and utilization of policies. Though not comparative itself, this research will also be designed in order to provide a useful comparator to analyses of developments in U.S. workplaces, thus showing the relevance of national legal and workplace culture variability.

This research project will examine the adoption, content, and implementation of maternity and parental leave, sexual harassment, and flexible work arrangements (FWA) in Canada. Over the course of the RDI grant period, this project will involve consultation with international scholars who have conducted research into Human Resource policy diffusion elsewhere, the development of an appropriate sample, interviews with key informants and the development of a survey and interview guide. In doing so, this project will lay the groundwork for a major survey and interviewing project. The objectives of the full project are:

1. To document the diffusion of equity policies in Canadian private and public businesses
2. To document, compare and contrast the content of human resource equity policies
3. To document, compare and contrast the means used to implement these policies with reference to the role of Human Resource professionals
4. To assess the differential impact based on differences in content and implementation

Funding from the RDI program will allow me to build the base for a large scale project to begin in the spring of 2009. The specific objectives of the RDI project are:

1. To conduct secondary research and develop networks necessary for launching a major study into equity policy content and implementation in Canada
2. To develop a sample, interview guide and survey instrument in consultation with key informants
3. To pilot the instruments

Once completed, this work will launch a significant piece of research contributing to the advancement of research in human resource management, business organizational development, the sociology of work, and issues of equity in the workplace. The Canadian context will provide a valuable comparator to the U.S. studies already available and will therefore help to internationalize human resources research.
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2. Detailed Description

Human resource policies abound in Canadian work organizations. From sexual harassment to maternity leave to flexible work options, organizations have incorporated policies to combat discrimination as well as to help manage and retain a competitive workforce. Some of these policies have their origins in law and regulations, and some are the outgrowth of unions and collective bargaining. Policies also may be implemented to solve workforce issues, such as the retention of professional and highly skilled workers, and may help establish a company’s reputation as a good employer. Often couched in the language of “best practices”, employers and human resource managers have as their goal the adoption and implementation of effective policies. Yet where do these “best practices” originate? What are the origins of policies adopted by corporations? In the research proposed here, I intend to examine the reasons why specific policies arise at certain times and how these policies are implemented. Doing so will add to discussions around human resource policy development and “best practices.”

Objectives

This research project will examine the adoption, content, and implementation of three types of human resource policies focused on equity issues concerning gender and work-family balance. The project will focus on: maternity and parental leave, sexual harassment, and flexible work arrangements (FWA). Over the course of the RDI grant period, this project will involve consultation with international scholars who have conducted research into Human Resource policy diffusion elsewhere, the development of an appropriate sample, interviews with key informants and the development of a survey and interview guide. In doing so, this project will lay the groundwork for a major survey and interviewing project. The objectives of the full project are:

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While this research builds upon my expertise in the Sociology of Work and on sexual harassment litigation, it is also a significant departure from my previous work. Because the focus and theoretical framework I propose deviate from my previous work, they will require a significant engagement with this literature. Second, two of the policy arenas in the study, maternity/parental leave and flexible work arrangements, are new areas for me. While the sexual harassment policy arena builds on my previous expertise, the focus of this project moves me in a different direction in terms of workplace policies. My extensive experience in developing and conducting both qualitative and quantitative research, however, will provide a solid foundation from which to begin branching out in these new areas. Funding from the RDI program will allow me to build the base for a large scale project to begin in the spring of 2009. The specific objectives of this RDI project are:

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3. To pilot the instruments

Once completed, this research will set the stage for a significant piece of research contributing to the advancement of research in human resource management, business organizational development, the sociology of work, and issues of equity in the workplace. The research will stand as a valuable comparator to the U.S. studies already available and will therefore help to internationalize human resources research.

Context

The quest for efficiency is often emphasized by organizational theorists as the motivator behind the adoption of formalized organizational governance, including human resource policies (Edelman 1990, Sutton et al. 1994). The search for “best practices” is often conceptualized as part of a market driven force whereby intraorganizational actors, such as human resource managers, look to incorporate the most successful policies. Alternatives to this approach exist in various literatures. For example, research influenced by industrial relations discuss how unions push for formalized workplace policies to ensure fair treatment of workers (Edelman 1990). Here policy adoption is linked to issues of control and conflict between management and workers.

Arising as an alternative to both the efficiency and the control perspectives, the “new institutionalism” brings in the role of the state and the legal environment for understanding the formalization of organizations and the adoption of specific types of human resource policies (DiMaggio and Powell 1983, Dobbin and Sutton 1998). Organizations may develop policies to signal compliance with the law, such as human rights law. Viewing organizations not as isolated or “closed” units, this research tradition demonstrates that the adoption and implementation of organizational policies is affected by the external legal environment. The questions for this proposed research development initiative are influenced by scholars working in this tradition. The following section discusses the relevancy of this work for my project.

The Legalization of the Workplace

Why do organizations implement certain human resource policies? One prominent school of thought from the study of U.S. organizations focuses on how the state and the legal environment influences organizational structure and policies. This perspective emphasizes the “legalization of the workplace” (Edelman, Kelly and Dobbin 1999). In the legalized workplace regime, shifts in U.S. employment and discrimination law diffuse into organizations, spreading formalized and legal employment policies in these workplaces (Kelly and Kalev 2006). In this regime, the legal environment external to organizations creates constraints and opportunities for the development of specific policies. For example, in their analysis of the origins of maternity leave policies in U.S. businesses, Kelly and Dobbin (1999) illustrate that legal changes, sometimes hidden in administrative law, had profound effects on the creation of these policies. Well before the Family Medical Leave Act of 1993 that enshrined maternity leaves into U.S. law, many employers were already offering some type of maternity leave for their employees. Kelly and Dobbin conclude that it was not policies specific to maternity leave that created these policies (or an environment where they could occur), but rather it was shifts in U.S. sex discrimination law. Underlying these arguments is a critique of the “common sense” notion that human resource policies originate due to market forces or employee pressure and are not driven by public policy, including laws and regulations. In a series of studies on issues ranging from grievance procedures to sexual harassment, affirmative action programs, and employer sponsored child-care, U.S.

1 Much research on this issue focuses on the long term evolution of bureaucratization. Including in these analyses are the rise of grievance procedures, human resource departments and discrimination policies (e.g. Edelman 1990, Sutton et al. 1994, Dobbin and Sutton 1998). An overview of the longstanding debates, including the conceptualization of organizations as closed systems unaffected by their external environments, is beyond the scope of this research proposal.
Sandy Welsh 

scholars in the legalization of the workplace tradition demonstrate the “strength of the weak state” for creating a legal environment that affects the creation of human resource policies (Dobbin and Sutton 1998).

While studies in the U.S. context have been insightful, much less is known of the Canadian context. Little has been done to trace the adoption and implementation of human resource policies in terms of changes in employment and discrimination law, not just in terms of changes in the law specific to that policy. For example, to what extent did employers have maternity leave policies before the Canadian government mandated maternity leaves? How were sexual harassment policies affected by changes in human rights law and the creation of human rights commissions? The legalized workplace perspective provides an opportunity to shed light on the development of human resource policies and to highlight the role of the state as a central actor in the creation of organizational policies.

The Role of Human Resource Professionals

Scholars in the legalized workplace tradition emphasize the ambiguity that may exist in the law around certain policy issues. The law may state that companies should not discriminate or must allow maternity leaves, but the law often says little as to the content of policies to achieve its goals. Here human resource professionals enter. Through their mobilization, human resource professionals play an important role in determining the content and enactment of specific policies. For instance, Dobbin and Kelly (2007) found that personnel managers were able to popularize their chosen solutions for compliance with U.S. sexual harassment law. Personnel managers emphasized grievance procedures and sensitivity training although no legal precedents stated that these measures would allow employers to avoid liability. Employers consulting personnel managers about sexual harassment were more likely to adopt grievance procedures and sensitivity training than other employers. This work demonstrates the how personnel managers were able to mobilize and to create legitimacy for their particular policy agenda around sexual harassment.

Other work points to more micro-level explanations for understanding the ambiguity around policy issues. This work examines the discretion human resource managers may exercise in their decisions as to who receives access to certain policies. In the case of flexible work arrangements, Kelly and Kalev (2006) demonstrate that even when formalized policies exist around access to flexible work arrangements, human resource managers are in the position to decide who is able to take advantage of these policies and may use them to reward good workers. Quinn states “the question is not whether law penetrates into organizations but what it looks like when it gets there” (2007, p. 17). Human resource professionals are positioned to interpret the law for organizations and at the same time are accountable to managerial goals that may be at odds with the law. As a group, human resource professionals are a central party for understanding both the content and enactment of human resource policies.

The Canadian Context

The Canadian context is, in many ways, the perfect comparator for the U.S. data. Many of the companies under study will have been influenced by American parent companies or by developments in the U.S. human resources field. Because the legal environments are distinct, however, developments in Canada emerge in response to both the Canadian legal context and the U.S. influenced human resources trends.

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2 This work also calls into question the continued bureaucratization of workplaces. In this era of workplace restructuring, including movements toward non-standard work, team-based work and flatter management structures, Kelly and Kalev (2006) also discuss how some organizations may be moving away from a “legalized management regime” to a “restructured management regime” that combines formalized policies with managerial discretion. Although not fully discussed in this proposal, I hope to examine whether this same process is unfolding in Canadian workplaces.
I have chosen the three policy arenas of sexual harassment, maternity and parental leave, and flexible work arrangements, in part, due to the different U.S. and Canadian contexts. These areas are also chosen because they are relevant policy issues for Canadian workplaces today and they allow me to build on my previous track record in the area of women and work. Below I provide more details about the context of each policy area.

In the area of sexual harassment law, U.S. employers are driven to comply, in part, due to the threat of civil litigation and large lawsuits (e.g. Mitsubishi). The human rights framework in Canada, however, is less punitive in terms of monetary awards and more remedial in focus (Welsh et al. 2004). Also affecting sexual harassment policies in Canada may be the coverage of U.S. sexual harassment cases in the media. In preliminary data collection of media coverage of sexual harassment issues, I found Macleans and the Globe and Mail gave significant attention to dramatic U.S. cases. Both the timing of adoption of policies as well as the content of these policies are, therefore, significant.

Maternity and parental leave is also dramatically different in Canada. In the U.S., current maternity and parental leave policies are guided by the Family and Medical Leave Act of 1993. In Canada, the Unemployment Insurance Act added a provision for maternity leave in 1971 (Marshall 2003). This allowed mothers with 20 or more insurable weeks to claim up to 15 weeks of benefits. In 1990, the federal government added an additional 10 weeks of parental leave. These additional weeks can be used by either parent or split between parents. The last change occurred in 2000, when parental leave was increased to 35 weeks. Combined, maternity and parental leave now covered one year. As part of this program, parents could receive 55% of their average insured earnings up to a maximum of $413 per week. From these policies, it is clear that maternity and parental leave is supported by the federal and provincial governments and employers must allow parents to take these leaves. Yet this does not tell the complete story. While these policy changes have increased the number of mothers and fathers taking parental leave, the number of fathers taking leave lags far behind that of mothers. In 2001, approximately 10 percent of fathers with children under 13 months either took or planned to take parental leave compared to 77 percent of mothers (Marshall 2003). As well, some employers offer additional maternity and parental leave benefits, such as salary top-ups. Even with federally mandated maternity and parental leave, variability exists across organizations in this policy arena.

Flexible work arrangements (FWA) including job sharing, flex hours and compressed work weeks are not linked to any specific law or regulation. Rather Canadian employers may offer this types of arrangements to provide “family-friendly” options to employees (Duxbury and Higgins 2001). As well, these types of arrangements may be viewed as promoting gender equity in the workplace. In 2005, a little over 34 percent of Canadians worked flexible hours (Comfort et al. 2003). Much of the research on FWA examines the effect of these policies on workers as well as why more workers do not take advantage of these policies (Hochschild 1997). By focusing on the adoption and implementation of these policies, this research will compliment this work by bringing issues around policy access and managerial discretion.

These three arenas represent different challenges for human resource managers and opportunities to see how the law diffuses into organizational practices. Building on Kelly and Kalev’s analysis of FWA in U.S. organizations, I will examine how practices in these three policy arenas are “conceptualized, justified and administered by managers” in Canadian companies (2006, p. 380).

Proposed Research Plan

The research proposed here represents the initial stages of a larger research plan. The proposed research will allow me to gain the background needed and to develop the in-depth qualitative interview and survey instruments for the larger study. For the larger study, the in-depth qualitative interviews will
allow me to collect data on the processes, implementation, and rationale for the three human resource policy arenas. The survey data will allow me to collect data on whether or not companies adopted certain policies and procedures, when policies were adopted (and possibly discontinued) and information about workforce and organizational characteristics.

*Context and Consultation*

I will begin this research project with in-depth contextual research into the laws and human resource practices for the three policy arenas. This is necessary to gain familiarity with the law as well as HR practices. I will collect Canadian laws and regulations, legal decisions, law journal articles, and HR journal articles on the three policy arenas for the time period 1977-2007. My Research Assistants and I will search legal and business journal databases for sexual harassment, maternity and parental leave, and flexible work options/arrangements. I expect to have this portion of the project completed by August 2008.

During this same period, I will also conduct about 12 key informant interviews with leaders of federal and provincial HR organizations. From these interviews, I hope to discover the types of policies and practices currently discussed in the three policy arenas, when these types of policies were first adopted, and how policies and practices in these arenas changed since adoption. I will determine the questions to ask in terms of policy adoption for the large survey, and explore more process-oriented questions for the in-depth interviews. I will also use these interviews to help make decisions as to the scope of my study: should it be based on a national sample, several provinces selected for particular comparisons, or one province? I also will discuss how best to approach HR managers for both the in-depth interviews and the survey (e.g. should we do telephone, web-based or mail survey?). I intend to contact leaders from: The Canadian Council of Human Resource Associations (CCHRA); Human Resources Institute of Alberta (HRIA); British Columbia Human Resources Management Association (BC HRMA); Human Resources Management Association of Manitoba (HRMAM); Human Resources Association of New Brunswick (HRANB)/Association des ressources humaines du Nouveau-Brunswick (ARHB); Human Resources Professionals Association of Newfoundland and Labrador (HRPNL); Human Resource Association of Nova Scotia (HRANS); Human Resources Professionals of Ontario (HRPAO); Ordre des CRHA et CRIA du Québec (ORHRI); and Saskatchewan Association of Human Resource Professionals (SAHRP).

Once I have conducted a number of key informant interviews and reviewed the published sources, I will also consult with other scholars who are engaged in this type of work. One of the leading scholars in the field, Dr. Erin Kelly (University of Minnesota), has agreed to consult with me on this project. She has agreed to share her interview guides and the surveys used in her study of U.S. HR policies and practices. She has also agreed to meet with me to discuss the development of my interview schedule and sampling frame. I intend to schedule this meeting for early autumn 2008.

*Development of Research Instruments*

In the fall and winter of 2008/09, I will develop and pilot the interview schedule and survey instrument. I will rely heavily on information gained through the consultations, key informant interviews and background reading as I prepare both the interview schedule for the open-ended interview portion and the content for a mail/web survey of the planned major study. As part of this research development initiative, I plan to do a pilot study of 10 open-ended interviews with HR professionals to refine my interview schedule and to check for data quality. All interviews will be transcribed verbatim and coded with NVivo for themes using the method of constant comparison. Based on these interviews, as well as my consultations with Dr. Kelly, I will finalize the interview schedule for the major study and develop the items for the survey.

*Sample Selection*
The major study will include in-depth interviews with 50 HR Professionals or individuals entrusted with HR duties, and a survey of Canadian businesses with a projected sample size of 300. Based on my key informant interviews, I will decide on the scope of my samples for both the in-depth interviews and the survey. Regardless of this, I plan to sample establishments and then contact HR professionals at those establishments for interviews. If no HR professional is on staff (as I expect to find in small companies), I will interview the owner or employee responsible for HR issues. Although part of my plan for the RDI is to develop inclusion and exclusion criteria for the sample, the research literature points to certain organizational characteristics where I wish to ensure some variability exists across the sample. These characteristics include: level of unionization, percentage of female workforce and average establishment size. I will use the Canadian Key Business Directory to select part of my sample. This directory provides contact information for approximately 20,000 of the largest companies in Canada. I also want to ensure I capture small employers. For this, I plan to contact local business associations and boards of trades to obtain lists of companies. Finally, I will also use information from the key informant interviews to help me decide other inclusion/exclusion criteria. I will conduct this portion of the program during the spring of 2009. I plan to then apply for a SSHRC research grant in the fall of 2009.

Relationship to Previous and On-going Research

This project builds on the skills I have developed in the area of the sociology of work over the last 15 years. My research agenda in the area of sexual harassment explores both the experience of women experiencing sexual harassment and the handling of sexual harassment complaints. This work developed my interest in women’s employment issues and provides a solid grounding for the new research proposed in this RDI. I bring to this project a broad background in the study of work and workplaces. Other funded research on complementary alternative medicine and natural health products uses key informant and practitioner interviews to understand the role of professions and professional associations in the development of regulation and policies in these areas. I also co-wrote a Sociology of Work undergraduate textbook (Adams and Welsh 2008) which demonstrates my general background in the area of work and organizations. As part of my previous work, I have a proven track record for research using a variety of methods, including content analysis of documents, quantitative analysis of surveys and in-depth interviewing. Finally, I have developed the collaborative skills necessary to move this project forward. I was a key player in the funding of both a CIHR network grant and research centre grant. To fulfill the goals of this RDI and to develop the larger study, I hope to use my collaborative skills to include other researchers in this project.

This project simultaneously builds on my past strengths and opens up new vistas for me. The goal is to produce new findings of significance to the business and management research community, to researchers in the sociology of work, and to HR policy debates. I intend to begin my consultations with the various stakeholders in this research early in the process to assure that my work will address issues of concern in both the theoretical debates and in practical workplace settings. The research proposed here has important policy implications for understanding how human resource policy evolved in Canada. It also speaks to important current workplace issues are gender and family. By exploring the adoption and implementation of the three policy arenas of sexual harassment, maternity and parental leave and flexible work arrangements, I hope to address issues concerning the effectiveness of existing policies.
3. Description of Team: n/a

4. Role of Students
I will hire one Ph.D. Research Assistant for the duration of the project. This student will assist in every aspect of the study. This will be an invaluable experience for the student. S/he will learn the various elements involved in planning a large study, will develop skills in locating interview respondents, interviewing and coding of interviews and in writing up initial findings. The student would also assist in developing a full grant proposal based on this research development initiative.

I will also hire one part-time M.A. student for the duration of the project. The M.A. student will assist with the library research and compiling a data base for documents collected. The student will work with me to develop summaries and reports on the three policy arenas. The M.A. student will also assist in the group coding of interviews to develop themes. The student will assist in the coding of the interviews in NVivo. The training provided will give the student exposure to the various components in a research project as well as the analysis of qualitative data.
5. List of References


6. Budget Justification

Graduate Student Research Assistants:
One full-time Ph.D. student ($25/hour X 1.14 Benefits X 480 hours) at $13680 for the year. This student will assist in every aspect of the study. This will be an invaluable experience for the student. S/he will learn the various elements involved in planning a large study, will develop skills in locating interview respondents, interviewing and coding of interviews and in writing up initial findings. The student would also assist in developing a full grant proposal based on this research development initiative.

One half-time M.A. student ($22/hour X 1.14 Benefits X 240 hours) at $6019 for the year. The M.A. student will assist with the library research and compiling a data base for documents collected. The student will work with me to develop summaries and reports on the three policy arenas. The M.A. student will also assist in the group coding of interviews to develop themes. The student will assist in the coding of the interviews in NVivo. The training provided will give the student exposure to the various components in a research project as well as the analysis of qualitative data.

Travel:
Domestic: $750 to attend the annual meeting of the Canadian Council of Human Resource Association in Ottawa. This trip will be used to make contacts and interview H.R. professionals. $250 is for round trip air fare from Toronto to Ottawa. $300 is for 2 nights lodging ($150/night), $100 is for two days per diem ($50/day), $100 is for taxi and other transit costs.

International: $1263 is needed for a two day trip to Minneapolis to consult with Dr. Erin Kelly at the University of Minnesota. $598 is for round trip air fare to Minneapolis. $340 for two nights lodging ($170/night), $225 for 3 days per diem ($75/day) and $100 for taxi and transit fees.

Student Travel (international): Student will accompany me to Minneapolis to meet with Dr. Kelly. $1263 is needed for a two day trip to Minneapolis to consult with Dr. Erin Kelly at the University of Minnesota. $598 is for round trip air fare to Minneapolis. $340 for two nights lodging ($170/night), $225 for 3 days per diem ($75/day) and $100 for taxi and transit fees.

Professional Technical Services: $4400 for transcription costs. Key informant and pilot study interviews will need to be transcribed. I plan to complete 12 key informant and 10 pilot study interviews. Interviews will be approximately 2 hours long leading to approximately 8 hours of transcription per interview (1 hour of interview=4 hours of transcription). 22 interviews X 8 hours transcription X $25/hour transcription fee = $4400.

Supplies: Total $600 or $50/month. Included in this are costs for long distance phone calls for non-local phone interviews to key informants and selected respondents for pilot studies; paper; ink for printer, photocopying costs for interview schedules, and other miscellaneous office supplies.

Equipment: Total: $3,150.
Laptop computer will be purchased for use by graduate student R.A. I will purchase a Toshiba Satellite X200 costing approximately $3,000 when taxes are included.

Digital Voice Recorders: $150 is needed for the purchase of an Olympus ds-2 digital voice recorder for recording interviews.

Software: $990 for two site license for NVivo qualitative software. The project computer purchased will need NVivo. I will also need NVivo on my office computer to assist in data analysis.
7. Letters of Support from Partners: n/a
8. Supporting Documentation n/a