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REGULATING WORKPLACE SAFETY

SYSTEMS AND SANCTIONS

Neil Gunningham
Richard Johnstone

OXFORD SOCIO-LEGAL STUDIES

Regulating Workplace Safety System And Sanctions

**Hannah Quirk, Toby Seddon, Graham
Smith**



Regulating Workplace Safety System And Sanctions:

Regulating Workplace Safety Neil Gunningham, Richard Johnstone, 1999 Drawing from experience internationally on recent and important developments in regulatory theory and upon models and approaches constructed during the author's empirical research this book addresses the question how can law influence the internal self regulation of organisations in order to make them more responsive to occupational health and safety concerns In this context it is argued that Occupational Health and Safety management systems have the potential to stimulate models of self organisation within firms in such a way as to make them self reflective and to encourage informal self critical reflection about their occupational health and safety performance This book argues for a two track system of regulation under which enterprises are offered a choice between a continuation of traditional forms of regulation and the adoption of a safety management system based approach on the other The book concludes with a discussion of the use of criminal and administrative sanctions to provide organisations with incentives to adopt effective Occupational Health and Safety management systems The book proposes a wider range of criminal sanctions and sentencing guidelines to ensure employers receive sentencing discounts where they have introduced effective management systems

Regulating Transnational Corporations in Domestic and International

Regimes Evaristus Oshionebo, 2009-01-01 This study explores the range of strategies for regulating the social and environmental practices of TNCs in Africa's extractive industries

The Regulation and Management of Workplace Health and Safety Peter Sheldon, Sarah Gregson, Russell Lansbury, Karin Sanders, 2020-07-12 The book provides a collection of cutting edge multi disciplinary research based chapters on work workers and the regulation and management of workplace health and safety Featuring research from Australia Europe and North America the chapters traverse important historical examples and place important emerging contemporary trends like work in the gig economy into wider international and historical perspectives The authors are leading authorities in their fields The book contributes to advancing our knowledge empirical and theoretical of the ways in which labour market dynamics management strategies state regulation and public policy and union organisation affect outcomes for workers It features in depth exploration of and reflection on some of the major labour market challenges facing workers and analysis of strengths and weaknesses of responses to those challenges whether via management state regulation or collective employee voice The chapters highlight shifts in in equality of outcomes access to security and flexibility at work genuine access to workplace voice and decision making and the implications of different avenues and mechanisms for regulating work and employment The text is aimed at researchers undergraduate and postgraduate students in work and organisational studies industrial employment relations and human resource management workplace or occupational health and safety employment law and labour history It will also be of particular interest to policy makers and practitioners working in the field of workplace health and safety

Regulatory Governance and Risk Management Binglin Yang, 2011-07-27 Regulatory Governance and Risk Management will be the

first book addressing the diffusion of risk based governance in the coal mining industry from a health and safety standpoint. More specifically it aims to understand a puzzling phenomenon. Since the 1990s the approach of risk based governance has been widely adopted in almost all developed countries in Europe and commonwealth countries. It however has diffused much more slowly in the U S. Using a diffusion approach and comparisons between Australia and the U S this book examines mechanisms that both drive and prevent the diffusion of risk based governance in the coal mining industry. This book has two major selling points. First this is a timely work given the Upper Big Branch coal mine explosion occurred in April 2010. After this disaster many asked why an enhanced level of enforcement after 2006 has not prevented catastrophic accidents from occurring and why risk based governance which helps other countries achieve better safety performance has been largely ignored in the U S. This book answers these questions and makes recommendations on how to remove barriers in moving toward risk based governance. Second this book is readable because it embeds theories into storytelling and gives particular emphasis on the influence of key strategic individuals.

Legal Regulation of Corporate Social Responsibility Mia Mahmudur Rahim, 2013-11-27. Even though Corporate Social Responsibility (CSR) has become a widely accepted concept promoted by different stakeholders, business corporations' internal strategies known as corporate self regulation in most of the weak economies respond poorly to this responsibility. Major laws relating to corporate regulation and responsibilities of these economies do not possess adequate ongoing influence to insist on corporate self regulation to create a socially responsible corporate culture. This book describes how the laws relating to CSR could contribute to the inclusion of CSR principles at the core of the corporate self regulation of these economies in general without being intrusive in normal business practice. It formulates a meta regulation approach to law particularly by converging patterns of private ordering and state control in contemporary corporate law from the perspective of a weak economy. It proposes that this approach is suitable for alleviating regulators' limited access to information and expertise, inherent limitations of prescriptive rules, ensuring corporate commitment and enhance the self regulatory capacity of companies. This book describes various meta regulation strategies for laws to link social values to economic incentives and disincentives and to indirectly influence companies to incorporate CSR principles at the core of their self regulation strategies. It investigates this phenomenon using Bangladesh as a case study.

Responding to Environmental Crimes Mark Wright, 2021-11-09. This book provides a critical study of environmental regulation and its enforcement in New Zealand situated within green criminology. It seeks to address the question of whether the offences in the Resource Management Act 1991 are working by drawing on a range of sources including central government data, local government policies and reports on enforcement, information requests of councils, studies of local authority enforcement behaviour and case law. Through highly layered and richly textured analysis the project exposes the problems that can arise when an expansive approach is taken to offences, penalties and institutional arrangements in an environmental regulatory statute. It emphasizes how discussions of harm and what should be unlawful will ensure that law

makers enforcement tools will align with their goals for punishment It examines higher level issues such as wrongfulness and criminality in the environmental regulatory context and explores the relevance of its findings to jurisdictions outside of New Zealand It also discusses the pros and cons of criminalisation and punishment versus restoration It speaks to those interested in green criminology regulatory compliance and enforcement and applications of criminal law Achieving Regulatory Excellence Cary Coglianese, 2016-12-20 Whether striving to protect citizens from financial risks climate change inadequate health care or the uncertainties of the emerging sharing economy regulators must routinely make difficult judgment calls in an effort to meet the conflicting demands that society places on them Operating within a political climate of competing demands regulators need a lodestar to help them define and evaluate success Achieving Regulatory Excellence provides that direction by offering new insights from law public administration political science sociology and policy sciences on what regulators need to do to improve their performance Achieving Regulatory Excellence offers guidance from leading international experts about how regulators can set appropriate priorities and make sound evidence based decisions through processes that are transparent and participatory With increasing demands for smarter but leaner government the need for sound regulatory capacity for regulatory excellence has never been stronger Corporations and Criminal Responsibility Celia Wells, 2001 Contemporary concern about technological hazards posed by business enterprises has intensified interest in the criminality of corporations Incorporating ideas from a wide range of literature the book argues that there is no magic answer to corporate power to issues of personal safety and their inter relationship with criminal law and justice The attention paid to corporate criminal liability by courts legislatures law reform bodies and international organizations has increased markedly in the past decade As in the first edition the book takes what might be called a panoptic approach to the subject Corporations and their susceptibility to criminal law are examined from sociological psychological philosophical and organizational perspectives as the book progresses This edition has been revised and updated to take account of the burgeoning scholarly literature Detailed analysis of judicial and legislative movements in England and Wales in other national jurisdictions and at the level of international organizations follows Two new chapters on corporate manslaughter and on comparative and international responses to corporate crime accommodate these changes The book is distinctive in combining legal analysis and discussion of law reform debates with a theoretical account of the relationship between legal institutions and the role of risk and blame in shaping criminal law and the practices of the criminal justice system

Beyond The Risk Society: Critical Reflections On Risk And Human Security Mythen, Gabe, Walklate, Sandra, 2006-08-01 Bringing together cutting edge academics and researchers Beyond the Risk Society provides an understanding of the relevance and impact of the concept of risk in various subject areas Contributions by domain experts critically evaluate the way in which theoretical risk perspectives have influenced their fields of interest offering the opportunity to reflect upon the problems and possibilities for future work on risk **Shades of Green** Neil

Gunningham, Robert A. Kagan, Dorothy Thornton, 2003 This in depth study of fourteen pulp manufacturing mills in the United States Canada Australia and New Zealand provides the most extensive and systematic empirical examination to date of the reasons firms achieve the levels of environmental performance that they do

The Oxford Handbook of White-Collar Crime Shanna R. Van Slyke, Michael L. Benson, Francis T. Cullen, 2016-03-01 Although white collar crime has caused a substantial amount of damage on both the individual and societal levels it often ranks below street crime as a matter of public concern Thus white collar crime remains an ambiguous and even controversial topic among academics with a relative dearth of scholarly focus on the issue The Oxford Handbook of White Collar Crime offers a comprehensive treatment of the most up to date theories and research regarding white collar crime Contributors tackle a vast range of topics including the impact of white collar crime the contexts in which white collar crime occurs current crime policies and debates and examinations of the criminals themselves The volume concludes with a set of essays that discuss potential responses for controlling white collar crime as well as promising new avenues for future research Uniting conceptual theories empirical research and ethnographic data the Handbook provides the first unified analytic framework on white collar crime Given the astronomical aggregate losses to victims building a more nuanced understanding of the dynamics of white collar crime is a topic of immediate social concern The definitive resource on white collar crime this Handbook will be a valuable resource for developing both intellectual and policy related solutions

Reconstructing Criminal Law Nicola Lacey, Celia Wells, Oliver Quick, 2003-09 The authors analyse central aspects of criminal law in the context of the assumptions surrounding it and employ a number of critical approaches including a feminist perspective to give insights into the current state of the law

Industrial Hygiene Control of Airborne Chemical Hazards, Second Edition William Popenorf, 2019-06-26 Are you a practicing occupational hygienist wondering how to find a substitute organic solvent that is safer to use than the hazardous one your company is using Chapter 6 is your resource Are you a new hygienist looking for an alternative technology as a nonventilation substitute for an existing hazard Chapter 8 is your resource Are you looking for an overview of ventilation Chapters 10 and 11 are your resource Are you an industrial hygiene student wanting to learn about local exhaust ventilation Chapters 13 through 16 are your resource Are you needing to learn about personal protective equipment and respirators Chapters 21 and 22 are your resources This new edition brings all of these topics and more right up to date with new material in each chapter including new governmental regulations While many of the controls of airborne hazards have their origins in engineering this author has been diligent in explaining concepts writing equations in understandable terms and covering the topics of non ventilation controls both local exhaust and general ventilation and receiver controls at the level needed by most IHs without getting too advanced Taken as a whole this book provides a unique comprehensive tool to learn the challenging yet rewarding role that industrial hygiene can play in controlling airborne chemical hazards at work Most chapters contain a set of practice problems with the solutions available to instructors Features Written for the novice

industrial hygienist but useful to prepare for ABIH certification Explains engineering concepts but requires no prior engineering background Includes specific learning goals that differentiate the depth of learning appropriate to each topic within the fuller information and explanations provided for each chapter Contains updated governmental regulations and abundant references Presents a consistent teaching philosophy and approach throughout the book Deals with both ventilation and non ventilation controls

The Public Law/Private Law Divide Mark R Freedland, Jean-Bernard Auby, 2006-03-01 The contributions brought together in this book derive from joint seminars held by scholars between colleagues from the University of Oxford and the University of Paris II Their starting point is the original divergence between the two jurisdictions with the initial rejection of the public private divide in English Law but on the other hand its total acceptance as natural in French Law Then they go on to demonstrate that the two systems have converged the British one towards a certain degree of acceptance of the division the French one towards a growing questioning of it However this is not the only part of the story since both visions are now commonly coloured and affected by European Law and by globalisation which introduces new tensions into our legal understanding of what is public and what is private

Employment Law Stephen Taylor, Astra Emir, 2015 Employment Law 4e provides a complete and accessible introduction to the subject with a wealth of practical activities and a unique chapter on preparing and presenting a case

Regulation and Criminal Justice Hannah Quirk, Toby Seddon, Graham Smith, 2010-12-23 While regulatory institutions and strategies have been the subject of increasing academic attention there has been limited application of regulatory theories to criminal justice scholarship This collection of essays from a range of outstanding international scholars adopts a critical interdisciplinary approach providing an innovative application of regulatory theory to the practice of criminal justice and offering suggestions for further research Part I explores the aims and values of criminal justice and other regulatory networks and the synergies and tensions between these fields Part II examines criminal justice as a regulatory force to control deviant and anti social behaviour and Part III examines the regulation and oversight of criminal justice through the operation of prison inspectorates and explores notions of responsive justice

Labour Market Regulation and Deregulation in Asia Caroline Brassard, Sarthi Acharya, 2006 Papers presented at the Conference on Regulation Deregulation and Reregulation held at Singapore during 22-24 March 2004

A Malaysian Study of Mixed Methods Ruhizal Roosli, 2017-05-11 This book consists of ten chapters focusing on how to combine quantitative with qualitative methods in a research project The approach of combining both methods is called Triangulation In the social sciences triangulation is often used in combining several research methods to study one subject However it is not in itself a method in the same way as a quantitative or qualitative approach with a specific paradigm Triangulation is a plan structure and investigation strategy deployed to obtain answers to problems identified at an earlier stage and is widely used by researchers due to its capability in cross checking the validity of findings and its minimal risk of bias This book details the triangulation approach through its use in a real research project

Although there are a number of books which discuss general research guidelines and methods there is a notable lack of such books in social sciences which provide an example of integrating quantitative and qualitative methods in one research project. As such the contents of this book will be useful to students, academicians and practitioners conducting research work.

Governance and Regulation in Social Life Augustine Brannigan, George Pavlich, 2007-03-06. The shift from crime to governance in the sociology of law. George Pavlich and Augustine Brannigan. The importance of being ambiguous: theorising white collar crime. Fiona Haines and Adam Sutton. Are occupational health and safety crimes hostage to history: an Australian perspective. Richard Johnstone. The continuing price of Britain's oil business: organisation, precarious employment and risk transfer mechanisms in the North Sea petroleum industry. Charles Woolfson. Jurisprudential miscegenation: strict liability and the ambiguity of law. Arie Freiberg. The sociology of compliance based regulation: an intellectual history. Paul Rock. Rethinking the symbolic instrumental distinction: meanings and motives in American capital punishment. David Garland. The law of subaltern discipline. George Pavlich. A genealogy of fire prevention. Pat O'Malley and Steven Hutchinson. Young people, fire and arson as resistance. Mike Presdee. The politics of community and the problem of the stranger. Gordon Hughes. Responding to crimes against international law. Dirk Van Zyl Smit. Restorative justice in post-genocidal Rwanda: from community to citizenship as a basis for social justice. Augustine Brannigan. Embedded criminology and knowledges of resistance. Reece Walters.

The Science and Practice of Resilience Igor Linkov, Benjamin D. Trump, 2019-01-17. This book offers a comprehensive view on resilience based upon state of the science theories and methodological applications that resilience may fill. Specifically, this text provides a compendium of knowledge on the theory, methods and practice of resilience across a variety of country and case contexts and demonstrates how a resilience based approach can help further improve infrastructure, vibrant societies and sustainable environments and ecologies among many others. Resilience is a term with thousands of years of history. Only recently has resilience been applied to the management of complex interconnected systems, yet its impact as a governing philosophy and an engineering practice has been pronounced. Colloquially, resilience has been used as a synonym for bouncing back. Philosophically and methodologically, however, it is much more. In a world defined by interconnected and interdependent systems such as water, food, energy, transportation and the internet, a sudden and unexpected disruption to one critical system can lead to significant challenges for many others. The Science and Practice of Resilience is beneficial for those seeking to gain a rich knowledge of the resilience world as well as for practitioners looking for methods and tools by which resilience may be applied in real world contexts.

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