

Regulating the Hidden Abode of Production: The Importance of Conceptualizations of Work for Employment Regulation

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ABSTRACT

Unstated conceptualizations of work are very important for shaping views on and understandings of the processes, actors and governance of European employment regulation. This paper identifies eight distinct conceptualizations of work and outlines their importance for how we think about regulating employment. This provides a unique conceptual framework for a deeper understanding of debates over and approaches to employment regulation. This framework also illustrates how preferences for a specific type of employment regulation reveal implicit assumptions about work.

INTRODUCTION

Regulating employment has long been a key issue in industrial relations, for both analytical and normative reasons. In evaluating and designing processes for regulating employment, scholars, policymakers, and others draw on various frames of references that reflect assumptions and values regarding the objectives and operation of the employment relationship (Befort and Budd 2009; Budd and Bhawe 2008). Frequently missing, however, is the recognition that how we conceptualize work is also very important for shaping views on and understandings of employment regulation. In this way, the famous observation by Karl Marx that the nature of work is inappropriately locked away in the “hidden abode of production” remains largely accurate for the subject of employment regulation.

This paper uses the disciplinary theorizing on work found in the social and behavioral sciences to construct eight distinct conceptualizations of work. The linkages between these conceptualizations and employment regulation are then analyzed. This results in a unique framework that generates important understandings in two directions. First, this framework demonstrates how differing conceptualizations of work result in differing approaches to employment regulation. Second, this framework also shows how preferences for specific forms of employment regulation reveal implicit views on work. As one illustrative example, if work is conceptualized as a commodity, then employment regulation should focus on the efficient allocation of work (e.g., policies that promote labor mobility and flexibility). Conversely, a policy regime that emphasizes labor mobility implicitly assumes that work is a commodity.

CONCEPTUALIZING WORK

Work can be a challenge to define. In the context of employment regulation, it is traditional to define work as paid employment (hence the label “employment regulation”), or even as a specific form of paid employment as in the case of labor laws that exclude temporary workers, independent contractors, managers, salaried employees, or others. But to avoid marginalizing various forms of work, and to encompass the diverse conceptualizations of work found across the social and behavioral sciences, it is important to define more work

broadly than employment. Specifically, I define work as purposeful human activity involving physical or mental exertion that is not undertaken solely for pleasure and that has economic value. The first part of this definition (“purposeful human activity”) distinguishes work from the broader realm of all human effort. The second part (“not undertaken solely for pleasure”) separates work from leisure, while allowing for work to be pleasurable and thereby recognizing that there can sometimes be a nebulous boundary between work and leisure. The final part (“that has economic value”) allows work to be more encompassing than paid employment by also including unpaid caring for others, self-employment, subsistence farming, casual work in the informal sector, and other activities outside the standard Western boundaries of paid jobs and career aspirations.

From this broad definition of work, I identify eight conceptualizations of work that are particularly relevant for employment regulation: work as a curse, disutility, a commodity, personal fulfillment, a social relation, caring for others, identity, and occupational citizenship. These eight conceptualizations are presented in the remainder of this section. Due to space constraints, these portrayals are necessarily stylized, but there is a rich body of scholarship that lies behind each conceptualization. Other conceptualizations are also possible—such as seeing work as a source of freedom or a method for serving God (Budd 2009)—but are beyond the scope of this paper.

A Curse

For thousands of years, work has been seen as painful toil necessary for survival that degrades one’s dignity and conflicts with life’s more virtuous or pleasurable pursuits. When it is assumed that God or nature require all or some to engage in arduous or dirty work, then work is conceptualized as a curse. Seeing hard work as a god-given curse has deep roots in Western thought. The Judeo-Christian tradition and Greco-Roman mythology share a common story in which humans originally did not have to work (at least not very hard), but a displeased god (for example, the Judeo-Christian God punishing Adam for his disobedience in the Garden of Eden, or Zeus punishing humankind because Prometheus stole fire for it) punishes humans with toil. Hard work is thereby seen as a necessary part of the human experience.

Elite segments of societies also tend to see the lower classes as occupying their natural place in the social and occupational hierarchy. Perhaps most famously, Aristotle reasoned that nature creates humans of varying intellectual abilities, and the intellectually inferior are naturally suited to be slaves. Fast forward 2,300 years to Herrnstein and Murray’s (1994) claims in *The Bell Curve* that contemporary America is stratified by genetically-determined intellectual ability, and we see the persistent belief in a natural ordering of work. The marginalization in contemporary Western societies of some occupations as “women’s work” or fit only for minorities or immigrants can similarly reflect a belief in a natural social hierarchy. In this way, less desirable forms of work are conceptualized as a curse of the lowly classes.

Disutility

In mainstream economic thought, rational individuals are assumed to maximize a utility function that is increasing in the consumption of goods, services, and leisure. Work is an essential part of each individual’s maximization problem because work provides goods and services, either directly through self-production or indirectly through earned income. But the activity of working is generally seen as *reducing* utility. This view of work comes from seeing it as a painful or stressful activity, or by assuming that leisure is more pleasurable such that work involves the opportunity cost of reduced time for pleasurable leisure (Spencer 2009). In either case, work is conceptualized as disutility—a lousy activity tolerated only to obtain

goods, services, and leisure that provide pleasure. This conceptualization further perpetuates the negative views of work that originally arose by seeing work as a curse.

When imperfect information makes employment contracts incomplete, economists frequently assume that employers face a principal-agent problem—how to get the agent (in this case, a worker) to act in the interests of the principal (in this case, the owners of the organization). This is because work is being conceptualized as disutility so that workers are assumed to want to exert minimal levels of effort (“shirking”). By assuming that monitoring is typically difficult or imperfect, theorizing in personnel and organizational economics thereby focuses on solving these principal-agent problems by using optimal monetary incentives to combat disutility by making additional worker effort utility-enhancing (Lazear 1995).

A Commodity

Work is conceptualized as a commodity when an individual’s capacity to work—what Marx called “labor power”—is viewed as an abstract quantity that can be bought and sold. When work is commodified (conceptually), diverse forms of concrete labor are all reduced to sources of economic value that can be made equivalent by exchanging them at an appropriate set of relative prices. Work is simply a generic input into a production function, and employers and workers buy and sell generic units of this commodity called work or labor (or labor power in Marxist terminology).

Mainstream (neoclassical) economic thought embraces the commodity conceptualization of work. Employers are assumed to maximize their profits by utilizing the optimum amounts of labor, capital, and other inputs to produce goods and services for sale. Work and workers are thus treated like any other factor of production. On the supply side, work is something that individuals choose to sell in varying quantities in order to earn income and maximize their individual or household utility. Employers and employees are therefore both modeled as treating hours of labor as one of a number of quantities to factor into the relevant optimization problem; marginal analysis determines the optimum amount of labor to buy or sell in the labor market no different from other commodities. Moreover, by seeing work as a commodity, its allocation is seen as governed by the impersonal “laws” of supply and demand. The intersection of supply and demand determines the going wage rate (and other terms and conditions of employment), and work is analyzed like all other economic quantities—“the theory of the determination of wages in a free market is simply a special case of the general theory of value” (Hicks 1963: 1).

Personal Fulfillment

Conceptualizing work as personal fulfillment focuses on the positive and negative physical and especially psychological outcomes that are inherent in work. From this perspective, work is directed by the brain, both cognitively and emotionally. Mental states such as attitudes, moods, and emotions can affect individuals’ work behaviors; the nature of one’s work—such as the job tasks, rewards, relations with co-workers, and supervision—can affect one’s mental states. As a result, work is conceptualized as an activity that arouses cognitive and affective functioning. Ideally, work is a source of personal fulfillment and psychological well-being because it can satisfy human needs for achievement, mastery, self-esteem, and self-worth (Turner, Barling, and Zacharatos 2002). But lousy work—work with mindless repetition, abusive co-workers or bosses, excessive physical or mental demands, or other factors—can have negative psychological consequences.

The centrality of cognitive and affective mental processes for conceptualizing work is emphasized most strongly by scholars in industrial-organizational psychology, organizational behavior, and human resource management. Some key foundational research topics that result from conceptualizing work in this way are individual psychological differences such as

cognitive ability or personality, job satisfaction, organizational justice, and intrinsic work motivation. Human resource management scholarship builds on the conceptualization of work as personal fulfillment by assuming that to be effective, human resource management practices must satisfy workers' psychological needs by managing their cognitive and affective functioning. This is typically seen as a win-win situation by embracing a unitarist vision of the employment relationship—psychological needs can be fulfilled through fair treatment, intrinsic rewards, and placement into appropriate jobs, employees will reciprocate by being hard-working and loyal, and high levels of organizational performance, including profitability and shareholder returns, will result.

A Social Relation

The material gains of work emphasized in mainstream economics or the intrinsic rewards emphasized in industrial-organizational psychology fail to recognize that work is embedded in complex social phenomena in which individuals seek approval, status, sociability, and power. The social context also provides constraints, whether in the form of social norms that define the boundaries of acceptable behaviors or work roles, or in the form of power relations that define access to resources. To conceptualize work as social relation is therefore to see work as consisting of human interactions that are experienced in and shaped by social networks, social norms and institutions, and socially-constructed power relations. There are a variety of approaches to conceptualizing work that emphasize the social context, and three major approaches are instructive.

First, theories of social exchange and social networks focus on the social dynamics of interpersonal work interactions (Cropanzano and Mitchell 2005; Portes 1998). In this way, work is seen as a social exchange—an open-ended, ongoing relationship based on trust and reciprocity that has imperfectly-specified obligations and a multiplicity of objectives—that occurs within a network of social ties. Second, work can be conceptualized as a social relation by recognizing the importance of social norms for how work is experienced and structured. Some of these norms might stem from direct, interpersonal contact—such as norms in work groups to limit output or work effort. Other norms might operate at an organizational level in the form of organizational culture, and still other work norms are societal-levels constructions.

Third, a social relations approach to conceptualizing work can be rooted in a focus on socially-constructed hierarchies and power relations. Marxist-inspired theorizing on work, for example, reflects a social relations conceptualization of work because capital-labor or employer-employee power dynamics are socially-constructed. Work, then, is seen as contested terrain in which employers and employees are frequently seeking control and making accommodations. This dialectic of control and accommodation can occur through the structural features of the employment relations such as formal policies, rules, and routines (Thompson and Newsome 2004) as well as through discursive elements such as organizational culture (Knights and Willmott 1989). Feminist theories of patriarchy and gender represent another approach that emphasizes socially-constructed hierarchies (Gottfried 2006).

Caring For Others

Feminist scholarship criticizes the traditional conceptualizations of work in the social and behavioral sciences for devaluing women by ignoring gender issues (Gottfried 2006). Research in neoclassical economics, mainstream industrial relations, and Marxist sociology, for example, primarily focus on paid employment to the exclusion unpaid household work and other caring activities that do not produce economic commodities. Feminist thought rejects the resulting devaluing of “woman’s work” and emphasizes that it is indeed work.

Specifically, it is work as caring for others—the physical, cognitive, and emotional effort required to attend to and maintain others.

Caring for others is not limited to unpaid household work and it need not be the exclusive domain of women, but it powerfully affects the gendered work experiences of women. Housewives are frequently seen as unproductive, working women frequently bear a disproportionate of the burdens of household work, and in the workplace women confront gendered expectations about appropriate occupations and work behaviors that are frequently rooted in idealized visions of caring, domesticity, and femininity. In feminist theorizing, this gendered nature of work is ascribed to socially-constructed norms and power dynamics, not some mythical maternal instinct or other biological features. Moreover, beliefs about the gendered body in the workplace and the care-giving responsibilities of women lead to employment-related discrimination as men and women are treated differently—they are segregated into different occupations, given different roles and levels of responsibility, expected to sell or tolerate differing levels of sexuality, and paid differently for comparable work.

Identity

Individuals create identities to help understand who they are by increasing their understanding of where they fit into the broader world. Since work is such a major part of many people's lives, work can be conceptualized as identity—that is, as a source of understanding and meaning (Leidner 2006). This can occur on several levels. The personal identity dimension focuses on stable and consistent attributes and traits that an individual sees as making him or herself unique. This can contain biographical information, including descriptors related to one's work. The social identity approach focuses on how individuals further construct their identities by categorizing themselves into various groups. This might include one's occupation, employer, and other work-related group constructs. The interactionist approach suggests that individuals create identities through social interactions with others. From this perspective, the social roles attached to occupations and careers are a major source of our self-presentation and identity during adulthood. Work can also be seen as the source of class identity and class consciousness.

At a deeper level, work can be seen as a fundamental aspect of creating a human identity not as individuals or classes, but as a species. The centrality of work for humanness was most famously advanced by Marx's (1844: 76-77) argument that "In creating an objective world by his practical activity, in working-up inorganic nature, man proves himself a conscious species being, i.e., as a being that treats the species as its own essential being." It is from this belief that self-directed work is the essential quality of being human that Marx further argued that the commodification of work causes alienation—the loss of humanness experienced when workers are forced to sell an inherent part of themselves. Catholic social thought presents the importance of work to humans in terms strikingly similar to those presented by Marx. In the 1981 papal encyclical *Laborem Exercens* ("On Human Work"), Pope John Paul II wrote:

Work is one of the characteristics that distinguish man from the rest of creatures, whose activity for sustaining their lives cannot be called work. Only man is capable of work, and only man works, at the same time by work occupying his existence on earth. Thus work bears a particular mark of man and of humanity, the mark of a person operating within a community of persons. And this mark decides its interior characteristics; in a sense it constitutes its very nature (preface, emphasis omitted).

Occupational Citizenship

Work can also be conceptualized not as an activity undertaken by autonomous individuals, but by citizens who are part of human communities. To see workers as citizens is to decommodify them to give them a status as more than just factors of production or individuals seeking personal fulfillment or identities (Standing 2009). Specifically, citizens should be seen as having inherent equal worth and are thus entitled to certain rights and standards of dignity and self-determination irrespective of what the market provides. Work then is conceptualized as occupational citizenship when we think of what it means for workers to be citizens of a human community.

Industrial relations scholarship frequently argues that citizen-workers are entitled to minimum working and living conditions that are determined by standards of human dignity, not supply and demand, and to meaningful forms of self-determination in the workplace that go beyond the freedom to quit (Budd 2004). Closely-related approaches include conceptualizations of workers' rights as human rights, the International Labour Organization's campaign for decent work, and various theological and ethical approaches that emphasize that work should respect standards of human dignity.

IMPLICATIONS FOR EMPLOYMENT REGULATION

Each of the conceptualizations of work has important implications for how we think about employment regulation (see Table 1). For starters, if work is simply a curse, then we should accept rather than question our fate of painful toil, and it is not worth thinking about work very much. From this perspective, the nature of work is beyond our control so there is little cause for employment regulation. In modern social sciences scholarship, the conceptualization of work as a curse has evolved into work as disutility, but by retaining the assumption that work is expected to be lousy, there continues to be the view that there is minimal need for employment regulation to try to improve the nature of work.

Also, when work is conceptualized as a curse or as disutility, there is nothing special about work beyond providing the income necessary to survive and enjoy life. Consequently, pay and income are the focus of employment regulation, and income support programs can achieve the same goals. However, that work is seen as painful toil leads to the belief that individuals will only work hard when they are provided with financial incentives. In this way, conceptualizing work as a curse or as disutility leads to a particular concern with the disincentive effects of employment regulation or of income support programs. In the first half of the 18th century, the utility of poverty doctrine asserted that poverty was useful because the lower classes would only work hard if they were poor. More recently, the contemporary drive to make work a requirement for receiving income support or welfare payments reflects, at least partly, an assumption that people need to be pushed to work (Lødemal and Trickey 2001). Conceptualizing work as a curse or as disutility, then, provides only weak support for employment regulation, and focuses attention on work requirements or unintended disincentives to work in debates over employment regulation.

When work is conceptualized as a commodity, then the efficient allocation labor is the key objective. Mainstream economic theory further shows that work is compensated by an amount equal to its economic value when labor markets are perfectly competitive. It is therefore common for supporters of the neoliberal market ideology to champion competitive markets as the best protection a worker has against exploitation. Competitive markets, not employment regulation regimes, are therefore favored. Individuals who embrace this perspective consequently focus on the labor mobility effects of employment regulation. Policies that improve mobility (e.g., the free movement of workers within the European Union, or benefits portability in the United States) are supported, and policies that restrict mobility (e.g., restrictions on employee dismissals) are criticized. Also, the commodity

conceptualization of work focuses on paid employment, so unpaid work and other forms of non-commoditized work are ignored, and not deemed relevant to debates over employment regulation.

If work is seen as a source of personal fulfillment, then work should ideally be structured to provide intrinsic rewards. This would seemingly provide an important basis for supporting employment regulation that promotes high employment standards pertaining to employee autonomy and voice, dignified supervision, privacy, control over working hours, and the like. In practice, however, three related views can undermine the support for this type of employment regulation. First, personal fulfillment is frequently seen as a subjective concept. This approach and the corresponding lack of attention on objective standards for fulfilling work do not direct attention toward employment regulation. Rather, research focuses on how individuals experience work and their resulting levels of job satisfaction. Second, conceptualizing work as personal fulfillment frequently goes hand-in-hand with a unitarist perspective on the employment relationship. In this way, human resource management, not shared or regulated models of employee governance are favored. In other words, enlightened managers are seen as the preferred mechanism for designing employment practices that promote job satisfaction and personal fulfillment. Third, the intrinsic rewards of work are generally seen as individual rather than collective, thereby further undermining the perceived need for collective approaches to employee governance and for employment regulation that supports collective forms of employee voice.

The theoretical perspective of work as a social relation highlights that work and its related institutions are human creations rather than immutable facts of life or a natural state of affairs. This opens up the intellectual space for considering the goals of work and for designing employment regulation regimes that support these goals. Furthermore, this social relations conceptualization emphasizes the importance of the power structures that are created through institutions. Consequently, this conceptualization sees employment regulation as both a product of, and a method for shaping, the relative power of the parties to the employment relationship. As one example, government-funded job training programs that emphasize positive attitudes such as a strong work ethic and submission to authority can be seen as reinforcing employer power by teaching workers to accept lousy working conditions and to not question the authority of employers (Lafer 2002). In China, the government denies residency permits for rural laborers while also providing them with temporary dormitory accommodations adjacent to urban factories. This directly affects the power dynamics in the employment relationship by ensuring a supply of fresh labor reserves of young workers who work long hours and who are replaced before they can demand higher wages or develop solidarity with their co-workers (Pun and Smith 2007).

Seeing work as caring reminds us not to overlook non-commoditized forms of work when analyzing and designing employment regulation (Standing 2009). To date, this has not happened in practice in many countries. For example, the U.S. legal system “conceptualizes housework as solely an expression of affection, the currency of familial emotions”—there are no benefits such as workers’ compensation, no direct entitlements to social security (only as a spouse), and only a limited recognition of economic value in divorce proceedings (Silbaugh 1996: 4). The conceptualization of work as caring also forces us to ask difficult questions regarding the desirability of using employment regulation to commoditize care work (e.g., the marketization of elder care) (Armstrong and Armstrong 2005). More broadly speaking, feminist perspectives on work reject deep-seated dualities such as production/reproduction, work/family, and labor/leisure (Glucksman 1995). From this perspective, the processes, actors and governance of employment regulation need to take a holistic approach that recognizes the interconnected nature of a society’s full breadth of work activities.

The conceptualization of work as identity reveals the deep importance of work for self-understanding, and consequently provides a basis for questioning whether employment

regulation does enough to promote positive self-identity. The deeper belief in the importance of work for humanness, in turn, provides the foundation for the world's major religions and secular human rights advocates to call for decent working conditions and labor standards (Peccoud 2004). From this perspective, work is not something to be taken lightly or for granted. Rather, its deep importance for the quality of individual lives and the societies in which we live must be considered and actively promoted by the processes, actors and governance of employment regulation.

Finally, the occupational citizenship conceptualization emphasizes citizenship rights that should be provided through employment regulation and other institutions rather than relying on the market to provide them. This includes minimum labor standards consistent with safe and dignified living and working conditions. This also includes employee voice and self-determination as entitlements of autonomous human beings (Budd 2004). Employee voice can take various forms, but only collective voice through labor unions, and perhaps works councils, is seen as providing true industrial democracy in which unilateral, unchecked managerial authority is replaced by orderly rules, participatory rule-making, checks and balances, and due process in dispute resolution. In this conceptualization, then, collective approaches to employment regulation come to the fore.

In these ways, thinking more explicitly about work can help promote a deeper understanding of employment regulation. At the same time, thinking about the approaches to employment regulation can also help reveal what a society values as work. When individuals emphasize the mobility aspects of employment regulation to the exclusion of other aspects, they are implicitly conceptualizing work as a commodity and dismissing other conceptualizations of work. If pay and compensation are the focal points of employment regulation, this implies that unpaid work is not valued. A focus on equal employment opportunity without regard for job quality implies that work is seen as a source of income, but not intrinsic rewards or self-identity.

CONCLUSION

It is difficult to develop a complete understanding of the processes, actors, and governance of employment regulation without explicitly recognizing how work is conceptualized. We need to open up the hidden abode of production, ask what work is, and understand how varying conceptualizations of work affect views on employment regulation while also understanding how views on employment regulation reveal implicit assumptions about work. This paper therefore develops eight conceptualizations of work to help reveal the unstated assumptions of the processes, actors and governance of employment regulation. The divergent implications of these conceptualizations for employment regulation highlight the importance of this unique framework. From this we can derive not only a deeper understanding of various aspects of employment regulation, but we can also help design more effective systems of regulation that are consistent with the desired goals and ideals of work.

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Table 1: Conceptualizations of Work and Views on Employment Regulation

Work as...	Definition	Implications for Employment Regulation
1. A Curse	An unquestioned burden necessary for human survival or maintenance of the social order.	Acceptance of existing forms of work rather than regulation is warranted. Employment regulation might need to force individuals to work, or at least avoid disincentives to work.
2. Disutility	A lousy activity tolerated to obtain goods and services that provide pleasure.	Work is expected to be lousy so minimal need for regulation. Work is only important for producing income so this is the focus of regulatory concern, but need to guard against creating disincentives to work.
3. A Commodity	An abstract quantity of productive effort that has tradable economic value.	Efficient allocation of labor is foremost concern. Policies that promote labor mobility are key. Ignores unpaid and other forms of non-commoditized work.
4. Personal Fulfillment	Physical and psychological functioning that (ideally) satisfies individual needs.	Work should be psychologically rewarding, but subjective, unitarist, and collective assumptions favor managerialism over shared governance and collective regulation.
5. A Social Relation	Human interaction embedded in social norms, institutions, and power structures.	Socially-created institutions and power structures are recognized as important elements of work, so employment regulation should address (and also reflect) these issues of institutions and power.
6. Caring For Others	The physical, cognitive, and emotional effort required to attend to and maintain others.	Recognizes non-commoditized forms of caring for others as work, and draws attention to the need to include these forms of work in conversations about employment regulation.
7. Identity	A method for understanding who you are and where you stand in the social structure.	Sees the deep importance of work for individuals, and thereby provides a basis for substantive employment regulation.
8. Occupational Citizenship	An activity pursued by human members of a community entitled to certain rights.	Employment regulation can be a key method for supporting the achievement of citizenship rights, including minimum labor standards, safety standards, and protections for collective employee voice.