

Vulnerable Workers

The leading academic authorities contributing to this book have been involved in major studies carried out for international organisations, individual governments, and national trades' union organisations; in *Vulnerable Workers* they consider the growth of job insecurity, the prevalence of flexible or temporary work, and the emergence of precarious forms of self-employment. They look at the new market economies of post-communist Eastern Europe and China, where economic development may occur at the expense of workers' lives and health; 'misclassification' by employers of workers as 'contractors', denying them access to rights; and the plight of migrant, transient and 'invisible' workers. The impact of supply chain business strategies on the most vulnerable workers; and on the complex relationships between levels of job security and the presence of different kinds of risks are similarly assessed.

The contributors also propose responses to the challenges they highlight. The role of employee representatives is examined, together with the potential to enhance worker capability through organisational change. New legislative approaches, and changes to traditional compensation and social security systems are considered. Academics and researchers, policy makers, regulators, trades unionists and occupational health professionals – and wise employers – will all find a use for this book.

This brilliant book breaks new ground by addressing an often overlooked subject – how work in our new economy acts as a persistent stressor with both physical and mental health ramifications. The authors examine the occupational safety and health risks associated with chronic job insecurity and precarious employment, and take important steps toward identifying positive solutions to them.

Susan Bisom-Rapp, Professor of Law, Thomas Jefferson School of Law, USA

This book sheds light on the occupational health and safety concerns of vulnerable workers, who are often employed in high-risk sectors, reporting poor health and being more prone to occupational diseases and injuries. It covers migrant workers, a particularly relevant group as migration is likely to keep on increasing and research is needed on the links between occupational health and safety, working conditions and health of migrant workers.

Xabier Irastorza, Project Officer, Prevention and Research Unit, European Agency for Safety and Health at Work, EU-OSHA

About the Editors

Malcolm Sargeant is Professor of Labour Law at Middlesex University, UK, and author/co-author of *Employment Law* (Fifth Edition, 2010), *Essentials of Employment Law* (Tenth Edition, 2009), *Questions and Answers on Employment Law* (Third Edition, 2009), *Age Discrimination in Employment* (1999), *Age Discrimination* (2011) and *Age Discrimination and Diversity* (2011). In 2010 Professor Sargeant organised a major conference in London on vulnerable workers jointly between Middlesex University and the Association for the Study of International and Comparative Labour Law and Industrial Relations (ADAPT).

Dr Maria Giovannone is lecturer at the Marco Biagi International and Comparative Study Centre, University of Modena and Reggio Emilia, in Italy and is the ADAPT Research Fellow responsible for research into health and safety at work. She has a law degree and the topic for her PhD was industrial relations, on issues related to occupational health and safety in Italy and the UK. Dr Giovannone has worked for a firm specialising in labour law, undertaken research for the Italian Ministry of Labour and is a member of the Certification Commission established at the University of Modena and Reggio Emilia, to certify labour contracts in Italy.

Cover image: © Tina Lorien / iStockphoto.

GOWER

Gower Publishing Limited
Wey Court East, Union Road,
Farnham, Surrey,
GU9 7PT, England

www.gowerpublishing.com

ISBN 978-1-4094-2662-2



9 781409 426622

Vulnerable Workers

**Malcolm Sargeant
and Maria Giovannone**



Vulnerable Workers

Health, Safety and Well-being

EDITED BY

**Malcolm Sargeant
and Maria Giovannone**

Contents

<i>List of Figures</i>		<i>vii</i>
<i>List of Tables</i>		<i>ix</i>
<i>About the Editors</i>		<i>xi</i>
<i>About the Contributors</i>		<i>xiii</i>
<i>Preface</i>		<i>xix</i>
Chapter 1	The Health, Safety and Well-being of Vulnerable Workers	1
	<i>Brenda Barrett and Malcolm Sargeant</i>	
Chapter 2	We've Been Down this Road Before: Vulnerable Work and Occupational Health in Historical Perspective	21
	<i>Michael Quinlan</i>	
Chapter 3	Supply Chains and the Protection of Vulnerable Workers	57
	<i>Philip James and David Walters</i>	
Chapter 4	Precarious Work in Times of Crisis: Regulatory Discourses and Labour Standards in the New EU Member Baltic States	75
	<i>Charles Woolfson</i>	
Chapter 5	Work Organisation, New Forms of Employment and Good Practices for Occupational Health and Safety: Evidence from Italy within the European Context	93
	<i>Maria Giovannone and Michele Tiraboschi</i>	

© Copyrighted Material

Chapter 6	Occupational Health and Safety of Migrant Workers: An International Concern	121
	<i>Mark Boocock, Zeenobiyah Hannif, Suzanne Jamieson, J. Ryan Lamare, Felicity Lamm, Christophe Martin, Nadine McDonnell, Cathy Robertson, Peter Schweder and Boaz Shulruf</i>	
Chapter 7	Occupational Health and Safety in Organisations: Applying Amartya Sen's Capability Approach and Organisational Climate	145
	<i>Andrea Bernardi</i>	
Chapter 8	The Health of Vulnerable Workers in Italy	167
	<i>Carlo Lucarelli and Barbara Boschetto</i>	
Chapter 9	Employees Without Protections: The Misclassification of Vulnerable Workers in New York	189
	<i>J. Ryan Lamare</i>	
Chapter 10	The Right to Occupational Health and Safety and its Legislation in China	211
	<i>Chang Kai</i>	
Chapter 11	Seeking Solutions to Precarious Working in the Growth of New Zealand Dairy Farming – A Research Agenda	219
	<i>Rupert Tipples</i>	
Chapter 12	Occupational Health and Safety of Contingent Migrant Labour in the Kuwait Construction Industry	243
	<i>Cathy Robertson</i>	
<i>Index</i>		261

© Copyrighted Material