

Defining the Employment Relationship

Keri Spooner
University of Technology, Sydney

Ali Haidar
Monash University

It is the contention of this paper that the nature of the employment relationship (ER) has not been adequately defined in the academic literature and that an understanding of how control is exercised in the ER is needed if its dynamics and consequences are to be better understood. Even within the employment relations literature, where one would expect to find such endeavors, relatively little attention has been directed to defining the nature of the ER. While many writers have discussed aspects of the ER, their focus has been mainly upon either specific aspects of the relationship, such as conflict, or upon issues associated with the relationship, ranging from institutional arrangements to workplace practices (De Cieri and Kramar, 2003; Gardner and Palmer, 1992; Deery et al., 2001). Only in the discipline of law, driven by the necessity to provide definition to the rights and obligations applying to non-slave and non-feudal workers, does a detailed explanation of what constitutes an employment relationship exist. Yet even this definition, based upon the notion of 'control' has been seen by some to be inadequate (Mills, 1982:270-8). Furthermore, legal definitions of the ER vary according to the different statutes; for example, in Australia, what is legally seen to constitute a matter relevant to the ER (or an employment matter) has been defined considerably more broadly in the State of NSW than federally.

In this paper, although the ER is seen to have sociological, psychological, economic and legal dimensions, it is the nature of control in the relationship that is seen to lie at the core of its definition. We draw upon the insights to the nature of control in the ER from a multi-disciplinary perspective to develop an analytical model that might assist in identifying and analysing different ER 'types' distinguished by the source and nature of their control and power elements.

INTRODUCTION

It is an understatement that the employment relationship (ER) has been widely discussed and analysed in academic and other literature for a very long time. The ER has provided a continuing focus for sociologists, psychologists, economists, historians, anthropologists, lawyers and others from the more traditional disciplines including scientists and engineers. In more recent history, the ER has provided a fundamental element of studies in industrial relations, human resource management and employment relations. Although all of these

disciplinary areas have provided insights to the nature of the ER, few have actually sought to define what the ER is, to develop an understanding of its core nature, the factors that determine its existence, which distinguish it from other relationships and which might shape important variations in its core nature. There would appear to be two main reasons that might account for this phenomenon. First, researchers have approached the topic from their own particular disciplinary base and have therefore focused on those aspects of the ER of interest to them rather than upon in its totality. Secondly, the task may be too grand or even impossible; perhaps it is not possible to define and understand the nature of the ER in its totality.

It is certainly apparent that the second of these possible causations provides a continuing barrier to the development of an all-encompassing model of the ER because that relationship is both influenced by and impacts upon every other aspect of human existence. It can readily be seen that the ER influences the economic, social and psychological lives of those engaged, both within and out of work. Even those who are not in an ER have their lives defined in terms of this absence.

Despite these difficulties, however, the need to attempt to develop an improved understanding of the nature of the ER is of tremendous contemporary importance. Profound changes in the way work is organised over recent decades has led to an international call for the ER to be more fully and appropriately defined so as to protect the rights of those engaged in work (ILO, 2005). The decline in full-time on-going employment and the rise of short-term contract-based work relationships has led many to question whether traditional legal definitions of the ER are adequate in the face of growing numbers of people who are providing services for others yet do not conform to traditional legal definitions of the ER and hence are not entitled to the associated rights and protections (Fudge et al., 2002; Malos et al., 2003:149-67, Rubery et al., 2002; Howe and Mitchell, 1999).

Societal demand for workers in various contexts to be accountable to a broad base of societal stakeholders rather than just their immediate employer has further challenged traditional (and limited) understandings of the ER. Those providing labour within the private sector have been subject to growing demands from a variety of stakeholders that challenges any notion of their being accountable only to their employer. These demands emanating from stakeholders outside the immediate ER are effect competing with the employer as sources of control over the actions of workers. Some of these are not so new such as individual employees legal obligations with respect to OH&S legislation but others are more recent including those emanating from what might be termed the area of corporate responsibility, perhaps best encapsulated in Australia by the requirements of the Australian Stock Exchange (ASX, 2006). Within the public sector, the need to develop an improved understanding of the nature of the ER is perhaps best illustrated by the evidence of public concerns regarding accountability and a feared politicisation of the employment relationship of

senior public servants (Nethercote, 2003:88-94, Haidar and Pullin, 2004:1-13, Hawkes, 1999:80-88, Mulgan, 1998:3-14, Thompson, 1991:127-42).

Therefore, whilst it is recognised that an all-encompassing definition of the ER is not feasible (or perhaps not even useful) because of its complex and pervasive inter-relationship with so many aspects of human existence, it is important for the advancement of knowledge that efforts be made to analyse the nature of the ER, to define what it is and the factors which determine how it functions and how its dynamics influence different outcomes for society for generally.

In this paper, we explore the nature of control in the ER, how it is exercised and its implications. We begin by considering the nature of the ER from a legal perspective because it is in the law that the ER has been most clearly defined the ER in terms of control. Literature specifically focused upon the field of 'employment relations', which includes those labeled as pertaining to Human Resource Management (HRM) and Industrial Relations (IR), are then discussed and insights to the importance and nature of control as a defining element of the ER gleaned. Finally, a theoretical approach utilising Weber's notion of 'ideal types' (1968:18-22) is proposed as a tool for examining and defining important variations in the forms that the ER might take.

THE LEGAL DEFINITION

Even 'just' a full legal definition and explanation of the ER is too mighty a task to be undertaken within this paper. However, the major principles relevant to the ER and their history have been well researched by others and we will utilise their research.

As Macken, O'Grady et al Law (2002:1-666:1-2) note, the origins of the law defining the ER in Australia are to be found in English law and this English law was itself influenced by the Roman. For workers, the transition from a feudal to an industrial society was evolutionary and "it was logical that the courts would apply the rules of contract law to the relationship" (Macken et al., 2002:1-666:6). The courts determined that the degree of control exercised in the relationship exercised by the person employing, the amount, nature and direction of that control distinguished the employment contract from other relationships (Macken et al., 2002:1-666:7) Thus the 'control test' came to determine the existence (or not) of an ER and, in legal terms, the existence of an ER was seen to be dependent upon whether or not a contract of service existed.

Difficulties associated with applying a simple control test, such as in cases 'where a worker was possessed of special skills which made direction by another standing in a position of authority to that worker inappropriate or impossible', caused the courts to explore alternative or modified approaches (Clayton and Mitchel, 1999:21). Although the law has at times applied what is usually called the organisation or integration test to determine whether an ER exists, wherein the test becomes whether 'a person is part of an organisation',

this approach is problematic in the context of modern organisational structures (Clayton and Mitchel, 1999:21-22).

In recognition of the difficulties associated with determining the existence of an ER, the courts have developed an extended control test to assess 'whether on balance, the range of features or indicia of the working relationship are more in the nature of an employer/employee relationship or otherwise' (Clayton and Mitchel, 1999:22). The 'control test' 'has to be applied to the reality and the totality of the relationship between the two persons' and not to the work itself (Macken et al., 2002:1-666:8).

Thus, under Australian law 'the control test is the main determinant of the real character of the employer-employee relationship' (Macken et al., 2002:1-666:15). Clayton and Mitchell argue 'that the element of control maintains an uneasy position as *primus inter pares* of the matters that will be considered in an examination of the totality of the relationship between the parties for determining whether an employment relationship exists. The effect is a situation in which indicia pluralism largely rules so that ultimately the result of any examination may rest on a matter of impression' (1999:22).

In the context of a knowledge economy, it is apparent that such 'control tests' become less relevant to understanding the nature of the ER; clearly, an individual may be in an employment relationship but because of the nature of their work, direct control by the employer may be limited. Moreover, the concept of an 'employment contract' has become blurred and confused by the complex array of contemporary legal arrangements; for example, the proposed *Work Choices* legislation in Australia promotes the use of individual contracts to regulate the employment conditions of employees.

Defining the existence of an ER in terms of the exercise of direct control and the terms of a contract has been widely contested (Mills, 1982:270-8). Brooks (1988) argued for the abandonment of the employee/independent contractor distinction in favour of the notion of contracts for the performance of work. Clayton and Mitchell (1999:1) argue that ".....whatever cogency existed of aligning worker protection with standard employment status in the immediate post-war period and the 1950s, the rationale has become increasingly problematic in a labour market characterised by ever more diffuse and complex work relationships. it is quite false and misleading to conceive and expound upon the nature of work relationships in terms of two monoliths, employees and independent contractors, both of which are represented in undifferentiated terms. Rather there should be a recognition that work relationships lie along a very broad spectrum of integration or dependency".

Despite these criticisms, the ER is legally defined in terms of the existence of a contract of service and that, whilst this is assessed in terms of the totality of the relationship and various indicia, a defining element is whether the degree of control is sufficient to reflect an employment contract (Macken et al., 2002:1-666:21-2,43). This control is exercised over both HRM functions such as

recruitment, compensation and dismissal as well as task elements such as job content. An important element of that control concerns 'the employer's right to direct the employee in the manner of performing the work' (Mills, 1982:270-8).

In addition to the role of law in defining the nature of the ER in terms of control, the law itself can also be seen to both exercise control in the ER and to influence the power of the parties within the relationship. An interesting example of how the law itself controls the ER and shapes the power within it, is provided by a brief comparison of the New South Wales (NSW) and federal laws. In Section 6 of the NSW Industrial Relations Act 1996, 'industrial matters' are defined to mean 'matters or things affecting or relating to work done or to be done in any industry, or the privileges, rights, duties or obligations of employers or employees in any industry'. This broad definition contrasts with a much narrower interpretation at federal level. In the *Electrolux Case* (2004), an important question put to the Court was whether 'a claim by a trade union that an employer should agree to deduct from the wages of future employees who do not join the union a 'bargaining agent's fee' and pay it to the union, is a matter pertaining to the relationship between the employer and the persons employed in the business of the employer, within the meaning of s 170LI of the Act (the *Workplace Relations Act 1996* (CTH)) (Electrolux, 2004). By a majority decision, the High Court found that a dispute as to deduction of union dues does not pertain to the relationship between employer and employee. (Electrolux, 2004:Order)

Thus, the law can be seen both to define and to shape the ER. It both places 'control' at the core of the relationship and exercises control over it, in turn influencing the rights or power of the parties within it.

THE EMPLOYMENT RELATIONS LITERATURE

It appears that most of the employment relations literature, including those areas labeled as HRM and IR, have focused upon specific aspects of the ER or upon issues associated with the relationship such as parties, processes, strategies, forces and outcomes but have not sought to provide a definition of the ER itself (De Cieri and Kramar, 2003; Gardner and Palmer, 1992; Deery et al., 2001). Others have focused upon defining 'employment relations' with the purpose of clarifying the field of study rather than the ER itself (Fastenau and Pullin, 1998:1-21, Mortimer and Leece, 2002:17-26).

Dufty and Fells (1989:1-2) argue that the ER is central to the study of IR but that significant writers have failed to clarify the meaning and nature of that relationship. They argue that there are three dimensions of the ER: economic, legal and social. Gospel and Palmer (1993:3) defined the ER as an 'economic, social and political relationship in which employees provide manual and mental labour in exchange for rewards allocated by employers'. Lewis, Thornhill et al (2003:6) provide a more encompassing definition of the employment relationship as 'an economic, legal, social, psychological and political relationship in which

employees devote their time and expertise to the interests of their employer in return for a range of personal financial and non-financial rewards'.

Control of the employment relationship is common focus of IR, HRM and employment relations approaches. Fastenau and Pullin (1998:1-21) argue that the IR perspective focuses upon workers' efforts to control the ER and the employer response, while HRM focuses on management's efforts to direct and control the relationship. Keenoy and Kelly (1998) viewed the nature of work and its power relations as the fundamental focus of their study of the employment relationship. In their view, industrial relations institutions and changes can be best understood in terms of three great struggles for the control of the workplace: the distribution of rewards, the limits of managerial autonomy, and the difficulties in securing employee commitment (Keenoy and Kelly, 1998). Control is exercised through a range of practices and behaviours including formal and informal rules and regulations, strategies and sanctions. Associated concepts include status, power and dependency.

Even Dunlop (1958), writing long ago, described an industrial relations system in which power and control play a central role. "Every industrial relations system creates a complex of rules to govern the workplace and work community... The actors in an industrial relations system are regarded as confronting an environment... comprised of three interrelated contexts: the technology, the market or budgetary constraints and the power relations and status of the actors... The system is bound together by an ideology or understanding shared by all the actors" (1958:vii-ix). Dunlop, however, does not define power but notes that "The relative distribution of power among the actors in the large society tends to a degree to be reflected within the industrial relations system" and that 'changes in the power context and the status of the actors also tends to have significant consequences for the rules established at the workplace' (Dunlop, 1958:11,97).

Power and control are widely recognised in the academic literature as being of central importance to an understanding of IR, yet Kirkbride concludes from his examination of the literature that 'power is so neglected in the academic literature that it constitutes a major omission in the discipline (1985:265-82:1). He argues that despite the importance of power to the study of IR, it represents a 'major lacuna in the theoretical development of the discipline' (1985:265-82:266). He argues, for example, that whilst Flanders focused on the outputs of the IR system, that is the 'web of rules', which he saw as being determined by a political process, he did not explain power (1985:265-82:270). Kirkbride concludes that even those writing from the pluralist frame of reference, within which power is seen as pivotal, have failed to define and explain the concept (1985:265-82:279). While he views the radical and Marxist approaches as offering 'some useful insights into domination and the more 'hidden faces' of power', they also are seen to fail to develop a comprehensive model of the concept (1985:265-82:279).

Although Kirkbride's (1985:265-82) assertions may well have merit, it can be argued that power determines the ability to control. It can also be seen that

others have to some extent addressed the issues of power and control since he wrote, for example Keenoy and Kelly (1998). Hyman writing in 1975 suggest that power is the 'ability of an individual or group to control his (her) physical and social environment' and the 'ability to influence the decisions which are, and are not taken by others (1975:26). Marchington (1982:134) views control as '... the possible end result of a process which involves the usage of power: in other words, power refers to the process of achieving control'.

Dufty and Fells (1989:25) argue that a central feature of the ER is control and that this is closely related to power. However, they address the important distinction between power and authority, accepting the Weberian view adopted by Fox (1973:36) and others that that an 'absence of legitimacy is an essential feature of power' whereas authority has legitimacy (Dufty and Fells, 1989:34-5). The achievement of legitimacy may be the result of shared values, custom and practice or the law (Dufty and Fells, 1989:35-8). Hence, the contract of employment and other aspects of the law are a source of management's authority to control or direct the worker.

The act of entering into an ER is itself some evidence of an acceptance by the worker of management's authority to control. 'The employee ... brings a willingness to accept the control of the employer in the work relationship and in return receives monetary and non-monetary rewards (Dufty and Fells, 1989:18). However, there is no system of managerial control that can completely eliminate the discretion of the worker and no authority relations that can command complete obedience (Clegg, 1981:545-62, Fells, 1989:470-92:479)(Clegg 1981 & fells journal 479). The resistance of control results in conflict, which may be expressed in resistance or an accommodation (Fells, 1989:470-92:479).

It has been argued that control and its exercise either through power or authority lies at the heart of the ER and is therefore central to how we define it in this paper. Yet, it is apparent that control in the ER takes various forms and has a variety of sources with differing degrees of legitimacy. In order to develop a theoretical approach for defining and analysing important variations in the forms that the ER might take, it is necessary to identify the sources of control in the relationship.

A THEORETICAL APPROACH

Power and its legitimate form, authority, are seen to provide the basis for the exercise of control and its resistance in the ER, with significant consequences not only for those party to the relationship but also for the many others impacted either by the ER itself, such as dependents, or its outcomes in such forms as the price and quality of goods and services. The sources of power and authority in the ER are many but may be classified according to the dimensions of the ER identified in the literature, namely, the economic, legal, social, psychological and political. Control is exercised in all aspects of the ER but these can be grouped and considered within the two domains of the ER, namely, the task and the HRM.

It is apparent that control is exercised and resisted within all aspects of the ER. The HRM literature provides a useful method for identifying these various aspects: recruitment and selection (acceptance or refusal of a job offer), job content, organisational rules and performance requirements, monetary and non-monetary rewards, sanctions including disciplining and termination. Control can be achieved by actions that do not necessarily have the appearance of controlling activities such as through the introduction of particular practices including even those of a participative nature (Fells, 1989:470-92:480-1).

In considering how control may be exercised in the ER, it is useful to consider the view expressed by Behrend (1957:503-15:505) that within every ER there are two main elements, an agreement on wages and an agreement on the work to be done. Haidar and Pullin (2001:629-47:645) develop the notion of there being two areas in which power is exercised in the ER, which they term the task and HR domains. The task domain includes the actual performance of the job in which the worker is seen to be under the command of a superordinate (Haidar and Pullin, 2001:629-47:644-6). The HR domain includes 'the span of control over HR functions' such as recruitment, compensation, development, promotion and dismissal (Haidar and Pullin, 2001:629-47:645-6).

The economic dimension of the ER includes both the economic structure of society and the operation of the labour market (Fells, 1989:470-92:472). Both Marx and Weber viewed the ownership of the means of production as a key determinant of the nature of power and authority relationships between labour and capital. Economic power and dependency shape the nature of the ER and influence the parties' ability to exercise or resist control which are aimed at promoting their economic interests and, hence, in turn their relative economic power. Control can be exercised utilising economic power in both task and HRM domains. In the task domain, economic power can be utilised to control aspects of work performance while in the HRM domain economic power shapes conditions and rewards.

The legal dimension of the ER also shapes power and authority within both task and HRM domains. Employment contracts as well as specific legislation, such as that concerning occupational health and safety, act to define the authority, which is also a source of power, to exercise control over the manner of work. Within the HRM domain, the law establishes rights and obligations with respect to such functions as remuneration and termination that contribute to defining the extent of power and authority in the ER.

The social dimension of the ER is seen to consist of both the social relations at work as well as the impact of society on the workplace. Fells 474. The broader society determines the relationship between how wealth is produced and how society is structured (Fells, 1989:470-92:474) and this impacts upon the distribution of power in the workplace. Social norms and values within the broader society must also shape notions of legitimate and illegitimate power which both shapes power in the workplace and how it is exercised, as evident in

the impact of society attitudes regarding strikes. In the workplace, the social dimension of the ER is evident in the interactions between individuals and in-group dynamics. The parties' values and beliefs guide behaviour and expectations of others' behaviours, which acts as a form of control as well as helping to define whether the exercise of power is viewed as legitimate or illegitimate. The way work is structured, including how jobs are designed and authority is distributed, is a significant source of power and control in the ER. Fox (1966:15) argues that the behaviour of individuals and the relationships between them are shaped by the 'structure of the situation' including the technology with which they work, the structure of authority and the system of rewards and punishments. Control within the social dimension of the ER is exercised within both task and HRM domains, although it can be seen that it is the former that plays the most immediate role. Indeed, Gallie, White et al. (1998) argue that supervision remains the dominant form of control by employers over workers.

The term 'psychological contract' appears to have been used first by Argyris (1960) to refer the expectations of employers and employees that operate in addition to the formal terms of employment (Lewis et al., 2003:12). Rousseau provides further insights to its nature as 'the understanding people have regarding the commitments made between themselves and their organisation'. Lewis et al (2003:12) observe that it is 'concerned with each party's perception of what the other party to the employment relationship owes them over and above that which may be specified in the contract of employment'. However, the psychological contract may also include perceptions about obligations or duties as well as entitlements. Parties to the ER may believe that they have a responsibility and an authority to behave in ways that are not articulated in other dimensions of the ER and may even be in conflict with them.

It is apparent that not only do its various dimensions define an ER but that, moreover, the nature of the relationship differs according to each of these dimensions. It can be argued that each of these dimensions exist somewhat independently of the others although they will influence each other and may be in conflict. Hence, it is suggested that an economic, social and/or psychological ER may exist even if the law does not recognise its existence. Similarly, a volunteer worker may have little in the way of a legal or economic ER yet be actively engaged in a social and/or psychological work relationship. Not only does the nature of power and control differ between the various dimensions of the relationship, but also how it is achieved and exercised can be seen to vary between the task and HR domains.

It is apparent that the nature of the ER varies considerably in our society and that it is subject to continuing changes that are impacting upon the nature and extent of power and control in the relationship with significant consequences for those within the relationship as well as society more generally. The foregoing discussion has identified some analytical tools that can be applied to the ER. The various dimensions of the relationship can be utilised to identify the nature, source and extent of power and/or authority, while the distinction between HR

and task domains may facilitate an analysis of how control is exercised and contested. Although these tools may assist in identifying similarities or differences between various ERs, it would provide a sharper focus to the analysis if we could more specifically state from or to what form of ER a particular relationship is either converging or diverging and why. Thus, the development of some form of typology is thought to be worthwhile.

SOME 'IDEAL TYPES'

Weber's notion of 'ideal types' (1968:18-22) are analytical constructs which allow actual cases to be compared with them in order to identify how that conform or diverge with that type. Ideal types can also be compared with each other, thus highlighting important differences and facilitating analysis in changes in actual cases.

Haidar and Pullin (2001:629-47) utilised Weber's 'ideal types' to develop two 'ideal employment relations types', the 'diarchic' and the 'monocratic' which are 'based on the scope of superordinate power'. A key feature of their diarchic type is that control in the task and HR domains is exercised separately. Their focus was primarily upon public sector employment in which the HR domain had been traditionally controlled by a centralised authority rather than those managing and controlling the task domain. Their monocratic type, in contrast, exhibited unified HR and task control; the monocratic supervisor has control in both HR and task domains. Haidar and Pullin (2001:629-47:646) argue that under the diarchic type, subordinates have more autonomy and are able to act more morally. Under the monocratic type, however, superordinates control both task and HRM domains, thus increasing their power to sanction the subordinate.

Although Haidar and Pullin (2001:629-47) developed their typology to assist in their analysis of variations and changes within the nature of public sector employment, their work has significant value and consequences for studies beyond their immediate area of interest. First, growing numbers of workers are not legally, economically, socially or psychologically employees but are rather independent contractors. They are legally recognised as not being a party to a contract of employment, they do not receive wages but rather fees (and are taxed accordingly), they do not fit within the formal structure of the organisation and have no sense of 'belonging' and psychologically, they see themselves as independent of the organisation. For these workers, the HR task domain has little relevance and Haidar and Pullin's 'diarchic' and 'monocratic' types can assist in analysing the nature of their work relationship. Secondly, demand for 'ethical behaviour' in business organisations as well as concerns about the value of HRM specialist functions, has focused concern on the extent to which HR operates independently or is merely a mouthpiece of senior management. The 'diarchic' and 'monocratic' types can assist an analysis of these issues by providing 'ideal types' based upon the separation or integration of HR and task domains.

Haidar and Pullin's formulation of Weberian 'ideal types' can be utilised and expanded to facilitate analysis of the ER more broadly. Each type would consist of two elements: the dimension of the relationship (as discussed above) and whether these occurred within a diarchic or monocratic context. The identification of key aspects within each of the dimensions as well as the interaction of various aspects of different dimensions would provide the basis for identifying 'ideal sub-types'; for example, a particular legal 'ideal type' might combine with a social 'ideal type' to produce an 'ideal legal-economic sub-type'. It is not feasible to develop a full typology within the constraints of this paper nor is it thought to be useful. The development of a broad range of generic 'ideal types' that may or may not assist analysis of particular cases is likely to be largely a waste of effort. However, the approach advanced in this paper may be adopted and adapted by researchers to assist in their analysis of particular aspects of the ER. To illustrate briefly how this might work, the legal dimension of the ER will be explored.

An important defining element of the legal dimension of the ER is whether a contract of employment exists and therefore whether or not the worker is entitled to particular legal protections. Therefore, two 'ideal types' might be developed based upon whether or not a worker is legally regarded as an employee. Let's call them 'the legal employee type' and 'the independent contractor type'. Each of these 'types' can be utilised to examine important differences in associated power and control. If we add the element of diarchic and monocratic forms, the basis for comparison is enriched. Four sub-types emerge: 'the monocratic legal employee type', 'the diarchic legal employee type', 'the monocratic independent contractor type' and 'the diarchic independent contractor type'. It is apparent that the nature of power and control will vary between these types, but it is also readily apparent that within the 'diarchic independent contractor type', the body exercising the HR functions has very little power.

CONCLUSIONS

It was argued at the commencement of this paper that the nature of the employment relationship (ER) has not been adequately defined in the academic literature and that such analysis is important for understanding both its nature and implications as well as examining the implications of changes in its nature as well as the associated consequences. It was also argued that a deeper understanding of how control is exercised in the ER is fundamental to this understanding and analysis. Through a review of the relevant literature, the ER was seen to have sociological, psychological, economic and legal dimensions, yet it is the nature of power and control in the relationship that was seen to lie at the core of what it is.

Insights to the nature of legitimate (authority) and illegitimate power and its use to exercise control in the ER were explored from a multi-disciplinary perspective to develop an analytical model aimed at facilitating the identification of various Weberian 'ideal ER types'. ER 'types' are distinguished by the source and nature of their control and power elements. The source and nature of control is based in

the various dimensions of the ER and its exercise is conducted through HR and task domains. A variety of 'ideal ER types were not promulgated, but rather an approach for formulating such approaches based upon the specific needs of the researcher were advanced.

REFERENCES

- Argyris, C. (1960) **Understanding Organisational Behaviour**, Dorsey Press, Homewood, IL.
- ASX (2006) Australian Stock Exchange, Sydney.
- Behrend, H. (1957) **Industrial and Labor Relations Review**, Vol. 10, 503-15.
- Brooks, A. (1988) **University of New South Wales Law Journal**, Vol. 48.
- Clayton, A. and Mitchel, R. (1999) **The Centre for Employment and Labour Relations Law at the University of Melbourne**, Melbourne.
- Clegg, S. (1981) **Administrative Science Quarterly**, Vol. 26, 545-62.
- De Cieri, H. and Kramar, R. (2003) **Human Resource Management in Australia**, McGraw Hill, Sydney.
- Deery, S., Plowman, D., Walsh, J. and Brown, M. (2001) **Industrial Relations: A Contemporary Analysis**, McGraw Hill, Sydney.
- Dufty, N. F. and Fells, R. E. (1989) **Dynamics of Industrial Relations in Australia**, Prentice Hall, Sydney.
- Dunlop, J. (1958) **Industrial Relations Systems**, Holt, New York.
- Electrolux (2004), Vol. 40 HCA.
- Fastenau, M. and Pullin, L. (1998) **International Employment Relations Review**, Vol. 4, 1-21.
- Fells, R. E. (1989) **Labour and Industry**, 2, 470-92.
- Fox, A. (1966) **Industrial Sociology and Industrial Relations**, Her Majesty's Stationary Office, London.
- Fox, A. (1973) In **Man and Organisation** (Ed. Child, J.) George Allen & Unwin, London.
- Fudge, J., Tucker, E. and Vosko, L. (2002).
- Gallie, D., White, M., Cheng, Y. and Tomlinson, M. (1998) **Restructuring the Employment Relationship**, Clarendon Press, Oxford.
- Gardner, M. and Palmer, G. (1992) **Employment Relations: Industrial Relations and Human Resource Management in Australia**, Macmillan, Melbourne.
- Gospel, H. and Palmer, G. (1993) **British Industrial Relations**, Routledge, London.
- Haidar, A. and Pullin, L. (2001) **Indian Journal of Public Administration**, Vol. XLVII, 629-47.
- Haidar, A. and Pullin, L. (2004) **Employment Relations Record**, Vol. 4, 1-13.
- Hawkes, D. (1999) **Australian Journal of Public Administration**, Vol. 58, 80-88.
- Howe, J. and Mitchell, R. (1999) **Australian Journal of Labour Law**, Vol. 12.
- Hyman, R. (1975) **Industrial Relations: A Marxist Introduction**, Macmillan, London.
- ILO (2005) International Labour Office, Geneva.
- Keenoy, T. and Kelly, D. (1998) **The Employment Relationship in Australia**, Harcourt Brace, Sydney.
- Kirkbride, P. S. (1985) **The Journal of Industrial Relations**, Vol. 27, 265-82.
- Lewis, P., Thornhill, A. and Saunders, M. (2003) **Employee Relations: Understanding the Employment Relationship**, Pearson Education, Essex.
- Macken, O'Grady, Sappideen and Warburton (2002) **Law of Employment, Fourth Edition**, Thomson Lawbook Co.
- Malos, S., Haynes, P. and Bowal, P. (2003) **Employee Responsibilities and Rights Journal**, Vol. 15, 149-67.
- Marchington, M. (1982) **Managing Industrial Relations**, McGraw-Hill, London.
- Mills, C. P. (1982) **Australian Business Law Review**, Vol. 10, 270-8.
- Mortimer, D. and Leece, P. (2002) **International Employment Relations Review**, Vol. 8, 17-26.
- Mulgan, R. (1998) **Australian Journal of Public Administration**, Vol. 57, 3-14.
- Nethercote, J. (2003) **Australian Journal of Public Administration**, Vol. 62, 88-94.
- Rubery, J., Earnshaw, J., Marchington, M., Cooke, F. L. and Vincent, S. (2002) **Journal of Management Studies**, Vol. 39.
- Thompson, E. (1991) **The Australian Quarterly**, Vol. 63, 127-42.

Weber, M. (1968) **Economy and Society: An Outline of Interpretative Sociology**, Bedminster Press, New York.

Teaching, Learning and Research in Institutions and Regions

Proceedings of the 5th Annual Conference of the Pacific Employment Relations Association.

Yeppoon, Queensland, Australia, November 2005

edited by
Dennis Mortimer and Gordon Stewart

Sponsored by the Faculty of Business and Law, Central Queensland University

First published in 2005 by
Pacific Employment Relations Association

ISBN 0-9750131-6-5