Jeffrey Keddie: Casualizing, Cobbling and e-Coping

Refereed Conference Paper

This paper is part of a collection of papers that were presented and discussed at the Centre for Public Policy Transitions and Risk: New Directions in Social Policy conference (February, 2005). The paper has been independently reviewed by an expert. This review process conformed with the Department of Education, Science and Training (Australia) guidelines for refereed research publications.

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Casualizing, Cobbling and e-Coping: Back to Future Cottage Industries?

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Refereed paper presented to the Transitions and Risk: New Directions in Social Policy Conference

Centre for Public Policy, University of Melbourne

23 – 25 February 2005
Abstract

The Commonwealth Government has promoted retention of older workers in more flexible workplaces as a way of reducing future welfare expenditure. The rhetoric emphasizes responsibility to future generations to reduce demands on government. It also emphasizes opportunities for personal as well as communal gain. Missing are concern for perverse risks that arise in casualized workplaces and a coherent alignment of Government policies. A reframing of incentives through extension or reinstatement of equitable workplace conditions for all workers is required, which in turn will align better with the emphasis on superannuation and working longer.

Introduction

In Australian Communication Exchange Limited v Deputy Commissioner of Taxation (at 66) Justice Michael Kirby, commenting on the growth of “permanent casual’ workers”, added that “[w]hat once would have been regarded as an oxymoron is now an industrial commonplace”. Such changes were “aimed, in effect, at shifting a large part of post-retirement income support from government pensions to personal savings”. This shift is evident in the Federal Government’s promotion of ways of addressing the costs of an ‘ageing’ Australia (Commonwealth 2002; Banks 2004a; Productivity Commission 2004b). The short message from Government is work longer, work more flexibly (e.g., Schubert 2004). The longer message – what it means to workers themselves – is more obscure.

The Government’s story is one of opportunity but also of the moral responsibility of individual older workers (and impending retirees) to relieve fiscal burdens on future generations, for ‘baby boomers’ to assume greater individual responsibility for their own welfare before and during retirement (Costello 2004c, d). The opportunity reform is offering such workers requires in return a moral commitment from them, which will be given material form in careful accumulation of assets to be expended in future support. The story’s optimism reflects an interpretive framework of workplace reform benefit that dates from the first Howard Government (see Government of Canada 1998, 6.2; Costello 2004c). It takes ‘hard’ data calling for policy action (e.g., Banks 2004b, Productivity Commission 2004a, c) then restricts the policy scope to lower-cost, individually-centered initiatives. The moral framing is unmistakable when Treasurer Costello queries the ‘fairness’ of existing ‘generous’ arrangements that permit short-term self-indulgence at a cost of later reliance on taxpayers (Costello 2004a).

The fairness argument has parallels in tertiary education fees and funding (see Ziguras et al. 2004:9; www.education.gov.au/goved/go/pid/22). It appears in health cost debates, Minister Julie Bishop recently linking health, ageing, cost and working: “The question ought be: ‘What can I do for the health system?’ not ‘What can the health system do for me?’” (Schubert 2004; Bolton 2005; compare Costello 2004b). But the direction is not John F Kennedy’s nation building so much as further nation
hollowing out. The aim is to shift responsibility and cost from government and taxpayers to individuals, as if the presumed benefit were all private. Government withdrawal from services (and costs) will be balanced by individual responsibility and also personal improvement: if only people made more effort, difficulties and costs would vanish (see Costello 2004b). Indeed, Minister Bishop drew an even longer bow, suggesting that specific “drivers for entry into residential aged care – falls, incontinence, diabetes” were “all preventable” (Schubert 2004). Such moral attribution to medical problems is, of course, far too simplistic.

The Commonwealth is reframing the ‘intergenerational’ debate away from government intervention and towards a normative model of individual accountability which it integrates into its workplace reform agenda. The rhetoric presents a consistent policy but the mechanisms for delivery manifest a range of agendas and responses. The consistent note is sounded in explicit assumptions rather than in detail of implementation (compare Schön and Rein 1994).

This paper’s focus is on one target group, casualized professionals (Herbert et al. 2002; Waite and Will 2002:18), who have created work and workplaces as ‘home offices’, which are dependent on information and communication technologies (ICTs) to provide an infrastructure that supports work previously done in a larger office. Such workers forego many benefits that apply to colleagues in the traditional workplace who undertake essentially the same tasks (Dagg 1997; Barnes et al. 1999:73; Herbert et al. 2002). They also assume risks unknown to their traditionally employed colleagues.

The paper seeks to explore how such home workers illustrate the themes of transitions and risk, to ask what the consequences might be not only for them as individuals but for their clients and for the wider community. It seeks to define parameters for further research (see Government of Canada 1998, 3.4) and asks how the Federal Government’s agenda for shifting responsibility and costs to individuals matches up with its agenda for increasing workplace flexibility, which has been a driver in the growth of casual work, how individuals might respond to these initiatives, and what the role is for the Government to ensure that its initiatives are complementary, that those to whom they are targeted are not disadvantaged.

Casualization and the Older Worker

When it comes to older casualized professionals, the Government sees transitions as an issue but not the associated risks (Costello 2004a; Commonwealth 2004c). Costello’s package mixes deregulation in the interests of flexibility with incentives but also disincentives, with encouragement to take risk but limitation on access to superannuation funds, with exhortation to innovate but a taxation system that transfers responsibility and paperwork to individuals (compare Costello 2004b, c; and www.ato.gov.au for the complex array of taxation issues). The transfer of risk is
onto the worker, with little protection from the consequences of reduced entitlements or compensation for the insecurity and exclusion from award conditions. Risk exposure is at the individual’s cost in return for presumed personal benefits of flexibility. The Treasurer’s framing of the agenda as an incentive may also therefore be reframed as a perverse incentive – for the worker to resist or withdraw, for the employer to avoid training and superannuation, for work quality to suffer, for long-term adverse outcomes to be increased. It is an example of social cost shifting, which, once detected, might confound the overall promotional aims.

The Intergenerational Report (Commonwealth 2002) and the longer working life agenda emerge as prominent examples of policy incoherence, where market deregulation generates incentives that contradict claims for the benefits of choice and flexibility. Having observed a problem and declared the need for a solution, the Commonwealth has nonetheless taken steps that may transform it into a typically ‘wicked’ problem (Rittel and Weber 1973).

There are unresolved tensions between Government promotion of fiscally desirable outcomes for future generations (its ‘intergenerational’ agenda) and its reform ideology, which emphasizes the benefits of flexibility and choice as part of a broad deregulatory agenda and which underpins the Government’s economic credibility and the articulation from reform to social well-being (typically in the pronouncements of the Treasurer, the Productivity Commission, the National Competition Council and the like). Yet public policy that seeks to increase and prolong workplace involvement has a substantial interest in mapping how those workplaces might look, who the workers might be, and the kind of regimes, formal or informal, that might apply to both. At present, this interest is being neglected in favour of optimistic assumptions about successful integration of entrepreneurial individuals. Exhortation has replaced investigation.

On the past record, casualization is likely to expand further as a ‘strategy of choice’ for employers and workers alike (Government of Canada 1998, 10.5; Productivity Commission 1998; Herbert et al. 2002), especially as it applies to older workers as they respond to pressure to remain in the work force longer. These transitional phases are not yet well acknowledged, and conditions favourable to their promotion may not be simply matters of adjustment to tax rates or superannuation concessions (compare Argy 1999:44, Costello 2004a, c, Commonwealth 2004c), which are superficial in scope and only indirectly related to business costs and risks.

The study of casualization is, first, a problem in defining what a ‘casual worker’ is. In practice, ‘casual work’ is expansionary, occupying a spectrum from impermanent to semi-permanent, ranging also from full-time to fractional time, and it can include accumulations of fractions to make up the individual’s ‘job’ – the casual worker may be full-time, even more than full-time, and quasi-permanent, which questions the appositeness of ‘casual’. Nor is there homogeneity among older groups of casual
workers (see Murtough and Waite 2000a); Waite and Will (2001), for example, do not notice how ICT use might characterize some groups of workers, and this is especially the case with casualized professionals. Certainly the shift to casualization has been ‘enormous’ by any measure, and Australian Bureau of Statistics definitions, though consistent, do not adequately report scope, patterns of change and increase (Gray 1995; Hutton 1995; Productivity Commission 1998; Murtough and Waite 2000a, b). In terminology, for example, Murtough and Waite’s ‘non-traditional employment’ enlarges the coverage but at a cost of statistical precision. The problem, that is, is disguised and also limited.

Legal definition is typically exclusionary, to remove claims for entitlements (e.g., Parliament 1999:194; Reith 1999:4, 31). The Government has sought to remove uncertainty about standing but also the substance of award entitlement and workplace conditions, which, it is argued, are disincentives to employers to recruit greater numbers of casualized workers. Statutory revision is required to ensure that the Government gets its way, on the employers’ behalf but also for the greater common good (e.g., Reith 1999).

Aggregate reporting and study of effect become more difficult as formal coverage diminishes. Casual workers tend to drop from view. Generally, however, the problems accompanying casualization are known: reduced benefits, lower incomes, foregone promotion, and increased ratio of unpaid to paid labour, and increased work intensity. There is no reason to think that such disadvantages common to younger workers, women or those with lower levels of skill, will not also arise in other, higher skilled groups (see OECD, Employment Outlook, 1992; Gray 1995; Government of Canada 1998, 2.1; QIEU 2002; St Vincent de Paul 2003). Removal from award entitlements is an effective, short-term method of removing the need for further analysis and response. However, it also contradicts initiatives promoting financial independence for older workers and retirees, both in provision of incentives and in increasing savings for the future: the benefits may not be there to be had.

There are historical parallels whose lessons are well taken (see instances in Hobsbawm 1999). We are witnessing the creation of a new form of cottage industry, which, ironically, reinstates forms of early industrial work in a post-industrial, information age society, with all the risks of adverse consequences that this implies. The information age, through dispersal of technologies and individual empowerment in their use, enables creation of extensive, networked ‘home offices’ as substitutes for traditional workplaces; such workplaces recreate in essential, modern guise the conditions of the Victorian Age, now paradoxically encompassing professional workers. As Hobsbawm reminds us (1999:7), the lead-up to the Victorian era saw “the typical worker [as] some kind of village artisan or smallholder in his cottage, increasingly specializing...” Over time such clusters of workers experienced declining, persisting conditions, which led in part to mass migration and local skill loss (ibid.49, 69, 71, 96; Webber and Weller 2001) – a signal case of
withdrawal from the market.

The enthusiasm for home work noted in Canada may be misplaced. Employment flexibility can obscure individual detriment. ICT empowerment can be illusory, the sense of autonomy exaggerated (Gray 1995; Dagg 1997). ICTs enable more work to be done more quickly but the work itself remains directed and controlled. This is as true of the contracted, home-working professional as of the factory-based specialist. At first sight, ICTs have been a boon for the home office, providing for the worker access and communication on a par with, or even better than, traditional workplace facilities: network ‘downtime’ can be avoided, printers need not be shared, distractions by coworkers are reduced but electronic communications are unaffected. On an individual scale, every resource seems instantly available.

The ‘cottage’ element of the home office is masked, however, by the modern appearance of technology, the speed of operations and apparent access to resources. Thus, in the literature of casualization, ICTs are near-visible: Laplagne et al. (2001), for example, have few references to computers and fewer still to effects on the ‘shape’ of workplaces (5, 6, 29); De Laine et al. 2000 canvass ICT changes more extensively, but largely within traditional workplaces. There is no exploration of the constant upgrade costs, the reliance on external infrastructure (older technology such as telephone lines versus broadband or wireless capacity), hidden office costs (lighting, heating, stationery, postage, insurance, and so forth), and of course dependence not only on individual capacity to maintain and upgrade skills but awareness of the need for such upgrades and how to source them efficiently and cost-effectively.

Moreover, just as has long been the case in areas like higher education, where core work such as research is in part or whole carried on in a home office to avoid workplace distractions, so the casualized worker assumes the appearance and habit of traditional workplace colleagues in completing some functions at the ‘public’ workplace and some at the home. This is the ‘mask’ at work. The casualized worker assumes the costs and risks of production just as the cottage industry worker was responsible for skills and equipment. Further, Marginson and Considine (2000:241-242) point also to the significant cultural change that arises when increased numbers of casualized academic staff allow for ‘side-stepping’ the academic core. ‘Core’ functions can no longer be loosely attributed to all workers in such industries, though the differential is concealed. In this ICTs play a crucial part, both in allowing workplace options and in the concealment.

The driver for adaptation is different for the casualized home worker than for the traditional office worker. For the casualized worker, ICT access and deployment are essential in enabling completion of tasks within time and budget, and to allow for a number of disparate tasks to be ‘cobbled together’ to create in totality a job that more nearly approximates traditional work in its remuneration. In this respect, ICTs are still more of a sine qua non for the non-traditional, professional worker than for her
traditional counterpart. They also, however, imply a complex of costs of varying salience and incidence which must be set against earnings. ICTs are a delivery and a management tool but these functions overlap – for example, in tax record keeping and invoicing as well as in production. The casualized worker’s exposure to risk is multidimensional: in direct cost, in opportunity cost, in reliance on a range of suppliers and infrastructure. Infrastructure failure, for example, such as loss of power or communication or of a hard drive, equates to loss of income in a way rare in a traditional workplace for the individual worker.

**Satisfied customers?**

The Federal Government is proposing profound social and personal changes in its restructuring of work (e.g., Commonwealth 2002; Henry 2002, 2004). Government rhetoric speaks of ‘lifestyle’ and ‘well-being’ but not their connection with new forms of workplaces (one looks in vain for ‘casual’ or ‘non-traditional’ as descriptors of participation). This continues a stream of emphasis on deregulating for flexibility, which enhances individual choice and opportunity; these in turn enhance community well-being (e.g., Productivity Commission 1998; Parliament 1999, Outline; Reith 1999). It receives legislative expression in the Howard Government’s *Workplace Relations Act 1996*, whose ‘principal object’ (s.3) is “to provide a framework for cooperative workplace relations which promotes the economic prosperity and welfare of the people of Australia” through a tranche of mechanisms and benefits such as high employment, low inflation, competitiveness but also its protection, devolved responsibility but also minimum standards and a safety net, freedom of association, conciliation, arbitration, balance in work and family needs, respect for and valuing of diversity and, last of all, “assisting in giving effect to Australia’s international obligations in relation to labour standards”. Bare enumeration is sufficient to raise questions of balance and priority. The Act also excludes casual workers from many protective provisions (e.g., s.170CBA, Sched.1 ss.1, 3, 17, 29, 41, and potentially s.501(3)), some of the exclusions from family leave provisions also sitting oddly with Government ‘pro-family’ rhetoric.

For employers the immediate, unambiguous benefits are better allocation of time and resources to maximize profits, reducing potentially unproductive long-term commitments, and above all reducing the on-costs of leave and superannuation. Drivers that encourage casualization are of a kind and point in the same direction. One side of the argument is very well represented in high-level, international promotion and economic theory (Handy 1984; OECD 1990; Dagg 1997; Government of Canada 1998, 2.20), in neo-liberal ideology evidenced in globalization, deregulation and technological change (Gray 1995, Dagg 1997), and in more localized goals such as microeconomic reform that emphasizes efficiency, effectiveness and evolving patterns of workforce participation (Productivity Commission 1998:63-64; Barnes et al. 1999; Murtough and Waite 2000b:27). For this, governments must reduce regulatory interventions: “Employers...feel public policy should remove regulations
and practices that impede entrepreneurship and competitiveness. They see the
dependent contractor as the ‘entrepreneur in waiting’ (Government of Canada 1998,
4.8). Casualized professionals are not passive players in these developments:
“Telecommuting and home (office) work are being sought out both by employers and by
workers” (Government of Canada 1998, 2.1, format original). From the viewpoint of
government, the private sector and, it must be said, some individuals, there is a
perception of opportunity offered through increased flexibility (Gray 1995). Such
flexibility is itself a driver for management decisions that lead to increased
casualization and creation of quasi-permanent part-time employment.

For employers as for governments, the nexus is cost reduction through cost- and risk-
shifting, reclassed as ‘entrepreneurial’ encouragement. Casualized labour is
individualized through deregulation, opportunity compensating for risk. The tension
between productivity drivers, in particular the competition for skills, competition for
skilled labour, and the effects of overseas competition, is expressed in terms of
reducing labour cost pressures and offering private, individual incentives rather than
broadening structural incentives to address precarious employment or declining
skills bases. Gains arise from reducing costs associated with training and skills
upgrading (Government of Canada 1998, 3.3, 4.3, 5.5; Herbert et al. 2002), and costs of
procuring, maintaining and replacing essential equipment (computers, for example,
are notoriously short-lived) or facilities such as ergonomic furniture required for
Workplace insurance is reduced, the cost transferred to private insurance.2 In theory
the employer gains access to a wider market of available skills, choosing more freely
among competitive sellers who will bid the market down to secure a contract.

For the contractor-cum-employee, too, there are attractions: flexibility in shifting
between workplaces and the appeal of working at home for personal reasons, such as
convenience or family care or simple preference. For the efficient worker there is a
sense of control over the process and time allocation (albeit perhaps illusory),
enabling profit on tasks swiftly completed and transfer of resources to more difficult
tasks. Such flexibility answers critiques of real-world workplaces, with their
multifarious management demands (see Mintzberg 1990; Stewart 2004:51-58). The
assembly of a number of tasks ad hoc to comprise a total ‘package’ may not seem all
that much different from a traditional workplace that imposes requirements like
meeting attendances and consultations that ‘get in the way’ of ‘real work’.

Yet the risks in such arrangements emerge. They transpose to the private sphere
documented concerns about public sector problems (see Corbett 1996). It is difficult
to foresee exactly the hours of work required and contracted for (Gray 1995). Quality
assurance of skills and product, prioritizing and delivery are inherently variable and
likely to be uncoordinated; in some areas, real savings to the principal are negligible,
real losses a probability. These are well-known features of many contracted or
outsourced services (Hodge 2000). The risk is in two directions: for the provider who
outsourced the task, delivery failure may have serious consequences in customer satisfaction and business renewal (higher education need not be exempt here: see, e.g., Marginson and Considine 2000); for the contractor, failure may prove fatal to future employment. Both have an interest in meeting delivery under any conditions as a first priority.

There are deep problems of asymmetry. Typically there is asymmetry of power between would-be employer and would-be contracting individual, since the latter is more likely to need a successful outcome than the former and has fewer available choices (Dagg 1997; Government of Canada 1998, 4.4). There is likely to be asymmetry of information about what conditions in fact do bind the employer, through awards and internal procedures, so that the employer may minimize costs and commitments without the worker’s knowledge and may thus evade even the scrutiny of regulators. Information with respect to management and expertise is subject to asymmetry, which can imperil immediate effectiveness and larger issues of policy development (e.g., Herbert et al. 2002). On both sides short-term approaches bear a cost. Costello (2004a) recasts such implied asymmetries as “flexible work opportunities”, for which “[r]educing the amount of regulation imposed on those seeking to negotiate mutually beneficial wages and conditions is the key”, but Gray (1995) suggests this is little more than organized or legitimized ‘flexploitation’. It depends on the frame of the observer – or the participant.

For the employer, the cheaper alternative also carries more or less concealed risks in allowing a run-down of core organizational skills; there is the risk of skills transfer, reselling and on-selling, which by the nature of casual employment are hard to prevent; in both cases there is a threat to knowledge capital or intellectual property. Indeed, it is in the casual worker’s interest to be a rational utility maximizer, even at the expense of commitment to task completion and service delivery: in education, for example, as in other knowledge industries, duplicated selling of service such as a course is attractive; replacement of staff at short notice may be possible, but quality delivery supported by continuity is harder to ensure and customer (student) satisfaction harder still. Access to records and people may raise issues of privacy, especially through ICT-facilitated arrangements that fall outside institutional controls. In the approach to planning, it must be asked how the law of diminishing returns applies: what happens when there is no more ‘fat’ in the system to be excised or rendered down? The driver remains – with its underlying assumptions that there is always efficiency somewhere – and savings can only be made from fundamental kinds of reductions, such as quality or time investment in knowledge renewal!

For the worker, acceptance of short-term conditions, such as foregoing or limiting benefits like superannuation in return for gaining work at all, gives rise to longer term personal loss (income during retirement) which may in turn impose further burdens on welfare and pension schemes, contrary to the Government’s initiatives in promoting longer working lives. As the ages of workers accepting such reduced
conditions lessens, and ages in retirement lengthen, the capacity of individuals and
governments to meet long-term demands for self-support may be reduced,
notwithstanding longer working lives (see, e.g., Murtough and Waite 2000c). ‘Cut-
throat’ bidding downwards returns short-term gains through competitive costs but
risks longer term goals: instead of choosing to remain in the market for recruitment
or to maintain necessary skills, workers elect to retire, again contrary to the ‘work
longer’ agenda. Finally, incentives for employers (reduction in running costs, on-
costs, equipment, training, downtime provision, etc.) are cost-shifted to casualized
workers (Gray 1995), for whom they may prove a significant disincentive.

A significant, lesser-known element in this territory of home work is the long-term
effect on knowledge as a community asset. In discussing the ‘social life of
information’, Seely Brown and Duguid (2000) cite some of the clustering that has
occurred with ICTs, particularly in Silicon Valley, and, by extension, in other ‘Silicon’
aggregations (e.g., Levine 2000:596-597). In their metaphorical account, information
growth or evolution flourishes through ‘clustering’, which occurs as if by instinct.3
This seems a curious, counter-intuitive phenomenon, because the Internet and other
networked systems do not depend on geographical propinquity. Clustering, that is,
can be virtual, since communications are at least as swift, and probably swifter,
through preference for electronic interactions – through email, say, rather than
meeting. Yet this appears not to happen. What is the implication for the post-modern
workplace? While we might expect knowledge sharing and effective information
management and deployment as an inevitable product of communication per se, the
examples cited suggest that all is not so clear-cut. One of the ‘gaps’ in the
construction of virtual, networked workplaces may well be the loss of benefit implicit
in the social life of information.

The analogy of geographical co-location and clustering further supports questions
about likely outcomes. Small clusters of skilled workers in cottage industries did fail,
and either abandoned their work or took their skills and persons to other lands
where clustering was more effective (Hobsbawm 1999), or where failure could be
defered (for example, in the textile industry: see Webber and Weller 2001).4 Skills
aggregation makes some crucial developments possible, but it does not ensure
continuity and success (Hobsbawm 1997:7). Technology and skills dispersal serves
new locations well but for the originating society there is a concomitant loss of skill,
intellectual property and opportunity. What do we risk foregoing if we de facto create
structures that inhibit productive clustering, on the understanding that clustering can
now be virtual, in the face of evidence of productive effects even in – or especially in
– information industries? The role of clustering, and its limits, requires exploration.

Paradigm shifts in technology induce similarly paradigmatic shifts in perception, but
patterns also re-emerge with each new technology. Hobsbawm’s example of
telegraphic communication is a useful reflection on the transformative possibilities of
ICTs, but communication of itself does not – and did not – resolve problems of
economic structure: share market crashes and currency transactions bear witness to the adverse side of speed. Can we learn from the experience of other technological revolutions so as to manage social and personal problems in making the transition from traditional full-time work in the company of colleagues to ‘distance’, electronically mediated interactions with clients, government and non-colleague families? (cf. Hobsbawm 1998:64-87; De Laine et al. 2000:17-19). Here reliance on technology as a solution to service and delivery costs and mechanisms exposes all sides to risk.

For the social life of the worker, workplace quality (quality of life) may extend beyond the bounds of material support to include personal interaction and support that cannot be duplicated or mediated technologically; service quality cannot be monitored and assured in the same way, risking job satisfaction and self-confidence; and capacity to deliver future service may come under question (Herbert et al. 2002; Hallowell 2005:59). The optimistic view remains firm about such matters: “For high-technology firms, the issue of labour standards is almost a non-issue. One firm observed that telecommuting is the wave of the future, and the company sees the telecommuting program as the key to worker satisfaction and to attracting talent when talent is scarce” (Government of Canada 1998, 4.4). This assumes there is only one side to the story, and of course it under-represents the range of casualized work as a whole.

The message here, then, is that risks are discernible, empirical and in accord with the same economic models used to justify expanding flexibility; they are the obverse of the positive outcomes offered by reform proponents and they are entitled to be assumed in the same way until empirically refuted. Satisfaction may be widespread but it is not to be relied upon as a guarantee of success.

**Paradoxes, contradictions and tensions**

We find ourselves with a series of oppositions:

- The opportunity offered by flexibility is also a risk or threat, and the risk is to both sides of the immediate transaction (employer and casual worker) and to the whole community in the longer term.
- Empowerment through ICT deployment may also be disempowerment, through the kind of work and also through the loss of amenity that comes with award conditions, managed workplaces, physical monitoring and social life.
- Government microeconomic reform through flexibility and deregulation does not sit easily with initiatives that support longer-term welfare reforms that are dependent on perception of incentives. One kind of Government rhetoric conceals rather than addresses the consequences of another.
- Knowledge society initiatives that rely on informal, instinctual aggregation or ‘clustering’ are undermined by technology, knowledge and network dispersal
that are the consequences of disaggregating individuals into home offices.

The tensions between the policy interest and individual concerns are extensive. On the policy side, there is an interest in extending working life so as to reduce demands on state budgets and increase reliance on personal resources, a widening, too, of the base of older workers, and integrating these with market deregulation, growing markets for services and niche products, which in turn feed into the general revenue base through GST impositions, and which can progressively replace more traditional industries.

On the individual side, there are the ‘legacy’ view of retirement, competition for opportunities between age groups of workers, changing skills bases and requirements that arise from technological changes, perceptions of risk and its reality, and perverse incentives such as loss of welfare benefits, increased taxation and deferred enjoyment of accrued savings. For governments, the task seems to be to manage and encourage changes by compensation initiatives and promotional rhetoric, while avoiding too much directive activity imposed too quickly.

Solutions to these conundrums are provisional. More research is needed to assess dimensions of casual work and its broader social consequences, which can then be set against the attractive, immediate cost consequences. More measuring is required that overcomes the disguising effects of limited definitions of casual or non-traditional employment, and this needs to address qualitative as well as quantitative indicators. Given Federal Government interest in intergenerational initiatives, what effect do current experiences have on future intentions and behaviour among those workers targeted for incentives to work longer but less ‘traditionally’? The sense of suspicion, after all, is strong: workers are as likely to notice precarious employment and insecurity as well as increased work intensity, and to observe that it is the employers’ agenda that is driving social change, not individual choice (Dagg 1997).

More challenging is the pursuit of policy coherence across and between sectors, interests and programs, to align reforms of welfare, superannuation, education and workplaces (see Keating 2004:146-147). This is difficult because of the number of dimensions, but where contradictions emerge clearly, there is at least ground on which to begin the task.

As proposed in Canada (Government of Canada 1998), more needs to be done to educate employers, not only about their responsibilities and rights (the principal agenda of the Department of Workplace Relations in Australia, which, however, seems to emphasize rights: see www.workplace.gov.au), but also about their long-term benefits from adjusting their sights away from exploitation of sequences of casualized workers.

More difficult still to accommodate ideologically for the Howard Government is
renewal of government’s protective role and long-term commitment to a knowledge society through creating or reinstating a regime that puts a ‘floor’ under conditions for casualized workers as an effective, agreed base, rather than the minimalist position of the Workplace Relations Act – to adopt the European Union example, say, rather than the general trend to increased deregulation of ‘home work’ (see Government of Canada 1998, 6.3.1). It is a return to instrumental solutions, but in the more sophisticated management sense Keating proposes (Keating 2004). Although the situation mapped out by Anne Gray (1995, 1997) seems more extreme than is current in Australia, the re-elected Howard Government has indicated that legislation like the More Jobs, Better Pay Bill will be forthcoming, in the pursuit of deregulation as an article of faith and as part of a wider promotional agenda for reform (see www.workplace.gov.au/Workplace/WPHome).

In this climate, Dagg’s proposal that there be ‘juridical extension’ of award benefits to non-award workers seems unlikely to find acceptance (see Reith 1999:33, on proposals to restrict courts). The Australian case law to date (law.ato.gov.au/atolaw/index.htm) has been reactive, delineating statutory conditions at the margins, such as superannuation benefits and taxation liability. The interest is not in working conditions per se, which remain subject to the flexibility agenda. The use of definitions to restrict coverage, and concomitant policy incoherence, is known elsewhere (Government of Canada 1998, 4.4, 4.8). The Commonwealth Government needs to measure and then decide how much loss or opportunity cost the community can or should bear in return for strict adherence to the workplace flexibility agenda.

Is it feasible yet to see a redefinition of the Government as a facilitator through a reconsideration of its deeply held views on deregulation, in return for gaining support and effectiveness for its legacy of sustaining the welfare system? Politically, it may be compelled to do so. As one government reviewer noted,

The bottom line is that portions of the public feel far more insecure and continue to look to governments to play a role in alleviating their insecurities. Determining, in this context, how governments can best protect workers and pursue key related policy goals is a major challenge.
(Government of Canada 1998, 2.2, emphasis original)

The onus for effective action remains with the Government, but its rhetorical commitment is strong. Dagg (1997) comments that

Leaving it all to the market was the ethos of the Victorian age, and the excesses to which it led resulted in a broad social consensus that the market had to be placed in a social context if it was to serve human needs. (Dagg 1997)
It would be ironic if, in default of Government regulatory attention, the trend retuned to unionization that challenged established agendas and promoted a new cycle of disputation (cf. Dagg 1997) or, conversely, enlargement of the informal economy (Sassen 1997), with negative consequences for tax revenues.

Much depends on political drivers. Michael Keating (2004), who addresses the problem of demographic change and health costs, has argued that a government’s management role can extend to an enhanced supervisory role that aligns with its core directions. The Howard Government’s pragmatism, for example, has resisted total withdrawal from textile industry assistance and has resulted in targeted protective legislation (the Homeworker Code of Practice), where the Government has re-regulated in conjunction with employer interest in ‘managing’ competition based on unapproved work practices (Webber and Weller 2001:150-155). In its role as ‘prudential’ manager, too, the Government has continued as a regulator in controlling access to superannuation funds, which implicitly contradicts the rhetoric of individual choice and responsibility (Costello 2004c, Commonwealth 2004c, e.g.). The reframing required for dealing with casualized labour may not be too impossible: the rhetoric of individual responsibility can be aligned with the Government’s role as facilitator of achievement of that responsibility, in which re-regulation to remove exclusion clauses is a temporary measure. The ‘fairness’ argument similarly can be extended to encompass a ‘floor’ for all workers, even as the Government continues its agenda to wind back the fixed components of that floor. In Schön and Rein’s language (1994:86), reframing and modification are legitimate responses to unintended consequences of policy making.

The obstacles are, first, sufficient robust information to enable an accurate appreciation of the extent of problems implicit in casualization. Second, we need to shift the focus to ensure that short-term gains do not wholly displace long-term perspectives. In ideological terms, commitment to workplace reform that has educated employers and employees in one direction only must be rearticulated as also a commitment by Government to community welfare over the long term. It involves redirection of principle, articulated through a redefined, enhanced role for Government as facilitator and manager rather than protector. Of immediate concern, those instruments in place or preparation that will further the casualization process through redefinition and exclusion should be reviewed, their consequences investigated, and adjustments made.

**Conclusion**

The principal themes that emerge are that there remain significant regulatory ‘gaps’ in protecting or sustaining casualized professionals, who are also *de facto* small business and small independent contractors (both key political constituencies), in risks posed to information creation and enhancement, in risks encountered by individuals who then make decisions against the current of Government wishes, and
in a loss of public value through communal loss of opportunity and benefit.

Transitions implicit in changes in labour force structure – here in regard to older, casualized professionals – need delineation, articulation and development in a way that also acknowledges and addresses their risks. This ‘market’ is transitional in the life- or working cycle sense but also in the sense of a shift in labour force structure: both are happening at once, often to the same people. Risks, too, need definition and contingency management, as a counter to perverse incentives.

The challenge for the newly casualized, professional, older workforce is to access and benefit from the opportunities that technology and policy decisions offer while providing a sustainable service; workers must manage the transitions and the risks, envisage perverse outcomes, and redress them positively.

From this emerges a positive role for Government, through a combination of regulatory interventions to support its agenda promotion, by articulating its choices more carefully, and by withdrawing from some of its ideological commitments in return for achieving some of its pragmatic goals. For its rhetoric to be effective in redirecting its targets, older workers, the Government may need to provide and promote policy carrots on a more extensive scale, so that its role is not only educative at a moral level but at a fiscal, practical one. Policy coherence may not be feasible with the current plethora of contradictions left intact, yet it may be possible if the Government sets coherent parameters as an initial condition and abandons Procrustean, ad hoc solutions.

The Government has itself in an ideological bind between its imperatives for ongoing market reform and workplace flexibility, its desire to increase workforce participation among older workers, and its capacity for but concern about taking regulatory or interventionist action that implicitly and explicitly limits choice. If the answers are uncertain, the questions at least exist in outline.

Notes


2 This is not negligible: in 2004 the author declined a contract with Open Learning Australia, when the coordinating body, the Defence Department, insisted on a level of indemnity insurance (for academic assessments!) that might exceed total income from the contract.

3 Jenny Uglow (2003) has shown the value of intellectual ‘fermentation’ in Eighteenth Century Birmingham, where diversity of ‘clustered’ endeavours contributed greatly to science and manufacturing. Again the consequences are unforeseen.

4 The textile industry shows the consequences of migration and geographical clustering that defers economic failure for many years. Textile mills in Geelong, for example, ‘clustered’ along the Barwon River long after water as a resource was necessary, and recruited among the migrant groups at all levels. Some of their
artefacts remain, but little of the industry itself. The author draws on more than a century of family persistence in this industry’s clustering.

As recently as 11 December 2004, ABC Radio National’s *The National Interest* addressed the issue of regulatory responses to changing workplaces, showing how Ireland (Eire) was moving in a contrary direction to Australia, despite the similarity in taxation measures in other respects (interview, Terry Lane with Prof. Roy Green).
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