

Legal, Safety, and Regulatory Requirements

Legal, Safety, and Regulatory Requirements

Introduction

Common sense and compassion are two things, which are slowly, and steadily wiped out of the workplace. The workplace is one of the practical examples of how we lead our lives. Since we have stopped using our common sense in our daily lives, the effect is evident in the workplace. Same is the case with compassion. Our lives have become deprived of compassion. People have become ignorant of the needs of each other. They have become less emotional and more practical. They do not feel sorry for others. One of the many things which have mould our behaviors this way is litigation. The rules, laws and regulations that are set by the law making authorities be implemented at the workplace have reduced the use of common sense, as well as, the feelings of compassion from the workplace.

Discussion

The Effect of Legal, Safety, and Regulatory Requirements on Human Resource Process

In every country of the world in general, and United State of America in particular, all the managers of the human resource department must follow and abide by the laws related to employment, wages and labor relations. The analysis of the impact that regulations have on the human resource supply and the opportunities available to them can be looked at from two points of views. The first point of view is that the effect of laws on the human resource already working in a firm which is engaged in a business in a particular industry. The second point of view is the employment opportunities for the unemployed labor force which are created by either the expansion of the existing firms, or by the entry of new businesses in the market place. A number of economists have debated over the role of the laws, rules and regulations that have been set forth by the regulating authorities and their effect on the market place. A variation exists between the stable and volatile industries that support regulations (Freeman 2005). These regulations also have an influence on the size of the industry. This hampers the entry of new firms in the market which lower down the overall employment rate of the industry (Micco & Pages 2007). Some of the economists have also studied that how theses regulatory structures like EPA, affect the social cost estimates. The social cost estimates are found from the PEs of the industry that is being regulate by the law making authorities (Murray et al. 2000). PE based estimates have been challenged by economists who have pointed to how environmental regulations interact with tax-induced distortions of the labor market, often referred to as "tax interaction effects" (TIEs). (Murray et al 2000 p 2) (Parry 1997) To use this analysis the criticism pointed out that assumptions had to be made such as that there were no other market-distortions or that there is a cancellation effect between distortions caused by the regulatory intervention. Murray, Thurman

and Keeler pointed out that the TIE literature argues that regarding environmental policy, agriculture policy, trade policy, and other regulation (one can insert labor policy) the other-market effects do not cancel out. (Murray et al 2000 p 2-3) For example, members of the Science Advisory Board, expressed concerns of PE estimates due to TIEs when reviewing the suggested impact that the Clean Air Act would have on social cost believing that they were too conservative.

Litigation Has Replaced Common Sense and Compassion in the Workplace

Litigation has replaced common sense and compassion in the workplace. Laura Gilbert, writing for the Nat'l Center for Preventive Law, begins an article with the premise that society has a heightened awareness of and acceptance of lawsuits". (Gilbert 2010) Gilbert's article points out a need for the workplace to address drastic changes in society and employment law which have prompted increased litigation. In the last decade the shift to "Employment at Will" doctrine has fueled much of this change. The traditional notion of the company man is no longer in vogue as increased instability in the workplace has become the new norm. Downsizing, mergers, restructuring, plant closings, going South, and so forth are the current buzz words that employees hear in today's workplace. Pressure to multi-task and to be cross-trained to merely protects ones employment interest during downsizing actions taken to protect the bottom-line have added to a hostile workplace. Legal practices, according to Gilbert, are advising the firms they represent to mask their litigious activities so that they are perceived more compassionately. For example, employers should remind employees that their practices are being applied equally to all its employees. The loss of a friendly work place and freedom in the work place is supposed to be accepted for the tradeoff of preventive practices and safety. Very few judicious supervisors will

attempt to enforce a negative sanction upon an employee without first documenting and consulting human resources for advice. Just the mere increased preoccupation with avoiding higher unemployment insurance ratings, is evidence that an increase in focus on litigation by employers due to Labor Regulations, has also been adopted also by employees who precariously attempt to cling to a swaying career ladder.

Conclusion

Common sense and compassion in the workplace has been replaced by litigation. These laws and regulations have made the people less compassionate and over practical. The use of common sense has also diminished. It is important for the law making authorities make such laws which are in favor of the people working for an organization or an industry, and not against them.

References

Freeman, R., Labor Market Institutions without Binders: The Debate about Flexibility and Labor Market Performance, 2005, NBER Working Paper, #11286, Cambridge, United States: National Bureau of Economic Research

Gilbert, Laura, "Reducing the Litigious Climate in Organizations", article, Nat'l Center for Preventive law Website, (downloaded December 2010) California Western School of Law.

<http://www.iadb.org/res/publications/pubfiles/pubWP-592.pdf>

<http://www.preventivelawyer.org/main/default.asp?pid=essays/gilbert.htm>

Micco, Alejandro and Pages, Carmen, "The Economic Effects of Employment Protection: Evidence from International Industry-Level Data", [Paper # XXXXX], December 2007, Research Department of Inter-American Development Bank

Murray B., W. Thurman, & A. Keeler, "Adjusting for Tax Interaction Effects in the Economic Analysis of Environmental Regulation: Some Practical Considerations", November 2000, [White Paper], prepared for the U.S. Environmental Protection Agency

Parry, Ian W.H., Environmental Taxes and Quotas in the Presence of Distorting Taxes in Factor Markets, 1997, Resource and Energy Economics 19:203-220.