

THE DECISION TO COMPLY WITH WORKPLACE LAW:
A MIXED-METHODS INVESTIGATION OF HUMAN RESOURCE PRACTITIONERS

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ABSTRACT

Violations of labour and employment laws governing workers (e.g. workplace law) are a widespread issue in industrialized countries. While human resource (HR) practitioners play a central role in responding to workplace law in organizations, limited empirical research has explored HR and legal compliance. This mixed-methods dissertation aims to increase our understanding of how and why Canadian HR practitioners decide to comply (or not comply) with legal requirements. Drawing on the Reasoned Action Approach as a theoretical framework, Study 1 and Study 2 explore how HR practitioners' beliefs, attitudes, perceived norms, perceived behavioural control (self-efficacy), perceived risk, unionization, professional HR designations, self-assessed knowledge, tenure and sector influence self-reported compliance. Study 1 identified practitioners' salient behavioural, normative, and control beliefs through a Belief Elicitation Study. Using bootstrapped multiple regression, Study 2 consisted of a test of the full theoretical model. Study 2 found perceived norms, attitudes, behavioural beliefs (advantages and disadvantages of compliance), control beliefs (resources that would facilitate compliance), and perceived behavioural control directly influenced compliance. A number of indirect relationships were also significant, particularly involving perceived risk and self-assessed knowledge. Study 3 consisted of qualitative interviews with HR practitioners to gain increased insight into the lived experience of HR professionals. Study 3 was largely consistent with the quantitative findings. Practitioners also emphasized tensions between staff and line authority, the influential role played by senior leaders, that compliance is strategic, that HR has responsibility to act as an expert guide and ethical steward when promoting compliance, and that risk and knowledge act as key drivers of compliance.

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PREFACE

The research conducted as part of this dissertation has been reviewed and approved by the Human Participants Review Sub-Committee (HPRC), York University's Ethics Review Board, and conforms to the standards of the Canadian Tri-Council Research Ethics guidelines. Prior to data collection in Study 1 (Pilot and Belief Elicitation Study), Study 2 (A Reasoned Action Approach to Compliance) and Study 3 (A Qualitative Investigation of HR and Legal Compliance), informed consent was obtained from all participants. Contact information was also provided for the researcher, dissertation supervisor, Graduate Program Director for the School of Human Resource Management, and Senior Manager and Policy Advisor for the Office of Research Ethics at York University.

All names reported in Study 3 are pseudonyms.

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INTRODUCTION

Because of their responsibility for employees, human resource (HR) practitioners play a central role in responding to workplace law (Edelman, 2008, 2016; Edelman, Abraham, & Erlanger, 1992; Kaufman, 1994, 1999; Lam & Devine, 2001; Markoulli et al., 2017). The proliferation of law since the 1960s may be partly responsible for the prominence of HR departments (Dobbin, 2009; Edelman, 2016; Kaufman, 1994, 1999; Legge, 1978). While “law is a major area of concern for HR practitioners” (Markoulli et al., 2017, p. 396), it receives significantly more attention in practitioner-oriented literature than academic literature. This gap is noteworthy because violations of workplace law are a widespread issue in Canada (Adams, 1987; CWR, 2017; Dewees, 1987; De Wolff, 2000; Doorey, 2012; FLSRC, 2006; HRDC, 1997; OHS Delivery, 2011; Thomas, 2009; Vosko & Thomas, 2014; Vosko et al., 2011, 2017). Non-compliance may be an unintentional result of misunderstanding legal requirements (CWR, 2017; Dutil & Saunders, 2005; FLSRC, 2006; Thomas, 2009; Thompson, 1995; Weil & Pyles, 2005), the intentional result of employers’ perceptions that violations are unlikely to be detected or result in serious sanctions (CWR, 2017; Collins, Ewing & McColgan, 2012; FLSRC, 2006; Maconachie & Goodwin, 2006; Thomas, 2009; Tucker-Simmons, 2013; Weil and Pyles, 2005) or the belief that compliance is unduly constraining in a competitive economic environment (FLSRC, 2006; Hutter & Manning, 1990; Kagan & Scholz, 1984; Maconachie & Goodwin, 2010). This mixed-methods dissertation aims to increase our understanding of how HR practitioners decide to comply (or not comply) with labour and employment laws in Canada.

THEORETICAL FRAMEWORK AND RESEARCH QUESTIONS

Reasoned Action Models include the Theory of Reasoned Action (Fishbein, 1967; Fishbein & Ajzen, 1975), Theory of Planned Behaviour (Ajzen, 1985, 1991), and Reasoned Action Approach (Fishbein & Ajzen, 2010). As the most recent Reasoned Action Model, the

Reasoned Action Approach (RAA) suggests behavioural beliefs (will behaviour produce positive or negative consequences?) influence attitudes towards that behaviour. Injunctive normative beliefs (do referents approve?) and descriptive normative beliefs (do referents engage in behaviour themselves?) influence perceived norms surrounding the behaviour. Control beliefs (will factors that would help or hinder behaviour be present?) influence perceived behavioural control (PBC), or self-efficacy about performing the behaviour. The RAA posits that behavioural, normative, and control beliefs will influence intentions through the mediators of attitudes, perceived norms, and PBC, and intentions will predict behaviour (Fishbein & Ajzen, 2010). Variables outside the model (e.g. demographic variables or domain-specific constructs such as job satisfaction) are not expected to have a strong direct impact on behaviour when beliefs, attitudes, perceived norms, and PBC are considered, and are instead labeled ‘background factors’ and framed as potential antecedents to beliefs (Fishbein & Ajzen, 2010). This study frames perceived risk, unionization, professional designation, and legal knowledge as background factors. Using the Reasoned Action Approach as a theoretical framework (see Figure 1, pg. 36 for the conceptual model), this dissertation addresses 3 research questions

1. Which beliefs about the consequences of legal compliance (behavioural beliefs), key referent others influencing compliance (normative beliefs) and factors that may impede or facilitate compliance (control beliefs) are most salient to HR practitioners?
2. To what extent is compliance with workplace law influenced by HR practitioners’ behavioural beliefs, injunctive normative beliefs, descriptive normative beliefs, control beliefs, attitudes, perceived norms, perceived behavioural control, and the background factors of risk, unionization, professional HR designation, and legal knowledge?
3. How do HR practitioners understand and interact with factors that influence the decision to comply with workplace law (including beliefs, attitudes, norms, perceived behavioural control, risk, unionization, professional HR designations and knowledge)?

This appears to be the first study to examine workplace law using a Reasoned Action Model, although Arias (2015) notes the framework has high potential for studying compliance on

an individual level. As outlined in Chapter 2 (Literature Review and Hypothesis Statements), Reasoned Action Models have been used extensively to study behaviour that is illegal (such as software piracy, e.g. Fleming et al. (2017)) or violates organizational or professional rules (such as handwashing, e.g. Seaman & Eves (2008)). Study 1 (Chapter 3) consists of a Belief Elicitation Study and pilot survey. Study 2 (Chapter 4) uses bootstrapped multiple regression (Hayes, 2017) to determine how practitioners' compliance is influenced by beliefs, attitudes, perceived norms, PBC, risk, unionization, professional designation, and knowledge.

While the RAA provides a strong framework for investigating compliance, important factors may be excluded because little is known about how HR practitioners make sense of the many legal issues they interact with (Markoulli et al., 2017), and in particular a limited number of studies have used a qualitative lens to gain insight into the lived experience of practitioners as they navigate compliance issues (Edelman et al., 1993). Qualitative research provides “thick, detailed descriptions of actual actions in real-life contexts that recover and preserve the actual meanings that actors ascribe to these actions and settings” and “provide bases for understanding social processes that underlie management” (Gephart, 2004, p. 455). The dissertation's third research question examines how HR practitioners understand and interact with the decision to comply with workplace law using an interpretivist framework (Burrell & Morgan, 1979) and thematic analysis (King, 2004). Study 3 (Chapter 5) consists of 14 semi-structured interviews with Canadian HR practitioners, providing additional depth and nuance to the quantitative findings to uncover other important factors that influence HR practitioners' intentions to comply.

This dissertation uses a ‘concurrent triangulation method design’, a mixed-methods approach that consists of concurrently collecting and analyzing quantitative and qualitative data and integrating the findings of both studies (Creswell et al., 2003; Creswell & Plano Clark,

2007). Combining different paradigms and methodological approaches can “generate more comprehensive, insightful, and logical results than either paradigm could obtain alone” (Greene & Caracelli, 1997, p. 10). This is especially important in light of the paucity of empirical research investigating HR and compliance, and the potential of mixed-methods designs for examining compliance and enforcement of workplace law (Mirchandani et al., 2018).

CONTRIBUTIONS

Reasoned Action Models have been used in over a thousand empirical studies (Fishbein & Ajzen, 2010), but this appears to be the first study to extend the framework to workplace law or HR. Non-compliance is a challenging topic to investigate (Banks, 2015; Mirchandani et al., 2018), but Reasoned Action Models are frequently used to examine illegal and stigmatized behaviour such as drinking and driving (e.g. Lheureux et al., 2016). Extending the RAA to this new and under-explored context has the potential to create new avenues for future research and contributes to the literatures on HRM, law, industrial relations, and organizational behaviour.

Second, this study contributes to the paucity of research examining how HR interacts with workplace law. HR plays a central role in determining how firms react to legal requirements (e.g. Edelman, 2016; Kaufman, 1999; Markoulli et al., 2017) but very limited research has explored factors that influence whether and how HR practitioners comply. The theory-practice gap is a significant issue in HR, as insights from research often do not translate into practice (and vice-versa) (Rynes, Giluk & Brown, 2007; Tenhiälä et al., 2016). Given HR’s responsibility for compliance and the emphasis on legal issues in practitioner literature, there is a growing need for academic research in this area (Edelman, 2016; Markoulli et al., 2017).

Finally, this dissertation makes a number of practical contributions. The Federal Labour Standards Commission (2006) suggested non-compliance may be the result of ignorance, laws that are or are perceived to be inconsistent with business needs, issues with enforcement and the

risk of detection, competition and economic pressure, or greed. Ontario's Changing Workplaces Review (2017) suggested ignorance, self-interested employers, competition and economic pressure, and issues with enforcement and the risk of detection drove non-compliance. A greater understanding of factors influencing HR's compliance will help identify targeted interventions.

DISSERTATION OUTLINE

Chapter 1 reviews research that has examined the extent and potential causes of non-compliance with workplace law, and the role that HR practitioners play in promoting compliance. Chapter 2 presents the Reasoned Action Approach as a theoretical framework and outlines hypothesis statements on the basis of the theory. Chapter 3 describes Study 1: a Belief Elicitation Study used to develop measures of behavioural, normative and control beliefs and a pilot test of the RAA survey. Using multiple regression with bootstrapping (Hayes, 2017), Chapter 4 outlines the research design and results of Study 2. Using thematic analysis (King, 2004) and an interpretivist approach (Burrell & Morgan, 1979), Chapter 5 outlines Study 3's research design and analysis of qualitative interviews. Chapter 6 includes a discussion of general findings, theoretical and practical implications, study limitations, and directions for future research.

CHAPTER 1: BACKGROUND AND LITERATURE REVIEW

Section 1 of this chapter reviews research that has assessed non-compliance with workplace law, with special attention paid to the Canadian context. Although studies consistently report that non-compliance is widespread, its root causes are less clear. Section 2 outlines several proposed causes of non-compliance. In Section 3, human resource management is described, with particular attention on the emphasis law receives in the profession. Studies that have examined how HR practitioners interact with employment law are then reviewed.

1.1 EMPLOYER NON-COMPLIANCE WITH WORKPLACE LAW

1.1.1 Enforcement of Workplace Law in Canada

Enforcement of workplace law is usually triggered by employee complaints. Workers report statutory law violations to the ministry of labour through complaints, report common law contract violations through lawsuits, and report collective agreement violations through grievances. Canada uses a ‘compliance-based’ enforcement approach to statutory law that assumes most firms comply and that most violations are unintentional (Gunningham, 2010; Pearce & Tombs, 1990; Vosko, Noack & Tucker, 2016b; Thomas, 2009; Vosko et al., 2011, 2017). While enforcement can improve compliance (Ashenfelter & Smith, 1979; Bartel & Thomas, 1985; Lewis-Beck & Alford, 1980; Marinakis, 2016; Weil, 1996), most investigations are triggered by complaints. For example, federal inspectors spend 87% of their time responding to worker complaints (FLSRC, 2006).

The Law Commission of Ontario (2012) found “most employers are compliant” (pg. 56). Ontario’s Changing Workplaces Review (2017) endorsed this conclusion, with the caveat that “at least a significant minority of employers are not in compliance with some employment standards, and vulnerable workers are most likely to be affected by non-compliance” (pg. 57). Complaint-based systems have been criticized for shifting enforcement to workers (Adams,

1987; Alexander, 2013; Alexander & Prasad, 2014; Gellatly et al., 2011; Thomas, 2009; Vosko et al., 2016b, 2017) and producing “relatively low levels of compliance at relatively high cost” (FLSRC, 2006, p. 37) particularly because they fail to recognize “workplace power imbalances and the likelihood that many violations are intentional” (Vosko et al., 2017, pg. 4).

Statutory law complaints provide the most reliable estimate for non-compliance. Complaints are not a perfect proxy for non-compliance because most workers do not complain when their rights are violated (Noack, Vosko & Grundy 2015; Thomas, 2009; Vosko et al., 2016b; 2017; Weil & Pyles, 2005) and complaints do not necessarily indicate a violation occurred. However, in British Columbia, approximately two thirds of complaints and 92% of complaints that are not abandoned or withdrawn are validated (Fairey, 2005). Violations were found in 82% of Ontario workplaces inspected following a complaint, 72% of targeted inspections, and 70% of regular inspections; about 70% of Ontario complaints that are not settled or withdrawn are validated (Vosko et al., 2016b). Although complaints are not a perfect proxy for non-compliance, it is likely they under-report rather than over-report the extent of violations (Adams, 1987; Banks, 2015; Budd & Brey, 2003; CWR, 2017; Ehrenberg, & Schumann, 1982; FLSRC, 2006; Fudge, 1991; Gallina, 2005; GAO, 2002; Thomas, 2009; Vosko, 2013; Vosko et al., 2016b, 2017).

1.1.2 Non-Compliance with Workplace Law in Canada

While “there are few studies to document the full extent” of statutory violations, “those that exist find such violations to be widespread” (Vosko & Thomas, 2014, pg. 637-636). In Ontario, Adams (1987) estimated the compliance rate surrounding minimum wage legislation was 55% in 1979, and Dewees (1987) estimated employees worked 24 hours of unpaid overtime for every hour of authorized overtime in the 1980s (Thomas, 2009). Today, Canadians are more likely to work unpaid overtime than paid overtime (Statistics Canada, 2008). Hall, Gerard and

Toldo (2011) found Ontario undergraduates reported an average of 2.57 employment standards violations when the maximum category was ‘3 or more violations’. Almost 70% of Ontario employment standards violations involve wage theft, including violations surrounding overtime, termination pay, holiday pay, and vacation pay and/or time (Mojtehdzadeh, 2016; Vosko et al., 2016b). Wage theft may be so prevalent because of the “near universal practice of paying workers in arrears – that is, after they have provided service. As a result, workers become their employers’ creditors and bear some risk that they will not get paid” (Tucker, 2008, pg. 58).

Non-compliance also impacts workers in a stronger labour market position (FLSRC, 2006). Although the provincial workforce is less heavily unionized, characterized by smaller workplaces, and subcontracting is more widespread than in the federal sector (WAC, 2007), 75% of federal employers violated parts of the Labour Code and 25% were in widespread violation (HRDC, 1997). However, violations of workplace law can be understood as “a characteristic of precarious employment” (Noack et al., 2015, p.89), and it is estimated that a third of Ontario’s workforce is precariously employed (Noack & Vosko, 2011). A temporary worker interviewed by Ng et al. (2016) reported earning \$2-\$3 below minimum wage, unexplained wage deductions, 16-hour days without overtime, and only being able to use washrooms on break. De Wolff (2000) found 76% of contingent workers in Ontario did not receive termination pay they were owed, 49% did not receive overtime, and 38% had not received holiday pay, while the Workers’ Action Centre (2010) found 22% of low-wage Ontario workers earned less than minimum wage, just 25% consistently received the overtime pay they were entitled to (39% never received overtime pay and 32% received it rarely or sometimes), 36% did not receive notice or pay-in-lieu of notice when terminated without cause, 26% were not paid for all hours worked, 57% did not receive holiday pay for working on public holidays, 33%

were owed wages, 31% had been paid late, and 17% had been paid with a cheque that bounced. Targeted inspections have found safety violations in almost 70% of Alberta restaurants and convenience stores (OHS Delivery, 2011) and employment standards violations in two thirds of Alberta workplaces with temporary foreign worker (Alberta Employment and Immigration, 2010), 74% of Ontario temporary help agencies (Ontario Employment Standards, 2014c) and 78% of Ontario precarious workplaces (Mojtehdzadeh, 2016). Blitzes of Ontario retail establishments with vulnerable workers found only 1 in 5 were fully compliant (Ontario Employment Standards, 2014a, 2014b).

Over 70% of the discrimination complaints filed with the Ontario Human Rights Tribunal relate to employment (OHRC, 2015) and over a third of Canadian workers with disabilities report “they are not receiving accommodations needed to work” (Banks, Chaykowski & Slotsve, 2013, p. 296). A Toronto field study found resumes from candidates with English-sounding names were 39% more likely to receive a callback than identical resumes with Chinese, Indian, Pakistani or Greek names (Oreopoulos, 2009). A follow-up study in Toronto, Montreal and Vancouver found resumes from candidates with English names were 35% more likely to receive a callback than identical resumes from candidates with Indian or Chinese names (Dechief & Oreopoulos, 2012). Almost 20% of transgendered Ontarians report they have been turned down for a job because of their gender identity (and almost a third suspect their gender identity was the reason they were not hired), while 13% report being terminated because of gender identify (an additional 15% suspected they were fired because of gender identity) (Bauer & Scheim, 2015).

1.1.3 Non-Compliance with Workplace Law in Other Industrialized Countries

In Australia in 2010/2011, a third of inspected workplaces were non-compliant with at least one area of employment law (Howe et al., 2016). It is estimated between 6.8%-9.2% of Australian workers earn less than minimum wage (although some may be exempt or working

unpaid overtime) (Nelms et al., 2011). In South Africa, 44% of eligible workers make less than minimum wage, earning 35% less than the statutory minimum on average (Bhorat, Kanbur & Mayet, 2012). In America, Weil and Pyles (2005) estimate there are 130 unreported violations for every complaint about unpaid overtime, and 119 unreported workplace injuries and illnesses for every complaint. Between 54% and 77% of firms are non-compliant with the *Family Medical Leave Act* (Armenia et al., 2013). Kelly (2010) found US employers audited for human rights violations were more likely to lack maternity leave, suggesting firms that are non-compliant with laws in one area may be more likely to violate other workplace laws.

Quillian et al.'s (2017) meta-analysis found white job applicants were 36% more likely to receive a callback than identically-qualified black candidates and 24% more likely to receive a callback than identically-qualified Latino candidates; although discrimination against Latinos may be falling, discrimination against African Americans does not appear to have declined since 1989. Bertrand and Duflo's (2017) review of field studies that found evidence of illegal discrimination on the basis of ethnicity in Australia (Booth et al., 2011), Belgium (Baert et al., 2013), the Czech Republic (Bartoš et al., 2013), Germany (Bartoš et al., 2013; Kaas & Manger, 2012), the Netherlands (Blommaert et al., 2014), Ireland (McGinnity et al., 2009), Peru (Galarza & Yamada 2014), Sweden (Bursell, 2007), and the US (Bertrand & Mullainathan, 2004; Jacquemet & Yannelis, 2012; Jolson, 1974; Nunley et al., 2014 ; Wright et al., 2013). Field studies have also found evidence of illegal discrimination on the basis of age in France (Petit, 2007), Sweden (Ahmed et al., 2012), the US (Lahey, 2008), and the UK (Riach & Rich, 2010), gender in Australia (Booth & Leigh, 2010) and France (Carlsson, 2011; Petit, 2007), religion in France (Valfort, 2017), India (Banerjee et al., 2009), and the US (Acquisti & Fong, 2013; Jolson, 1974; Wright et al., 2013), and sexual orientation in Italy (Patacchini et al., 2012), and Sweden

(Ahmed, Andersson & Hammarstedt, 2013). In Low et al. (2007)'s US study, 70.3% experienced harassment on the basis of ethnicity and 69.2% witnessed coworker harassment. In the UK, a third of black workers and 20% of people of colour believe discrimination has limited their career progress (compared to 11% of white respondents) (CIPD, 2017); 1 in 3 people of colour report witnessing or experiencing workplace discrimination within the past year (BITC, 2016).

Valenzuela et al. (2006) estimates almost half of American day labourers experience wage theft. Bernhardt et al. (2009) found 68% of low-wage workers in Chicago, Los Angeles, and New York City experienced wage theft in the previous *week*, losing an average 15% of their earnings to wage theft. Wage and hours of work violations have been observed in 100% of poultry processing plants (Smith et al., 2003), almost 60% of New York City restaurants (ROC-NY, 2005) and over 50% of New York garment manufacturing businesses (Smith et al., 2003). Models are typically employed as independent contractors, and the advocacy group Model Alliance (2017) found a third of US-based models experienced inappropriate touching and 28% felt pressured to have sex on the job. Violations of workplace law therefore appear to be a widespread issue across industrialized countries, and particularly for vulnerable workers.

1.2. PROPOSED CAUSES OF NON-COMPLIANCE WITH WORKPLACE LAW

The question of *why* firms violate the law is more complicated than *whether* firms violate the law. Ignorance, risk and economic pressures are explored (FLSRC, 2006; CWR, 2017).

1.2.1 Employer Ignorance

Kagan and Scholtz (1984) suggest “organizationally incompetent” (pg. 67) firms violate law because they lack knowledge, resources, and organizational systems. Ignorance is often emphasized as a driving factor of unintentional non-compliance (CWR, 2017; FLSRC, 2006; Dutil & Saunders, 2005; Gellatly et al., 2011; Thomas, 2009; Thompson, 1995). While 75% of federal employers violated the Labour Code and 25% were in widespread violation, 95%

indicated these violations were unintentional (HRDC, 1997). In Blackburn and Hart's (2000) UK study of management (including HR) in small firms, respondents over and under-estimated legal obligations, and only 1 in 5 were confident or very confident about their knowledge of workplace law (Blackburn & Hart, 2000). Non-compliance can also result from organizations failing to update policies or practices when laws change, as Kelly (2010) found managers often pointed to practices they incorrectly believed demonstrated compliance; one manager pointed to an HR policy and said "having a baby, by law, isn't anything different than breaking a leg", and the length of maternity leave "all depends what the doctor says" (p. 54).

Lam and Devine (2001) contrast HR manuals that emphasize simple rules of thumb for calculating notice periods with a legal reference book that includes over 100 factors. The Human Resource Professional's Association's (HRPA, Ontario's professional HR Association) (2015) submission to the Changing Workplaces Review noted "employers, even very senior and seasoned Human Resource professionals with decades of experience often say they found the ESA to be complicated and hard to understand" (p. 8). Most practitioners feel their colleagues have a 'more than adequate' (54.7%) or 'adequate' (31.8%) understanding of workplace law, and 10.2% had 'less than' or 'much less than' adequate knowledge (Klie, 2010). However, 53% of practitioners who recently received a professional designation were described as having 'adequate' or 'more than adequate' knowledge (Balthazard, 2010).

1.2.2 The Perceived Risk of Non-Compliance

The Federal Labour Standards Review Commission (2006) suggests a minority of employers may violate laws out of "simple greed" (p. 195), or because they believe in pursuing profits at expense of workers' rights. Some firms may violate the law because the certain costs associated with compliance are greater than the potential costs of sanctions (Adams, 1987; Banks, 2015; Collins et al., 2012; CWR, 2017; FLSRC, 2006), as "if *unchallenged*, the labour

costs from such behaviour are lower (profits are higher)” (Flanagan, 1989, pg. 263). Kagan and Scholtz (1984) refer to these firms as 'amoral calculators', as compliance depends on perceived risk. Ostas (2009) argues underenforced laws create “no economic incentive” to comply: employers may comply “simply out of habit or because one feels morally obligated, but it is not cost effective to obey” (p. 490). Because violating the law is seen as more cost-effective than compliance, workplace law may be an example of ‘efficient breach’ (Doorey, 2016; Goetz & Scott, 1977; Posner, 1998). The following sections outline 3 factors that may reduce the perceived risk of violating the law: workers’ legal ignorance, workers’ reluctance to file complaints, and the low risk of serious sanctions when violations are raised.

Workers’ Legal Ignorance

Violations are unlikely to be addressed in the absence of a complaint, but workers who do not understand law are unlikely to complain (Banks, 2015; Budd & Brey, 2003; CWR, 2017; FLSRC, 2006; Gallina, 2005; GAO, 2002; Thomas, 2009; Weil, 2010; Vosko et al., 2016b, 2017). Felstinger, Abel and Sarat (1980) suggest people must be able to ‘name’ a wrongdoing as a *legal* injury and assign ‘blame’ to someone capable of responding before they can ‘claim’ remedies. It is estimated that 90% of sexual harassment is not reported (Gruber & Smith, 1995) often because harassment is often not ‘named’ and instigators are not ‘blamed’ (Marshall, 2003; Quinn, 2000; Tinkler, 2012). In Ilies et al. (2003)’s meta analysis, 24% of respondents said they had been *sexually harassed*, but 58% had experienced behaviour that constitutes sexual harassment (without labeling it as such). Alexander and Prasad (2014) found a third of vulnerable workers said they experienced workplace problems within the past *year*, but 76% of overtime-eligible workers had worked more than 40 hours without overtime within the past *week*. Meager et al.’s (2002) UK study found “I don’t know” was often the most or second most common response to workplace law questions. Workers are responsible for engaging in self-help, but may find it difficult to

determine what a law means, how it is administered, and whether a situation is compliant (Banks, 2015; CWR, 2017; Gallina, 2005; Thomas, 2009; Vosko et al., 2011, 2016b; Weil & Pyles, 2005).

Workers perform well on test questions about laws governing termination for cause or lack of work in the US (Kim, 1997, 1999; Rudy, 2002; Schmedemann & McLean Parks, 1994) or violations of UK human rights legislation (Meager et al., 2002) and are familiar with the right to refuse unsafe work in Canada (Hall et al., 2011). Only about 1 in 5 US (Forbes & Jones, 1986; Freeman & Rogers, 1998; Kim, 1997, 1999; Rudy, 2002) and Canadian (Bowal & White, 1998) workers understands when it is legal to dismiss non-unionized workers without cause. Research has found gaps in Canadians' understanding of workplace laws surrounding human rights (Peters & Montgomerie, 1998), sexual harassment (Bowal & Wanke, 1998), health and safety (Hall et al., 2011; Walters & Denton, 1990) and employment standards (Bowal & Wanke, 1998; CNT, 2010; Hall et al., 2011). For example, between 2% (Tucker et al., 2014) and 52% (Hall et al., 2011) of young workers who did not report lost-time claims did not know injuries should be reported and between 2% (Tucker et al., 2014) and 25% (Hall et al., 2011) felt personally responsible for the injury. Similarly, 16% of workers who declined to report ESA violations did not realize their rights were violated at the time (Hall et al., 2011).

Worker Reluctance to File Complaints

Workers weigh 'costs' of filing complaints before acting, including time, money, effort, impact on loved ones, and risk of retaliation (Banks, 2015; Morgan, 1999; Thomas, 2009; Weil & Pyles, 2005). While 90% of Ontario undergraduates understand they can refuse unsafe work, over two thirds respectively reported doing unsafe work, not pursuing claims following ESA violations, or not pursuing lost-time claims (Hall et al., 2011). Tucker et al. (2014) found 27% of young Canadians declined to report lost-time injuries, while Bernhardt et al. (2009) found 92% of low-wage American workers did not file for compensation following a serious injury.

Some research suggests workers often act to resolve violations, but through informal methods rather than through the legal system (Gray, 2002; Walters & Haines, 1988). For example, 86% of UK workers attempted to remedy legal issues they encountered (most often by speaking to their manager) and 13.5% used a complaint procedure (Pollert & Charlwood, 2009); 77% of low-wage US workers knew where to file complaints, but 96% of those who took action raised issues with their employer (Alexander & Prasad, 2014). Informally resolving complaints is not always effective: 32% of Ontario workers (Vosko et al., 2017) and 47% of UK workers (Pollert & Charlwood, 2009) said their employer failed to remedy complaints, 18% of Ontario workers (Vosko et al., 2017) reported their employer failed to respond, and two thirds of models who raised sexual harassment reported their agency didn't recognize the harassment (and sometimes framed it as an opportunity to further models' careers) (Model Alliance, 2017). In contrast, 18.6% of UK workers felt their employer resolved the issue in a satisfactory way (Pollert & Charlwood, 2009).

While workers are protected against reprisals, the number of Ontario ESA complaints with reprisal claims doubled between 2007-2015 (Grundy et al., 2017). It is estimated that 92% of federal complaints (FLSRC, 2006) and 90% of Ontario complaints (Thomas, 2009) are made by former employees, which suggests fear is a significant issue and violations are considerably under-reported (Adams, 1987; Banks, 2015; Budd & Brey, 2003; CWR, 2017; Ehrenberg, & Schumann, 1982; FLSRC, 2006; Fudge, 1991; Gallina, 2005; GAO, 2002; Thomas, 2009; Vosko, 2013; Vosko et al., 2011; 2016b, 2017). Fear of reprisal was cited by 24% of Ontario workers who did not report ESA violations and 18% of those who did not report lost-time injuries (Hall et al., 2011). After introducing regulations encouraging workers to discuss violations with their employer prior to complaining, employment standards complaints dropped

by 11%-35% in Ontario (Banks, 2015).

While “protective laws place responsibility on the victim to perceive and report violations, they assume that those in the protected class can and will accept these burdens” (Bumiller, 1987, p. 422). The perceived risk of complaints may be higher for vulnerable workers (Alexander & Prasad, 2014; Banks, 2015; Bernhardt et al., 2009; CWR, 2017; GOA, 2002; Ruckelshaus, 2008; Thomas, 2009; Vosko et al., 2011, 2016b, 2017; Weil & Pyles, 2005). Bernhardt et al. (2009) found fear of termination was the most common reason low-wage US workers did not report violations; 50% experienced reprisals after reporting injuries, and 43% of those who complained or attempted to unionize within the past year experienced retaliation (over a third were suspended from work or terminated). ‘Anticipatory retaliation’ occurs when employers imply workers will face negative consequences if they complain (Alexander, 2013; Long, 2011). For example, Alabama poultry workers were uncomfortable raising discrimination (71%), safety (68%), wage (60%), and safety equipment (57%) issues, but workers that witnessed their employer respond negatively to inquiries were particularly uncomfortable raising discrimination (93%), safety (86%), wage (86%), or safety equipment (82%) issues (SPLC, 2013). When high-seniority workers do not report violations, it signals complaints carry risks (Weil, 2010). Workers may also decline to ‘name’ or report violations as a coping strategy, decide against pursuing legal remedies to avoid taking on a ‘victim’ identity to focus on ‘surviving’ and other salient identities, or contextualize violations by “comparing their situation to social norms established by their previous work experience and the experiences of others in their workplace and social milieu” (Noack et al., 2015, p. 93; Bumiller, 1987, 1992; Crosby et al., 1989). “Others at work had the same problem, and that made me put up with it” (Pollert & Charlwood’s, 2009 p. 149) is a key reason workers decline to take action. Attributions about

whether a firm or supervisor are to blame for violations influenced employees' commitment to filing legal claims (Groth et al., 2002). Experienced workers are less committed to complaining (as their 'costs' may be higher) and workers relied on social guidance when they had low external attributions (suggesting referents have more impact when workers are unsure about who to 'blame'). Harassers may also intentionally target workers that are unlikely to complain or share the experience with others (Blackstone, Uggem & McLaughlin, 2009). After experiencing violations, 36% of low-wage American workers (Bernhardt et al., 2009) declined to file complaints because they felt it would not make a difference and 45% of Ontario undergraduates felt reporting ESA violations was not worth the trouble (Hall et al., 2011).

Low Risk of Sanctions

In Ontario, Vosko et al. (2011) estimate "less than 1% of workplaces are at risk of being inspected" for employment standards violations (pg. 32). Compliance-based systems emphasize education and reserve prosecution for serious or repeat offenders (Amodu, 2008; Hawkins, 2002; Vosko et al., 2011, 2016b, 2017). When complaints are substantiated, in many cases employers risk having "to pay all outstanding backpay; i.e. at most, the employer will have to pay what it should have paid in the first place" (Tucker-Simmons, 2013, p. 10-11) and there is often "no penalty whatsoever for non-compliance if the discovered offender immediately corrects the situation" (Adams, 1987, pg. 59). Workers' limited access to remedies and "the economic gains that can be achieved" (Ostas, 2009, p. 491) through violations reduce the risk of serious sanctions. For example, 2% of federal US discrimination claims were successful at trial (58% were settled, 19% were dismissed, 18% lost on summary judgement; complaints without legal counsel were twice as likely to lose on summary judgement and 3 times more likely to have cases dismissed (Neilson, Nelson & Lancaster, 2010). Less than half of UK workers who sought advice from an employment hotline resolved the issue (Russell & Eyres, 2002). A report

commissioned by the government of Alberta described employment standards officers as “not sophisticated” with answers “to specific questions sometimes varying depending on the individual” (MMK Consulting, 2014, p. 19-21). An Ontario worker misclassified as an independent contractor reported:

I contacted the Ministry of Labour over the phone to make sure the information was correct that I was misclassified. They said right away that they didn’t deal with that, even without hearing what my situation was. But I kept going, trying to find my way through the maze on the Ministry of Labour website to find out about independent contractors vs. employees. I realized I could file a claim. So when I went to my first hearing, the officer, as soon as he saw the contract he dismissed my case without hearing any details about it. I was trying to explain my situation but he was always going back to the contract that said I was an independent contractor, even though by the definitions of MOL everything I did fell into the *employee* part... I got help from a legal clinic and we appealed the dismissal. But it took a long time to get my wages. Between filing the claim and going to hearings and stuff it was almost two years (WAC, 2015, p. 38).

Governments often attempt to expeditiously resolve complaints through mediation, and mediation may emphasize compromise and interpersonal conflict as much as legal violations (Edelman & Cahill, 1998). Even when workers ‘claim’ their rights, remedies are negotiated through a process designed to resolve complaints rather than to make employees whole (Fairey, 2005; Thomas, 2009). Ontario Employment Standards Officers can facilitate settlements before determining whether violations occurred, and about 40% of settlements facilitated in this manner are for less than half of the employee’s original claim (compared to 30% of non-facilitated settlements) (Vosko et al., 2016b). The median value of an unpaid wage claim in Ontario is \$793; because interest does not accrue on monetary violations, workers may settle to receive some compensation (Banks, 2015; Gellatly et al., 2011; WAC, 2015).

Gray and Jones (1991) found US-based plants had fewer safety citations after being inspected, but “half of the total reduction in sanctions occurred due to previous violators coming into compliance and half was due to a reduction in sanctions among plants that continued to

violate the standards” (pg. 623-624). When complaints are substantiated, “the regulatory system does not guarantee that employees will receive the compensation they are owed” (Thomas, 2009, p. 106). While almost all of the monetary violations discovered through proactive inspections in Ontario were recovered in 2016, about a third of monetary violations uncovered through worker complaints were recovered (Mojtehdzadeh, 2017b) Employers who do not settle complaints or pay monetary orders are “unlikely to pay back wages” (Grundy et al., 2017, p. 196). Ontario employers owed workers \$64.4 million as a result of monetary orders in 2009/2010, but over two thirds of this money was not collected because the employer had gone bankrupt or insolvent (Vosko et al., 2011). Between 2009- 2015, 39% of monetary orders against Ontario employers were paid, 7% were partially paid, and 54% were unpaid (of the unpaid monetary orders sent to collections, 78% remained unpaid) (Vosko et al., 2017). Taken as a whole, this suggests some employers believe the perceived risk of violations is low because of worker ignorance, workers’ reluctance to file complaints, and the low risk of serious sanctions when violations are reported.

1.2.3 Economic Pressure and the Belief that Workplace Laws Create Unfair Constraints

Non-compliance may be a result of “principled disagreement with the regulation, or with requirements they consider arbitrary or unreasonable” (Black, 200, as cited in Maconachie & Goodwin, 2010, p. 421). Kagan and Scholz (1984) suggest most firms act as ‘political citizens’ and believe compliance is in their best interests most of the time, but violate laws that are seen as unduly constraining or illegitimate (Bardach & Kagan, 1982; Kagan & Scholtz, 1984). Laws that are seen as impractical or onerous may be more likely to be ignored (FLSRC, 2006). Oreopoulos and colleagues (2009; 2011; Dechief & Oreopoulos, 2012) found some employers illegally screen employees with non-English sounding names out of competitions to save resources (“suggests candidate is not fluent in English, is the candidate eligible to work in Canada, will the candidate need extensive time off to return home to visit family/friends, will the employer be

required to provide additional time off in recognition of cultural holidays” (Oreopoulos, 2011, p. 166)), past experience (“we went internationally to hire as many as we could. It was an expensive initiative... Of those 50, not one is here today. 75% didn’t last the first year, despite the transition training that we provided, the welcome to Canada sessions” (pg. 23)) or a desire to “go for the safer option even though you know it’s not going to be a stellar performer, but at least you know what you’re getting. Or you think you know what you’re getting: John Smith” (p. 23).

Some employers may believe compliance makes them less competitive in today’s global economic environment (CWR, 2017; FLSRC, 2006; Howe et al., 2016; ROC-NY, 2005). Recruiters and managers in Dechief and Oreopoulos’ (2012) study reported they had 7 to 60 seconds to skim resumes, and sometimes screened out candidates with non-English names because “resumes that list work experience in other countries take a bit longer to figure out. They require more time to decipher the job description, and to Google the previous employers” (p. 22). Employers may discriminate against older workers because they believe they will have increased absences or health costs (Scott, Berger & Garen, 1995). Albiston (2005) found managers informed workers about their rights under the *Family and Medical Leave Act* but discouraged leaves, while small US businesses often “express desperation in their need to fire pregnant women because complying with the statute would be economically burdensome” (Byron, 2010, pg. 459). Firms may find it more difficult to comply with workplace law during downturns, and funding cuts may make it difficult for governments to enforce laws (FLSRC, 2006; Hutter & Manning, 1990). However, Armstrong (1966) found Birmingham employers violated minimum wage laws even when the city was experiencing full employment and facing a labour shortage, and Beaumont (1978) found compliance with minimum wage laws was sometimes higher during periods of high unemployment.

1.3 HUMAN RESOURCE MANAGEMENT

Human resource management refers to the “management of work and people towards desired ends” (Boxall, Purcell & Wright, 2007, p. 1). HR is a growing profession in Canada. In 2013, Canada’s national HR association had 36,000 members (Siliker, 2013) and was the third largest HR association in the world (Farndale & Brewster, 2005; Pohler & Willness, 2014). Although Ontario’s HR association withdrew from the national body in 2014, membership in provincial HR associations continues to grow (CCHRPA, 2014). Canadians do not need specific credentials to practice HR, but post-secondary institutions offer HR courses, diplomas, degrees, and certificates. Many practitioners pursue a professional HR designation through their provincial professional HR association. Professional certification may confer legitimacy and improve one’s job prospects, and membership in an HR association provides access to training, information, and job postings (Pohler & Willness, 2014). Private HR associations provide similar networking and training benefits.

1.3.1 Legal Issues in HR Education and Certification

Law is strongly emphasized in HR education. Law is the second most frequently offered course in US master’s programs (after compensation) (Langbert, 2005), almost two of master’s programs in HR/IR offer law courses, and 45% have required law courses (Way, 1996). Employment and occupational health and safety (OH&S) law courses are often offered by Ontario HR programs (Doorey, 2008). Canadians seeking a professional HR designation typically complete an exam that tests their HR knowledge across different functional HR areas, including compensation, recruitment, OH&S, labour relations, and other topics that overlap heavily with law. Almost two thirds of HR professionals believe law should be its own focus area in the HR accreditation process and believe this would make a professional designation more valuable (Klie, 2010). An employment law exam was introduced as a professional certification requirement in

Ontario in 2017 (HRPA, 2018).

In Ontario, required competencies for certified HR professionals include the ability to “demonstrate understanding of the application of HR legal requirements in the workplace”, “keep current on changes to the laws that govern HR practices”, “adhere to legal requirements in carrying out all HR activities”, “identify risks to the organization stemming from the need to adhere to legal requirements”, “manage risk in the execution of HR activities” (HRPA, 2014, pg. 11), “maintain knowledge of legislation, regulations, and standards regarding workplace health and safety” (pg. 116), “ensure the rewards structure maintains its compliance with legal requirements” (pg. 139), “analyzing situations from a legal perspective”, “distilling the essential legal issues at hand”, “considering and evaluating the relative merits of alternative legal interpretations” and “making sound judgments based on a legal analysis of situations” (pg. 136). At the national level, required competencies include the ability to “adhere to legal requirements as they pertain to human resources policies and practices to promote organizational values and manage risk” (CPHR, 2017, pg. 7), “interpret legislation, collective agreements (where applicable), and policies consistent with legal requirements and organizational values to treat employees in a fair and consistent manner and manage the risk of litigation and conflict”, create and administer compensation systems that “comply with legal requirements” (pg. 8), “manage human resources information in compliance with legal requirements using appropriate tools and procedures”, “promote the health and safety of employees through an understanding of legislation” (pg. 9).

1.3.2 Legal Issues in the Practice of HR

HR practitioners frequently interact with law and play a central role in deciding how firms respond to it (Edelman, 2008, 2016; Edelman et al., 1992; Kaufman, 1994, 1999; Klie, 2010; Lam & Devine, 2001; Markoulli et al., 2017). HR helps determine “what laws are relevant, how they are relevant, and how much of a threat they pose” (Edelman, 2004, p. 240) and design responses

on the basis of norms, their training, education, networks and, sometimes, self-interest (Edelman 1990, 1992, 2004, 2016; Edelman et al., 1992, 1993, 1999, 2001). When legal issues arise, HR practitioners often emphasize solutions in areas where HR has clear authority (e.g. policies surrounding hiring, discipline and termination) and build alliances with lawyers by creating an interdependent but clear division of labour (e.g. suggesting lawyers review HR policies) which in turn allows HR to increase the perceived expertise of advice (Edelman et al.1992; Edelman, 2016). Just as the growth of early personnel management can be traced to the threat of unions, the proliferation of laws governing work since the 1960s may have helped the HR profession grow and maintain its relevance as unions declined (Dobbin, 2009; Edelman, 2016; Kaufman, 1994, 1999; Legge, 1978). When American civil rights legislation in the 1960s introduced new legal obligations, Dobbin (2009) suggests almost every response (e.g. hiring based on merit not managerial discretion) was developed and administered by HR departments.

HR practitioners believe law is important to their profession. In Canada, only 0.2% of practitioners feel a basic understanding of employment law is of little importance, while a majority believe it is “absolutely” (50.1%) “very” (30.6%), or “quite” (12.2%) important (Klie, 2010). Storey, Ulrich and Wright (2009) note “legal and regulative requirements” are one of the four “‘hot topics’ which practicing [HR] managers tell us they are keen to know more about” (pg. 8). Brockbank and Ulrich (2003) suggest ‘HR delivery’ (including compliance) and business knowledge (including knowledge of unions and labour law) are required competencies in HR. Beatty, Ewing and Tharp’s (2004) survey of practitioners found 81% were ‘very strongly concerned’ about legal issues involving employees and 40% felt they were at ‘very strong risk’ of encountering violations. However, despite HR’s responsibility for legal issues, few academic studies have examined how HR practitioners interact with law: “a *six-fold increase* in HRM

scholarship considering the law would be necessary for the term “law” to have the same degree of emphasis as in the practitioner literature" (Markoulli et al. 2017, pg. 388).

Chambliss (1996) argues HR acts as a ‘gatekeeper’ and focuses more on avoiding liability than ensuring compliance. The fact that HR policies “look like statutes”, HR departments “look like administrative agencies”, practitioners “look like administrative officers or even police” and HR complaint procedures “look like courts” (Edelman, 2008, p. 343) confers legitimacy to HR practices. While HR’s response to law is shaped by their understanding of legal requirements and norms, it may also be influenced by their experience as part of management (Dobbin, 2009; Edelman, 2004, 2016; Edelman et al., 1993, 2001, 2011). For example, Edelman et al.’s (1993) qualitative study found practitioners administering a company grievance procedure were extremely concerned about processes appearing fair, but viewed complaints as interpersonal, management or employee relations problems rather than rights violations. Lam and Devine (2001) found Alberta practitioners considered legally irrelevant factors (e.g. financial performance) when awarding notice, awarding an average of 4.3 months’ less notice than what a court would order under the same circumstances.

HR initiatives may be seen as evidence of compliance, even when they are designed to signal compliance rather than promote it (Edelman, 2008, 2016). Kaiser et al. (2013) found diversity initiatives (e.g. diversity statements) had a positive influence on how employees assessed the perceived fairness of companies, even when they were presented with evidence of unequal treatment (such as women earning 81% of what men earned). In this way, diversity initiatives provide “legitimizing cues, leading to an assumption of fairness and reducing detection of discrimination” (Dover, Major & Kaiser, 2014, p. 485). For example, white respondents are more likely to view a company that won a diversity award as fair, while Latino

respondents with status-justifying beliefs are more likely to see the company as fair and have negative perceptions of individuals pursuing discrimination claims.

Firms may re-shape legal requirements into something that helps them achieve goals, a process Edelman et al. (2001) call the ‘managerialization of law’. Laws are managerialized when they emphasize management (e.g. performance) rather than legal standards (e.g. rights), limit liability, provide discretion and control over legal processes, or allow firms to evade law (Edelman et al., 1993, 1999, 2001, 2011; Edelman, 1990, 1992, 1999, 2004, 2005, 2007, 2008, 2016; Edelman & Cahill, 1998; Edelman & Suchman, 1999; Edelman & Talesh, 2011; Talesh, 2009). For example, company grievance procedures mirror a legal process and signal fairness and compliance, but increase HR’s profile while providing “a significant role in determining what constitutes a problem, whether the problem is one that is legal in nature, whether the problem can or should be resolved, whether and how legal standards might affect the resolution of the problem, and how the problem ought to be resolved” (Edelman, 2004, p. 242).

The managerialization of law can spread norms and institutionalize processes that would otherwise be resisted, but equating compliance with good management means solutions focus on management practices not rights violations. For example, diversity initiatives benefit workers but are not designed to address systemic discrimination (Dobbin, 2009; Edelman, 2016; Edelman et al., 1999, 2001, 2011). Marshal (2005) described a managerialized sexual harassment procedure where legally-valid complaints were discouraged unless there was objective proof of severe and unambiguous harassment, multiple victims, and/or victims in powerful positions, creating “nonexistent requirements that manufactured obstacles to women’s pursuit of complaints” and offering “restrictive, legalistic interpretations that narrowly construed the written policy’s protection and, in effect, dismissed employee complaints because the conduct did not violate the

policy” (p. 100). While human rights litigation increases the likelihood of hiring female police officers (Sass & Troyer, 1999) and diversity practices are most successful when there is clear accountability, the most common practices (diversity training) are easily decoupled from practice (Kalev et al., 2006). While American firms with HR departments are more likely to offer mandated maternity and paternity leave (Kelly, 2010), Korean firms with HR departments are more likely to implement existing policies, but not more likely to have legally mandated parental leave policies in place (even when HR had a strategic role, was involved in decision making, subscribed to HR journals and attended HR conferences), suggesting strong HR departments with opportunities to learn may not positively impact compliance (Baek & Kelly, 2014).

1.4 CONCLUSION

Although violations of workplace law are a widespread problem in Canada and in other industrialized countries, more is known about the extent of violations than its causes. This chapter outlined legal ignorance, the perceived low risk of violations, economic pressure and the belief that violations create unfair constraints as potential causes of non-compliance. The extent of non-compliance with workplace law also raises an important question that has received limited empirical attention: given HR’s responsibility for interpreting laws and determining organizational responses, what role do HR practitioners play in preventing violations? In cases where legal violations are intentional, it is important to understand the factors that weigh most heavily in the decision to comply (or not comply) with workplace law. In Chapter 2, the Reasoned Action Approach is introduced as a theoretical framework to examine factors that encourage or impede HR practitioners’ decisions to comply with workplace law.

CHAPTER 2: THEORETICAL FRAMEWORK AND HYPOTHESIS STATEMENTS

2.1. THE REASONED ACTION APPROACH AS A THEORETICAL FRAMEWORK

The Reasoned Action Approach suggests “human social behaviour is really not that complicated, that people approach different kinds of behaviour in much the same way, and that the same limited set of constructs can be applied to predict and understand any behaviour of interest” (Fishbein & Ajzen, 2010, p. 2). It suggests behavioural beliefs about whether an action will produce positive or negative consequences influence behaviour through the mediator of attitudes. Normative beliefs about whether referents approve of behaviour and engage in it themselves influence behaviour through perceived norms. Control beliefs about factors that would facilitate or impede behaviour influence behaviour through perceived behavioural control.

Reasoned Action Models include the Theory of Reasoned Action (Fishbein, 1967; Fishbein & Ajzen, 1975), Theory of Planned Behaviour (Ajzen, 1985, 1991), and Reasoned Action Approach (Fishbein & Ajzen, 2010). The Theory of Reasoned Action suggested attitudes and subjective norms influence intentions, and intentions influence behaviour (Ajzen & Fishbein, 1980; Fishbein, 1967; Fishbein & Ajzen, 1975). The Theory of Planned Behaviour introduced perceived behavioural control as a predictor, and posits attitudes, subjective norms, and PBC influence intentions and intentions influence behaviour (Ajzen, 1985, 1988, 1991, 2002). The RAA replaced ‘subjective norms’ (e.g. perceptions that generalized referents approve or disapprove) with ‘perceived norms’, or beliefs about whether generalized referents approve of behaviour *and* engage in it themselves. Reasoned Action Theories frame outside variables outside as ‘background factors’. Background factors may influence beliefs, but typically do not have a strong direct impact on behaviour.

This chapter outlines the theoretical components of the Reasoned Action Approach before reviewing empirical Reasoned Action studies. The theory has not been used to examine

workplace law, but has been used to investigate behaviour that violates organizational or professional rules such as hand hygiene (e.g. Clayton & Griffith, 2008; Soon & Banes, 2012; Williams et al., 2015) and illegal behaviour such as drinking and driving (e.g. Trinh & Vo, 2016).

2.1.1 Behavioural Beliefs and Attitudes

Behavioural beliefs refer to assessments about whether an action will produce positive or negative consequences. In Beatty and Beatty's (2004) study of anesthesiologists' intentions to conduct pre-operative visits, key behavioural beliefs included decreasing risk, protecting against litigation, detecting unusual health conditions, and reducing patient anxiety. Behavioural beliefs influence intentions through attitudes, the "latent disposition or tendency to respond with some degree of favorableness or unfavorableness to a psychological object" (Fishbein & Ajzen, 2010, p. 76), such as the idea that getting 8 hours of sleep every night would be beneficial or harmful, pleasant or unpleasant. Attitudes can strengthen or weaken intentions to engage in behaviour, which in turn influences the likelihood of engaging in that behaviour (Fishbein & Ajzen, 2010).

2.1.2 Normative Beliefs and Perceived Norms

Subjective norms referred to perceptions that generalized referents approve or disapprove of behaviour in the Theory of Reasoned Action and Theory of Planned Behaviour. Subjective norms often have a weaker influence on behaviour than attitudes or perceived behavioural control (Armitage & Conner, 2001; Cooke & French, 2008; Godin & Kok, 1996; Hagger, Chatzisarantis & Biddle, 2002; Hausenblas Mack & Carron, 1997; McEachan et al., 2011). The RAA replaced *subjective norms* with *perceived norms*, the "perceived social pressure to engage or not engage in the behaviour" (Fishbein & Ajzen, 2010, p. 20). While subjective norms are injunctive norms about whether generalized referents approve of behaviour (e.g. *most people who are important to me think I should get 8 hours of sleep every night*), perceived norms also include descriptive norms about whether referents engage in behaviour (e.g. *most people who are*

important to me get 8 hours of sleep every night).

Perceived norms mediate the link between normative beliefs and intentions. While perceived norms refer to generalized referents (e.g. ‘people important to me’), normative beliefs are based on specific referents (e.g. ‘my spouse’). Injunctive normative beliefs are beliefs about whether specific referents support behaviour, while descriptive normative beliefs are beliefs about whether referents perform behaviour (Fishbein & Ajzen, 2010). In Harmsen et al.’s (2013) study of vaccinations, *my friends think I should search for information* about immunization programs was an injunctive normative belief, while *most of my friends search for information* was a descriptive normative belief. Stronger normative beliefs will result in stronger perceived norms, which will strengthen an individual’s intentions and behaviour.

2.1.3 Control Beliefs and Perceived Behavioural Control

Perceived behavioural control is based on Bandura’s (1986; 1997) concept self-efficacy and captures the “extent to which people believe that they are capable of performing a given behaviour, that they have control over its performance” (Fishbein & Ajzen, 2010, p. 154-155), for example *whether I get 8 hours of sleep every night is up to me*. PBC was introduced in the TPB as a new predictor (Ajzen, 1985, 1988, 1991, 2002) and mediates the relationship between control beliefs and intentions. Control beliefs are perceptions about opportunities and barriers that would help or hinder behaviour. For example, physical limitations, fatigue, and time investment were control beliefs that influenced pregnant women’s intentions to exercise in (Downs & Hausenblas, 2004). A stronger sense of PBC increases intentions and behaviour.

2.1.4 Background Factors

Reasoned Action Models suggest that beliefs, attitudes, perceived/subjective norms, and PBC have a greater influence on individual intentions and behaviour than personality traits, demographic factors or domain-specific constructs (Fishbein & Ajzen, 2010). For example, job

satisfaction is weakly correlated with performance Judge et al.'s (2001) meta-analysis found a correlation of .18) and turnover (Griffeth, Hom, and Gaertner's (2000) meta-analysis found a correlation of -.17). As different experiences give rise to different perceptions, variables outside the RAA are framed as 'background factors' that may influence beliefs. For example, job satisfaction may not directly impact turnover, but someone with high job satisfaction may believe working for another firm would be less rewarding, which may result in negative attitudes about quitting, which may impact turnover. The background factors that are most relevant will depend on the behaviour under investigation but "a given background factor will be associated with the performance of a behaviour only to the extent that the background factor is related to the behavioural, normative, or control beliefs that serve as determinants of the behaviour under consideration" (Fishbein & Ajzen, 2010, 225). For example, job satisfaction may influence beliefs about turnover, but not beliefs about using public transportation.

2.2 EMPIRICAL SUPPORT FOR REASONED ACTION MODELS

2.2.1 Meta-Analysis Studies

Fishbein and Ajzen note (2010) over a thousand empirical studies have used Reasoned Action Models. When measures are valid and consistent with the theory, they suggest it can account for 50-60% of the variance in intentions and 30-40% of the variance in behaviour. Meta-analyses have consistently found reasoned action models can explain intentions and behaviour, although predictors vary in strength depending on what is being studied (Armitage & Conner, 2001; Cooke & French, 2008; McEachan et al., 2011; Notani, 1998; Sheppard et al., 1988; Schulze & Wittmann, 2003). Armitage and Conner (2001) found attitudes, subjective norms and PBC account for 39% of the variance in intentions and 25% of the variance in behaviour, while Sheeran's (2002) meta-analysis of reasoned action meta-analyses found intentions explain 28% of the variance in behaviour. The relative strength of attitudes, norms and PBC depends on who or

what is being studied. For example, Notani (1998) found attitudes had the strongest impact on intentions, while Armitage and Conner (2001) and (Fleming et al., 2017) found PBC was the strongest predictor. Although many reasoned action studies do not include beliefs measures, Schulze and Wittmann (2003) found behavioural beliefs are strongly correlated with attitudes and normative beliefs are strongly correlated with subjective norms. Reasoned Action Models are the “the dominant theoretical approach” (Sniehotta, Pesseau & Araújo-Soares, 2014, p. 1) in studying health-related behaviour. McEachan et al.’s (2016) meta-analysis found attitudes, perceived norms, and the capacity element of PBC predicted 58.7% of the variance in behaviour.

2.2.2 Reasoned Action Models and Behaviour that is Illegal or Violates Rules

The Theory of Reasoned Action (attitudes and subjective norms influence intentions, and intentions influence behaviour) has successfully predicted intentions to engage in fraudulent financial reporting (Gillett & Uddin, 2005), wear a seatbelt (Budd et al., 1984; Stasson & Fishbein, 1990; Thuen & Rise, 1994; Wttenbraker et al., 1983), pirate software (Aleassa, Pearson & McClurg, 2011), or use illegal drugs (Bearden & Woodside, 1978; Bentler & Speckart, 1979; Pomazal & Brown, 1977) and behaviour related to wearing a seatbelt (Wttenbraker et al., 1983), purchasing counterfeit products (Muhammad & Abdul Ghani, 2016), and illegal cannabis use (Bearden & Woodside, 1978).

The Theory of Planned Behaviour (attitudes, subjective norms, and PBC influence intentions, and intentions influence behaviour) has predicted intentions and behaviour related to illegal drug use (Armitage et al., 1999; Conner et al., 1998; Conner & McMillan, 1999; McMillan & Conner, 2003; Orbell, et al., 2001; Richard, van der Pligt & Vries, 1996), intentions and behaviour related to shoplifting (Beck & Ajzen, 1991; Tonglet, 2002), intentions and behaviour related to employee theft (Moorthy et al., 2015), intentions to purchase counterfeit goods (Kim & Karpova, 2010; Patiro & Sihombing, 2016), intentions (Al-Rafee & Cronan, 2006; Blake & Kyper

2013; Chan, Ma & Wong, 2013; Chen, Pan & Pan, 2009; d'Astous, et al., 2005; Dilmeri, King & Dennis, 2017; Kwong & Lee, 2002; Lin et al., 1999; Morton & Koufteros, 2008; Peace et al., 2003; Plowman & Goode, 2009; Wang et al., 2009; Yoon, 2011) and behaviour (Allen, Shepherd & Roberts, 2012) to pirate digital media. The theory is often used to study traffic violations such as drinking and driving (Castanier et al., 2013; Lheureux et al., 2016; Marcil et al., 2001; Moan & Rise, 2011; Parker et al., 1992), speeding (Castanier et al., 2013; Conner et al., 2003, 2007; Elliott et al., 2003, 2007; Letirand & Delhomme, 2005; Parker et al., 1992; Van den Broucke & Paris, 2008), dangerous driving (Castanier et al., 2013; Efrat and Shoham, 2013; Parker et al., 1992; Parker, Lajunen & Stradling, 1998), jaywalking (Diaz, 2002; Evans & Norman, 1998, 2003) and seatbelt use (Okamura et al., 2012). Reasoned Action Models are also used to investigate behaviour that violates professional or organizational rules. The TPB predicts employees' intentions to comply with information security policies (Bulgurcu, Cavusoglu & Benbasat, 2010; Hu et al., 2012), anesthesiologists' intentions to check equipment before use (Phipps et al., 2009), nurses' intentions to comply with post-exposure prophylaxis (Ko et al., 2011), pharmacists' intentions to report medical safety incidents (Williams et al., 2015) and intentions to practice safe food handling (Seaman & Eaves, 2008). Studies do not always include belief measures, but attitudes, norms, and PBC regarding safe food handling mediate the link between beliefs and intentions (Seaman & Eaves, 2008) and behavioural beliefs, control beliefs, attitudes, and PBC influenced intentions to illegally use cannabis (Gagnon et al., 2013).

It is common for reasoned action studies to receive partial support. Levin's (1999) study of nurses' intentions to wear gloves found attitudes and norms explained 70% of the variance in behaviour and attitudes and PBC explained 66% of the variance in behaviour. Attitudes alone predict intentions to wear a seatbelt (Martin & Newman, 1989), physicians' compliance with

mental health guidelines (Rebergen et al., 2006), healthcare workers' hand hygiene (Jenner et al., 2002), routine traffic violations (Parker et al., 1998), and long-term attitudes alone predict intentions to engage in counterproductive work behaviour (Hochstein, Lilly and Stanley, 2017). Subjective norms alone predict nurses' hand hygiene (O'Boyle et al., 2001) and intentions and behaviour to complete documentation (Renfroe et al., 1990). PBC alone predicts farmworkers' hand hygiene (Soon & Banes, 2012).

Theory of Planned Behaviour studies have found attitudes are insignificant (regarding information security policy compliance (Herath & Rao, 2009), safe lifting (Johnson & Hall, 2005), speed limits (Tavafian et al., 2011) and traffic laws (Poulter et al., 2008)), norms are insignificant (regarding cannabis use (Armitage et al., 1999), employees' intentions to follow compliance management guidelines (Hofeditz et al., 2017), software piracy (Chang, 1998; Cronan & Al-Rafee, 2008; Liao et al., 2010; Peace & Galletta, 1996), trucking regulations (Poulter et al., 2008), driving with a revoked license (Tseng et al., 2013), seatbelt use (Brijs et al., 2011), obeying road signs (Castanier et al., 2013) and anesthesiologists' meeting with patients before surgery or connecting partially-used IV bags (Phipps et al., 2009)), PBC is insignificant (regarding pharmacists' intentions to report serious drug reactions (Gavaza et al., 2011)), intentions to illegally kill jaguars (Marchini & Macdonald, 2012), intentions to wear a seatbelt (Şimşekoğlu & Lajunen, 2008), intentions to speed (Conner et al., 2007) and software piracy (Moore, Nill & Rothenberger, 2009)), or intentions are insignificant (concerning software piracy (Christensen & Eining, 1991), illegal drug use (Bentler & Speckart, 1979), aggressive driving (Efrat & Shoham, 2013), doctors' compliance with guidelines (Rebergen et al., 2006) and caregivers' hand hygiene (O'Boyle et al., 2001)). Similarly, attitudes and subjective norms predicted self-reported tax-evasion, but not actual tax-evading behaviour

(Hessing, et al., 1988). Subjective norms predict actual speeding, although attitudes, PBC, and subjective norms predicted self-reported speeding (Warner and Aberg, 2006).

Studies have also found predictors vary and depend on the specific behaviour under investigations. Attitudes and subjective norms influenced intentions to wear a seatbelt for backseat passengers, but only attitudes influence front-seat passengers (Thuen & Rise, 1994). PBC is unrelated to intentions to use LSD or ecstasy for people with negative attitudes towards these drugs, but is linked to intentions to illegally use cannabis and amphetamines even when attitudes are negative (McMillan & Conner, 2003). Subjective norms predict downloading e-books illegally, while attitudes and PBC (through past behaviour) predict downloading music illegally (Fleming et al., 2017). Attitudes, norms, and PBC predict intentions to pirate software, but only attitudes and subjective norms predict intentions to counterfeit software (Chan et al., 2013). Attitudes, norms, and PBC predict drinking and driving frequency, drinking and driving at maximum magnitude (e.g. after consuming the most alcohol), and speeding at maximum magnitude, but subjective norms do not predict speeding frequency, drinking and driving, or speeding at typical magnitude (Lheureux et al., 2016). Attitudes predict intentions to illegally use a cellphone while driving, while subjective norms predict intentions to call (but not text) when running late, and PBC is linked to intentions to call (but not text) when at a traffic light or not running late (Walsh et al., 2008). Behavioural, normative, and control beliefs are good predictors of anesthesiologists checking equipment, but behavioural beliefs do not predict meeting with patients before surgery and directly predict silencing patient alarms (Beatty & Beatty, 2004). Subjective norms, PBC and instrumental attitudes predict intentions to drink and drive, but only experiential attitudes and subjective norms predict behaviour. In contrast, PBC and subjective norms predict intentions to illegally change directions but only intentions predict behaviour; PBC

and instrumental attitudes predict intentions to speed, but only instrumental attitudes predict behaviour (Trinh & Vo, 2016). Whether the model is supported in full or in part, the RAA has successfully predicted behaviour that is illegal or violates organizational rules in a number of different arenas. The study's theoretical model and hypothesis statements are described next.

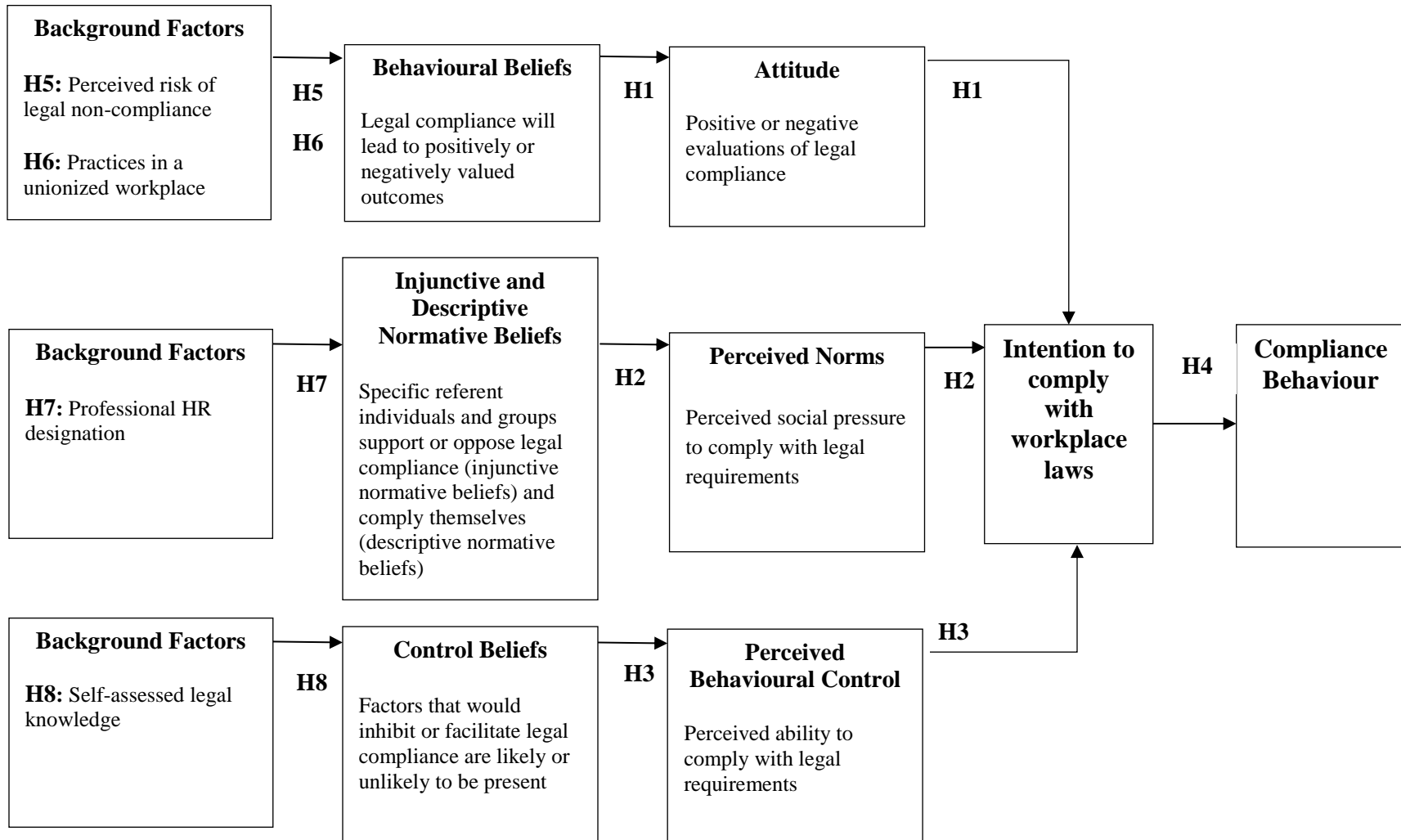
2.3 HYPOTHESIS DEVELOPMENT FOR STUDY 2

2.3.1 Reasoned Action Models and Intentions to Comply with Employment Laws

Using the RAA as a theoretical framework, this section presents 8 hypothesis statements surrounding HR practitioners' compliance with workplace law (see Figure 1). Reasoned Action Models have not been used to study HR or workplace law, but meta-analysis studies demonstrate the theory can predict intentions and behaviour in a variety of domains (Armitage & Conner, 2001; Cooke & French, 2008; Godin & Kok, 1993; Hagger et al., 2002; Mack & Carron, 1997; McEachan et al., 2011, 2016; Notani, 1998; Sheeran & Taylor, 1999; Sheppard et al., 1988; Schulze & Wittmann, 2003). Since they were first introduced in the 1970s, Reasoned Action Models have been used extensively in studies investigating intentions and behaviour that involves breaking the law, such as traffic violations (e.g. Castanier et al., 2013) and behaviour that violates organizational or professional rules, such as pharmacists' intentions to report medical safety incidents (Williams et al., 2015). This kind of rule-breaking may be analogous to an HR practitioner that violates professional standards by violating workplace law. The RAA is well-suited to investigate legal non-compliance on an individual level (Arias, 2015).

Reasoned Action Models are designed to be applicable to a variety of behaviours (Fishbein & Ajzen, 2010; Armitage & Conner, 2001; Fishbein & Ajzen, 2011; Hennessy, 2012; Notani, 1998; Sheppard, Hartwick & Warshaw, 1988), and the "relative contribution of attitudes, perceived norms, and perceived behavioural control to the prediction of intentions is expected to vary from one person to another, from one group of individuals to another, and from one behaviour to

Figure 1: Conceptual Model: A Reasoned Action Approach to Legal Compliance



another” (Fishbein & Ajzen, 2010, p. 180). Taken as a whole, the studies reviewed in Chapter 2 suggest Reasoned Action Models are very well-equipped to study illegal and stigmatized activities such as violations of workplace law. According to the RAA, behavioural beliefs about whether compliance will produce positive or negative consequences will influence HR practitioners’ attitudes towards compliance, normative beliefs about whether specific referent others support compliance and comply themselves will influence perceived norms, and control beliefs about factors that would inhibit or facilitate the ability to comply will influence perceived behavioural control. Attitudes, perceived norms and PBC will influence intentions, and intentions will influence behaviour.

Hypothesis 1: Attitudes towards compliance mediate the relationship between behavioural beliefs and intentions to comply with workplace law. Positive behavioural beliefs predict positive attitudes towards compliance and stronger intentions to comply.

Hypothesis 2: Perceived norms regarding compliance mediate the relationship between normative beliefs and intentions to comply with workplace law. Stronger normative beliefs predict stronger perceived norms surrounding legal compliance, and stronger intentions to comply.

Hypothesis 3: Perceived behavioural control regarding compliance mediates the relationship between control beliefs and intentions to comply with workplace law. Stronger control beliefs predict stronger PBC, and stronger intentions to comply.

Hypothesis 4: Intentions to comply with workplace law predict compliance behaviour.

2.3.2 Background Factors

‘Background factors’ refer to any factor outside RAA that may influence intentions or behaviour (through beliefs and attitudes, perceived norms, or PBC) (Fishbein & Ajzen, 2010). As the RAA includes 9 variables (behavioural, injunctive normative, descriptive normative and control beliefs; attitudes; perceived norms; PBC; intentions; behaviour), parsimony was also a concern. Because this is an exploratory study, 4 background factors were included on the basis of previous research: perceived risk, practicing HR in a unionized firm, professional HR

designation, and knowledge. Although a number of potentially meaningful background factors were excluded, Study 3's qualitative interviews are likely to identify potential background factors that can be used in future research. Background factors are described below.

Perceived Risk and Behavioural Beliefs

Perceived risk is often included in reasoned action studies investigating behaviour that is illegal or violates rules. The perceived risk of punishment and perceived penalties impact attitudes and intentions to illegally download music (Plowman & Goode, 2009), perceived risk influences nurses' intentions to wear gloves (Levin, 1999), the belief that one is unlikely to be caught or arrested predicts intentions to shoplift (Tonglet, 2002), and the belief that seatbelts reduce the risk of injury is correlated with intentions to wear a seatbelt (Martin & Newman, 1989). Perceived risk (Yoon, 2011), perceived punishment certainty and severity (Peace et al., 2003), and perceived prosecution risk (Chiou et al., 2005) have a negative impact on attitudes towards software piracy, while the belief that laws against piracy are ineffective leads to stronger attitudes and intentions to pirate music (Kwong & Lee, 2002). Performance risk, prosecution risk and social risk predict the perceived risk of software piracy, and attitudes mediated the relationship between risk and intentions (Nandedkar & Midha, 2012).

The influence of risk varies across contexts. Perceived susceptibility of consequences influences speeding, illegally changing directions, and drinking and driving, while perceived severity of consequences influences drinking and driving and speeding but not changing direction illegally (Trinh & Vo, 2016). Punishment certainty has a positive effect on intentions to comply with information security policies, while punishment severity has a negative effect on intentions (Herath & Rao, 2009). Intentions to pirate software are influenced by prosecution risk and psychological risk (e.g. feeling mental stress), but not social risk (e.g. how others would about the pirate) or performance risk (e.g. that software would not work) (Liao et al., 2009).

Legal awareness impacts attitudes towards illegally copying software at school but not work or home (Goles et al., 2008). Perceived benefits influence attitudes towards piracy, but perceived risk is insignificant (Koklic et al., 2012). Jaafar, Ramayah and Teng (2008) found consequences of piracy predicted intentions, but attitudes were insignificant. Knowledge of software piracy predicts perceived likelihood of punishment and fear of consequences, but only the later impacts attitudes (Moore, Nill and Rothenberger, 2009). Other studies have found punishment severity (Peace & Galletta, 1996) and the risk of being fined (d'Astous et al., 2005) do not impact attitudes towards piracy. The risk of crashing does not influence intentions to text or call while driving, and drivers who felt they were more at risk of getting caught reported greater intentions to text while stopped at a traffic light when running late or driving and not in a hurry (Walsh et al., 2008). Risk influenced intentions to wear a seatbelt through attitudes and subjective norms in 3 of 12 driving scenarios (Stasson & Fishbein, 1990). Smith et al. (2007) did not use a Reasoned Action Framework, but found the risk of criminal sanctions impacted participants' willingness to engage in white collar crime. Callanan et al. (2010) found people were more likely to make unethical choices when perceived opportunity was high and perceived risk was low. This suggests perceived risk can influence illegal behaviour, although context is also important.

In the law and economics literature, 'efficient breach' occurs when it is less costly to violate a contract (and pay any remedies) than comply (Goetz & Scott, 1977; Posner, 1998). Workplace law may be an example of efficient breach, as the certain costs of compliance may not outweigh potential costs of violations (Doorey, 2016). Some employers may knowingly violate workplace laws because they believe violations are unlikely to be detected or result in serious sanctions (e.g. Collins et al., 2012; FLSRC, 2006; Maconachie and Goodwin, 2010; Thomas, 2009; Tucker-Simmons, 2013; Vosko et al., 2011; Weil and Pyles, 2005).

Hypothesis 5: Perceived risk indirectly influences intentions to comply with workplace law through the mediators of behavioural beliefs and attitudes. Higher perceived risk predicts positive behavioural beliefs, positive attitudes and stronger intentions to comply.

Practicing in a Unionized Firm and Behavioural Beliefs

“Workers’ rights are better enforced” in unionized workplaces (Freeman & Medoff, 1984, p. 11) as unions may ensure laws are followed, raise and investigate concerns, provide expert advice, and help workers pursue remedies (Budd & Brey, 2003; Ehrenberg, & Schumann, 1982; Freeman & Medoff, 1984; Hirsch et al., 1997; Morantz, 2009; Trejo, 1991; Weil, 1992, 1996). Unionized firms have higher rates of compliance regarding leaves (Budd & Brey, 2003), overtime (Ehrenberg, & Schumann, 1982; Trejo, 1991, 1993), human rights (Harcourt et al., 2004; Stern & Balser, 1996, as cited in Weil, 2005) and OH&S (Weil, 1996); “in Ontario, the overwhelming majority of work refusals are by unionized workers who have the security of a collective agreement” (Tucker, 2013, pg. 11; Tucker, 1986). Pohler and Riddell’s (2018) study of multinational corporations’ compliance with Ontario laws governing termination without cause found “in unionized workplaces, compliance is high across the board and thus has little variation across any characteristic, whereas in non-union workplaces compliance varies considerably, particularly by MNC country-of-origin (pg. 22).

Unionized firms are more likely to face safety inspections, are inspected more thoroughly and receive higher fines (Weil, 1991, 1992; Morantz, 2011) perhaps because unions are better equipped than workers to point out violations (Morantz, 2009). Unions may also increase *awareness* of rights (Ashford 1976; Budd, 2007; Budd & Brey, 2003; Budd & McCall, 1997, 2004; Fiorito & Maranto, 1987; Hirsch et al., 1997; Weil, 1991; 1992) and may have a ‘facilitation effect’ regarding benefits: by “increasing awareness of employee benefits programs and providing representation when necessary, labour unions can facilitate receipt of employee benefits—holding actual availability constant” (Budd & McCall, 2004, p. 162). Unionized

workers are more knowledgeable about pensions (Budd, 1998, 2007; Leigh, 1981), health insurance (Budd 1998, 2007), family leave (Kramer, 2008), family-friendly policies (Budd & Mumford, 2004), the employment law regime, hours of work and anti-discrimination laws (Meager et al., 2002), and OH&S laws (Gillen et al., 2002; Walers & Denton, 1990) (cf. Freeman & Rogers, 1998; Kim, 1997, 1999; Meager et al., 2002).

In non-unionized workplaces, the majority of legal complaints are triggered by the end of the employment relationship. The grievance procedure in unionized workplaces is designed to resolve disputes in a way that promotes stability and protects workers (Adams, 1987). Union members may be more comfortable raising violations (Adams, 1987; Budd & McCall, 1997, 2004; Ehrenberg, & Schumann, 1982; Gunningham, 2008; Hirsch et al., 1997; Weil, 1991, 1992) and submit more health and safety complaints (Weil, 1991), compensation (Butler & Worall, 1993) and unemployment insurance claims (Blank & Card, 1991), and are more likely to perform their jobs safely (Dedobbeleer, Champagne & German, 1990), pursue and litigate claims in single-employer pension plans (Lambert, 1995), receive workers' compensation (Hirsch et al., 1997), and, in the case of blue collar workers, receive unemployment benefits (Budd & McCall, 1997, 2004). When unions are certified, employers often change how they manage to boost efficiency and offset costs associated with higher wages, a phenomenon called the 'union shock effect' (Freeman & Medoff, 1984; Hirsch & Addison, 1986; Leibenstein, 1966; Slichter, 1941; Slichter, Healy & Livernash, 1960; Verma, 2005). The union shock effect may explain why compliance is stronger in unionized firms: unions may make non-compliance more costly.

In summary, unionized firms appear to have greater compliance (Budd & Brey, 2003; Ehrenberg, & Schumann, 1982; Freeman & Medoff, 1984; Hirsch et al., 1997; Harcourt et al., 2004; Morantz, 2009; Pohler & Riddell, 2018; Stern & Balsler, 1996, as cited in Weil, 2005;

Trejo, 1991; Weil, 1992, 1996), are more likely to face safety inspections, and face higher fines when violations are found (Weil, 1991, 1992; Morantz, 2011). Unionized workers may be more legally knowledgeable (Budd, 1998, 2007; Budd & Mumford, 2004; Gillen et al., 2002; Kramer, 2008; Leigh, 1981; Meager et al., 2002; Walers & Denton, 1990), pursue claims with less fear of reprisal (Adams, 1987; Budd & McCall, 1997, 2004; Ehrenberg, & Schumann, 1982; Freeman & Medoff, 1984; Gunningham, 2008; Hirsch et al., 1997; Weil, 1991, 1992) and are more likely to file (Blank & Card, 1991; Butler & Worall & 1993; Weil, 1991) and litigate claims (Budd & McCall, 1997, 2004; Hirsch et al., 1997; Lambert, 1995). HR practitioners in unionized firms may therefore have more positive behavioural beliefs and attitudes about compliance.

Hypothesis 6: Working in a unionized firm indirectly influences intentions through the mediators of behavioural beliefs and attitudes. Working in a unionized firm predicts positive behavioural beliefs, positive attitudes and stronger intentions to comply.

Professional HR Designation and Normative Beliefs:

Professional associations influence managers' ethical and legal value judgements (Pearce, 2013), marketers' professional values influence their ethical judgements (Singhapakdi & Vitell, 1993), outcome expectancies involving social networks (e.g. losing the respect of friends and family) influenced willingness to engage in white-collar crime (Smith et al., 2007), and social consensus has the biggest impact on judgments regarding ethical dilemmas in HRM (Davis et al., 1998). Moral judgements about piracy predict intentions through attitudes (Phau & Liang, 2012).

In Canada, professional HR associations emphasize HR's professional responsibility for legal compliance. Ethical codes can bolster legitimacy as a 'profession' (Pohler & Willness, 2014) as they demonstrate the field has obligations to society-at-large (Allen & Davis, 1993; Mason, Bearden, & Richardson, 1990; Schurr, 1982). Ontario's professional HR association notes that of the 489 employers who were convicted under the Employment Standards Act in 2010, not one had a member of Ontario's Professional HR Association on staff (HRPA, 2015). The CPHR's Code of

Ethics and Rules of Professional Conduct includes a duty to “observe the law” and “do not look for ways to circumvent the law” (CPHR, 2016, pg. 5). The HRPA’s (2016) Rules of Professional Conduct state “HR practitioners must adhere to any statutory acts, regulations or by-laws which relate to the field of human resources management, as well as all civil and criminal laws, regulations and statutes that apply in their jurisdiction. They must not knowingly or otherwise engage in or condone any activity or attempt to circumvent the clear intention of the law” (p. 4).

As a result, professional HR associations may serve as an important referent for members and practitioners that are working to become members. Given the emphasis on legal compliance in the accreditation process and ethical codes of professional HR associations, individuals that have obtained or are working towards obtaining a professional HR designation may have stronger normative beliefs about complying with workplace laws.

Hypothesis 7: Having (or working towards) a professional HR designation indirectly influences intentions to comply with workplace law through the mediators of normative beliefs and perceived norms. Having (or working towards) a professional HR designation predicts stronger normative beliefs, stronger perceived norms and stronger intentions to comply.

Legal Knowledge and Control Beliefs

Software pirates are less likely to believe it is illegal to install software purchased by a friend at home (pirates and non-pirates were equally unlikely to read licensing agreements, believe it is legal to use unauthorized software, believe copyright laws are strongly enforced, illegally use software on multiple machines, or install software purchased by one’s school or employer) (Christensen & Eining, 1991). Legal knowledge was associated with negative attitudes about software piracy at school, but not at work or home but the link between knowledge, attitudes and intentions was insignificant (Goles et al., 2008).

Legal ignorance is often cited as a driver of non-compliance (CWR, 2017; Dutil & Saunders, 2005; FLSRC, GAO, 1994; Kelly, 2010; MMK Consulting, 2014; Thomas, 2009;

Thompson, 1995). Control beliefs refer to beliefs about whether opportunities and barriers that would help or hinder one's ability to carry out the behaviour in question will exist; legal knowledge may be associated with stronger control beliefs. HR practitioners that are informed about the law may believe they have more resources and are better-equipped to handle obstacles that would limit their ability to comply. However, an objectively knowledgeable practitioner who *feels* uninformed may believe there are significant barriers to compliance, while a practitioner with objectively weak knowledge may believe they have the tools to comply. While Hernandez et al. (2003) found self-reported knowledge about the *Americans with Disabilities Act* had a moderately strong correlation with objective legal knowledge, other studies have found self-reported knowledge is not a good predictor of actual knowledge. For example, 66% of workers in Meager et al.'s (2002) study described themselves as 'well' or 'very well' informed about employment law, but only 50% were able to name any workplace law without being prompted with an example. In contrast, Blackburn and Hart (2000) found management (including HR) in small UK firms did not feel very confident about their legal knowledge, but were knowledgeable about illegal termination and minimum wage, maternity leave, rest period and holiday regulations. Practitioners that are (or believe they are) more informed about workplace laws may have more positive control beliefs.

Hypothesis 8: Self-assessed legal knowledge indirectly influences intentions to comply with workplace law through its impact on control beliefs and perceived behavioural control. Higher self-assessed legal knowledge predicts positive control beliefs, stronger perceived behavioural control, and stronger intentions to comply.

2.4 CONCLUSION

Chapter 2 outlined the Reasoned Action Approach as the theoretical framework for Study 1 and 2. This dissertation is the first study to frame compliance with workplace law as a 'behaviour' or use the RAA to study HR or compliance with workplace law. However, the

studies reviewed in this chapter demonstrate the RAA is often used to study stigmatized behaviour that is illegal or violates organizational rules, and it is very well-suited to investigate non-compliance on an individual level. Study 1 (Chapter 3) describes the Belief Elicitation Study used to develop belief measures and a pilot test of the reasoned action questionnaire. Chapter 4 (Study 2) presents a test of the full Reasoned Action Model.

CHAPTER 3: STUDY 1: PILOT AND BELIEF ELICITATION STUDY

Study 1, 2, and 3 address the following three research questions:

1. Which beliefs about the consequences of legal compliance (behavioural beliefs), key referent others influencing compliance (normative beliefs) and factors that may impede or facilitate compliance (control beliefs) are most salient to HR practitioners?
2. To what extent is compliance with workplace law influenced by HR practitioners' behavioural beliefs, injunctive normative beliefs, descriptive normative beliefs, control beliefs, attitudes, perceived norms, perceived behavioural control, and the background factors of risk, unionization, professional HR designation, and legal knowledge?
3. How do HR practitioners understand and interact with factors that influence the decision to comply with workplace law (including beliefs, attitudes, norms, perceived behavioural control, risk, unionization, professional HR designations and knowledge)?

Study 1 and 2 address the first 2 questions using the Reasoned Action Approach as a theoretical framework and a quantitative design. Study 1 consists of a Belief Elicitation study to develop measures of behavioural, normative, and control beliefs (Fishbein & Ajzen, 2010) and a pilot questionnaire. Study 2 tests the full model: whether perceived risk, unionization, HR designation and knowledge influence beliefs and whether beliefs influence compliance through attitudes, perceived norms and PBC (Chapter 4). Qualitative research adopts an 'emic' perspective and examines how individuals perceive and interpret lived experience (Marshall & Rossman, 2011). Study 3 addresses the third research question using an interpretivist approach (Burrell & Morgan, 1979) and template analysis (King, 2004). Research Ethics Board and Human Participants Review Committee approval was obtained prior to data collection for all 3 studies.

3.1 OVERVIEW OF STUDY DESIGN

3.1.1 Mixed Methods and Concurrent Triangulation Designs

Although the RAA appears very well-suited to the study of legal compliance, Mirchandani et al. (2018) note the potential of mixed methods designs in exploring workplace law. By focusing on the subjective meaning practitioners assign to factors that influence compliance (Burrell & Morgan, 1979), Study 3 has the potential to add more depth about *why* and *how*

practitioners comply and identify important factors excluded from the quantitative study. A mixed methods approach was employed to gain a more nuanced understanding of compliance, as combining paradigms, testing relationships, and investigating lived experience sheds light on different facets of compliance (Creswell et al., 2003; Creswell & Plano Clark, 2007; Greene et al., 1989; Greene & Caracelli, 1997; Hesse-Biber & Leavy, 2010; Rossman & Wilson, 1991).

In a concurrent triangulation design, quantitative and qualitative data is collected and analyzed simultaneously and results are integrated to determine how findings intersect and converge and detect commonalities and differences (Creswell et al., 2003; Creswell & Plano Clark, 2007). Chapter 6 provides a general discussion of findings as "in seeking explanations for divergent results, the researcher may uncover unexpected results or unseen contextual factors" (Jick, 1979, p. 608) resulting in "an enriched explanation of the research problem" (p. 609). Mixed methods designs offer an important way to triangulate data and are most appropriate when collecting data using a single method is unlikely to result in a comprehensive understanding (Creswell et al, 2003; Creswell & Plano Clark, 2007; Greene et al., 1989; Greene & Caracelli, 1997; Hesse-Biber & Leavy, 2010; Jick, 1979; Maxwell, 1991; Rossman & Wilson, 1991). A mixed-methods design was used given the paucity of research on HR and compliance.

3.1.2 Behavioural Definitions for Study 1 and 2

Fishbein and Ajzen (2010) stress Reasoned Action measures must correspond to the specific research population and behaviour under investigation, and it is therefore important to clearly define the action (*ensuring full compliance with workplace law*), context (*as an HR practitioner*) and time period (*over the past 6 months*) (Fishbein & Ajzen, 2010). A specific timeframe is not central to the research questions, but it is foreseeable that practitioners will engage with legal issues over a 6-month period. Silliker (2013b) found 34% of practitioners consulted a lawyer more than 10 times over the past year while 43% consulted a lawyer between 2-10 times.

3.1.3 Study 1 Participants

Fishbein and Ajzen (2010) outline a protocol for developing RAA belief measures through a Belief Elicitation Study. Study 1 consisted of a Belief Elicitation Study and pilot test of variables. The sample consisted of current and former Canadian HR practitioners. Because the study is exploratory, 'HR practitioner' was broadly defined to include individuals who currently or previously worked in an HR capacity in Canada, whether as generalists or in specific areas of HR (recruitment, compensation, etc). Informed consent was obtained by stating participation is voluntary, informing participants about the nature and goals of the study, and providing contact information for the researcher and REB. To minimize social desirability bias, participants were told honest responses are essential to understanding the issues under investigation and the study is interested in group responses and not individual responses. Most respondents were recruited from graduate-level HR programs at a Canadian research university, as students often work in HR while pursuing their degree or had previously worked in HR. Over half of Canadians have post-secondary degrees and the number of Canadians pursuing graduate degrees is increasing (Burzynski, 2012). This is also a growing trend within the HR profession, as the field's efforts to professionalize have increased the emphasis on education (e.g. Langbert, 2005; Pohler & Willness, 2014). Canadian post-secondary institutions often suggest graduate HR degrees help with career mobility (e.g. Dobson, 2013; Shannon, 2008) and Americans entering the HR profession with a master's degree have one of the highest starting salaries (Silliker, 2013a).

Data was collected by approaching HRM graduate students and through snowball sampling. There were 50 useable responses to the Belief Elicitation Study (with questions answered by between 31-50 respondents) and the pilot questionnaire had 28 usable responses, consistent with Ajzen's (2018) 'rule of thumb' of including 25-30 respondents in reasoned action pilot studies. Most respondents were in their mid-20s to early-30s, had or were working towards

a professional designation, were practitioners rather than managers, and had worked in HR for 10 years or less (see Appendix 1). Although demographic information on the age, tenure, position and/or professional designation of Canadian HR practitioners is not available, pilot respondents are likely younger and have fewer years of experience than average. Other demographic trends appear consistent with trends in the profession. Respondents were highly educated, reflecting a trend amongst HR practitioners and Canadian workers. Most respondents were women and had public sector experience. The HRPAs estimates 75% of practitioners are women (Ramirez, 2012) and HR is a female-dominated profession (e.g. Bolton & Muzio, 2008; Burjek & Rafter, 2017; Ramirez, 2012). Public institutions may be more sensitive to workplace and legal norms, and subsequently may be more likely to have HR departments (e.g. Edelman 1990; 1992). About 24% of Canadians work in the public sector, and 71% of public sector workers are unionized (compared to 30% of the workforce as a whole) (Suffield & Timpler, 2016).

3.2 BELIEF ELICITATION STUDY

The Belief Elicitation Study presented open-ended questions to capture salient beliefs, including *in your role as an HR practitioner, what do you see as the advantages (/disadvantages) of ensuring full compliance with workplace laws over the next 6 months?* (behavioural beliefs), *list the individuals or groups who would approve (/disapprove) of ensuring full compliance with workplace laws in your role as an HR practitioner over the next 6 months* (injunctive normative beliefs), *in your role as an HR practitioner, list the individuals or groups who are most likely [least likely] to ensure full compliance with workplace law over the next 6 months* (descriptive normative beliefs) and *list any factors or circumstances that would make it easy or enable you to ensure [make it difficult or prevent you from ensuring] full compliance with workplace laws in your role as an HR practitioner over the next 6 months* (control beliefs). Finally, respondents were asked *what else comes to mind when you think about ensuring full compliance with*

workplace laws in your role as an HR practitioner? (Fishbein & Ajzen, 2010).

3.2.1 Content Analysis of Belief Elicitation Responses

A content analysis of Belief Elicitation responses determined a modal set of beliefs following Fishbein and Ajzen (2010). Responses were grouped into themes. For example, the advantages *helps avoid grievances, less legal issues* and *avoidance of costly lawsuits* were grouped under *reduces risk of legal challenges and costs*. A single response could fall into multiple themes and similar answers from the same respondent were counted once. For example, a respondent listed *no trouble with the law, no fines* and *no orders from government agencies* as advantages, and these were counted once under *reduces risk of legal challenges and costs*. Table 3.1 outlines responses to each question. Fishbein and Ajzen (2010) note that selecting the 10 or 12 responses that appear most frequently “results in a modal set that is likely to include at least some of the readily assessable beliefs listed by each respondent in the sample” (p. 103) and van der Pligt and Eiser (1984) recommend researchers include 3-5 measures for each belief.

3.2.2 Behavioural Beliefs and Outcome Evaluations

Four behavioural beliefs were included in the 12 most frequently mentioned responses, including 3 advantages (*reducing the risk of legal challenges and legal costs* (64%), *promoting ethics and fairness* (44%) and *protecting employee rights* (40%)) and 1 disadvantage (*increased time investment* (38%)). Study 2 will assess behavioural beliefs on a 7-point scale (*very unlikely/likely*) and ask respondents to evaluate each outcome (*bad/good*). Behavioural beliefs are then multiplied by their outcome evaluations (Fishbein & Ajzen, 2010) (see Appendix 2).

3.2.3 Normative Beliefs, Motivation to Comply, and Identification with Referents

Injunctive normative beliefs look at whether referents approve or disapprove of behaviour. *HR practitioners and HR managers* (58%) and *senior management* (44%) were most likely to approve of compliance, while *no one* (52%) and *line managers and supervisors* (45%)

Table 3.1: Belief Elicitation Responses

Behavioural Beliefs: Advantages of Compliance (N=50)			
Rank		Belief Frequency / Respondents	% Overall Beliefs
1	Reduces the risk of legal challenges/legal costs	32/50	64%
2	Promotes ethics and fairness in the workplace	22/50	44%
3	Protects employee rights	20/50	40%
4	Improves the firm's reputation	15/50	30%
5*	Promotes positive employee relations	14/50	28%
5*	Promotes positive performance outcomes	14/50	28%
7	Promotes strong, stable and consistent HR practices	12/50	24%
8	Complies with law and organizational policies	7/50	14%
9	Professional obligations	6/50	12%
10	Is in everyone's best interest	5/50	10%
11	Something that must be done	4/50	8%
12*	Social Responsibility	3/50	6%
12*	Reduces personal risk	3/50	6%
14	Maintains personal integrity	2/50	4%
Behavioural Beliefs: Disadvantages of Compliance (N=50)			
1	Requires increased time investment	19/50	38%
2	Increases costs	14/50	28%
3*	Creates pushback against HR	13/50	26%
3*	Reduces flexibility	13/50	26%
3*	There are no disadvantages to complying	13/50	26%
6	Law is complex and changes frequently	8/50	16%
7	Requires increased training	7/50	14%
8	Requires consistent practices in different situations/areas	5/50	10%
9	Requires increased knowledge	2/50	4%
Injunctive Normative Beliefs: Approves of Compliance (N=50)			
1	HR practitioners and HR managers	29/50	58%
2	Senior management	22/50	44%
3	Employees	17/50	34%
4	Line managers and supervisors	15/50	30%
5*	Lawyers and legal departments	7/50	14%
5*	Unions	7/50	14%
7*	Government	6/50	12%
7*	HR association	6/50	12%
7*	Everyone	6/50	12%
10	Myself	3/50	6%
11	Vulnerable workers	2/50	4%
Injunctive Normative Beliefs: Disapproves of Compliance (N=31)			
1	No one	16/31	52%
2	Line managers and supervisors	14/31	45%
3*	Senior management	4/31	13%
3*	People who feel law clashes with business needs	4/31	13%
5	Employees	3/31	10%
6	The employer	2/31	7%

Descriptive Normative Beliefs: Most Likely to Comply (N=47)			
1	HR Practitioners and HR managers	29/47	62%
2	Lawyers and legal departments	17/47	36%
3	Senior management	8/47	17%
4*	Managers and supervisors	7/47	15%
4*	Unions and unionized workplaces	7/47	15%
6*	Government officials	3/47	6%
6*	Public sector employers	3/47	6%
8	Employees	2/47	4%
9	Other (non-HR) departments	2/47	4%
* indicates a tie			
Descriptive Normative Beliefs: Least Likely to Comply (N = 47)			
1	Line managers and supervisors	13/47	28%
2	People working in HR	10/47	21%
3	People unfamiliar with legal requirements	9/47	19%
4*	Senior management	8/47	17%
4*	Other (non-HR) departments	8/47	17%
6*	Small companies	4/47	9%
6*	Unions and unionized employees	4/47	9%
8*	Employees	3/47	6%
8*	Junior employees	3/47	6%
8*	Other employers	3/47	6%
11*	Employers with vulnerable workers	2/47	4%
11*	Government	2/47	4%
11*	No one	2/47	4%
Control Beliefs: Factors that Enable Compliance (N=49)			
1	Management support	20/49	41%
2	Access to training	18/49	37%
3	Access to legal advice and information	14/49	29%
4	Policies and systems that promote compliance	13/49	27%
5	Enough time	9/49	18%
6*	Financial resources	6/49	12%
6*	Legal knowledge	6/49	12%
6*	Improved tracking and enforcement	6/49	12%
9*	Advice from knowledgeable HR practitioners	3/49	6%
9*	Improved communication about law and legal updates	3/49	6%
11*	Ethical obligation	2/49	4%
11*	Formal legal education	2/49	4%
11*	Increased decision-making authority for HR	2/49	4%
Control Beliefs: Factors that Prevent Compliance (N=49)			
1	Pressure or resistance from management	25/46	54%
2	Lack of knowledge	9/46	20%
3*	Frequent legal changes	8/46	17%
3*	Time constraints	8/46	17%
4	Financial constraints	7/46	15%
5*	Lack of support from HR	5/46	11%
5*	Lack of training	5/46	11%
6*	HR advises but others decide	4/46	9%
6*	Lack of clear processes or communication	4/46	9%

Control Beliefs (Continued): Factors that Prevent Compliance (N=49)			
6*	Law conflicts with business needs	4/46	9%
6*	Inconsistent practices	4/46	9%
7*	No access to legal advice or information	3/46	7%
7*	Personal risk	3/46	7%
8	HR coworkers	2/46	4%
* indicates a tie			

were most likely to disapprove. In Study 2, the likelihood that each referent approves is multiplied by motivation to comply with that referent (Fishbein & Ajzen, 2010). Descriptive normative beliefs look at whether referents engage in behaviour. The referents perceived as most likely to comply were *HR practitioners and HR managers* (62%) and *lawyers* (36%). None of the referents considered ‘least likely to comply’ were included in the 12 most frequently mentioned responses. Measures were created for the referent that received the most responses in this category: *line managers and supervisors* (28%). Study 2 will assess the strength of descriptive normative beliefs for each referent, and multiply this response by identification with each referent (Fishbein & Ajzen, 2010) (see Appendix 2).

While perceived norms refer to generalized referents (e.g. *over the next 6 months, most HR practitioners would ensure full compliance with workplace laws*), normative beliefs refer to specific referents. Many respondents listed generalized HR practitioners and managers as referents (e.g. *human resources; HR leadership*). Specific HR referents most often included HR practitioners within the respondent’s organization (e.g. *most of the HR managers, consultants, and clients I work with; coworkers, supervisor*). As a result, HR referents were listed as *the HR practitioners and managers I work with* in both normative belief measures.

3.2.4 Power of Control Factors and Control Belief Strength

Three measures of control beliefs were developed through the Belief Elicitation Study. *Management support* (41%) and *access to training* (37%) were the factors most likely to enable compliance, and *pressure or resistance from management* (54%) was the key factor that would

prohibit compliance. To ensure a sufficient number of Control Beliefs were included in the final survey, the fourth most frequently mentioned belief (*access to legal advice and information*, mentioned by 29% of respondents) was also included. In Study 2, the power of each control factor will be multiplied by the strength of each factor (Fishbein & Ajzen, 2010).

3.3 STUDY 1 SURVEY MEASURES

Likert scales were developed on the basis of the RAA and earlier RAA studies. Measures are typically assessed in a pilot study using Cronbach's alpha and confirmatory factor analysis (CFA) (Fishbein & Ajzen, 2010). There are no established scales that measure the perceived risk of violating the law. The perceived threat subscale of Witte et al.'s (1996) health-based Risk Behaviour Diagnosis scale was therefore adapted for a legal context. Following Ajzen's (2018) 'rule of thumb' of including 25-30 respondents in the pilot, data was collected from 28 participants to assess the reliability and consistency of measures.

The pilot questionnaire had 4 sections. Section 1 included the Belief Elicitation Questionnaire described previously. Section 2 presented most independent variables in random order, including RAA variables (attitudes, perceived norms, PBC, and intentions), perceived risk, self-assessed legal knowledge, and a marker variable to detect and control for common method bias. Self-reported past compliance was assessed in Section 3 as the dependent variable. Section 4 asked for demographic information, including whether the respondent practiced in a unionized firm and had a professional designation. Unless otherwise stated, measures were assessed on a 7-point scale. Measures are described below and appear in Appendix 3.

3.3.1 Attitudes

Eight attitude measures were included: *bad/good* (Armitage et al., 1999; Beck & Ajzen, 1991; Bearden & Woodside, 1979; Brijs et al., 2011; Castanier et al., 2013; Chang, 1998; Conner & McMillian, 1999; Elliott et al., 2007; Gagnon et al., 2013; Gavaza et al., 2011; Helsing et al.,

1988; Johnson & Hall, 2005; Kwong et al., 2002; Letirand & Delhomme, 2005; Liao et al., 2010; Marcil et al., 2001; McMillian & Conner, 2003; Orbell et al., 2001; Peace et al., 2003; Tonglet, 2002; Wittenbraker et al., 1989), *harmful/beneficial* (Bearden & Woodside, 1979; Castanier et al., 2013; Chang, 1998; Elliott et al., 2003, 2007; Gavaza et al., 2011; Kim & Karpova, 2010; Letirand & Delhomme, 2005; Levin, 1999; Lheureux et al., 2016; Orbell et al., 2001), *negative/positive* (Armitage et al., 1999; Brijs et al., 2011; Castanier et al., 2013; Elliott et al., 2003, 2007; Lheureux et al., 2016; Marcil et al., 2001; Moan & Rise), *not worthwhile/worthwhile* (Elliott et al., 2007; Gavaza et al., 2011; Kim & Karpova, 2010; Letirand & Delhomme, 2005; Levin, 1999; Orbell et al., 2001), *unpleasant/pleasant* (Beck & Ajzen, 1991; Castanier et al., 2013; Conner & McMillian, 1999; Elliott et al., 2003; Gagnon et al., 2013; Gavaza et al., 2011; Kim & Karpova, 2010; Kwong et al., 2002; Letirand & Delhomme, 2005; Lheureux et al., 2016; Liao et al., 2010; McMillian & Conner, 2003; Marcil et al., 2001; Moan & Rise, 2011; Orbell et al., 2001; Peace et al., 2003), *punishing/rewarding* (Moan & Rise, 2011), *inconvenient/convenient* (Soon & Baines, 2012) and *impractical/practical* (Soon & Baines, 2012).

3.3.2 Perceived Norms

Six perceived norms were assessed, including *most people who are important to me think that, as an HR practitioner, I should ensure full compliance with workplace law over the next 6 months* (Armitage et al., 1999; Bentler & Speckart, 1979; Brijs et al., 2011; Castanier et al., 2013; Chang, 1998; Conner & McMillian, 1999; Elliott et al., 2003, 2007; Gagnon et al., 2013; Gavaza et al., 2011; Letirand & Delhomme, 2005; Levin, 1999; Liao et al., 2010; McMillan & Conner, 2003; Moan & Rise, 2011; Renfroe et al., 1990; Williams et al., 2015), *as an HR practitioner, most people whose opinions I value would approve of me ensuring full compliance with workplace law over the next 6 months* (Armitage et al., 1999; Brijs et al., 2011; Elliott et al., 2003, 2007; Gavaza et al., 2011; Letirand & Delhomme, 2005; Marcil et al., 2001; Peace et al.,

2003; Soon & Baines, 2012), *most people important to me want me to ensure full compliance with workplace laws over the next 6 months as an HR practitioner* (Armitage et al., 1999; Elliott et al., 2003, 2007; Phipps et al., 2009; Walsh et al., 2008), *if most people important to me were working in HR, they would ensure full compliance with workplace laws over the next 6 months* (Castanier et al., 2013; Gavaza et al., 2011; Williams et al., 2015), *over the next 6 months, most HR practitioners would ensure full compliance with workplace laws* (Williams et al., 2015) and *of the HR practitioners whose opinions I value, [none/all] will ensure full compliance with workplace law over the next 6 months'* (Hessing et al., 1988; McMillan & Conner, 2003).

3.3.3 Perceived Behavioural Control

Four measures of PBC were assessed, including *as an HR practitioner, I could easily ensure full compliance with workplace laws over the next 6 months* (Brijs et al., 2011; Chang, 1998; Conner & McMillian, 1999; d'Astous et al., 2005; Elliott et al., 2003, 2007; Gagnon et al., 2013; Kim & Karpova, 2010; Letirand & Delhomme, 2005; Marcil et al., 2001; Moan & Rise, 2011; Orbell et al., 2001; Peace et al., 2003; Soon & Baines, 2012; Tonglet, 2002), *as an HR practitioner, how much do you feel that ensuring full compliance with workplace laws over the next 6 months is beyond your control?* (Armitage et al., 1999; Elliott et al., 2007; Chang, 1998; Conner & McMillian, 1999; Gavaza et al., 2011; Johnson & Hall, 2005; Kim & Karpova, 2010; Kwong & Lee, 2002; Letirand & Delhomme, 2005; Liao et al., 2010; Marcil et al., 2001; Orbell et al., 2001), *as an HR practitioner, whether or not I ensure full compliance with workplace laws over the next 6 months is up to me* (Armitage et al., 1999; Elliott et al., 2003, 2007; Gavaza et al., 2011; Soon & Baines, 2012; Walsh et al., 2008), and *as an HR practitioner, if I really wanted to, I am confident that I can ensure full compliance with workplace laws over the next 6 months* (Beck & Ajzen, 1991; Brijs et al., 2011; Conner & McMillian, 1999; Elliott et al., 2003, 2007; Gagnon et al., 2013; Kwong & Lee, 2002; Orbell et al., 2001; Peace et al., 2003).

3.3.4 Intentions

The study included 4 measures of intentions: *as an HR practitioner, I intend to ensure full compliance with workplace laws over the next 6 months* (Armitage et al., 1999; Beatty et al., 2004; Castanier et al., 2013; Chang, 1998; Elliott et al., 2003, 2007; Gagnon et al., 2013; Gavaza et al., 2011; Jenner et al., 2002; Kim & Karpova, 2010; Kwong et al., 2002; Letrirand & Lehomme, 2005; Lheureux et al., 2016; Marcil et al., 2001; Moan & Rise, 2011; Orbell et al., 2001; Okamura et al., 2012; Tavafian et al., 2011; Williams et al., 2015; Wttenbraker et al., 1983), *as an HR practitioner, how likely is it that you will ensure full compliance with workplace laws over the next 6 months?* (Castanier et al., 2013; Conner & McMillan, 1999; Elliott et al., 2003, 2007; Kwong et al., 2002; Marcil et al., 2001; Orbell et al., 2001; Renfroe et al., 1990; Tseng et al., 2013; Walsh et al., 2008), *as an HR practitioner, I plan to ensure full compliance with workplace laws over the next 6 months* (Armitage et al., 1999; Bentler & Speckart, 1979; Castanier et al., 2013; Gavaza et al., 2011; Johnson & Hall, 2005; Moan & Rise, 2011; Poulter et al., 2008) and *as an HR practitioner, I will ensure full compliance with workplace laws over the next 6 months* (Lheureux et al., 2016 and Orbell et al., 2001).

3.3.5 Perceived Risk

There are no established scales that evaluate the perceived risk of violating workplace law. Feather's (1996b) 'perceived seriousness of legal offences' scale was considered, but its internal reliability has consistently fallen below 0.7 (e.g. Feather, 1996a, 1996b, Feather & Oberdan, 2000). Klepper and Nagin (1989) examined the perceived risk of tax violations being detected and prosecuted, but items are too specific to be adapted (e.g. *if the IRS were to catch more than 50% of the plumber's \$13,500 understatement of self-employed income, what are the chances that the plumber will face criminal prosecution?*). Established scales measure propensity to take risks (e.g. Grol et al., 1990; Jackson, Hourany & Vidmar, 1972; Kogan & Wallach, 1964;

MacCrimmon, Wehrung, 1985; Nicholson et al., 2005; Shure & Meeker, 1967), and propensity to take risks in specific arenas (such as organizational financial decision-making (e.g. Huff et al., 1997; Sitkin & Weingart, 1995) and everyday ethical dilemmas (e.g. Keinan & Bereby-Meyer, 2012; Weber, Blias, & Betz, 2002)), but are again too specific to adapt.

Witte et al.'s (1996) Risk Behaviour Diagnosis (RBD) scale is a general health measure that evaluates perceptions of self-efficacy and perceived threat in relation to illnesses. Its 6-item perceived threat subscale assesses the *perceived severity* of health risks ($\alpha = 0.9$) by assessing whether a health threat is *severe*, *serious* and *significant*. The *perceived susceptibility to threat* subscale ($\alpha = 0.85$) asks whether respondents believe they are at risk of contracting the health threat. Because the RBD is a general measure designed to be adapted to different illnesses, it is easily adapted to the context of workplace law. The adapted severity of threat subscale asked respondents whether the risk of violating workplace laws is perceived as *severe*, *serious* and *significant*. The susceptibility to threat subscale was adapted to ask respondents if violating workplace law carries risks, and whether it is likely or possible that violations will be detected.

3.3.6 Self-Reported Legal Knowledge

Following Meager et al. (2002), respondents reported their legal knowledge on a 4-point scale (very well informed, well informed, not well informed, not well informed at all).

3.3.7 Common Method Variance and Marker Variables

Common method variance (CMV) refers to error that results from how variables are measured (Podsakoff et al., 2003). CMV can inflate regression estimates (increasing the risk of Type I errors) or deflate regression estimates (increasing the risk of Type II errors) and interactive effects (Siemens, Roth & Oliveira, 2010), and may be especially relevant in cross-sectional studies where data is collected from a single respondent at a single point in time (Fishbein & Ajzen, 2010; Lindell & Whitney, 2001; Podsakoff et al., 2003). However, Schaller,

Patil and Malhotra's (2015) post-hoc analysis of 253 Reasoned Action studies concluded "CMV is not a concern" (p. 195) as only 5.1% of the significant relationships became insignificant after being corrected for CMV. Including 'marker variables' that have high reliability and are theoretically unrelated to the study's other variables can also be used to assess and correct for CMV (Lindell & Whitney, 2001). Following Schaller et al., (2015), Moorman and Matulich's (1993) 3-item Work-Life Balance Scale was used as an unrelated marker variable. Items include *I get enough rest and sleep most of the time*, *I undertake activities that help reduce stress and anxiety* and *I maintain balance between 'work' and 'play'*.

3.3.8 Self-Reported Past Behaviour as the Dependent Variable

Reasoned action frameworks typically rely on self-reported data (Ajzen, 1991; Daigle, Hrubes, & Ajzen, 2002; Fishbein and Ajzen, 2010; Hrubes, Ajzen, & Daigle, 2001). Self-reported past compliance was included as the study's dependent variable. Fishbein and Ajzen (2010) conclude that that intentions are equally strong predictors of past and future behaviour (e.g. Armitage et al., 1999; Armitage & Conner, 2001; O'Callaghan et al., 1997; Sheeran & Orbell, 2000). However, some studies have found a strong link between intentions and future behaviour (Norman & Hoyle, 2004; Ouellette & Wood, 1998; Sheeran et al., 1999) and Albarracin et al. (2001) found a stronger link between past behaviour and intentions.

Based on previous studies, the pilot measures of behaviour included *over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? (none/a lot)* (Armitage et al., 1999; Beatty et al., 2004; Beck & Ajzen, 1991; Brijs et al., 2011; Castanier et al., 2013; Conner et al., 1999, 2003; d'Astous et al., 2005; Elliott et al., 2003, 2007; Johnson & Hall, 2005; McMillian & Conner, 2003; Orbell et al., 2001; Okamura et al., 2012; Peace et al., 1996; Thuen & Rise, 1994; Warner & Aberg, 2006) and *never/always* (Orbell et al., 2001). Respondents were also asked *as*

different legal issues have come up, approximately what percentage of the time did you ensure full compliance with workplace laws over the past 6 months? (Lewin, 1999; Peace et al., 1996; Orbell et al., 2001) on an 11-point scale (1-10%, 11-20%, 21-30%, 31-40%, 41-50%, 51-60%, 61-70%, 71-80%, 81-90%, 91-95%, 96-100%).

3.3.9 Demographics, Practicing HR in a Unionized Firm, and Professional Designations

The final part of the survey asked for demographic information about respondents, including their age, years of HR experience, sector, whether they worked in a unionized firm, and whether they obtained a professional HR designation.

3.4 ANALYSIS

3.4.1 Data Cleanup

There were 5 missing responses from 5 different respondents (2 did not answer the ‘none/a lot’ behaviour measure, 2 did not answer the ‘I plan to’ intention measure, and one did not answer the ‘how likely’ intention measure). Little’s MCAR test was insignificant ($\alpha = 0.79$), indicating this data was Missing Completely at Random (Tabachnick & Fidell, 2007). Because of the small sample size, multiple imputation was used to estimate the 5 missing values. For each variable, 5 estimates of the missing data point were calculated, and the missing response was replaced with a pooled estimate (Hair et al., 2010; Meyers et al., 2017; Rubin, 1996; Tabachnick & Fidell, 2012). Transforming data prior to imputation can introduce bias (von Hippel, 2013). Confirmatory Factor Analysis (CFA) on was conducted with both the imputed variables and the 5 respondents that missed a response removed from the sample (Tabachnick & Fidell, 2012).

The Pilot Survey Questionnaire had two extreme outliers (Cohen, 1988; Field, 2017; Meyers et al., 2017), both from the same respondent. Winsorizing was used to input the next-highest value in the dataset (Field, 2017; Tabachnick & Fidell, 2012). As outlined in Appendix 4, data was negatively skewed (indicating that HR practitioners tended towards affirmative

responses, such as ‘strongly agreeing’) and showed excess positive kurtosis (indicating that respondents tended to answer questions similarly). These trends make conceptual sense in a study examining how members of a profession responsible for compliance perceive issues surrounding compliance. Tabachnick and Fidell (2012) suggest “if you decide that the outliers are sampled from your target population, they remain in the analysis, but steps are taken to reduce their impact—variables are transformed or scores changed... The safest strategy, then, is to use transformations of variables to improve their normality unless there is some compelling reason not to” (pg. 77-78). Curran et al. (1996) note that non-normality becomes especially problematic as skewedness approaches 2 and kurtosis approaches 7. Kurtosis did not approach 7, but 3 variables had skewness values above 2, and several variables had skewness values above 1.5 (indicating non-normality) (Hair et al., 2006). To correct this issue, 9 variables with skewness values of 1.5 or above were transformed in SPSS using a reflected square root transformation (Field, 2017; Tabachnick & Fidell, 2012).

3.4.2 Reliability

Moorman and Matulich’s (1993) Work-Life Balance Scale was included as a marker variable, and was the only measure with weak reliability ($\alpha = 0.67$). The 6-item perceived norm scale ($\alpha = 0.81$), 4-item PBC scale ($\alpha = .83$), 4-item intentions scale ($\alpha = 0.88$), 3-item behaviour scale ($\alpha = 0.72$) and Witte et al.’s (1996) adapted Risk Behaviour Diagnosis scale ($\alpha = 0.78$) had acceptable reliability. The 8-item attitude scale had good reliability ($\alpha = 0.86$), but removing the *harmful/beneficial*, *bad/good* and *positive/negative* evaluations improved reliability ($\alpha = 0.87$).

3.4.3 Confirmatory Factor Analysis

Pilot measures were assessed with confirmatory factor analysis (CFA) (Fishbein & Ajzen, 2010). Because of the small sample, the CFA was used to identify significant issues prior to testing the full model in Study 3. Hair et al. (2010) recommends assessing the chi square (χ^2)

and at least one absolute fit index and one incremental fit index. RMSEA is inflated when the sample size and degrees of freedom are small (Hu & Bentler, 1999; Kenny et al., 2015).

Following Hu and Bentler (1999), the standardized root mean residual (SRMR) was evaluated as an absolute fit index, and the comparative fit index (CFI) was evaluated as an incremental fit index. Smaller samples have less impact on SRMR (Kenny et al., 2015) and CFI (Bentler, 1989). Hu and Bentler (1999) suggest SRMR values approximating less than 0.08 and CFI values approximating more than 0.95 indicate good fit, while SRMR values below 0.1 and CFI above 0.9 indicate acceptable fit (Hair et al., 2010).

CFA was assessed in AMOS (see Appendix 5). Because of the small sample, CFAs for attitudes, norms, PBC and perceived risk were run separately. The 5-item attitude measure demonstrated poor fit ($\alpha = 0.007$, CFI below 0.9). After consulting the modification indices, the error terms for *not worthwhile/worthwhile* and *punishing/rewarding* measures were correlated. The re-specific model was acceptable, as was the 6-item perceived norm scale and 4-item PBC scale. The 6-item perceived risk scale initially demonstrated poor fit ($\alpha = 0.001$, SRMR = 0.13, and CFI = 0.73). After consulting the modification indices, fit was improved by sequentially correlating the error terms between the related items *risks are severe* and *serious, people that violate the law are at risk* and *it is possible violations will be detected*, and *people that violate the law are at risk* and *risks are significant*. Because the 3-item behaviour scale had 0 degrees of freedom, a CFA was conducted with the 4-item intention scale as an independent variable and behaviour as a dependent variable, with good fit. Multiple imputation was used to replace missing values for two intention measures and one behaviour measure, and CFA was also conducted with all participants who missed a response removed from the dataset (N = 23). In the initial model, the chi square value was not significant ($\alpha = 0.09$), but SRMR was marginally

above 0.08 and CFI was marginally below 0.9. By correlating the error terms for the ‘*I will*’ intention measure and ‘*what percentage of the time do you comply?*’ behaviour measure, χ^2 remained non-significant ($\alpha = 0.58$), and CFI (0.94) and SRMR (0.084) indicated acceptable fit.

3.5 CONCLUSION

The Pilot Study consisted of a Belief Elicitation Study and a pilot questionnaire. On the basis of the Belief Elicitation Study, measures of beliefs were developed for the test of the full model, including 4 behavioural beliefs (*compliance reduces the risk of legal costs and legal challenges, promotes ethics and fairness in the workplace, protects employees’ rights and requires increased time investment*), 4 referents influencing injunctive normative beliefs (*HR practitioners and managers, senior management, everyone, and line managers and supervisors*), 3 referents influencing descriptive normative beliefs (*HR practitioners and managers, lawyers, and line managers and supervisors*), and 4 control beliefs (*pressure or resistance from management, support from management, access to training, and access to legal advice and information*). The pilot questionnaire determined measures were appropriate to include in Study 2, although the internal reliability of Moorman and Matulich’s (1993) 3-item Work-Life Balance Scale was marginally below 0.7 ($\alpha = .67$). Chapter 4 discusses a test of the full Reasoned Action Model.

CHAPTER 4: STUDY 2: A REASONED ACTION APPROACH TO COMPLIANCE

Study 2 tested the full Reasoned Action model, using belief measures developed in Study 1's Belief Elicitation Study, scales assessing attitudes, perceived norms, perceived behavioural control, intentions, behaviour, risk, a self-report knowledge measure developed for this study, and a marker variable (Moorman & Matulich, 1993). Liden and Maslyn's (1998) LMX contribution scale was included as a marker variable, but indirectly predicted compliance. Data was analyzed using multiple regression with bootstrapping following Hayes' (2017) guidelines.

4.1 STUDY DESIGN

4.1.1 Participants

The research population consisted of current and former HR practitioners. Snowball sampling was used as “employers are unlikely to be willing to disclose their own illegal (or verging on illegal) workplace practices” (Noack et al., 2015, p. 90). To obtain informed consent and minimize social desirability bias, respondents were informed that the study was investigating group-level (not individual) data, that accurate responses were needed to understand how compliance decisions are made, and that all answers were confidential. Data was collected through Qualtrics. Respondents were offered a \$5 coffee card and entered into a raffle to win 1 of 2 \$100 gift cards¹. With 13 independent variables (behavioural, injunctive normative, descriptive normative and control beliefs, attitudes, perceived norms, PBC, intentions, risk, unionization, HR designation, knowledge, and a marker variable) a sample of 195-260 respondents was targeted to ensure there were 15- 20 observations for each independent variable (Hair et al., 2010).

¹ To ensure identifying information was not collected with raw data, respondents were re-directed to Google Forms after completing the Qualtrics survey. On Google Forms, respondents were thanked for their participation, asked for an e-mail address for the incentive, and presented with a survey link that could be shared with their HR network. Respondents could also enter an e-mail address if they were interested in participating in an interview for Study 3 (or knew someone who was). The electronic coffee card also included a survey link that could be shared.

E-mail invitations were sent to alumni of undergraduate business administration and HR programs at a Canadian research university (with 2 follow-up reminders), alumni of a continuing education in HR program at a Canadian research university, and students in a master's in HR program at a Canadian research university (see Table 4.1). A faculty member in an HR program also posted the survey link on their personal LinkedIn page to collect data from interested practitioners. All HR and management associations listed in *Canadian HR Reporter* were approached about distributing the survey. One provincial professional HR association posted a link on their website, a second provincial professional association included a link in their e-mail newsletter, and a private HR association included a link in their e-mail newsletter. Representatives from 3 associations declined to distribute the survey, but offered to complete it.

Table 4.1: Study 2 Responses by Sample

Source	Total Clicks (N = 419)	Complete Responses (N = 272)	Suspicious IPs Removed (N = 213)	Final Sample (N = 208)
Undergraduate HR alumni	163	110	75	73
Continuing studies HR alumni	60	33	33	33
Master's in HR students	21	18	18	18
LinkedIn responses	104	52	52	50
Provincial HR association website	29	27	3	3
Provincial HR association newsletter	12	11	11	11
HR association newsletter	24	19	19	18
Responses from individuals in management or HR associations	3	2	2	2

4.1.2 Respondent Characteristics

There were 213 usable responses. Appendix 6 reviews data screening procedures for surveys with missing data or duplicate IP addresses. Information about participants is outlined in Appendix 7. Most respondents were again in their mid-20s to early-30s, female, Ontario-based, in private-sector positions, generalists or in positions with multiple responsibilities, had less than 11 years of HR experience, a post-secondary degree, had worked in unionized firms and had or were working towards an HR designation. As with Study 1, it is reasonable to conclude that

respondents are younger and less experienced than the average practitioner.

4.2. STUDY 2 SURVEY MEASURES AND DATA SCREENING

The questionnaire consisted of 3 sections with randomized questions. Section 1 included measures of beliefs, attitudes, perceived norms, PBC, intentions, behaviour, perceived risk, self-assessed knowledge, and marker variables. Self-reported past behaviour was collected in Section 2. Section 3 collected demographic information. Unless otherwise stated, measures were assessed on a 7-point scale (see Appendix 8).

4.2.1 Behavioural Beliefs and Outcome Evaluations

The survey included the 4 measures of behavioural beliefs and 4 measures of outcome expectancies developed in Study 1, including whether compliance would *reduce the risk of legal challenges and legal costs, promote ethics and fairness in the workplace, protect employee rights and require increased time investment* [extremely unlikely/likely]. Respondents were asked to evaluate each of these outcomes [*bad/good*].

4.2.2 Normative Beliefs, Motivation to Comply, and Identification with Referents

The Belief Elicitation Study identified 4 referents influencing injunctive normative beliefs (*senior management, HR practitioners and managers you work with, everyone, and line managers and supervisors*). Respondents were asked whether each referent would approve of compliance [extremely unlikely/likely] and whether respondents were motivated to comply with the referent [strongly disagree/strongly agree]. *HR practitioners and HR managers, lawyers, and line managers and supervisors* were the referents most likely to influence descriptive normative beliefs. Questions assessed whether each referent was likely to ensure compliance [unlikely/likely], and how much the respondent wanted to be like referents [not at all/very much].

4.2.3 Control Beliefs and Power of Control Factors

The Belief Elicitation Study identified 4 control beliefs. Respondents were asked whether

management support, access to training about workplace law, access to legal advice and information and pressure or resistance from management (reverse-scored) would influence compliance [strongly disagree/strongly agree], and whether each factor was likely to be present [extremely unlikely/extremely likely].

4.2.4 RAA Variables: Attitudes, Perceived Norms, PBC, and Intentions

Based on the pilot study, attitudes towards legal compliance were assessed using a 5-item measure ($\alpha=.87$). Sample items asked whether ensuring full compliance would be *inconvenient/convenient* or *unpleasant/pleasant*. Perceived norms were assessed using a 6-item scale ($\alpha=.81$). Sample items asked whether *most people important to me* would approve of compliance. A 5-item measure was used to assess perceived behavioural control ($\alpha =.83$). Sample items included *whether I ensure full compliance is up to me*. Intentions were assessed using a 4-item measure ($\alpha = .88$). Sample items included *I intend to ensure full compliance*.

4.2.5 Perceived Risk and Self-Assessed Knowledge

The 6-item Risk Behaviour Diagnosis scale (Witte et al., 1996) was adapted to a legal context in Study 1 ($\alpha =.78$). Items include *people and organizations that violate workplace laws are at risk*. To gain a richer understanding of knowledge, 5 questions were evaluated on a 7-point ‘strongly agree/strongly disagree’ scale: *I have a good understanding of workplace law, I know a lot about workplace law, my knowledge of workplace law is strong, I am very familiar with workplace law and I am well-informed about workplace law*.

4.2.6 LMX Contribution and Work-Life Balance as Marker Variables

Study 1’s 3-item Work-Life Balance Scale ($\alpha =.67$) (Moorman & Matulich, 1993) was again used as a marker variable. Lawrence and Kacmar (2017) used a 3-item Leader-Member Exchange (LMX) contribution scale ($\alpha = .98$) (Liden & Maslyn, 1998) as a marker in their study of unethical pro-organizational behaviour (e.g. *if my organization needed me to, I would*

withhold issuing a refund to a customer or client accidentally overcharged). LMX contribution assesses subordinates' task-related contributions to the relationship with their supervisor (*I am willing to apply extra efforts, beyond those normally required, to meet my supervisor's goals; I do work for my supervisor that goes beyond what is specified in my job description; I do not mind working my hardest for my supervisor* (Liden & Maslyn, 1998). As unethical pro-organizational behaviour may be analogous to legal violations and the WLB marker had marginally acceptable reliability, LMX contribution was included as a potential marker variable.

4.2.7 Self-Reported Past Behaviour as the Dependent Variable

Section 2 of the survey assessed self-reported past behaviour. The 3-item behaviour scale from Study 1 ($\alpha = .72$) included 2 items assessed on a 7-point scale (*never/always* and *none/a lot*) and one item assessed on an 11-point scale (*what percentage of the time have you complied?*). Two additional measures were added on a 7-point scale, assessing how often respondents complied (*never/very frequently*) (Armitage et al., 1999; Conner & McMillian, 1999) and *over the past 6 months, I have ensured full compliance with workplace law in my role as an HR practitioner* (strongly disagree/strongly agree; Elliott et al., 2003, 2007).

4.2.8 Demographic Information, Unionization and Professional HR Designations

The final part of the survey asked for demographic information about respondents, including their age, years of HR experience (tenure), educational background, sector, jurisdiction, whether they worked in a unionized firm, and whether they obtained or were working towards a professional HR designation.

4.2.9: Data Screening and Data Cleanup

Winsorizing was used to reduce the impact of 27 extreme outliers by imputing the next-highest value in the dataset (Field, 2017; Tabachnick & Fidell, 2012). Because beliefs are often weakly correlated, it is "inappropriate to select or eliminate salient beliefs on the basis of internal

consistency considerations" (Fishbein & Ajzen, 2010, p. 105). Behavioural and control beliefs tended to be stronger than normative beliefs, but all evaluations were positive (see Appendix 9). A behavioural belief index was created by multiplying each measure of belief strength by its outcome expectancy and summing scores. The same process was followed for injunctive normative beliefs, descriptive normative beliefs, and control beliefs (Fishbein & Ajzen, 2010).

As with Study 1, data was skewed with respondents tending towards affirmative responses and showed excess kurtosis (see Appendix 10). This makes conceptual sense in a study of non-compliance. Tabachnick & Fidell (2012) note "if the scale is somewhat arbitrary anyway (as is often the case), transformation does not notably increase the difficulty of interpretation" and is the "safest strategy" (pg. 86). While transformed IQ test scores could be difficult to interpret because scale values are meaningful, the RAA's 7-point scale is somewhat arbitrary and has never been used to study workplace law. Data was transformed using Box-Cox power transformations, because they can be used on data that is positively or negatively skewed and allow for greater precision (Box & Cox, 1964; Osborne, 2010; Osborne, 2013) (see Appendix 10). Following Box Cox transformations, none of the variables were skewed to a significant degree but kurtosis remained or became statistically significant in a number of cases. Excess kurtosis can lead to an underestimation of variance, but a moderate sample size (200+ samples) prevents this undesirable effect (Tabachnick & Fidell, 2012; Wateraux, 1976). All scores were standardized following transformations to facilitate comparisons.

Pearson correlations were examined to check for collinearity (disregarding correlations between items on the same scale). Age and tenure were highly correlated ($R = .76$, $p = \leq .001$) (Allison, 1999; Meyers et al., 2017). Age was dropped as the less relevant variable. Multicollinearity was assessed through the variance inflation factor (VIF), with each 'behaviour'

item as a dependent variable. Multicollinearity was not problematic as VIF values were below 10 (assessed with tolerance values above .1) (Cohen et al., 2003; Pituch & Stevens, 2016).

LMX contribution assesses subordinates' task-related contributions to the relationship with their supervisor (Liden & Maslyn, 1998) and was included as a marker variable. LMX 2 (*I am willing to apply extra efforts, beyond those normally required, to meet my supervisor's goals*) was correlated to Behaviour 1 ($R = .47$) (*how often did you ensure full compliance with workplace laws in your role as an HR practitioner?*) and Behaviour 2 ($R = .45$) (*I have ensured full compliance with workplace law in my role as an HR practitioner*), and had moderate correlations with other independent variables. This indicated LMX contribution was an inappropriate marker (Lindell & Whitney, 2001). LMX contribution was instead retained as a potential independent variable. This was unexpected, as LMX contribution was an effective marker in Lawrence and Kacmar (2017)'s study of unethical pro-organizational behaviour. However, if a HR practitioner with high LMX contribution works for a supervisor that expects compliance, the practitioner may be willing to put forth extra effort to ensure compliance occurs. Fortunately, the WLB marker variable either had weak ($\leq .24$) or insignificant correlations with other variables, suggesting it is an ideal marker (Lindell & Whitney, 2001).

4.2.10 Reliability

The reliability of belief measures is assessed by correlating the behavioural beliefs index and attitudes (correlations ranged from .41 to .58), the injunctive normative belief index with perceived norms (correlations ranged from .34 to .53), the descriptive normative belief index with perceived norms (correlations ranged from .43 and .61), and the control beliefs index with perceived behavioural control (Fishbein & Ajzen, 2010). The reverse-scored PBC 3 (is compliance *beyond your control*) was not significantly correlated with control beliefs, and PBC 2 (compliance *is up to me*) was weakly correlated with PBC ($R = .22$). The remaining 3 PBC

variables had correlations ranging from .4 to .5.

The 5-item attitude scale ($\alpha = .82$), 6-item perceived norm scale ($\alpha = .85$), 4-item intentions scale ($\alpha = .89$), 5-item behaviour scale ($\alpha = .93$), 3-item LMX contribution scale ($\alpha = .72$), 5-item knowledge scale ($\alpha = .94$), and WLB marker variable ($\alpha = .71$) all had acceptable reliability (see Appendix 11). The 5-item PBC scale ($\alpha = .69$) had low reliability, but was improved by removing the items weakly correlated with control beliefs (PBC 2 and PBC 3) ($\alpha = .82$). The 6-item perceived risk scale had acceptable reliability ($\alpha = .81$), but removing R2 (*it is possible that violations of workplace law will be detected*) and R6 (*It is likely that violations of workplace law will be detected*) improved its reliability ($\alpha = .85$).

4.3 FACTOR ANALYSIS, COMMON METHOD VARIANCE, AND DATA CLEANUP

4.3.1 Exploratory Factor Analysis

Because Reasoned Action Models have not been used to study workplace law and the knowledge measure was developed specifically for this study, an Exploratory Factor Analysis (EFA) was conducted in SPSS using Principal Factor Extraction and a direct Oblimin Rotation (selected because RAA variables are often correlated (Fishbein & Ajzen, 2010; Meyers et al. 2017; Tabachnick & Fidell, 2012)). Kaiser-Meyer-Olkin's Measure of sampling adequacy had a 'marvelous' value of .95, and Bartlett's Test of Sphericity was significant. A 7-factor solution emerged with risk, knowledge, LMX and the WLB marker variable loading on separate factors (see Appendix 12). Behaviour items cross-loaded with norms and intentions, and a similar issue was encountered with PBC. Attitudes cross-loaded with norms and perceived risk.

Several models were run to determine if a result that was more consistent with the RAA could be found. All intentions items were ultimately dropped due to low factor loadings ($\geq .31$). Because of cross-loadings, 2 attitude items (A1 and A3) and 3 perceived norms items (PN2, PN3 and PN6) were also dropped. An acceptable solution that was consistent with the RAA was

obtained by forcing items to load on 8 factors and using principal factor extraction and a direct Oblimin rotation with delta re-specified at -1.5 (delta specifies how strongly factors are allowed to correlate; at 1 factors are highly correlated, at -4 factors are orthogonal) (Meyers et al. 2017; Tabachnick & Fidell, 2012). The 3-item attitudes scale ($\alpha = .74$) and 3-item perceived norms scale ($\alpha = .75$) retained acceptable reliability, consistent with Fishbein and Ajzen's (2010) observation that RAA measures "rarely exhibit reliabilities (internal consistencies) in excess of .75 or .80" (pg. 283). Six factors (behaviour, knowledge, perceived risk, WLB marker variable, PBC and LMX) had eigenvalues greater than 1 (consistent with Kasier's (1960) guidelines for retaining factors) while norms (.87) and attitudes (.77) had eigenvalues above .7 (consistent with Jolliffe's (1972; 1986) guidelines). Together, these factors explained 73.49% of the variance.

Reasoned Action Studies often find relationships operate slightly differently than theorized (e.g. Bentler & Speckart, 1979; Phipps et al., 2015; Van der Brouke & Paris, 2008), but these EFA results are unexpected given how well-established the RAA is. Empirical studies using Reasoned Action Models typically do not report EFAs. However, Brijs et al. (2011) found PBC split across two factors. Jenner et al. (2002) found 6 attitude measures loaded on 3 different factors, and proceeded with 5 attitude measures and 2 respective measures of norms, PBC, and intentions. This EFA was conducted to assess the factor structure of an established theory, not to reduce the number of factors and "empirical criteria must be balanced against any theoretical bases for establishing the number of factors" (Hair et al., 2010, pg. 147). The 8-factor solution was acceptable and was retained on the basis of the RAA and desire to conduct research in a new context (Hair et al., 2010; Meyers et al. 2017; Tabachnick & Fidell, 2012). The RAA proposes intentions are the strongest predictor of behaviour and PBC moderates the link between intentions and behaviour when it reflects how much control an individual actually has, which

may explain why intentions cross-loaded on PBC and behaviour (Fishbein & Ajzen, 2010). Low factor loadings may be an unintended consequence of including just 4 *intentions* items in a new context. Attitudes and norms may have cross-loaded because non-compliance violates professional standards. Although the RAA suggests intentions are the strongest predictor of behaviour, research has also found that reasoned action variables sometimes directly impact behaviour or that intentions are sometimes insignificant (e.g. Bentler & Speckart, 1979; Christensen & Eining, 1991; Efrat & Shoham, 2013; Rebergen et al., 2006; O'Boyle et al., 2001).

4.3.2 Confirmatory Factor Analysis

Measures were assessed with confirmatory factor analysis (CFA) (Fishbein & Ajzen, 2010). As RMSEA is inflated with smaller samples ($N \leq 250$) (Hu & Bentler, 1999; Kenny et al., 2015), standardized root mean residual (SRMR) was included as an absolute fit index, and the comparative fit index (CFI) as an incremental fit index (Hair et al., 2010; Hu & Bentler, 1999). Smaller samples have less impact on SRMR (Kenny et al., 2011) and CFI (Bentler, 1989).

CFA was conducted on attitudes, perceived norms, PBC, behaviour, risk, knowledge, and LMX contribution scales with all variables allowed to correlate. The initial model did not demonstrate adequate fit ($\chi^2 = p .02$, CFI = .99, SRMR = .043) (see Appendix 13). The error terms between behaviour 2 (*I have ensured full compliance*) and behaviour 5 (*how often did you ensure compliance?*) and behaviour 5 and 4 (*approximately what percentage of the time did you ensure full compliance?*) were correlated. This improved fit, but still resulted in a significant chi square value ($p = .049$). Because not all covariance can be attributed to a shared independent variable in multiple mediation models, Preacher and Hayes (2008) recommend covarying error terms between factors. After consulting the modification indices, the error terms for risk 4 (*the risks of violating workplace law are significant*) and PBC 1 (*I could easily ensure full*

compliance) were correlated, resulting in good model fit ($p = < .88$, CFI = .99, SRMR = .043).

4.3.3 Common Method Variance

Reasoned Action studies typically use cross-sectional designs (Fishbein & Ajzen, 2010; Lindell & Whitney, 2001), which means Common Method Variance (CMV) may be problematic (Lindell & Whitney, 2001; Podsakoff et al., 2003). Schaller et al.'s (2015) post-hoc analysis of 253 Reasoned Action studies concluded "CMV is not a concern" (p. 195), as only 5.1% of the significant relationships across these studies became insignificant after being corrected for CMV. In addition, CMV deflates (rather than creates) interaction effects and the number of significant relationships may be more conservative in a multiple mediation study (Siemsen et al., 2010).

Moorman and Matulich's (1993) WLB scale was included as a marker variable as it was weakly correlated with other variables ($R = \geq .24$). Williams' et al. (2010) CFA Marker Technique was used to assess CMV (see Appendix 14). Results indicated significant CMV was not present. While CMV did not impact variables equally and congeneric effects were present, CMV did not bias correlations between variables (Williams et al, 2010; Malhorta et al., 2017). CMV slightly inflated the reliability of some factors (1.08% of the reliability score for attitudes and 1.07% of the reliability score for knowledge could be attributed to CMV) and had a small deflating effect on others. However, all variables retained acceptable reliability values with CMV controlled. Although this study used a cross-sectional design, CMV did not appear to influence correlations. This is consistent with Schaller et al.'s (2015)'s finding that CMV is not as significant as is often assumed in RAA studies.

4.3.4 Subscale Correlations, Collinearity and Multicollinearity

Subscales were created for attitudes, norms, PBC, behaviour, knowledge, risk and LMX contribution by summing all items and dividing by the total number of items. Collinearity and multicollinearity were not problematic as Pearson correlations were below .7 and the variance

inflation factor was below 10 for each variable (assessed with a tolerance values above .1) (Cohen et al., 2003; Meyers et al., 2017; Pituch & Stevens, 2016) (see Appendix 15). Attitudes and behavioural beliefs ($R = .61$), injunctive normative beliefs and perceived norms ($R = .52$), descriptive normative beliefs and perceived norms ($R = .59$) and control beliefs and PBC ($R = .60$) had acceptable correlations. However, control beliefs (factors that facilitate compliance) were most strongly correlated with perceived norms ($R = .64$) and behavioural beliefs (whether compliance is associated with positively valued outcomes) were strongly correlated with perceived norms ($R = .61$). Two control beliefs (management support, pressure or resistance from management) and 2 behavioural beliefs (protecting employee rights and promoting ethics and fairness) involved interactions with others, which may explain their correlations with norms. Fishbein and Ajzen (2010) note relationships between RAA variables vary in different contexts and there is often a good amount of “overlap” (pg. 204) between belief measures, attitudes, perceived norms and PBC. Consistent with Ajzen’s (2011) observation that “even with good measures, the most we can reasonably expect in terms of correlations among the theory’s constructs are coefficients of about 0.60” (pg. 1114), behaviour was most strongly correlated with norms ($R = .61$), attitudes ($R = .6$) and behavioural beliefs ($R = .6$). Most correlations were significant at the .001 level. However, unionization was only correlated with descriptive normative beliefs, knowledge, behaviour, sector, and tenure. HR designation was correlated only with knowledge, and sector was correlated only with unions and tenure.

4.3.5 Subscale Normality, Independence of Errors, Linearity and Heteroscedasticity

There were no extreme outliers. Control beliefs had 2 outliers and perceived norms had 3 (1 respondent was responsible for outliers on both items). Winsorizing replaced outliers with the next-highest value. Two multivariate outliers identified through Mahalanobis Distance ($p = \leq .001$) and 3 outliers with standardized residuals below -3 identified using casewise diagnostic

tests were deleted, leaving 208 cases. Table 4.1 outlines the sources for the final sample. Each sample is compared to all other responses in Appendix 16. The Durbin–Watson test statistic was close to 2 (1.99) and statistically significant, indicating independence of errors (Durbin & Watson, 1971; Tabachnick & Fidell, 2012). A visual inspection of the residual scatterplot suggested data met normality and linearity assumptions, but heteroscedasticity (unequal error variance) may be present. Levene’s test of homogeneity of variance was conducted and significant for behavioural beliefs, injunctive normative beliefs and tenure ($p \leq .001$), descriptive normative beliefs, control beliefs, risk and knowledge ($p \leq .01$), attitudes and unionization ($p \leq .05$). Fortunately, heteroscedasticity “does not invalidate the analysis so much as weaken it” (Tabachnick & Fidell, 2012, pg. 127). A heteroscedasticity-consistent standard error estimator was used all bootstrapped regressions (Hayes, 2017; Hayes & Cai, 2007; Long & Ervin, 2000).

4.4 MULTIPLE REGRESSION WITH BOOTSTRAPPING

Data was analyzed through multiple regression with bootstrapping, using Hayes’ (2017) SPSS PROCESS macro. Multiple regression studies should ideally have a ratio of 15-20 observations for each independent variable (Hair et al., 2009). As there were 12 independent variables and tenure and sector were also included in the analysis, the final sample of 208 fell just below 15 observations for each independent variable ($N = 210$). Bootstrapping uses random sampling with replacement to generate 5,000 estimates of indirect (mediation) and interaction (moderation) effects. It is preferable to Baron and Kenny’s (1986) casual steps approach because more specific inferences can be drawn about the strength and certainty of relationships (Hayes, 2017). Because there were fewer than 250 respondents and heteroscedasticity was present, David-McKinnon’s H03 heteroscedasticity-consistent standard error estimator was used throughout the analysis (Hayes, 2017; Hayes & Cai, 2007; Long & Ervin, 2000).

PROCESS models can contain up to 6 mediators and 1 independent variable. Unless

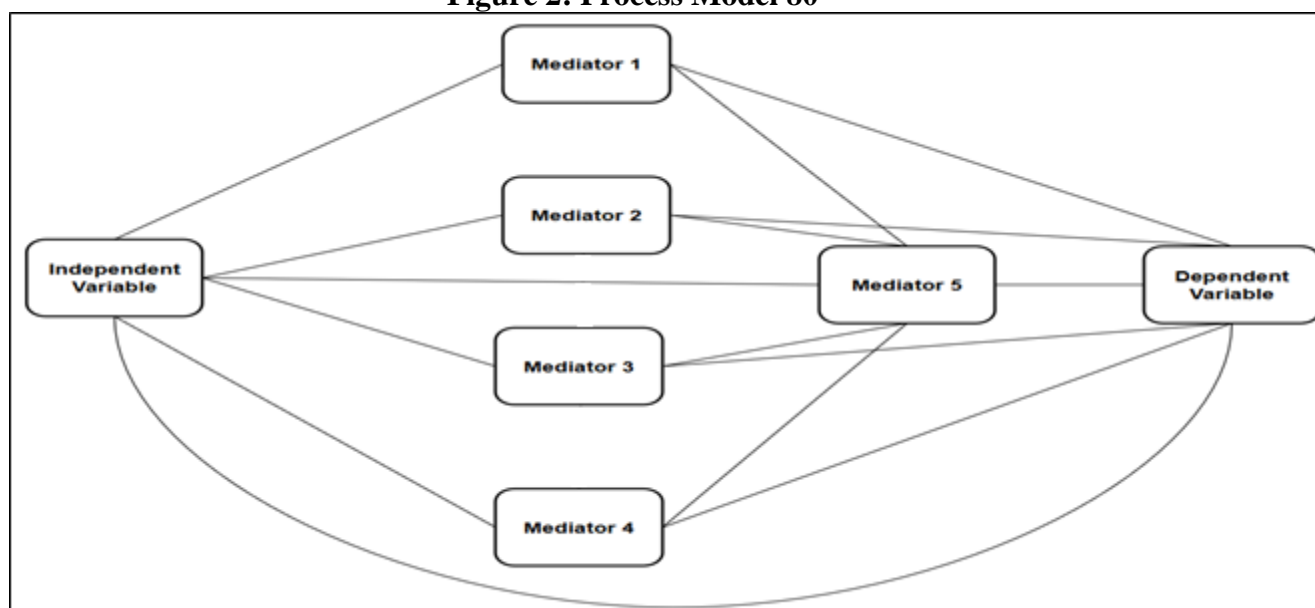
otherwise indicated, PROCESS Model 80 (Figure 2) was used and separate models were run with attitudes, perceived norms and PBC as the final mediator. To allow for comparisons between models, the random number generator used to create random samples was 'seeded' so the same random bootstrap samples were used in every analysis (Hayes, 2017). Covariates (control variables) predict mediators and dependent variables while their effect on independent variable is controlled, and PROCESS models can include multiple covariates. When bootstrap samples are seeded, indirect relationships can be assessed by running the analysis with each covariate as the independent variable (Hayes, 2017). Direct and indirect effects are assessed through 95% bootstrap confidence intervals that do not contain 0. When a confidence interval contains 0, the null hypothesis that there is no relationship between variables cannot be rejected.

Conditional Process Analysis incorporates mediators and moderators (e.g. moderated mediation) (Hayes, 2017). The Index of Moderated Mediation determines whether a conditional indirect relationship exists: if its bootstrap confidence intervals do not contain 0, the moderator had a significant impact on behaviour through the mediator(s) (Hayes, 2017). Background factors (risk, unionization, HR designation, knowledge), LMX contribution, tenure and sector were included as moderators using a customized PROCESS Model 80. The impact of moderators was assessed at 'low' (16th percentile), 'moderate' (50th percentile) and 'high' (84th percentile) levels. Mean-centering was applied to independent variables and moderators to aid in their interpretation. If the independent variable and moderator were dichotomous, they were coded as -.5 and .5 to create a main effects parameterization similar to a 2 X 2 ANOVA (Hayes, 2017).

PROCESS Model 80 was run with perceived risk (H5), unionization (H6), professional designation (H7), knowledge (H8), LMX contribution and tenure as covariates/independent variables (in the same place as the 'independent variable' in Figure 2). Sector was also assessed

initially, but not significant in any direct or indirect model. Behavioural beliefs, injunctive normative beliefs, descriptive normative beliefs, and control beliefs acted as the first mediators (in the place of Mediators 1-4 in Figure 2). Attitudes, perceived norms and perceived behavioural control as the second mediator in 3 separate models (in the place of Mediator 5 in Figure 2). Self-reported past behaviour was always the dependent variable. Hypothesis 4 was not tested because intentions were dropped after the EFA.

Figure 2: Process Model 80



4.4.1 Results

Every regression model was significant ($p \leq .001$). Table 4.2 outlines the results of hypothesis tests. Background factors explained 45.3% of the variance in behavioural beliefs (risk ($b = .497$, $p \leq .001$), LMX contribution ($b = .279$, $p \leq .01$) and knowledge ($b = .244$, $p \leq .01$) were significant), 18.5% of the variance in injunctive normative beliefs (LMX contribution ($b = .253$, $p \leq .05$) and tenure ($b = -.22$, $p \leq .01$) were significant, but unionization approached significance ($b = .265$, $p = .064$)), 27.2% of the variance in descriptive normative beliefs (practicing HR in a unionized firm ($b = .408$, $p \leq .01$), LMX contribution ($b = .359$, $p =$

$\leq .001$), knowledge ($b = .243, p = \leq .01$) and tenure ($b = -.188, p = \leq .01$) were significant) and 45.2% of the variance in control beliefs (knowledge ($b = .45, p = \leq .001$), LMX contribution ($b = .308, p = \leq .001$) and risk ($b = .225, p = \leq .01$) were significant) (see Appendix 17). The background factors included in Study 2 were therefore moderately good predictors of control and behavioural beliefs and moderately weak predictors of normative beliefs. LMX contribution, risk, and knowledge had the strongest impact, while tenure was the only predictor that was negatively related to beliefs.

Appendix 18 describes RAA variables. Background factors and beliefs explained 57.5% of the variance in attitudes; behavioural beliefs ($b = .204, p = \leq .01$), descriptive normative beliefs ($b = .204, p = \leq .001$) and risk ($b = .202, p = \leq .01$) were significant (control beliefs also approached significance ($b = .124, p = .053$)). Background factors explained 59.2% of the variance in perceived norms; behavioural beliefs ($b = .2, p = \leq .001$), injunctive normative beliefs ($b = .132, p = \leq .05$), descriptive normative beliefs ($b = .179, p = \leq .001$), control beliefs ($b = .144, p = \leq .05$) and risk ($b = .156, p = \leq .05$) were significant. Finally, background factors explained 51.2% of the variance in perceived behavioural control; control beliefs ($b = .297, p = \leq .001$) and descriptive normative beliefs ($b = .216, p = \leq .01$) were significant.

The model was ultimately able to explain about 60% of the variance in behaviour, depending on whether attitudes ($R^2 = .595$), perceived norms ($R^2 = .605$) or PBC ($R^2 = .591$) were the final mediator (see Appendix 19). Attitudes, perceived norms, PBC, control beliefs, and behavioural beliefs were significant direct predictors across all models. Tenure was significant when attitudes or PBC were the final mediator. Study 2 variables therefore functioned as good predictors of attitudes, perceived norms, perceived behavioural control, and compliance.

Table 4.2: Support for Hypothesis Statements

Test	Notes
H1 (Supported): Attitudes impact compliance through behavioural beliefs	Although H1 was supported, attitudes, behavioural beliefs, control beliefs, and tenure had a stronger direct impact on compliance. Attitudes mediated a relationship between descriptive normative beliefs and behaviour that was as strong as the H1 mediation.
H2 (Supported): Perceived norms impact compliance through normative beliefs	Although H2 was supported, perceived norms, behavioural beliefs and control beliefs had a stronger direct impact on compliance. Perceived norms mediated a relationship between behavioural beliefs and compliance that was stronger than the H2 mediations. The relationship between control beliefs, perceived norms, and compliance was stronger than the relationship between injunctive normative beliefs, perceived norms, and compliance.
H3 (Supported): PBC impacts compliance through control beliefs	Although H3 was supported, PBC, behavioural beliefs, control beliefs and tenure had a stronger direct impact on compliance.
H4 (N/A): Attitudes, perceived norms and PBC impact compliance through intentions	These relationships could not be tested because intentions were dropped from the model. However, attitudes, perceived norms and PBC directly impacted behaviour.
H5 (Supported): Risk impacts compliance through behavioural beliefs & attitudes	Although H5 was supported, risk had a stronger impact on compliance in models with just one mediator (through attitudes, behavioural beliefs, control beliefs and perceived norms).
H6 (Not Supported): Unionization impacts compliance through behavioural beliefs & attitudes	Although H6 was not supported, unionization impacted compliance through descriptive normative beliefs and attitudes, descriptive normative beliefs and perceived norms, and descriptive normative beliefs and PBC.
H7 (Not Supported): HR designations impact compliance through normative beliefs and perceived norms	Although H7 was not supported, HR designations <i>and</i> knowledge impacted compliance through behavioural beliefs and control beliefs. <i>Not</i> having an HR designation moderated the relationship between knowledge, injunctive normative beliefs, perceived norms, and compliance.
H8 (Supported): Knowledge impacts compliance through control beliefs and PBC	Although H8 was supported, knowledge had a stronger impact on compliance in models with one mediator (control beliefs and behavioural beliefs).
LMX Contribution (Supported)	LMX contribution indirectly influenced compliance, particularly through behavioural and control beliefs
Tenure (Supported)	Tenure directly influenced compliance when attitudes or PBC were the final mediator.

4.4.2 The Indirect Effects of Beliefs on Behaviour (Hypothesis 1, 2, and 3)

In support of Hypothesis 1, attitudes mediated the relationship between behavioural beliefs and behaviour ($b = .048$, CI: $.009, .097$) (see Appendix 20). Attitudes mediated an equally strong relationship between descriptive normative beliefs and behaviour ($b = .048$, CI: $.011, .095$) and a significant relationship between control beliefs and behaviour. Attitudes ($b = .234$, $p \leq .01$), control beliefs ($b = .221$, $p \leq .01$), behavioural beliefs ($b = .22$, $p \leq .001$), and tenure ($b = .096$, $p \leq .05$) all had a stronger direct impact on behaviour (see Appendix 19).

Hypothesis 2 was supported, as perceived norms mediated the relationship between injunctive normative beliefs and behaviour ($b = .039$, CI: $.007, .082$) and descriptive normative beliefs and behaviour ($b = .053$, CI: $.014, .108$). Injunctive normative beliefs were the weakest predictor. The strongest relationship was between behavioural beliefs, perceived norms and behaviour ($b = .06$, CI: $.017, .108$). Perceived norms ($b = .298$, $p \leq .001$), behavioural ($b = .208$, $p \leq .001$) and control beliefs ($b = .204$, $p \leq .001$) all had stronger direct effects.

In support of Hypothesis 3, PBC mediated the relationship between control beliefs and behaviour ($b = .056$, CI: $.011, .11$), and PBC also mediated a significant relationship between descriptive normative beliefs and behaviour. Behavioural beliefs ($b = .246$, $p \leq .001$), control beliefs ($b = .195$, $p \leq .01$), PBC ($b = .187$, $p \leq .05$) and tenure ($b = .092$, $p \leq .03$) again had a stronger direct effect on compliance. Hypothesis 1, 2, and 3 were therefore all supported, but the mediated relationships proposed by the RAA were not as strong as direct relationships.

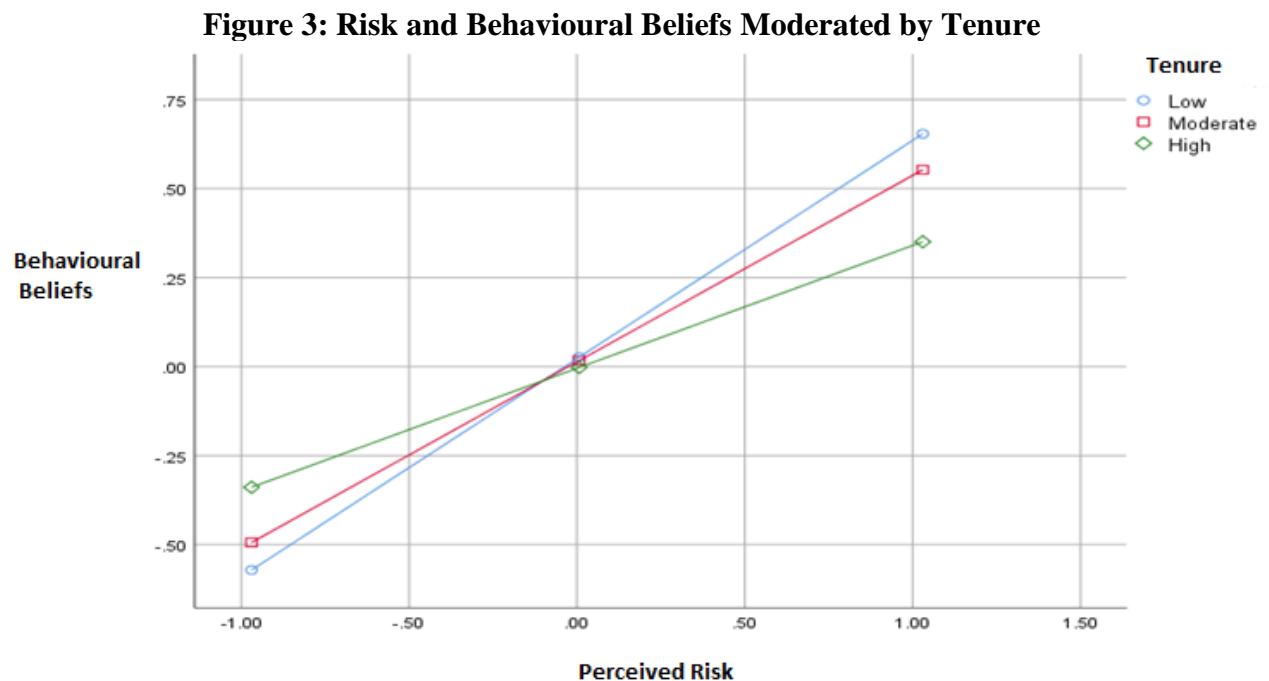
4.4.3 Perceived Risk (Hypothesis 5)

Perceived risk² did not impact behaviour directly, but risk influenced compliance through

² Unless otherwise specified, all reported values are from the model with Attitudes as the final mediator.

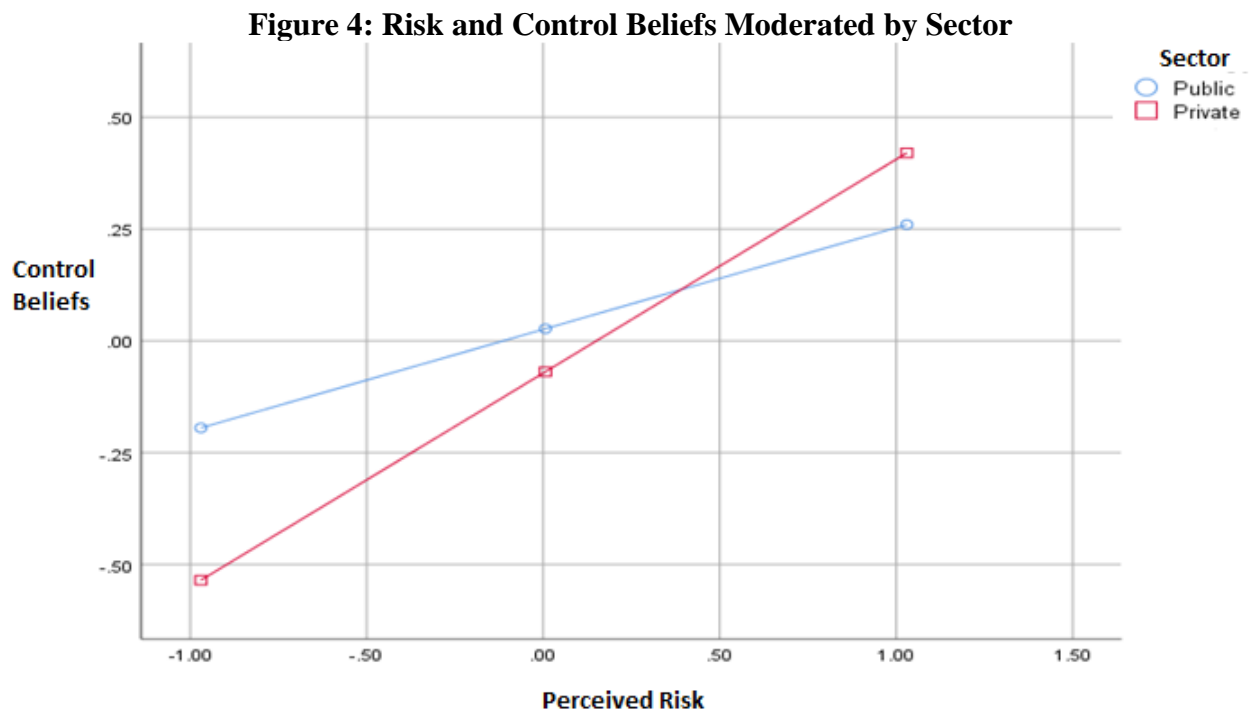
several indirect models (see Appendix 21). In support of Hypothesis 5, behavioural beliefs and attitudes mediated the relationship between risk and compliance ($b = .024$, CI: .004, .053). However, risk had a stronger impact in models with one mediator, and influenced compliance through behavioural beliefs ($b = .109$, CI: .046, .182), control beliefs ($b = .05$, CI: .011, .1), attitudes ($b = .047$, CI: .008, .099) and perceived norms ($b = .043$, CI: .005, .093). Several other multiple mediator models were significant (but weak). Risk had the strongest influence on compliance when mediated by behavioural beliefs.

To further explore the impact of risk, Process Model 80 was adapted to test whether unionization, HR designation, knowledge, LMX contribution, tenure or sector moderated the relationship between risk and behaviour. Tenure moderated a positive relationship between risk and behavioural beliefs and the conditional indirect effect was supported by a significant Index of Moderated Mediation (Index = $-.03$, CI: $-.062$, $-.002$) (see Appendix 22 and Figure 3).



This interaction was significant at all levels of HR experience, and the behavioural beliefs of less experienced practitioners were more strongly influenced by risk. Tenure moderated several other significant (but weak) relationships with risk and behaviour.

Sector did not influence compliance directly or indirectly, but moderated a significant positive relationship between risk and control beliefs and this conditional indirect effect was significant (Index of Moderated Mediation = .056, CI: .003, .123; see Appendix 23 and Figure 4). The interaction was significant in both sectors, but more pronounced in the private sector. Risk and sector also had a significant (but weak) impact on compliance when mediated by control beliefs and perceived behavioural control. Finally, risk moderated a positive relationship between unionization and attitudes (Index of Moderated Mediation = -.06, CI: -.122, -.01). Surprisingly, the interaction was only significant in non-union firms ($b = .086$, CI: .023, .162) (see Appendix 24). Risk also moderated a significant relationship between LMX contribution and attitudes (see Section 4.4.7 and Appendix 32).



4.4.4 Practicing HR in a Unionized Workplace (Hypothesis 6)

Hypothesis 6 was not supported, as practicing HR in a unionized firm did not influence behaviour directly or through behavioural beliefs and/or attitudes (see Appendix 25). Instead, unionization and descriptive normative beliefs predicted behaviour through attitudes ($b = .02$, CI: $.003, .045$), perceived norms ($b = .022$, CI: $.004, .052$) and PBC ($b = .017$, CI: $.001, .046$). In unionized firms, it appears practitioners believe referents are more likely to comply, and this influences their compliance through stronger attitudes, perceived, norms and PBC.

Sector moderated a significant positive relationship between unionization and control beliefs, but the interaction was only significant in the public sector (see Appendix 26). Public sector practitioners had stronger control beliefs in unionized firms (suggesting they also had more resources and support). The conditional indirect effect was significant when control beliefs (Index of Moderated Mediation = $-.132$, CI: $-.284, -.021$) or control beliefs and PBC (Index of Moderated Mediation = $-.033$, CI: $-.084, -.002$) were mediators. Risk moderated a conditional indirect effect between unionization and attitudes (see Section 4.4.3 and Appendix 24)

4.4.5 Professional HR Designation (Hypothesis 7)

Hypothesis 7 was not supported, as having or working towards a professional HR designation did not directly or indirectly predict beliefs, attitudes, norms, PBC or behaviour (see Appendix 27). Model 80 was re-specified with knowledge as the first mediator, beliefs as the second mediator, and (in separate models) attitudes, norms and PBC as the final mediator. Professional HR designations *and* knowledge predicted compliance through behavioural beliefs ($b = .013$, CI: $.001, .034$) or control beliefs ($b = .02$, CI: $.002, .049$). Interestingly, a significant positive relationship between knowledge and injunctive normative beliefs was moderated by HR designation but (and in contrast to Hypothesis 7), the interaction was only significant for practitioners that did not have and were not working towards a professional designation ($b = .014$,

CI: .002, .036; Index of Moderated Mediation: = -.015, CI: -.041, -.001; see Appendix 28).

4.4.6 Self-Assessed Knowledge (Hypothesis 8)

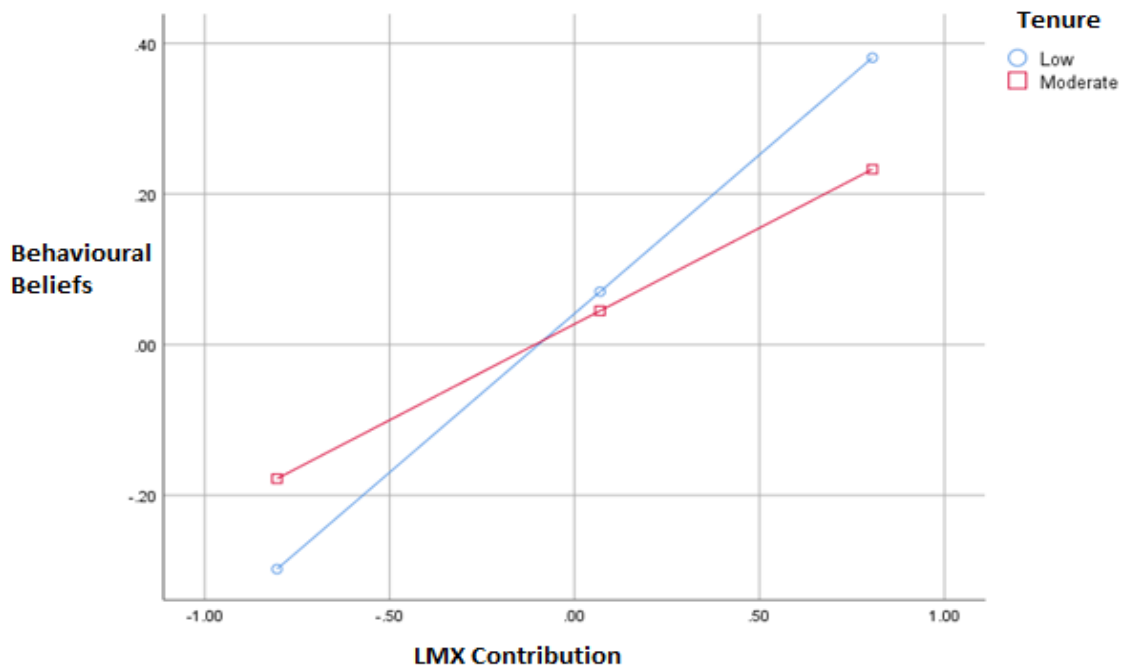
As predicted in Hypothesis 8, knowledge influenced behaviour through control beliefs and PBC ($b = .025$, CI: .005, .051) (see Appendix 29). Knowledge had a stronger impact on compliance when mediated by control beliefs ($b = .1$, CI: .04, .171) or behavioural beliefs ($b = .054$, CI: .013, .108), and several other multiple mediation models were significant. Tenure *and* knowledge also predicted several significant (though generally weak) relationships, particularly through control beliefs ($b = .015$, CI: .003, .033). As described in Section 4.4.5, having or working towards a professional HR designation moderated a significant positive relationship between knowledge and injunctive normative beliefs, and support was found for this conditional indirect effect through injunctive normative beliefs and perceived norms (see Appendix 27). Tenure and knowledge also influenced compliance through several multiple mediation models, and particularly through control beliefs (see Section 4.4.8 and Appendix 34).

4.4.7 LMX Contribution

Although LMX contribution was included as a marker variable, it influenced compliance through several indirect relationships (see Appendix 30) and particularly when mediated by behavioural beliefs ($b = .061$, CI: .021, .115) or control beliefs ($b = .068$, CI: .026, .124). Tenure moderated the relationship between LMX contribution and behavioural beliefs (Index of Moderated Mediation: $b = -.055$, CI: -.099, -.02), but the interaction was only significant at low or moderate levels of experience (see Appendix 31 and Figure 5). The behavioural beliefs of less experienced practitioners were more strongly influenced by LMX contribution (several other multiple mediation models were weak but significant). A positive relationship between LMX contribution and attitudes became significant when moderated by risk, but was only significant at low levels of risk ($b = .043$, CI: .007, .093; Index of Moderated Mediation, -.029, CI: -.067, -

.002) (see Appendix 32).

Figure 5: LMX Contribution and Behavioural Beliefs Moderated by Tenure



4.4.8 Sector and Tenure

Sector did not have a significant direct or indirect relationship with any variables.

Knowledge moderated a significant negative relationship between sector and attitudes, but the conditional indirect effect was only significant at low levels of self-assessed knowledge ($b = -.059$; CI: $-.135, -.004$; Index of Moderated Mediation: $b = .056$, CI: $.009, .117$; see Appendix 33)

Sector also moderated a positive relationship between risk and control beliefs (see Section 4.4.3 and Appendix 23) and unionization and control beliefs (see Section 4.4.4 and Appendix 26).

Tenure directly influenced behaviour when attitudes ($b = .1$, $p \leq .05$) or PBC ($b = .092$, $p \leq .05$) acted as the final mediators, and several (weaker) indirect effects were also significant (see Appendix 19 and 34). As discussed previously, tenure and knowledge predicted behaviour through several multiple mediation models (and particularly through control beliefs; see Section 4.4.6 and Appendix 34), moderated the relationship between behavioural beliefs and perceived

risk (see Section 4.4.3 and Appendix 22) and LMX contribution and behavioural beliefs (see Section 4.4.8 and Appendix 32).

4.5 CONCLUSION

Study 2 demonstrates that the RAA is an effective theoretical framework for evaluating compliance (Arias, 2015). Fishbein and Ajzen (2010) note that when measures are valid and consistent with the theory, the RAA accounts for 30-40% of the variance in behaviour. The RAA and the background factors included in Study 2 were able to explain approximately 60% of the variance in HR practitioners' compliance. Although subjective norms are often the weakest predictor (Fishbein & Ajzen, 2010), the strongest significant relationship in Study 2 was the direct relationship between perceived norms and compliance ($b = .298, p = \leq .001$). Respondents therefore feel generalized referents expect HR practitioners to comply with labour and employment laws, and this has a positive influence on compliance.

Hypothesis 1, 2, 3, 5 and 8 were supported, but in every case relationships operated slightly differently than predicted (see Table 4.2). Behavioural beliefs influenced compliance through attitudes (Hypothesis 1). At the same time, attitudes, behavioural and control beliefs, and tenure had a stronger direct impact on compliance. The relationship between descriptive normative beliefs, attitudes, and compliance was as strong as the relationship hypothesized in Hypothesis 1. Normative beliefs influenced compliance through perceived norms (Hypothesis 2). However, behavioural beliefs, control beliefs, and perceived norms had a stronger direct effect. When perceived norms served as a mediator, injunctive normative beliefs were the weakest predictor of the belief measures, while behavioural beliefs were the strongest predictor. In support of Hypothesis 3, control beliefs influenced behaviour through PBC. Once again, behavioural and control beliefs, PBC, and tenure had a stronger direct effect. Although these relationships operated somewhat differently than predicted, each was significant. The RAA is

expected to vary in different contexts. For example, Ravis and Sheeran's (2003) meta-analysis found identical sample-weighted average correlations between attitudes and descriptive norms ($r = .38$) and subjective norms and descriptive norms ($r = .38$). Fishbein and Ajzen (2010) also note there is often a good amount of “overlap” (pg. 204) between beliefs, attitudes, perceived norms and PBC:

As a general rule, people who are important to me will encourage me to perform behaviours that produce positive outcomes and to avoid behaviours that are likely to lead to negative outcomes. Likewise, I am unlikely to form positive attitudes toward performing behaviours that I know are not under my control, and important others would not expect me to perform them (Fishbein & Ajzen, 2010, pg. 204).

Turning to background factors, risk influenced compliance through behavioural beliefs and attitudes (in support of Hypothesis 5). Risk had a stronger impact in models with one mediator (behavioural beliefs in particular, but also attitudes, control beliefs, and perceived norms). Self-assessed knowledge influenced compliance through control beliefs and PBC (in support of Hypothesis 8). Knowledge had a stronger impact in models with one mediator (control beliefs in particular, but also behavioural beliefs). LMX contribution was included as a marker variable, but influenced compliance (particularly through behavioural and control beliefs).

Hypothesis 4 could not be tested because intentions were dropped following the EFA. Not all hypothesis statements were supported, although significant relationships were found with every variable. Hypothesis 6 suggested practicing HR in a unionized firm influences compliance through behavioural beliefs and attitudes, and was not supported. However, HR practitioners in unionized firms had stronger descriptive normative beliefs, and this impacted compliance through attitudes, perceived norms and perceived behavioural control. Working in a unionized firm was the strongest predictor of descriptive normative beliefs, and practitioners in unionized

firms have more positive attitudes towards compliance, feel increased social pressure to comply, and are more likely to feel compliance is within their control because they believe key referents are more likely to comply.

Hypothesis 7 suggested HR designations impacted compliance through normative beliefs and perceived norms, and was not supported. Professional HR designations *and* increased knowledge impacted compliance through behavioural beliefs and control beliefs. The coursework and certification requirements to obtain a professional HR designation therefore had a positive impact on compliance through self-assessed knowledge. At the same time, professional HR associations do not appear to function as referents, as they did not influence compliance through normative beliefs or perceived norms. In fact, *not* having or working towards a professional HR designation moderated the relationship between knowledge, injunctive normative beliefs, and perceived norms.

Taken as a whole, positive attitudes towards compliance, feeling that compliance produces positive consequences (behavioural beliefs), feeling that resources to promote compliance are available (control beliefs), self-efficacy about compliance (PBC), and social pressure to comply from generalized referents (perceived norms) respectively had a significant direct impact on compliance. In every case, taking other variables into account did not increase the strength of predictors. While the RAA is a multiple mediation model and suggests indirect relationships are typically stronger than direct relationships, the strength of RAA predictors are expected to vary depending on the behaviour under investigation. Study 2 supports the proposition that behavioural, normative, and control beliefs and RAA variables (attitudes, norms, and PBC) make distinct contributions to behaviour and should both be included in studies (Fishbein & Ajzen, 2010). Tenure was the only background factor that directly influenced

compliance. This is consistent with the RAA's assumption that background factors do not directly impact behaviour, and instead impact behaviour through beliefs or RAA variables. In Chapter 5, these findings are further investigated through qualitative interviews. Chapter 6 presents a general discussion of all 3 studies.

CHAPTER 5: STUDY 3: A QUALITATIVE INVESTIGATION OF HR AND LEGAL COMPLIANCE

Study 3 addresses the third research question (*how do HR practitioners understand and interact with factors that influence the decision to comply with workplace law, including beliefs, attitudes, norms, perceived behavioural control, risk, unionization, professional HR designations and knowledge*) using interpretivism as a theoretical framework (Burrell & Morgan, 1979) and a qualitative approach. In this chapter, interpretivism is introduced, and the methodology, participants, and data collection methods (14 semi-structured interviews, 1 open-ended survey, 8 comments from Study 2) are described. Qualitative findings are then presented.

5.1 INTERPRETIVISM AS A THEORETICAL FRAMEWORK

Edelman et al.'s (1993) examination of an internal grievance procedure appears to be the only qualitative study focusing on how practitioners assign meaning to legal issues, although Lam and Devine (2001) conducted qualitative interviews to develop hypothesis statements and some mixed-methods designs have included both managers and practitioners (Blackburn & Hart, 2000; Kelly, 2010; Dechief & Oreopoulos, 2012; Kelly, 2010; Oreopoulos, 2011). Edelman et al.'s (1993) practitioners perceived dispute resolution as a way to resolve management and interpersonal problems rather than a way to correct legal violations. Given the paucity of research on HR and compliance, and in particular the paucity of research that includes the voices of practitioners, an interpretivist approach was used to explore factors that influence compliance.

Mixed-methods designs are well-suited to the complex issues surrounding compliance (Mirchandani et al., 2018), as “context matters... human actions cannot be understood unless the meaning that humans assign to them is understood” (Marshall & Rossman, 2011, pg. 91). Interpretivism is a broad paradigm that examines how meaning exists in a particular context (Burrell & Morgan, 1979). It assumes reality does not exist independently of subjective

interpretations of it, adopts an ideographic approach that aims to ‘get inside’ subjective experience, holds that people have free will and can influence the world around them and seeks to understand how people understand and interact with issues (Burrell & Morgan, 1979). As a result, it sheds light on “the actual human interactions, meanings, and processes that constitute real-life organizational settings” (Gephart, 2004, p. 455).

5.2 RESEARCH METHODOLOGY

5.2.1 Participants

Given the difficulties of collecting data on non-compliance (Banks, 2015; Mirchandani et al., 2018; Noack et al., 2015) and the goal of understanding subjective lived experience (not developing generalizable conclusions) (Burrell & Morgan, 1979), individuals with current or previous Canadian HR experience were recruited through snowball sampling. All Study 2 respondents were informed “*as part of this study, I am conducting confidential interviews with individuals who have practiced HR in Canada. Interviews will take approximately 60 minutes over the phone or Skype. Absolutely NO identifying information about you or your organization will be included in the analysis*”, and that they could provide an e-mail address if they were interested (or knew someone who may be interested). Students in a Master’s of HRM program at a Canadian research university were also invited to participate and/or share the invitation.

Table 5.1 outlines information about participants (all names reported in Study 3 are pseudonyms). ‘Ben’ was a manager who said “*I’m not officially an HR worker, but I do HR work*” including “*recruiting, job design, training and development, and of course, labour relations since we are a unionized environment and I have to work within the Collective Agreement. I also do performance evaluations*”. Ben was included because HR’s role is ambiguous and varies considerably (Caldwell, 2003; Legge, 2005; Storey, 1992). In addition to Study 3’s 14 semi-structured interviews with Canadian HR practitioners, 8 respondents provided

1-2 sentence answers to Study 2's open-ended question.

Table 5.1: Study 3 Participants³

Name	Background & HR Experience	Organization
'Abigail'	HR generalist (talent management focus) with 1-3 years' HR experience	Canadian branch of a private international non-union firm
'Alice'	HR executive with over 30 years' HR experience	Canadian unionized non-profit firm
'Aria'	HR generalist	Canadian private non-union firm
'Ben'	Manager with HR responsibilities	Canadian unionized public sector organization
'Chloe'	HR generalist (recruitment focus) with 10 years' HR experience in the middle east and 1-3 years' Canadian experience	Canadian non-union private firm.
'Harper'	HR generalist with 4-6 years' HR experience	Canadian branch of a private international partially-unionized firm
'Isla'	HR generalist (recruitment focus) with 7-10 years' HR experience	Canadian branch of a private international non-union firm
'Jack'	HR executive with over 30 years' HR experience	Canadian branch of a private international unionized firm
'Leah'	HR generalist with 7-10 years' HR experience	Canadian non-union private firm
'Liam'	HR manager with 11-15 years' HR experience	Canadian unionized public sector organization
'Mia'	HR executive with 16-20 years' HR experience	Canadian unionized public sector organization
'Noah'	HR generalist (corporate focus) with 4-6 years' HR experience	Canadian branch of a private international partially-unionized firm
'Olivia'	Labour relations practitioner with 16-20 years' HR experience	Canadian unionized public sector organization
'Quinn'	HR generalist with 16-20 years' HR experience	Canadian unionized public sector organization
'Sophia'	HR manager with 4-6 years' HR experience	Canadian non-union private firm

Theoretical saturation occurs when collecting additional data does not provide new insight (Glaser & Strauss, 1967) and is often used to determine sample size in qualitative research (Guest, Bunch, Johnson, 2006; Mason, 2010). There are no 'rules of thumb' for saturation: after conducting a thematic analysis of 60 interviews, Guest et al. (2006) found 94% of codes were identified after 6 interviews and 97% were identified after 12. Morse (1994)

³ All names reported in Study 3 are pseudonyms

recommends phenomenological studies require at least 6 respondents and Creswell (1998) recommends 5-25. Theoretical saturation was reached with 15 respondents.

5.2.2 Semi-Structured Interviews

The semi-structured interview guide appears in Appendix 35. Interviews offer a way to draw out ‘thick description’ about contextual factors (Miles & Huberman, 1994; Lincoln & Guba, 1985) and can serve as “a construction site of knowledge” (Kvale, 1996, pg. 2). Because of geographical distance, Study 3 mainly consisted of semi-structured phone interviews lasting approximately 30-60 minutes. Phone interviews are well-suited to semi-structured interviews that discuss sensitive issues (Cachia & Millward, 2011; Carr & Worth, 2001; Novick, 2008) as they “allow respondents to feel relaxed and able to disclose sensitive information, and evidence is lacking that they produce lower quality data” (Novick, 2008, pg. 391). Questions focused on how practitioners perceive, understand, and interact with factors that influence compliance. The order of questions was adapted to each interview, and new questions about the HR police, ethics, and getting a seat at the strategy table were added based on previous responses. Trust was established by clarifying study goals, excluding identifying information, informing respondents they could skip questions or remove any answers, and moving on immediately if a respondent did not want to answer (Marshall & Rossman, 2011). All interviews were transcribed.

5.2.3 Thematic Analysis

Thematic (or template) analysis is a qualitative technique that analyses text for ‘themes’ (King, 2004; Marshall & Rossman, 2011) or patterns “found within the information that at minimum describes and organizes the possible observations and at maximum interprets aspects of the phenomenon” (Boyatzis, 1998, p. 4). Coding was organized using NVIVO software as well as printed transcripts. Hierarchical coding was employed to develop both narrow and specific ‘lower-order codes’ that combine to make broader overarching ‘higher-order codes’. The

distinction between higher-order and lower-order codes refers to the degree of specificity not a code's importance (Attride-Stirling, 2001; King, 2004). For example, the lower-order codes of *Mitigating Risk*, *Being Well-Informed*, *Offering Support* and *Personal Credibility* were combined into the higher-order code of *Expert Guide*. Parallel coding was used, meaning the same text could be captured in multiple codes. For example, *Mitigating Risk* was coded as a both a *Perceived Norm* and *Advantage of compliance* (King, 2004).

In thematic analysis, researchers typically start with several *a priori* codes and develop new codes *a posteriori* based on data (King, 2004). *A priori codes* included general categories for *why comply* and *why not comply* along with RAA variables (*advantages and disadvantages* (behavioural beliefs), *significant others* (normative beliefs), *factors that facilitate and constrain compliance* (control beliefs), *positive and negative evaluations* (attitudes), *expected roles* (perceived norms), and *perceived behavioural control*) and background factors (*risk, unions, designation and legal knowledge*). Responses were placed in these general 'buckets' and lower-order codes were developed *a posteriori* through data analysis. New higher-order codes (e.g. *decision-making cultures, type of employer, enacted roles*) were also identified through analysis.

5.2.4 Credibility

The rigour of qualitative research is established by demonstrating the credibility and trustworthiness of the process and findings, using validation strategies to clarify how data was collected and analyzed, and presenting raw data along with the researcher's interpretations (Gephart, 2004; Lincoln & Guba, 1985; Marshall & Rossman, 2011; Whittemore et al., 2001). Creswell (2007) suggests qualitative studies should include at least 2 validation strategies. Reflexivity, searching for disconfirming evidence, and peer debriefing were employed. Reflexive journals were kept throughout data collection and analysis to clarify my own thinking and biases about the research process and topics under discussion (Creswell, 2007; Creswell & Miller,

2000; Lincoln & Guba, 1985). Peer debriefing consists of having an outside researcher critically examine interpretations by playing ‘devil’s advocate’, asking challenging questions, and helping the researcher uncover unconscious theories and biases (Creswell, 2007; Creswell & Miller, 2000; Lincoln & Guba, 1985). When searching for disconfirming evidence, the researcher looks for responses that are inconsistent with their coding scheme to revise or expand codes (Creswell, 2007; Creswell & Miller, 2000; Lincoln & Guba, 1985; Miles & Huberman, 1994).

5.3 COMPLIANCE WITH WORKPLACE LAW

A table of quotes summarizing key themes is presented in Appendix 36. Isla and Jack answered affirmatively when asked if most Canadian firms comply, but most felt “*it depends*” (Ben). *Unintentional Non-Compliance* was attributed to *Legal Ignorance* and *Intentional Non-Compliance to Taking Advantage Because Workers Don’t Complain, Low Risk, Clashing with Business Needs, and Type of Employer*. For example, Liam laughed and said “no” when asked if most firms comply, then clarified “*I shouldn’t say most. I would say most do comply. And those that don’t comply, a lot of times it’s out of ignorance. In some cases, it’s because they can take advantage of the employees that they have*”. Several practitioners shared personal stories when discussing the extent of legal non-compliance in Canadian workplaces, referencing these themes (as well as the belief that their HR background left them better-equipped to handle violations). For example, Olivia received insufficient pay-in-lieu of notice when HR positions were downsized:

Being in HR - like, come on, I know the standards right? So [laughs], I knew that they were just trying to pull a fast one, and I went “no, I’m not going to take that. I know what my rights are. I know “Common Law states...”. And so I went forward with a lawyer and that certainly got me a lot further. (Olivia)

[My son] was not paid for statutory holidays, his boss just wouldn’t pay him. And his father working in HR kind of reminded him that that’s not right. And so he just took the Employment Standards Act and strategically placed it around his workplace [laughs]. So that his boss saw it and he had to pay him for statutory holidays. And you know, it would

be interesting to see if they're still following it now that he's not working there. (Liam)

[My aunt is] literally 5 months away from her retirement, and she just got laid off. No severance package, no notice, no nothing. And I said "what are you going to do?" and she said "I can't afford a lawyer". And I'm just like, how does that happen? You know what I mean? I know, I guess because I work in human resources and that's kind of been my area of focus if you'd like. She's worked there for 12 years... Common Law is like a month per year of service, so she's going to get a year [of pay in lieu of notice for termination without cause]. I mean you can go by the ESA, but you're going to get screwed because you've got to keep in mind [Common Law Bardal factors for determining the notice period] the person's age, their skill level, the chances of them finding new employment, so the closer you are to your retirement the harder it would be to find another job... the thought of her not getting anything blows my mind. And it blows my mind because it's like, how did the employers think that they're going to get away with that? But they are getting away with it. (Sophia)

5.3.1 Unintentional Non-Compliance

As outlined in Chapter 1, "a common explanation for non-compliance is a lack of knowledge and/or understanding of the legislation" (Thomas, 2009, pg. 101). Consistent with Kagan and Scholtz's (1984) *organizationally incompetent* firms, practitioners described a significant amount of non-compliance as an accidental result of *Legal Ignorance* given the complexity of law, rather than a desire to evade regulation. Decision-makers often incorrectly thought they were complying, as some are "*not even aware of things they're doing, or not doing, that aren't proper. Or not even aware of what they should do. So they use their best judgement right? And basically sometimes it's not the right decision*" (Aria) and "*sometimes people don't know what they don't know... ignorance is no excuse of knowing the law, but there are times where people just don't know what they don't know*" (Olivia). Leah worked as an HR consultant at a firm where managers proudly announced they had proactively negotiated when overtime entitlements would apply:

There were times when it was like, "oh yeah, all of our employees have agreed that they get paid overtime after 50 hours". And it's like "oh they've agreed to that? Well did you go through the law, did you through the averaging agreement, the bureaucracy?" And they were all like "um, what?". (Leah)

5.3.2 Intentional Non-Compliance

Compliance was often framed as a choice (“*I think most can, whether most choose to...*” (Mia)). Intentional violations were attributed to *Taking Advantage Because Workers Don’t Complain*, *Low Risk*, *Law Clashing with Business Needs* and *Type of Employer*. Echoing Kagan and Scholtz’s (1984) *amoral calculators*, some employers were seen as non-compliant because workers were unlikely to complain due to *Legal Ignorance* and *Personal Risk*. Olivia explained:

“If I complain, perhaps I won’t be able to get a job somewhere else”. Or “I won’t get a good reference, or even a small reference to be able to get a job somewhere else”. So they just walk away quietly, and agree to just go away and kind of sell their soul to the devil so that they can have a reference and be able to get a job somewhere else... a lot of times they don’t know what their rights are. They think that perhaps they need to get a lawyer... Especially if they’re non-union or if they’re in a lower-paying job... they don’t realize that you don’t need a lawyer to go to Employment Standards or just to make a complaint to the Labour Board... The ESA is complaint driven, it’s not like they’re going to come in and do an investigation, open up the books, unless somebody makes a complaint. (Olivia)

As a result, some employers felt violations were *Low Risk*. Abigail explained “*what I’ve seen a lot of is: what are the risks and how high are they? If the risk is paying \$500 fine, I think most people would pay the \$500 fine and deal with the situation how they want to deal with it for whatever business or personal reasons they have*”. The perception that *Law Clashes with Business Needs* was also relevant. Leah felt overtime laws and “*the baselines of health and safety, like having those posters up*” were often not complied with when “*there’s not an easy way to see how this law or let’s say ‘change’ can be adapted to fit the needs of my workforce*”.

Compliance was perceived as higher in firms that had greater *Accountability* (large, not-for-profit, public sector, publicly traded, international, unionized, and/or *Employers of Choice*). Smaller private firms were willing to “*take on more risk*” (Harper) because violations were unlikely to be detected, tight margins (“*it just gets lost in the whole sort of unfortunately business model too... It is impactful when somebody doesn’t show up for work or that kind of thing.*”

*Because it ends up being costly” (Aria)) and limited resources (“it’s lack of resources, maybe they don’t have internal legal counsel. They just make decisions based on their knowledge and what they think is best without having the opportunity to consult with legal or an employment lawyer” (Harper)) and “little to no HR presence” (Quinn). Small firms that aimed to be *Employers of Choice* and were willing or able to invest resources had stronger compliance. For example, Leah described acting as a *Change Agent* (Ulrich, 1997) in small firms that wanted an HR presence to ensure their company was an *Employer of Choice*:*

Some of the smaller companies that I’ve been at have had a different approach... we know that these people need a specific type of attention in order to do great work, how can you add value? Then it’s like carte blanche right? So it’s like there’s nothing, there’s no processes to change... everyone that works at that company feels like a guest. And that’s an amazing experience. (Leah)

5.4 PERCEIVED NORMS, ENACTED HR ROLES, AND DECISION-MAKING CULTURES

Practitioners felt HR roles vary across firms. A distinction was made between perceived norms and roles HR ‘should’ play (*Expert Guide, Ethical Steward*), ineffective enacted roles (*HR Police and Clerk of Works*), and decision-making cultures surrounding compliance. Specifically, respondents felt HR *should* act as an *Expert Guide* and *Ethical Steward*, and could do so effectively in *Strong Compliance Cultures* and *Spirit Not Letter Cultures*. HR had less influence in *Cultures of Management Discretion*, and was assigned to an administrative *Clerk of Works* role with very limited influence in *Cultures of Indifference* (Tasoulis, Krepapa & Stewart, 2018).

5.4.1 Expert Guide Role

HR and compliance were seen as “*very much hand-in-hand...*” (Abigail). Practitioners felt *People Look to HR* because “*that’s the position that people are always going to turn to and say, you know “what’s the right thing to do?” or “what can I do?” Or “what can’t I do?”*” (Alice)

If you’re an ‘HR professional’ and you’ve been around, and you know what needs to be done, and the right things are done, and you’re current with the laws, and you make sure

you provide appropriate counsel and coaching to the powers that be to make sure that everyone's in compliance... you need an HR professional to make sure you're on top of things and things like that, because it's very hard for a layperson to be on top of that with all the other things they have to do in their job. (Jack)

Expert Guide was described as a central perceived norm when it came to HR and legal issues.

This role involved *Mitigating Risk, Being Well-Informed, and Offering Support*. Brockbank and

Ulrich (2003) outline *Personal Credibility* as a key HR competency, and list *Achieving Results,*

Communication Skills and *Effective Relationships* as subfactors. Practitioners felt HR needed

Personal Credibility to be effective *Expert Guides* and *Ethical Stewards*:

I usually start by finding out what the manager wants to accomplish by making a certain decision. Because once I can understand that, then I see my role - provided that it's a reasonable endgame that they want to get to, it's my role to find a way to get to where they want to be with the least amount of resistance. And I go in with that approach because I've seen other HR professionals - they take a different approach. They really want to be right, follow the rules, but maybe not understand where the manager is coming from. And I think by doing it the way that I do, you get that buy-in from the manager and they fully walk with you, fully understanding what those what those risks are. And you're more of a partner with them as opposed to the department that is enforcing rules that may or may not make sense... Anytime you can add value to a manager or an employee, they're more likely to invite you back... and more likely to listen to hard advice as well... over time, you look at the relationships that you've forged and you can point to those concrete examples where again, you were able to add value. And then you repeat that strategy, because it's effective. (Mia)

Communication Skills involved *Explaining Why* and *Being Authentic*. Stakeholders were “more

receptive when they understand why our policies are the way [they are], or this is 'why', this is

what could go wrong if you don't follow these the things we have in place” (Aria).

You don't have to go through and read all the legalese. Just how I'm saying it to you as a real person. You shouldn't have to have a whole legal backing that says 'don't be a jerk', right? But if I can just say to them 'this is effectively what it means: don't be a jerk' and then they get it... The main response I would get [to harassment training] is “oh I can't believe that happened”. Yeah it does. And I'm glad that this seems crazy to you. I'm glad that you've never experienced that. But sometimes you might, or something like this might come up. And let's just remember: (A) To be responsive to these types of situations and (B) If they come up, tell me so we can have good conversations and make sure that we're doing right by everybody involved...as long as you explain to them 'the why' ... just having an honest conversation... coming at it from a lens that they could see it from... If

you educate them and just have that authentic conversation, I've found they get it. (Leah)

Mia noted *“you need to be where the people are. Not stuck at a head office... you lose so much communication by not physically being in the same space”*. *Effective Relationships* helped practitioners become *“established as a partner at the table who has good ideas and recommendations”* (Quinn) and frame conversations to increase buy-in. When of Alice's clients wanted to terminate an employee for using prescribed medical marijuana before it was legalized in Canada, she knew:

This manager will respond well if I say ‘a lawyer said this’. So I pull an article that is written by one of the law firms. And it's just 5 or 6 bullet points. And I sent it to him... It's not just me telling him “hey, you can't do that”. Because I think his initial response to me when I told him he couldn't do it was “oh, I don't give a shit what the law says” [laughs]. Right, but it's off the cuff. But I'm sure it's how he was feeling in the moment, right?... You draw on whatever is going to work to help someone understand or see. (Alice)

Practitioners felt senior leaders had the strongest influence on compliance, describing compliance and HR's authority as *Cascading Down* when discussing normative beliefs. *Expert Guides* therefore needed to gain *Personal Credibility* with senior leaders. For example, Alice was frustrated by complaints about HR not having a seat at the table, raising *Credibility*:

I can't stand hearing that complaint from people, you know... do something to get at the table, or get out... it doesn't even have to be a fight, because ‘fight’ is a strong word... I think you have a responsibility as an HR professional, if you're the HR leader in the organization, you have a responsibility to equally participate in the conversation in a way that where you bring value. But also figure out how to let your peers know that you need an understanding of the entire business at that level, to help drive the HR program and services that support the organization. (Alice)

Authenticity (honest and candid advice) could involve *Personal Risk* but also boost credibility with leaders. When asked how HR could get a seat at the table, Liam said:

They have to stand up and say “no”. [laughs]... The only way to do it is to keep making noise until somebody listens to you... you have to be not afraid to deliver the bad message or the hard messages sometimes. That's something that HR have to be able to do... not what people want to hear sometimes, but that's your job. Your job is to take the high road

and say “this is what we have to do. We can’t we can’t skirt the issue anymore. We have to tackle this issue head-on”. (Liam)

Chloe noted *“I’m a really detail-oriented person. I think that’s why I like HR, because in HR you need to be – not picky about things, but you need to be able to read the person”.* Being Well-Informed about law and able to proactively see potential legal issues was necessary to be an Expert Guide and facilitated Personal Credibility (*“we provide advice and guidance... we should be experts in workplace the laws that impact our specific workplaces”* (Mia)). Expert Guides Mitigated Risk, but this could Fall Under the Radar:

People talk a little bit about how people perceive HR, and how people perceive that role. And I think that our one of our major roles in an organization is actually a duty to the organization, and that’s to mitigate risk. But what people fail to see is that by treating things in that lens, they’re being equitable and... we mitigate a huge percentage of that risk... HR people get sold short a little bit in terms of what we do for the organization or what we attempt to do for the organization, because we deal with very confidential things a lot of the time.. you don’t really know HR unless we hired you, or you need us, or we’re bringing you in.... it’s a positive thing organizationally if a lot of people don’t really understand what you do, because it means you haven’t had to interact with them on that level in terms of investigations or negative things... if you bring me in before it’s a gigantic issue and we talk about it and we come up with solutions it may never actually become a gigantic issue... ‘Cause we should be so good at our jobs that we never get to do the fun stuff [laughs]. And the fun stuff is usually the gigantic issues. (Quinn)

Noah felt it was difficult to quantify the impact of compliance, giving the example of training on legal requirements: *“it’s a bit hard to put a tangible amount to these training initiatives. We lost about \$20,000. How did we make up in terms of employee motivation? It’s hard to gauge those numbers”* because it involves assigning a dollar amount *“to happiness”*. Abigail discussed how the HR department worked with the finance department to update the compensation and commission system in response to a wage increase *“and the employee, he didn’t even like notice. He was just like “oh, thanks guys”... people for sure don’t know how much work goes into it”*.

Brockbank and Ulrich (2003) note HR’s credibility and strategic contribution *“often becomes a question of the chicken or the egg”* because *“without credibility, HR practitioners are*

not invited to be involved in important strategy issues... professionals gain credibility as they successfully complete strategic activities” (pg. 33). Practitioners agreed these areas overlapped:

In positions where you have to be fighting for your spot at the table, you have to sell people on what your value is. And you have to sometimes get creative with that in order for them to see that it's worth investing in what you have to say... It's about taking the time to have a lengthier discussion about what the risk and the reward is and why we're suggesting or recommending what we're recommending. And sometimes it's a matter of really laying it out on the table and saying "I am not here because I want to put up a bunch of red tape and make your life miserable. I did not wake up this morning and say "I want to make someone's life miserable". This is why I'm here, and this is what I'm trying to prevent, and this is what could potentially happen"... at the same time there is a matter of saying: how can we approach this with a 'solution-focus'. So when I say 'maybe getting creative', it's: how can we still get you to that same end goal but make sure that we're minimizing risk to the organization? (Quinn)

In contrast to Storey's (1992) typology where concerns about personal welfare were described as part of an administrative *Handmaiden* role, *Expert Guides* offered effective and strategic support because they *Minimized Risk* and were *Well-Informed*. Olivia felt managers

might come quickly because they're uncomfortable or they get worried because they see something with their name on it. They're being named or accused or in their mind they're being accused of a wrongdoing. So a fear will also drive them to come to us... especially the unknown. Because the unknown for them, it's "what does this mean?." Even a grievance will put people into a tailspin. Whereas me, I'm more "oh, it's a grievance. Let's walk through the steps. And don't take it personally, this is just their way of addressing". And so, trying to give them that level of comfort to say "I'm here with you. I'm going to walk through it with you. You're not alone doing this and, and the next time you get a grievance, you're going understand this stuff. And you're hopefully not going to have a panic attack because this is your first grievance for example... Giving them that piece of mind that you're not a bad manager if somebody puts in a grievance. (Olivia)

5.4.2 Regulator Roles: HR Police and Ethical Stewards

In Storey's (1992) HR typology, *Regulators* develop and enforce rules, negotiate, and resolve day-to-day issues similar to “the classic IR manager” (pg. 175). Storey (1992) and Caldwell's (2003) respondents often (and often happily) saw this role as declining. Caldwell (2003) also found aspects were ““refuelled’ or ‘reborn’ by a plethora of new social and employment legislation, as well as new ethical business policies” (pg. 998) and argued Ulrich's

(1997) *Employee Champion* role falls within a pluralist *Regulator* position because it involves navigating conflict. Two *Regulator* roles emerged in this study: *HR Police* (described as an ineffective enacted role) and *Ethical Steward* (described as an important perceived norm).

HR Police

In some firms HR takes a “rules and regulation approach” (Cabral-Cardoso, 2004, pg. 963). Study 3 practitioners viewed this *HR Police* role as pedantically rule-oriented, ineffective, and very likely to *Backfire*, as “*if you end up being the HR Police and it’s ‘no’ too much of the time, then people will find a way to go around you as opposed to going with you*” (Mia).

I like to ask a lot of questions... as opposed to saying “no”. And that’s something that I’ve learned from people that I’ve mentored under, but its more so to get people to get there themselves. People always like an idea better if it’s their own... We all have the same end goal, and that same end goal is the success of the organization. People don’t necessarily see that, and there are people that will come into those conversations and just say “you can’t do this”. And I don’t think that’s a successful way to approach that conversation because I don’t want to be told “no”. I want to be, or I don’t want to be told no without someone being able to offer up what a viable solution would be. (Quinn)

The *HR Police* role was seen as personally unrewarding and potentially harmful to culture (“*here’s a million rules you have to follow, right? No fun allowed and there shall not be laughter... If you just throw it up without explaining it, it’s like “oh, there’s another HR rule”. And that’s where it becomes counter-cultural*”). (Leah)). *HR Police* were often contrasted with *Expert Guides* and *Ethical Stewards*. Abigail stressed “*what the implications are and what the legalities are, and just making sure that we’re not just saying “no” because the answer is “no”. There’s a compliance reasoning behind it, and the answer is “no, because of ‘A,B,C,D’*”.

However, Noah felt the *HR Police* role was helpful if people perceived it positively, as they would bring issues to HR:

... things spread very fast because the corporate events or team meetings or team-building activities or training.... these avenues would provide a quick sharing of what’s going on... Since this informal communication was so fluid, there was an inherent understanding of “okay, these things occurred and this person was laid off, or there were

repercussions”... and that people should follow [HR policies] because if they don’t, they would act up or they would mention those conversations [to HR]. (Noah)

Ethical Steward

HR has been described as “the conscience of the corporation” (Edwards & Bennett, 1987, pg. 66) and an *Ethical Steward* (Foote & Robinson, 1999; Winstanley et al., 1996; Wiley, 2000), and this role received a lot of emphasis throughout interviews. Several practitioners said they had or would quit non-compliant employers for ethical reasons, and Jack noted “*you have to have the right moral compass*”. Mia dealt with legal grey areas by explaining “*like most things in human resources, a lot comes down to common sense. And, and a bit of a gut check. If it feels wrong, it probably is wrong*”.

HR’s *Ethical Steward* compliance role often involved resolving conflict and navigating difficult situations. This required *Personal Credibility* as “*your ability to influence, your ability to negotiate comes into play... the strength of that individual in terms of their ability to negotiate, their ability to influence, their ability to understand what the laws and regulations are in the first place*” (Quinn). Alice shared a conversation with a colleague who was new to HR when a 25-year employee in a specialized position was being laid off:

I said something about him, you know “this is going to be very challenging for him”, and she said to me “well, at some point he’s just going to have to get over it and move on”. And I looked at her and I thought – I couldn’t even think of what to say to her. I just thought: you have like no clue. Like none. And you shouldn’t be doing this kind of work. It’s not just about following the letter of the law all the time. Yes technically - you’re operating within a rights framework. So yes, technically, you can do this, and yes, technically, if you pay this amount of money you can do this [termination without cause]. But it’s not just about that. And that to me was like - I’ll never forget it as long as I live. (Alice)

Consistent with self-determination theory’s distinction between extrinsic motivators (e.g. rules and punishments) and intrinsic motivators (e.g. feeling competent and connected to others; having autonomy (Deci & Ryan, 1985; Hofeditz et al., 2017), Alice felt HR should not act as

“the enforcer. But it’s almost like leaving something with others to think about... actually going back to appealing to the sense of what’s right and what’s wrong in people”. Practitioners emphasized *Ethics and Fairness* when navigating or giving advice about legal issues. Aria discussed how some managers feel *“as an employer, they do have the right to do whatever they want to do because that person works for them. And it’s like, well they do, but it’s a relationship that should be mutual and not taken advantage of”*.

I blatantly say “this is the right thing to do, and you should do this”. And then there’s a pause, and then: “there’s another option that I don’t agree with and I don’t support, and this is the option. So these are your two options. I really hope that you choose this one because it just feels like the right way to go”. And of course, there’s different ways to do things. And I’m lucky that my office is not malicious in any way. So they’re pretty good, they want to be fair in their dealings and they want to be ethical, of course to the extent of what they know of right? So I point blankly say “I think we should do this”. (Abigail)

Well first and foremost are we on the right side of the law? Like making sure that I understand the law in that particular area... I’ll consider expense, I’ll consider whether it goes against the values of the corporation. Of course, I consider the people aspect of this - the impact to the person... the employee and/or their manager. (Mia)

Mia and Quinn felt new practitioners often do not realize that HR’s *Ethical Steward* role frequently involves conflict: *“I think there’s still that old perception you get into human resources - and I’m using air quotes here - because you ‘like people’. And again yes, of course you’ve got to like people. But you’re dealing with people oftentimes at their worst, not at their best”* (Mia).

I don’t want to speak for everyone, and I don’t want to sound maybe jaded, but you hear oftentimes “I want to get into HR because I want to help people” or “I want to get into HR because I want to recruit”. I hear those two things a lot, and a lot of people make their careers specifically out of being a recruiter or going into recruitment, and I think that the idea is that you’re going to help people. Well you are, and you’re going to have that opportunity. You’re not going to be a social worker”. (Quinn)

Navigating conflict and difficult situations in this way could sometimes lead to burnout, or losing sight of HR’s *Ethical Steward* role and the importance of *Ethics and Fairness* in the profession.

Sometimes you wear a lot on your shoulders around being seen as the bad guy, or the naysayer... you deal with a lot of complaints all the time right? So whether it's two people complaining about each other in front of you, or whether it's someone complaining about you not giving them what they want, or having to tell them about "some piece of legislation I have to follow?", you know what I mean? I think people wear that, and then they forget why they're there. (Alice)

How does the person who is terminating deal with the aftershock of terminating a fellow or a friend or a colleague? I think that's one of the challenges that I've noticed in this industry as well. Because I've seen some good people, veterans in the industry, just laid off because they I think they have reached their threshold of firing people... It takes a toll on people. (Noah)

Study 3 practitioners felt lawyers sometimes neglected the 'people side' of legal issues, while

HR kept this at the forefront. When asked how a lawyer's advice would differ from HR advice:

I would hope they would be the same [laughs]. But I feel sometimes, even my first thoughts, I always think of "how is this going to affect the employee positively/negatively?". And sometimes, that's not always how the law works. It doesn't always take into consideration every person in every unique situation. So I guess that's the major difference. (Abigail)

They have a vested interest in advancing different methods... I find them to be very literal at times and, you can't be, to be a good labour relations practitioner... there's some really good labour relations lawyers out there, I can't paint them all with the same brush. But I've just seen it from time to time, where you get an overly aggressive lawyer that will fight an issue that really didn't need a fight... when you're an HR practitioner, it's not as 'clinical' if you want to use that term. Where you have to factor in all those other human aspects, you can't just interpret the law. You have to, since you get to know way more details than a lawyer gets to know about a particular situation. (Mia)

She gave an example of a lawyer who wanted to appeal a preliminary decision while the union

was attempting to settle the substantive issue, not considering how union officials would react:

There was nothing to be gained by continuing to fight the issue. Yet, our lawyer had taken it upon himself to file an appeal of that decision, cost our corporation thousands of dollars in legal fees, for a case that we were likely not going to win... he had good legal arguments. But again, we're a public sector organization, we don't have a large legal budget. And had I not been as experienced as I am, that likely would have happened. It's just an example where again, technically, he was right. We shouldn't have lost the case. But the practicality of it just didn't make any sense and would have further antagonized the union. (Mia)

5.4.3 Clerk of Works Role

Tyson's (1987) *Clerk of Works* HR role is "an administrative support activity, with no involvement in business planning" (pg. 526) with limited training, authority, and decision-making ability. Practitioners in administrative positions were described as enacting a *Clerk of Works* role, which was perceived as an entry-level HR position with limited influence over compliance as "*if you don't have the proper HR function within the organization I think it's very difficult to be compliant*" (Jack). *Clerks of Works* were often contrasted with *Expert Guides*:

... in an organization that sees the benefit of what HR can bring in terms of risk management to that organization, you have the opportunity to work at a much higher level and be a lot more integrated into operationally what's going on. And more integrated into risk management. And then organizations that don't see the value or are a little more archaic or still see it as personnel department or a glorified admin, you end up recruiting and processing a lot of paperwork and you get limited in in what you can do. Because you end up fighting for a spot at the table instead of being invited as an equal partner at the table. (Quinn)

I started off in headhunting, which I feel is kind of an entry-level position for most of the people that finish out their education in human resources. That's generally how you get your foot in the door, recruiting for these small boutique agencies. (Sophia)

Chloe practiced HR for 10 years before immigrating to Canada and finding a position in a small job agency. When some clients did not want to hire immigrants, she objected to her manager and "*she told me that we have to break the rules. She told me that "this is what your manager wants, and so you have to do it"*". Chloe felt this was unfair (as an *Ethical Steward*) and would prevent employers from hiring the best candidate for the position (as an *Expert Guide*) before she realized it was also illegal in Canada. She kept raising the issue with her manager and the hiring managers involved, but felt powerless:

I couldn't do anything about it... I was new in Canada, and I just wanted to have experience... and I didn't know the rules... I wasn't aware of how to deal with these kinds of issues... after a year, I said "goodbye" I had financial problems, but I couldn't face that place anymore. (Chloe)

Chloe was unfamiliar with Canadian laws when she started working at the agency and "*didn't*

have any experience with this kind of problem” in previous positions, but had since obtained an HR position at a compliant firm where she was better able to apply her HR experience. Like Chloe, all of the practitioners who started their HR careers in *Clerks of Work* roles had moved into organizations where they could have a more positive impact as *Expert Guides* and *Ethical Stewards*. *Clerks of Work* were seen as less knowledgeable because of their limited experience, authority and resources: “*there may only be an HR professional, and possibly one that’s starting their career. So I would think that their level of expertise is going to be greatly diminished*” (Mia). For example, Isla found out a manager that had recently immigrated to Canada was asking job candidates about their plans to start a family: “*it was the HR administrator who brought to my account, like “I was in this interview, I didn’t know if they could say this and they did”*”.

5.4.4 Cultures of Management Discretion

A distinction was made between HR roles and organizational decision-making cultures. A Study 2 respondent noted “*managers do not have to take our advice*”, echoing Storey’s (1992) *Advisors* who provide advice but do not make decisions, and Ulrich and Beatty’s (2001) *Architects* who “are not owners... the architect pointed out liabilities of our anticipated choices, but we as owners maintained final choice” (Ulrich & Beatty, 2001, pg. 298). Some practitioners described *Cultures of Management Discretion* surrounding compliance, where HR had authority to advise but not decide and had to make “*decisions in a context that are beyond you as a decision-maker*” (Alice). While Ulrich and Beatty (2001) stress “architects must ensure that action is congruent with current code or regulation. Hiring or paying someone must fit legal and ethical requirements” (pg. 298), in *Cultures of Management Discretion* managers had authority to make decisions that violate law: “*there’s that old thing where ‘you can only lead a horse to water, but you can’t make it drink’*”. *You feel like you’re leading them in the right direction, but they’re like “no, I’m not going to do that”* (Aria). Practitioners attempted to build *Personal*

Credibility as Expert Guides and Ethical Stewards, as managers were more likely to involve HR when “*they have a really good rapport. A really good understanding of what we can bring for value to their business in being able to mitigate anything that would come their way*” (Olivia):

I think that I think everyone sort of develops their own methodology for how they're going to effectively influence people with potentially no authority. Because depending on where HR sits in your organization and how they're viewed, you could be in an organization where you absolutely have the final say and you can be in an organization where you absolutely do not and your role is to recommend and to consult and to provide precise guidance and recommendations and hope that you make a compelling enough argument that they don't do the wrong thing. (Quinn)

At the same time, building *Personal Credibility* and providing good and strategic advice did not secure compliance. If decision-makers “*just don't care and they don't change their minds, there's nothing really that you can do*”. Other than perhaps maybe try to speak to someone else that's in a different position than theirs and bring the situation to light” (Abigail).

Handmaidens (Storey, 1992) or *Service Providers* (Caldwell, 2003) do not give advice unless managers request it. HR acted in this role when their department was under-resourced or managers focused on operational issues, didn't realize HR could help, or didn't want help. Aria said some managers felt “*it's better to do it and then ask for forgiveness later*” and as if:

they're being judged or that they're inadequate for needing help, because as a manager they're supposed to be able to handle anything. I don't know how this makes sense... they don't want to give up control and it's somehow demeaning for them if they ask for help... when it comes down to it, they don't want to be 'wrong' or seen as not being the leader that they should be. But I mean, you would ask a doctor for medical advice... but I do see that being something that in our counsel, we do have a lot of questions. (Aria)

When managers did not approach HR or accept its advice, it positioned HR as a *Janitor*. The *Janitor* role was most strongly linked to HR as a reactive *Service Provider*:

Like the sweeper behind the elephant... because I feel like I'm cleaning up a lot of things after the fact... If they choose not to take your best option and what you've predicted comes true, that's when your job comes becomes much harder because now you're fixing what they have just made a mess of... [at a previous organization] no matter what, no matter the legal cost, no matter anything, we will support the managers... [Or] things just

kind of fall through the cracks. They're just so busy, their heads are down and they're grinding through... And so that's where I see the sweeping happening, behind the elephant. It's cleaning up something that's been in place for perhaps a long time and they just were too busy to call or maybe they have a perception that HR is not going to be helpful anyways, or "I got this, I know what I'm doing". Or so they think. (Olivia)

Practitioners in *Cultures of Management Discretion* felt giving HR the authority to make decisions about compliance (or the ability to take non-compliant options off the table) would improve compliance.

5.4.5 Strong Compliance Cultures

In 'strong' situations, behavioural expectations are unambiguous (Haggerty & Wright, 2009; Kramer, 2014; Snyder & Ickes, 1985). In *Strong Compliance Cultures*, compliance was an expected standard of behaviour to minimize risk and act as an *Employer of Choice*. HR still encountered resistance and ignorance and had to build *Personal Credibility*, but had the authority, support, and resources to act as *Expert Guides* and *Ethical Stewards* as "I just say "it's legally required in Canada", and that's the end of it" (Harper). Senior leaders actively supported compliance. For example, if a manager in Noah's firm was not complying:

It would be a casual conversation with the local HR manager... If that didn't get the message across, I would reach out to my Vice President or Executive Vice President... I had to that I guess on an annual basis it would be 3 or 4 times. But when that conversation takes place with the Executive Vice President, that particular avenue is completely resolved. (Noah)

Mezias (2008) found foreign subsidiaries faced more US labour lawsuit judgements than US firms, and subsidiaries with HR professionals had increased lawsuits, likely because international firms hire HR to "put out the fire" (pg. 240). All of the practitioners in international firms described *Strong Compliance Cultures*. Some companies had undergone significant restructuring and wanted to mitigate risk for this reason. International firms also emphasized *Standardization*. Harper noted "we have global direction, global HR, and you know different global organizations. And the expectation is to align the company as close as possible across

countries”. Isla worked with a compliance officer to ensure:

... externally and externally... that the organization is working and following the law. Because it's such a global company, we're complying with the head office policies, we're complying with the Canadian laws as well and other laws that we need to go through, and make sure that our processes and policies and guidelines are up to date... just to have those checks and balances outside of the HR department. Because again, it gives more organizational buy-in, because it's coming from multiple different departments that it needs to happen. (Isla)

Liam and Sophia described *Strong Compliance Cultures* in smaller Canadian firms where HR had authority and senior leaders and most managers were “*absolutely*” (Liam) supportive. Sophia felt managers “*see HR as the 'final answer people', so I don't think they question*” HR's compliance advice. Sophia had a friend working as a start-up's first HR manager “*alongside a lawyer... they paid hefty fees to figure everything out. So I kind of just go to her because I know she actually works alongside an employment lawyer to get all these numbers [e.g. notice periods for dismissal without cause], and ask questions, and get all her ducks in a row*”. Smaller companies had fewer resources, but resources required to promote compliance were available.

Resources were more plentiful in large and international companies. Mia worked in a larger public sector organization where she was “*more strategic, probably a lot more strategic than I've ever been in my whole career. Taking the time to format different human resource policies and programs with more forethought than just trying to keep the wheels on the bus going*”. Harper and Jack had access to their own lawyers, and HR could speak to a lawyer at any time in Noah's firm (which he attributed to senior management support):

I give huge thanks and respect to the to the senior vice president for implementing this huge, huge, huge, factor that kind of either makes or breaks the HR practice in a [firm] that goes through so much change. And having that stability and having that one button service to a dedicated legal counsel at any point in time during, the day, that's a huge competitive edge that we have. (Noah)

5.4.6 Spirit Not Letter Cultures

HR enacted *Expert Guide* and *Ethical Steward* roles in *Spirit Not Letter Cultures*. These

firms did not always comply with the *letter* (“literal meaning” (Garcia, Chen & Gordon, 2014, pg. 480)) of law, but complied with its *spirit* (“perceived intent” (pg. 479)). Leah explained in manufacturing, “*it’s very easy to say “I watched this person make 50 widgets. And making them do 50 widgets for 45 hours, they get paid the extra time and a half”*. That is all the right reasons to have the structure of the overtime law the way it is now”. Unpredictable deadlines, complex problem-solving, and workers’ need for flexibility in knowledge-based industries (“*the more restrictions that you put on them, the less capable they are if that makes sense*”) meant overtime regulations often clashed with the structure of these work environments. The HRP’s (2015) *Changing Workplaces Review* submission echoed these concerns: “as one senior HR professional put it, the ESA “has not been built to do flexible work environments”” (pg. 13). Employers did not strictly comply with overtime regulations, and instead focused producing the *Same Result* and promoting *Ethics and Fairness* by following the *Spirit of the Law*:

... they’re pretty well compensated. I won’t say ‘to the letter’ in all cases, but there’s a lot of wonderful parts of working in that world... there are many [firms] that chose not to follow the letter of the law. Now, what they did do is make sure that they did everything they can to make sure their employees felt protected regardless. So, because you can’t measure 1 to 1, it’s hard to say: were you actually working this hour or not working this hour?... They kept track of if people did put in extra time. And if they had a particularly difficult client, you can go every other Friday at 3pm. And they started really tracking that to make sure that they weren’t burning out their employees. So that really kind of keeps with the spirit of the law, even though there was a decision not to do the overtime 1 to 1. They’re still making sure their employees are treated fairly. (Leah)

Long hours were sometimes required to resolve issues or meet deadlines. Workers had a great amount of flexibility and control over work and what they did at work, and had the discretion to structure tasks in a way that was effective given their deadlines and individual needs and style:

If they choose to work more efficiently within their 8 hour day, then great. But if they’re messing around and checking Facebook or whatever and it takes them longer to do the work, then why would we be on the hook for their overtime pay in a job that’s not easy to measure hours for hours?... there’s so many variables on [knowledge work]. Are you too stressed? Are you under enough stress? Do you get better ideas with just a little bit of

stress?... Are you worrying a lot the night before? Are you feeling a little under the weather? Is your mom alright?... If you're just having an off day, and we all have them, you're over-socialized, you don't have the right capital, your bucket is low... You're probably going to take a break during the day time to Google around on your phone and do whatever you need. And then you're probably going to work all night. (Leah)

Leah strongly stressed *Ethics and Fairness* in addition to the individual needs of workers:

Intrinsically when you can say that you follow the letter of the law, you can say that you're holding yourself to a high standard and that you are acting with the employee's interests at heart and that you're making sure that they're taken care of and that all of their rights are being accommodated. And I think that is a very, very important factor. I don't think that following the letter of the law is the only way to do that. And that's where the sort of black shades of the grey area are. (Leah)

Alice gave the example of following the *Spirit Not Letter* of harassment guidelines for minor complaints, resolving them internally while providing “*the due process that it deserves*”:

[if] someone makes a workplace harassment complaint, or [after] a preliminary investigation it appears to be relatively minor although could possibly hit the scale of harassment. And I'm not talking sexual harassment, but say it's personal harassment. Like someone's talking to someone in an inappropriate way... is there a way to let's say 'acknowledge' that person's complaint, investigate it, do your preliminary investigation, and then allow the parties to see if there's an opportunity to mediate some kind of settlement between the parties, so between the complainant and the respondent. And still have a quick resolution around an issue. Still allow the person to file their complaint and deal with the due process of investigating, but it's not as structured or as prescribed as the 20 steps that are outlined in a regulation. (Alice)

Complying with the *Spirit* was only perceived as appropriate when it produced *The Same Result* and promoted *Ethics and Fairness*. Alice's complainant was very satisfied with how the issue above was resolved and “*the other person was effectively put on notice that it's not cool to speak to someone in a way that would leave them, even if they don't intend for that to happen - that would leave that person feeling offended*”. Leah had never had an overtime complaint, but had *Offered Support* for issues involving work hours (including ensuring people had resources or guidance on time management). Complying with the *Letter* was described as necessary to comply with the *Spirit* of some laws. For example, Alice specifically clarified that the incident

was “*relatively minor*” and involved interpersonal conflict and not sexual harassment.

There are some pieces of legislation that 100% need to be followed all the way. Like, health and safety, I do think that people need to know what their rights are. And an unsafe work environment is an unsafe work environment, whether it's a toxic workplace or you're running into the ground and/or you're going into work and you're feeling unsafe... everybody needs to feel comfortable to go to work and just be awesome without all of those external factors. (Leah)

5.4.7 Cultures of Indifference

Tasoulis et al. (2018) describe *Cultures of Indifference* that focus on short-term profit as a ‘cost of doing business’ and rarely involve HR. *Cultures of Indifference* existed mainly in small private firms with vulnerable workers with HR in *Clerk of Works* roles. Managers Took *Advantage Because Workers Don't Complain* and ignored law because of *Low Risk* or because they *Don't Want to Comply*. Chloe worked in a job agency where some managers did not want to hire immigrants. When Chloe objected, her manager instructed her to listen to clients:

that this is the rule, and this is the thing that our clients want to have. So we have to satisfy the order and meet their needs... I couldn't do anything more... when we talked to the hiring manager, she talked about the language issues... “we cannot talk to these people in English and they're not very fluent in English. So it's a kind of health and safety issue”. That they don't want to have people that have English problems or English language problems... it was her excuse. But I told her “in this group of people - some of them, they cannot speak English. But some of them are fluent in English. You cannot generalize all people based on some people, and say that they cannot speak English”. So it was her excuse, that there was some kind of a language barrier. (Chloe)

Chloe felt her manager knew that this was or could be illegal and didn't care. She experienced this *Culture of Indifference* herself, being ordered to come in when very sick with the flu:

They said “no, you have to come to work, we are short employees”. And even - I couldn't talk. So in the morning when I called and said “I cannot come to work”, they did not like it... I remember I was sitting over my desk with my head in my scarf and it was awful. But I had to work, because they wouldn't let me to stay at home. So I had to work. (Chloe)

Olivia shared an incident she heard about where a high-performing worker requested time off:

Well in advance... And the answer was “no, you can't have that time off. And oh, by the way, if you think about taking that time off you don't have a job here anymore”. And so she decided not to take the time off. But then from there, it just seemed like it was it was

going downhill. There was a bit of a rub. At the end of the day, the employer just said “you know what, don’t come back tomorrow. You’re not coming back, don’t come back. You suck at your job... you’re not going to be working in this town much longer”. It was really rude. It was really personal. And then they just told them to walk out the door. They didn’t pay them for the job they had done that day, they didn’t give them pay-in-lieu-of-notice, they did not do anything to preserve dignity because they did this in front of everybody, and they certainly, didn’t have a cause. And it was not within the first 3 months either. So ESA wasn’t followed. Any sort of regular HR standards were definitely not followed. (Olivia)

HR was unable to influence compliance in *Cultures of Indifference* because HR had limited presence or authority.

5.5 ATTITUDES AND BEHAVIOURAL BELIEFS

Practitioners felt the advantages of compliance (*Compliance is Strategic* and *Compliance Promotes Ethics and Fairness*) outweighed disadvantages (*Clashes with Business Needs*).

I think that everyone’s impacted. It’s a ripple effect... when I’m dealing with an employee who has surfaced a workplace harassment or a sexual harassment issue, their motivation is being impacted. Their compensation is impacted. At the same time, the person who initiated the actual [complaint], their motivation, their intrinsic thought process behind it is involved. And it impacts the bottom-line. Employees as well as the senior management. Because if you are fostering an environment that breeds the thought of “oh it’s okay to have sexual harassment in the workplace”, then it affects bottom line... I think any legal issues impact the entire organization. Especially when we look at things like sexual harassment. (Noah)

5.5.1 Disadvantages of Compliance

Some practitioners did not “*think there will be disadvantages*” (Chloe) to non-compliance. Others felt *Law Clashes with Business Needs*, as compliance requires “*a lot more time and effort [laughs]. It can be costly to make sure everyone has the information. Not as costly as maybe being fined or being sued or anything like that or but it’s definitely [a cost] and you need to have the resources*” (Isla). Managers were perceived as being sensitive to this:

Sometimes it just makes it challenging to do business... it doesn’t always follow directions that managers always want to go in and sometimes it goes in the exact opposite direction right? And then it costs more money. It just makes doing things a little bit harder sometimes. (Harper)

Leah felt outdated laws conflicted with a need for *Flexibility* in modern workplaces that are “really based on having your brain work with a certain freedom”:

They come in at 11, they don't start actually working until noon because they're messing around by the water cooler. So we don't know if that messing around is because they are preparing... or if they're just messing around right? So the thinking is: if we give people enough cushion in their day to make sure that we're not burning them out, then they shouldn't necessarily be eligible for overtime pay because they give them all the flexibility in the world... They're not making widgets. It's not like we're looking at them going like “are you working on that?”... It can be very restrictive in the types of industries that rely on less structure for work in order to be successful. (Leah)

5.5.2 Advantages of Compliance

Practitioners felt the investment of time and resources to secure compliance was worth it:

[Training costs time and money but] conquering that is the advantages of employee enrichment. Not only from the training, but by attending these training activities, their shared awareness is increased tenfold. They understand “okay, these are real things. They're not just made up, or someone just thought about them. And there's reason why X Person or Y Person is off on long term disability, because of what they have been through”. So it kind of provides a reality check and furthers the employee-building initiatives and at the same time, hits the bottom cost as well. (Noah)

Compliance is Strategic (Mitigating Risk, Employer of Choice) and Compliance Promotes Ethics and Fairness were central advantages. By *Mitigating Risk*, compliance saved time and money (“it makes the profits more efficient and easier and then there's no retroactive issues that could come up” (Isla)), protected the firm's reputation (“it's good business sense to do the right thing... last thing you want to do is defend yourself on something that's not right. Because how does that make you look in front of your employees?” (Jack)) and involved more certainty as violations “haunt us” and “screw us over in the end” (Noah) and “it's so much better to just research proactively and comply with whatever ugliness may be coming, and deal with it right away than to have a bigger issue later on” (Abigail) to

... put an end to something right away as opposed to non-compliance which leaves you vulnerable at any time really... things can happen so quickly and they can spiral out of control so quickly that you have no control as an organization. You have no ability to put controls on, other than to control it at the source and just say it's not acceptable. (Alice)

Compliance also positioned firms as *Employers of Choice*, as it “*builds a good reputation if you’re an employer that consistently follows the law, treats employees fair... it builds engagement with employees as well*” (Mia) and “*trust can grow among employees knowing the law rules in the organization, not the will of one or two managers who may be self-interested*” (Ben) and helps attract and retain talent (“*one of the best ways you’re going to recruit employees is by former employees being out there recruiting for you. Like “yeah they’re a really good place to work you know. I would really recommend it. Even though our relationship ended, I would recommend that you go work there*” (Liam)).

Promoting *Ethics and Fairness* was another advantage. Several practitioners noted “*it just makes me sleep better at the end of the night if I know that I haven’t tried to screw somebody over from a moral perspective as well. If you’re following the law, you know you’re not screwing someone out of their well-deserved money or time or benefits*” (Sophia). Compliance meant “*you know 100% that you’re doing the right thing - the right ethical thing... maybe not everyone likes it, but you’re doing the right thing in accordance with the business and accordance with the law*” (Abigail), but was not always sufficient to promote *Ethics and Fairness*. Abigail noted important medical benefits are not legally required. Leah felt law needed to be updated to better reflect “*the type of work we do now*”:

The ESA needs to be updated in terms of termination pay and separation pay, and in terms of how that works. Somebody that’s been with a job for a year may not be able to find their [next] job within 2 weeks of termination pay, but they’re not eligible for separation pay because they haven’t been there for more than 5 years.... So many people just don’t want to work full time, so what about their rights? Are they thrown out? How does that work? (Leah)

5.5.3 Positive Attitudes Towards Compliance

When asked about the advantages of compliance, Mia (“*you’re not breaking the law*”) and Ben (“*the organization is legally operated*”) mentioned compliance itself. Practitioners felt

Laws Exist for Good Reason (“there’s a reason that laws are in place so I’m sure it’s working out for the greater good” (Abigail). Sophia worked in HR in the Middle East and struggled with laws governing workers’ personal lives and inconsistent enforcement compared to Canada:

An HR director could fire one person for public intoxication but then not another one... directors can kind of pick and choose what they want to do based on their own intuition, as opposed to following laws in terms of terminations and suspensions and things like that... [In Canada] you could go to work and leave, and you could be ‘HR Amy’ while you’re at work. And then you go and do whatever you want, run a - I don’t know, a naked rodeo or whatever. Like no one knows... I’m just using an awful example, but you can live your own authentic life outside of work. Whereas there, it’s all eyes on you all the time. I kind of like having that separation. Especially because we do work in HR and we’re expected to act a certain way while we’re on the job. So while we’re off-duty, we don’t have to be as stiff and professional. Whereas there, I felt like I did. And I was 25-26 at the time, so I was like “woah, this is not how I want to live my life”. (Sophia)

Mia and Liam felt *Compliance is Not Difficult* if people understand legal requirements.

Our labour laws are not that onerous. In my opinion, a well-run human resource shop should be able to give corporations and businesses a good deal of guidance on appropriate conduct that falls within our laws. Now having said that, not all of our laws, especially in labour, are clearly black and white. There is a certain amount of interpretation that goes in goes into that. But barring that, like I said, the laws are pretty easy to follow. (Mia)

When Harper approached managers about legal complaints, she noted “*they’ve been really supportive and they provide any information that they can*”. When managers had positive attitudes towards compliance, it often fell into the theme of *Want to Comply* and *Want to be Fair*. Quinn felt most managers supported compliance and she had “*had positive ethical organizations that have good standards and corporately have good moral values*”.

5.5.4 Negative Attitudes Towards Compliance

Managers were most likely to have negative attitudes, falling into the themes of *Don’t Want to Comply* and *Law Clashes with Business Needs*. Chloe observed “*I think it depends on what type of person the manager is. It’s not about HR, it’s not about rules. If she or he wants to discriminate... I don’t think that he needs the rule or he needs HR to do that*”. Sophia said an ex-

boyfriend who wanted to terminate a worker he disliked was *“the first person I came across that I was like - what are you doing?... I’m sure there are people who are like that who do work at companies”*, stressing they were no longer together. Liam felt *“I’m sure there’s still a few of the old school people who say “it’s flakey law, don’t listen to it”. But I would say that those are becoming the minority rather than the majority of people”*.

Negative attitudes were influenced by the belief that *Law Clashes with Business Needs*. For example, Leah felt law clashed with modern work structures (particularly overtime) and Aria noted managers supported quick decision-making and had *“that mindset of being in business, “well it’s either black or white””*. Attitudes were influenced by how changes are communicated, as a poor communications strategy could make managers *“feel forced down a path that they’re getting taken advantage of”* (Aria). Practitioners felt they could sometimes change negative attitudes through *Personal Credibility*. When asked if most managers want to comply, Alice said *“I think it depends on who the manager is. Some managers, they don’t understand... they get like “what do you mean I have to do this? Why? It’s stupid””*, giving the example of a manager who wanted to terminate an employee for using medical marijuana before cannabis was legalized:

So I said “well, hold on a second. You can’t just - it’s not that straightforward... if it’s medical marijuana, it’s different than recreational use and we may have to consider a workplace accommodation. And he was so - he said “that’s ridiculous, what do you mean?... Imagine if the police showed up here?”. And so right away in his mind it’s like: ‘what do you mean there’s a law that says I have to accommodate someone, that’s ridiculous’. And so, for him it’s about educating... he writes back and says “oh well it’s a different world today”. He was so frustrated. But for him, the whole notion of having to follow the law in this case is ridiculous, right? (Alice)

5.5.5 Law is Grey

Practitioners described law as *Grey*. Aria said managers sometimes felt overwhelmed because *“there’s so many different technicalities or grey areas”* and Jack joked *“it’s not exact science, and that’s what makes lawyers rich right?”*. Practitioners cited competing rules in

common and statutory law, the many legal regimes that apply to work and how “*the evolutionary nature of the law makes it difficult like to stay on top of everything*” (Alice). To navigate grey areas, practitioners *Built Consensus* with referents, decision-makers and impacted stakeholders:

I just talk with my colleagues and see what their take on it is or what their perception of it is. Maybe I had a different perception when I was reading it, and maybe I missed a point or maybe they missed a point... honestly there's been times that if I'm dealing with an employee, I just tell them point blank “I don't know for sure because this is the terminology I'm dealing with, and this is my interpretation of it”... And I always ask for them for their opinion too. Because like I said, maybe I missed it, maybe my perception was off. (Abigail)

Because law is grey, practitioners felt *You Can't Be Perfect*. When Isla was asked about how a firm could be fully compliant and Mia was asked about a time a legal issue was handled ideally:

So are you saying you want me to tell you we have policies and procedures in place, do you want me to tell you that every person would need to know exactly what the letter of the law is? I mean that question doesn't seem answerable in my opinion. Because there's never going to be that. There's never going to be a fully compliant environment. (Isla)

There's so so much grey in human resources to have perfect set of facts and have everything play out perfectly or ideally, I don't know that I've seen that. Because there's always room for improvement. I think that's kind of the best answer I can give you. Even cases where I've been successful within a position, when you prepare for an arbitration, I've yet to find that set of facts where everything lined up and the stars aligned and you walked away by saying “oh there's nothing more we could have done”. (Mia)

Navigating legal issues often meant handling difficult personalities and interpersonal conflict.

Alice described a situation where “*two high conflict individuals... like two plus sides of a battery*” filed interpersonal harassment complaints against each other about a minor issue:

they both brought in multiple other parties throughout the investigation to essentially backup their side... I knew that if we didn't if we didn't leave every stone unturned - if we didn't give it the process that it deserves... neither one of them was happy with the outcome, we did everything I feel like - we gave it the best shot at what they each deserve as individuals. (Alice)

Instead of trying to be perfect, practitioners emphasized *Promoting Ethics and Fairness* and *Defendable* choices. Quinn stressed “*I always want to go back to the idea of ‘can I defend my*

actions?’ and ‘can I give a reasonable explanation that I acted in fairness, and can I defend those actions?’”. Alice explained:

I think you do have to give something due process, I think particularly in this line of work. In HR work, you are always as an HR professional dealing with issues that may not feel 100% comfortable and may not put you in a position where you feel good about what it is you’re having to do. But you’re doing it within an ethical framework that says ‘did you really give this whole scenario, whatever that is in front of you, the due process that it deserves?’. So even if the outcome doesn’t look the way you want it to look, or the outcome is something difficult that you now have to deal with or face, or have others face. Oftentimes, in lots of situations that we deal with, it is never a win-win or never a win for either party right? (Alice)

A Study 2 respondent felt “lawyers sometimes help us violate the law in ways that minimize risk”. Study 3 practitioners made a distinction between violations and *Legal Grey Areas*, and the difference between “breaking the law” and not having “a good case in case law” (Alice). For example, some practitioners offered “the low end of the common law in order to try to get a termination through... it doesn’t mean you’re not compliant with the law. You’re just trying to work to the lower threshold and not cost the company as much money” (Jack).

I’m kind of at a loss to think of a time where we actually knowingly considered breaking the law... there can be interpretations of the law and you know, you decide on different paths going forward. But I can’t really think of time where that would have been an option we were considering... there’s those laws that are grey where I’ve had managers take a different interpretation of what’s acceptable and not acceptable. But out and out saying “we are going to break the law?” Not - I really can’t think of a time where I’ve had that discussion (Mia)

5.6 INJUNCTIVE AND DESCRIPTIVE NORMATIVE BELIEFS

Trusted individuals in practitioners’ *Personal Networks* served as referents:

Former managers, mentors, people I’ve met through networking with the [HR association] I have a really good relationship with. So if I need advice with how to handle something with a particular situation or a particular clarification on a particular labour law or something like that, then yeah I reach out to them. (Harper)

Although most practitioners saw their HR manager as a referent, not every HR colleague or HR manager was *Trusted*. Chloe felt the other non-permanent HR staff in her firm “are really good...

we help each other.... it's more about teamwork in a really friendly way". She contrasted this with permanent HR staff who did not act as referents and were "more helpful to their colleagues than people like me.... I don't want to say that they're not nice, but for sure their attitude and behaviour is different from how they behave with their colleagues who are permanent with how they behave with us".

Senior organizational leaders were described as the referent with the greatest impact on compliance: *"if you've got the top person who isn't concerned with the law so much, it does cascade down. So whatever comes from the top cascades down"* (Olivia). *Compliance Cascades Down* applied to both injunctive and descriptive normative beliefs, as people look to senior leaders when deciding whether to comply. Isla jokingly compared it to parenting. Practitioners felt senior leaders sometimes *Don't Understand Their Influence*:

Obviously their opinion is valued because of the senior position that they're in. I would hope that for the most part if their advisors tell them that "this is not a good idea because of these issues", they would just kind of stop and say "you're right". But I think most times, maybe they don't even realize how much how much people look up to them.
(Abigail)

Leah intervened when a leader didn't realize staff felt obligated to respond to late-night e-mails:

It wasn't because he expects a response right away, it's just because that's when his most productive hours were. He just was most productive at 11 at night. The kids were in bed, he could finally take a deep breath clean his mind, clear his distractions of all the inundations and communications. That was his power hour for getting work done. And then eventually I'm like "listen there's a really cool feature on your inbox... that says 'delay delivery'. I'm going to teach you how to use that". Because he would get upset that people were answering him, like "why are they working so late?". And I'm like "you're the president of the company, of course they're going to reply". (Leah)

Descriptive normative beliefs were seen as more important than injunctive beliefs:

"actions are more important than just always saying it... If I see that my supervisor or my manager is breaking the law, she cannot expect that I won't break the law" (Chloe). Jack felt leader non-compliance was extremely salient, while Ben contrasted espoused and enacted values:

all organizational leaders will always deliver a positive, politically-correct message about how they respect and comply with workplace law. But it's the actions we, as the public, don't see which actually show how serious those leaders are about what they say. The most common example of this is when a corporate CEO delivers a speech about how valuable employees are, and how the company couldn't possibly be so successful without the contributions of those employees, and the next day the CEO approves 1,000 job cuts while s/he takes a five million dollar bonus. (Ben)

Practitioners also felt *HR's Authority Cascades Down* from senior leaders:

I do think it's the upper-level management... which is hard right? Because you have an HR department, but that bond has to be really close and there has to be that trust and that relationship. But that's a hard one for a lot of upper-level management to wrap their heads around. And without their support, it just doesn't happen. It just gets squashed because "no, we're taking it in this direction". And you really don't have any say, to a point. Because you know, it is their company right? So you have to kind of accept what they tell you. (Aria)

Practitioners felt *HR Can't Be the Only One* encouraging compliance. Leah suggested the government needs to do a better job of communicating the intention behind laws so decision-makers understand *why* laws exist and "*HR becomes another voice, and not the only voice*".

5.7. CONTROL BELIEFS, PERCEIVED BEHAVIOURAL CONTROL AND TENURE

5.7.1 Control Beliefs

Control beliefs included *Decision-Making Culture, Perceptions about HR, Management Support, Legal Advice and Information, Training, Resources and Knowledge*. HR had limited authority in *Cultures of Management Discretion* and *Cultures of Indifference*. *Perceptions about HR* could facilitate compliance or act as a barrier, as "*clients aren't going to come to you willingly unless you show them the value that you provide with regards to keeping them safe from any sort of grievance or you know any sort of human rights [issue] thrown at them*" (Olivia). Issues were not brought to *Clerks of Work*. Being seen as the *HR Police* encouraged some managers to *Hide Violations* or *Signalled Something Happened* when HR mentioned laws:

They've said "well we just won't tell you what we're doing" [laughs]. And when they said that to me, I was so shocked. Because it was like: but that doesn't make it right. Just because you don't want to tell me that you're doing it, that tells me that you're doing

something that is not proactive or that you know you shouldn't do it. (Aria)

There's always that one person or one group of people who wonder "is this being talked about as a reminder, or because something happened?" And I think that's always such a negative stigma with HR, that 'something happened'. Whereas in reality nothing happened... I'm just checking that you know [laughs]. (Abigail).

Management Support (particularly leader support) and *Personal Credibility* was very important:

Management can make it very difficult too. Especially depending on how HR is structured... I've worked in organizations where you have influence. And that authority and influence is known in the organization. And so while it's not always well-received you have the ability to say "I'm saying no. You don't want to do that, but - it's there". But I've also been in organizations where you have absolutely no authority. You provide advice you provide recommendations and you've been told. And so at the end of the day manager's going to make a decision that they're going to make. (Quinn)

Legal Advice and Information facilitated compliance, particularly *Access to Lawyers* and trusted referents in *Personal Networks*. Abigail described how helpful it was to contact a lawyer with difficult issues and ask "can you look over this?... Like i's dotted and t's crossed? Does it all make sense? What are the pros and what are the cons? So when I feel like I'm really stuck and I don't know what the implication could be, that's where I turn". Sophia described having a good *Personal Network* as "number one... using your network and using people that are HR directors or employment lawyers, it's super. If it's your friends you don't have to pay them, it's very obviously beneficial [laughs]". Jack noted HR associations provided "a relationship with peers, so they can be up to date on what other companies are experiencing".

Training effectiveness is influenced by content relevance ("the extent to which content, goals and materials are closely relevant to the transfer task" (De Rijdt et al., 2013, pg. 53). Study 3 practitioners felt *Training* for HR, managers, and workers promoted compliance, but passive training was very unlikely to be successful. Isla mentioned a new legislated poster, saying "probably 5% read it... if you don't face-to-face train them, then they won't know". Leah felt "people just click through [online training], they don't actually read what's on there". She knew

of firms that did not provide legislated training because it felt irrelevant to their workplaces, again stressing the importance of *Authenticity* and *Explaining Why*:

They're very catered to people with construction hats... they don't look even a little bit like an office environment so - when employers see that, managers see that, they think there's no relevance to them, "they're not going to take me seriously if I show them this" because it's going to feel opposing to what our workplace is like. They're not going to see it as relevant to them, so they won't pay attention basically. (Leah)

She felt a simple solution would be to publish videos in 3 different settings to increase relevance.

Knowledge facilitated compliance as “you really have to keep yourself educated when it comes to labour laws, because they are constantly evolving” (Mia). To be compliant, Alice felt:

There's so many laws that are required in Canada to operate a business that you'd have to first know what the law is, right? So I think it would look like a company that has gone to the trouble of researching all of the Canadian laws that they're required to operate under and has knowledge resources and expertise to be clear about what the law is. In every faction area that they're faced with. (Alice)

Compliance Resources included time, money and staffing levels. Mia noted as a cost-savings measure “they're cutting HR teams to be so lean... I don't think it's that HR people are choosing to break the law, but they're not able to spend an adequate amount of time on each issue to make sure that they're completely 100% on the right side” as “you don't have as much time to focus on ensuring everything is in place, when you're just one resource” (Isla).

It's just finding the time in the day right? A supervisor or a manager has a really busy job. And affording them the time to take an in-depth course and maybe something where they are doing situational roles or role-playing or case studies. And if only I could do that right? (Aria)

Clear Policies and Procedures were another resource, as rules were clearly spelled out and when issues arose “we could also refer the person to it so that they understood why we were going through the process”. Leah said for a firm to be fully compliant with overtime regulations, “management would have to be very, very clear of their expectations with the employees... like, “here's your 15 minute break in the morning, here's your 15 minute break in the afternoon,

here's your regulated 30 during lunch hour" and felt this wasn't possible in all industries.

5.7.2 Perceived Behavioural Control and Tenure

Practitioners had different opinions about whether compliance was within their control. Most felt it depended on *Experience, Senior Leadership, Decision-Making Cultures* and HR's *Personal Credibility*. *Experience* was heavily emphasized as increasing both *PBC* and *Knowledge*, as "*depending on what the nature of it is, me 10 years ago would probably have panicked and me today would not. And that's just a matter of understanding the organization and that you're not alone just because something scary may be coming out*" (Quinn).

Probably you would have people that would answer it both ways. You know for myself, I think it's totally within our control. But going back to that poor employer that I referenced [early in her career], it would at that time be totally beyond my control. So I think it does come down to corporate culture. It does come down to a willingness of senior leaders to want to comply with the law. And the strength of your HR practitioner. (Mia)

When asked if HR people ever felt compliance was beyond their control, Sophia responded "*maybe if their employer's not about it*" and Jack felt "*I don't know if I can say 'in control', but obviously you have an influence on it*" and "*the president or CEO, or in most cases the Board of Directors*" had the most control. Compliance was seen as often outside HR's control in *Cultures of Management Discretion* and definitely outside of HR's control in *Cultures of Indifference*:

I'm not sure I think it is. I've been in the meetings and that kind of thing lately, and I feel like we're starting to feel it is a bit out of our control... I've gathered from my peers as well that they're experiencing some of the same things. Trying to put things in place and trying to get things on the right track, but that there is a bit of pushback. And it is sort of really been a difficult position. Kind of in the middle between things all the time a little bit. (Aria)

5.8. RISK

Mitigating Risk was both an advantage of compliance and a perceived norm in HR. Employers' perceptions of (low) risk were described as driving violations. Practitioners emphasized *Reputation Risks* and *Bad Publicity* as much as time, cost and litigation risks:

One organization actually in the town that I live, it was a daycare centre and this individual was not complying with the law. Different pieces of legislation but specifically employment. And that ended up closing that business. He tried to re-open under another name, under another guise, but people knew that this was the same individual. And they knew from the media, they knew from personal experience, they knew from their neighbours. And he was not able to open up another business. (Olivia)

Interviews were conducted during the ‘Me Too’ sexual harassment campaign. Practitioners frequently referenced it as a positive change, and discussed how social media increased Risk:

More and more now, I think organizations are getting hit with the introduction of social media and the whistleblower stuff and all of the media attention that’s been paid to organizations that have been violating the law. If you take sexual harassment alone, who in their right mind in an organization right now would turn a blind eye towards sexual harassment? I can’t think of one person.... look at all the organizations, like the CBC with Jian Ghomeshi and then Bill Cosby and then this Weinstein guy, and then this other guy... it's like it's a media frenzy on that topic alone. And if you were as an organization dumb enough to say “oh yeah, we know that goes on but hey - like whatever”. I just, I can’t even picture it. (Alice)

Negative publicity was seen as difficult to control as “things can happen so quickly and they can spiral out of control so quickly” (Alice) and “news gets shared a lot faster than it’s ever done before” (Jack). Aria mentioned Tim Hortons franchises received negative media attention after reducing employee benefits in response to a minimum wage increase, and raised this with a resistant manager “it was very unfortunate what happened with Tim Hortons, but it gave me a little leeway with my company. Like, “do you want to be them? And sometimes things can get twisted very easily, and you don’t want to be that kind of employer, right? ””. Compliant firms could also face negative publicity. Liam cited Bardal factors for termination without cause:

The media says “how dare they give that guy a whole year of severance? Boy is that ever unfair”. Well you know, how is it unfair? You know the person is in a high-end job. They’re not going to be able to turn around tomorrow and find a job of equal pay and equal stature. It’s not going to happen. It’s going to take them a year to a year and a half to find a job. So yeah - the corporation is being fair. (Liam)

To mitigate risk and act as *Employers of Choice*, practitioners emphasized *Ethics and Fairness*, particularly surrounding pay-in-lieu of notice and outplacement support:

With severance, we're pretty generous. We offer above the statutory minimum in the hopes of if the offer is a good enough package. The hope is that the employee will not come after us with a lawyer. He won't feel the need to come after us with a lawyer asking for more money, let's put it that way. (Harper)

Discussions of *Personal Risk* often involved employees, particularly vulnerable workers. *Raising Issues* (not necessarily through formal complaints) often created *Career* and *Reputational Risks*:

...low-education, low-skill workers, I think that they're the ones that get screwed over the most. And I think that that's a shame. A big shame. Because they're the ones that would need that [pay-in-lieu of] notice the most... the people that could use that money. (Sophia)

Olivia shared a story of a worker who was fired for cause after requesting time off:

...the unfortunate part is this individual just wanted to move forward and didn't file a complaint with the ESA to even have it looked into, because they were not the first person that this happened to... in [the industry the worker was in], it's who you know... not so much what you know. So if you have a bad reputation, you're not going to be able to get another job... And the stakes are a little bit higher. So, do they just keep their mouth closed and move on and hope that you know, water under the bridge. [Olivia]

Reputation Risks were also important for workers in less vulnerable positions. Mia recommended disciplining a manager, but her former employer terminated the manager and offered a severance package that was “*not what he was entitled to either, which again caused me great concern. But he also wanted to be employable again in in that industry, so I can understand why he accepted it*”. *Raising Issues* also created *Career Risks* in HR. When leaders did not support compliance, Chloe felt practitioners may “*close their eyes and say “I didn't see it, it didn't happen”*”. Liam said being an *Ethical Steward* and *Expert Guide* could be a “*career limiting move*”:

When I told [the VP of a previous employer] his hiring policy was illegal, he was not very happy with me. But I still had to say something to him. Because the last thing he needs is a court case and this hitting the newspaper that what you're doing is against the law. So you can't do it anymore. You have to be not afraid to deliver the bad message or the hard messages sometimes. And that's something that HR has to be able to do... he basically threatened me. He said “you have no right to -”... He was not hiring somebody because of a past transgression. They had an old, old and I'm talking 15-20 years old minor criminal charge, I think it was possession of pot back in the early 70s. Which you, know he was probably caught with a joint in his car. And has had a clean record ever since, and [the VP] refused to hire him because of that. And I said “you can't do that, Human

Rights just doesn't allow for that". And he got quite upset with me when I told him that I had consulted the Human Rights Commission, and he said "you have no right to call them". And I said "actually, I have a legal right and a duty to call them and ask them that question". (Liam)

Leah agreed there may be *"a certain amount of hesitation to have those kind of conversations"*:

We don't want to be seen as the 'fun police'. We don't want to be seen as that restrictive group... they know that the reaction is not going to be great, so there's still that that hesitancy to push the agendas... it certainly helps if they if they can get down to the 'why' and truly be an influencer on why we're doing this and this is why it's important. It's not just because of dollars. And yes dollars are big, but there is a strategy to this and, strategically how it can pay out for the company... Having an answer to that question and answering in a very strategic and purposeful way. (Leah)

Accountability reduced risk-taking. Compliance was seen as higher in firms that were unionized, large, international, in the public sector, publicly-traded, not-for-profit, and/or Employers of Choice as "there are just too many people get their hands in it and see things and feel like they have an obligation to report if there's something isn't right" (Jack).

I think public sector firms are more likely to comply as they are more closely monitored by different actors like unions, the media, the public, politicians, etc. I've worked for a few [public sector organizations] and they've all been very good at compliance with workplace law and maintaining an image as a good employer, mostly because they don't want any negative media attention as this will create challenges for senior managers and politicians (anyone with a public reputation). (Ben)

Practitioners also felt risk tolerance sometimes could vary *Depending on the Individual:*

I would say most people think it is risky, but everyone's different... it depends on what kind of leader it is. I think if it's a leader who's maybe a little bit more cautious and calculating, they maybe would consider it more than a different leader who's like "oh, I don't really care. Oh, my company's huge, I have all the money, so let's do whatever I want to do how I want to do it". (Abigail)

5.9 KNOWLEDGE

5.9.1 Knowledge and Managers

Legal Ignorance was described as the primary driver of *Unintentional Non-Compliance* (*"do I even recognize that this could potentially be a law that's being broken, or do I just keep going on with the status quo because that doesn't even cross my mind?" (Quinn)*). Managers

were mostly described as wanting to comply but more likely to know *Basics Than Specifics* and “*more aware of the breaks and lunch and overtime and that kind of stuff. The stuff that’s more operational*” (Sophia). Aria also encountered managers who “*don’t want to know*” about compliance because they incorrectly believed “*what I don’t know can’t hurt me*”:

“If I don’t know the real way to do it, then I’m okay”. And I’m just like, well actually, you’re not. [laughs] You’re still liable, or you can still get fined or get reported. That’s not a good way to think, but it’s sort of the way businesses think sometimes. (Aria)

Sometimes *Law Is Not on Management’s Radar* because they focus on operational issues or feel HR is responsible for compliance. Isla explained managers “*are busy doing their daily tasks. And human resources, they would say is left to the human resources department*”:

A lot of managers aren’t responsible for payroll...The employee hands in their time card. The manager knows what they’re getting paid, but he doesn’t know that today they get time and a half. “Oh, I didn’t know that. You know, why would I?” (Liam)

5.9.2 Legal Knowledge, HR Practitioners, and HR Education

Being Well-Informed About Law was described as a perceived norm in HR. Practitioners in administrative *Clerk of Works* roles were seen as less knowledgeable because they had less experience and fewer resources. Isla felt the ‘average’ HR practitioner was knowledgeable and Sophia felt senior practitioners were knowledgeable. Others felt improvement was needed.

I know a lot of HR people have a basic understanding of what the law is, but law is always evolving and changing. So even someone like me who’s been at this game for a long time, the laws look very different today than 5 years ago, 10 years ago. And when I first started, my goodness there wasn’t even an Occupational Health and Safety Act right? So it’s always evolving and changing, so HR professionals have to really work at keeping current. And if they’re not working in firms where they’re challenged on a regular basis with anything related to employment or labour law, then I don’t know why they would. They would maybe contact legal professionals, but to say that most HR professionals have a good understanding of the law? I don’t think so. I think maybe the basic stuff but not all of it...The HR profession I think needs to do a better job of keeping current with the law. The profession as a whole. (Alice)

Initiative to Learn was seen as important, as “*most people search only for what they need to know, and that’s good enough. Is that good enough for the long term? Probably not. So I think*

that more research is always needed behind that. And it's not something that someone's going to give you. It's something you have to go out and find" (Abigail). Some practitioners used lawyers or consultants to verify legal interpretations *"as a tool... to make sure that I'm not misjudging or misinformed, if you want to use that word"* (Aria). Mia described how an early mentor communicated the importance of taking initiative to develop responses before asking for advice:

She was so tough on me, and I hated it at the time. And I appreciate it so much today. Because one of the things that she would get really frustrated about was when you were coming with a question, and when I say with 'a question', I mean: you were coming with a question to seek out an answer or to seek it out because the information is probably there, right? Sometimes it's easier to just poke your head around the corner and ask somebody. But I don't think that you learn or that you retain as much if you constantly have access to that. And so sometimes it's better for you in the long run if you have to kind of navigate and sort through and try to come up with those solutions and recommendations and to approach it in terms of "I'm not coming here to ask you a question, but I'm coming here to ask your opinion about the solution that I've formulated". (Mia)

Some felt more specialized pieces of legislation were less likely to be on HR's radar and may *Catch HR By Surprise*, and the same was true of laws practitioners rarely dealt with:

I would say yes [practitioners are knowledgeable], in general. But, having said that, to qualify, it depends on the type of HR professional. Because I mean, if they're specializing in one aspect of HR it they probably have a good base knowledge in that aspect or that area of HR. Having somebody who has a good understanding or a broader perspective of HR, not just your little silo. Because that's how HR tends to work in organizations "this is my silo, this is my bucket", you know "this is my space. I don't really want to go over there". Whereas I'm a great believer in: you need to understand all of HR. In order to be effective even in the area that you specialize in. And so, yes I think that they do have a good knowledge base but in most instances it's only I guess portioned off or chunked off. (Olivia)

You know that Employment Standards is going to matter and you know that the Human Rights Code for your province or your state or whatever is going to matter because those are the very obvious things. Do you know that immigration is going to matter? Or do you know that there may be a specific act or regulation that applies only to your specific sector or industry? (Quinn)

Specialized situations could also *Catch HR By Surprise*. An employee in Harper's firm had been reporting substantial amounts of overtime for years, and a manager contacted HR when the

employee was transferred to their department. When a colleague told the employee *“if you’re truly working all these hours that’s fine, but we need to understand what you’re doing. And let’s move things around and lighten your workload a little bit”* and needed management approval to work overtime going forward, the firm was surprised by a constructive dismissal lawsuit.

Practitioners felt law was neglected in HR education and went over *Basics Not Specifics* when it was included. Sophia had undergraduate, postgraduate and master’s degrees in HR but *“didn’t go over employment law. Not labour law [in unionized workplaces], but employment [non-union workplaces]”*. As a result, students were unaware of law’s importance in HR (*“I had no idea how much legislation there was”* (Isla)) and unprepared for this part of HR’s role:

They never give it enough time to actually dwell in it, and explain it the importance. And make sure that there’s a proper comprehension behind it...I don’t know if it’s because maybe in school professors don’t feel as confident talking about it. Maybe they assume that people will just kind of look into it on their own and just take that own ethical viewpoint. (Abigail)

I never took it because I didn’t have to take it. And when I started working all that was going through my mind was “oh my god, I wish I would have taken employment law” because it was so relevant. But at the same time, I understood why they didn’t include it, because I thought maybe the law changes so much and it varies from province to province, so I don’t know how relevant it would be in that sense. But I think that still it would have been good to have that foundation. Because I wasn’t required to take that course, that was a gap for me initially. (Harper)

Mia suggested that rather than emphasizing *“a particular law, I think it’s way more valuable to train on proper negotiation strategies and how to properly interpret a law”* and needed

More case studies and more examples, and not just union ones. Because there are so many great ones and I really enjoyed them, but there’s more non-union issues that people work with more often. And they need to be aware. And it could be something small like the date in an employment contract, but just to explain just the reasoning behind it. With an HR professional, the more you can educate your company, your coworkers and the people that you may hire. So full circle, I think the more you know, the better (Abigail)

Chloe explained *“many people who are working in HR, they do not have any kind of required knowledge or required education... they kind of reach their peak only because of their*

experience". Experience was seen as a better teacher than education. Harper felt the interview discussion "really got me thinking, how could I have learned everything I've learned about employment law? And I can tell you, you know it wasn't through school, it wasn't through [professional HR certification]. It was trial and error and just through experience". Experience was particularly important because *Law is Grey* and involved difficult situations. Some practitioners also noted if HR is "not working in firms where they're challenged on a regular basis" (Alice) there may not be a strong incentive to stay up-to-date. Chloe mentioned a visibly pregnant friend was recently asked "how many children do you have, and do you expect to have another baby soon?" in an interview for an HR position.

It's like anything right? The more you sort of have your hands in it, the more you're faced with dealing with issues stemming from the law, the more knowledgeable you're going to be... some of the people coming through the schools looking for entry-level positions, they're getting out of school... they want to come in as like a business partner role.... They're so green, they're just so new... they just don't have the life experience yet... so much of it is so grey, it requires I think a certain level of - and I don't want to sound like grandma here, but I feel like it requires a certain level of maturity and exposure and experience to certain issues that you're faced with to make a good, sound judgement call. (Alice)

A number of practitioners felt compliance would increase if there was a place to get comprehensive information about laws and legal updates, rather than re-creating the wheel and sort through "a whole bunch of different things, because you have to look at occupational health and safety legislation, and you have to look at the disability stuff, you have to look at like ESA and.... human rights code... then it gets even more confusing when you throw a union in there" (Sophia). Sophia suggested governments should publish a single resource that contained all of the legislation that applied to work, and Quinn noted this would be particularly helpful if it included specialized pieces of legislation (such as legislation that governed specific industries or visa requirements) so it was "more tangible or not so hidden". Mia noted "one thing that we

don't have in in Canada or at least I haven't found is a comprehensive database that allows you to search and tells us all awards. There used to be a website, but it hasn't been kept up to date. So it's really not all that relevant anymore". Aria noted governments sometimes ran focus groups where employers can ask questions or share experiences *"in a little bit of a protected environment right?... some place you could go and attend meetings and ask questions"*.

5.9.3 Legal Knowledge and Workers

Workers, particularly vulnerable workers, were described as not well-informed, which contributed to employers that *Take Advantage Because Workers Don't Complain*.

You're a 16 year old kid, you still have rights. You have the right to be paid fairly. You still have the right to ensure your boss is treating you with respect and dignity. And you still have the right to be paid what you're due. And so many times, they aren't.... I think the government could do a better job of advertising to the younger worker... I've hired some people, their very first job, and I tell them that [they have the right to refuse unsafe work] and you can see that. To them, their eyes – you can just see in their eyes. Their eyes get about twice the size and "what do you mean I can say no?". And "you can say no [laughs]. You can say no to someone who's asking you to do something dangerous, absolutely". (Liam)

Worker knowledge was seen something that would increase compliance. A worker at Aria's firm raised harassment issues after school training. Sophia felt law should be taught in high school:

She had been in training through her college, like the dorm... So it was good that she brought that forward to open up that and discuss it with the alleged harasser... I thought that was great. That she had tried to handle it, but it wasn't getting through to him, so we had to step in. And had she not had that training, she might not have come forward right?... From her training that she got in her college, being in dorms or Floor Rep to be "oh, okay, that's not okay in the workplace either".... I thought that was good, the way she handled it and made us aware so that we could then. (Aria)

It wasn't [taught in high school] when I went. Nothing legally, like 'this is the ESA, you're allowed to have lunch at work, you have a half an hour lunch break if you work 5 or more hours', nothing like that. Which is very wrong, because they teach us 'the mitochondria is the powerhouse of the cell'. Which is cool, some people go into sciences. But everyone is going to work, so everyone should know what they're legally entitled to. (Sophia)

Some practitioners also felt workers were becoming more aware of their rights over time:

I think it's getting better, I actually think in some ways they are more aware sometimes than the employer. But I do think that there still are lots of them that that don't know either, unfortunately. I do think it's way better than when I first started in the workplace. We had no concept of what our rights were. So I do think the new generation are figuring that out and aware of that, which I think is good. (Aria)

5.10 UNIONS

Most practitioners felt unions promoted compliance because of increased *Accountability* (“you have ‘facilitators’, you have people there who are keeping an eye on things” (Abigail) and “it’s a kind of supervision that you do everything right” (Chloe)), *Clear Policies and Procedures* (“the union agreement will state specifically what you can and can’t do. You actually have a document that says what you can and can’t do. Whereas in other companies you don’t have that necessarily” (Harper)) and *Increased Knowledge* amongst workers (as “the union sends them e-mails and holds meetings which creates a feeling of solidarity. Union members feel they have someone to talk to, someone to back them up and support them when needed. These are resources, too” (Ben)):

In my opinion they are there to make sure that the manager’s doing their job and vice-versa. So they’re there to check, check and balance. If the organization is running well and efficiently and not doing anything that they shouldn’t be doing, then the union has no reason to interfere... I always described it as car insurance for people who are paying union dues [laughs]. You know, it’s there for you if you ever need it. Like car insurance, you’re not necessarily going to get in an accident. But you know it’s a resource for you if you feel that you don’t have somewhere to turn. (Isla)

Jack noted grievances were not always responses to violations, and were sometimes “just part of the due process” in unionized workplaces, as “if you get in close with negotiations, you’d have a lot more grievances” and “the union automatically files a grievance” following a dismissal.

Developing a *Positive Relationship* with unions ensured “most issues can be dealt with before anything gets to a grievance” (Mia) as “if there’s an issue, they know they can come and talk to me and we can resolve the issue 99.9 times out of 100, without any problems. We just work through it. Talk about it. And it’s resolved usually” (Liam). Jack did not have a positive

view of unions, but maintained good relationships throughout strikes and disputes because “*at the end of the day, you have to learn to deal with people and make the best of a bad situation... normally, they try to work to solve problems*”. Alice stressed *Respect and Listening*:

So someone comes at something a very different way and has a very different opinion about something... it doesn't mean that yours is right and theirs is wrong. It means is that you have a different opinion, and you never disrespect that different opinion right?... We're not always going to agree, but I always have respect for your opinion and your right to have an opinion. (Alice)

A Study 2 respondent said “*unions themselves don't ensure compliance with workplace laws and it seems to be more of a priority to come to a resolution with them then it is to follow the letter of the law*”. Some practitioners felt unions were “*less 'mandatory' shall we say... from an employee's standpoint, but I would certainly say there are cases where they are very much necessary*” (Liam). A union drive in Noah's firm was unsuccessful because of HR practices:

They trusted HR, the relationship between worker and HR was again – was true. Such a perfection based on the organization's culture... if there's any changes either HR would hold a quick meeting in the morning just to go over changes to Employment Standards/ workplace harassment or trainings that are coming up. So once this trust was established, we eliminated this avenue of unions reaching out with “okay, from a legal point-of-view, this is what we need to do”. (Noah).

Others had a more negative view, feeling unions did not help workers because they created *Rigidity, Clashed with Business Needs, were Self-Interested* and were *Unnecessary* with good HR. Some discussed feeling unable to fire unionized employees “*for being actually a horrible employee... like we needed to give them two more suspensions before we could terminate them. It was a big waste of everyone's time, because these people truly sucked*” (Sophia).

Yes they promote [compliance] and make sure you do the right things. Doesn't make you successful in lots of cases, successful as an operation. And they don't really care about the customer... they're more and more concerned with collecting dues than what employees do, as far as being successful with their customers in the marketplace... One thing about unionized work is you know you know what the rules are, and you know how to follow the rules. Whereas non-union, they tend to be more flexible and more understanding and more empathetic towards the organization. (Jack)

There's a reason why we have unions. You know, because laws weren't being followed... But I also see unions that are stuck back in the 1960s with how they manage, and they're actually working at cross-purposes to some of the laws... things are, are being advanced for political reasons not for the sake and the welfare of the employee, to benefit big unions. And I think that's actually a step backwards (Mia).

5.11 PROFESSIONAL HR ASSOCIATIONS

Evaluations of professional HR associations depended on *Accountability* and *Usefulness*.

Some felt Associations increased knowledge as “*most HR people who are working towards a designation or have a designation are probably more aware of any legal changes that are happening, and what the reason behind it is, and maybe what the positive/negative implications are*” (Abigail), promoted ethics, and provided helpful resources and opportunities to network:

I do find my [Association] is pretty good. I do know being with them, they help me with a fair number of good tools that I use and they do have webinars and that kind of thing (Aria).

In order for you to maintain your professional association you have to continue to take courses and everything like that. Because you're taking the courses, that has a positive impact on you. (Jack)

Others had a more ambivalent or cynical perspective. Sophia said certification helped her learn about law and certification helped her career, but also described it as a “*money grab*”.

Negative perceptions emphasized Associations does not promote *Accountability* or provide *Useful* resources. Several practitioners noted “*I see so many people who don't practice HR who have that designation and I'm going like really? Like what difference does that make?*” (Liam) and resources were only useful for “*really minor cases*” (Chloe) and felt private HR and management associations were a better source of information. Law firms were also described as providing more helpful information, often for free.

I'm just going to be frank: I have no use for the [Association] other than the fact that I just I signed that book of membership. I could care less about their designations because I feel like it isn't worth the piece of paper it's written on... it's not a requirement, it doesn't make me look any better than anybody else unless to somebody on the outside... I

can look at a whole bunch of people that quote 'work in HR' and they were grandfathered in, and they now have their [senior designation] and yet they've barely worked in HR. Just because they took some courses and, and they got grandfathered... this is probably one of my sticking points. I have no use for the organization. I don't believe that they do anything that would benefit me, especially from a senior HR professional perspective... more junior or people that don't have a lot of experience, going to their chapter meetings and such gives them some information. But at the end of the day, I think it's just a money grab. (Olivia)

Quinn felt increased Accountability within Associations could help, but “*hated the idea of it because I don't want to have to prove to another regulatory body that I'm competent at doing my job*”. She noted the it could take time to create implement greater accountability and could:

create a risk of the pendulum swinging to such a drastic degree that HR practitioners stop trying to find solutions... over time it will centre itself into a healthy mid-ground, right? But often when things like that come about it, it gets taken to one extreme and then another before it settles in. And so I think there's a risk when you implement something like that, that people would become so fearful. (Quinn)

Although they sometimes expressed skepticism about motives (“*I think they did find a need for it. And then - they're profiting off it for sure*” (Sophia), practitioners were very supportive of the HRPAs decision to include a legal knowledge test in Ontario as a certification requirement.

Harper noted that law was not part of her certification exam and she never had the option of writing a paper on a legal issue in HR coursework:

And I always wondered why, because I think that that's the most important part of HR... it's great that they're introducing it now. And maybe if it's more visible of an issue from the HRPAs, then maybe people start to take them more seriously, and have more knowledge. Like I said back at the beginning, I think that it's all a lack of knowledge. So now that people are being educated about the importance of it, I hope that things will change. But back when I did the exam, law wasn't even touched on and you would never hear about it other than if you went on Google and did research yourself. (Harper)

5.12 CONCLUSION

Using interpretivism as a theoretical framework (Burrell & Morgan, 1979), Study 3 appears to be the first qualitative study to specifically focus on factors that influence HR practitioners' decisions to comply (or not comply) with workplace law. Non-compliance was

attributed to *Legal Ignorance, Low Risk, Taking Advantage Because Workers Don't Complain* (because of *Personal Risk* or *Legal Ignorance*), *Law Clashing with Business Needs* and the *Type of Employer* (*Employers of Choice* and firms that had increased *Accountability* (large, public sector, public ally traded, not-for-profit, unionized and/or international firms) were more likely to comply). Practitioners felt the advantages of compliance outweighed its disadvantages because *Compliance is Strategic* and *Compliance Promotes Ethics and Fairness*, had positive attitudes about complying with the spirit or letter of the law, developed effective strategies for dealing with the ambiguity of law (*Build Consensus, Can't Be Perfect*), and felt *Legal Advice and Information, Training and Management Support* had a positive influence on compliance. Compliance was perceived as an important norm, and practitioners felt HR should act as an *Ethical Steward* and *Expert Guide* that understands legal requirements, provides strategic advice to mitigate risk, offers meaningful support, and builds *Personal Credibility* to be an effective *Ethical Steward* and *Expert Guide*. These perceived norms were contrasted with ineffective *HR Police* and *Clerk of Works* roles that were described as unlikely to influence compliance.

Study 3's discussion of *Decision-Making Cultures* clarifies why non-compliance is so prevalent when HR practitioners appear to support compliance. In *Strong Compliance Cultures*, HR has the resources and support (particularly from senior leaders) to act as effective *Ethical Stewards* and *Expert Guides*. HR is sometimes involved in violations in *Spirit Not Letter Cultures*, ensures firms comply with the *Letter of the Law* (when strict compliance is necessary to promote *Ethics and Fairness*) and the *Spirit of the Law* (when the spirit achieves the *Same Result* and *Promotes Ethics and Fairness*). In *Cultures of Management Discretion*, compliance decisions are ultimately up to managers. While building *Personal Creditability* increases the likelihood that managers will accept HR's advice, HR can act as an effective *Ethical Steward*

and *Expert Guide* and fail to secure compliance. *Senior leaders* were the referent with the biggest impact in Study 3, as both *Compliance* and *HR's Authority* cascaded down from senior leaders. Chapter 6 includes a general discussion of the findings of Study 1, 2, and 3 as well as contributions, limitations, and future research directions.

CHAPTER 6: GENERAL DISCUSSION AND CONCLUSIONS

This mixed-methods study investigated how HR practitioners decide to comply with workplace law. Study 1 identified key behavioural, normative and control beliefs. Study 2 was ultimately able to explain about 60% of the variance in compliance, exceeding Fishbein and Ajzen's (2010) observation that the RAA typically explains 30-40% of the variance in behaviour. Compliance was directly influenced by perceived norms (social pressure), attitudes (positive evaluations), behavioural beliefs (advantages), control beliefs (resources that facilitate compliance), and perceived behavioural control (self-efficacy). Tenure had a positive impact on compliance when mediated by attitudes or PBC, and a weak but negative relationship when mediated by injunctive normative beliefs and perceived norms, or descriptive normative beliefs and attitudes, norms, or PBC. Several indirect relationships were also significant, particularly involving perceived risk and self-assessed knowledge. Study 3 provided additional insight into the lived experience of HR practitioners, highlighting that *Compliance is Strategic* and *Compliance Cascades Down*, the importance of *Personal Credibility* in HR, contrasting perceived norms surrounding compliance (*Expert Guide, Ethical Steward*) with ineffective enacted roles (*HR Police, Clerk of Works*) and decision-making cultures (*Cultures of Management Discretion, Strong Compliance Cultures, Spirit Not Letter Cultures* and *Cultures of Indifference*). This chapter discusses general findings, theoretical and practical contributions, limitations, and avenues for future research.

6.1 GENERAL DISCUSSION

6.1.1 Perceived Norms and Enacted HR Roles

The strongest relationship in Study 2 was the direct relationship between perceived norms and compliance. Study 2 and 3 suggest compliance is an important norm in HR (Dobbin, 1999; Edelman, 1990; 1992; 2016) and this norm influences behaviour (Arias, 2015; Tyler, 2006b). Although a number of HR typologies exist (e.g. Brockbank & Ulrich, 2003; Storey, 1992; Tyson,

1987; Ulrich, 1997), research to date has not specifically explored HR's *compliance* roles. Study 3 respondents contrasted ineffective compliance roles (*HR Police, Clerk of Works*) with roles HR practitioners 'should' enact: *Expert Guide* (mitigating risk, being well-informed, offering support) and *Ethical Steward* (Foote & Robinson, 1999; Winstanley et al., 1996; Wiley, 2000). This reflects how central problem solving and personal credibility are in HR (Aldrich et al., 2015; Brockbank & Ulrich, 2003; Buller, 1988; Dalton, 1950; Legge, 1978; McFarland, 1968; Sheehan, 2005; Trullen et al., 2016; Tsui, 1990), that "one of today's most critical HR tasks is reducing the risk of litigation" (Elkins, 2007, pg. 44), that HR acts as 'the conscience of the corporation' (Edwards & Bennett, 1987; Ulrich & Beatty, 2001), and that HR is often more concerned with legal and ethical compliance than other organizational members (Beatty et al., 2004; Edelman, 2016; Edelman et al., 1993, 2001, 2011).

At the same time, "HRM means different things to different people and seems to be used in different contexts to describe a wide variety of management practices" (Cabral-Cardoso, 2004, pg. 961). Study 3's *Clerk of Works* (Tyson, 1987) were described as lacking experience, credibility, authority, and resources (Baird & Meshoulam, 1988; Brandl & Pohler, 2010; Francis & Keegan, 2006; Legge, 2005; Purcell & Grey, 1986) and therefore as having limited influence over compliance. Several respondents began their careers as *Clerks of Work*, later moving into HR positions and organizations where they felt they could have a more positive impact.

While Ulrich (1997) calls HR's "policy police" (pg. 18) role a 'myth', Study 3 respondents felt some practitioners continued to enact an ineffective, unrewarding, and likely to backfire *HR Police* role (Caldwell, 2003; Storey, 1992) and some organizational members perceived HR as *Clerks of Work* or *HR Police*. Markoulli et al. (2017) note "how HR leaders balance being a 'compliance cop' with being a 'strategic partner'" (pg. 388) is an important

avenue for research. *Expert Guides* and *Ethical Stewards* were described as part of HR's strategic partner role and far more effective at promoting compliance than *HR Police*. Consistent with self-determination theory, *Expert Guides* and *Ethical Stewards* tried to appeal to intrinsic motivators (the human needs surrounding competence, relatedness, and autonomy) when giving advice about compliance, while *HR Police* emphasized extrinsic motivators (e.g. rules and punishment) (Deci & Ryan, 1985; Hofeditz et al., 2017). The contrast between *Expert Guides* and *HR Police* also echoes Roehling and Wright's (2006) contrast between *organizationally-sensible decision-making* that minimizes risk while promoting goals and values and *legal-centric decision making* that attempts to limit any and all possible liability (but often backfires and creates liability).

Promoting ethics and fairness and protecting employee rights were key behavioural beliefs in Study 1. Behavioural beliefs influenced compliance directly and indirectly in Study 2. In Study 3, being an *Ethical Steward* was a key compliance role and *Promoting Ethics and Fairness* was a major advantage of compliance. HR has been called "an inherently ethical activity in that its fundamental core is concerned with the treatment of humans" (Greenwood, 2013, p. 355). Workplace law is also concerned with the treatment of humans, whether it creates 'floors' employers are not supposed to sink below (e.g. minimum wages), 'ceilings' they are not supposed to rise above (e.g. hours) or 'barriers' they are not supposed to cross (e.g. safety). The ability to make a positive impact attracts some practitioners to HR, and ethics and compliance are often seen as both personal and professional responsibilities (Dobbin, 2009; Edelman, 2016). Some researchers question how ethics is enacted in HR (Legge, 1998, 2005; Greenwood, 2013; Jack et al., 2012; Sheehan et al., 2014; Wiley, 1998; Winstanley & Woodall, 2000), highlighting tensions between the 'rhetoric' of HR as an employee protector and driver of firm performance

and the ‘reality’ that HR mediates “a major contradiction embedded in capitalist systems: the need to achieve both control and consent of employees” (Legge, 2005, p. xv).

These tensions may explain why Study 3’s *Ethical Steward* compliance role fell within a pluralist *Regulator* framework that involved conflict and balancing interests (Caldwell, 2003).

Some Study 3 respondents felt new practitioners did not realize how much conflict HR practitioners interact with in promoting ethics and fairness. An HRP executive explains:

It is that sense of “higher purpose” or serving some broader societal good beyond the immediate interests of clients and employers that distinguishes professionals from competent non-professionals. Now, it is not that the immediate interests of clients and employers will usually conflict with the broader good or higher purpose, but when they do, it becomes a real test of professionalism... at least sometimes, there will be a clash between the values of the professionals and the values of employers and clients. This means that being a professional will entail, at least sometimes, being in conflict with employers and clients. It means, at least sometimes, pushing back and being willing to take a stand (Balthazard, 2014, pg. 3-4)

Lawyers were a key referent in Study 1. While lawyers have greater legal expertise than HR practitioners, lawyers often wait for evidence before suggesting changes and advocate for taking the individual facts of each case into account when making decisions. In contrast, HR responds quickly to new legal requirements and advocates for lower-cost and broad ‘one size fits all’ approaches that are easily implemented and produce other organizational benefits (e.g. improving morale) (Dobbin, 2009; Dobbin & Kelly, 2007; Edelman, 2016; Sutton & Dobbin, 1996). Dobbin (2009) suggests workers may have been better protected if lawyers designed organizational responses to human rights laws instead of HR practitioners, as rights would have been more strongly emphasized. However, Study 3 practitioners felt lawyers sometimes lost sight of the ‘human’ aspects of legal issues and *Ethical Stewards* kept this at the forefront. This echoes Roehling and Wright’s (2006) observation that some lawyers use legal-centric decision making that does not take goals and values into account (and often backfires).

6.1.2 Decision-Making Cultures

Although HR plays a leading role in administering workplace law and practitioners were supportive of compliance across all 3 studies, non-compliance is a significant issue in Canada. Study 3 helps explain why violations are widespread when HR practitioners support compliance: HR's success in promoting compliance partially depends on organizational decision-making cultures around compliance. In *Strong Compliance Cultures*, expected standards of behaviour are unambiguous and well-understood (Snyder & Ickes, 1985), including expectations about HR's authority (Bowen & Ostroff, 2004; Haggerty & Wright, 2009; Kramar, 2014). *Personal Credibility* is still important and resistance and legal ignorance still exists, but HR has the resources, support and authority to ensure firms comply. Dalton (1950) notes the 'line authority' of managers (to decide) and 'staff authority' of HR (to advise) is often a source of conflict:

[the assumption that] a) the staff specialists would be reasonably content to function without a measure of formal authority over production, and that (b) their suggestions regarding improvement of processes and techniques for control over personnel and production would be welcomed by line officers and be applied require closer examination (Dalton, 1950, pg. 343).

Almost 70 years later, these tensions remain in *Cultures of Management Discretion* where the decision to comply (or not comply) was ultimately left to managers. Practitioners could establish credibility and offer strong strategic advice, but had the ability to *advise* not *decide*. Several practitioners felt compliance would improve if HR had the authority to make decisions about compliance, or take options that violated workplace law out of consideration. Legge (2005) notes HR is a specialist function *and* something all managers are expected to practice, part of management *and* a worker advocate, and HR initiatives are difficult to define or measure. These ambiguities create 'vicious circles' where HR does not assist in decision-making, which creates avoidable and time-consuming problems for HR, which cements HR's reputation as reactive; in response, practitioners focus on their credibility. Guest and King (2004) identify a new 'vicious

circle' where "HR practices to improve people management and business performance cannot be implemented because of constraints imposed by the existing people in management positions and by the organizational culture and climate that personnel managers, as champions of change and transformation, might be expected to address" (Guest & King, 2004, pg. 412). Chasserio and Legault (2010) found knowledge workers needed management approval to use work/life balance policies and HR does not "protect employees against a project manager's discretionary authority. Project managers were still fully authorized to grant or refuse special arrangements on working hours, working at home, and use of statutory holidays" (pg. 242). In Study 3, practitioners felt staff authority often placed HR in a *Janitor* position of reactively cleaning up the avoidable messes identified by Legge (2005). Ulrich (1997) notes "the HR function does not own compliance – managers do" (pg. 18). When managers do not solicit or accept HR's advice (Guest & King, 2004; Sheehan et al., 2007) and HR does not have the authority to make compliance decisions, HR's influence on compliance will be limited.

Limited research has investigated the contrast between the *Spirit and Letter* of law, although the distinction appears in the Bible and lay people emphasize *Spirit* when assigning culpability (holding culprits liable when the spirit is violated but the letter is not) (Garcia et al., 2014). The 'managerialization of law' can undermine rights (Edelman et al., 2001; Edelman, 2016) and practitioners' in Edelman et al.'s (1993) study reduced legal violations to questions of fairness, interpersonal conflict, and employee relations. In contrast to Edelman et al.'s (1993) respondents, some Study 3 respondents identified a distinction between the *Spirit* and *Letter*, acknowledged following the former was technically a violation of the latter, and used *Ethics and Fairness* and *Same Results* to evaluate when it was appropriate to follow the *Spirit*. For example, complying with the *Spirit* was described appropriate for minor interpersonal harassment issues or

overtime regulations, because practitioners felt following the *Spirit* would produce the *Same Result* and promote *Ethics and Fairness*. Following the *Letter* was perceived as necessary for potential sexual harassment or safety issues because it was seen as the only way to promote *Ethics and Fairness*. The distinction between the *Spirit* and *Letter* of workplace law may be employed in other arenas, as discipline for refusing unsafe work is more likely to be upheld when the primary motivation is *not* the genuine belief that work is unsafe (Harcourt & Harcourt, 2000): “if it can be shown that the motivation of a worker was not one of danger (even if the job was dangerous), then a worker's appeal [of discipline] may be dismissed” (Gray, 2002, pg. 138).

While US workers are entitled to 12 weeks of unpaid maternity leave, and Byron (2010) cites an employee who was terminated and told, “I can see 2-3 weeks maternity leave if [manager] Tom is willing to give you your vacation on top of that – 5-6 weeks maximum. And if you need more than that – you’re expendable” (pg. 460). In Study 3’s *Cultures of Indifference*, organizations *Don’t Want to Comply* and felt they could *Take Advantage Because Workers Don’t Complain*. This is consistent with the idea that risk drives non-compliance (e.g CWR, 2017; FLSRW, 2006) and some violations result from “simple greed: a few employers evidently feel that any business strategy — including one that involves violating the law and exploiting workers — is legitimate so long as it leads to higher profits” (FLSRC, 2006, pg. 195).

Taken as a whole, the different decision-making cultures described in Study 3 (*Strong Compliance Cultures*, *Cultures of Management Discretion*, *Spirit Not Letter Cultures*, and *Cultures of Indifference*) help clarify how HR navigates legal issues. HR practitioners were described as having an obligation to build credibility with managers, employees, and (particularly) senior leaders, raise ethical issues and promote fairness when navigating the law, mitigate risk, ensure they are well-informed about legal requirements, and use these skills to

offer expert support. Whether taking these steps was sufficient ultimately depended on how organizations made decisions about compliance.

6.1.3 Normative Beliefs

Whether injunctive normative beliefs (do referents support behaviour?) or descriptive normative beliefs (do referents engage in behaviour?) are more influential depends on what is most salient in a particular context (Cialdini, Reno & Kallgren, 1990; Reno, Cialdini, & Kallgren, 1993; Fishbein & Ajzen, 2010). Descriptive beliefs had a stronger impact on compliance in Study 2 and 3. Espoused expectations from HR managers and CEOs are perceived as less important than enacted values, as “the boss’s willingness to act on legal, professional, and ethical violations seemed to have a far greater efficacy than mere declarations” (Beatty et al., 2004, pg. 264). Leader behaviour has the strongest impact on ethical climate (Dickenson et al., 2001), and ethical leadership reduces misconduct through ethical workplace climate (Mayer et al., 2010). Social information processing theory suggests employees look to key referents when determining how to behave (Mayer et al., 2010; Salancik & Pfeffer, 1978). People are more likely to discriminate when supervisors provide a business rationale (Brief et al., 2000), less likely to want to punish deviance (e.g. stealing) when transgressors follow the lead of senior organizational members (Bauman, Tost & Ong, 2016), and are more likely to report unethical conduct if they believe supervisors and coworkers behave ethically (Mayer et al., 2013).

Study 3 practitioners emphasized compliance and HR’s authority both *Cascade Down* from senior leaders as “the relationship of the HR function to the top management team is a critical ingredient in its legitimacy of authority. This relationship is often visible to employees, and signals them whether to pay close attention to HR as a ‘partner’ in the business, or pay less attention to HR as a largely administrative function” (Haggerty & Wright, 2009, pg. 108). HR’s influence often depends on leader support, as leader support leads to strong situations (Aldrich et

al., 2015; Arthur, Herdman & Yang, 2016; Bowen & Ostroff, 2004; Brandl & Pohler, 2010; Boada-Cuerva, Trullen & Valverde, 2018; Cabral-Cardoso, 2004; Guest & King, 2004; Kochan & Barocci, 1985; Kramer, 2014; Sheehan, 2005; Sheehan et al., 2007; Truss et al., 2002).

The HRM system is most likely to be perceived as an authority situation when the HRM function is perceived as a high-status, high-credibility function and activity. This is most likely when HRM has significant and visible top management support... This fits the observation about the requirements for the success of HRM systems generally; namely, success depends largely on top management support (Bowen & Ostroff, 2004, pg. 209).

Study 3 respondents felt leaders sometimes failed to realize how much influence they have over compliance. Leaders may have more positive perceptions of HR than managers at other levels, but CEO support for HR initiatives is easily 'lost in translation' and disagreements within or between groups further undermine HR's effectiveness (Bartram et al., 2007; Stanton, 2010).

At the same time, normative beliefs did not have a direct impact on behaviour in Study 2 (in contrast to behavioural and control beliefs). Injunctive normative beliefs consistently served as the weakest of the belief measures, and LMX contribution (positively related) and tenure (negatively related) were the only significant predictors of injunctive normative beliefs. In Study 3, practitioners emphasized *trusted* referents in their personal networks. Trusted referents included friends, former classmates, colleagues and/or managers, and relationships developed through networking. While colleagues and (especially) HR managers were often included as referents, they were not always included. In contrast, Study 1's Belief Elicitation Study included *HR practitioners and HR managers, senior management, everyone and line managers and supervisors* that practitioners worked with as referents influencing injunctive normative beliefs. In Study 2, tenure had a positive impact on compliance unless normative beliefs involving colleagues was considered. It therefore appears normative beliefs did not have a strong impact on compliance because referents were too broadly defined: including *trusted referents* rather than

colleagues would have increased the strength of normative beliefs. Senior leaders were the key Study 3 referent, but not included in Study 2's descriptive normative belief measure. Study 3 therefore clarifies why normative beliefs were not strong predictors in Study 2: *trusted* referents were excluded from both normative belief measures, and senior leaders were excluded from the measure of descriptive normative beliefs.

6.1.4 Risk

All three studies support the idea that intentional violations are driven by the perception that violations are unlikely to be detected or result in serious sanctions (e.g. CWR, 2017; FLSRC, 2006). *Reducing the risk of legal challenges and costs* was the top advantage of compliance in Study 1. Risk impacted compliance indirectly in Study 2, through behavioural beliefs, control beliefs, attitudes, or perceived norms. Study 3 practitioners felt *Mitigating Risk* was a perceived norm, *Compliance is Strategic*, and discussed reputation and personal risks and the risk of bad publicity in addition to litigation and financial risks (Elkins, 2007; Karpoff & Lott, 1993; Lengnick-Hall, 1995; Rindova et al., 2005; Pryor, 1995; Sharf & Jones, 2000; Zink & Gutman, 2005). The relationship between risk, control beliefs and compliance was stronger in private sector firms, perhaps because firms “*are more sensitive to risk as an influence on compliance*” (Ben). The relationship between risk and behavioural beliefs was more pronounced for inexperienced practitioners, suggesting risk may be more of a ‘push’ factor for new practitioners, as “*you see black and white when you’re inexperienced. But I think experienced HR people - they’re seeing also grey*” (Chloe). Familiarity also lowers risk perceptions (Fleming, Biggart & Beckett, 2014; Levin, 1999; Weinstein & Nicolich, 1993) and people with less experience are more influenced by emotion or heuristics when evaluating risk (Fleming et al., 2012; Slovic et al., 1995; Summers, Gatowski & Dobbin, 2012).

Risk is heavily emphasised in the practitioner literature (Edelman, 2016; Markoulli et al.,

2017) and “virtually all employment decisions involve some level of litigation risk” (Roehling & Wright, 2006, pg. 607). Litigation means “the company must pay attorney costs and deal with the impact of prospective negative publicity, irrespective of the outcome. This is compounded further should the company lose the case and have to pay the judgement... finally, there is often stockholder and consumer backlash” (Avery, McKay and Wilson, 2008, pg. 235). The emerging literature on ‘human resources risks’ (Becker & Smidt, 2016) includes ‘legal risks’ that emphasize harassment (e.g. Elkins & Velez-Castrillon, 2008; Pierce and Aguinis, 2009) and ‘reputational risks’ that suggests fairness limits liability and results in positive firm outcomes (Edmans, 2012; Greening & Turban, 2000; Turban & Greening, 1997). Study 3 practitioners often referenced the ‘Me Too’ movement, as high-profile cases have “catalyzed an exceptional moment of public discourse on sexual assault in Canada” (Phillips, 2017, pg. 1133) including discourse about employers that condoned illegal behaviour (Che, et al., 2017; Phillips, 2017).

Study 3 practitioners felt they had obligations to highlight risk even when it could be a “*career limiting move*” (Liam), but agreed others may be reluctant to speak up in these cases.

The key issue for HR professionals appears to be vulnerability—that insisting on “doing the right thing” might come at a personal cost because there is very little support for HR professionals in these situations. Some HR professionals would like to see greater governmental recognition of HR as a profession (i.e., licensing) because such recognition would be helpful in bolstering the ability of HR professionals to push back when employers and clients cross the line. The unstated implication of the above is that, until this governmental recognition happens we really shouldn’t be surprised when HR professionals fail to push back when employers and clients cross the line. This creates a Catch 22 for the HR profession. On the one hand, to be considered as a true profession it is important for HR to be seen as safeguarding a higher societal value. On the other side of the Catch 22, until HR is widely seen to be a true profession, many HR professionals will consider it risky to do so (Balthazard, 2014, pg. 4-5).

While none of the Study 3 practitioners supported increased legal regulation of the HR profession, many felt professional HR associations should operate with more *Accountability* and increased enforcement and increased penalties for violations would improve compliance by

increasing risk. Some felt HR should have the authority to make decisions about compliance in organizations, or the ability to take non-compliant options off the table.

Risk may receive so much focus because of HR's compliance responsibilities, because highlighting risk can convince reluctant managers to comply, and because risk can bolster HR's power and credibility as "the status of the HR profession has largely depended on environmental threats to organizations" (Edelman, 2016, pg. 97). Ulrich (1997) frames HR's compliance role as administrative and suggests moving "beyond the role of policy police and regulatory watchdogs to become partners, players, and pioneers in delivering value" (pg. viii):

Many in HR seem to be asking the same question, "Are we there yet?" Too often, many in HR seek but never seem to arrive at their destination. Professional conferences continue to lament HR more as an administrative service or compliance function than a business partner (Ulrich & Dulebohn, 2015, pg. 188).

Ulrich and Dulebohn (2015) note "we expect that future risk will be about individuals, organizations, and leadership, the three targets of HR" (pg. 201). Study 3 practitioners believed that *Compliance is Strategic* and promoting compliance was part of HR's strategic role. By *Mitigating Risk* and acting as *Employers of Choice*, practitioners felt they were presently managing these risks. However, the strategic aspects of mitigating risk sometimes fell *Under the Radar*. HR could not highlight this part of its role without sharing confidential information, discussing liability, or identifying complainants.

6.1.5 Knowledge

Access to training and access to legal advice and information were key control beliefs in Study 1. In Study 2, self-assessed knowledge indirectly influenced compliance (particularly through control or behavioural beliefs). Study 3 respondents disagreed about whether most HR practitioners had sufficient knowledge, but being *Well-Informed* was part of HR's *Expert Guide* role. Practitioner journals often describe legal environments as complex, "hostile and

threatening” (Edelman et al., 1992, p. 74), but knowledgeable practitioners may feel differently. In Study 3, knowledge facilitated compliance and a significant amount of non-compliance was described as an unintentional result of *Legal Ignorance* (e.g. CWR, 2017; FLSRC, 2006). Managers were often perceived as having positive attitudes towards compliance, but aware of *Basics Not Specifics*. This echoes a Canadian business association representative (“many people think it is straightforward, but it has become more complex, so some people are not as aware as they think they are” (Dutil & Saunders, 2005, p. 9)) and a GAO (1994) report (“even some employers who believed they were fairly knowledgeable about workplace regulations indicated a misunderstanding or had misinformation about certain regulatory requirements” (p. 57)). Blackburn and Hart (2000) found UK managers and practitioners were aware of ‘basic’ issues such as the existence of a minimum wage (98.7%), maternity leave (95.6%), rest periods (94.1%) and holidays (91.1%), but less aware of specific questions such as how large an organization had to be for disability rights to apply (50.1%).

In Study 2, knowledge influenced compliance through descriptive normative beliefs and perceived norms, or control beliefs and perceived norms. Tenure and knowledge also influenced compliance through several multiple mediation models, and particularly through control beliefs. While Study 3 practitioners felt being informed was a perceived norm and law needed more emphasis in education, they disagreed about whether most HR practitioners had sufficient knowledge. Langbert (1996) found HR directors’ tenure and the number of audits influenced compliance with benefits legislation. Experience was framed as an antecedent to knowledge, provided experience included increased exposure to legal issues and challenges. While law is emphasized in HR education (Doorey, 2008; Langbert, 2005; Way, 1996), Study 3 practitioners felt it was covered on a surface level and focused on labour law (echoing Fudge’s (1991)

observation that the employment law regime that governs most workers is sometimes treated as subordinate to labour law). The role of law in HR education was described as insufficient and tantamount to a theory/practice gap (Rynes et al., 2007; Tenhiälä et al., 2016).

Although employment law is not emphasized in the Canadian education system (Bowal, 1998; Bowal & Wanke, 1998, 2001; CWR, 2017), Study 3 practitioners felt workers' legal knowledge improves compliance and some firms took advantage of workers' ignorance (e.g. Alexander & Prasad, 2014; CWR, 2017; Weil & Pyles, 2005). Workers' knowledge reduces HR practitioners' assessments of legal risk ($r = -.41$) (Beatty et al., 2004). Unionized workers were seen as more legally knowledgeable in Study 3. This suggests unions may have a 'facilitation effect' on legal knowledge in general (not only knowledge of benefits) (Budd & McCall, 2004).

6.1.6 Attitudes and Behavioural Beliefs

Study 1 found reducing legal costs and challenges, promoting ethics and fairness, and protecting workers' rights were the most salient advantages of compliance. Additional time investment was the top disadvantage, but its mean evaluation on a 7-point scale was 6.09 in Study 2. Behavioural beliefs and attitudes directly and indirectly influenced compliance in Study 2. Study 3 respondents felt compliance could *Clash with Business Needs* (particularly from management's perspective and relating to time, cost and flexibility), but *Compliance is Strategic* and worth the investment because it *Mitigated Risk* and built a reputation as an *Employer of Choice* (explaining why investing time was so positively perceived in Study 2) and *Promotes Ethics and Fairness*. Study 1 practitioners felt improving the firm's reputation (30%), promoting positive employee relations (28%) and promoting positive performance outcomes (28%) were important advantages, and these items could have been combined into an *Employer of Choice* measure.

Practitioners perceived compliance positively and felt it was advantageous to comply. Study 3 practitioners had positive attitudes towards the spirit or letter of law and often felt *Laws*

Exist for Good Reason. Managers' positive attitudes were attributed to *Wanting to Be Fair* and *Wanting to Comply*, but positive attitudes did not prevent unintentional violations due to legal ignorance. This echoes an HR manager interviewed by Kelly (2010): "I don't think it's that people don't want to comply. I think that it's just very difficult to stay on top of it... I've made mistakes. We tried to fix them or correct them as soon as we realize what we've done, but it's never intentional to not comply" (pg. 56). Bennington and Wein (2000) found a majority of Australian employers felt human rights legislation had a positive impact on fairness and a neutral impact on efficiency, effectiveness, costs, and the difficulty of compliance and overall. Although 53% of employers felt legislation had a neutral impact on efficiency, perceptions were more likely to be negative (23%) than positive (17%). In Study 3, negative attitudes were attributed to *Not Wanting to Comply* or feeling that law *Clashed with Business Needs* (e.g. CWR, 2017; FLSRC, 2006), consistent with the idea that some non-compliance results from employers' "principled disagreement with the regulation, or with requirements they consider arbitrary or unreasonable" (Black 2001, cited in Maconachie & Goodwin, 2010 p. 421). The HRPA's (2015) *Changing Workplaces Review* submission commented on both business needs ("giving new employees 10 sick days immediately can be burdensome to business (pg. 9)... as one senior HR professional put it, the ESA "has not been built to do flexible work environments"" (pg. 13)) and HR's *Ethical Steward* role ("two weeks' vacation is seen to be too little in today's economy... prorating vacation in the first year of an employee's term was also recommended. Forcing someone to work a year without vacation was seen as unfair in today's day and age" (pg. 14)).

Non-compliance is higher when laws are seen as impractical or onerous, as laws may be either in fact unsuited to the contemporary world of work, or perceived by employers to be so. This establishes in the minds of some employers a justification for ignoring the law much as, say, some drivers feel justified in violating speed limits on an empty highway (FLSRC, 2005, pg. 195).

Leah felt statutory law often does not reflect the needs or structure of modern work, citing knowledge workers who “generally expect and require high levels of task autonomy” (Legge, 2005, pg. 13) and workers in non-standard employment relationships excluded from some statutory protections (Fudge, 1999; Vosko et al., 2011, 2017). Chasserio and Legault (2003, 2005, 2010) found Canadian knowledge workers work considerably more hours than they are compensated for, are expected to work unpaid overtime, and flexible arrangements are “seldom made without the preliminary banking of extra hours. Moreover, arrangements were granted like favours and rewards in return for flexibility and self-sacrifice” (Chasserio & Legault, 2010, pg. 242). In contrast (and to comply with the *Spirit* of the law), Leah felt workers were not being exploited and the organization was cognizant of avoiding burnout and provided flexible schedules and discretion over when they started and what they did at work.

Workplace law was frequently described law as *Grey* in Study 3, as it is “written in broad brushstrokes as a means of resolving basic differences of opinion over what law should protect and how stringent measures should be” (Edelman 2016, pg. 14) and “it is in its use and interpretation that the significance of the legislation is both revealed and created” (Walters, 1991, pg. 728). HR is often tasked with determining how to interpret and administer ambiguous legal requirements (Cahill, 2001; Dobbin, 2009; Edelman 1990, 1992, 2004, 2016; Edelman et al., 1992, 1993, 1999, 2001). Practitioners responded by *Building Consensus* with referents and stakeholders, accepting *You Can't Be Perfect* but being *Fair and Ethical* and able to defend their actions.

6.1.7 Control Beliefs, Perceived Behavioural Control and Tenure

Control beliefs were influenced by management support or resistance, training, and legal advice and information in Study 1. In Study 2, control beliefs and PBC impacted compliance directly and indirectly but control beliefs were a stronger predictor, suggesting support and

resources matter more than self-efficacy. Control and descriptive normative beliefs were significantly related to PBC, consistent with the Study 3 finding that HR has more resources and support in *Strong Compliance Cultures* and *Perceptions of HR* can facilitate or impede compliance. Decision-making cultures, perceptions about HR, management support, legal advice and information, training, resources and knowledge influenced control beliefs in Study 3, suggesting that HR's roles and decision-making cultures are antecedents to both control beliefs and PBC. Including trusted referents and leaders in normative belief measures would likely have improved the significant relationship between PBC, descriptive beliefs, and compliance.

Tenure appears to increase compliance, unless perceived norms or the influence of coworkers is taken into account. Tenure directly impacted behaviour in Study 2 when attitudes and PBC were the final mediators but had a weak *negative* indirect effect on compliance when attitudes, perceived norms, or PBC mediated the relationship between descriptive normative beliefs and compliance, and when perceived norms mediated the relationship between injunctive normative beliefs and compliance. Tenure *and* knowledge influenced behaviour through several multiple mediation models in Study 20 (and particularly through control beliefs). Study 3 practitioners felt self-efficacy and knowledge came with experience, but some also noted experience did not necessarily increase exposure to or awareness of legal obligations. Measuring tenure as 'years of HR experience' in Study 2 may not have captured how frequently practitioners interact with legal issues or the variety of issues they encounter. Once again, including leaders and *trusted* referents in normative belief measures would aid in prediction, and taking HR's role and exposure to legal issues would clarify the impact of tenure.

6.1.8 Unionization

In contrast to research suggesting unions increase compliance (e.g. Budd & Brey, 2003), Hypothesis 6 was not supported and unionization did not directly impact behavioural beliefs or

attitudes in Study 2. Decoupling offers one explanation, as unionized employers can circumvent collective agreement provisions by making decisions based on ‘soft skills’ (Byron, 2010). Ineffective unions that act in self-interested ways rather than protecting workers (expressed by some in Study 3) or fail to engage meaningfully with workers and act as “paper tigers” (Boxall & Haynes, 1997, pg. 577) may also be relevant. Regulatory capture occurs when regulatory agencies promote the interests of groups they are meant to regulate rather than groups they are meant to protect (Bernstein, 1955; Downs, 1957). This is analogous to a union that does not address legal violations to avoid conflict with management. Like workers, unions may weigh the costs and benefits of litigation, taking the investment and likelihood of a successful outcome into account (Flanagan, 1989). If unions are perceived as only enforcing laws that benefit workers, highly likely to grieve compliant management decisions, or highly unlikely to grieve clear violations that would be expensive to litigate, this inconsistency would be salient to practitioners. Risk moderated a significant relationship between non-union firms, attitudes and compliance. Grievances may be seen as less risky than lawsuits or legal complaints because the grievance procedure is meant to be a flexible method of resolving disputes (Adams, 1987), and this may be particularly true when there is a good relationship between management and the union.

Working in a unionized firm had the strongest influence on descriptive normative beliefs (do key referents comply?) in Study 2, and unionization and descriptive normative beliefs influence compliance through attitudes, perceived norms, and perceived behavioural control. Hirsch et al. (1997) note unionized workers are likely to be “aware of the availability of workers' compensation benefits or they are quickly made aware by co-workers, shop stewards, or supervisors. Managers are not likely to discourage legitimate claims for workers' compensation, since such actions would be known to the union and could provoke the filing of a grievance” (p.

217). Institutional theory suggests practices spread in response to outside pressures through ‘coercive isomorphism’ (Di Maggio & Powell, 1983; Edelman and Suchman, 1997; Scott, 2008), which can be driven by unions (Boon et al., 2009; Paauwe & Boselie, 2003). The ‘union shock effect’ refers to changes employers make to boost efficiency to offset the cost of unions (e.g. Leibenstein, 1966; Slichter, 1941; Verma, 2005). Even if unions do not impact behavioural beliefs or attitudes, the increased compliance of referents may be part of a ‘union shock effect’.

Most Study 3 practitioners felt unions increased *Accountability* (“*in a unionized environment, the union probably has the most influence on compliance. In a non-unionized environment, senior management has the most influence on compliance because they have greater control over what their HR managers do*” (Ben)), and unionized workers were more knowledgeable (e.g. Budd & Mumford, 2004; Kramer, 2008; Weil, 1992). While most (but not all) Study 3 practitioners felt unions had a positive impact on compliance, some did not believe unions were necessary in workplaces with effective HR or ultimately had a positive impact on most firms or on workers. This is consistent with the unitarist idea that unions are an unnecessary constraint because firms with effective HR practices can fully meet managers’ and workers’ needs (Kaufman, 2010). Pohler and Luchak (2015) found employee-focused strategies moderate the relationship between unions and positive firm outcomes (e.g. growth, profitability, turnover) as it “can send a very clear signal to the union that management intends to co-operate rather than compete, and that the interests of both parties are more closely aligned” (pg. 448). Good relationships with unions helped proactively resolve issues and can decrease litigation.

6.1.9 Professional HR Designation

Normative isomorphism occurs when norms spread because they are endorsed and championed by professionals, professional associations, and educational institutions (Di Maggio & Powell, 1983; Edelman, 2016; Edelman and Suchman, 1997; Scott, 2008; Edelman et al.,

2001), including professional HR associations (Pohler & Willness, 2014). Study 2 suggested HR associations are not a form of normative isomorphism regarding compliance. Hypothesis 7 was not supported, and having or working towards an HR designation did not influence compliance through normative beliefs or perceived norms. HR designations *and* increased knowledge influenced compliance through several multiple mediation models (most strongly through control beliefs), likely because certification typically includes coursework, access to training and information, and networking opportunities. Knowledge influenced compliance through injunctive beliefs and perceived norms, but only for practitioners that did *not* have a designation.

Pohler and Willness (2014) frame provincial HR associations as a collective strategy for increasing HR's legitimacy, and suggest qualitative research can help clarify whether "espoused values are simply rhetoric and decoupled from the actual activities performed on a day-to-day basis" (pg. 482). Study 3 practitioners felt certification increased knowledge but had differing views on whether it improved compliance, depending on whether associations were perceived as *Useful* or kept practitioners *Accountable*. Some felt professional HR associations provided helpful resources, legal updates, and networking opportunities. Others described associations as a "*money grab*" that was not useful and did not promote accountability. The more cynical view clarifies why certification did not appear to be a source of normative isomorphism and did not impact normative beliefs or perceived norms directly in Study 2. Practitioners may feel associations espouse rather than enact values. Online comments from HR practitioners on news stories about HR certification reflect the cynicism expressed in Study 3:

It's a money grab, nothing more nothing less. Sure it's a good mean [sic] to keep you updated on new development in HR but did you see how much these workshops and conferences cost?? Plus the membership fees plus chapter fees eat a whole \$400-500+ per year, and for what? Just so that I get a monthly magazine from them? Sorry I get better bangs for that \$500/years + workshop/conference cost somewhere else (Money grap, 2015).

It's far too easy to obtain a CHRP, which means there are many people who have one that shouldn't and therefore has little value... When someone has their CFA, you can typically assume that individual is sharp and has a certain level of expertise. The exams are gruelling and pass rates are not high. This is not the case with a CHRP. Obtaining the CHRP should require the same rigour as a CFA designation if it wants to become credible (Not the same as other professional designations, 2013).

6.1.10 LMX Contribution

LMX contribution assesses whether followers are willing to exert extra effort for their supervisor (Liden & Maslyn, 1998). In Study 2, LMX contribution indirectly influenced compliance (particularly through control and behavioural beliefs) and was an antecedent to all beliefs. This likely reflects the fact that HR managers and (especially) senior leaders were referents in Study 3. As LMX involves social exchanges (Graen & Uhl-Bien, 1995), the advantages of compliance may be seen as beneficial to supervisors and putting forth extra effort may be perceived as an investment in obtaining access to support and resources. The positive relationship between LMX contribution, behavioural beliefs, and compliance was strongest for less experienced practitioners, perhaps because “the early relationship stages are a critical period that determines subsequent relationship quality” (Nahrgang, Morgeson & Ilies, 2009, pg. 256).

Martin et al.'s (2016) meta-analysis found job satisfaction mediates the link between LMX and task performance, analogous to the RAA proposition that attitudes predict behaviour. LMX has a positive impact on workplace safety (Hofmann, Morgeson & Gerras, 2003; Hofmann & Morgeson, 1999) and LMX contribution is negatively associated with counterproductive work behaviour (Jovanovich, 2018). In Study 2, LMX contribution influenced compliance through attitudes when perceived risk was low, perhaps because it is positively related to altruism and conscientiousness (Foo & Ansari, 2004). Chloe mentioned conscientiousness when asked about this finding, as practitioners who do additional work for their manager may be more “*rule-oriented*” and respond to compliance or additional work by saying “*okay, I will do that because I*

don't want to say no". Jack described conscientiousness and ethics, as *"the person doing the right thing will make the extra effort, whatever that might be. Coming after work and getting involved in other things and making sure things are getting done no matter what it would take"*.

6.1.11 Type of Employer

Sector did not have a direct or indirect impact on compliance in Study 2, but less knowledgeable public sector practitioners had stronger attitudes and increased compliance. Byron (2010) found discriminatory terminations more prevalent in the private sector but discriminatory promotions more prevalent in the public sector, as managers used the "abundance of screening devices" (pg. 453) in the public sector to screen out black and female candidates. Market pressure in the private sector may also reduce discrimination because it hurts competitiveness (Becker, 1971; Black & Brainerd, 2004; Peoples & Talley, 2001).

In contrast, Study 3 respondents felt compliance was higher in firms with more *Accountability*, and particularly in large, unionized, international, public sector, publicly-traded, not-for-profit firms, and organizations that aim to be *Employers of Choice*. Legal environment theory (Edelman 1990; 1992) suggests laws create norms that are more influential than the letter of the law, as legitimacy depends less on acting (or appearing to act) consistently with norms. Large and public sector organizations may be more strongly influenced by norms because of their visibility, potential for public scrutiny, fact that more legislation applies to the public sector, and/or economies of scale in large organizations (Dobbin et al., 1993; Edelman, 1990; 1992; Edelman et al., 1999; Kaufman, 2002; Kelly, 2010; Sutton & Dobbin, 1996). Mezas (2008) found foreign subsidiaries faced more US labour lawsuit judgements than US-owned firms, and subsidiaries with HR professionals had more lawsuits (likely because firms fire HR practitioners in response to lawsuits "to put out the fire" (pg. 240)). International firms often settle rather than litigate lawsuits because of the difficulties associated with litigation in a foreign country and

potential for discrimination (Clermont & Eisenberg, 1996). Institutional and legal environment theory also suggest international "firms that wish to be socially legitimate need to comply with the labour laws of the countries in which they have operations" (Boxell & Purcell, 2015, pg. 61), as compliance is an important way international firms signal their legitimacy (Kostova, Roth & Dacin, 2008; Pohler & Riddell, 2018). The "prominence and potential for doing harm" of large firms results in "more frequent contact with regulatory officials...Partly because their violations are more visible, partly because they are often more concerned about maintaining a public image as responsible" (Kagan, 1989, pg. 89), and these observations appear to apply to any firm that wants to be an *Employer of Choice*. Smaller firms were described as less likely to comply because they have fewer resources (including HR) (Banks, 2015; FLSRC, 2006) and feel they are less likely to be inspected (Noack & Vosko 2011; Vosko et al., 2017). A manager quoted in Kelly (2010) explained:

Smaller private employers and even smaller public employers are mystified by some of these laws. They don't quite know how to ask, "What does this mean?" They get very upset and all these changes are often beyond the capacity of smaller organizations to implement. Now that's not an excuse, but it's real. They may have an overworked HR department of one person, who now in addition to everything else that person is doing has to figure out how to get this information out, work with the payroll department, work with the supervisors, develop the policy for implementing, get a form ready. It's a lot of work (Kelly, 2010, pg. 55).

6.2. Contributions

6.2.1 Academic Contributions

This dissertation makes 3 main academic contributions. First, the study contributes to the HRM, legal, industrial relations and organizational behaviour literatures by clarifying how HR practitioners decide to comply with labour and employment law. "There is very little research directly observing employer reasons for complying or not with employment standards" (Banks, 2015, pg. 46) and this gap is especially notable in HR because of the profession's responsibility for workplace law (e.g. Edelman, 2016). Markoulli et al. (2017) frames this paucity of research

as a theory-practice gap (Rynes et al., 2007; Tenhiälä et al., 2016) that offers “a considerable opportunity for employment relations scholarship to embrace investigating the effects of laws as a major area of inquiry. As our analysis of the topic content of practitioner-oriented HR reveals, the law is a major area of inquiry” (pg. 396). This study also adds to the growing literature on HR risks (Becker & Smidt, 2016) and suggests the literature should move beyond sexual harassment and examine risks associated with other violations of workers’ rights. The strategic HRM literature has been criticized for emphasizing firm performance and neglecting ethical and employee-focused perspectives (Kaye, 1999; Lengnick-Hall et al., 2009). Framing compliance as *strategic* offers a way to meaningfully integrate ethical, employee, and performance-related outcomes. The Study 3 finding that HR’s *Ethical Steward* role operates in a pluralist *Regulator* framework and involves conflict and negotiation (Caldwell, 2003) clarifies how ethics is promoted in practice and contributes to the IR and HR literatures. While Garcia et al. (2014) found lay people emphasize the *spirit* when assigning culpability (holding culprits liable when the spirit is violated but the letter is not), limited research has explored how people make distinctions between the *spirit and letter* of law. The fact that HR practitioners sometimes opt to comply with the *Spirit* when it is perceived as having the *Same Result* and promoted *Ethics and Fairness* contributes to the legal literature. This exploratory study therefore highlights opportunities to address important gaps within and across literatures.

Second, the study extends the Reasoned Action Approach (Fishbein & Ajzen, 2010) to a new context. Reasoned action models are often used to study behaviour that is illegal or violates organizational or professional rules, but this appears to be the first study to use a reasoned action model to directly examine legal non-compliance as a ‘behaviour’. Reasoned action models are “the dominant theoretical approach” (Sniehotta, Presseau & Araújo-Soares, 2014, p. 1) for

studying health behaviours. McEachan et al.'s (2016) meta-analysis found the RAA explains 58.7% of the variance in health behaviour, while Study 2 explained approximately 60% of the variance in compliance. Although collecting data on non-compliance is challenging (Banks, 2015; Mirchandani et al., 2018; Noack et al., 2015), the RAA appears well-suited to examine individual factors that influence compliance (Arias, 2015) and opens doors for future research.

Third, the findings make a contribution to our understanding of compliance. Study 2 found perceived social pressure, positive or negative evaluations, advantages and disadvantages, resources that enable or prevent compliance, perceived risk, knowledge and tenure had the strongest impact on compliance. Study 3 was largely consistent with these findings, and highlighted the important role of senior leaders, demonstrated HR's strategies for encouraging compliance echoed HR's strategies for gaining buy-in as a 'strategic partner' (e.g. Brockbank & Ulrich, 2003), and the importance of ethics. When the decision to comply was ultimately in managers' hands, HR practitioners could do everything 'right' to build buy-in and provide strategic advice but fail to impact compliance. This echoes research highlighting tensions within the HR role more generally (e.g. Guest & King, 2004; Legge, 1978, 2005).

6.2.2 Practical Contributions

Storey, Ulrich and Wright (2009) note "legal and regulative requirements" are one of the four "hot topics" which practicing [HR] managers tell us they are keen to know more about" (pg. 8). Risk and knowledge had a strong impact on compliance in Study 2 and 3. On a macro level, this suggests a deterrence-based enforcement system (that assumes violations are often intentional) would shift perceptions of risk and the value placed on legal knowledge and compliance (Amodu, 2008; Gunningham, 2010; Hawkins, 2002; Pearce & Tombs, 1990; Vosko et al., 2011, 2016, 2017). To encourage greater compliance with the *letter* of the law, governments could consider reviewing legislation with employers and workers to ensure it reflects the structure of

modern work and operates in a fair way and/or increasing the number of inspections. As HR's success in promoting compliance depends on whether leaders solicit and accept advice, increasing the risk of non-compliance would also be beneficial for the HR profession. More generally, giving HR departments the line authority to make compliance decisions may have a positive impact on compliance.

Senior leaders were the referent with the strongest impact on compliance in Study 3, but were sometimes unaware of their influence. Leaders should ensure they model compliance and make it clear that they expect all organizational members to comply. Formally holding managers at all levels accountable for compliance (Edelman, 2016; Edelman & Petterson, 1999) offers a way to balance tensions between staff and line authority. Brandl and Pohler's (2010) qualitative study found CEOs felt workplace law limited their ability to make HR decisions. HR's strategic role was more strongly influenced by perceptions that HR decisions are within the CEO's control and the CEO's willingness to delegate than attitudes towards HR's effectiveness. Following Brandl and Pohler (2010), HR should draw attention to opportunities for the CEO to make compliance decisions, and highlight how compliance can help meet firm objectives. Hofeditz et al. (2017) found senior employees had weaker intentions to follow compliance management guidelines (e.g. rules surrounding corporate governance) than employees at lower levels, but the indirect costs of violations (e.g. feeling bad) were more strongly related to attitudes and intentions to comply for senior employees. This suggests HR's *Ethical Steward* compliance role may be especially effective at more senior levels.

Study 3 practitioners felt law did not receive sufficient attention in HR education, describing it as analogous to a theory-practice gap (Rynes et al., 2007; Tenhiälä et al., 2016). Practitioners noted employment law classes are typically not required in HR programs, and

(outside of required labour relations classes), law was covered on the surface rather than in detail when it was included. This gap was attributed to different legislation in different jurisdictions and HR professors not feeling qualified to discuss law. HR programs should therefore consider requiring courses on law, and HR instructors should incorporate activities that explicitly cover legal issues (outside of labour relations classes), invite lawyers to speak on legal issues, and collaborate with legal faculty or lawyers to develop HR cases. Mia felt understanding how to interpret legislation and legal decisions and how to negotiate would be particularly valuable for HR practitioners. Given the emphasis on risk and difficulty practitioners sometimes encountered in encouraging managers to comply, HR programs should also consider requiring negotiation classes. More generally, ensuring employment law is an explicit part of the Canadian high school education system would promote compliance by reducing legal ignorance and increasing the risk of non-compliance.

Unionization did not have a strong impact on compliance in Study 2. Unions should consider why this discrepancy exists, as it may be a result of disengagement with members (Boxall & Haynes, 1997), decoupling (Byron, 2010), regulatory capture (Bernstein, 1955; Downs, 1957), limited resources (Flanagan, 1991), or management decisions to violate laws and later resolve complaints through the grievance procedure. Although Study 3 respondents felt unions increased compliance through increased accountability, a union that has limited impact over compliance is not meeting the needs of its members. This is especially relevant because taking a more active enforcement role non-unionized workplaces would create an opportunity for unions to increase their relevance while improving legal compliance (Vosko & Thomas, 2014). For example, offering a free legal training session for all workers would create an opportunity to increase workers' legal knowledge and outline the increased legal protections governing

unionized workers.

Belonging to a professional HR association did not influence perceived norms or normative beliefs surrounding compliance in Study 2. In Study 3, practitioners disagreed about whether professional certification improved compliance, with assessments depending on perceptions of HR association's *Usefulness* and *Accountability*. As HR associations seek to improve the legitimacy of the HR profession as a whole (Pohler & Willness, 2014), associations may want to consider increasing oversight and sanctions for members that are directly involved in legal violations (e.g. by monitoring legal and grievance decisions) and advocating for HR practitioners to have line authority to make compliance decisions in organizations. Another solution is to allow any interested individual to purchase a *membership* in the association, while reserving *certification* for individuals that pass rigorous, relevant, and ongoing assessments that include legal knowledge. Edelman (2016) notes "many websites and newsletters offered by law firms or management consulting firms are available free of charge but are designed to convince employers that they need to pay for more in-depth analysis of, and more specialized solutions to, the legal risks they face" (pg. 98). Study 3 respondents echoed this idea, and often felt law firms and private HR associations were more helpful than professional associations. Professional associations should consider offering a greater number of compliance resources and training for free, reserving specialized resources for members or certificated practitioners. Offering legal training sessions to workers and managers may also increase the perception that professional associations increase accountability and provide useful compliance resources. Finally, practitioners felt their legal research very often involved 're-creating the wheel' and finding and reviewing laws and caselaw. A comprehensive place to get locate laws and caselaw governing work and receive legal updates was perceived as a very helpful solution, and this is something

professional HR associations should consider providing.

6.3 LIMITATIONS AND FUTURE RESEARCH DIRECTIONS

The findings of this dissertation may not be generalizable, as Study 1 and Study 2 did not have a representative sample and Study 3 was qualitative in focus. Reasoned action studies rely on self-report measures, self-reported compliance was examined as the behaviour of interest, and interpretivism explores subjective experience. Respondents may have difficulty recalling how often they complied, under-report non-compliance, and/or over-report compliance (Fishbein & Ajzen, 2010). Self-assessed knowledge is also a subjective measure, and practitioners may have incorrectly assessed their level of knowledge. Future quantitative researchers should consider including ‘objective’ measures of compliance and knowledge. For example, respondents could be presented with short vignettes, asked how they would respond, and then asked about legal issues in the scenario. From a qualitative or mixed-methods lens, diary studies provide a nuanced way to measure behaviour, reduce retrospective bias (Bolger, Davis, & Rafaeli, 2003; Hyers, 2018; Symon, 1998), and are particularly useful for investigating stigmatized behaviour (Leadbetter, 1993).

Because of the exploratory nature of the study, it examined compliance with broadly-defined ‘workplace law’. The emerging literature on legal risks in HR heavily emphasizes sexual harassment (Becker & Smidt, 2016), and different considerations likely apply with different kinds of regulations. Future researchers should consider evaluating compliance with a wider variety of laws, particularly because firms that are non-compliant with laws in one area may be more likely to violate other workplace laws (Kelly, 2010). The RAA and/or a qualitative approach appear very well-equipped for this purpose, and offers a way to study different regulations, differences across jurisdictions, and differences amongst actors (e.g. HR, managers, union, or government officials). Although senior leaders’ influence over HR is widely

acknowledged, senior leader perceptions have largely been neglected within empirical HRM research (Boada-Cuerva et al., 2018). Future research should therefore explore how leader perceptions and HR's role influence compliance decisions. Study 3 practitioners felt vulnerable workers were most likely to experience violations, but had limited direct experience in this context. This is another important arena for future research. Alumni associations, HR or management associations, and student-recruited samples may offer ways to access workers, managers, and HR practitioners in precarious workplaces.

Risk indirectly influenced compliance in Study 2. Study 3 respondents felt *Compliance is Strategic* and *Mitigating Risk* was part of HR's role, but these outcomes are difficult to measure and often hidden. Future research should endeavour to quantify the effect of compliance. Although it is challenging to collect data on non-compliance (e.g. Banks, 2015; Mirchandani et al., 2018; Noack et al., 2015) and HR policies and practices are notoriously difficult to measure (e.g. Gerhart et al., 2000; Wright et al., 2001), a diary-based mixed-methods study is again well-suited to this purpose.

Several variables that were emphasized in Study 3 were not included in Study 2 (e.g. decision-making culture, descriptive normative beliefs involving senior leaders, trusted referents, type of employer, different risks (e.g. lawsuits, bad publicity)). These factors should be included in future studies. Researchers should also consider how all dimensions of LMX influence compliance and whether traits associated with LMX (such as conscientiousness and altruism (Foo & Ansari, 2004)) are relevant.

Study 2's exploratory factor analysis was sufficient, but weaker than anticipated. Although the RAA is a very well-established theory, future researchers should ensure they conduct EFAs in RAA studies, and include a variety of measures in case items do not load onto

the expected factors. Data for Study 2 was collected online, and included a number of duplicate or partially duplicate IP addresses. Although incentive payment was small (a \$5.00 coffee card) and there is a need to balance confidentiality concerns with data integrity concerns, future researchers should be mindful of this potential.

6.4 CONCLUSION

This dissertation investigated factors that influence Canadian HR practitioners' decisions to comply with workplace law. It suggests compliance is an important norm in the HR profession, practitioners have positive attitudes towards compliance and feel its advantages outweigh its disadvantages, and resources, self-efficacy, risk, knowledge, senior leader support, HR's role and authority, and how organizations make decisions about legal issues influence compliance. The Reasoned Action Approach and a mixed-methods design was ultimately an effective way of studying individual decisions to comply (or not comply) and the complex issues surrounding legal violations. Given the importance of compliance within the HR profession and Canadian workplaces, this exploratory study makes an important contribution to the fields of human resource management, law, industrial relations, and organizational behaviour, and offers a number of important avenues for future research.

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**Appendix 1:
Study 1: Participants**

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	Belief Elicitation Study (N = 50)	Pilot Survey Questionnaire (N = 28)
Age		
20 – 24	2	1
25 – 29	13	7
30 – 34	15	8
35 – 39	6	4
40 – 44	3	2
45 – 49	0	0
50 – 54	4	4
55 – 59	1	0
No response	6	2
Gender		
Male	13	5
Female	34	22
No response	3	1
Years of HR Experience		
Less than 1	3	1
1 - 3	9	3
4 - 6	14	10
7 - 10	11	6
11 - 20	8	5
21 - 29	2	2
No response	3	1
HR Position		
HR Practitioner	39	23
HR Manager	8	4
No response	3	1
Sector		
HR experience in the private sector only	19	11
HR experience in the public sector only	6	3
HR experience in both the private and public sectors	22	13
No response	3	1
Experience with Unions		
HR experience in non-union workplaces only	21	12
HR experience in unionized workplaces only	2	1
HR experience in both union & non-union workplaces	23	13
No response	4	2
Certified Human Resource Professional Designation		
Have or are working towards an HR designation	25	17
Do not have/not working towards an HR designation	22	10
No response	3	1
Education		
College diploma	1	0
Undergraduate degree	14	11
Undergraduate degree and college diploma	1	0
Graduate degree in progress	9	7
Graduate degree	19	9
No response	6	1

**Appendix 2:
Study 1: Belief Measures Developed in the Belief Elicitation Survey**

Behavioural Belief Strength	Outcome Evaluation
<i>In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will reduce the risk of legal challenges and legal costs [very unlikely/likely]</i>	<i>Reducing the risk of legal challenges and legal costs is [bad/good]</i>
<i>In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will promote ethics and fairness in the workplace [very unlikely/likely]</i>	<i>Promoting ethics and fairness in the workplace is [bad/good]</i>
<i>In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will protect employee rights [very unlikely/likely]</i>	<i>Protecting employee rights is [bad/good]</i>
<i>In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will require increased time investment [very unlikely/likely]</i>	<i>Investing additional time to ensure full compliance is [bad/good]</i>
Injunctive Normative Belief Strength	Motivation to Comply
<i>The HR practitioners and HR managers I work with think I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [very unlikely/ likely]</i>	<i>When it comes to workplace issues, I want to do what the HR practitioners and managers I work with think I should do [strongly disagree/agree]</i>
<i>Senior management thinks I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [very unlikely/ likely]</i>	<i>When it comes to workplace issues, I want to do what senior management thinks I should do [strongly disagree/agree]</i>
<i>Everyone thinks I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [very unlikely/ likely]</i>	<i>When it comes to workplace issues, I want to do what everyone thinks I should do [strongly disagree/agree]</i>
<i>Line managers and supervisors think I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [very unlikely/ likely]</i>	<i>When it comes to workplace issues, I want to do what line managers and supervisors think I should do [strongly disagree/agree]</i>

**Appendix 2:
Study 1: Belief Measures Developed in the Belief Elicitation Survey**

Descriptive Normative Belief Strength	Identification with Referent
<p><i>Most HR practitioners and HR managers I work with will ensure full compliance with workplace law over the next 6 months [very unlikely/ likely]</i></p>	<p><i>When it comes to workplace issues, how much do you want to be like the HR practitioners and HR managers you work with? [not at all/very much]</i></p>
<p><i>Most lawyers and legal departments will ensure full compliance with workplace law over the next 6 months [very unlikely/ likely]</i></p>	<p><i>When it comes to workplace issues, how much do you want to be like lawyers and legal departments? [not at all/very much]</i></p>
<p><i>Most line managers and supervisors will ensure full compliance with workplace law over the next 6 months [very unlikely/ likely]</i></p>	<p><i>When it comes to workplace issues, how much do you want to be like line managers and supervisors? [not at all/very much]</i></p>
Power of Control Factor	Control Belief Strength
<p><i>Management support will enable me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [strongly disagree/ agree]</i></p>	<p><i>Over the next 6 months, I will experience management support when it comes to ensuring full compliance with workplace law as an HR practitioner [very unlikely/likely]</i></p>
<p><i>Access to training about workplace law will enable me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [strongly disagree/ agree]</i></p>	<p><i>Over the next 6 months, I will have access to training about workplace law in my role as an HR practitioner [very unlikely/ likely]</i></p>
<p><i>Pressure or resistance from management will make it difficult for me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner [strongly disagree/ agree]</i></p>	<p><i>Over the next 6 months, I will experience pressure and resistance from management when it comes to ensuring full compliance with workplace law in my role as an HR practitioner [very unlikely/ likely]</i></p>

Appendix 3:
Study 1: Reliability Assessment (Bold Items Retained)

Attitudes ($\alpha = 0.87$)	
A1	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [not worthwhile/worthwhile]
A2	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [impractical/practical]
A3	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [inconvenient/convenient]
A4	<i>As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [bad/good]</i>
A5	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [punishing/rewarding]
A6	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [unpleasant/pleasant]
A7	<i>As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [positive/negative] ** reversed scored</i>
A8	<i>As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [harmful/beneficial]</i>
Perceived Norms ($\alpha = 0.81$)	
N1	Most people who are important to me think that, as an HR practitioner, I should ensure full compliance with workplace law over the next 6 months [strongly disagree/agree]
N2	Over the next 6 months, most HR practitioners would ensure full compliance with workplace laws [strongly disagree/agree]
N3	Most people whose opinions I value would approve of me ensuring full compliance with workplace law over the next 6 months in my role as an HR practitioner [strongly disagree/agree]
N4	Most people important to me want me to ensure full compliance with workplace laws over the next 6 months as an HR practitioner [strongly disagree/agree]
N5	If most people important to me were working in HR, they would ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]
N6	Of the HR practitioners whose opinions I value, _____ will ensure full compliance with workplace law over the next 6 months [none/all]
Perceived Behavioural Control ($\alpha = 0.83$)	
PBC1	As an HR practitioner, I could easily ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]
PBC2	As an HR practitioner, whether or not I ensure full compliance with workplace laws over the next 6 months is up to me [strongly disagree/agree]
PBC3	As an HR practitioner, how much do you feel that ensuring full compliance with workplace laws over the next 6 months is beyond your control? [very much/not at all]
PBC4	As an HR practitioner, if I really wanted to, I am confident that I can ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]

Appendix 3:
Study 1: Reliability Assessment (Bold Items Retained)

Intentions ($\alpha = 0.88$)	
Intent1	As an HR practitioner, how likely is it that you will ensure full compliance with workplace laws over the next 6 months? [very unlikely/very likely]
Intent2	As an HR practitioner, I will ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]
Intent3	As an HR practitioner, I intend to ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]
Intent4	As an HR practitioner, I plan to ensure full compliance with workplace laws over the next 6 months [strongly disagree/agree]
Perceived Risk ($\alpha = 0.78$)	
R1	I believe the risk of violating workplace law is severe [strongly disagree/agree]
R2	It is possible that violations of workplace law will be detected [strongly disagree/agree]
R3	People and organizations that violate workplace law are at risk [strongly disagree/agree]
R4	I believe the risks of violating workplace laws are significant [strongly disagree/agree]
R5	I believe the risks of violating workplace laws are serious [strongly disagree/agree]
R6	It is likely that violations of workplace law will be detected [strongly disagree/agree]
Marker Variable (Work-Life Balance) ($\alpha = 0.67$)	
M1	I maintain balance between ‘work’ and ‘play’ [strongly disagree/agree]
M2	I get enough rest and sleep most of the time [strongly disagree/agree]
M3	I undertake activities that help reduce stress and anxiety [strongly disagree/
Self-Assessed Legal Knowledge	
K1	Generally speaking, how well informed do you feel about workplace law? [(1) not very well informed at all, (2) not well informed, (3) well informed, (4) very well-informed]
Behaviour ($\alpha = 0.72$)	
B1	Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? [none/a lot]
B2	Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? [never/always]
B3	In your role as an HR practitioner, as different legal issues have come up, approximately what percentage of the time did you ensure full compliance with workplace laws over the past 6 months? [1-10%; 11-20%; 21-30%; 31-40%; 41-50%; 51-60%; 61-70%; 71-80%; 81-90%; 91-95%; 96-100%]

Appendix 4:
Study 1: Skewness and Kurtosis
(Bold Items Retained; Asterisks Denote Transformed Data)

Measure	Mean	Skewness	Kurtosis	Measure	Mean	Skewness	Kurtosis
Att1	6.32	-1.28 ^b	0.74	<i>Norm1</i>	5.96	-1.94 ^c	4.69 ^c
Att2	5.61	-1.06 ^a	0.3	Norm1*	6.64	-1.21 ^b	1.33
Att3	5.21	-0.52	-0.24	Norm2	4.93	-0.67	-0.02
Att4	6.43	-2.07^c	4.07 ^c	Norm3	6.18	-1.77 ^c	2.72 ^b
Att4*	6.79	-1.67 ^c	2.07 ^a	<i>Norm4</i>	5.71	-1.63 ^c	2.65 ^b
Att5	5.89	-0.91 ^a	-0.55	Norm4*	6.56	-0.99 ^a	0.60
Att6	5.89	-1.59 ^c	2.41 ^b	Norm5	5.64	-1.29 ^b	1.42
Att6*	6.61	-0.83	0.03	Norm6	5.57	-1.44 ^b	2.53 ^b
Att7	6.39	-2.00^c	4.74 ^c	Intent 1	5.57	-0.81 ^a	-0.48
Att7*	6.77	-1.43 ^b	1.79 ^a	Intent 2	5.75	-1.46 ^c	1.97 ^a
Att8	6.36	-1.92 ^c	4.55 ^c	<i>Intent 3</i>	6.18	-1.96 ^c	3.63 ^c
Att8*	6.76	-1.33 ^b	1.57	Intent 3*	6.72	-1.31 ^b	0.83
PBC1	4.96	-0.92 ^a	0.57	Intent4	5.93	-1.15 ^b	0.77
PBC2	5.43	-0.78	-0.15	<i>Risk1</i>	5.75	-1.75 ^c	2.91 ^c
PBC3	4.61	-0.48	-1.06	Risk1*	6.58	-1.14 ^b	0.80
PBC4	4.11	0.41	-0.43	Risk2	4.93	-0.27	-0.89
PBC5	5.57	-0.76	-0.46	Risk3	6.11	-1.41 ^b	1.77 ^a
Bhvr1	5.75	-1.04 ^a	0.92	Risk4	6.11	-1.28 ^b	0.75
Bhvr2	5.82	-0.69	-0.62	<i>Risk5</i>	5.96	-2.02^c	5.11 ^c
Bhvr3	8.29	-1.06 ^a	-0.02	Risk5*	6.64	-1.24 ^b	1.61
Marker1	4.96	-0.6	-0.29	Risk6	4.54	0.14	-1.12
Marker2	4.5	-0.36	-1.02				
Marker3	5.79	-0.7	-0.21				

*** Data transformed using a reflected square root transformation**

^a $p < .05$; ^b $p < 0.01$ ^c $P < 0.001$

**Appendix 5:
Study 1: CFA Fit Indices**

Factor Model	N	χ^2	<i>df</i>	CFI	SRMR	RMSEA
<i>Attitudes: 5-Item Model</i>	28	16.10 ^b	5	0.88	0.077	0.29
Attitudes: Respecified 5-Item Model	28	5.57	4	0.98	0.062	0.12
Perceived Norms: 6-Item Model	28	14.68	9	0.93	0.073	0.15
PBC: 4-Item Model	28	4.55	4	0.94	0.069	0.22
<i>Perceived Risk: 6-Item Model</i>	28	28.38 ^c	9	0.73	0.130	0.28
Perceived Risk: Respecified 6-Item Model	28	9.72	6	0.95	0.084	0.15
Intentions (4-item) and Behaviour (3-Item): Models with Imputed Variables	28	17.84	13	0.97	0.056	0.12
<i>Intentions (4-item) and Behaviour (3-Item): Model with all non-responses removed</i>	23	27.90 ^b	13	0.89	0.087	0.23
Intentions and Behaviour: Respecified Models with non-responses removed	23	20.54	12	0.94	0.084	0.93

^a $p < .05$; ^b $p < 0.01$ ^c $p < 0.001$

Appendix 6:

Study 2: Data Screening Procedures for Missing Data and Duplicate IP Addresses

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The survey was opened by 419 respondents; 19 were screened out for lacking HR experience and 3 for not consenting. There were 125 incomplete surveys (29 respondents who submitted an incomplete survey(s) later completed a survey): 76 respondents did not answer any questions, 39 closed the questionnaire after viewing less than 50% of the questions, 4 closed the questionnaire prior to viewing 80% of the questions, and 6 viewed all questions but missed responses on 1 or 2 independent variables. Little's MCAR test was conducted on these responses and was insignificant ($\alpha = .12$), indicating data was missing completely at random. These cases were removed through list-wise deletion (Hair et al., 2010; Tabachnick & Fidell, 2012).

The remaining 272 responses included 175 unique IP addresses and 97 duplicate or partially duplicate IP addresses. Duplicate IP addresses can occur if an individual completes multiple surveys, or multiple participants respond from a network that rotates addresses and/or assigns identical external addresses to all users (Bauermeister et al., 2012; Bowen et al., 2008; Gordon & McNew, 2008; Gray et al., 2015; Teitcher, 2015). The first 3 quadrants of an IP address are identical if devices are on the same network (e.g. computers in the same office) (Grey et al., 2015). Duplicate entries compromise data integrity, but "removal of all suspicious entries is an inadequate data quality strategy as it may exclude valid data, decrease statistical power, and bias conclusions drawn from the study" (Bauermeister et al., 2012, p. 287). These risks were particularly strong because snowball sampling was employed and respondents who shared the link likely shared it with coworkers. Responses from duplicate addresses were manually reviewed for data quality indicators (e.g. realistic competition times, internal inconsistency) (Bauermeister et al., 2012; Grey et al., 2015; Konstan et al., 2012; Koo & Skinner, 2005); 59 responses were removed and 38 were retained and flagged for post-hoc analysis (see Appendix 16).

Of note, Case 1 and 2 were consistent with the "very persistent" repeat responders who made between 11-30 attempts in Bowen et al. (2008)'s survey to receive a \$15 incentive. Case 1 involved 26 responses from an IP address associated with other suspicious trends on all but the first response (e.g. gibberish answers, unrealistic response times, sequential survey attempts, internally inconsistent answers). It appears this respondent was eligible to participate and made duplicate submissions to receive additional incentives. Following Grey et al. (2015) and Konstan et al. (2012), the first response was retained because it appeared valid, and all subsequent responses were removed. Case 2 involved 24 responses completed in the middle of the night in North America, contained gibberish and duplicate answers (e.g. multiple surveys from a 30-34 year old male who worked in recruitment). Consistent with the observation that duplicate IP addresses may be less telling than other trends (Bauermeister et al., 2012; Grey et al., 2015; Konstan et al. 2012), only 2 of these responses came from duplicate IP addresses and 22 were associated with addresses throughout the United States. It did not seem reasonable to conclude these responses came from individuals with Canadian HR experience, and all were removed. As Case 2 came from the survey link posted on the Provincial HR Association's website, the 3 other responses from this source were reviewed. They appeared to be from legitimate respondents (e.g. realistic response times, internally consistent answers, unique responses to open-ended questions) and were retained.

The removal of surveys with missing data and suspicious entries associated with duplicate IP addresses resulted in 213 usable responses. Appendix 16 outlines the post-hoc analysis procedure for the duplicate or partially duplicate IP addresses that were retained.

Appendix 6:

Study 2: Data Screening Procedures for Missing Data and Duplicate IP Addresses

Case	# of Duplicates	Decision	Rationale
1	26	Response 1 retained; Responses 2-26 removed	Response 1 had no suspicious trends; Responses 2-26 had suspicious trends (e.g. gibberish responses, unrealistic response times, internal inconsistency, sequential attempts)
2	24	All Removed	Responses had suspicious data (e.g. sequential attempts late at night, repeated and gibberish answers, US-based IP addresses)
3	2	All Removed	Response 1 had internal inconsistencies (11-13 years of HR experience at 25-29 years old); Response 2 was completed within a minute of Response 1.
4	4	Response 1 retained; Response 3-4 removed	Response 1 had no suspicious trends; Responses 2-4 were completed sequentially and had similar answers
5	2	Response 1 retained; Response 2 removed	Response 1 had no suspicious trends; Response 2 was completed sequentially with similar answers (including to open-ended questions)
6	2	Response 1 retained; Response 2 removed	Response 1 had no suspicious trends; Responses 2 was completed sequentially with similar answers
7	2	Response 1 retained; Response 2 removed	Response 1 had no suspicious trends; Responses 2 was completed sequentially with similar answers
8	2	Response 1 retained; Response 2 removed	Response 1 had no suspicious trends; Responses 2 was completed sequentially with similar answers
9	2	Response 1 retained; Response 2 removed	Response 1 had no suspicious trends; Responses 2 was completed sequentially with similar answers
10	7	Retain all	No suspicious data trends
11	5	Retain all	No suspicious data trends
12	5	Retain all	No suspicious data trends
13	4	Retain all	No suspicious data trends
14	3	Retain all	No suspicious data trends
15	3	Retain all	No suspicious data trends
16	2	Retain all	No suspicious data trends
17	2	Retain all	No suspicious data trends
18	2	Retain all	No suspicious data trends
19	2	Retain all	No suspicious data trends
20	2	Retain all	No suspicious data trends
21	2	Retain all	No suspicious data trends
22	2	Retain all	No suspicious data trends

**Appendix 7:
Study 2: Participants**

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	After Data Cleanup (213)	Final Sample (208)		After Data Cleanup (213)	Final Sample (208)
Age			Gender		
20 – 24	35	34	Female	151	148
25 – 29	62	60	Male	42	40
30 – 34	48	47	Not applicable	2	2
35 – 44	34	34	No response	18	18
45 – 54	26	26	HR Position		
55 – 64	6	6	HR Practitioner	193	188
65 – 69	2	1	HR Manager	12	12
			No response	8	8
HR Experience and Unions			Sector		
In non-union	80	79	In private sector	128	124
In union firm	133	129	In public sector	85	84
HR experience in both	91	88	HR experience in both sectors	74	71
Only non-union HR experience	42	42	Only private sector HR experience	94	92
Only union HR experience	80	78	Only public sector HR experience	45	45
Tenure (Years of HR experience)			Professional HR Designation		
Less than 1	32	31	Has/currently working towards	123	119
1 – 3	52	50			
4 – 6	44	43	Does not have	90	89
7 – 10	36	36	Jurisdiction		
11 – 20	35	35	Ontario	167	164
21- 29	12	12	Alberta	7	7
30 +	2	1	British Columbia	3	3
HR Role			Federally Regulated	8	8
Generalist/Multiple	126	123	Manitoba	4	3
HR Manager	12	12	New Brunswick	11	11
Compensation and Benefits	11	11	Newfoundland and Labrador	4	3
HR Planning and Strategic HRM	2	2	Northwest Territories	1	1
			Nova Scotia	1	1
Labour relations	6	6	Québec	1	1
Organizational effectiveness	1	1	Saskatchewan	3	3
			Yukon Territories	2	2
Recruitment	38	37	No response	1	1
Training and development	6	5			
Health, safety and wellness	3	3			
No response	8	8			

**Appendix 7:
Study 2: Participants**

	After Data Cleanup (213)	Final Sample (208)
Education		
High school degree	7	7
Continuing Education degree	8	8
College degree	15	15
Undergraduate degree	58	58
Continuing education and college degrees	2	2
Undergraduate and college degrees	26	26
Continuing education and undergraduate degrees	3	3
Graduate degree	32	32
Undergraduate in progress	39	37
College degree; undergraduate in progress	1	1
Graduate degree in progress	22	19

**Appendix 8:
Study 2: Survey Questionnaire Scale Items**

BEHAVIOURAL BELIEFS

1. In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will reduce the risk of legal challenges and legal costs
2. In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will promote ethics and fairness in the workplace
3. In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will protect employee rights
4. In your role as an HR practitioner, ensuring full compliance with workplace law over the next 6 months will require increased time investment

1 Very Unlikely	2	3	4	5	6	7 Very Likely
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5. Reducing the risk of legal challenges and legal costs is
6. Promoting ethics and fairness in the workplace is
7. Protecting employee rights is
8. Investing additional time to ensure full compliance is

1 Bad	2	3	4	5	6	7 Good
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INJUNCTIVE NORMATIVE BELIEFS

1. The HR practitioners and HR managers I work with think I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
2. Senior management thinks I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
3. Everyone thinks I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
4. Line managers and supervisors think I should ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner

1 Very Unlikely	2	3	4	5	6	7 Very Likely
-----------------	---	---	---	---	---	---------------

5. When it comes to workplace issues, I want to do what the HR practitioners and managers I work with think I should do
6. When it comes to workplace issues, I want to do what senior management thinks I should do
7. When it comes to workplace issues, I want to do what everyone thinks I should do
8. When it comes to workplace issues, I want to do what line managers and supervisors think I should do

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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DESCRIPTIVE NORMATIVE BELIEFS

1. Most HR practitioners and HR managers I work with will ensure full compliance with workplace law over the next 6 months
2. Most lawyers and legal departments will ensure full compliance with workplace law over the next 6 months
3. Most line managers and supervisors will ensure full compliance with workplace law over the next 6 months

1 Very Unlikely	2	3	4	5	6	7 Very Likely
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**Appendix 8:
Study 2: Survey Questionnaire Scale Items**

DESCRIPTIVE NORMATIVE BELIEFS (CONTINUED)

4. When it comes to workplace issues, how much do you want to be like the HR practitioners and HR managers you work with?
5. When it comes to workplace issues, how much do you want to be like lawyers and legal departments?
6. When it comes to workplace issues, how much do you want to be like line managers and supervisors?

1 Very Much	2	3	4	5	6	7 Not At All
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CONTROL BELIEFS

1. Management support will enable me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
2. Access to training about workplace law will enable me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
3. Pressure or resistance from management will make it difficult for me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner
4. Access to legal advice and information will enable me to ensure full compliance with workplace law over the next 6 months in my role as an HR practitioner

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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5. Over the next 6 months, I will experience management support when it comes to ensuring full compliance with workplace law as an HR practitioner
6. Over the next 6 months, I will have access to training about workplace law in my role as an HR practitioner
7. Over the next 6 months, I will experience pressure and resistance from management when it comes to ensuring full compliance with workplace law in my role as an HR practitioner

1 Very Unlikely	2	3	4	5	6	7 Very Likely
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ATTITUDES

As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be...

1 Not Worthwhile	2	3	4	5	6	7 Worthwhile
1 Impractical	2	3	4	5	6	7 Practical
1 Inconvenient	2	3	4	5	6	7 Convenient
1 Punishing	2	3	4	5	6	7 Rewarding
1 Unpleasant	2	3	4	5	6	7 Pleasant

PERCEIVED NORMS

1. Most people who are important to me think that, as an HR practitioner, I should ensure full compliance with workplace law over the next 6 months
2. Over the next 6 months, most HR practitioners would ensure full compliance with workplace laws
3. Most people whose opinions I value would approve of me ensuring full compliance with workplace law over the next 6 months in my role as an HR practitioner
4. Most people important to me want me to ensure full compliance with workplace laws over the next 6 months as an HR practitioner
5. If most people important to me were working in HR, they would ensure full compliance with workplace laws over the next 6 months

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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6. Of the HR practitioners whose opinions I value, _____ will ensure full compliance with workplace law over the next 6 months

1 None	2	3	4	5	6	7 All
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**Appendix 8:
Study 2: Survey Questionnaire Scale Items**

PERCEIVED BEHAVIOURAL CONTROL

1. As an HR practitioner, I could easily ensure full compliance with workplace laws over the next 6 months
2. As an HR practitioner, whether or not I ensure full compliance with workplace laws over the next 6 months is up to me
3. As an HR practitioner, if I really wanted to, I am confident that I can ensure full compliance with workplace laws over the next 6 months
4. If I want to, I could ensure full compliance with workplace law over the next 6 months

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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5. As an HR practitioner, how much do you feel that ensuring full compliance with workplace laws over the next 6 months is beyond your control? ** reverse scored

1 Very Much	2	3	4	5	6	7 Not At All
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INTENTIONS

1. As an HR practitioner, I will ensure full compliance with workplace laws over the next 6 months
2. As an HR practitioner, I intend to ensure full compliance with workplace laws over the next 6 months
3. As an HR practitioner, I plan to ensure full compliance with workplace laws over the next 6 months

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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4. As an HR practitioner, how likely is it that you will ensure full compliance with workplace laws over the next 6 months?

1 Very Unlikely	2	3	4	5	6	7 Very Likely
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BEHAVIOUR

Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner?

1 Never	2	3	4	5	6	7 Frequently
1 Never	2	3	4	5	6	7 Always
1 None	2	3	4	5	6	7 A Lot

4. In your role as an HR practitioner, as different legal issues have come up, approximately what percentage of the time did you ensure full compliance with workplace laws over the past 6 months?

1 1-10%	2 11-20%	3 21-30%	4 31-40%	5 41-50%	6 51-60%	7 61-70%	8 71-80%	9 81-90%	10 91-95%	11 96-100%
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5. Over the past 6 months, I have ensured full compliance with workplace law in my role as an HR practitioner

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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PERCEIVED RISK

1. I believe the risk of violating workplace law is severe
2. It is possible that violations of workplace law will be detected
3. People and organizations that violate workplace law are at risk
4. I believe the risks of violating workplace laws are significant
6. I believe the risks of violating workplace laws are serious
7. It is likely that violations of workplace law will be detected

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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Appendix 8:
Study 2: Survey Questionnaire Scale Items

SELF-ASSESSED KNOWLEDGE

1. I know a lot about workplace law
2. I have a good understanding of workplace law
3. My knowledge of workplace law is strong
4. I am very familiar with workplace law
5. I am well-informed about workplace law

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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LMX CONTRIBUTION (Marker Variable)

1. I do work for my supervisor that goes beyond what is specified in my job description
2. I am willing to apply extra efforts, beyond those normally required, to meet my supervisor's goals
3. I do not mind working my hardest for my supervisor

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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WORK-LIFE BALANCE (Marker Variable)

1. I maintain balance between 'work' and 'play'
2. I get enough rest and sleep most of the time
3. I undertake activities that help reduce stress and anxiety

1 Strongly Disagree	2	3	4	5	6	7 Strongly Agree
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Appendix 9:
Study 2: Mean Scores for Belief Measures (Evaluated on a 7-Point Scale)

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Belief Measures	Mean
Behavioural Belief Strength 1: <i>Compliance reduces the risk of legal challenges and legal costs</i> [Very Unlikely/Very Likely]	5.89
Outcome Expectancy 1: <i>Reducing the risk of legal challenges and legal costs is</i> [Bad/Good]	6.27
Behavioural Belief Strength 2: <i>Compliance promotes ethics and fairness</i>	5.81
Outcome Expectancy 2: <i>Promoting ethics and fairness is</i> [Bad/Good]	6.51
Behavioural Belief Strength 3: <i>Compliance protects employee rights</i>	5.90
Outcome Expectancy 3: <i>Protecting employee rights is</i> [Bad/Good]	6.54
Behavioural Belief Strength 4: <i>Compliance requires increased time investment</i>	5.33
Outcome Expectancy 4: <i>Increased time investment is</i>	6.09
Injunctive Normative Belief Strength 1: <i>HR practitioners and HR managers I work with think I should comply</i> [Very Unlikely/Very Likely]	5.52
Motivation to Comply 1: <i>I want to do what the HR practitioners and HR managers I work with think I should do</i> [Strongly Disagree/Strongly Agree]	4.85
Injunctive Normative Belief Strength 2: <i>Senior management thinks I should comply</i>	5.47
Motivation to Comply 2: <i>I want to do what seniors management thinks I should do</i>	4.31
Injunctive Normative Belief Strength 3: <i>Everyone thinks I should comply</i>	5.54
Motivation to Comply 3: <i>I want to do what everyone thinks I should do</i>	3.73
Injunctive Normative Belief Strength 4: <i>Line managers and supervisors think I should comply</i>	5.08
Motivation to Comply 4: <i>I want to do what line managers and supervisors think I should do</i>	3.91
Descriptive Normative Belief Strength 1: <i>Most of the HR practitioners and HR managers I work with comply</i> [Strongly Disagree/Strongly Agree]	5.44
Identification with Referent 1: <i>How much do you want to be like the HR practitioners and HR managers you work with?</i> [Very Much/Not At All]	5.25
Descriptive Normative Belief Strength 2: <i>Most lawyers and legal departments comply</i>	5.27
Identification with Referent 2: <i>How much do you want to be like lawyers and legal departments?</i>	4.69
Descriptive Normative Belief Strength 3: <i>Most line managers and supervisors comply</i>	4.61
Identification with Referent 3: <i>How much do you want to be like line managers and supervisors?</i>	4.00
Power of Control Factor 1: <i>Management support facilitates compliance</i> [Strongly Disagree/Strongly Agree]	5.51
Control Belief Strength 1: <i>I will experience management support</i> [Strongly Disagree/Strongly Agree]	5.20
Power of Control Factor 2: <i>Training about workplace law facilitates compliance</i>	5.70
Control Belief Strength 2: <i>I will experience training on workplace law</i>	4.99
Power of Control Factor 3: <i>Pressure or Resistance from management makes it difficult to comply</i> [reverse scored]	4.28
Control Belief Strength 3: <i>I will experience pressure or resistance from management</i> [reverse scored]	4.12
Power of Control Factor 4: <i>Access to legal advice and information facilitates compliance</i>	5.78
Control Belief Strength 4: <i>I will have access to legal advice and information</i>	5.38

Appendix 10:
Study 2: Skewness, Kurtosis, and Box Cox Transformations
Bold Items Retained; Asterisks Denote Transformed Data

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As with Study 1, data was negatively skewed (practitioners tended towards affirmative responses) and showed excess kurtosis. This makes conceptual sense in a study examining HR and non-compliance with workplace law. The only variables that did not have statistically significant skewness or kurtosis were the injunctive normative belief index and descriptive normative belief index.

Box-Cox power transformations were employed to correct skewness (Box & Cox, 1964; Osborne, 2010, 2013). Box-Cox transformations use lambda (λ) as an exponent and run multiple transformations by raising the values of data to many lambda values (e.g. with λ at .5 (identical to a square root transformation), .55, .6, etc). Box-Cox transformations can be used on data that is positively or negatively skewed and allow for greater precision as researchers “fine-tune transformations for optimal normalization using an almost infinite number of potential transformations” (Osbourne, 2013, pg. 170).

Lambda values between -5 and 5 were assessed increasing in intervals of .5, and variables were anchored at 1 prior to analysis (Osbourne, 2010, 2013). Following Box Cox transformations, none of the variables were skewed to a significant degree but kurtosis remained or became statistically significant in a number of cases. Excess kurtosis can lead to an underestimation of variance, but a moderate sample size (200+ samples) prevents this undesirable effect (Tabachnick & Fidell, 2012; Wateraux, 1976).

Appendix 10:
Study 2: Skewness, Kurtosis, and Box Cox Transformations
 Bold Items Retained; Asterisks Denote Transformed Data

Original Measure	Mean	Skew	Kurtosis	Transformed Measure	Mean	Skew	Kurtosis	Box Cox Lambada
<i>Behavioural Beliefs</i>	147.80	-.880 ^c	.044	Behavioural Beliefs*	1511.3	-.318	-.692 ^a	1.65
Injunctive Normative Beliefs	92.97	.238	-.485	N/A				
Descriptive Normative Beliefs	73.92	.1	-.232	N/A				
<i>Control Beliefs</i>	109.74	-.377 ^a	.256	Control Beliefs*	119	-.31	.147	1.05
<i>Attitudes 1</i>	6.06	-1.41 ^c	1.78 ^c	Attitudes 1*	521.81	-.313	-1.63 ^c	4.6
<i>Attitudes 2</i>	5.45	-.934 ^c	.457	Attitudes 2*	16.45	-.299	-.921 ^b	2.05
<i>Attitudes 3</i>	5.05	-.724 ^c	.181	Attitudes 3*	7.6	-.285	-.578	1.65
<i>Attitudes 4</i>	5.84	-1.18 ^c	.844 ^c	Attitudes 4*	12.	-.323	1.29 ^c	3.3
<i>Attitudes 5</i>	5.26	-.668 ^c	-.208	Attitudes 5*	8.64	-.302	-.869 ^b	1.7
<i>Norms 1</i>	5.74	-1.13 ^c	1.28 ^c	Norms 1*	31.59	-.317	-.996 ^b	2.45
<i>Norms 2</i>	5.16	-.633 ^c	-.089	Norms 2*	7.37	-.299	-.684 ^a	1.5
<i>Norms 3</i>	5.74	-.773 ^c	-.083	Norms 3*	1.18	-.321	-1.12 ^c	1.9
<i>Norms 4</i>	5.2	-.829 ^c	.628	Norms 4*	8.97	-.291	-.524	1.65
<i>Norms 5</i>	5.4	-.796 ^c	.225	Norms 5*	1.85	-.326	-.776 ^b	1.75
<i>Norms 6</i>	5.44	-.708 ^c	.115	Norms 6*	9.7	-.282	-.782 ^b	1.70
<i>PBC 1</i>	5.07	-.551 ^c	-.354	PBC 1*	6.76	-.268	-.772 ^b	1.45
<i>PBC 2</i>	4.34	-.351 ^a	-.742 ^c	PBC 2*	3.52	-.31	-.775 ^b	1.05
<i>PBC 3</i>	4.37	-.335 ^a	-.671 ^a	PBC 3*	1.51	-.308	-.552	.35
<i>PBC 4</i>	5.44	-1 ^c	.62	PBC 4*	18.78	-.278	.878 ^b	2.15
<i>PBC 5</i>	5.38	-.559 ^c	-.399	PBC 5*	4.83	-.316	-.846 ^b	1.35
<i>Intent 1</i>	5.66	-.761 ^c	-.003	Intent 1*	8.3	-.323	-.981 ^b	1.75
<i>Intent 2</i>	5.72	-.845 ^c	.387	Intent 2*	9.52	-.306	-.935 ^b	1.85
<i>Intent 3</i>	5.85	-1.2 ^c	1.27 ^c	Intent 3*	74.67	-.307	-1.14 ^c	3
<i>Intent 4</i>	5.81	-.922 ^c	.161	Intent 4*	18.48	-.312	-1.31 ^c	2.35
<i>Behaviour 1</i>	5.77	.982 ^c	.786 ^c	Behaviour1*	29.65	-.302	-1.1 ^c	2.4
<i>Behaviour 2</i>	5.63	-1.1 ^c	.856 ^b	Behaviour2*	33	-.316	-1.04 ^c	2.5
<i>Behaviour 3</i>	5.73	-.994 ^c	.81 ^a	Behaviour3*	33.71	-.261	-1.06 ^c	2.5
<i>Behaviour 4</i>	8.51	-1.12 ^c	1.36 ^c	Behaviour4*	41.52	-.301	-.676 ^a	2.05
<i>Behaviour 5</i>	5.74	-1.07 ^c	.903 ^b	Behaviour5*	33.98	-.309	-1.06 ^b	2.5
<i>Risk 1</i>	5.41	-.798 ^c	-.296	Risk 1 *	16.45	-.313	-1.18 ^c	2.05
<i>Risk 2</i>	5.13	-.705 ^c	.118	Risk 2*	7.77	-.294	-.618	1.55
<i>Risk 3</i>	5.86	-1.16 ^c	1.05 ^b	Risk 3*	108.22	-.314	1.46 ^c	3.25
<i>Risk 4</i>	5.7	-1.08 ^c	.279	Risk 4*	4.83	-.316	-.846 ^b	1.35
<i>Risk 5</i>	5.89	-1.27 ^c	.926	Risk 5 *	633.88	-.321	-1.54 ^c	4.3
<i>Risk 6</i>	4.68	-.532 ^b	-.27	Risk 6*	4.82	-.313	-.549	1.25
<i>Know 1</i>	5.26	-.684 ^c	.076	Know 1*	57.9	-.318	-1.1 ^c	2.85
<i>Know 2</i>	5.15	-.658 ^c	.024	Know 2*	7.32	-.318	-.512	2
<i>Know 3</i>	5.16	-.567 ^c	.024	Know 3*	6.17	-.309	-.489	1.35
<i>Know 4</i>	5.31	-.567 ^c	.069	Know 4*	4.26	-.298	-.566	1.25
<i>Know 5</i>	5.26	-.592 ^c	-.104	Know 5*	4.12	-.315	-.535	1.35
<i>LMX 1</i>	5.62	-1.19 ^c	.736 ^b	LMX 1*	6.97	-.312	-1.25 ^c	2.9
<i>LMX 2</i>	5.75	-.91 ^c	.837 ^b	LMX 2*	9.55	-.319	-.815 ^b	1.8
<i>LMX 3</i>	5.75	-1.32 ^c	1.7 ^c	LMX 3*	57.9	-.318	-1.1 ^c	2.85
<i>WLB 1</i>	5.1	-.652 ^c	-.131	WLB 1*	6.88	-.313	-1.63 ^c	1.45
<i>WLB 2</i>	4.46	-.356 ^a	-.463	WLB 2*	3.64	-.308	-.515	1.05
<i>WLB 3</i>	5	-.612 ^c	-.086	WLB 3*	6.29	-.285	-.641	1.4

^a $p \leq .05$; ^b $p \leq .01$ ^c $P \leq .001$

**Appendix 11:
Study 2: Reliability**

Italicized items removed to improve reliability; Bold items retained after EFA

Attitudes (5-item measure $\alpha = .83$; 3-item measure: $\alpha = .74$)	
A1	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [not worthwhile/worthwhile]
A2	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [impractical/practical]
A3	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [inconvenient/convenient]
A4	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [punishing/rewarding]
A5	As an HR practitioner, ensuring full compliance with workplace laws over the next 6 months would be [unpleasant/pleasant]
Perceived Norms (6-item measure $\alpha = .85$; 3-item measure: $\alpha = .75$)	
N1	Most people who are important to me think that, as an HR practitioner, I should ensure full compliance with workplace law over the next 6 months [strongly disagree/strongly agree]
N2	Over the next 6 months, most HR practitioners would ensure full compliance with workplace laws [strongly disagree/strongly agree]
N3	Most people whose opinions I value would approve of me ensuring full compliance with workplace law over the next 6 months in my role as an HR practitioner [strongly disagree/agree]
N4	Most people important to me want me to ensure full compliance with workplace laws over the next 6 months as an HR practitioner [strongly disagree/strongly agree]
N5	If most people important to me were working in HR, they would ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
N6	Of the HR practitioners whose opinions I value, _____ will ensure full compliance with workplace law over the next 6 months [none/all]
Perceived Behavioural Control ($\alpha = .82$)	
PBC1	As an HR practitioner, I could easily ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
<i>PBC2</i>	<i>As an HR practitioner, whether or not I ensure full compliance with workplace laws over the next 6 months is up to me [strongly disagree/strongly agree]</i>
<i>PBC3</i>	<i>As an HR practitioner, how much do you feel that ensuring full compliance with workplace laws over the next 6 months is beyond your control? [very much/not at all] ** reverse scored</i>
PBC4	As an HR practitioner, if I really wanted to, I am confident that I can ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
PBC5	If I want to, I could ensure full compliance with workplace law over the next 6 months [strongly disagree/strongly agree]

**Appendix 11:
Study 2: Reliability**

Italicized items removed to improve reliability; Bold items retained after EFA

Intentions ($\alpha = .89$)	
Intent1	As an HR practitioner, how likely is it that you will ensure full compliance with workplace laws over the next 6 months? [very unlikely /very likely]
Intent2	As an HR practitioner, I will ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
Intent3	As an HR practitioner, I intend to ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
Intent4	As an HR practitioner, I plan to ensure full compliance with workplace laws over the next 6 months [strongly disagree/strongly agree]
Behaviour ($\alpha = .93$)	
B1	Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? [never/very frequently]
B2	Over the past 6 months, I have ensured full compliance with workplace law in my role as an HR practitioner [strongly disagree/strongly agree]
B3	Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? [never/always]
B4	In your role as an HR practitioner, as different legal issues have come up, approximately what percentage of the time did you ensure full compliance with workplace laws over the past 6 months? [1-10%; 11-20%; 21-30%; 31-40%; 41-50%; 51-60%; 61-70%; 71-80%; 81-90%; 91-95%; 96-100%]
B5	Over the past 6 months, as different legal issues have come up, how often did you ensure full compliance with workplace laws in your role as an HR practitioner? [none/a lot]
Perceived Risk ($\alpha = .85$)	
R1	I believe the risk of violating workplace law is severe [strongly disagree/strongly agree]
<i>R2</i>	<i>It is possible that violations of workplace law will be detected</i> [strongly disagree/strongly agree]
R3	People and organizations that violate workplace law are at risk [strongly disagree/strongly agree]
R4	I believe the risks of violating workplace laws are significant [strongly disagree/strongly agree]
R5	I believe the risks of violating workplace laws are serious [strongly disagree/strongly agree]
<i>R6</i>	<i>It is likely that violations of workplace law will be detected</i> [strongly disagree/strongly agree]

**Appendix 11:
Study 2: Reliability**

Italicized items removed to improve reliability; Bold items retained after EFA

Self-Assessed Knowledge ($\alpha = .94$)	
K1	I know a lot about workplace law [strongly disagree/strongly agree]
K2	I have a good understanding of workplace law [strongly disagree/strongly agree]
K3	My knowledge of workplace law is strong [strongly disagree/strongly agree]
K4	I am very familiar with workplace law [strongly disagree/strongly agree]
K5	I am well-informed about workplace law [strongly disagree/strongly agree]
LMX Contribution ($\alpha = .72$)	
LMX1	I do work for my supervisor that goes beyond what is specified in my job description [strongly disagree/strongly agree]
LMX2	I am willing to apply extra efforts, beyond those normally required, to meet my supervisor's goals [strongly disagree/strongly agree]
LMX3	I do not mind working my hardest for my supervisor [strongly disagree/strongly agree]
WLB Marker Variable ($\alpha = .71$)	
M1	I maintain balance between 'work' and 'play' [strongly disagree/strongly agree]
M2	I get enough rest and sleep most of the time [strongly disagree/strongly agree]
M3	I undertake activities that help reduce stress and anxiety [strongly disagree/strongly agree]

APPENDIX 12:

Study 2: Exploratory Factor Analysis

Initial Model							
	1	2	3	4	5	6	7
Attitudes 1	.24	.02	.45	.05	.21	.08	-.11
Attitudes 2	.07	-.03	.06	.07	.29	.12	.46
Attitudes 3	-.04	.01	.09	.09	.05	.06	.70
Attitudes 4	.19	.01	.46	.09	.07	.08	.05
Attitudes 5	.19	.09	.22	.09	-.04	.06	.36
Norms 1	.35	-.01	.31	.07	.24	.04	.08
Norms 2	.08	.10	.06	-.07	-.03	.09	.66
Norms 3	.22	.13	.30	.05	.09	.16	.11
Norms 4	.30	.08	.09	-.05	.15	-.06	.19
Norms 5	.21	.07	.15	.14	.02	.01	.46
Norms 6	.10	.05	.04	.04	.37	.03	.30
PBC 1	.48	.14	-.20	-.12	.06	.12	.33
PBC 4	.64	.08	-.02	.02	.10	.09	.04
PBC 5	.59	.03	.01	-.11	.07	.09	.07
Intentions 1	.37	.07	.19	.14	.23	.07	.14
Intentions 2	.33	.04	.25	.04	.23	-.02	.20
Intentions 3	.31	.09	.23	.14	.31	.00	.07
Intentions 4	.30	.01	.18	-.02	.33	.06	.17
Behaviour 1	.08	.01	.02	.03	.82	.11	-.05
Behaviour 2	.04	.03	.06	.02	.80	.05	.02
Behaviour 3	-.05	.06	.05	.07	.84	.02	.01
Behaviour 4	-.06	.05	-.01	-.13	.75	.00	.03
Behaviour 5	.03	.04	-.07	.02	.85	.00	-.06
Risk 1	-.13	.01	.65	-.08	-.04	.07	.13
Risk 3	-.06	.12	.69	-.02	.11	-.01	-.02
Risk 4	-.01	.05	.77	.03	-.03	.01	.01
Risk 5	-.01	-.04	.75	-.04	-.02	.09	.03
Knowledge 1	.07	.84	.03	.03	.01	.05	-.07
Knowledge 2	.01	.87	-.05	.08	.02	-.05	.07
Knowledge 3	-.12	.86	.01	-.08	.08	.01	.00
Knowledge 4	.00	.90	.03	.01	-.03	.00	-.04
Knowledge 5	.00	.78	.05	.00	.00	.00	.07
LMX 1	.12	.19	.01	.07	-.05	.48	-.14
LMX 2	.03	.00	.04	-.07	.06	.74	.07
LMX 3	-.12	-.09	.08	.00	.09	.70	.12
WLB Marker 1	.03	-.05	.02	.74	.00	-.11	.10
WLB Marker 2	-.18	.04	-.09	.59	.03	.05	.06
WLB Marker 3	.07	.05	.01	.69	-.05	.06	-.12

APPENDIX 12:

Study 2: Exploratory Factor Analysis

Re-Specified EFA Model								
	1	2	3	4	5	6	7	8
Attitudes 2	.17	-.06	-.04	.02	.04	.11	-.14	-.61
Attitudes 4	.05	.03	.25	.04	.06	.08	-.04	-.44
Attitudes 5	-.06	.05	.10	.04	.12	.05	-.11	-.50
Norms 1	.16	.00	.19	.05	.23	.11	-.32	-.14
Norms 2	.05	.05	.00	-.08	.14	.03	-.58	-.03
Norms 3	-.07	.03	.01	.11	.05	.12	-.50	-.31
PBC1	.03	.05	-.10	-.07	.58	.05	-.15	-.17
PBC4	.06	.04	.02	.05	.63	.06	-.18	-.03
PBC5	.06	-.03	.06	-.07	.69	.01	-.04	-.09
Behaviour 1	.66	.03	.09	.05	.21	.13	-.08	-.08
Behaviour 2	.64	.05	.12	.05	.16	.12	-.19	-.05
Behaviour 3	.67	.08	.10	.09	.07	.10	-.16	-.05
Behaviour 4	.61	.07	-.03	-.14	-.02	.03	-.04	-.26
Behaviour 5	.68	.06	-.02	.04	.11	.03	-.10	-.09
Risk 1	.03	-.01	.65	-.05	.05	.08	.11	-.12
Risk 3	.11	.11	.59	-.01	-.01	.06	-.13	-.10
Risk 4	-.01	.05	.68	.05	.00	.11	-.21	-.02
Risk 5	.00	-.04	.64	-.03	.02	.13	-.08	-.17
Knowledge 1	.05	.76	.01	.06	.07	.13	-.11	-.05
Knowledge 2	.07	.76	-.01	.11	.11	-.01	-.03	-.13
Knowledge 3	.13	.78	.03	-.04	-.04	.11	-.07	-.02
Knowledge 4	.04	.80	.05	.06	.08	.06	-.04	-.03
Knowledge 5	.06	.67	.08	.05	.13	.04	-.04	-.10
LMX 1	-.01	.19	.02	.08	.16	.39	.15	-.08
LMX 2	.05	.01	.08	-.06	.14	.66	.05	-.11
LMX 3	.03	-.07	.05	-.01	-.10	.79	-.15	-.03
WLB Marker 1	-.03	-.05	-.01	.73	-.04	-.08	-.21	-.06
WLB Marker 2	.06	.03	.00	.62	-.05	.03	.11	.01
WLB Marker 3	-.02	.07	-.01	.67	.04	.04	.05	-.04

Appendix 13:
Study 2: CFA Fit Indices

Factor Model	N	χ^2	<i>df</i>	CFI	SRMR	RMSEA
All variables	213	333.09 ^a	278	.99	.043	.029
B2 to B5 and B4 to B5	213	316.02 ^a	276	.99	.043	.026
R4 to PBC1	213	307.28	275	.99	.043	.024

^a $p \leq .05$; ^b $p \leq .01$ ^c $p \leq .001$

Appendix 14: **Study 2: Assessments of Common Method Variance**

Williams' et al. (2010) CFA Marker Technique was used to assess CMV. In the 'CFA Model', all 'substantive variables' (dependent and independent variables) are correlated with each other and with the marker variable, and the marker variable is correlated with all latent indicators with factors loadings fixed at 0. In the 'Baseline Model', substantive variables are correlated, correlations between the Marker and substantives are fixed at 0, and the marker variable's unstandardized factor loadings and error variances are fixed to the values from the CFA Model. In the 'Method-C Model', correlations between the marker variable and latent indicators have equal variances. The 'Method-U Model' has unconstrained factor loadings and is otherwise identical. The 'Method-R Model' constraints the correlations between substantive values to the values from the Baseline Model and is otherwise identical to Method-C or Method-U models (Williams' et al., 2010).

The difference between the Baseline and Method-C Model was insignificant, suggesting significant CMV was not present. The difference between the Method-C and Method-U model was significant and the Method-R model had better fit, suggesting CMV did not impact variables equally and congeneric effects were present. However, the difference between the Method-U and Method-R model was insignificant, suggesting marker variables did not bias correlations between variables (Williams et al., 2010; Malhorta et al., 2017). The impact of CMV on the reliability of each measure was assessed (Williams et al., 2010). CMV slightly inflated the reliability of some factors (1.08% of the reliability score for attitudes and 1.07% of the reliability score for knowledge could be attributed to CMV) and had a small deflating effect on others. However, all variables retained acceptable reliability with CMV controlled.

Finally, a sensitivity analysis was conducted to determine whether the estimates of CMV were inflated due to sampling error (Williams et al., 2010). A 'Method-S Model' was created by using the weakest correlation between substantive variables (risk and knowledge, $R = .39$), and using the upper-bound ($R = .5$) and lower-bound ($R = .26$) of this confidence interval as a proxy for CMV. Correlations retained significance in every comparison and factor correlations were similar across models. Although this study used a cross-sectional design, CMV did not appear to influence correlations. This is consistent with Schaller et al.'s (2015)'s finding that CMV is not as significant as is often assumed in RAA studies.

Appendix 14:
Study 2: Assessments of Common Method Variance

Marker Variable Comparison Tests					
Model	χ^2	<i>df</i>	CFI		
1. CFA Model	372.83	346	.99		
2. Baseline Model	388.66	358	.99		
3. Method C:	387.33	357	.99		
4. Method U	344.97	333	.99		
5. Method R	39.56	376	.99		
Chi Square Model Comparison					
	$\Delta\chi^2$	Δdf	Comparison Assesses	χ^2 critical value at .05	Significance of difference
1. Baseline vs. Method-C	1.95	1	Is significant CMV present?	3.84	Not significant
2. Method-C vs. Method-U	42.363	24	Were congeneric effects present?	36.42	Significant
3. Method-U vs. Method-R	45.593	43	Did the marker bias correlations between variables?	59.30	Not significant

Reliability and CMV				
	Baseline Model	Decomposed Reliability Method-U Model		
Latent Variable	Composite Reliability	Substantive Reliability (with CMV Controlled)	Reliability from CMV	% of Reliability Attributed to Marker Variable
Behaviour	.90	.90	0	0%
Attitudes	.74	.73	.008	1.08%
Norms	.75	.75	.002	0.27%
PBC	.82	.82	-.002	-0.24%
Risk	.85	.85	-.001	-0.12%
LMX	.74	.74	0	0%
Knowledge	.94	.93	.01	1.07%

Appendix 14:
Study 2: Assessments of Common Method Variance

Sensitivity Analysis					
Correlations	CFA Model	Baseline Model	Method-U Model	Method-S LCI (.26) Model	Method-S UCI (.5) Model
Behaviour and Attitudes	.73 ^c	.73 ^c	.7 ^c	.72 ^c	.73 ^c
Behaviour and Norms	.75 ^c	.75 ^c	.72 ^c	.74 ^c	.75 ^c
Behaviour and PBC	.66 ^c	.66 ^c	.62 ^c	.65 ^c	.66 ^c
Behaviour and Risk	.54 ^c	.54 ^c	.5 ^c	.53 ^c	.54 ^c
Behaviour and Knowledge	.56 ^c	.56 ^c	.52 ^c	.53 ^c	.53 ^c
Behaviour and LMX	.56 ^c	.56 ^c	.51 ^c	.56 ^c	.57 ^c
Attitudes and Norms	.87 ^c	.87 ^c	.85 ^c	.86 ^c	.86 ^c
Attitudes and PBC	.69 ^c	.69 ^c	.64 ^c	.69 ^c	.7 ^c
Attitudes and Risk	.73 ^c	.73 ^c	.71 ^c	.72 ^c	.73 ^c
Attitudes and Knowledge	.49 ^c	.49 ^c	.42 ^c	.46 ^c	.45 ^c
Attitudes and LMX	.67 ^c	.67 ^c	.62 ^c	.66 ^c	.67 ^c
Norms and PBC	.78 ^c	.78 ^c	.75 ^c	.78 ^c	.79 ^c
Norms and Risk	.67 ^c	.67 ^c	.64 ^c	.66 ^c	.67 ^c
Norms and Knowledge	.51 ^c	.51 ^c	.45 ^c	.48 ^c	.47 ^c
Norms and LMX	.59 ^c	.59 ^c	.54 ^c	.58 ^c	.59 ^c
PBC and Risk	.45 ^c	.45 ^c	.4 ^c	.45 ^c	.47 ^c
PBC and Knowledge	.49 ^c	.49 ^c	.43 ^c	.47 ^c	.47 ^c
PBC and LMX	.53 ^c	.52 ^c	.45 ^c	.51 ^c	.54 ^c
Risk and Knowledge	.39 ^c	.39 ^c	.35 ^c	.37 ^c	.37 ^c
Risk and LMX	.62 ^c	.61 ^c	.57 ^c	.6 ^c	.62 ^c
Knowledge and LMX	.47 ^c	.47 ^c	.4 ^c	.44 ^c	.44 ^c
Behaviour and Marker Variables	.35	0	0	0	0
Attitudes and Marker Variables	.43	0	0	0	0
Norms and Marker Variables	.36	0	0	0	0
PBC and Marker Variables	.37	0	0	0	0
Risk and Marker Variables	.21	0	0	0	0
Knowledge and Marker Variables	.34	0	0	0	0
LMX and Marker Variables	.39	0	0	0	0

^c= p ≥ .001

Appendix 15:
Study 2: Pearson Correlations (Scale Items Standardized)

	Behavioural Beliefs	Injunctive Normative Beliefs	Descriptive Normative Beliefs	Control Beliefs	Attitudes	Norm	PBC	Risk	Union	HR Designation	Knowledge	LMX	Tenure	Sector	Bhvr
Mean	.011	.011	.021	.023	-.005	.020	.013	-.003	.62	.57	0.001	-.018	.009	.596	.024
Std. Deviation	1	.99	.99	.98	.8	.79	.85	.83	.49	.5	.9	.8	1.01	.49	.86
VIF	2.18	1.95	2.23	2.44	2.58	2.81	2.34	1.83	1.45	1.1	1.78	1.72	1.36	1.21	NA
Behavioural Beliefs	1	.33 ^c	.37 ^c	.57 ^c	.61 ^c	.61 ^c	.46 ^c	.59 ^c	.07	.03	.43 ^c	.48 ^c	.08	-.06	.60 ^c
Injunctive Normative Beliefs	.33 ^c	1	.64 ^c	.44 ^c	.46 ^c	.52 ^c	.45 ^c	.29 ^c	.08	-.06	.21 ^c	.30 ^c	-.11	.00	.34 ^c
Descriptive Normative Beliefs	.37 ^c	.64 ^c	1	.49 ^c	.53 ^c	.59 ^c	.54 ^c	.30 ^c	.16 ^a	.06	.34 ^c	.39 ^c	-.02	.05	.44 ^c
Control Beliefs	.57 ^c	.44 ^c	.49 ^c	1	.52 ^c	.61 ^c	.52 ^c	.46 ^c	.08	.11	.56 ^c	.49 ^c	.13	-.06	.56 ^c
Attitudes	.61 ^c	.46 ^c	.53 ^c	.52 ^c	1	.65 ^c	.54 ^c	.58 ^c	.08	.01	.41 ^c	.50 ^c	.03	-.04	.60 ^c
Norms	.61 ^c	.52 ^c	.59 ^c	.61 ^c	.65 ^c	1	.62 ^c	.50 ^c	.14 ^a	.10	.42 ^c	.42 ^c	.13	.03	.61 ^c
PBC	.46 ^c	.45 ^c	.54 ^c	.52 ^c	.54 ^c	.62 ^c	1	.35 ^c	.04	.01	.42 ^c	.40 ^c	.05	-.03	.57 ^c
Risk	.59 ^c	.29 ^c	.30 ^c	.46 ^c	.58 ^c	.50 ^c	.35 ^c	1	.04	.03	.34 ^c	.48 ^c	.00	-.03	.45 ^c
Union	.07	.08	.16 ^a	.08	.08	.14 ^a	.04	.04	1	-.04	.15 ^a	.08	.40 ^c	.51 ^c	.15 ^a
Designation	.03	-.06	.06	.11	.01	.10	.01	.03	-.04	1	.18 ^b	.12	.05	.04	.05
Knowledge	.43 ^c	.21 ^c	.34 ^c	.56 ^c	.41 ^c	.42 ^c	.42 ^c	.34 ^c	.15 ^a	.18 ^b	1	.42 ^c	.23 ^c	-.05	.51 ^c
LMX	.48 ^c	.30 ^c	.39 ^c	.49 ^c	.50 ^c	.42 ^c	.40 ^c	.48 ^c	.08	.12	.42 ^c	1	.07	-.03	.46 ^c
Tenure	.08	-.11	-.02	.13	.03	.13	.05	.00	.40 ^c	.05	.23 ^c	.07	1	.28 ^c	.20 ^c
Sector	-.06	.00	.05	-.06	-.04	.03	-.03	-.03	.51 ^c	.04	-.05	-.03	.28 ^c	1	.03
Behaviour	.60 ^c	.34 ^c	.44 ^c	.56 ^c	.60 ^c	.61 ^c	.57 ^c	.45 ^c	.15 ^a	.05	.51 ^c	.46 ^c	.20 ^c	.03	1

^a $p \leq .05$; ^b $p \leq .01$ ^c $p \leq .001$

Appendix 16:
Study 2: Differences Between Respondent Samples

Table 4.1 outlines the sources for the final sample of 208. Each sample was compared to all other responses. Because of unequal sizes, Welch t-tests were used for continuous variables (Howell, 2010) and chi-square tests of independence for dichotomous variables. After data collection had begun, a question was added to determine whether respondents received the survey from an organization or from a personal contact (snowball sampling): 33 respondents were recruited through snowball sampling, 111 respondents received the link directly, and 64 responses that were completed before this question was added to the survey. There were no significant differences between these samples.

The undergraduate alumni sample had significantly lower behavioural belief (mean difference = $-.45$, $p \leq .01$), attitude (mean difference = $-.30$, $p \leq .01$), behaviour (mean difference $-.29$, $p \leq .05$) and tenure (mean difference = $-.30$, $p \leq .05$) scores. The continuing education alumni sample had significantly less HR experience (mean difference = $-.8$, $p \leq .001$) and were more likely to work in the public sector ($\chi^2 = 4.26$, $p \leq .05$) and have an HR designation ($\chi^2 = 5.51$, $p \leq .05$). Respondents recruited through LinkedIn felt breaking the law attracted greater risk (mean difference = $.32$, $p \leq .05$). Respondents recruited through the Provincial HR Association website had higher self-assessed knowledge (mean difference = $.82$, $p \leq .01$). Respondents recruited through a Provincial HR Association’s e-mail newsletter had stronger attitudes (mean difference = $.39$, $p \leq .05$), increased behaviour (mean difference = $.599$, $p \leq .01$) and increased tenure (mean difference = $.7$, $p \leq .01$). Respondents recruited through a HR association’s e-mail newsletter had more HR experience (mean difference = $.92$, $p \leq .01$) and were more likely to work in a unionized workplace ($\chi^2 = 6.04$, $p \leq .05$). The sample of graduate students did not contain any significant differences. Responses from suspicious duplicate or partially duplicate IP addresses were removed. Because the study relied on snowball sampling, responses from duplicate or partially duplicate IP addresses without any suspicious data trends were retained and compared to all other samples. These responses had significantly lower behavioural belief (mean difference = $-.41$, $p \leq .01$), control belief (mean difference = $-.37$, $p \leq .05$) and knowledge (mean difference = $-.03$, $p \leq .05$) scores.

Finally, all respondents were asked whether they worked in HR currently ($n = 172$) or had previously worked in HR ($n = 36$). Current HR practitioners had higher descriptive normative beliefs (mean difference = $.5$, $p \leq .05$), higher LMX contribution scores (mean difference = $.34$, $p \leq .05$), more years of HR experience (mean difference = $.49$, $p \leq .01$) and were more likely to work in the private sector ($\chi^2 = 4.28$, $p \leq .05$).

Table 4.1: Study 2 Responses by Sample

Source	Total Clicks (N = 419)	Complete Responses (N = 272)	Suspicious IPs Removed (N = 213)	Final Sample (N = 208)
Undergraduate HR alumni	163	110	75	73
Continuing studies HR alumni	60	33	33	33
Master’s in HR students	21	18	18	18
LinkedIn responses	104	52	52	50
Provincial HR association website	29	27	3	3
Provincial HR association newsletter	12	11	11	11
HR association newsletter	24	19	19	18
Responses from individuals in management or HR associations	3	2	2	2

Appendix 17:
Study 2: Direct Predictors of Belief Measures

Behavioural Beliefs						
	R2	MSE	F(H03)	df1	df2	p
	.453	.566	28.861	6.000	201.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.057	.114	.495	.621	-.169	.282
Risk	.497	.085	5.881	.000	.330	.664
Union	.029	.122	.240	.811	-.211	.269
HR Designation	-.101	.111	-.905	.366	-.320	.119
Knowledge	.244	.088	2.789	.006	.072	.417
LMX	.279	.088	3.171	.002	.106	.453
Tenure	-.005	.059	-.076	.940	-.122	.113
Injunctive Normative Beliefs						
	R2	MSE	F(H03)	df1	df2	p
	.185	.827	7.857	6.000	201.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.031	.134	-.234	.815	-.296	.233
Risk	.177	.101	1.744	.083	-.023	.376
Union	.265	.143	1.860	.064	-.016	.547
HR Designation	-.202	.131	-1.546	.124	-.460	.056
Knowledge	.157	.087	1.798	.074	-.015	.329
LMX	.253	.112	2.260	.025	.032	.473
Tenure	-.220	.075	-2.942	.004	-.368	-.073
Descriptive Normative Beliefs						
	R2	MSE	F(H03)	df1	df2	p
	.272	.738	13.761	6.000	201.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.217	.130	-1.665	.097	-.473	.040
Risk	.109	.089	1.222	.223	-.067	.285
Union	.408	.135	3.020	.003	.142	.675
HR Designation	-.014	.124	-.112	.911	-.259	.231
Knowledge	.243	.080	3.043	.003	.085	.400
LMX	.359	.093	3.875	.000	.176	.542
Tenure	-.188	.064	-2.932	.004	-.315	-.062
Control Beliefs						
	R2	MSE	F(H03)	df1	df2	p
	.452	.539	37.184	6.000	201.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.092	.108	.852	.395	-.121	.304
Risk	.225	.084	2.683	.008	.060	.390
Union	.057	.113	.504	.615	-.166	.280
HR Designation	-.171	.104	-1.654	.100	-.376	.033
Knowledge	.450	.079	5.712	.000	.295	.606
LMX	.308	.081	3.792	.000	.148	.468
Tenure	-.010	.058	-.165	.869	-.123	.104

Appendix 18:
Study 2: Direct Predictors of Attitudes, Perceived Norms, and PBC

Attitudes						
	R2	MSE	F(H03)	df1	df2	p
	.575	.288	45.392	1.000	197.000	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.020	.081	.242	.809	-.140	.180
Behavioural Beliefs	.204	.068	2.991	.003	.069	.338
Injunctive Norm Beliefs	.046	.055	.837	.404	-.063	.155
Descriptive Normative Beliefs	.204	.056	3.637	.000	.093	.314
Control Beliefs	.124	.064	1.950	.053	-.001	.250
Risk	.202	.069	2.948	.004	.067	.338
Union	-.039	.085	-.458	.647	-.207	.129
HR Designation	-.014	.078	-.179	.858	-.168	.140
Knowledge	.019	.064	.305	.761	-.106	.145
LMX	.075	.068	1.110	.268	-.058	.208
Tenure	.011	.039	.291	.771	-.066	.088
Perceived Norms						
	R2	MSE	F(H03)	df1	df2	p
	.592	.267	41.450	1.000	197.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.066	.084	-.791	.430	-.231	.099
Behavioural Beliefs	.200	.061	3.304	.001	.081	.319
Injunctive Norm Beliefs	.132	.054	2.461	.015	.026	.238
Descriptive Normative Beliefs	.179	.059	3.009	.003	.062	.296
Control Beliefs	.144	.064	2.234	.027	.017	.271
Risk	.156	.061	2.559	.011	.036	.276
Union	.030	.085	.357	.721	-.138	.198
HR Designation	.099	.077	1.284	.201	-.053	.250
Knowledge	.023	.060	.388	.698	-.095	.141
LMX	-.004	.064	-.062	.950	-.130	.122
Tenure	.068	.041	1.647	.101	-.013	.150
Perceived Behavioural Control						
	R2	MSE	F(H03)	df1	df2	p
	.512	.366	24.124	1.000	197.000	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.151	.104	1.456	.147	-.054	.356
Behavioural Beliefs	.115	.068	1.684	.094	-.020	.249
Injunctive Norm Beliefs	.090	.061	1.463	.145	-.031	.211
Descriptive Norm Beliefs	.216	.070	3.074	.002	.078	.355
Control Beliefs	.297	.076	3.936	.000	.148	.447
Risk	.035	.081	.429	.669	-.125	.195
Union	-.168	.104	-1.624	.106	-.372	.036
HR Designation	-.083	.089	-.931	.353	-.258	.093
Knowledge	.023	.060	.388	.698	-.095	.141
LMX	-.004	.064	-.062	.950	-.130	.122
Tenure	.068	.041	1.647	.101	-.013	.150

**Appendix 19:
Study 2: Direct Predictors of Compliance**

Behaviour (Attitudes as final Mediator)						
	R2	MSE	F(H03)	df1	df2	p
	.595	.316	46.158	11.000	196.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.019	.086	-.227	.820	-.188	.149
Behavioural Beliefs	.220	.059	3.722	.000	.103	.336
Injunctive Normative Beliefs	-.023	.064	-.352	.725	-.150	.104
Descriptive Normative Beliefs	.082	.058	1.410	.160	-.033	.196
Control Beliefs	.221	.062	3.546	.001	.098	.344
Attitudes	.234	.085	2.764	.006	.067	.400
Risk	.025	.071	.359	.720	-.114	.165
Union	.029	.093	.311	.756	-.155	.213
HR Designation	.031	.081	.375	.708	-.130	.191
Knowledge	.082	.066	1.239	.217	-.048	.211
LMX	.033	.066	.501	.617	-.097	.163
Tenure	.096	.047	2.028	.044	.003	.190
Behaviour (Perceived Norms as final Mediator)						
	R2	MSE	F(H03)	df1	df2	p
	.605	.308	44.099	11.000	196.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.005	.090	.054	.957	-.172	.182
Behavioural Beliefs	.208	.060	3.459	.001	.089	.326
Injunctive Normative Beliefs	-.051	.066	-.778	.438	-.181	.079
Descriptive Normative Beliefs	.076	.065	1.168	.244	-.052	.205
Control Beliefs	.204	.063	3.244	.001	.080	.328
Perceived Norms	.298	.090	3.316	.001	.121	.475
Risk	.030	.066	.451	.653	-.101	.160
Union	.011	.094	.116	.908	-.174	.196
HR Designation	-.002	.082	-.027	.979	-.164	.159
Knowledge	.079	.066	1.197	.233	-.051	.210
LMX	.052	.064	.806	.421	-.075	.178
Tenure	.005	.090	.054	.957	-.172	.182
Behaviour (PBC as final Mediator)						
	R2	MSE	F(H03)	df1	df2	p
	.591	.319	41.372	11.000	196.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.043	.086	-.500	.618	-.213	.127
Behavioural Beliefs	.246	.059	4.191	.000	.130	.361
Injunctive Norm Beliefs	-.029	.067	-.431	.667	-.160	.103
Descriptive Norm Beliefs	.089	.060	1.476	.142	-.030	.208
Control Beliefs	.195	.062	3.128	.002	.072	.318
PBC	.187	.074	2.521	.013	.041	.333
Risk	.066	.065	1.022	.308	-.062	.194
Union	.051	.094	.548	.584	-.133	.236
HR Designation	.043	.081	.525	.600	-.118	.203
Knowledge	.076	.068	1.126	.262	-.057	.210
LMX	.050	.069	.713	.477	-.087	.186
Tenure	.092	.047	1.973	.050	.000	.184

Appendix 20:

Study 2: Indirect Effects of Beliefs (Mediated by Attitudes, Perceived Norms, and PBC)

Mediated by Attitudes				
	Effect	BootSE	LLCI	ULCI
Behavioural Beliefs → Attitudes → Behaviour	.048	.022	.009	.097
Injunctive Normative Beliefs → Attitudes → Behaviour	.011	.013	-.015	.039
Descriptive Normative Beliefs → Attitudes → Behaviour	.048	.022	.011	.095
Control Beliefs → Attitudes → Behaviour	.029	.018	.001	.069

Mediated by Perceived Norms				
	Effect	BootSE	LLCI	ULCI
Behavioural Beliefs → Perceived Norms → Behaviour	.060	.023	.017	.108
Injunctive Normative Beliefs → Perceived Norms → Behaviour	.039	.020	.007	.082
Descriptive Normative Beliefs → Perceived Norms → Behaviour	.053	.024	.014	.108
Control Beliefs → Perceived Norms → Behaviour	.046	.021	.009	.093

Mediated by Perceived Behavioural Control				
	Effect	BootSE	LLCI	ULCI
Behavioural Beliefs → PBC → Behaviour	.022	.015	-.004	.056
Injunctive Normative Beliefs → PBC → Behaviour	.017	.013	-.004	.047
Descriptive Normative Beliefs → PBC → Behaviour	.040	.022	.005	.091
Control Beliefs → PBC → Behaviour	.056	.026	.011	.110

Appendix 21:
Study 2: Indirect Effects of Risk

Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Risk → Behaviour	.025	N/A	-.114	.165
Risk → Behavioural Beliefs	.109	.035	.046	.182
Risk → Injunctive Normative Beliefs	-.004	.012	-.030	.022
Risk → Descriptive Normative Beliefs	.009	.011	-.007	.034
Risk → Control Beliefs	.050	.023	.011	.101
Risk → Attitudes	.047	.023	.008	.099
Risk → Behavioural Beliefs → Attitudes	.024	.013	.004	.053
Risk → Control Beliefs → Attitudes	.007	.005	.0001	.018

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Risk → Behaviour	.03	N/A	-.101	.16
Risk → Behavioural Beliefs	.103	.035	.039	.178
Risk → Injunctive Norm Beliefs	-.009	.013	-.038	.015
Risk → Descriptive Norm Beliefs	.008	.011	-.008	.036
Risk → Control Beliefs	.046	.022	.010	.094
Risk → Perceived Norms	.043	.023	.005	.093
Risk → Behavioural Beliefs → Perceived Norms	.030	.013	.008	.059
Risk → Control Beliefs → Norms	.010	.006	.001	.026

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Risk → Behaviour	.066	N/A	-.062	.194
Risk → Behavioural Beliefs	.122	.037	.056	.199
Risk → Injunctive Normative Beliefs	-.005	.013	-.033	.021
Risk → Descriptive Normative Beliefs	.010	.011	-.007	.037
Risk → Control Beliefs	.044	.022	.009	.093
Risk → PBC	.007	.015	-.024	.037

Appendix 22:
Study 2: Conditional Indirect Effects of Risk when Moderated by Tenure

Behaviour (Attitudes as final Mediator)						
	R2	MSE	F(H03)	df1	df2	p
	.465	.557	29.288	7.000	2.000	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.053	.115	.463	.644	-.173	.280
Risk	.508	.085	5.974	.000	.340	.676
Tenure	-.014	.059	-.233	.816	-.130	.102
Interaction: Risk x Tenure	-.135	.064	-2.107	.036	-.262	-.009
Union	.039	.119	.323	.747	-.197	.274
HR Designation	-.106	.112	-.947	.345	-.327	.115
Knowledge	.237	.089	2.659	.009	.061	.412
LMX	.260	.090	2.888	.004	.083	.438

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Risk → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.134	.040	.060	.217
	Moderate	.115	.036	.050	.188
	High	.076	.034	.019	.150
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.030	.015	-.062	-.002	
Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Risk → Behavioural Beliefs → Attitudes → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.030	.016	.005	.064
	Moderate	.025	.013	.004	.056
	High	.017	.010	.002	.042
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.007	.005	-.017	-.0002	

**Appendix 22:
Study 2: Conditional Indirect Effects of Risk When Moderated by Tenure**

Indirect Effects of the Moderator (Perceived Norms as Final Mediator)					
Risk → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.126	.040	.052	.210
	Moderate	.107	.036	.042	.181
	High	.071	.033	.016	.145
Index of Moderated Mediation (Perceived Norms as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.028	.014	-.058	-.003	
Indirect Effects of the Moderator (Perceived Norms as Final Mediator)					
Risk → Behavioural Beliefs → Norms → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.038	.017	.011	.076
	Moderate	.033	.014	.009	.065
	High	.022	.011	.004	.048
Index of Moderated Mediation (Perceived Norms as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.009	.006	-.022	-.001	

Indirect Effects of the Moderator (PBC as Final Mediator)					
Risk → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.150	.043	.072	.239
	Moderate	.128	.038	.061	.206
	High	.085	.037	.022	.164
Index of Moderated Mediation (PBC as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.033	.017	-.069	-.003	

Appendix 23:
Study 2: Conditional Indirect Effects of Risk When Moderated by Sector

Control Beliefs (Moderated by Sector)						
	R2	MSE	F(H03)	df1	df2	p
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.126	.108	1.166	.245	-.087	.340
Risk	.227	.082	2.774	.006	.066	.389
Sector	-.098	.120	-.817	.415	-.334	.138
Interaction: Risk x Sector	.251	.125	2.000	.047	.004	.498
Unions	.005	.120	.042	.967	-.232	.242
HR Designation	-.173	.104	-1.657	.099	-.378	.033
Knowledge	.442	.079	5.598	.000	.286	.597
LMX	.309	.082	3.774	.000	.148	.471
Tenure	.001	.057	.008	.993	-.112	.113

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Risk → Control Beliefs → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.050	.023	.012	.101
	Private	.106	.041	.035	.196
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	.056	.030	.003	.123	
Indirect Effects of the Moderator (Perceived Norms as Final Mediator)					
Risk → Control Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Public	.046	.022	.011	.096
	Private	.098	.040	.030	.188
Index of Moderated Mediation (Norms as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	.051	.029	.002	.117	

Appendix 23:
Study 2: Conditional Indirect Effects of Risk When Moderated by Sector

Indirect Effects of the Moderator (PBC as Final Mediator)					
Risk → Control Beliefs → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.044	.021	.010	.093
	Private	.093	.040	.027	.181
Index of Moderated Mediation (PBC as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	.049	.028	.002	.113	
Indirect Effects of the Moderator (PBC as Final Mediator)					
Risk → Control Beliefs → PBC → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.013	.008	.002	.030
	Private	.027	.014	.004	.057
Index of Moderated Mediation (PBC as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	.014	.009	.00001	.034	

Appendix 24:
Study 2: Conditional Indirect Effects of Risk on Attitudes when Moderated by Unionization

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Attitudes (Moderated by Risk)						
	R2	MSE	F(H03)	df1	df2	p
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.209	.069	3.046	.003	.074	.344
Risk	.209	.069	3.046	.003	.074	.344
Unions	-.047	.082	-.568	.571	-.208	.115
Interaction: Unions x Risk	-.259	.098	-2.651	.009	-.451	-.066
Behavioural Beliefs	.204	.069	2.964	.003	.068	.339
Injunctive Normative Beliefs	.050	.054	.913	.362	-.058	.157
Descriptive Normative Beliefs	.213	.056	3.794	.000	.102	.324
Control Beliefs	.106	.064	1.644	.102	-.021	.233
HR Designation	-.018	.077	-.228	.820	-.170	.135
Knowledge	.013	.062	.218	.828	-.108	.135
LMX Contribution	.062	.068	.909	.364	-.073	.197
Tenure	.017	.039	.447	.655	-.059	.093

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Risk → Attitudes → Behaviour	Workplace	Effect	BootSE	LLCI	ULCI
	Non-Union	.086	.035	.023	.162
	Union	.026	.021	-.009	.075
Index of Moderated Mediation					
	Index	BootSE	LLCI	ULCI	
Risk	-.060	.029	-.122	-.010	

Appendix 25:
Study 2: Indirect Effects of Unionization

Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Union → Behaviour	.029	NA	-.155	.213
Union → Behavioural Beliefs	.006	.027	-.049	.060
Union → Injunctive Normative Beliefs	-.006	.019	-.050	.029
Union → Descriptive Normative Beliefs	.033	.025	-.011	.086
Union → Control Beliefs	.013	.025	-.040	.058
Union → Attitudes	-.009	.021	-.053	.031
Union → Behavioural Beliefs → Attitudes	-.006	.007	-.014	.013
Union → Descriptive Normative Beliefs → Attitudes	.020	.011	.003	.045

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Union → Behaviour	.011	NA	-.174	1.96
Union → Behavioural Beliefs	.006	.025	-.046	.006
Union → Injunctive Normative Beliefs	-.014	.021	-.065	-.014
Union → Descriptive Normative Beliefs	.031	.027	-.021	.031
Union → Control Beliefs	.012	.023	-.037	.012
Union → Perceived Norms	.009	.025	-.045	.009
Union → Descriptive Normative Beliefs → Perceived Norms	.022	.013	.004	.052

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Union → Behaviour	.051	NA	-.133	.236
Union → Behavioural Beliefs	.007	.030	-.054	.067
Union → Injunctive Normative Beliefs	-.008	.020	-.052	.029
Union → Descriptive Normative Beliefs	.036	.025	-.011	.089
Union → Control Beliefs	.011	.022	-.035	.054
Union → PBC	-.031	.024	-.087	.005
Union → Descriptive Normative Beliefs → PBC	.017	.012	.001	.046

Appendix 26:

Study 2: Conditional Indirect Effects of Unionization on Control Beliefs when Moderated by Sector

Practicing HR in a Unionized Workplace and Control Beliefs Moderated by Sector						
	R2	MSE	F(H03)	df1	df2	p
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.081	.087	.921	.358	-.092	.253
Unions	.109	.132	.830	.407	-.150	.369
Sector	-.020	.121	-.164	.870	-.259	.219
Interaction: Unions x Sector	-.597	.270	-2.210	.028	-1.130	-.064
Risk	.237	.082	2.884	.004	.075	.399
HR Designation	-.186	.103	-1.801	.073	-.389	.018
Knowledge	.461	.080	5.769	.000	.303	.618
LMX	.285	.080	3.552	.001	.127	.442
Tenure	-.018	.059	-.302	.763	-.135	.099

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Union → Control Beliefs → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.103	.056	.005	.223
	Private	-.029	.032	-.103	.022
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	-.132	.068	-.284	-.021	
Indirect Effects of the Moderator (Norms as Final Mediator)					
Union → Control Beliefs → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.095	.053	.004	.208
	Private	-.027	.030	-.097	.021
Index of Moderated Mediation (Norms as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	-.122	.065	-.268	-.019	
Indirect Effects of the Moderator (PBC as Final Mediator)					
Union → Control Beliefs → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.091	.051	.004	.201
	Private	-.026	.029	-.092	.021
Index of Moderated Mediation (PBC as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Sector	-.116	.061	-.255		
Indirect Effects of the Moderator (PBC as Final Mediator)					
Union → Control beliefs → PBC → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	Public	.026	.018	.0002	.068
	Private	-.007	.009	-.030	.006
Index of Moderated Mediation (PBC as Final Mediator)					
Sector	Index	BootSE	LLCI	ULCI	
	-.033	.022	-.085	-.002	

**Appendix 27:
Study 2: Indirect Effects of Professional HR Designation**

Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Designation → Behaviour	.031	NA	-.130	.191
Designation → Behavioural Beliefs	-.022	.026	-.080	.022
Designation → Injunctive Normative Beliefs	.005	.015	-.024	.040
Designation → Descriptive Normative Beliefs	-.001	.012	-.029	.025
Designation → Control Beliefs	-.028	.023	-.077	.014
Designation → Attitudes	-.003	.019	-.038	.037
Designation → Knowledge → Behavioural Beliefs	.013	.009	.001	.034
Designation → Knowledge → Control Beliefs	.021	.012	.002	.049
Designation → Knowledge → Behavioural Beliefs → Attitudes	.003	.002	.0001	.009
Designation → Knowledge → Descriptive Normative Beliefs → Attitudes	.003	.002	.0001	.009

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Designation → Behaviour	-.002	NA	-.164	.159
Designation → Behavioural Beliefs	-.021	.025	-.078	.021
Designation → Injunctive Normative Beliefs	.010	.017	-.016	.051
Designation → Descriptive Normative Beliefs	-.001	.012	-.027	.026
Designation → Control Beliefs	-.026	.022	-.073	.013
Designation → Perceived Norms	.029	.024	-.016	.080
Designation → Injunctive Normative Beliefs → Perceived Norms	-.008	.007	-.024	.002
Designation → Descriptive Normative Beliefs → Perceived Norms	-.0004	.007	-.016	.014
Designation → Knowledge → Behavioural Beliefs	.012	.008	.001	.033
Designation → Knowledge → Control Beliefs	.019	.011	.002	.045
Designation → Knowledge → Behavioural Beliefs → Norms	.004	.003	.0002	.010
Designation → Knowledge → Descriptive Normative Beliefs → Norms	.003	.003	.0002	.010
Designation → Knowledge → Control Beliefs → Norms	.004	.003	.0002	.012

Appendix 27:
Study 2: Indirect Effects of Professional HR Designation

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Designation → Behaviour	.043	NA	-.118	.203
Designation → Behavioural Beliefs	-.025	.028	-.086	.026
Designation → Injunctive Normative Beliefs	.006	.016	-.024	.043
Designation → Descriptive Normative Beliefs	-.001	.013	-.030	.028
Designation → Control Beliefs	-.025	.021	-.070	.012
Designation → PBC	-.015	.017	-.051	.018
Designation → Knowledge → Behavioural Beliefs	.015	.010	.001	.038
Designation → Knowledge → Control Beliefs	.019	.011	.002	.043
Designation → Knowledge → Descriptive Normative Beliefs → PBC	.002	.002	.0001	.007
Designation → Knowledge → Control Beliefs → PBC	.005	.003	.0003	.013

Appendix 28:

Study 2: Conditional Indirect Effects of Knowledge on Injunctive Normative Beliefs when Moderated by HR Designation

Injunctive Normative Beliefs	R2	MSE	F(H03)	df1	df2	p
	.217	.799	7.555	7.000	2.000	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	-.116	.105	-1.107	.270	-.324	.091
Knowledge	.136	.088	1.536	.126	-.039	.310
HR Designation	-.214	.132	-1.618	.107	-.475	.047
Interaction: Knowledge x HR Designation	-.406	.151	-2.700	.008	-.703	-.110
Risk	.201	.098	2.044	.042	.007	.394
Union	.270	.142	1.899	.059	-.010	.550
Knowledge	.136	.088	1.536	.126	-.039	.310
LMX	.250	.109	2.289	.023	.035	.465
Tenure	-.239	.077	-3.107	.002	-.390	-.087

Indirect Effects of the Moderator					
Knowledge → Injunctive Normative Beliefs → Norms → Behaviour	Sector	Effect	BootSE	LLCI	ULCI
	HR Designation	-.001	.005	-.012	.007
	No HR Designation	.014	.009	.002	.036
Index of Moderated Mediation (Norms as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
HR Designation	-.015	.010	-.041	-.001	

APPENDIX 29:
Study 2: Indirect Effects of Self-Assessed Knowledge

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Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Knowledge → Behaviour	.082	NA	-.048	.211
Knowledge → Behavioural Beliefs	.054	.024	.013	.108
Knowledge → Injunctive Normative Beliefs	-.004	.011	-.027	.019
Knowledge → Descriptive Norm beliefs	.020	.016	-.007	.057
Knowledge → Control Beliefs	.100	.034	.040	.171
Knowledge → Attitudes	.005	.015	-.022	.041
Knowledge → Behavioural Beliefs → Attitudes	.012	.007	.001	.028
Knowledge → Descriptive Normative Beliefs → Attitudes	.012	.006	.002	.027
Knowledge → Control Beliefs → Attitudes	.013	.008	.0004	.031

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Knowledge → Behaviour	.079	NA	-.051	.210
Knowledge → Behavioural Beliefs	.051	.024	.011	.104
Knowledge → Injunctive Normative Beliefs	-.008	.012	-.035	.014
Knowledge → Descriptive Normative Beliefs	.019	.017	-.011	.057
Knowledge → Control Beliefs	.092	.032	.037	.161
Knowledge → Perceived Norms	.007	.018	-.027	.043
Knowledge → Behavioural Beliefs → Perceived Norms	.015	.007	.003	.032
Knowledge → Descriptive Normative Beliefs → Perceived Norms	.013	.007	.003	.031
Knowledge → Control Beliefs → Perceived Norms	.021	.011	.004	.046

APPENDIX 29:
Study 2: Indirect Effects of Self-Assessed Knowledge

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Knowledge → Behaviour	.076	NA	-.057	.210
Knowledge → Behavioural Beliefs	.060	.026	.016	.116
Knowledge → Injunctive Normative Beliefs	-.005	.011	-.029	.019
Knowledge → Descriptive Normative Beliefs	.022	.017	-.006	.061
Knowledge → Control Beliefs	.088	.033	.031	.158
Knowledge → PBC	.010	.014	-.016	.041
Knowledge → Descriptive Normative Beliefs → PBC	.010	.006	.001	.025
Knowledge → Control Beliefs → PBC	.025	.012	.005	.051

Appendix 30
Study 2: Indirect Effects of LMX Contribution

Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
LMX Contribution → Behaviour	.033	NA	-.097	.163
LMX → Behavioural Beliefs	.061	.024	.021	.115
LMX → Injunctive Normative Beliefs	-.006	.017	-.043	.028
LMX → Descriptive Normative Beliefs	.029	.022	-.009	.079
LMX → Control Beliefs	.068	.025	.026	.124
LMX → Attitudes	.018	.016	-.011	.054
LMX → Behavioural Beliefs → Attitudes	.013	.008	.002	.031
LMX → Descriptive Normative Beliefs → Attitudes	.017	.009	.003	.038
LMX → Control Beliefs → Attitudes	.009	.006	.0003	.023

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
LMX Contribution → Behaviour	.052	NA	-.075	.178
LMX → Behavioural Beliefs	.058	.024	.019	.110
LMX → Injunctive Norm beliefs	-.013	.019	-.058	.018
LMX → Descriptive Norm beliefs	.027	.024	-.018	.078
LMX → Control Beliefs	.063	.024	.023	.120
LMX → Perceived Norms	-.001	.019	-.032	.046
LMX → Behavioural Beliefs → Norms	.017	.008	.004	.036
LMX → Injunctive Normative Beliefs → Perceived Norms	.01	.007	.001	.028
LMX → Descriptive Normative Beliefs → Perceived Norms	.02	.011	.004	.045
LMX → Control Beliefs → Norms	.014	.007	.002	.030

Appendix 30
Study 2: Indirect Effects of LMX Contribution

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
LMX Contribution → Behaviour	.05	NA	-.087	.186
LMX → Behavioural Beliefs	.069	.026	.025	.122
LMX → Injunctive Normative Beliefs	-.007	.018	-.047	.027
LMX → Descriptive Normative Beliefs	.032	.023	-.009	.081
LMX → Control Beliefs	.060	.024	.021	.113
LMX → PBC	.001	.014	-.028	.030
LMX → Descriptive Normative Beliefs → PBC	.014	.009	.002	.036
LMX → Control Beliefs → PBC	.017	.009	.002	.038

Appendix 31

Study 2: Conditional Indirect Effects of LMX Contribution on Behavioural Beliefs when Moderated by Tenure

Behavioural Beliefs (Moderated by Tenure)	R2	MSE	F(H03)	df1	df2	p
	.483	.537	33.945	7.000	2.00	.000
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.049	.112	.434	.665	-.173	.270
LMX	.226	.082	2.770	.006	.065	.388
Tenure	-.021	.058	-.364	.716	-.135	.093
Interaction: LMX x Tenure	-.252	.071	-3.581	.000	-.391	-.113
Risk	.492	.080	6.151	.000	.334	.649
Union	.053	.117	.455	.649	-.178	.284
HR Designation	-.097	.110	-.879	.380	-.315	.121
Knowledge	.260	.090	2.888	.004	.083	.438

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
LMX → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.093	.029	.041	.156
	Moderate	.056	.022	.019	.107
	High	-.017	.030	-.077	.044
Index of Moderated Mediation (Perceived Norms as Final Mediator)					
Tenure	Index	BootSE	LLCI	ULCI	
	-.055	.021	-.099	-.020	
Index of Moderated Mediation (Attitudes as Final Mediator)					
LMX → Behavioural Beliefs → Attitudes → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.020	.011	.004	.045
	Moderate	.012	.007	.002	.029
	High	-.004	.007	-.021	.009
Index of Moderated Mediation (Attitudes as Final Mediator)					
Tenure	Index	BootSE	LLCI	ULCI	
	-.012	.007	-.03	-.002	
Indirect Effects of the Moderator (Perceived Norms as Final Mediator)					
LMX → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.087	.029	.036	.148
	Moderate	.052	.022	.018	.100
	High	-.016	.028	-.074	.040
Index of Moderated Mediation (Perceived Norms as Final Mediator)					
Tenure	Index	BootSE	LLCI	ULCI	
	-.052	.020	-.095	-.017	
Indirect Effects of the Moderator (Perceived Norms as Final Mediator)					
LMX → Behavioural Beliefs → Norms → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.027	.012	.007	.053
	Moderate	.016	.008	.004	.035
	High	-.005	.009	-.026	.012
Index of Moderated Mediation (Perceived Norms as Final Mediator)					
Tenure	Index	BootSE	LLCI	ULCI	
	-.016	.008	-.034	-.004	

Appendix 31

Study 2: Conditional Indirect Effects of LMX Contribution on Behavioural Beliefs when Moderated by Tenure

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Indirect Effects of the Moderator (PBC as Final Mediator)					
LMX → Behavioural Beliefs → Behaviour	Tenure	Effect	BootSE	LLCI	ULCI
	Low	.104	.030	.050	.167
	Moderate	.063	.024	.024	.114
	High	-.019	.033	-.086	.047
Index of Moderated Mediation (PBC as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Tenure	-.062	.022	-.109	-.023	

Appendix 32:

Study 2: Conditional Indirect Effects of LMX Contribution on Attitudes when Moderated by Risk

Attitudes (Moderated by Risk)	<i>R</i> ²	MSE	F(H03)	df1	df2	p
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.063	.085	.739	.461	-.105	.230
LMX	.061	.068	.901	.369	-.073	.196
Risk	.197	.068	2.903	.004	.063	.330
Interaction: LMX x Risk	-.119	.054	-2.192	.030	-.226	-.012
Behavioural Beliefs	.181	.069	2.622	.009	.045	.317
Injunctive Normative Beliefs	.025	.055	.455	.650	-.084	.134
Descriptive Normative Beliefs	.217	.055	3.951	.000	.108	.325
Control Beliefs	.136	.064	2.126	.035	.010	.262
Unions	-.051	.086	-.596	.552	-.221	.118
HR Designation	-.012	.077	-.159	.874	-.165	.140
Knowledge	.442	.079	5.598	.000	.286	.597
Tenure	.003	.039	.084	.933	-.074	.080

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
LMX → Attitudes → Behaviour	Risk	Effect	BootSE	LLCI	ULCI
	Low	.043	.022	.007	.093
	Moderate	.015	.016	-.015	.051
	High	-.015	.025	-.068	.030
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Perceived Risk	Index	BootSE	LLCI	ULCI	

Appendix 33:

Study 2: Conditional Indirect Effects of Sector on Attitudes when Moderated by Knowledge

Attitudes (Moderated by Risk)	R2	MSE	F(H03)	df1	df2	p
	coeff	se(H03)	t	p	LLCI	ULCI
Constant	.035	.081	.434	.665	-.125	.196
Knowledge	.004	.062	.071	.944	-.118	.126
Sector	-.017	.086	-.203	.839	-.186	.151
Interaction: Knowledge x Sector	.236	.087	2.719	.007	.065	.407
Behavioural Beliefs	.204	.069	2.970	.003	.068	.339
Injunctive Normative Beliefs	.047	.055	.848	.398	-.062	.155
Descriptive Normative Beliefs	.201	.057	3.551	.001	.089	.312
Control Beliefs	.132	.063	2.098	.037	.008	.256
Risk	.191	.069	2.778	.006	.055	.326
Unions	-.061	.091	-.667	.506	-.241	.119
HR Designation	-.026	.078	-.329	.742	-.179	.128
LMX	.080	.066	1.210	.228	-.050	.210
Tenure	.025	.039	.628	.531	-.053	.103

Indirect Effects of the Moderator (Attitudes as Final Mediator)					
Knowledge → Attitudes → Behaviour	Knowledge	Effect	BootSE	LLCI	ULCI
	Low	-.059	.033	-.135	-.004
	Moderate	-.001	.021	-.045	.042
	High	.043	.032	-.010	.115
Index of Moderated Mediation (Attitudes as Final Mediator)					
	Index	BootSE	LLCI	ULCI	
Knowledge	.056	.027	.009	.117	

Appendix 34:
Study 2: Indirect Effects of Tenure

Attitudes as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Tenure → Behaviour	.093	NA	.001	.185
Tenure → Behavioural Beliefs	-.001	.013	-.029	.025
Tenure → Injunctive Normative Beliefs	.005	.015	-.022	.038
Tenure → Descriptive Normative Beliefs	-.015	.012	-.043	.005
Tenure → Control Beliefs	-.002	.013	-.029	.024
Tenure → Attitudes	.003	.009	-.015	.023
Tenure → Descriptive Normative Beliefs → Attitudes	-.009	.005	-.021	-.001
Tenure → Knowledge → Behavioural Beliefs	.009	.005	.001	.022
Tenure → Knowledge → Control Beliefs	.015	.007	.003	.033
Tenure → Knowledge → Behavioural Beliefs → Attitudes	.002	.001	.0002	.006
Tenure → Knowledge → Descriptive Normative Beliefs → Attitudes	.002	.001	.0002	.006
Tenure → Knowledge → Control Beliefs → Attitudes	.002	.001	.00002	.006

Appendix 34:
Study 2: Indirect Effects of Tenure

Perceived Norms as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Tenure → Behaviour	.076	NA	-.014	.166
Tenure → Behavioural Beliefs	-.001	.013	-.028	.023
Tenure → Injunctive Norm Beliefs	.011	.016	-.015	.047
Tenure → Descriptive Norm Beliefs	-.014	.013	-.043	.009
Tenure → Control Beliefs	-.002	.012	-.027	.022
Tenure → Perceived Norms	.020	.014	-.002	.053
Tenure → Injunctive Norm Beliefs → Perceived Norms	-.009	.005	-.022	-.001
Tenure → Descriptive Norm Beliefs → Perceived Norms	-.010	.006	-.025	-.002
Tenure → Knowledge → Behavioural Beliefs	.009	.005	.001	0.022
Tenure → Knowledge → Control Beliefs	0.14	.007	.003	.03
Tenure → Knowledge → Behavioural Beliefs → Perceived Norms	.002	.002	.0002	.006
Tenure → Knowledge → Descriptive Norm → Perceived Norms	.002	.002	.0002	.006
Tenure → Knowledge → Control Beliefs → Perceived Norms	.003	.002	.003.	008

Appendix 34:
Study 2: Indirect Effects of Tenure

PBC as the Final Mediator				
	Effect	BootSE	LLCI	ULCI
Tenure → Behaviour	.089	NA	.002	.1806
Tenure → Behavioural Beliefs	-.001	.015	-.032	.027
Tenure → Injunctive Normative Beliefs	.006	.015	-.022	.040
Tenure → Descriptive Normative Beliefs	-.017	.013	-.044	.005
Tenure → Control Beliefs → Behaviour	-.002	.012	-.026	.022
Tenure → PBC → Behaviour	.007	.010	-.010	.029
Tenure → Descriptive Normative Beliefs → PBC	-.008	.005	-.020	-.001
Tenure → Knowledge → Behavioural Beliefs	.01	.006	.002	.024
Tenure → Knowledge → Control Beliefs	.013	.007	.002	.03
Tenure → Knowledge → Descriptive Normative Beliefs → PBC	.002	.001	.0001	.005
Tenure → Knowledge → Control Beliefs → PBC	.004	.002	.004	.009

Appendix 35:
Chapter 3 Semi-Structured Interview Guide

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1. How did you come to work in HR?
2. Tell me a little about your job in HR. What legal issues do you deal with most often? If a legal issue comes across your desk, what are some of your key considerations?
3. Do you think most Canadian firms comply with the law?
4. Can you think of a time when a legal issue came up, and the organization fully complied with the law? Can you think of an example of a time when a legal issue came up, and the organization did not fully comply?
5. Which people or groups have the biggest impact over how HR practitioners respond to legal issues?
6. Do HR practitioners feel they 'should' comply, or that others expect them to comply?
7. What are some of the main advantages and disadvantages of complying?
8. What are some things that would help HR comply? What would prevent HR from complying?
9. What role do you think HR plays when it comes to workplace law?
10. Do most HR people feel that compliance is within their control?
11. What role do you think legal knowledge plays?
12. What role does risk play?
13. Do unions impact compliance?
14. Are you in a Provincial HR Association? Do you think Provincial HR Associations influence compliance?

**Appendix 36:
Study 3: Key Themes**

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**Intentional Non-Compliance; Risk; Taking Advantage Because Workers Don't Complain;
Type of Employer**

Sometimes I feel like maybe they don't have strong enough fines. Or, I don't know if that's the right answer, but somehow they need to make businesses understand that it's not worth the risk... there isn't a lot of repercussions to doing the wrong thing... so it's like, "well, maybe you guys do need to get in trouble a bit. Because you know what the right thing to do it, but you're choosing not to. And you are informed as well, and you're choosing not to. (Aria)

In well-established profitable organizations, being in compliance is a requirement to do business. For smaller businesses, they aren't really worried about being in compliance... they're not big enough to be noticed. They're not a big enough fish. (Jack)

Especially in smaller businesses, it comes down to the cost. The actual cost of complying and what is the actual risk of them being caught. ... That ends up being where that consideration happens. I'm just thinking of one company that I gave some solid advice to with regards to complying, but they just kept looking at it from a cost perspective. And the chances of them being caught for not complying were almost, in their mind, nil... I made the recommendation that "probably, this is not the first time that this individual has done this. This is not the first complaint that has come forward to you. You might want to consider letting this individual go". And they were weighing the pros and cons of that, being that he was their best employee from a technical perspective in the skill that he had. And letting him go would put them behind... And other people liked him. So that would also perhaps create a little bit of a riot from a morale perspective. So that's where they started weighing their pros and cons of complying. And so another individual's rights were not considered because of a business reason. (Olivia)

If you're a law firm and you hire only lawyers, you are going to comply with the law. Because if you don't, the people that you're dealing with know their rights and they're going to come after you... They know 'this person is clearly breaking the law, this is how I'm going to proceed. I know the proper way, and the procedure, and how to prove they're wrong. I'm going to do A B and C and at the end of it, I know I'll have \$50,000'. They're going proceed. But if you're dealing with someone that just came here from a third world country they're going to be so scared of everything. And "oh you know, it happens and I'll find something else". And they're scared. Which is my parents. When my parents came here, they took the most odd, low-paying jobs. just so they'd have some money if they got fired. My dad actually did end up getting fired... I remember like, it was a joke. And he didn't get anything obviously. And what was he going to do, you know? He didn't feel he could do anything. (Sophia)

**Appendix 36:
Study 3: Key Themes**

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Unintentional Non-Compliance; Knowledge; Legal Ignorance

I would say that most try to [comply]. There's times when - that's not a good reason, but out of ignorance. And I don't think it's an excuse, but with so many things changing someone should be on top of it to ensure that all companies do comply... the most important themes that I'm noticing appearing answering these questions is the education behind the legal issues within HR. I feel it just needs to be explored more. I feel like that's probably my biggest take-away from it. And from that, you'll come with more or less compliance throughout the workplace. Because if more people are aware, maybe the compliance rates will rise. (Abigail)

I think that most people understand the basics - and when I say 'the basics', I mean what you need to give somebody for pregnancy leave and what your rules are around overtime and things like that... We ought to have a role of being educators. Of being advocates. And of making sure that management and the organization is compliant and that they understand why they're compliant and that they understand the risks and that they understand the rewards and the benefits of that... If you're not involved and you're not integrated in the operation, then bad things can be happening a lot. And not 'bad' because people are necessarily bad, but 'bad' because people don't know that they're doing something wrong. (Quinn)

HR's Expert Guide Compliance Role, Personal Credibility, Offering Support

It goes back to the relationship you have with the business, and sometimes people don't know how to 'influence' I guess is the right word. Influence, and gain that that buy-in. Sometimes, they can get bulldozed over and dismissed when business comes as "no, we're not doing it" or "that's too expensive". You know, how do you respond and how do you how do you change their mind?... It comes with experience. Relationship building is really important. And building trust, I think that's the first step. So earning their respect, earning their trust, that's the first step. Then once you do that, you have their trust, being their HR business advisor, then they'll respect you as that... We can only do that if we know how to provide that lead and we know what we're talking about (Harper)

It was a small enough company I was able to have conversations with people and be like "hey, are you coming to the meeting?". And they would say "I have to, it's mandatory. Why is it mandatory? Am I getting in trouble?". And I'd have to say "no, you're not in trouble. I'm just going over some changes to the health and safety law. Everyone has to do this training, but it's a very good change to the law. And I think people are going to be really appreciative about how the government handles these types of situations and will appreciate the reasons why". I would explain the example of people getting hurt in the workplace. And some of them just can't believe that that would even happen, like "people are getting shot in the parking lot?". Yeah, it happens. And that changes the approach. I would have micro-conversations with the key people that I know were the influencers in the group. And then suddenly, I had a lot more people in that meeting. (Leah)

It's difficult being a supervisor and a manager. And I find it fulfilling when I've been able to work with them and support them through an issue that they didn't think that they could manage on their own. (Mia).

**Appendix 36:
Study 3: Key Themes**

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HR's Ethical Steward Compliance Role

Appealing to people's sense of right and wrong sometimes works... what I'll try and do is get them to walk in the other person's shoes if I can. And then sometimes I might tell a story about some prior experience I've had... if I know I sort of have them with me in the conversation, then I'll say to them "then you agree that everybody wants to do the right thing here?" or something like that. So they're actually putting themselves in the story. I don't know how to describe it to you, but most of us have an inherent sense of what's right and wrong. And it might look different for you than it looks for me, but I'm talking fundamental stuff here. So if you get someone to tap into that for themselves when they're looking at something, sometimes that works. (Alice)

That's really important, that you follow the law not only for legal compliance, but from an ethical standpoint. Morally, I would not be able to sleep if I didn't so... Definitely that's part of HR's role. That's what I get paid the little bucks for [laughs]. It's part of my role to ensure that we are morally ethically and legally compliant... Absolutely, you have to be able to stand up and morally, ethically, and professionally, you have to be able to stand up and say "I'm fighting for what's right here". (Liam)

Ineffective Enacted HR Roles, Perceptions of HR, HR Police

So there have been some meetings I've been in, where even though I was the 'official HR person', the dedicated HR person, they'd have some HR person in some office far away that wasn't actually technically in their business specifically, but just sent in the rules. They became the 'Policy Police'. So that is a whole other challenge. How do I get past the stereotypes of what people think I am before I give any advice?... It became a big challenge for me. People would joke about "oh, do you have like a tattle that's like 'allowed' or 'denied' for each comment I make?". Like no actually, I don't really care. As long as you don't offend anybody, say what you want to say. I don't care how many f-bombs you drop. Like, you're an employee, I'm not the Fun Police. I just want to make your lives a little better [laughs]. (Leah)

Ineffective Enacted HR Roles, Perceptions of HR, Clerk of Works

Are you an administrator who's just pushing paper and doing administrative tasks? Or is HR truly a business partner? And I think HR is moving in a good direction, I think that for the most part that's how companies are looking at HR. But I think that some managers and some leadership seem to look at HR as administrators. And that's the respect that they'll get. (Harper)

If I'm a small organization, I'm probably not going to be paying significant amounts of money for work in HR. I could be getting somebody who's maybe a new grad or who's less experienced because that's what my salary scale is going to allow for. And then there might only be one of them. (Quinn)

**Appendix 36:
Study 3: Key Themes**

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Cultures of Management Discretion

If someone has not said anything or not done anything and has been dealing with an issue on their own let's say for 5 years, and they've never asked for help with it, and they've never done anything. And then now they figure it's time to go to HR because they're just so ticked off about something or someone's done something that's just driven them right to the edge. Trying to get them off the ledge at that point is hard. Harder, because they're well entrenched in their position. To get them to see 'oh maybe we should be looking at this differently' after they've had many examples or many situations where they've already formulated their opinion or their story. And their decision around what it is they want to do. It's harder to get someone from that point than it is earlier on. (Alice)

I think it comes from being business-minded. They weigh the risks and say "well, we're willing to take the risks". They say "we understand what you're saying. We've weighed that. We're willing to take our chances because we think this is not going to happen". (Aria)

It is an advice-driven system and the decision lies with the manager. Which is an interesting one and sort of ironic because they don't have the understanding, the background. They don't fully understand what are the implications, consequences. Even though you might tell them, they don't have a full comprehension from a legal perspective or a legislative perspective. Or even a collective agreement perspective. (Olivia)

Strong Compliance Cultures

I think the way that we handle compliance is unique to our company in the sense that we don't take on any risks. I can't really speak to other companies, but I feel smaller organizations would take on more risk. Us being a global company, I think we have a lot more to lose. Where in smaller organizations, maybe they wouldn't be maybe as big of an impact. (Harper)

That's our ace card... when HR mentions any legal clauses or requirements or 'we do this from a legal point for view', they would just comply with it. (Noah).

I don't think they question [HR's compliance advice] very much, because they have less knowledge on it than I do. They kind of see HR as like "the final answer people", so I don't think that question it. (Sophia).

Spirit Not Letter Cultures

If all of my employees are happy whether they're working longer hours or not, if they're happy, then they don't feel burnt out. Then they feel like they're being well taken care of. And [employers] are authentically and genuinely out for their best interests and looking out for them. And not exploiting them at any rate. Whether it happens this week or next week, whenever that happens they're not going to actually make a complaint right? And so how would I ever get penalized, if they're actually happy.. Which is the point of the law, right? (Leah)

Appendix 36:
Study 3: Key Themes

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Cultures of Indifference

There's always that little layer of they didn't care, they didn't want to, and therefore they didn't. So I wouldn't say that all companies do [comply], but I would hope that most do. (Abigail)

A lot of people are still old school and it's "blah blah blah, I can do what I want". And it's like [laughs] wait, you know - there are laws that regulate you know how you should employ people properly. (Aria)

Attitudes: Law is Grey, Building Consensus, Can't Be Perfect

It's pretty straightforward for ESA and for hours and severance. It's where you get in to the Common Law issues and that type of thing, performance management and whether you can terminate for cause, all that kind of stuff. And that's a fine line and sometimes there's no perfect answer. But if you can get consensus amongst the lawyer and the operations group and you make a decision, most of the time you win. (Jack)

You don't make [risk] go away because people are not always rational beings. And so, even if we do everything right all the time it doesn't mean somebody's not going to file a human rights complaint. Or somebody's not going to contact employment standards... those things are always going to happen, but it sure is a lot easier to deal with when you can defend your actions... If the law was super black and white, we probably wouldn't need lawyers and courts and things like that, right? But we do need them, because it's not black and white, and the law may say something and Case Law may say something else and it becomes very complicated. And it becomes very difficult and, so - I guess it's a matter of looking at your actions and saying: do I feel that I could reasonably defend these, and if I were asked to reasonably defend these actions to a person of authority, to a court, to a Human Rights commission, can I defend those actions, and can I defend that I acted in in good faith in terms of the law? (Quinn)

Attitudes: Don't Want to Comply, Laws Clash with Business Needs; Exists for a Reason

I would say people's personal opinions, I think that's the biggest hinderance to trying to be compliant - is that maybe there's a director that just doesn't want to - doesn't care... I've never been in a situation where, I'm giving them options and they're saying "I want to go with the not good option". But I've been in situations where people haven't done the right thing, and even when I say "hey, that's not the right thing to do" and they just don't care and they don't change their minds. (Abigail)

We have a number of employees in our system that may have been off since 2008. And they're showing up in a manager's organization, in an organization where they're being tasked with reductions. And they're seeing these headcounts of people that are not even with the company, they are on long term disability. It really hurts, in terms of numbers. Because instead of terminating that person that's not even working, they have to terminate someone on their team that's actually working... even though they know the rules, they come to me with "can we can we terminate this person? Why can't we terminate this person? They've been off for how long? When are they coming back?" ... they don't even know these people... [and] they're being asked to cut their headcount and they have to make decisions, right? (Harper)

If it's a 60-something year old man being terminated [without cause] or being laid off versus a 35-year old man, their job prospects are totally different. Their chances of getting employment are totally different. So yeah, you're going to give them a different severance package. Because it's the truth. You know, and that that's what Common Law looks at. (Liam)

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Advantages of Compliance, Compliance is Strategic, Ethics and Fairness

It impacts their culture, their performance, their reputation with the customers or with other departments. Everywhere. For sure people will notice that. (Chloe)

If you're staying above board, you have processes in place, it tends to be an easier time navigating those types of systems... Employer of Choice, if you look at it from that perspective. I've looked at employers and I'm like "oh yeah, you know I've heard horror stories about these people I would never apply there". So even from that perspective of attracting talent... if you're compliant with the law, people don't feel like the employer's always trying to be shady or sneaky or undercut or whatever... from a morale perspective, from a legal perspective, recruitment perspective, all of those things are a huge advantage. Cost perspective as well. I mean, if you're compliant with the law typically you're not going to be spending a whole lot on legal fees and running to a lawyer for advice. And turnover... even just from attraction and also from a turnover perspective as well. Or you know, having to deal with one bad hire after another because your reputation precedes you outside of your organization. (Olivia)

Disadvantages of Compliance. Laws Clashing with Business Needs

It can be expensive, you know like "geez why do we have to pay this person all this money?... we can get away with not paying them". So those are the disadvantages, it's expense. That's the main disadvantage of not complying. But, you know [non-compliance] can be twice as costly in the end, so it's false. [laughs] (Liam)

The disadvantages are sometimes to follow the law takes time, time that busy managers don't always have... Sometimes it can cost more money to follow laws as well, depending on what you're talking about. And managers don't necessarily want to invest time or money into that. (Mia)

Normative Beliefs

I think having your CEO or the culture of your organization stand behind those decisions, even when they're not in your favour or an easy way out. I think the senior leadership of an organization needs to set the record straight, that that's the only accepted culture and it gives credibility to HR... I can tell you as an HR professional "these are the parameters", "this is what the law is", "these are these are things you're required to do", "this is your best outcome in this situation". I can do all that, but I don't want to be the enforcer. That should come from the senior leadership of the organization. So if I work in the retail side of the business for example, then the Chief Retail Officer is the one who says "yes this is the way it's going to be". It shouldn't be the CHRO... I hear people complaining "I don't have a seat at the table... I'm not being taken seriously" or whatever the complaint is. But it all has sort of the same theme: you can only enforce to the extent that someone says "yeah they're the enforcer". (Alice)

They're looking to their leaders and if their leaders are doing a certain thing, then that sort of sets the tone right? And when they say one thing and do the opposite, it's very detrimental to the culture. And it's hard to get them to see that sometimes. (Aria)

If they're not practicing what they preach, then there's no point in having that. I mean, I can tell you even from a dress code perspective, if the top person is saying "everybody needs to be in business attire" but comes in a hooded sweatshirt everyday, then you can't expect anybody else to follow the policy. (Isla)

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Control Beliefs

I think when I don't have senior leadership support, that support and that value from management, and that respect. If HR doesn't have the [seat at the] table, I think that's really challenging. Whereas from an HR perspective, as a business partner... it's not that hard to get things done. But when they don't have that respect for HR, then it's really challenging to get things done. (Harper)

Having a proper network with your peers, I think that's key. And having relationships with people that are capable of helping you to deal and learn, and there's an exchange of information between your peers. I mean, it helps you do a better job, and it's important to stay connected in the community. And there's obviously different things, there's health and safety, there's benefits, there's compensation. There's lots of different facets in HR. So to have some interaction with some of your peers who have more time or have more experience, that's beneficial to be on top of things. (Jack)

A huge piece of being able to influence compliance long term, is for people to truly understand what it is HR people do. And that we don't just recruit and process your paperwork. You know? (Quinn)

Perceived Behavioural Control

I think [HR] could comply if they wanted, and most probably want to comply. I think any non-compliance would be the result of senior managements' influence. Ultimately, I think it comes down to a decision between benefits and consequences... does the HR manager have greater benefit by complying with the law, or by complying with the Director/CEO's will? The HR manager probably asks this question each time they're faced with a new decision, and the answer to this question dictates the course of action the manager chooses. (Ben)

I think that that all depends on your experience working in the field. The longer you work in the field and the higher the quality of the workplace. And being mentored by senior-level employees definitely helps. When I first finished my schooling and went into the workforce, if someone was to make me in charge of compliance... If left up to my own devices, I would be like "what? I know I had tests on some of this stuff, but what?" (Sophia)

Professional HR Associations

I think it does [promote compliance] because they do offer a lot of tools behind it. But I really like the way that they position themselves when they're thinking about the designation, in that you have to adhere to the highest ethical standards and codes. And I think that's important because if someone's already spending so much time and money to be designated, just do it right. And I like that kind of feeling behind it. It just reassures I guess me, and it should reassure the company as well, but... I think for someone who's just starting out and taking the [certification] exam maybe if they're studying by themselves I think it could be a little bit difficult. But I feel like there should be a legal component in it. I think it is important. (Abigail)

I don't think that they super duper care about compliance because I really don't think that they care about their members in general. I think it's like a big money grab. I went and did it anyways because I felt it would make me a more desirable candidate, to be honest with you. That's kind of why I did it. Which I mean, I did learn a lot from it and I think it's beneficial just for myself to know. And obviously, going into the next organization where I work, just to show that I'm competent and I understand the basics and this and that. But I don't really think that they care. (Sophia)

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Unions

Oh, I would think they have to [impact compliance]. Because they are sticking up for people. In some industries, they really are dealing with what they need to do for that industry. But unions came around from a time when the employer was asking for a different kind of work... I don't know if it would be good for the business or even for the employees... sometimes it's good when you're a member of a union because you get paid more for a job, but there's some jobs you can't take because they're not unionized jobs... Unions certainly have an impact in compliance because there's a lot more visibility, there's a lot more people holding you accountable. I generally don't always think that's the best thing for both the business and the people involved... "Oh it's 6 o'clock, that was great thinking. See you Monday, because I'm not allowed to work the extra hours because they're holding my boss accountable for overtime" for example. You're going to have to come in on Monday, re-engage for 40 hours, really consider all the options, like "oh, what was I thinking last Friday?" (Leah)

You're held accountable to a contract and it's not just the fact that somebody from the outside might be looking in, it's the inside looking in. And they have much more training and knowledge from a legal aspect, the unionized workers... more knowledge from the worker base is there. And even if it's not exactly correct or accurate, they still hold the employers' feet to the fire at a micro level, not even a macro level. So always having your eyes or somebody's eyes on you and the fear in certain organizations. One organization I worked in before I came here, the fear of getting a grievance was actually paralyzing to a lot of managers. So making sure that they do what they're supposed to do at all times. And sometimes actually throwing away their manager rights just to make sure they don't get a grievance. Or seen as not doing their job. So yeah, absolutely I think being in a unionized environment helps tremendously. (Olivia)