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NEW DIRECTIONS IN EMPLOYMENT RELATIONS THEORY: UNDERSTANDING FRAGMENTATION, IDENTITY, AND LEGITIMACY

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This article introduces the special issue on New Theories in Employment Relations. The authors summarize the history of employment relations theory and reflect on the implications of recent disruptive changes in the economy and society for new theory development. Three sets of changes are identified: the growing complexity of actors in the employment relationship, an increased emphasis on identity as a basis for organizing and extending labor protections, and the growing importance of norms and legitimacy as both a constraint on employer action and a mobilizing tool. The articles in this special issue advance new frameworks to analyze these changes and their implications for the future of employment relations.

Theory provides a critical foundation in the field of employment relations. Our field has a strong empirical tradition and is grounded in the multidisciplinary study of work and employment, within workplaces, industries, and economies. Yet it is ultimately theory that takes us from an accumulation of disconnected facts to arguments concerning cause and effect. Theory organizes academic discourse, providing a framework for mapping how each study relates to another. It also helps to shape the direction of future studies, highlighting critical assumptions and areas for debate while relegating other topics to the fringes.

Because the field of employment relations examines a particular set of social arrangements—the organization of employment—our theories need to adapt as those social arrangements evolve. A rich body of research has documented how work is being reshaped by such forces as the changing

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Bruce Kaufman, Tom Kochan, Nick Krachler, and the authors contributing to this special issue provided helpful feedback. Please address correspondence to the authors at vld7@cornell.edu.

Keywords: employment relations, ER theories, labor protections, fragmentation

ILR Review, 74(3), May 2021, pp. 555–579
DOI: 10.1177/0019793921993445. © The Author(s) 2021
Journal website: journals.sagepub.com/home/ilr
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role of organized labor in society, the growing complexity of supply chains within and across national borders, the shifting role of the state in regulating employment, and the increased incorporation of previously marginalized voices. Yet we have arguably made less progress in thinking through what these changes mean for the fundamental frameworks that we use to understand the employment relationship.

The goal of this special issue is to advance the development of theory in labor and employment relations by bringing together projects that advance new frameworks and arguments for understanding the changing world of work. Our hope is that these articles can help to reshape our research and identify the critical forces that shape modern employment.

In this introduction, we briefly summarize the history of employment relations theory and discuss recent developments that create a pressing need for new theories. Our main lens is theoretical and empirical debates in the United States. While we engage with international theory and research, reviewing the rich and varied history of other nationally specific employment relations' traditions is beyond the scope of this article. Nonetheless, we believe the broad trajectory of topics and research questions we discuss are globally relevant; particularly as national employment relations systems become integrated into global financial, product, and service markets. We situate the articles in this special issue within three sets of developments: the growing complexity of the central actors in the employment relationship, an increased emphasis on identity as a basis for organizing and extending labor rights and protections, and a breakdown of historic institutions, associated with increasing contestation of norms and legitimacy. The introduction concludes with reflections on future areas for theory development.

The Evolution of Employment Relations Theory

The field of employment relations is defined by both its topic area and its approach. First, the field involves the study of employment, with a focus on how labor and management combine to create value and negotiate over its division, as well as how people experience the workplace. Second, the field is traditionally problem-focused. While deeply embedded in academia's intellectual norms of knowledge-creation, employment relations has its roots in the question of how to manage labor strife or conflict within society. It continues to place a strong emphasis on studying policies and practices that can help to improve the welfare of workers and broader society (Kochan 1998). Third, the field is interdisciplinary. Important contributions to our understanding of employment come from research in economics, sociology, psychology, political science, anthropology, philosophy, history, legal theory, and so on. Some degree of overlap and exchange also takes place between employment relations and the interdisciplinary human resource management and organizational behavior fields. Employment relations research,

however, more often combines diverse theoretical lenses and places a stronger emphasis on the institutional and industry context of workplace policies.

These characteristics help to shape the nature of theory in employment relations. The focus on understanding workplace outcomes means that employment relations scholars typically seek to develop "middle range" theories that deal with particular phenomena, rather than to establish more universalistic propositions. The interdisciplinary nature of employment relations has fostered cross-level theorizing that attends to the way individual workers and employers are embedded within companies and unions, which are themselves strongly influenced by customers and competitors and are subject to regulatory and political pressures enacted by states and supra-states. Although the exact scope of employment relations theorizing is contested, the resulting theories have often covered topics such as the determination of pay and conditions, the impact of employment relations institutions on performance and worker well-being, and the organization and representation of labor.

Classical Industrial Relations Theory (1890s to 1980s)

Questions of labor and its relations have long been central to the study of political economy, from Adam Smith's analysis of the division of labor to Karl Marx's theorization of the relationship between labor and capital. These and other scholars developed frameworks to explain the institutional and social evolution of employment within capitalist economies. The foundation of what is generally considered classical industrial relations theory, however, occurred at the outset of the 20th century, led by John R. Commons in the United States and by Sidney Webb and Beatrice Webb in the United Kingdom. Commons (1909) theorized that the institutions of labor and representation by unions expanded in response to the expansion of product markets due to advances in transportation technology. Commons also emphasized the role of public policy in regulating the labor market. During the same era, the Webbs (1897) developed their theories of the methods by which organized labor furthered its goals—through collective bargaining, legal enactment, and mutual insurance. These and subsequent industrial relations scholars developed an analysis of labor problems that provided an alternative both to the emphasis on unconstrained free markets in classical economic theory and to the rejection of the legitimacy of business interests in Marxist theory (Kaufman 1993).

The height of classical industrial relations theory's influence on public policy came in the mid-20th century, during a period of expanded union representation, broad collective bargaining, and institutionalization of labor and management interests. The dominance of pluralistic industrial relations theory reached its height with the work of Dunlop (1958), who in *Industrial Relations Systems* posited a model of industrial relations based on stable collective bargaining and conflict resolution underpinned by a common

normative framework. The acceptance of this framework by labor, employers, and government would bring stability to the system even in the absence of the formal tripartite institutions developed in many European countries. The confidence in the intellectual and policy primacy of this perspective was embodied in Kerr, Dunlop, Harbison, and Myer's *Industrialism and Industrial Man* (1960), which envisioned collective bargaining spreading worldwide as the foundation of stable industrial relations systems in industrialized countries.

These ideas were dominant in the field through the 1970s in the United States and in the United Kingdom, with Flanders (1970) and other scholars further developing arguments that the reconciliation of conflicting labor and employer interests were central to industrial relations. At the same time, pluralism did not achieve complete disciplinary dominance though, with important challenges coming from Marxist industrial relations theorists such as Hyman (1975) and related labor process (Braverman 1974) and critical theory (Stone 1974) scholars.

Classical industrial relations theory faced a more fundamental challenge in the 1980s as stable systems of collective bargaining began to break down. In the United States, empirical evidence of change mounted, with declining rates of union representation and collective bargaining coverage, disruption of stable bargaining relationships, shifting patterns of production, and a growing public policy hostility to labor interests. The field's reassessment of its founding paradigm reached an apotheosis in Kochan, Katz, and McKersie's classic 1986 work, *The Transformation of American Industrial Relations*. Their transformation approach emphasized the importance of strategic choices by the parties at multiple levels of interaction. Employers had increasingly bypassed previously stable patterns of collective bargaining, demonstrating that the common normative framework posited by Dunlop no longer existed, if it ever really did. The transformation perspective also broke with previous theory by emphasizing the increasing role of employers as the dominant actors in industrial relations. This shift in perspective did not reflect a normative change among scholars but was rather based on an analytical and empirically based argument that industrial relations had moved away from a period of balanced labor and employer power, because of a systematic and structural decline in labor power.

Post-Transformation Employment Relations Theory (1980s to early 2000s)

Although transformation theory provoked much debate and criticism when it was first put forward, the trends it identified continued and became increasingly dominant. In subsequent years, the key question became less how to maintain the previous collective bargaining system and instead how to understand the changes that were occurring, and thus to construct a new agenda for policy and practice. This shift in focus is reflected in changing nomenclature in the field from "industrial relations" to "labor and

employment relations," along with aspirations to develop a more generally applicable body of employment relations theory for the present era. This special issue is an effort to contribute to this project.

Two broad research streams developed between the 1980s and early 2000s. The first focused on understanding changing "post-transformation" employer strategies. This research stream had a particular focus on how new approaches to work organization, human resource management, and dispute resolution affected worker voice and distributive outcomes. The second stream focused on how unions could successfully organize and mobilize the workforce at a time of declining institutional power and growing employer opposition. The central concern in this stream was the future of the labor movement, particularly its capacity to revitalize and serve as an effective source of countervailing power in the employment relationship. While many of the same researchers contributed to both streams, each placed a distinct analytical focus on employer or labor strategies and actions. Both streams also continued to develop through an ongoing debate between pluralist and radical or critical perspectives.

Production Models, High-Performance Work Systems, Labor Market Segmentation

Much research on new production models and high-performance work systems grew out of the pluralist industrial relations tradition and the transformation approach. The central focus remained on labor–management interaction within industries, firms, and workplaces. However, the focus shifted to how these actors were adjusting to changing technology and work organization, as the declining competitiveness of mass production led employers to experiment with alternative practices. Research on lean production in Japan, flexible specialization in Italy, socio-technical systems in Sweden, and diversified quality production in Germany became references in a growing literature on the institutional foundations of national production models (Berger and Dore 1996) or employment systems (Marsden 1999).

A key theoretical concern was the role of institutions in generating both efficiencies and mutual gains. Scholars argued that certain institutional arrangements achieved these gains through encouraging collective employee voice in production and problem-solving (Freeman and Medoff 1984), while removing conflict over pay and benefits to the industry- or national-level. Research by Helper (1991) and Sako (1992) demonstrated that coordinating institutions in countries with strong unions—for example, Germany and Japan—encouraged more trust-based relations between firms and their suppliers compared to the more market-oriented United States and United Kingdom. They also showed how these trust-based relations improved performance and quality. This trust extended to labor relations, in which commitments to job security and institutionally secure unions served as productive constraints on firms, encouraging them to invest in

employment models that invested in skills and secured employee cooperation (Streeck 1991; Turner 1991).

US and UK research focused on new teamwork and employee involvement models initially inspired by or copied from international best practices. Appelbaum and Batt (1994) identified two models of high-performance work systems in the United States, which they referred to as American versions of Japanese-style lean production and Swedish-inspired team production. The team model was adopted most often in unionized firms and was associated with more significant mutual gains for workers. There was a great deal of optimism among US industrial relations scholars that discretion-based work restructuring would provide a vehicle for stronger labor–management partnerships, while demonstrating the benefits of employee voice for both employers and workers. Researchers found that high-performance work systems were associated with performance improvements and higher job satisfaction in a range of unionized workplaces and industries, including manufacturing (Appelbaum, Bailey, Berg, and Kalleberg 2000), steel (Arthur 1992), autos (Macduffie 1995), telecommunications (Batt 1999), and health care (Eaton 2000). Some researchers pointed more directly to the role of labor's power resources in the success of these partnerships and initiatives. For example, Frost (2000) argued that local union capabilities explained variation in unions' ability to collaborate with management over restructuring.

Critical industrial relations scholars, grounded in Marxist sociology and labor process theory, objected to these researchers' focus on mutual gains. Instead, they argued, lean production and high-performance work systems were intensifying work and often lacking in (or undermining) more democratic participation structures (Godard and Delaney 2000). Parker and Slaughter (1988) developed an early argument against partnership over teamwork in the auto industry, while Graham's (1995) ethnography of working at Subaru-Isuzu described the intense conditions, insecurity, and lack of voice in a non-union (if "lean") Japanese auto factory.

Meanwhile, survey research found that only a minority of US firms adopted high-performance practices (Osterman 2000), while many prominent partnership cases failed in the face of restructuring pressures in the early 2000s. Cappelli (1998) described a "new deal at work" in the United States characterized by the marketization of employment relations within organizations and challenged optimistic predictions that employers would provide job security and career development in exchange for employee participation and commitment. Colvin (2003) documented the widespread adoption of dispute resolution procedures in non-union workplaces, aimed at displacing union voice and binding workers to mandatory arbitration. Together, this seemed to bear out the predictions of comparative scholars (e.g., Turner 1991) that the US's weak industrial relations system and escalating employer opposition would undermine negotiated adjustment to changing markets. It also laid the groundwork for the widespread embrace

of Hall and Soskice's (2001) *Varieties of Capitalism* framework, which argued that employers' strategic choices were structured by complementary institutional systems. These institutions encouraged market-based coordination in liberal market economies like the United States and non-market coordination in coordinated market economies like Germany and Japan. Seen in this light, the failure of US employers to realize the promise of mutual gains bargaining could be attributed to their more fragmented and weak industrial relations, training, and corporate governance institutions, which supplied competitive advantage in markets requiring rapid innovation, labor market flexibility, and quick access to finance.

A second line of critique focused on the dynamics of labor market segmentation, considering which groups of workers benefited (and which were excluded) from collective bargaining, partnerships, and high-performance work systems. This literature had deep roots in institutional economics, which argued that internal labor markets secured the loyalty and effort of core workers, leaving a periphery divided by race, sex, educational credentials, and industry segment to bear the brunt of market instability (Doeringer and Piore 1985). Milkman's (1987) study of the evolution and function of sex-based job segregation in the United States during and after World War II and Rubery's (1988) study of the impact of recession on women's employment in Europe were early examples of research analyzing the intersection between labor market regulation, systematic discrimination, and unequal employment outcomes. Scholars built on these insights in research on non-standard (temporary and part-time) work (Kalleberg 2000). These irregular forms of employment expanded along with new production models in most wealthy economies and disproportionately affected women, migrant workers, and racial or ethnic minorities (O'Reilly and Fagan 1998; Vosko 2000).

Union Revitalization, Mobilization, and New Social Movements

A second stream of research that developed between the late 1990s and early 2000s focused more directly on how unions could successfully organize and mobilize workers under more challenging conditions of employer hostility and union decline. This is often described as the "union revitalization" literature.

Industrial relations theorists have long been interested in unions' strategies for protecting themselves from the competitive menace associated with the extension of markets (Commons 1909). Pluralists had often seen those strategies within the context of potential synergies between labor and management interests, and thus to focus on labor–management partnership. Union revitalization research, though, focused more squarely on conditions for effective organizing and mobilization aimed at building labor power. One influential contribution by Kelly (1998: 1) drew on social movement and long wave theories to argue that the labor movement was "on the

threshold of resurgence" based on mobilization in response to accumulated injustice and to a long period of state and employer counter-mobilization. Another was Voss and Sherman's (2000) analysis of why some US labor unions were successfully transforming themselves from bureaucratic to social movement organizations, which they attributed to crisis conditions, activist leadership, and union support.

Although union membership was declining in most countries during this period, the revitalization literature focused most centrally on developments in the United States, where union decline was so severe that increasing mobilization was seen as a prerequisite for rebuilding a functioning collective bargaining system and reasserting worker voice. In their comparison of union renewal strategies across North America and Europe, Frege and Kelly (2004) argued that unions in liberal countries such as the United States had the most to gain from organizing, coalition-building, and political action because they faced such a hostile context. Levi (2003) argued that to achieve the kind of institutional power supportive of partnership and voice in Europe, American labor had to first become a social movement, based on intensified organizing, internal democratization, and mobilizing to effectively build countervailing power in the US political system.

A range of studies focused on examples of successful campaigns, published in edited books with optimistic titles like *Organizing to Win* (Bronfenbrenner et al. 1998) and *Rebuilding Labor* (Milkman and Voss 2004). Many of these cases, like SEIU's Justice for Janitors campaign, centered on labor coalitions within neighborhoods and cities, coordinated campaigns against employers, and organizing within migrant communities or communities of color (Erickson et al. 2002). Empirical studies mapped out the combination of tactics that helped counter employer power, organize new workplaces, and win concrete battles (Johnston 1994). These new tactics were not adopted comprehensively across the US labor movement; nor did they halt the decline in union membership. Indeed, Fantasia (1988: 23) argued that although US workers were developing "cultures of solidarity" on the shop floor during this period, these mobilization efforts were often "fragile, fragmentary, and defensive" in a largely hostile institutional environment. At the same time, these studies demonstrated the need for unions to look beyond their traditional core membership in the face of widespread employer resistance to union organizing even as they highlighted the substantial challenges to doing so.

The Need for New Perspectives

Researchers' responses to changes in employment from the 1980s to the early 2000s were often shaped by a continuing commitment to pluralistic employment relations. There was widespread recognition that employer power was growing relative to that of labor, and traditional institutions were breaking down. At the same time, mutual gains appeared to still be

possible given the right set of coordinating institutions. Researchers could point to examples such as Germany and Sweden where unions retained more of their past institutional power, as well as to positive cases of labor–management partnership in more liberal Anglo-American economies (O'Brady 2020). Such optimism has become more difficult to sustain as labor's power has continued to decline relative to that of employers, states have begun to lose their traditional capacity to regulate employment relations, and the vestiges of normative consensus among employment relations actors have further eroded. The need for new theories is becoming increasingly evident.

Indeed, because employment relations theories are middle-range theories, they are particularly context dependent. Pluralistic models of employment relations were based on a specific context, one in which there was a clear definition of the main actors of employment relations—unions, employers, and governments or states—pursuing their interests through more or less stable sets of formal institutions. Employment today often takes place in a very different context. First, employment relations actors are more complex, challenging traditional forms of regulation and bargaining. Second, identity and identification have become more prominent (or recognized) factors in both the employment relationship and social and labor movements, which changes the effectiveness of traditional tactics for mobilizing workers and securing mutual gains. Third, the weakening of formal institutions has led to the increased importance of norms and legitimacy as a constraint on employer action and a mobilizing tool. Below we describe these changes and the efforts of employment relations scholars to address them with new theory development.

Growing Complexity of Actors

Industrial relations theory has long recognized that labor, employers, and the state were not unitary actors, and that differences within each of those groups could shape employment outcomes. Recent changes in capital, product, and labor markets, however, have led to increased fragmentation within those groups. An important direction for new theory is therefore developing new conceptual tools to analyze the changing interests of and interactions among this more complex constellation of actors.

Decline of Organized Labor

Union density and bargaining coverage continued to decline in the Global North into the 2010s, including in once well-organized northern Europe, despite many unions' embrace of revitalization strategies. As a consequence, unions, and even the threat of unionization, play almost no role in setting employment conditions across large swaths of many economies. This decline requires new ways of understanding the role of labor in shaping employment in those settings where workers lack organized voice.

Some employment relations scholars have responded by doubling down on the focus on employer agency that developed during the "post-Transformation" 1990s. Hence, an important stream of work has examined non-union employee representation plans (Kaufman and Taras 2016) and conflict resolution procedures (Colvin 2003; Lipsky, Seeber, and Fincher 2003), showing that, particularly in the United States, non-union voice and dispute resolution institutions have expanded as collective bargaining and union representation have declined (Colvin 2012; Behrens, Colvin, Dorigatti, and Pekarek 2020). Ariel Avgar's (2021) contribution to this special issue showcases the value of exploring employers' strategic decisions, as he examines whether and how employers adopt mechanisms for workers to express voice and resolve or manage conflicts, depending on the constraints they face. He develops a typology of non-union voice and dispute resolution configurations, in which the decision concerning how to combine the two represents a relational exchange between employers and their workers. An important implication is that both worker voice and dispute resolution have often become gifts from the employer rather than standard institutional features of the employment relationship.

As Avgar illustrates, the primacy of employer strategies does not mean that worker interests drop out of decision-making altogether, but rather that they become expressed in different ways. Employer behavior is still constrained by the threat of worker exit, as well as the need to retain broader social legitimacy that we discuss below. Strategic decision-making within such constraints, however, is unlikely to deliver the same outcomes as traditional bargaining (Freeman and Lazear 1994). Research has tied US union decline to various changes in the terms of employment, including growing wage inequality within industries (Western and Rosenfeld 2011), a decrease in the use of defined benefit pension plans (Cobb 2015), and a decline in long-term employment relationships (Bidwell 2013). As we discuss below, researchers are making useful headway in understanding the constraints under which employers operate, as well as the changing opportunities or incentives for escaping those constraints. Analyzing the reasons why employers adopt particular strategic responses to those constraints and opportunities is one promising approach to employment relations research.

Fissuring of the Modern Employer

If the decline of organized labor suggests the need to focus on employers' strategic choices, changes in industrial organization challenge the assumption that workers have one employer who sets conditions for them. In particular, researchers are grappling with two dimensions of organizational change that complicate our capacity to understand employer strategy.

The first dimension is vertical disintegration, or "the emergence of new intermediate markets that divide a previously integrated production process"

(Jacobides 2005: 465). Weil (2014) more recently coined the term "workplace fissuring" to describe the process of splitting off formerly internal functions and moving them to subcontractors, franchisees, service vendors, temporary staffing agencies, and independent contractors. This process has led to the explosive growth of global value chains or production networks, with offshoring to tiered subcontractors as well as dramatic expansion of domestic outsourcing to other firms within the same country (Newsome, Taylor, Bair, and Rainnie 2015). Fissuring has affected not only ancillary services, such as call centers, cleaning, catering, and security, but also core functions, such as emergency rooms in hospitals. Advances in algorithmic management are facilitating further fissuring of service work to dispersed freelance contracts in the expanding gig economy and allowing the offshoring of programming and data analysis tasks using online labor platforms (Wood, Graham, Lehdonvirta, and Hjorth 2019; Cameron 2020).

Vertical disintegration changes employment relationships in a number of ways. First, it introduces multiple organizations into the process of determining employment conditions. For example, a fast food worker may be formally employed by a franchisee, but the franchisor often requires franchisees' adherence to its training procedures, work processes, and scheduling algorithms (Weil 2014: 122–24). The brand owners' strategic decisions also may indirectly shape pay through their effects on the franchisees' margins. Analytically, this fissuring therefore complicates the process of understanding which actors are most relevant in determining working conditions. Moreover, interactions between the corporate entities at various points of the value chain as firms seek larger slices of the value created begin to impact conditions for employees. Fissuring also creates legal and practical challenges for workers who seek to shape those conditions or who seek collective representation. The result is to move otherwise social and organizational processes for setting pay and conditions into markets organized across firms and their subcontractors, vendors, or franchisees (Greer and Doellgast 2017). Research has found that the outcome is often growing inequality and downward pressure on pay and conditions, particularly for lower paid or lower skilled workers (Bernhardt, Batt, Houseman, and Appelbaum 2016; Cobb and Lin 2017; Goldschmidt and Schmieder 2017).

A second consequence of vertical disintegration is to create new opportunities for employers to engage in regulatory arbitrage. Offshoring or relocation of production in global value chains allows firms to shift employment to the most welcoming regulatory regime. Even within a country, employers can move work from one region to another, or from employees to independent contractors or posted workers who are subject to different regulations. Studies show how such outsourcing allows employers to move workers across the boundaries that demarcate collective agreements or union representation domains (Benassi, Doellgast, and Sarmiento-Mirwaldt 2016) and exploit spaces of exception where agreements or employment

regulations do not apply (Wagner and Lillie 2014). Such behavior often creates downward pressure on pay and conditions and an increase in within-industry inequality (Batt, Holman, and Holtgrewe 2009; Gautié and Schmitt 2010; Grimshaw et al. 2015), particularly within highly unionized countries and industries (Lee 2011; Doellgast 2012).

A further dimension of organizational change has been the growing power of investors or capital in an industrial relations field that has traditionally focused on firms or employers. While employers have been increasingly prioritizing shareholder interests in the United States and the United Kingdom since the 1980s, European countries have more recently liberalized financial markets and moved away from their traditions of stakeholder capitalism. The years since 2000 have also seen a growth in activist investors explicitly seeking to influence organizational policies. These investors are empowered by financialization, which promotes profit extraction rather than long-term growth and investment in employees (Appelbaum and Batt 2014; Cushen and Thompson 2016). The increasing influence of new financial actors, such as private equity and hedge fund investors, further challenges the idea of the employer as a unitary actor. Employment conditions are shaped not only by client firms in subcontracting chains but also by investment funds that are legally and financially distinct from the employer of record.

Employment relations theory can adapt in a variety of ways. One approach, taken by Christine Riordan and Alexander Kowalski (2021) in this issue, is to examine how fissuring and other organizational changes shape how we understand conflict. They note that the introduction of greater organizational distance between the key actors in the employment relationship is likely to make it more difficult to resolve disparate interests in a mutually beneficial way. Their analysis predicts that the result is likely to be higher levels of latent conflict within organizations that will be increasingly difficult to manage.

A second way in which theory can adapt to the more fragmented nature of employers is by analyzing the reasons for decisions regarding employment contracts and forms. In this issue, Chiara Benassi and Andreas Kornelakis (2021) examine how employers engage in regulatory arbitrage around employment types. In principle, many jurisdictions have regulations to prevent employers from using outsourcing to escape employment regulations. Benassi and Kornelakis show that these regulations can shape employers' decisions about the kinds of contingent workers they employ. They also argue that employers often circumvent these regulations through mechanisms of "institutional toying," either by exploiting loopholes or by simply misclassifying workers, and they detail the ensuing effects on work organization. Employment relations theorists have traditionally expected that the organization of production determines employment conditions, but Benassi and Kornelakis show how the relationship can work in reverse, as employers reorganize work to avoid classifying workers as employees.

A third, and related, response to the growing complexity of employers is to shift our unit of analysis from the individual employer to the entire value chain. This is the approach that Mark Anner, Matthew Fischer-Daly, and Michael Maffie (2021) adopt in their contribution to this issue. They suggest that we should consider the distinctive advantages to labor of bargaining at a network level, as workers face off against increasingly networked firms. They bring together several bodies of research, including studies of global value chains, workplace fissuring, and algorithmic management, to describe firms' own shift from hierarchies to networks. On the labor side, they analyze approaches that worker organizations take to building power in networked firms, arguing that the most effective strategies take the form of network bargaining. This approach yields particular returns in helping us to understand how labor groups and social activists can build effective responses to the challenges that organizational fragmentation creates. Their organizing framework is useful for categorizing diverse union strategies, ranging from transnational union campaigns (Anner 2011; McCallum 2013; Brookes 2019) and global framework agreements (Helfen, Schüßler, and Stevis 2016) to local bargaining in multinational corporation subsidiaries (Pulignano, Doerflinger, and De Franceschi 2016) and new forms of labor alliances and coalitions (Chun 2009; Donaghey and Reinecke 2018; Tapia 2019).

Complex Role of the State

The state's role in regulating employment has also changed in recent decades. Two trends are particularly salient. First, neoliberal policies have promoted market discipline over more protective institutions, strengthening employer power. These policies include reduced barriers to trade, deregulation of financial markets, and cutting government expenditures. A slew of labor market reforms have increased labor market commodification by weakening employment protections, reducing the generosity and duration of unemployment benefits, enacting "work first" welfare to work policies (Greer, Breidahl, Knuth, and Larsen 2017), and rolling back such social entitlements as housing benefits and state pensions (McCarthy 2017). Policymakers have also weakened collective labor rights and bargaining structures (Colvin and Darbishire 2013), either through explicit regulatory reform, as in the United Kingdom and Germany, or, as in the United States, by refusing to protect the right to organize from concerted employer resistance (Dubofsky 1994). In countries with authoritarian regimes, possibilities for contesting liberalization policies are further constrained by the weakness of basic rights to freedom of association (Cook 1996; Friedman 2014; Bishara 2018).

A second set of changes involves the proliferation of diverse regulatory actors alongside the traditional nation state. As value chains have expanded globally, there have been more attempts to introduce cross-national regulation. International organizations, including multinational firms, nongovernmental

organizations (NGOs), and multilateral institutions, such as the World Trade Organization and the European Commission, play an expanding role in a range of areas. They are involved in promoting global flows of goods, services, finance, and people; establishing the regulatory framework for these flows; and policing compliance with rules (Bellace 2014). Meanwhile, multinational firms have organized their own private regulation efforts, coordinating networks of organizations involved in standard setting and monitoring (Kuruvilla, Liu, Li, and Chen 2020).

Scholars have responded to these changes by deepening their analysis of the role of the state in employment relations, detailing how this role varies both across countries and over time. Indeed, as neoliberal doctrine seeks to downplay the state's role in governing employment relationships, theorists evince a growing interest in understanding its role in reorganizing those relationships. Chris Howell's (2021) contribution to this volume is a powerful exemplar of this approach. Building on regulation theory, he suggests that state action to liberalize industrial relations is underpinned by both the need to stabilize post-Fordist capitalist growth models (Baccaro and Howell 2017) and the changing configurations of class power associated with these models. Understanding how employment relations are evolving thus requires us to pay more attention to the broader dynamics of economic growth that shape state action.

Like Howell, Glenn Morgan and Marco Hauptmeier's (2021) contribution to this volume takes as a starting point neoliberalism's impact on employment relations. However, where Howell sees a common trajectory to state action, rooted in the interests of capital, Morgan and Hauptmeier argue that cross-national differences in the social organization of ideas play a meaningful role in how these interests are translated into policy choices. They build on Campbell and Pedersen's (2014) research on national knowledge regimes to analyze how neoliberal ideas in the sphere of employment relations were produced and disseminated in the United States and Germany, and how those ideas affected the trajectories of labor market deregulation between the 1980s and 2010s. Different constellations of institutions in those countries—outside of, but in dialogue with, the state—played an important role as mediators. For example, partisan think tanks contributed to the growing hegemony of pro-market ideas in the United States, whereas German labor market policy was more strongly influenced by balanced research from foundations and institutes connected to political parties, unions, and employers.

The developments described above challenge our traditional frameworks for understanding employment relations, as organized labor becomes less prominent in many sectors, organizational forms are increasingly complex, and the traditional nation-state becomes both embedded in regional or global networks of regulatory actors and a driver of neoliberal reforms. The way in which we understand the interactions between these actors is also changing. In particular, the state (at national, state, or local levels) remains

an important site for contestation and compromise among employment relations actors (Marginson 2016) and may even have grown in importance as a site for claims-making where independent collective bargaining has broken down or was already weak (Eaton, Schurman, and Chen 2017). At the same time, employers' and capital's ability to exit traditional institutions and regulation has increased. These trends raise the question of how (increasingly complex) employment relations actors mobilize new forms of power, both in the employment relations sphere and vis-à-vis the state. Below we highlight two important developments that are significant for theorizing these changing strategies: first, a shift from thinking about interests toward examining identities; and second, a move from understanding institutions as a central constraint on action toward an examination of norms and legitimacy.

From Interests to Identity

Traditional theories in employment relations have a strongly materialist bent. Labor and employers are defined in part by their class interests, and those interests are seen as shaping their actions. There is no doubt (in our minds, at least) that interests continue to play a central role in employment relations. Recent developments, though, have brought belated attention to the role of identity as an alternative or complementary factor that shapes employment dynamics and outcomes.

As March (1994) noted, arguments based on identity draw on models of behavior that differ from those based around interests. Identities are central to the logic of appropriateness, which suggest that we are motivated to make decisions that are consistent with our self-perceived identities, unlike models based on the logic of consequences. Recent work highlights two ways in which paying more attention to identities, particularly on the part of workers, can change our understanding of employment relationships.

One way in which identities may displace interests is as an axis along which workers organize (Piore and Safford 2006). As we have outlined above, organizing along traditional bases of economic interest has been in long-term decline. Union density has fallen and attempts to build social movement unionism have yet to demonstrate enduring impacts. Where there have been organizing successes, these have often been based on mobilizing workers around alternative axes of identity, such as gender, race, and sexuality. Unions and other worker organizations, like worker centers, have developed targeted campaigns focused on the particular concerns and struggles faced by migrants (Fine 2006) and young people (Tapia and Turner 2018). Researchers have argued that these efforts more often succeed when they adopt explicitly intersectional approaches to organizing that move beyond seeing workers as a single class to recognize the amplified oppression workers face as a result of various marginalized identities (Alberti, Holgate, and Tapia 2013).

Other work has drawn attention to the success of identity-based social movements in shaping employment, independent of organized labor. For example, Briscoe and Safford (2008) noted the success of the LGBTQ community in pushing for same-sex partner benefits. More recently, the #MeToo movement has put significant pressure on employers to reduce sexual harassment and increase diversity. As we write this, employers are attempting to respond to the Black Lives Matter movement. Corporate diversity and inclusion departments are becoming standard, while affinity or employee resource groups provide a form of collective voice at work (Bell, Özbilgin, Beauregard, and Sürgevil 2011). As Riordan and Kowalski (2021) note, the development of organizing along identity lines has had powerful influences on the workplace.

Beyond these visible manifestations of workers' identities, employment relations scholars are increasingly aware that each individual's identity will also affect how they understand and react to management policies or employment conflicts, alongside the effects of material interests. These identities may be based on social categories, such as race and gender, but may also include workers' identification as organizational citizens or skilled professionals. Aruna Ranganathan's (2021) contribution to this issue analyzes these dynamics in two Indian work settings. She shows that workers alternatively embraced or resisted change based on whether that change fostered or impaired identification with their occupation, organization, or work. Her research suggests that identity can be an important factor informing more effective management practice. Ranganathan's study also resonates with recent research on the mobilization around professional identity to improve job security and conditions (Rothstein 2019; Krachler, Auffenberg, and Wolf 2020).

Other articles in this special issue explore how identity might intersect with worker interests and power. Similar to Ranganathan, Riordan and Kowalski (2021) ask how identity shapes conflict within the employment relationship. They note that identity and its accompanying values are powerful determinants of conflicts, smoothing a path to resolution when they are aligned and creating major challenges when they are not. Their framework suggests new directions for theory and research about how, and along what paths, employment evolves. Decisions concerning when certain identities are invoked, when people choose to organize along different identities, and how and when identities align may be central to these changes.

The growing awareness of how identities shape action also poses a more fundamental challenge for employment relations theory, which is to rethink how our own identities shape the way that we develop theory and conduct research. In their contribution to this volume, Tamara Lee and Maite Tapia (2021) argue that industrial relations scholars' traditional "identity neutral" stance has led them to downplay or ignore the pervasive effect of race and structural racism on US employment relations. They maintain that the challenge is not simply to more explicitly consider how race shapes modern

employment relationships. Instead, they argue that the field of employment relations must critique its own history and assumptions. Drawing on critical race theory and intersectionality, they charge the field to develop explicit theoretical frames and research methods grounded in acknowledging the ever-present influence of racism as a system of oppression. Their article presents a powerful critique of the way in which we tell our history as a field, and the role of our own theoretical frames in marginalizing the experience of Black workers and scholars. Their analysis pushes us to understand how our own identities as scholars inform our theorizing and to ensure that the field embraces and promotes a much wider range of identities—including race, gender, sexual orientation, and disability.

From Institutions to Legitimacy

A further development that is prominent in the articles in this special issue is a shift away from a focus on institutions as the framework that channels conflict and structures power relations, and toward a greater interest in norms and legitimacy. This shift reflects two broad trends: first, a weakening of the power of formal institutions, and second, increased contestation over the norms that underpin employment relations.

Many of the articles underline how the institutions that were created to shape collective employment relations have become less effective over time. Changing organizational practices, such as outsourcing, subcontracting, and the growth of transnational supply chains as well as more aggressive union avoidance strategies, have provided the means for employers to evade many of the formal constraints imposed by employment regulation and the institutions of collective bargaining (Benassi and Kornelakis 2021; Anner et al. 2021). The growth of neoliberalism has supported these efforts, as governments have either rolled back regulations intended to shape the employment relationship or failed to update regulatory frameworks that no longer constrain employer behaviors (Morgan and Hauptmeier 2021; Howell 2021). Benassi and Kornelakis (2021) provide vivid examples of how firms exploit loopholes in regulation to escape the constraints that institutions would otherwise impose on their behavior.

Second, the neoliberal assault on the normative underpinnings of the Fordist industrial relations system disrupted any shared understanding that might have existed about each actors' rights and responsibilities within the employment relationship. As Budd (2004) noted, the parties involved in bargaining no longer operate within a shared normative framework, but instead often hold very different assumptions as to how the system should work. Together with the erosion of institutions, this normative shift might have been expected to move employment decisively toward a classical, atomistic market, in which employers are simply constrained by the forces of supply and demand. The articles in this volume make clear though that the

trend has not been uniformly toward freer markets: Actors are responding with attempts to re-regulate work and employment, if with uneven success.

As traditional institutions have weakened and norms are in flux, legitimacy provides an alternative potential constraint on the behavior of the parties within the employment relationship. Even when the threat of legal sanctions is not strong enough to shape employer behavior, organizations still rely on the support of multiple stakeholders, including customers, employees, and regulators. Should their actions become perceived as illegitimate, employers may face backlash from each of these constituents (Pfeffer and Salancik 1978). Hence, as conformity to institutional rules constrains behavior less than in the past, researchers have begun to assess the extent to which employers are vulnerable to legitimacy and reputational backlashes. A central question concerns whether organizations' concern with their reputation or image provides real points of leverage for workers, communities, and other stakeholders to reign in the behavior that negatively affects their interests.

The importance of legitimacy as a resource is evident in many of the contributions to this issue. Anner et al. (2021) note that symbolic power plays a central role in network bargaining, as groups of activists seek to undermine the legitimacy of particular employment practices in order to pressure direct and indirect employers in firm networks. Similarly, Riordan and Kowalski (2021) emphasize the importance of symbolic goals and value in conflict. For them, legitimacy is not just a critical resource but also an end in itself, as some conflicts revolve around participants' desire for recognition.

If legitimacy is an important constraint on employers' behavior, and a resource for use in conflicts over employment, understanding what becomes legitimate and through which processes should be of interest to employment relations. Howell (2021) and Morgan and Hauptmeier (2021) provide contrasting perspectives on this question. While Howell (2021) emphasizes the role of the state in providing legitimacy to employment arrangements, he argues that the ideology that drives state action is largely based on material conditions as the state seeks to overcome problems inherent in a prior growth model. For Morgan and Hauptmeier (2021), by contrast, norms and ideologies are themselves the product of actors such as universities, think tanks, and research institutes. They suggest that the national structures of these institutions can channel debates, shaping how ideas evolve and disseminate.

Of course, legitimacy cuts both ways. Just as the need for legitimacy may be an important constraint on employers, it can also be a critical resource unions need to maintain or re-establish their role as representatives of diverse and internationalized workforces (Givan and Hipp 2012). The growth of identity-based individual employment rights may undermine the legitimacy of collective institutions for representing worker interests (Behrens et al. 2020). The legitimacy of unions themselves is called into

question by Lee and Tapia (2021): Many traditional unions have a structural racism problem that undermines their legitimacy to speak for all workers. New social movements, worker centers, and labor NGOs are often more skilled in mobilizing public contests over legitimacy (Doellgast, Lillie, and Pulignano 2018; Meardi, Simms, and Adam 2019). At the same time, they typically lack the organizational resources to build sustained institutional power (Murray, Lévesque, Morgan, and Roby 2020). Future research should investigate the relative advantages of network bargaining (Anner et al. 2021) in not only building labor's power but also strengthening the broader perceived legitimacy of its organizations and representatives.

Finally, Howell's (2021) analysis suggests that challenging the legitimacy of current post-Fordist models of growth or capital accumulation should also be a central focus of labor movements if they wish to rebuild collective power. The COVID-19 pandemic, the global climate crisis, the rise of far-right populism, and the movement against structural racism all are bringing global attention to the systemic, and dangerous, failings of current approaches to regulating markets and organizing production. How employment relations actors respond, and the normative or ideational frameworks on which they base these responses, will be crucial to constructing alternatives. Employment relations theory can play an important role in these efforts. The articles in this special issue chart a course for developing and diffusing more robust, empirically grounded ideas to guide sustainable employment policy and practice.

Conclusions

Amid the constant reminders of how employment is changing, it is worth reminding ourselves that many fundamental aspects of the employment relationship have stayed the same over the past century, at least across the capitalist economies of the Global North. Indeed, were we to describe employment systems in the United States and the United Kingdom to the founders of the field, such as John Commons or the Webbs, they might be surprised by how little has changed. The exchange of labor for pay remains the central source of income, while work provides a key source of meaning and the focus of most of our productive hours. The relationship between worker and employer continues to have mixed motives, as they combine to create value but contend over the conditions under which they will work together and how the gains from that work are shared. Moreover, these relationships continue to take place within organizational settings, with the overwhelming majority of workers formally employed by a mixture of large and small formal organizations. This continuity means that many of the fundamental questions that employment relations research seeks to answer remain the same, even as the context in which they must be understood has changed.

Despite this continuity in fundamental questions, we do see changes that challenge existing theory and require us to reconceptualize the factors that shape labor and employment relations. The disruption of stable institutions and patterns of collective bargaining has undermined earlier consensus views in the classical pluralist industrial relations tradition. These disruptions have sparked a renaissance in research and thinking about the nature and future of labor and employment relations. The articles in this volume reflect current efforts in the field to grapple with major questions relating to the complexity of the actors in employment relations, the shift in focus from material interests to a broader set of issues that include identity as an organizing principle, and the growing importance of and contestation over norms and legitimacy. The articles in this volume provide rich examples of new theorizing that we hope will stimulate innovative empirical research to refine the ideas presented in this volume.

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