

## Chapter 4

# Regulating Occupational Health and Safety in Small Businesses

*Felicity Lamm and David Walters*

Over the past two decades there has been a substantial rise in the number of small businesses in most advanced market economies. From an occupational health and safety (OHS) perspective, this trend is particularly concerning as there is growing evidence that those working in the small business sector are more frequently exposed to dangerous situations and suffer more work-related injuries and illnesses than those working in larger businesses (Mayhew and Quinlan 1998; Quinlan 1998). Compounding the problems surrounding illness and injury in this sector is the fact that small businesses are difficult to regulate, as they are typically heterogeneous, geographically scattered, lack cohesive representation and have short life cycles (Dawson et al 1988; Storey 1994; Lamm 1999; Eakin, Lamm and Limborg 2000; Walters 2001).

Applying modern regulatory approaches to small workplaces with their emphasis on competent and participative self-regulation is also problematic as small businesses invariably suffer from 'structures of vulnerability', such as a lack of resources and management expertise. Moreover, in most countries where OHS legislation focuses on risk management, such as those in Europe and in Australia, the style of management sought is largely a participative one, embracing an active dialogue between employers and employees. Yet in these same countries and in contrast with this ethos, approaches to regulating health and safety in small businesses are typically addressed exclusively to the employer alone.

The purpose of this chapter is to address some of the difficulties in applying modern OHS regulation to the small business sector and to examine the use of participative arrangements as an

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