

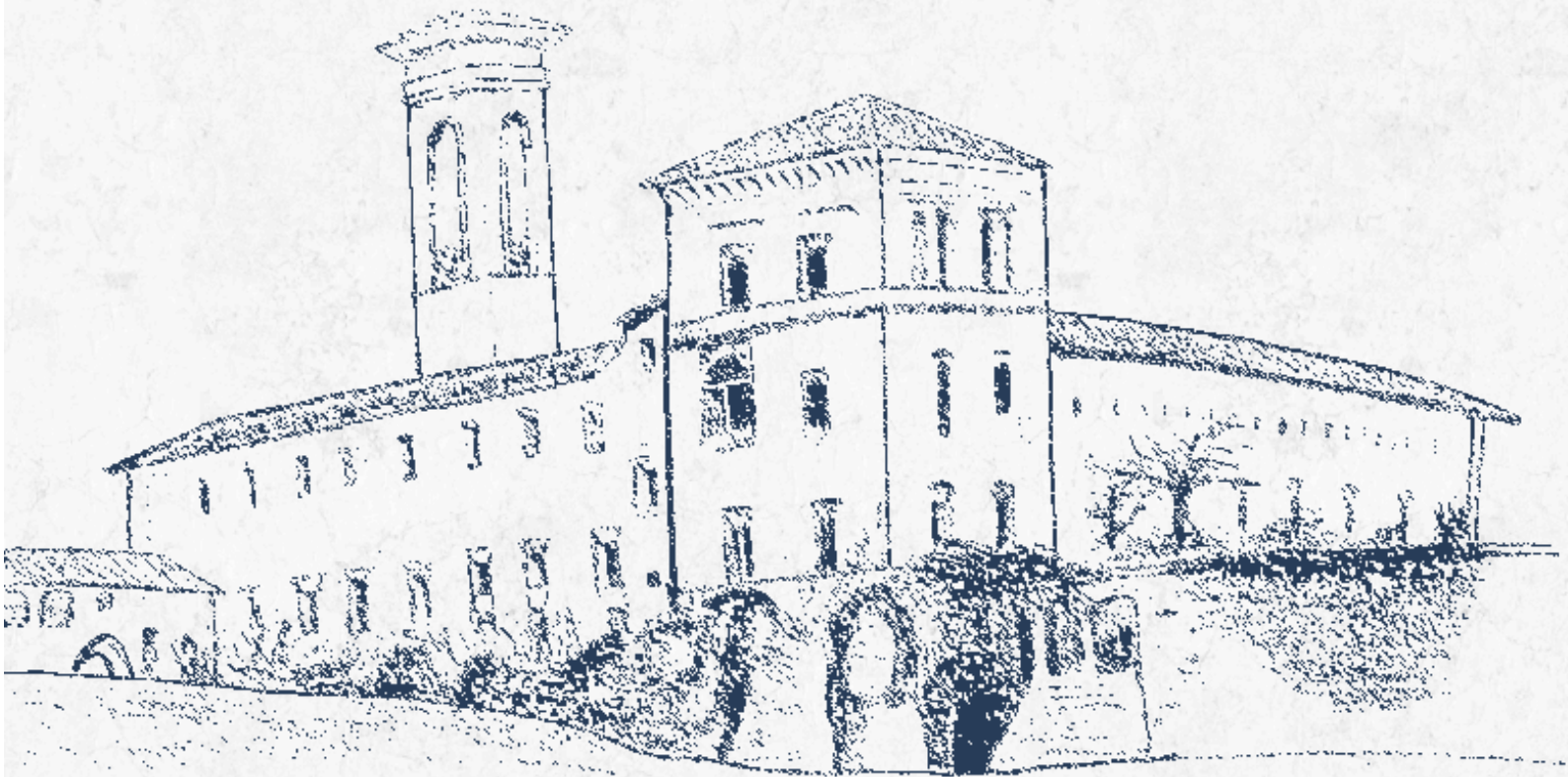
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Is the Type of Misconduct Decisive for the Perceived Legitimacy of Whistleblowing? A Study of Municipal Managers' Assessments of Whistleblowing in Cases of Harassment and Corruption

Marit Skivenes and Sissel Trygstad *

1. Introduction

Norwegian research indicates that employees rarely venture beyond the boundaries of the organization when they choose to blow the whistle on workplace misconduct. Whistleblowing occurs when employees report workplace misconduct to someone who has the power to rectify the matter¹. Norwegian and international research shows that employees prefer to notify their immediate supervisor first². The Norwegian Working Environment Act (WEA) defines this as an “appropriate procedure” (cf.

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¹ M. P. Miceli, J. P. Near, T. M. Dworkin, *Whistle-blowing in Organizations*, Routledge/Taylor & Francis Group, New York, 2008.

² B. Bjørkelo, *Whistleblowing at Work: Antecedents and Consequences*, Thesis (PhD), University of Bergen, 2010. M. Skivenes, S.C. Trygstad, *Whistle-blowers in Norway (Varslere! Om arbeidstakere som sier ifra)*, Gyldendal akademiske forlag, Oslo, 2006, in Norwegian.

S.C. Trygstad, *With a Right to Blow the Whistle...but, Does It Help, and Is It Wise? (Med rett til å varsle...men hjelper det, og er det lurt?)*, Fafo, Oslo, 2010, in Norwegian. W. Vandekerckhove, *European Whistleblowing Policies: Tiers or Tears?*, in D. Lewis (ed.), *A Global Approach to Public Interest Disclosure: What Can We Learn from Existing Whistleblowing Legislation and Research?* Edward Elgar, Cheltenham, 2010, 15-35.

Section 2-4)³, and notifying trade union officials, safety delegates and supervisory authorities is also invariably considered appropriate⁴. The legislator has also stated that notifying supervisory authorities is appropriate, since these will have the competence “to ‘filter out’ less serious reports or else process them in an appropriate manner”⁵. Available research shows, however, that directly notifying supervisory authorities, such as the Labour Inspection Authority, has scant legitimacy among Norwegian employees⁶. Research also indicates that the nature of the matter being reported will have an impact on the assessments made by colleagues and managers of the act of whistleblowing and of the whistleblower. It may appear that those who report “subjective” and relational issues tend to encounter more opposition and negative reactions than those who blow the whistle on more “objective” and fact-based issues⁷. Furthermore, a study of 20 small and medium-sized Norwegian municipalities shows that municipal managers take a far more negative view of external whistleblowing than trade union officials and safety delegates⁸. In this article, we will investigate in more detail whether municipal managers find it less acceptable to notify supervisory authorities about discretionary and relational issues when compared to more objective and less discretionary issues. Our empirical material includes 1 940 municipal managers in large and medium-sized municipalities. The response rate to the survey was just below 40 per cent.

The article will start out with an empirical and theoretical justification for our assumption that there will be differences in acceptance on the basis of the nature of the matter being reported. The next part will describe the methodology and the data, and a presentation of the findings with a discussion of the same. The final part presents a brief conclusion.

³ WEA, The Working Environment Act of 17 June 2005 (Arbeidsmiljøloven), in Norwegian.

⁴ WEA, *op. cit.*

⁵ Ministry of Labour, White Paper, *Ot. prp. no. 84 (2005-2006), Concerning Legislative Amendments of the Working Environment Act (whistleblowing) (Om lov om endringer i arbeidsmiljøloven (varsling))*, Norwegian Ministry of Labour, Oslo, 2006, in Norwegian, 40.

⁶ S.C. Trygstad, M. Skivenes, *How Managers in Municipalities Handling of Serious Misconduct (Kommunale ledes handtering av alvorlige kritikkeverdige forhold)*, Fafo, Oslo, 2007, in Norwegian. M. Skivenes, S.C. Trygstad, *Public Information, Freedom of Speech and Whistleblowers in Norwegian Municipalities (Åpenhet, Ytring, Varsling)*, Gyldendal akademiske, Oslo, 2012, in Norwegian.

⁷ M. Skivenes, S.C. Trygstad, *Whistle-blowers in Norway*, *cit.*, S.C. Trygstad, *op. cit.*

⁸ M. Skivenes, S.C. Trygstad, *Public Information, Freedom of Speech and Whistleblowers in Norwegian Municipalities*, *cit.*

2. Empirical and Theoretical Justification of the Study

What will be considered as misconduct in a workplace will depend on a number of factors, such as the national model of working life, legislation, type of industry, the organization of work and the individual employees⁹. In whistleblowing research, there is an established consensus that the definition of misconduct should be wide, and the definition which is most often applied includes conditions that are illegitimate, illegal or immoral¹⁰. The Working Environment Act, which was amended with provisions on whistleblowing in January 2007, has also assumed a wide definition of censurable conditions:

The term “censurable conditions” refers to conditions that violate applicable legislation or ethical norms, for example corruption or other forms of financial crime, risks to the life and health of patients, hazardous products or a poor working environment¹¹.

The challenge raised by a wide definition of censurable conditions is that a workplace may encompass a wide range of conditions that may be subsumed under the definition and thus open to whistleblowing. For this reason, Skivenes and Trygstad¹² have argued that a distinction should be made between “weak” and “strong” whistleblowing. Weak whistleblowing refers to employees who report matters that they perceive as censurable and problematic, but without thinking of themselves as whistleblowers for this reason¹³. Research shows that whistleblowing in Norwegian working life is different from what is found internationally in several respects. Norwegian employees blow the whistle more frequently, they achieve more change from doing so, and they are less exposed to retaliation than what is reported in, for example, British and American research¹⁴. We

⁹ M. Skivenes, S.C. Trygstad, *Wrongdoing – Definitions and Contextual Factors*, in A.J. Brown, D. Lewis, R. Moberly, W. Vandekerckhove (eds.), *International Handbook on Whistleblowing Research*, Edward Elgar, London, accepted for publication.

¹⁰ M. P. Miceli, J. P. Near, T. M. Dworkin, *op. cit.*

¹¹ Ministry of Labour, *op. cit.*, 7.

¹² S.C. Trygstad, M. Skivenes, *How Managers in Municipalities Handling of Serious Misconduct*, *cit.*, M. Skivenes, S.C. Trygstad, *When Whistle-blowing Works: the Norwegian Case*, in *Human Relations*, 2010, vol. 63, n. 7, 1071-1097.

¹³ M. Skivenes, S. C. Trygstad, *How Managers in Municipalities Handling of Serious Misconduct*, *cit.*, M. Skivenes, S. C. Trygstad, *When Whistle-blowing Works: the Norwegian Case*, in *Human Relations*, *cit.*

¹⁴ S.C. Trygstad, M. Skivenes. *Explaining Whistleblowing in the Norwegian Labour Market – Power or Institutional factors?*, in *Administration & Society*, in preparation, resubmitted.

explain this by reference to the distinctive nature of the Norwegian (and Nordic) model when compared to the Anglo-Saxon, whereby Norway has a number of channels for co-determination, influence and communication. Furthermore, Norwegian working life has institutionalized norms that ensure a balance of power and a greater degree of industrial democracy. However, whistleblowing is not entirely risk-free in Norway either. Some of our findings indicate that employees who report issues related to the working environment, such as absenteeism or poor management and harassment, encounter tougher retaliation than other whistleblowers¹⁵. Some findings also indicate that certain cases of workplace bullying have emerged after whistleblowing¹⁶. A consequence is, as several studies show, that employees who have faced retaliation during or after a whistleblowing incident tend to be less willing than other whistleblowers to engage in such reporting again¹⁷. Incidents of retaliation thus have a negative effect on whistleblowing activity.

Our hypotheses and basis for this paper is whether the reason why whistleblowing related to bullying, harassment, poor management etc. tends to have a less favourable outcome for the whistleblower is because these cases often involve subjective experiences in which a clear distinction between acceptable and unacceptable actions is difficult to draw. At least six intrinsic dimensions that influence the assessment of misconduct may be identified¹⁸:

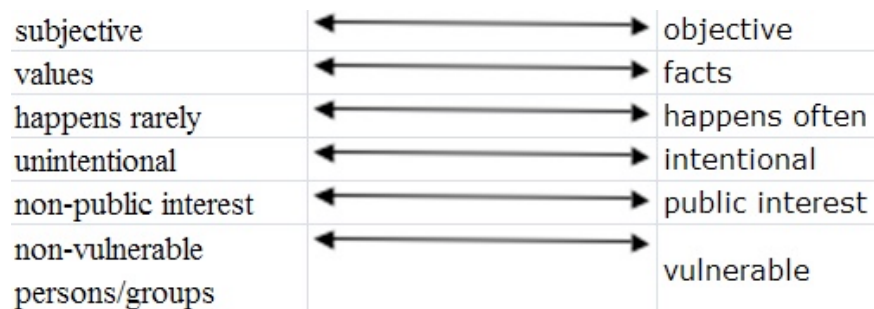
¹⁵ M. Skivenes, S.C. Trygstad, *When Whistle-blowing Works: the Norwegian Case*, in *Human Relations*, *cit.*

S.C. Trygstad, *op. cit.*

¹⁶ S. Einarsen, H. Pedersen, *Handling of Conflicts and Harassment in Worklife (Håndtering av konflikter og trakassering i arbeidslivet)*, Gyldendal Akademisk, Oslo, 2007, in Norwegian.

¹⁷ S.C. Trygstad, *op. cit.*, S.B. Matthiesen, B. Bjørkelo, M. Nielsen, *Wrongdoing in Norwegian Worklife (Klanderverdige forhold i norsk arbeidsliv)*, Universitetet i Bergen, Bergen, 2008, in Norwegian.

¹⁸ M. Skivenes, S.C. Trygstad, *Wrongdoing – Definitions and Contextual Factors*, in A.J. Brown, D. Lewis, R. Moberly, W. Vandekerckhove (eds.), *International Handbook on Whistleblowing Research*, *cit.*

Figure No. 1 – Misconduct and Assessment Dimensions

Source: Authors Own Elaboration

An act or perception of misconduct can be either subjective or objective. An example of a subjective act/perception of misconduct may be when others do not have the same perceptions of and reactions to the incident or when the matter is private. The other end of this spectrum involves acts that have an objective character in that there is an explicit statement or agreement that the act involves misconduct or goes against a commonly accepted norm, such as stealing. Misconduct may be related to facts, e.g. the amount of money that is stolen, or it may be related to values and norms, e.g. how to be respectful towards a co-worker. The former is often easier to agree upon than the latter. It may also be a consideration whether the misconduct is intentional. Misconduct may also be measured by frequency (whether it happens often, occasionally or only once), and it may be important to consider whether an act of misconduct is of public interest or not, and lastly if it affects vulnerable versus non-vulnerable persons or groups. Thus, Skivenes and Trygstad¹⁹ have pointed out six dimensions that potentially affect the assessment of an alleged act or practice of misconduct and its degree of importance (or seriousness). On a general level, it is expected that subjective perceptions and issues about values are more difficult to agree upon than incidents that are objective and fact-based. In her broad definition of misconduct, Warren²⁰ includes an inter-subjective element. “Employee deviance” is defined as

¹⁹ M. Skivenes, S.C. Trygstad, *Wrongdoing – Definitions and Contextual factors*, in A.J. Brown, D. Lewis, R. Moberly, W. Vandekerckhove (eds.), *International Handbook on Whistleblowing Research*, *cit.*

²⁰ D. E. Warren, *Constructive and Destructive Deviance in Organizations*, in *The Academy of Management Review*, 2003, vol. 28, n. 4, 622–632.

“behavioral departures from norms of a reference group [that] illustrate how one person's behavior has the potential to cause disastrous consequences for not only organisations but also entire industries and society”²¹. Similarly, if misconduct occurs frequently, is intentional and harms vulnerable persons, it is regarded as more severe than when it occurs rarely, is unintentional and harms non-vulnerable persons. Finally, incidents of misconduct that concern non-public interests have a much narrower set of considerations and, as such, have fewer stakeholders.

Subjective versus objective misconduct (or values versus facts) can be related to Sørensen and Grimsmo's²² distinction between hot and cold conflicts in working life. Cold conflicts include the explicit conflicts of interest between employers and employees, conflicts that tend to be thoroughly organized and regulated by central-level collective agreements, formalized bargaining and legislation. Accordingly, it can be argued that violations of provisions that regulate financial transactions, such as embezzlement, bribery, corruption and theft are classifiable as “cold” misconduct. “Hot” conflicts involve relational and interpersonal matters, and are often much harder to deal with. These conflicts refer to “a personalized identifying element and impinge on self-conceptions, they imply a criticism of ‘me as a professional’”²³. The authors detect such conflicts most frequently in organizations that emphasize empowerment. When the manager withdraws, the boundaries of what we as employees are expected to produce in the exercise of our profession become blurred, in relation to colleagues as well as users. Even our behaviour as an employee can become the object of hot conflicts according to Sørensen and Grimsmo²⁴, as we then tend to assume a kind of overseer role in relation to ourselves. This will not necessarily imply that colleagues or others (service users, customers) will share our operationalization of our work remit.

Subjective and objective forms of misconduct are distinguishable in a very specific respect: the possibility to document or even prove that something is censurable tends to be a lot easier when objective issues are involved. Conditions that are classifiable as subjective will be assessed differently by

²¹ D. E. Warren, *op. cit.*, 622.

²² B. A. Sørensen, A. Grimsmo, *Hot and Cold Conflicts at Work (Varme og kalde konflikter i arbeidslivet. Motsetningsforhold i sosiologisk belysning)*, in *Sosiologi i dag*, 1996, vol. 26, n.2, 7–39, in Norwegian.

²³ B.A. Sørensen, A. Grimsmo, *op. cit.*, 9.

²⁴ B.A. Sørensen, A. Grimsmo, *op. cit.*

different people – as indicated by our typology of subjective misconduct (see figure 1) – and will often be associated with value judgements. Some may assess a situation as clearly censurable, while others may regard it as more innocent and within the limits of what one should normally be expected to tolerate. Its opposite involves conditions defined as objective, valid and fact-based, and these will also be easier to prove. Harassment and corruption are examples of misconduct that could be seen as subjective and objective respectively. The Labour Inspection Authority describes harassment as follows: “This could, for example, include unwanted sexual attention, intimidation, unwarranted exclusion, withdrawal of responsibilities for no reason, or offensive joking and teasing [...] Furthermore, there is an imbalance of power, for example between an employee and a supervisor, when harassment or bullying occurs”²⁵. The Working Environment Act states that harassment is prohibited (Section 13-1 82), cf. Sections 2-3 (2)d and 4-3 (3))²⁶. The latter section says: “Employees shall not be subjected to harassment or other forms of improper conduct.” During the revision of the WEA in 2005 the ban on harassment was given even stronger emphasis, and is an area in which employees have a duty of notification.

Corruption, as defined by The Confederation of Norwegian Enterprise (NHO), means “to offer or receive bribes, in the form of money, gifts or services, to induce a person in a position of power to provide advantages to another person in contravention of regulations. Corruption occurs when a person in an office or position of trust, public or private, disregards the responsibility and trust bestowed on the position and abuses the power inherent in this office or position for purposes of achieving a private benefit or reward, or unlawfully seeks to obtain an advantage for the benefit of his or her own organization or enterprise”²⁷.

Our two vignettes can be placed on either side along with several of the six dimensions in figure 1. While corruption often will be regarded as an objective, fact-based and intentional act of wrongdoing which may be of great public interest – especially if a public employee is the wrongdoer, harassments can be judged as subjective, value based, unintentional and of non-public interest since it is related to an internal type of wrongdoing. In

²⁵ The Norwegian Labour Inspectorate, www.arbeidstilsynet.no (accessed May 27, 2013), in Norwegian.

²⁶ WEA, *op. cit.*

²⁷ NHO, The Confederation of Norwegian Enterprise, www.nho.no (accessed May 27, 2013), in Norwegian. Cf. T. Søreide, *Corruption*, Oslo, Cappelen Damm Akademisk, in Norwegian.

this article we investigate whether municipal managers deem it to be more or less acceptable to notify the supervisory authorities about subjective issues, such as harassment, when compared to reporting objective issues, such as corruption.

3. Methodology

We asked a sample of 5 220 municipal managers from 107 large and medium-sized municipalities to participate in a web-based survey, and 1 935 managers responded. The response rate is thus approximately 38 per cent. The selection of managers is based on a review of web pages and contacts with all municipalities with 10 000 inhabitants or more, a total of 110 municipalities. In 77 of these, we obtained e-mail addresses for virtually all managers, in another 27 we have fairly good coverage, meaning that since we failed to find e-mail addresses for all managers on the Internet we had to assume e-mail addresses by using the manager's name and adding @xx.municipality.no, nav.no or another enterprise. By assuming e-mail addresses in this manner we have far less control of the sample and of whether the managers in question have actually received the questionnaire. In three of the municipalities we have poor coverage and have needed to assume the addresses to a great extent²⁸. In total, the reported response rate is therefore a cautious estimate.

The questionnaire contained a vignette describing a manager who is reported to the supervisory authorities. Half of the sample was informed that the matter reported pertained to harassment, while the other half was informed that the matter involved financial misconduct. In an attempt to highlight the respondents' answers we have chosen to describe the situation as a matter to be reported to the supervisory authorities, based on the assumption that managers will attach importance to ensuring that matters reported externally have a basis in reality. We also know that misconduct is only very rarely reported externally (outside the workplace) in Norwegian working life. The vignette that we asked a randomized half of the managers (n=950) to assess ran as follows:

The technical services manager harasses one of his subordinates. A colleague blows the whistle on the matter, and it is discussed with the

²⁸ Three municipalities, Trondheim, Hå and Enebakk, are not included because addresses were unavailable, or comprehensive and time-consuming application procedures were required to obtain access to the e-mail addresses.

technical services manager, face to face and in a management meeting, but the matter is hushed up and nothing happens. The harassment continues and the colleague who has observed the harassment reports the matter to the Labour Inspection Authority.

The remaining managers in the sample (n=990) received an identical vignette, but the case was now described as one of corruption.

The technical services manager accepts bribes. A colleague blows the whistle on the matter, and it is discussed with the technical services manager, face to face and in a management meeting, but the matter is hushed up and nothing happens. The corruption continues and the colleague who has observed the corruption reports the matter to the National Authority for Investigation and Prosecution of Economic and Environmental Crime.

For each of these cases we asked: “Do you find it acceptable to report the matter to the Labour Inspection Authority/The National Authority for Investigation and Prosecution of Economic and Environmental Crime?” We provided three response alternatives: Yes/No/Don’t know.

For this methodological approach to work, there must be no significant differences between the samples in terms of relevant characteristics. As regards the size of the municipalities and the sectors, there is a near-perfect match²⁹. Nor are there any significant differences between the samples as regards gender, education, management level and number of subordinates. This can be seen from Table No. 1.

²⁹ See Appendix 1.

Table No. 1 – Overview of Demographic and Organizational Variables for the Respondents, Seen in Relation to the Vignettes, n=930/889. Percentages.

		Corruption	Harassment
Variables	Values		
Gender	Women	59	62
Age	25 to 34	2	3
	35 to 44	22	20
	45 to 54	38	38
	55 to 67	37	38
	Over 67	1	1
Education	Upper secondary/vocational	4	5
	Univ. college/university, bachelor's dg.	46	48
	Univ. college/university, master's dg.	49	46
	Univ. college/university, PhD degree	1	1
Type of manager	Technical manager	8	7
	Primarily technical, but with HR resp.	22	21
	Manager with wage and HR resp.	61	63
	Senior manager/Chief Municipal Officer	9	9
Number of subordinates	Less than 10	18	19
	11 to 19	22	20
	20 to 49	32	34
	50 to 99	16	14
	More than 100	12	13

Source: Author's Own Elaboration

We can conclude that the managers included in the two samples do not differ in any particular respect. This helps validate the findings presented here, since there are no systematic differences in terms of gender, education or managerial level that could influence the assessments of the vignettes. This does not imply, however, that these types of variables will have no effect on the assessments made within the two samples. This approach permits us to expect that any differences between the samples are caused by unequal assessments of the misconduct.

To make sure that we thoroughly investigate all variables in our sample, we have isolated variables as gender, sector, seniority, age, education, managerial level and municipality size, and examined how managers then assess the two vignettes. For example, how do female managers assess the two vignettes?

The strength of the vignette method is that the participants are presented with identical cases and facts, and design effects and observational biases are eliminated³⁰. We have chosen to use a brief vignette. On the one hand, such brief vignettes may cause the respondents to feel that they have insufficient information to form an opinion on the matter. On the other hand, a brief description of the case has the strength of being relevant to managers in various sectors and industries and across national boundaries, and provides the respondents with the latitude to interpret the situation in relation to their own context³¹. It is essential to emphasize that the way in which the managers respond to our two vignettes will not measure how the same managers would have handled an actual whistleblowing situation involving harassment or corruption. However, the study does measure how managers assess a description of a situation that is relevant to their field of work. Another potential objection to the study could pertain to the selection of forms of misconduct, and that the respondents would not perceive them as expressions of “subjective” and “objective” issues respectively. Finally, we have no data that would permit us to measure any changes over time. A clearly strong point of the study, however, lies in its

³⁰ H. Soydan, *Using the Vignette Method in Cross-cultural Comparisons*, in L. Hantrais, S. Mangen (eds.), *Cross-national Research Methods in the Social Sciences*, Pinter, London, 1996, 120-128.

T. Wilks, *The Use of Vignettes in Qualitative Research into Social Work Values*, in *Qualitative Social Work*, 2004, vol. 3, n. 1, 78-87.

³¹ cf. J. Finch, *The Vignette Technique in Survey Research*, in *Sociology*, 1987, vol. 21, n. 1, 105-114.

H. Soydan, *op.cit.*

large sample of respondents from a sizeable proportion of all Norwegian municipalities and in its stringent investigative design, with a concomitant potential for conclusions that are generally valid and have a large explanatory power. Processing and analysis of the survey data have been made with the statistical program SPSS.

4. Findings and Discussion

Somewhat surprisingly, the findings show that there are no differences between the assessments that the managers have made of the two vignettes, cf. Table No. 2 below.

Table No. 2 – Overview of Response Distribution for the Vignettes. n=930/889. Percentages.

	Corruption	Harassment
Yes, reporting is acceptable	82	80
No, reporting is unacceptable	7	15
Not sure	11	5
	100	100

Source: Author's Own Elaboration

The findings show that an approximately equal proportion of the managers find reporting to the supervisory authorities to be acceptable – irrespective of the matter at hand. We can also see that a large majority take a positive view of reporting. We see, however, that the proportion that finds reporting to be unacceptable is statistically significant (1 per cent). It is higher among those who assessed the harassment case – 15 per cent of these respondents find the action to be unacceptable -which indicates some difference in how a minority of the sample assess the two vignettes. We also see that the proportion who answered “Not sure” in the corruption vignette is more than twice as large as in the harassment vignette (11 versus 5 per cent). The large proportion that nevertheless reports that this is an acceptable option can be interpreted as indicating that when the matter is sufficiently serious, which corruption and

harassment are by definition because both are illegal according to Norwegian legislation, the distinction between subjectivity and objectivity is eliminated. Consequently, the key issue is that reporting these serious illegal acts externally – to supervisory authorities – is dominantly regarded as an acceptable act of whistleblowing. Seen as a whole, the large proportion of managers who respond that reporting to supervisory authorities is acceptable – approximately 80 per cent – may be an effect of the perception of the cases as being serious. However, perhaps most importantly is that the reporting occurred after the matter had been discussed with the person responsible, as well as the fact that an attempt had been made to address the issue in a management meeting. In other words, the whistleblower had made some attempt to report the matter within the organization, or else acted in accordance with what the law describes as “appropriate” before the matter was taken to the supervisory authorities. Empirical studies show that this kind of internal whistleblowing has legitimacy in Norwegian working life, and it is also the main mechanism by which employees handle misconduct in the workplace.

We have investigated whether any differences in the assessments appear when we isolate the effect of single variables, such as gender, managerial level, number of subordinates, seniority, education, age and size of the municipality. We find that managerial level has an effect. The proportion of senior managers who find reporting of harassment to be acceptable is 65 per cent, while 86 per cent report that it is acceptable to report corruption (the difference is statistically significant on 1 per cent level). Table No. 3 shows the percentages of those who have responded that they find the whistleblowing described in the vignettes as acceptable, by position in the management hierarchy.

Table No. 3 – Proportion of Managers who Find Whistleblowing to be Acceptable, by Managerial Level. n=930/889. Percent and n.

Managerial level	Corruption		Harassment	
	Percent	n.	Percent	n.
Technical/professional manager	86	72	91	58
Primarily technical/professional manager, but with HR responsibility	78	209	82	188
Manager with wage and HR responsibility	83	569	80	564
Senior manager/Chief Municipal Officer	86	80	65	79

Source: Authors' Own Elaboration

Senior managers/Chief Municipal Officers stand out in assessing it is significantly less acceptable to report harassment than to report corruption. Among the remaining types of managers there are almost no differences between the two groups, managers with wage and HR responsibility and those who are primarily technical/ professional managers but with HR responsibility. The group of technical/professional managers are those who regard reporting harassment to the Labour inspection authority most positively. The difference between the highest and lowest managerial level in our sample is 26 per cent.

We have not undertaken the study on the basis of a specific hypothesis of why senior managers/Chief Municipal Officers stand out in being more negative to reporting of harassment, but three different explanations may be of relevance. First, senior managers tend to be more hands on and have a more direct responsibility for and be more knowledgeable about, financial matters than psychosocial problems related to the working environment. Hence, they may take a more positive view of employees who notify the supervisory authorities in cases of corruption.

Second, senior managers may perceive reports of harassment as a direct critique of the leadership of the organization. Subjective issues that are regarded as hot conflicts are characterized by their impinging on self-image and implying a criticism of the individual in the work

organization³². The WEA 2005 states clearly that the employer is responsible for ensuring a good and healthy working environment. The employer has a general obligation to undertake systematic efforts related to prevention and facilitation to ensure that the working environment is fully satisfactory. Reporting of issues pertaining to harassment therefore implies a clear criticism of the management in general and the top management in particular, since the latter exercises the employer's responsibility in the municipal organization on a daily basis. Reporting of harassment may be more related to the exercise of management, or rather deficient exercise of management. Perhaps the occurrence of harassment in the working environment is a type of misconduct that impinges on the senior management's "self-concept", and as such reflects an inability to intervene or an insufficient overview of the situation in their area of responsibility.

Third, there is research showing that senior manager receives more whistleblowing cases than other managers³³, and thus, senior manager are likely to have more knowledge and insight into different types of misconduct cases. This may lead them to be more sceptical about concerns involving subjective, value- based matters' such as harassment, outside the organization. This may also be related to the dimension of non-public and public interest. If an employee report incidents to the Labour inspection authority this may give rise to supervisory from the authority. Possible violation of the law and reactions will not be withheld from the public. Clearly, more research is needed to explain the senior managers assessments. For example, to investigate if the same differences will occur when studying other forms of value based matters such as insufficient care of patients in need, to examine if harassment stands out as a special case. Further, we should explore if our findings are valid for private sector, and cross-country, and then both in countries with a different and a similar labour marked models as Norway.

³² B.A. Sørensen, A. Grimsmo, *op. cit.*

³³ S.C. Trygstad, M. Skivenes, *How Managers in Municipalities Handling of Serious Misconduct, cit.*

5. Conclusion

Blowing the whistle on corruption and harassment enjoys equal acceptance in our sample of municipal managers, and we have asked a wide range of managers.

This indicates that the focus on bullying in Norwegian working life in recent years and the statutory regulations in the Working Environment Act have borne fruit. We constructed vignettes that describe reporting to the supervisory authorities, and the managers have a high degree of acceptance for this. Approximately nine out of ten managers confirm that this is acceptable, and the most important reason is likely to be that the matter had been reported internally in the organization first.

We know that following the line of command and providing the organization with an opportunity to rectify the matter is expected in Norwegian working life, and British research reveals the same expectations³⁴.

Our hypothesis that reporting of subjective issues will meet with less acceptance than objective ones should apparently be rejected. We find that the respondent's position in the managerial hierarchy has an effect. Senior managers are more prone than others to assess external notification of harassment in the working environment as unacceptable. We have related this to the idea that harassment is a type of misconduct that is subjective rather than objective in nature, it is more value-based than fact-based, and its acceptability or unacceptability will therefore be more ambiguous.

We have not data to examine why senior managers should be more influenced by the subjectivity of the misconduct, than other managers. When asking whether it is acceptable to report corruption or harassment to the supervisory authorities, we investigate directly whether the presumptively subjective as opposed to objective nature of these forms of misconduct will have an effect on how managers respond.

Closer analysis indicates that only few differences can be detected. In other words, we have no evidence to assert that reporting of harassment is less acceptable than blowing the whistle on corruption, even though we have previously undertaken studies indicating that the risk is greater for someone who reports misconduct that is subjective and relational. It should be emphasized, however, that this survey has not studied the effect

³⁴ W. Vandekerckhove, *UK Public Attitudes to Whistleblowing*, University of Greenwich, London, 2012.

of various types of misconduct on, for example, the reactions encountered by the whistleblowers during and after they have raised a concern.

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