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Embedding Good Work and Employment Rights in Employability

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All authors are from the Department of People and Performance and Decent Work and Productivity Research Centre at Manchester Metropolitan University

Fiona Christie, Senior lecturer (career development and employability)

f.christie@mmu.ac.uk

<https://www.linkedin.com/in/fionacchristie/>

<https://www.mmu.ac.uk/staff/profile/dr-fiona-christie#2>

Ria Deakin, Senior lecturer (human resource management)

r.deakin@mmu.ac.uk

[Dr Ria Deakin | LinkedIn](#)

[Dr Ria Deakin | Manchester Metropolitan University \(mmu.ac.uk\)](#)

Eileen Cunningham, Senior lecturer (business psychology)

e.cunningham@mmu.ac.uk

<https://www.linkedin.com/in/eileen-cunningham/>

<https://www.mmu.ac.uk/staff/profile/dr-eileen-cunningham>

Katy Jones, Reader (Associate Professor) in Employment

Katy.jones@mmu.ac.uk

<https://www.mmu.ac.uk/staff/profile/dr-katy-jones>

Summary

Employment rights are fundamental to the notion of 'Decent' or 'Good' Work. But to what extent do employability professionals embed these ideas in their practice? In this article, we introduce the concepts of legal and psycho-social literacy, which could empower employability professionals to (i) develop and use their knowledge of Good Work and employment rights (ii) help their clients to evaluate and recognise Good Work and what this means for them, and (iii) help educate employers about how to create sustainable and inclusive work for their employees.

What do we mean by decent work?

There is no shortage of useful debates, measures, and discussion about 'good' or 'decent' work. Internationally, together with economic growth, 'decent work' is a core United Nations Sustainable Development Goal (SDG). There are four pillars associated with the goal: 1) employment creation/access to work; 2) rights at work; 3) social protection; and 4) social dialogue. Principles of dignity, equality, fair income, safe working conditions and worker voice underpin these pillars (ILO, 2019).

In the UK the term 'good work' is more commonly used, with influential reports like the Taylor Review (2017) helping to define good work as well as recognise the erosion of working conditions in some parts of the economy, for example, zero hours contracts and the platform economy. Notably, while national employment legislation has stalled, devolved regions and nations have stepped in to stimulate good work over and above any UK-wide employment regulation. Across the nations of the UK, the concept of Decent Work has been borne out in the Good and Fair Work Movement. This has emerged via regional employment charters, relevant professional associations, i.e., the Chartered Institute of Personnel Development (CIPD), as well as through the work of trade unions. For example, the CIPD's annual Good Work Index (Wheatley, 2022), which surveys thousands every year, identifies 7 core characteristics of good work: 1) pay and benefits; 2) employment contracts; 3) work-life balance; 4) job design and the nature of work; 5) relationships at work; 6) employee voice; and 7) health and wellbeing.

Across all definitions utilised in measures, issues emerge relating to objective vs subjective notions of good work, which are helpful to reflect upon. Getting familiar with some of the measures and terminology can assist employability professionals' own competence in integrating this knowledge in their practice, giving them tools to think about "What is decent work?" and how is it relevant to their own practice.

In the following sections, we delve into this a bit deeper by considering the concepts of legal and psycho-social literacy, along with value they might hold for employability professionals who want to support people into good jobs, not just 'any' jobs.

Know your rights! Developing legal literacy

Legal literacy is an overlooked mechanism in good work. It requires not just an awareness of employment rights but also knowledge of how these rights can be realised/utilised. Employability education and training rarely engages with rights awareness, let alone more complex questions around rights in practice. Improving legal literacy provides an excellent opportunity to embed good work into employability learning. This is particularly critical in a UK context, where recent research shows that even basic employment rights like receiving payslips and paid holiday are often not being upheld (Cominetti & Judge, 2019).

Employment rights are a fundamental tool for achieving good work and underpin many of its core aspects (for example, equality). While legal rights alone are not sufficient, they are a necessity. Legal rights provide a floor of protection, and a baseline for fair treatment at work. Crucially, unlike other dimensions of good work which rely on the discretion and good will of employers, legal rights can be enforced externally (for example, through employment tribunals). Legal literacy must also encompass understanding of internal HR mechanisms too such as grievance procedures as these are often guided by and intertwined with the law, and about the role trade unions can play, such as through providing support in grievances, and through collective bargaining over conditions.

It would be disingenuous to argue that access to justice to enforce legal rights is easy (indeed it should be a last resort), or that HR processes are perfect, or even present in all companies (for example, they are often lacking in SMEs) – but it is important context for building legal literacy. Legal literacy around good work, should, therefore, focus on both the substance and the process of employment rights. It also requires adopting both a reactive approach (responding to issues), and a proactive approach (creating decent work with good conditions).

For both clients and employability professionals, the foundation to legal literacy is learning about core employment rights and processes. Employment law is complex and dynamic but a focus on core rights such as those around payment of wages, employment status, employment contracts, equality, and working time allows a great working basis for assessing whether work may be considered good. Employability professionals could help to promote legal literacy, through:

- self-study, for example from Acas or the TUC, or through a training course. Training may be via a private provider, or trade union members may be able to access free training through their union.
- discussing the core conditions of a role with clients, encouraging them to engage with resources on employment rights, and to make informed decisions about the quality of opportunities. They may also encourage them to ask questions about core rights in the selection process (for example see Greater Manchester Good Employment Charter resources).
- asking questions about working conditions to any employers they are working with. Ideally, professionals could seek to only work with companies who offer good work. At the very least, conversations about employment conditions may make a company reflect on their practices, and helps clients to make informed decisions.

Considering subjective aspects of good work: developing psycho-social literacy

While adherence to employment rights is an important objective measure of decent work, incorporating broader notions of ‘good work’ can be harder to operationalise as experiences can be subjective and individualised. Good work can give purpose, meaning and structure to working lives, provide financial security, boost physical and mental health, foster relationships, and help people feel part of something bigger. Talking about good work does not mean ignoring the problem of ‘bad work’ but encourages us all to aspire to and learn from experiences of work which enhance day-to-day existence.

For example, a retail worker might enjoy chatting to customers whilst another prefers to avoid this and derives satisfaction from organising stock more attractively. Additionally, people are likely to want different things from work at different stages of their lives or under changing circumstances, for example, zero-hour contracts may suit some students in the short-term but not once they graduate and want to secure stable housing.

This is where the notion of psycho-social literacy comes in. The psycho-social importance of work has been extensively researched for decades and there is general agreement that some elements of work can make a real difference, for example, having a good line manager and a clear understanding of roles and responsibilities.

Good work can often arise from aspects which are not written down or even openly discussed, for example, behavioural norms, expectations, perceived fairness, feeling valued or being treated with

compassion. Tacit knowledge of 'how work works' varies depending on cultural competence or capital. Employers may need to be more explicit about this for some employees (for example, for career changers, the long-term unemployed, young people, those from different cultures or those who are neurodivergent). Having open conversations about such topics during recruitment and induction can help employees to make informed choices, settle in and feel they belong. Appointing informal buddies and mentors can also help.

For employability professionals, a recognition of the core human needs (Duffy et al., 2016) met through work should be an essential element to pay attention to with clients. Putting this into practice could include:

- listening to people and engaging in meaningful conversations about what 'good work' means for them; their hopes and aspirations – including, and yet not limited to, the objective dimensions of pay and working conditions. Even poor-quality work offers the opportunity for reflection which can assist workers develop strategies and awareness of better alternatives. Clients can learn from you a deeper awareness of what good work means for them and how to recognise it.
- continuing to work with employees and employers in new jobs for a period of time, especially those entrants who are more vulnerable. Employability professionals can listen to, troubleshoot, empathise with, and advocate for employees, and help signpost employers to relevant training. You can ask questions about the nature of the work that prospective and/or existing employees don't feel they can, that can contribute to improving the quality of work for both employers and employees.

Conclusion

Including a focus on good work and employment rights can improve professional practice and empower clients. It also aligns with what many employers who are committed to the best HR practices want. Good work is not a soft and fluffy concept but has been proven to contribute to more productive workplaces. It requires practitioners to think critically about how some traditional employability learning risks individualising organisational and structural challenges in the labour market. Critically, they must expand what they know and do in order to support clients to move into and sustain good work.

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