Blood on the tracks; critically re-reading a Government Occupational Safety and Health Inquiry

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Abstract:

This paper brings to light forms of interpretive closure embedded in a Government inquiry into rail industry occupational safety and health. The paper shows how particular interpretive moves by the inquiry had the effect of obscuring a critical analysis of economic and political relations. The analysis uses publicly available documentary data and is undertaken using interpretive and political economic forms of analysis in a multiple framework approach.

Key words: work accidents, railways, class analysis, interpretive analysis

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On Wednesday 10 May 2000 at about 1130, while the Middleton yard shunt was propelling a rake of 5 wagons into the freight centre grid, the shunter fell under the leading wagon of the rake as he tried to board it and was killed instantly. (Transport Accident Investigation Commission, 2000:5)

**Introduction**

Organizations might be considered complex amalgams of political, cultural, economic, interpretive and material processes. In some instances those that enact and enable organizational processes are killed or seriously disabled in workplace accidents. Such incidents bring to light the deeply embedded ways in which interpretive and economic processes engage with material events such as death or serious injury. In the above extract, for instance, the interpretive rules used by the New Zealand Government’s official accident inspector narrate the final moments of a railway worker’s life. In such reports these rules provide a precise record of the physical facts of the accident but screen out any suggestions of cause or fault. They also do not address the economic and political processes in which the accident is embedded. On some occasions however the State *does* examine how these ‘other’ processes bear on death and injury causing accidents. But, as Brown has shown (2000; 2004), the ways in which the State’s interest is articulated continues to be highly constrained. Brown argues that Government inquiries should be seen more as public rituals that tend to ‘support the legitimacy of social institutions and extend the hegemony of prevailing ‘system-supportive ideologies’ (2000:48). In the following paper I investigate the forms of interpretive closure in the New Zealand Government
Inquiry (2000) into occupational safety and health at Tranz Rail (New Zealand’s sole train operator). The inquiry was provoked by a string of railway worker deaths in the year up to May 10, 2000. The death described in the above extract was one of these fatalities.

**Multiple reading strategies as an analytical approach**

If organizations are indeed complex amalgams of various processes, what tools do analysts have to understand complex organisational events such as fatal workplace accidents? The short answer is that they draw on a wide range of theoretical and analytical resources sourced from across the humanities and social sciences (Collinson, 1999; Nichols, 1994; Dew and Lloyd, 1997). Such resources are highly fragmented, often conflicting, and in some cases peculiar to geographical locations (Westwood and Clegg, 2003; Prichard et al, 2004). In 1979 theorists Burrell and Morgan published a book that amounted to a kind of map of organization studies as a field. Their work identified some of the field’s divisions and key paradigms’ (functional, interpretive, radical structuralist and radical humanist). While their work has done sterling service as source of debate (and legitimation for some fields of work), in recent times analysts have begun to see Burrell and Morgan’s work as *itself* setting limits on the possibilities for analysis (Rhodes, 2000; Deetz, 1996; Hassard and Keleman, 2002; Willmott 1993). Deetz, for example, argues (1996) that analysts should reflexively engage with and draw on different paradigms to produce methodologically or substantive interventions (Deetz, 1996:200). Rhodes (2000) and Zorn et al (2000) complement Deetz’s suggestions by showing how multiple forms of analysis can be used to draw out different dimensions and features from the same case materials. In such work the various traditions of organizational analysis are treated as
tools for the analysis of complex organizational events. Zorn and his colleagues use functional, romantic and critical approaches to analyse the communication practices that surround an organizational change process. The implication of this work is that multiple analysis can usefully bring to light and challenge the de-humanizing, oppressive and exploitative features of change management prescriptions.

In a similar piece with a different purpose, Rhodes (2000) uses feminist, critical and deconstructive approaches to analyse a particular organizational story of change. His purpose is to show that organizational analysis is perfectly achievable as a set of reading strategies that do not demand recourse to the foundationalist assumptions and disciplining processes of what he terms ‘paradigm discourse’. While Burrell and Morgan’s paradigm analysis illuminate certain features of organizational analysis, Rhodes argues that it also makes researchers subject to and subjects of paradigmatic forms of knowledge.

The analysis below follows on from these empirical works. With respect to the work of Zorn and his colleagues, this paper seeks to challenge the forms of interpretive closure embedded in the New Zealand Government’s 2000 ministerial inquiry into rail safety. In relation to Rhodes’ work, the paper takes up the challenge of using multiple reading strategies. In this case interpretive and Marxian forms of analysis are used. The paper also follows on from Brown’s analysis of the UK’s Allitt and Piper Alpha Inquiries (2000;2004). Where this paper differs from Brown’s is that it explicitly draws on both interpretive and radical economic forms of analysis. The interpretive approach aligns with that used by Brown’s work (2000; 2004). The economic framework draws on the work of the economists Stephen Resnick and

**Analytical tools: Interpretive and political economic analysis**

As with all forms of knowledge the interpretive and political economic analytical strategies used below take particular targets for analysis, and turn to different forms of data to explore these. Interpretive analysis addresses the discursive processes that make up organizing. A typical question might be: ‘How do particular narratives constitute or mystify the relations between groups or between organizations?’

Meanwhile the strand of radical political economics drawn on here makes the distribution of surplus labour its analytical target (Resnick and Wolff, 1987; 1992; 2003). A typical question might be: ‘How does the distribution of surplus labour, the prime target of class analysis in this approach, interact with non-class processes in organizations such as power relations between workers, owners and managers?’

These different approaches use different sets of concepts linked together in particular ways. The interpretive analysis in Brown’s case for example (2000) uses the notions of sense making, narrative plot-lines/alternative plot-lines, plausibility-coherence, search behaviour and uncertainty. These concepts are related together as a broad set of propositions. Human beings are said to use narrative forms (plot lines, characters, explanatory categories, key words etc) to make sense of the goings-on in their worlds. Such narratives are constructed on the basis of plausibility and coherence rather than accuracy, and as such may obscure alternative or seemingly implausible narratives. The search for plausible and coherent narratives is driven by uncertainty/anxiety and
may have the effect of defending or projecting certain institutional arrangements. An appropriate source of data to explore this would be the verbal or written accounts given by people involved in the phenomena in question.

Radical political economics meanwhile draws on the notions of class, labour and accumulation drawn from a set of ordered statements in the Marxian tradition. In this tradition work organizations are said to constitute jobs and workplaces as part of class processes that seek to realize and appropriate surplus labour. While a proportion of this surplus labour is used to maintain and reproduce the conditions of such production (e.g. in manager’s salaries), a proportion is appropriated by owners or their agents for consumption and/or reinvestment in other enterprises. The appropriate source of data in such an approach may be annual reports, payments processes and organizational decision structures.

In what follows I treat these sets of conceptual resources as tools for the analysis of Tranz Rail and the fatal accident inquiry. However I make no assumption as to the essential truth or precedence of the results informed by either interpretive or this Marxian form of analysis. For example I do not regard interpretive analysis as the subordinate empirical storyteller or political economic analysis as the underlying, real and dominant theoretical arbitrator. In no sense am I aiming to establish the superiority of either of the approaches or force some inclusiveness or reconciliation between these traditions of analytical work. While the approach is guided by the assumption that organizations are complex amalgams of inter-related processes, the paper’s analytical strategy makes no claim as to which framework is essentially suited to the representation of such a state. Rather I simply assume that the resources drawn
on may provide a compelling means of addressing my first aim – to challenge some of the interpretive moves that structure this occupational safety inquiry. Before presenting the analysis itself I offer a brief description of the case organization, and the inquiry itself.

**Tranz Rail and the Inquiry – some background**

New Zealand’s sole commercial train operator, Tranz Rail, has a notorious reputation for fatal workplace accidents\(^1\). It holds the dubious record of being one of the most convicted New Zealand firms for health and safety breaches (Corbett, 2002). In the worse recent spate of accidents five Tranz Rail workers were killed in separate accidents in the 12 months to May 10, 2000. This, together with claims of under reporting of accidents, spurred a government inquiry into the company’s safety practices (Ministerial Inquiry, 2000).

Like many rail operators around the world the company has, since the 1980s, undergone a turbulent and protracted transition from Government Department to privately owned company. As part of this transition merchant banking interests, formerly located in New Zealand but now headquartered in Switzerland, first acted as advisors to the New Zealand Government on preparation of this former State-owned-enterprise for sale to private interests, and then, in conjunction with the now Canadian-owned train operator, Wisconsin Central and a private US venture capital firm, became in 1993 the owners of the rail, ferry and trucking company. Since then the business has failed to make an average market return on invested capital but these

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\(^1\) This is but a prominent example of a much broader concern over fatal workplace accidents among New Zealand workers. Official figures for the year to July 2002 record 73 workplace deaths (one a week), up from 39 the previous year (Corbett, 2002).
owners have extracted significant returns using a raft of complex financial and restructuring measures. These included a complex amalgam of staff reductions, work intensification, changes to maintenance programmes, increased levels of debt, and financial restructuring (see details below). This latter element included the sale and lease-back of the company’s major capital assets i.e. locomotives, trucks and ferries.

The owners also floated part of company, and in the latter part of their tenure brought in a new management team. Toward the end of 2000 the original private owners signaled that their shares in the company were for sale. They finally sold in early 2002 with the share price at around $3.60. By May of 2003 the company’s shares were trading at just 40c each. Significant debt repayments on the major assets were about to fall due. The company’s banks were unwilling to continue their support and with the company unable to find buyers for the assets put up for sale to cover the shortfall, the company’s executives turned to the New Zealand Government for help. New Zealand’s Labour-led coalition government rescued the company with a cash advance and agreed to re-take an ownership position in the company (to take responsibility for the track). In late 2003, with shares trading at around 90c each, the Australian transport firm Toll Holdings bought all but the final few percent of shares. This paper covers the period between 1993 and 2001. In late 2004 legal proceedings were brought against the original owners by the New Zealand Government’s share market ‘watch-dog’, the Securities Commission, over allegations of insider trading in Tranz Rail shares. It is alleged in this civil action that has yet to be heard that the former owners sold their Tranz Rail shares without advising other shareholders of the company’s financial problems. The defendants face claims for compensation that could be as high as NZ$250million.
Between 1993 and 2001, the company reported 15 fatal workplace accidents and 60 serious injuries. A third of these deaths – five - occurred in one year (to May 10 2000). This extraordinary run of fatal accidents precipitated a government inquiry into the organization’s safety systems. The inquiry, led by a prominent lawyer, took public submissions for a week in early August 2000 and submitted its report at the end of that month. As a ministerial inquiry it was forbidden from inquiring into the cause of any accidents, nor could it establish the culpability of any parties. The Inquiry’s main target was ‘occupational safety and health issues’ (2000:53). On this it was directed to explore ‘any systemic factors’ (2000:52) that contributed to the series of fatal accidents to Tranz Rail employees. The Inquiry was asked specifically to:

Identify and consider any culture or cultures (i.e. influences and practices which affect practices and behaviour) within Tranz Rail and its employees and contractors that may be relevant to the operation of a safe and healthy place of work. For the purposes of this Term of Reference (5), it may be relevant to consider such cultures within areas of Tranz Rail’s activities other than those related to the rail service’.(2000:55)

Of particular concern for the inquiry were the three deaths (of the five) that occurred in shunting operations between 1999 and 2000. The inquiry heard that the reduction of shunting crew numbers, and the increase in work rate forced shunters to engage in increasingly dangerous practices. Set in the context of the company shift to private ownership and the complex financial and organizational restructuring that this produced, Rail unions and other commentators argued that Tranz Rail’s owners ‘thrived at the expense of the lives and livelihoods of rail workers’ (Braddock, 2000). The inquiry did not come to this conclusion. While the report accepted that there was some link between instituted organizational changes and an increased risk of serious accidents...
workplace accident it did not discuss this directly. Below I draw on political economic and interpretive modes of analysis to respectively challenge the inquiry’s own interpretive processes.

**Interpretive Analysis**

For interpretive perspective organizations are as locales where humans make, extract and appropriate meaning and through this realise, order and constitute their worlds. They do this through various formal and informal genres or discursive practices that combine features of, for instance, dialogue and storytelling. Accident Inquiry reports, like budget and accounting processes can be regarded as a highly codified form of ‘conversation’ and ‘story-telling’. These practices attempt to constitute, control and direct action in the face of other possibly contending meaning processes. From an interpretive position ‘surplus labour’ is a conceptual and symbolic element drawn from Marxian political economic discourse that may be engaged in struggles for control of meaning processes. For example if we turn to the Ministerial Inquiry report (2000) into the fatal rail accidents, we can note a clear tension between Tranz Rail’s interpretation of workplace accidents as the unfortunate effect of workers breaking company rules, and the claims by workers that it was an effect of fatigue due to over-work. Interpretive analysis addresses the particular practices that structure the elaboration of some accounts and suppress or deny others. In this particular case the interpretive rules that governed the Ministerial inquiry forbid, at a general level, the inquiry from exploring the cause of the deaths. The Inquiry was instructed that if it did uncover evidence that addressed cause or responsibility for the deaths this must be referred
(2000:53) to ‘the appropriate authorities’ (i.e. police and the courts). Here we can see how interpretive practice governs what can be said about death and its relation to political and economic processes.

**Political Economic Analysis**

Causality is a key issue in recent Marxian scholarship. Such work claims however that symbolic, cultural processes and economic processes over-determine each other (Resnick and Wolff, 1987; 1992). In other words, each relies on others for their effectivity and one cannot be reduced to the other or defined in advance as the cause of events or the determining process. However, as researchers we have *an analytical choice* as to what particular processes (interpretive or otherwise) we make our analytical subjects and this choice is inevitably a political one. Some radical political economists choose to analyse processes that surround the flow of surplus labour. With regard to an analysis of Tranz Rail’s fatal workplace accidents we would begin with the proposition that there is likely to be an over-determined, non-reductive relation between accidents and the ‘theft’ of surplus labour. Each bears on the others in complex ways and there is no defining or essential relation. This theorization extends of course to the actions of managers and owners. While we might be able to map the political, interpretive and cultural processes by which such agents are compelled to act to maintain particular capitalist or non-capitalist class processes, we cannot assume to know how they will indeed act or how such processes are played out. For instance key owners may assume that no further significant profits can be extracting from an enterprise and using particular interpretive and political processes relocate their capital
elsewhere. Managers and workers meanwhile may respond, using their political and symbolic resources, by seeking the involvement of socialized capital (the state) to maintain an income or to secure future income. Going by the evidence, this seems to be, very broadly, the case with respect to Tranz Rail in recent times.

**Interpretive Analysis**

From an interpretive position we explore the discursive and symbolic resources and processes by which owners and managers interpret and plot their actions. Our attention however would not be toward the relation between this and class processes, but rather how interpretive processes emphasize and develop some accounts and courses of action, and disable others. For instance if we turn to the inquiry report we can note that the inquiry did not disagree with the company’s claim that safety was compromised by the difficulties of changing an ingrained workplace culture that encouraged unauthorized risk-taking, rather it favoured the claims made in a *company-sponsored* international rail safety expert (Mr Rayner). In his submission Mr Rayner argued that risk-taking had been, in part, bought on by a company focus on productivity at the expense of safety. This claim was also made by the union and staff. What is important for us however is how the interpretive practices Mr Rayner employed – which were again accepted by the Inquiry and reproduced in its report – dealt with the problem of responsibility for unsafe work practices. I cite the following section from the inquiry report in full as it encapsulates the emphasis given in the report.
Mr Rayner drew attention to the fact that the reduction in staff numbers, the pressure for greater productivity, and the round-the-clock, all-weather nature of railway work means that, when ground staff are sick or absent, unfillable gaps in work teams are created. He suggested that the pressure to ensure work is completed will, in occupations such as shunting, result in lower thresholds of fatigue and alertness.

In our view there are clearly times when the pressure on front-line supervisors in the shunting yards are such that they see the need to maintain productivity as the overwhelming imperative. There is no doubt that there is a need to strengthen the safety culture among shunting staff, and both management and staff have been working together to improve safety. Tranz Rail will, however, need to re-examine management attitudes to ensure that at critical times, front-line managers do not place a greater priority on maintaining productivity than on safety. (2000:44-45, my emphasis)

From an interpretive perspective the crucial turn in this text is found in the inclusion of the words ‘culture’ and ‘attitudes’. These terms, and their usage in the inquiry report, have particular effects. On the one hand they allow the inquiry to retain its distance from questions of culpability for the fatal accidents. But more particularly, and with respect to safe practice, the use of the terms ‘culture’ and attitudes’ allows the evident variability in safety practices to be ascribed to particular realms. In the inquiry report they are
located in the cognitive faculties of managers, and in the seemingly un-
definable realm of workers meaning and behaviour known as ‘culture’. What these particular usages of these terms do is direct attention away from interpretations that might explore the reduction in staff numbers, the ‘unfillable’ gaps in the workforce, and the power relations enrolled by supervisors and managers in securing what the inquiry itself identified as the ‘overwhelming imperative’ of maintaining productivity. In the inquiry report such terms allow the particular practices that constitute workers and managers relations to be re-interpreted in particular ways. The implication is that managers have attitudes and workers have cultures and their relations are largely a function of these extremely vague realms. An alternative interpretation not pursued in any detail in the inquiry would be that managers and workers relations are structured by more embedded ‘interpretive practices’ such as work rosters, productivity quotas, rates of returns on labour employed etc. So rather than explain the workings of particular forms of calculation and discursive control used by managers, the inquiry followed Mr Raynor’s lead and located these relations in managers ‘attitudes’ and workers ‘culture’.

Similar interpretive practices surround the use of the term ‘belief’. The inquiry identified supervisors as overly productivity focused. When confronted with accidents however they are said to be concerned with making new rules about safety rather than performing safe operations. Again relying on Mr Raynor’s submission the inquiry report puts it this ways:
Mr Raynor observed that management reaction to each accident in the shunting yards was to further amend working practice, to augment at 90 pages, an already weighty handbook of operating instructions for shunting yard staff whose real value to the people for whom it was produced must be doubtful. In other words, there may be a belief that, by prescribing more and more rules, Tranz Rail seeks to ensure that it cannot be blamed because it is always possible to point to a rule that has been breached. (2000:43, *my emphasis*)

The use of the term ‘belief’ (and the phrase, ‘In other words. . .’) allows the inquiry report to shift attention away from the evident suggestion that Tranz Rail conducted unsafe operations but manufactured new and more elaborate rules systems in order to shift blame for accidents to workers.

Both these points suggest that a more critical interpretive position with regard to the Inquiry’s reliance on the comments by this company-sponsored international safety expert might have usefully been taken. The expert is critical of company and its managers and seemingly sympathetic to workers. But his interpretation (based on what he claims to be his ‘observation’) directs attention away from *the particular practices* (e.g. manning levels, structuring of rosters etc) that shape the relations between managers and workers at work.

The same argument can be made with the Inquiry’s usage of the phrase ‘improved productivity’. In the report’s only mention of the company’s owners and their impact, it *simply* notes that:
In 1993, NZ Rail was sold to a consortium of private owners who have placed an increased emphasis on improving productivity. (2000:40)

This phrase, ‘improving productivity’, could be said to ‘do a lot of work’. In no way does it help us to understand what is involved. And it obscures what political economic analysis might regard as intensified capitalist class processes.

**Political Economic Analysis**

While there are some similarities between the intent of interpretive and political economic analysis, the form of data and concepts used in the latter are distinct. Political economic analysis is likely to turn to the texts that present an organization’s financial circumstances. Of course Tranz Rail’s public announcements and annual reports have been carefully managed to present one picture of the organization. Another, which we might call the internal view, tells a different story. This ‘internal view’ is often obscured and mystified by public pronouncements. For an ‘internal view’ of Tranz Rail’s I rely here on the work of financial analysts. Tranz Rail has been highly secretive as to its internal financial situation. On this we can note that it refused to ‘open its books’ to the Wellington Regional Council in connection with the possible sale of its regional passenger network. We might also note the withdrawal of a take over bid by the US rail operation Rail America following its initial investigation of the company under a due diligence arrangement.
Most of the critical public commentary on Tranz Rail’s financial state relies on work of financial analyst Brian Gaynor (2002a; 2002b) and remarks by the ousted former chairman and director of both Tranz Rail and Wisconsin Central, Ed Burkhart (Kay, 2003). The story based on these sources and the company’s public announcements is outlined below.

The consortium of merchant banking (formerly located in New Zealand but now headquartered in Switzerland) and North American Railway interests - bought the firm in 1993 for NZ$325m in what the current Government’s finance minister recently describes as a ‘soft privatization’ (Kay, 2003). Before this sale the Government, working with its advisors (who subsequently became joint owners of the rail and ferry business), prepared the organization for sale by writing off NZ $1billion in debt owed by the organization and provided $360m to cover other costs.

The new owners initial purchase was funded with $107m in equity, and $223m in loans against Tranz Rail’s assets. The company subsequently re-paid these loans. In this period a further $100m capital repayment was made to the owners in 1995 in part from the sale of its stake in the communication company, Clear Communications (now part of Australia’s Telstra Corporation). This reduced the owner’s original equity contribution to just $16m or 20c per share. In 1997 the owners publicly floated part of the company (an extra 30 million shares) which realized a price of $6 a share. The proceeds were used in part to repay debt. Through much of this period the
company’s annual reports note that it paid its shareholders a dividend of 17c per share. As noted the original owners progressively sold their holdings and finally exited in February 2002 when the share price was at about $3.60. Gaynor calculates that since 1993 the original investors realized total profits of $370m with the merchant bankers Fay Richwhite taking $87m excluding advisory fees of $10m. Public shareholders who bought in as part of the 1997 partial float (23 percent of the firm) were, in February 2002, sitting on a book loss of $71m on their 31 million shares. After the exit of Fay Richwhite the share price tumbled to a low of 40c per share (May, 2003).

Gaynor and others regard this as ‘perfectly legitimate and sound business practice on the part of the investors’ (Kay, 2003). Their only note of criticism seems to be that Fay Richwhite and their colleagues may have seriously disabled the company. As Kay notes, ‘what makes many uneasy is the extent to which Tranz Rail was run down from the late 1990s onwards when assets were sold and spending on track and rolling stock dried up’ (Kay, 2003, 5). Radical economic analysis is less charitable. While owners are subject to, and subjects of, various political, culture and material processes, they are subjects of class processes, namely, they take the position of receivers of returns from the available assets and resources. In the Tranz Rail case the owners were also active as directors of the firm and in maximizing these returns during the 1990s. Sometime in the late 1990s they judged that no further significant long term value could be extracted. They brought in a new management team that helped to buoy confidence in company’s future and then realized further surplus labour from the purchasers of their ownership rights. Soon afterward
significant loans fell due and newly appointed managers had little alternative but to turn to socialized capital (e.g. the state) for financial help. In ways that mimic the New Zealand Government’s rescue of Air New Zealand, the deal provided a cash injection and transferred ownership of the track network back to the State. The State further agreed to fund a comprehensive maintenance and upgrading programme for the network (e.g. tracks, tunnels and signals) to which the company gets exclusive use (subject to some performance criteria). The majority of shares in the company are now held by the Australian company, Toll Holdings, which took control of the firm in early October, 2003.

From a political economic perspective the string of fatal workplace accidents (five for the year to May 10 2000) needs to be set in the context of this ‘theft’. Of course one cannot claim that this ‘theft’ causes such accidents. But, radical political economics does involve a commitment to exploring how this ‘economic crime’ bears on the material processes of work. One way to do this is to object to the ‘repression of the class dimension of social life’ (Resnick and Wolff, 1992: 36). This repression is evident in the Ministerial Inquiry into Tranz Rail’s accident record. This repression is not just a function of the terms used by managers to describe themselves, nor the ways in which the Inquiry report was written. Nor is it in simply found in the very short space of time given to the inquiry to hear submissions and report back. It extends to the setting of the terms of reference for the inquiry, into the very rules governing ministerial inquiries, and further ‘outwards’ into the structuring of Governments themselves. Despite hearing submissions that noted the
reduction of shunting crew numbers, and how the increase in work rate forced workers to engage in increasingly dangerous practices (which, as it turns out, were fatal to some of those involved), no link was made to the extractive processes that drove down staff numbers (particularly in the last quarter of 1999) and drove up the work rates.

While a detailed historical account of the many and varied financial and organizational changes made is not attempted here, figure 1 provides a summary of events and underlying changes. With respect to the company’s history between 1993-2001 the figures highlight dramatic **increases** in productivity during the period (from 8.5 million tonnes in 1993 to 14.4 million tonnes in 2001) alongside significant **decreases** in staff numbers (from 5000 in 1993 to 4100 in 2001). Such figures of course tell us nothing about what was going on in company’s shunting yards and depots. They tell us nothing of how the increase in tonnage and decrease in staff was bearing down on the remaining workers and their work practices. What it does tell us is that the amount of surplus labour being extracted was increasing steadily through the period. Some of this value was lost in competition with other transport operators. Some was uplifted by the owners in various forms (e.g. as dividends, capital repayments and sale of shares).

<Insert Figure 1 about here >

**Interpretive Analysis**

Interpretive analysis is not necessarily blind to these flows of capital, human labour, and physical processes. Rather it simply attends to the interpretive
moves the human actors employ to make sense of these. We noted above how key terms and their elaboration in certain narratives suppress or divert attention from other possible narratives that interpret events differently. Alongside this we noted that the Inquiry process itself is structured to favour certain narratives and not others. As noted key ‘system supporting’ concepts (Brown, 2000) such as ‘productivity’, ‘culture’ and ‘attitudes’ suppress interpretations that explore the explicit practices and power relation that tie managers, workers and owners together. However in the Tranz Rail case the effects of using such terms is amplified by two other aspects of the inquiry report: the highly structured terms of reference set out by Government ministers and the inquiry’s acceptance of the company’s account of its own recent history. Below I briefly discuss these and then identify two features of the inquiry content that might, potentially, have challenged these interpretations.

In relation to the first point, the terms of reference for the inquiry set out by the Ministers of Labour and Transport heavily structure the character of the inquiry report in terms of the format, target and vocabulary to be used. The inquiry, in terms of scope, was told to attend only to occupational health and safety. Included in its terms of reference are three elements that could, potentially, have allowed the inquiry to interpret its work more broadly. Among its nine key terms of reference the inquiry was asked to ‘establish whether there are any systemic factors that contribute to that situation’, to ‘identify any factors affecting the ability of relevant agencies to effectively and consistently facilitate and enforce an appropriate level of occupational
health’, and to ‘identify and consider any culture or cultures (influences or attitudes which affect practices and behaviour) within Tranz Rail and its employees and contractor that may be relevant to the operation of a safe and healthy place of work’ (2000:55).

Potentially these elements (‘any systemic factors’, ‘any agencies’ and ‘any cultures’) could have been used to set a wider brief for the inquiry. However the response was, to summarize, a final report that addressed: the inadequacies of the legal structure that surrounded the organization’s accident system, management failures to effectively deal with accident risks, and a culture of risk-taking among workers.

The initial terms of reference seem broad. But the inquiry interpreted ‘systemic’ to mean ‘systems’ and addressed itself to the management system, the safety system (legal requirements) and the work system. This dividing-up allows the relations between these systems to be obscured. The final recommendations follow from this. Rather than address the systemic problems (for instance how the economic, political and material practices are interrelated), the inquiry’s recommendations propose a series of regulatory changes (2000:51-52).

The second amplifying feature is the inquiry’s acceptance of a company-supplied history of its changed circumstances (ibid.:40-41). The inquiry report includes the following:
Tranz Rail also set out a brief history of the rail system in New Zealand and the age and gender profile, all of which is useful as a background to understanding the attitudes and influences within Tranz Rail . . . Tranz Rail has summarized the fundamental changes to New Zealand’s railway company over the last 20 years as follows:

(a) focus has changed from engineering/social objectives to commercial objectives
(b) approximately the same tonnage of freight is moved by significantly fewer staff,
(c) there has been a reduction in the number (but not type) of wagons;
(d) noticeably however, there have been little change in work method, particularly in the operating environment . . . trains are loaded, marshaled and run using similar technology but less staff than in the past. (ibid.,41)

By accepting the company’s account of its ‘system’ much is obscured. It primarily obscures the activities of owners and managers with respect to the changes detailed above.

These elements, the terms of reference and use of company supplied information, amplified the interpretive limits placed on the inquiry. But were there any features of the inquiry or incidents themselves that might, potentially, have triggered some questioning of these limits? Clearly the clustering of the deaths - a third of the deaths between 1993-2000 occurred in
the year to May 2000 is one such feature. The inquiry report explicitly begins
with this point.

At the outset it needs to be made clear that there is a problem at Tranz
Rail. On 10 May 2000 a Tranz Rail employee was killed in a shunting
accident in Christchurch. This accident brought to five the number of
Tranz Rail employees fatally injured over the past 12 months.

Potentially this fact, which is identified explicitly as a reason for holding the
inquiry, may have provoked some questioning of the activities of the owners
in the immediate period leading up to the year 2000. It might have allowed
interpretations that explored relations between capital flows and fatal
accidents. Of course this is not to suggest that there are easily isolatable or
direct links between such flows and accidents. Accidents involve a complex
set of circumstances, errors and contingencies and any link to elements where
capital flows clearly have a bearing could not be directly established e.g.
maintenance of track and machinery, staffing levels and workload and hours
worked. We might however say that such processes bear on each other in
complex ways. Given this clustering of deaths, more complex analysis and
interpretations might have been pursued.

A second missing feature in the final report, and one that may have questioned
the interpretations of the Inquiry report, are the claims made by workers. As
the following quote highlights there was no shortage of signposts as to the
relation between financial practices and management practices in the
submissions from workers and their families. Media reports of the inquiry sessions tell how numerous Tranz Rail workers testified to the claim that accidents were linked to changes in Tranz Rail’s operating practices. Ray Terrey, a rail employee for 30 years, told the inquiry:

The actions of Tranz Rail in having lower staff numbers in order to operate a rail system with high profit returns have been at the demise and expense of its staff many of whom have paid the ultimate price with their lives. (McCurdy, 2000:1)

As noted rail unions and other commentators argued that Tranz Rail’s owners have ‘thrived at the expense of the lives and livelihoods of rail workers’ (Braddock, 2000). This is an interpretation that is suggested by the inquiry report. Despite its terms of reference, that called for an investigation of the systemic elements that surround these fatal accidents, it is an interpretation the inquiry did not take up.

Summary and implications

This paper highlights and problematizes the forms of interpretive closure put to work in a Government Inquiry into occupational safety and health. These forms included: the use of key terms from business discourse (‘culture’, attitudes’, ‘increased productivity’, ‘systems’) that obscure from view the political relations between workers, owners and managers, and naturalize the economic practices put to work by owners and their agents. The paper highlights and problematizes the inquiry’s strict reading of its terms of reference, and its use of company supplied experts and
historical accounts. Drawing on the work of financial analysts, the paper notes that the company’s owners engaged in highly extractive class processes throughout the 1990s. In retrospect these practices, and the subsequent history of the company after 2000, suggest that the inquiry’s strict interpretation of its terms of reference together with its reliance on company expertise at the very least highly constrained its ability to adequately investigate occupational safety and health issues. The inquiry was prompted by a series of fatal accidents suffered by Tranz Rail employees and was specifically asked to ‘establish whether there were any ‘systemic factors’, ‘any agencies’ or ‘any cultures’ (2000:53) that had contributed to that situation. The inquiry’s attention however was directed to worker’s ‘culture’, managers ‘attitudes’ and organizational ‘systems’. At no point did the inquiry considered that owner’s ‘culture’ or ‘agency’ or systems and how these might have ‘contributed to this situation’.

What are the implications of this analysis? Two obvious implications are that practices such as the use of company-supported expertise, and the strict interpretation of inquiry terms of reference, support Brown’s claim that Government inquiries tend to be system-confirming rather than system-challenging rituals. Given this, the temptation is to suggest changes to the form or practices that typically make up such inquiries in ways that provoke more system-challenging practice. One adaptation might be that the terms of reference for Government inquiries in general be challenged. Such rules place strict limits on what counts as occupational health and safety issues. On the evidence from the Tranz Rail inquiry, we might suggest that such limits ought to be challenged in such a way that the agency of owners and their ‘cultures’ be included in such investigations. Such ‘cultures’ tend not to be directly
present in the workplace but nevertheless bear on the material and political processes that surround occupational safety and health.

Analytically the paper draws on both interpretive and political economic forms of analysis. These are treated as tools rather than as the basis for making claims about the cause, truth or reality of organizational events. This approach relies less on foundational assumptions and more on the rhetorical and persuasive character of the arguments and narratives assembled and how well they meet the particular aim of the work – in this case challenging the interpretive processes employed by the occupational safety inquiry. One implication of this for organization analysts is that while debate over the foundations of the field inevitably continues the pressing task is to put the field’s valuable and engaging analytical frameworks into service, particularly where death and wellbeing are at stake.
References


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<tbody>
<tr>
<td>Freight moved (millions of tonnes)</td>
<td>8.5 million tonnes</td>
<td>9.4</td>
<td>9.5</td>
<td>10.3</td>
<td>11.5</td>
<td>11.7</td>
<td>12.9</td>
<td>14.6</td>
<td>14.4</td>
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<td>Staff numbers (1991=5899)</td>
<td>na</td>
<td>4982</td>
<td>4719</td>
<td>4780</td>
<td>4645</td>
<td>4698</td>
<td>4521</td>
<td>4194(5)</td>
<td>4143</td>
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<tr>
<td>Staff costs (4)</td>
<td>$233m</td>
<td>$227m</td>
<td>$212m</td>
<td>$210m</td>
<td>$214m</td>
<td>$205m</td>
<td>$202m</td>
<td>$193m</td>
<td>$206m</td>
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<tr>
<td>Net profit $m</td>
<td>$17m</td>
<td>$38m</td>
<td>$73m (2)</td>
<td>$38m</td>
<td>$60m</td>
<td>$48m</td>
<td>$70m</td>
<td>$47m</td>
<td>$23m(3)</td>
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<td>Significant Financial events</td>
<td>Debt of $277m</td>
<td>Debt to $340m</td>
<td>Sale of extra 30m shares in NZ and USA. Proceeds of $174m used to reduce debt.</td>
<td>December 1996: $131m raised from sale and lease back of 15 percent of locomotive and 9 percent of wagon fleet. Used to reduce debt now at $81m</td>
<td>Debt at $270m</td>
<td>Interisland Ferry Aratere sold and leased back. Profit funded largely from tax credit</td>
<td>Capital expenditure down to $49.5m from $125m in previous year</td>
<td></td>
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<td>Workplace injuries : total 60 injuries (I), 15 deaths (F)</td>
<td>Accurate figures not available</td>
<td>Accurate figures not available</td>
<td>I=7 F=3</td>
<td>I=5 F=4</td>
<td>I=7 F=1</td>
<td>I=14 F=1</td>
<td>I=20 F=2</td>
<td>I=9 (to June 2000) F=3 (to June 2000)</td>
<td>Not available</td>
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(1) All data has been drawn from Tranz Rail annual reports 1993-2001 except where indicated otherwise.
(2) Revenues included $72m return sale of telecommunication company shares.
(3) Tranz Rail announces a $70M loss in 2002 attributed to $113m in increased operating costs including debt repayments.
(4) Actual costs in each given year, not adjusted for inflation.
(5) Figures show a significant decrease in staff numbers in last quarter of 1999
(6) Figures drawn from Railway Union’s submission to the Inquiry. The union has access to company accident records. Total figures are from 1995-June 2000.

Figure 1. Tranz Rail’s key indicators 1993-2001 (1)