

Whistleblowing in Local Government: An Empirical Study of Contact Patterns and Whistleblowing in 20 Norwegian Municipalities

Marit Skivenes* and Sissel C. Trygstad†

Whistleblowing by administrative employees in local governments can bring critical knowledge about misconduct and failed policy outcomes and priorities to the attention of politicians. This article examines whether (1) whistleblowing to politicians is considered acceptable among politicians and administrative employees, (2) politicians receive whistleblowing cases and how those who do so handle the case, and (3) contact patterns between politicians and administrative employees influence the whistleblowing activity and the action taken by the politicians to address wrongdoing. The article departs from the theory of pillars of institutions and the tensions between and within institutional pillars to analyse unique data from a survey based on the vignette method and actual whistleblowing among politicians (N = 400) and employees (N = 373) from 20 Norwegian municipalities. The analysis shows that the degree of contact between politicians and administrative employees is correlated with positive perceptions of whistleblowing and constructive handling of wrongdoing reports by the politicians.

Introduction

Over the past decades, the public sector has been influenced by organisational models and management strategies that have promoted separation between politicians and administrative staff. It has been argued that limited contact between the two spheres will promote transparency and responsibility, as supported in the revision of the Norwegian Local Government Act of 1992 (hereafter LGA). This type of separation of politics and administration can be regarded as an intentional attempt to de-institutionalise a practice that has deep roots in Norwegian municipalities (Trygstad 2004). As noted by scholars within institutional theory, changes in attitudes and actions may be difficult to accomplish (Scott 1995; Pierson 2004; Engelstad 2015). However, the revision

* Marit Skivenes, Department of Administration and Organization Theory, University of Bergen, Postboks 7800, 5020, Bergen, Norway. E-mail: marit.skivenes@uib.no

† Institute for Labour and Social Research, Fafo, Norway

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of the LGA is not the only change that may affect the contact pattern and the whistleblowing process. In 2004, the freedom of expression of employees were strengthened in the Norwegian constitution, and in 2007, legal protection of employees who act as whistleblowers came into force.

In this article, we try to identify changes by examining the contact pattern between administrative staff and politicians in local governments and discover whether the degree of this contact affects whistleblowing activity and the actions of politicians to address wrongdoing. As formal employers in municipalities, politicians can serve as a well-functioning whistleblowing channel because they have the authority to effect change in an organisation. We define 'whistleblowing' 'as the disclosure by organisation members (former or current) of illegal, immoral or illegitimate practices under the control of their employers to persons or organisations that may be able to effect action' (Near & Miceli, 1985, 4; Near et al. 2004; Miceli et al. 2008, 8). To the best of our knowledge, there are no published studies on politicians handling whistleblowing in the Nordic countries or the Nordic labour market. Therefore, our study is explorative and breaks new empirical ground. We use institutional theory as a platform for understanding how tensions between and within regulative and normative pillars (Scott 1995) in local governments can affect the contact patterns and communication or contact between politicians and employees in the municipalities. The term 'communication' is often used in a broad sense (cf. Smidts et al. 2001; Bartels et al. 2010; Wynia et al. 2010), which is consistent with the use of the term in this article.

Whistleblowing is important for various reasons; it can secure or improve the welfare of both employees and citizens and it promotes democracy because the right to expression is an essential precondition. Whistleblowing also promotes organisational learning and development through the reporting of misconduct that directly or indirectly acts against organisational goals, ethical guidelines or legislation. Hence, whistleblowing may also be important for organisational efficiency. Actions that constitute wrongdoing may vary within and between organisations (Skivenes & Trygstad 2014). Defining wrongdoing is a complicated and contested task, which makes it potentially controversial. Opinions may differ regarding what constitutes wrongdoing as well as the appropriate form of action. However, in the public sector, the need to identify and handle it is of particular importance as organisational wrongdoing may harm not only organisational goals and its members, but also innocent third parties who depend on welfare services from the municipality. Miceli et al. (2012, 942) note that organisational wrongdoing even has a negative impact on those who observe it:

[Wrongdoing] is associated with demoralisation and negative signalling. Specifically, observing wrongdoing generally was associated with lower levels of perceived organisational support (POS) and perceived channel justice (PCJ).

Their analysis shows that if the wrongdoing is corrected (or believed to have been corrected), the negative effects of having observed wrongdoing may be minimised or eliminated.

Obviously, the correction of wrongdoing requires that wrongdoing be detected – that someone blow the whistle. In this article, we examine whether whistleblowing to politicians is considered acceptable among politicians and administrative employees; whether politicians receive whistleblowing cases and how those who do handle the case; and whether the contact patterns between politicians and administrative employees influence the whistleblowing activity and the action taken by the politicians to address wrongdoing.

The article is organised as follows. We begin by presenting a theoretical platform and an analytical framework, before providing a brief overview of local governments and whistleblowing research in the Norwegian labour market. Our methodology is then outlined, and our findings are presented. The article concludes with discussion and some remarks.

Institutional Pillars and Norwegian Local Government

Historically, there have been close ties between politicians and employees in Norwegian municipalities. In previous decades, these ties have been debated and changes in the LGA in 1992 emphasised the importance of separating the political sphere from the administrative sphere (Trygstad 2004). The LGA was influenced by New Public Management (NPM), which also underlined the separation of the two spheres. The separation was viewed as essential for the reduction of administrative influence on political issues and to enable the management to govern in line with political goals without day-to-day political interference (Trygstad 2004; Christensen et al. 2009). The intention of the new statutes and NPM were to establish new practices and actions. However, several scholars of institutional theory argue that the social order normally remains stable, depending on paths chosen in the past. Maintaining this order becomes even more difficult the more embedded an action or a practice is because time invested is a decisive factor (Pierson 2004). Different actors may have much to lose by changing their actions. The social order will remain stable until an exogenous shock appears; then a new policy will emerge (Engelstad 2015, 37). The approach of Mahoney and Thelen (2010) represents an alternative perspective. They argue that institutional change is continuously ongoing because of the aggregate effects of a multitude of actions.

Our point of departure is legal changes that have an effect on the regulative pillar. According to Scott, the regulative pillar is one of three pillars that constitute an institution:

Institutions consist of cognitive, normative, and regulative structures and activities that provide stability and meaning to social behaviour. Institutions are transported by various carriers – cultures, structures, and routines – and they operate at multiple levels of jurisdiction. (Scott 1995, 33)

The pillars represent the structures and activities that are intended to bring stability and meaning to social contexts. In this article, we focus on the regulative and normative pillars. Legal amendments are related to the regulative pillar, whereas ideas on organisation and management are related to the normative pillar. According to Scott (1995), these two pillars will often mutually support each other, as is evident in Norway with the changes in the LGA, the separation of the political and administrative spheres, and the influence of NPM. However, the introduction of strengthened protection of the freedom of expression in the Constitution and the right to give notification of wrongdoing included in the Work Environment Act of 2005 (hereafter WEA) can activate tensions in both the normative and the regulative pillars, and activated powers and interests may pull the pillars in different directions. Thus, regulative and normative tensions in local governments are likely to result in complex institutional dynamics. For example, the contact patterns between politicians and employees may be affected by the revision or introduction of new statutes that are intended to provide the reaffirmation of an established practice or changes in practices and actions. The legislator's intentions to minimise the contact between politicians and employees may be de-prioritised in favour of stronger protection of the freedom of expression and the right to notify wrongdoing.

Regulative Changes

The regulative pillar is based on formal statutes, agreements, policies and principles that constitute the framework for social action. This pillar is also based on the implementation of potential sanctions in cases in which statutes or agreements are violated (DiMaggio & Powell 1983; Scott 1995) and prescribe the acceptable and unacceptable acts of social partners. In our context, the LGA, Section 100 of the Constitution and the provisions on notification in the WEA form part of the regulative pillar in establishing guidelines for and imposing restrictions on actions. We describe the relevant amendments below.

In 1992, Norway passed a new Government Act. The law advocated restricted contact between the political and administrative levels of government (cf. Sections 22 and 23). All contact between the two levels was to be channelled through the mayor on the political side and the councillor on the administrative side. The aim of limiting contact between the political and administrative levels should be understood in light of the

dominant position of the 1980s and 1990s, during which employees, groups of professions and union representatives were regarded as excessively influential in the processes of policy and decision making. The critique was that these actors influenced policy through both official and unofficial channels. Close ties between public officials and union representatives were another matter, and some industries enjoyed more influence over the outcome of political decisions than what was fair, given their standing in the welfare state (Bukve & Offerdal 2002). Concepts such as ‘collective disarray’ (*samrøre* in Norwegian) were used to describe the sometimes tangled and complex streams of communication and information between actors and the co-movement of several streams of information. One of the primary objectives of the LGA was to make the public sector simpler and remove the ambiguous nature with which business was conducted. In preparatory work on the LGA, it was decreed that ‘reliable governance, unambiguous chains of command and responsibilities’ should characterise the organisation’. Managerial prerogatives were also strongly emphasised.

In 2004 and 2007, changes in the Constitution and the WEA, respectively, came into force. The general right to free expression is protected by Section 100 of the Constitution and Article 10 of the European Convention on Human Rights. The new Section 100 has strengthened the freedom of expression of employees. In principle, employees enjoy the same freedom of expression as everyone else (Elvestad 2011, 31). Grounds must be given for restricting the freedom of expression of employees – not the reverse. Moreover, a government white paper (nr. 26, 2003–4: 14) states that employees are likely to be particularly motivated to participate in public debate when they possess specialised knowledge in a field that is being discussed and debated. Although the purpose of the new Section 100 was to strengthen the right of employees to free expression, the provisions on notification were also introduced to protect employees against accusations of disloyalty. Employees’ right to disclose wrongdoing is regulated in Section 100 of the Norwegian Constitution as well as the WEA.

According to the WEA, an employee has ‘a right to notify concerning censurable conditions at the undertaking’ and concerns both internal and external whistleblowing. Section 2-4(2) of the WEA states that the employee must ‘follow the appropriate procedures in connection with such notification’; nevertheless, there is also ‘the right to notify in accordance with the duty to notify or the undertaking’s routines for notification’. Furthermore, reporting wrongdoing to union representatives and/or the health and security inspector and supervisory authorities (e.g., the Norwegian Directorate of Labour Inspection) is always regarded as appropriate, and the same is true for reporting to an immediate supervisor or an employer. There is regulative tension when the LGA states that local politicians are formal employers, at the same time as the WEA underlines

that reporting wrongdoing to a person within the organisation – such as an immediate supervisor, union representatives and/or the health and security inspector – or *the employer* is regarded as an appropriate method of action. Section 2-4(3) emphasise the role of the employer, who has to prove that notification was not made in accordance with this section. Section 2-5 of the WEA prohibits retaliation against an employee who invokes or attempts to invoke Section 2-4; if there is reason to believe that retaliation has occurred, it is assumed to have taken place unless the employer ‘substantiates otherwise’. Irrespective of the fault of the employer, compensation is available if the court believes it reasonable given all circumstances. In relation to facilitating notification, Section 3-6 of the WEA requires employers to ‘develop routines for internal notification or implement other measures that facilitate notification concerning censurable conditions ... if the circumstances in the undertaking so indicate’.

Normative Changes

The regulative changes can be viewed partly as a result of normative changes and partly as a driver of them. Within the normative pillar, norms, values and roles are considered to provide structure for action undertaken by the actor as well as the organisation. ‘Values’ define an ideal standard against which the actions are assessed, whereas ‘norms’ define how ideal action can be taken (Scott 1995; Grosvold 2010). Taken together, norms and values constitute a normative system that defines the objectives while also serving as a road map that shows how we can attain the defined objectives in a manner that will be deemed appropriate (Scott 1995, 37–8). Hansen and Ejersbo (2002) show how local government politicians and administrators are driven by different logic and thus create a disharmony between the two spheres.

When studying whistleblowing in a Norwegian setting, we must include the Norwegian model of labour relations as part of the framework. Norms and values embedded in the model can be viewed as guidelines for appropriate methods of taking action – as whistleblowers as well as whistleblowers’ receivers (Scott 1995). In the public sector, all employees are covered by a collective agreement that gives employees and trade union representatives different channels for cooperation, co-determination and participation. These arrangements can be considered to promote collective as well as individual voices, and are believed to create a climate of cooperation, participation and trust. Information exchange and communication takes place in formal and informal arenas. Furthermore, since 1979, there has been a ‘‘Joint Declaration on Personnel Policy’’¹ (in Norwegian, ‘*Samarbeidsavtalen mellom Fagforbundet og Arbeiderpartiet*’) between

local politicians from the Labour Party and the former *Kommuneforbundet* (now *Fagforbundet*) – the largest trade union in the public sector, which is affiliated with the Norwegian Confederation of Trade Unions (LO). The ties between the two parties have been and remain close.

Thus, the amendments in the Constitution and the WEA follow a tradition of corporate democracy in which two core concepts are participation and co-determination. These statutory provisions reach far back in time and culminated in 1977. Kalleberg (1983) has argued that the Norwegian WEA was instrumental in establishing a more egalitarian society. The Act not only served as a health reform for workers, but was also a key instrument in promoting democracy in the workplace (Kalleberg, 1983). The regulative and normative pillars will thus often mutually support each other, as evidenced by the changes in the Constitution and the WEA. Simultaneously, there have been changes that may create tensions. The public sector in Norway, as well as that in a number of other Western countries, has experienced substantial reforms over the past few decades (Berge et al. 2009; Christensen et al. 2009). The reforms have affected the organisational structures as well as the communication and information flow from the top down and the other way around (Skivenes & Trygstad 2012). The changes were strongly influenced by NPM. Two central dimensions are the flattening of organisational hierarchies and a separation between the political and administrative spheres, with the latter also underlined in the LGA. Fewer management levels are, in combination with the separation of the two spheres, viewed as an important key to increased efficiency and transparency (Skivenes & Trygstad 2008; 2012).

In the literature, it is normal to identify six elements in NPM reforms: market basis, privatisation, decentralisation, focus on output, emphasis on implementation and quality systems (cf. Hood 1991). Given the changes in the LGA, many Norwegian municipalities are organised according to NPM principles, emphasising the need to modernise, render more effective public administration and offer management the autonomy and right to manage without political interference (Trygstad 2004; Christensen & Lægveid 2007). Because a central feature in the NPM model is an increased separation of the political and administrative levels (Goldsmith & Larsen 2004), it follows that contact between administrative employees and politicians should be limited. Although NPM has been disputed and criticised in the last several years, the principles have not been abandoned. It is still considered appropriate to limit contact between politicians and the administration, and the ‘let the manager manage’ concept has strong support (Skivenes & Trygstad 2015).

The picture that we have presented is complex and bears tensions within and between pillars, as both the regular and normative pillars involve forces that pull in opposite directions. This system may result in a

seemingly stable situation, but beneath the stable surface, there may be constant conflict between new and old rules and norms (Engelstad 2015, 38).

Local Government and Whistleblowing Research

The Norwegian public sector consists of three levels: the central government, county councils and municipalities. These levels have different responsibilities in terms of offering, providing and securing welfare services for citizens. The central government oversees the courts, police, military, universities and hospitals. The county councils are in charge of high schools, cultural heritage and county roads. The local authorities (the municipalities) have the primary responsibility of providing welfare services, such as compulsory primary and secondary school services, health care services for the elderly and other persons in need, and social security and child welfare services. The local government or municipality has had a long-term and strong standing in the Norwegian political system. Article 76 of the LGA clearly states that the municipal and county councils have ‘the supreme supervision of the municipal and county government’. At present, there are 428 municipalities in Norway, each led by elected politicians.

It is the politicians’ task to allocate resources and decide how to prioritise the different sectors, services and clients/users. It is extremely important for politicians and citizens to be aware of the consequences of the ineffective prioritisation of resources as well as any other forms of wrongdoing that may seriously harm service users and/or citizens. Information about such issues is a prerequisite for open and broad public discussion, political elections, and reasonable prioritisation of sectors and services. Thus, it follows that the information flows between administrative employees and politicians and between administration employees and the public is important (Heywood 2002; Skivenes & Trygstad 2012). Denhardt and Campbell (2006, 556), for example, underline the importance of leadership in the public sector that explicitly addresses democratic norms and the role of citizens in both formulating and realising public goals.

A review of the research on whistleblowing activity in Norway (Skivenes & Trygstad 2012, 107ff) shows that typically more than half of the employees that have experienced wrongdoing report it, usually to their immediate supervisor first. The reporting rates appear to be connected to respondents’ groups. In studies on managers, trade union representatives, and health and safety delegates, whistleblowing activity is clearly higher than in surveys that include ordinary employees. Respondents in the first group may be regarded as ‘role reporters’. Brown (2008, xviii) defines a ‘role reporter’ as ‘[a] person who made a report in line with formal job requirements related to their organisational role’.

Regarding reactions to whistleblowing, an overview of eight Norwegian studies on whistleblowing (Skivenes & Trygstad 2012, Chapter 5) shows that 7–18 percent of whistleblowers experienced retaliation. International studies report higher sanction rates (Rothschild & Miethe 1999; Near et al. 2004; Miceli et al. 2008). Regarding the effectiveness of whistleblowing (i.e., whether notification had an effect), 50–71 percent of respondents reported that the misconduct was fully resolved or corrected. Studies that include samples of the entire Norwegian labour force indicate that more than eight out of ten employees who had blown the whistle stated that they would do it again if necessary (Matthiessen et al. 2008; Trygstad 2010; Staksrud et al. 2014).

Certainly, whistleblowing is not without risk, even in Norway, and employees may be traumatised as a result of the harsh reaction following the whistleblowing process (Bjørkelo 2010). However, the Norwegian results on whistleblowing do differ from those reported in studies from the United Kingdom and the United States, and we believe an important reason for this is the labour market model used in Norway. Several studies show that individual power resources, such as formal education, seniority and hours at work, have a limited effect on Norwegian whistleblowing activities and effects (Skivenes & Trygstad 2015). What seems to matter is the presence of institutional arrangements in the workplace, such as trade union representatives, health and safety delegates, collective agreements and whistleblowing procedures. Such institutional arrangements (with the addition of whistleblowing procedures in 2007) are well rooted in the Norwegian (as well as the Nordic) labour market model, and are characterised by well-established channels for cooperation, co-determination, participation and dialogue at different levels as well as social dialogue and tripartite cooperation at the central level between sectors and industries from the top management to the floor level. Contact between politicians and employees may be considered a legitimate democratic right that can bring forward valuable information to those who govern on behalf of the citizens. The question is how the contact pattern between politicians and employees, and the use of politicians as a whistleblowing channel, plays out in the institutionally complex landscape described above.

Institutions change slowly, and even though we do not have data to study changes over time, we are able to investigate whether politicians in municipalities with few management levels have less contact with the administration compared with those in municipalities with several management levels and how management levels correlate with politicians' handling of reported wrongdoing. Communication restrictions may benefit the top management, but not necessarily the community and/or the service users. In the next section, we present the methodological design and data that we employ in our examination of acceptance of whistleblowing by politicians; whether politicians receive whistleblowing cases and how those

who do handle the case; and whether contact patterns matter with respect to whistleblowing activity and the action taken by the politicians to address wrongdoing.

Data and Methodology

The data consist of survey answers from politicians and administrative employees from 20 municipalities with a population between 4,500 and 50,000.² We chose these municipalities to secure representativeness with respect to structure and organisation. A total of 14 of the municipalities in the sample are characterised by a flat hierarchy, which indicates that there is no more than one formal management level between the councillor and the head of the unit. Flattening of organisational hierarchies is a key dimension in NPM. We examine whether the flattening of organisational hierarchies has any impact in our analyses with respect to contact pattern between politicians and administrative employees and the politicians' handling of reported wrongdoing. In 2012, 36 percent of all Norwegian municipalities had no management levels between the chief municipal officer and the service-producing unit, whereas 35 percent had one management level (Blåka et al. 2012, 79).

We invited all politicians (N = 661), managers, union representatives and safety representatives in the education, child welfare, and nursing and health care sectors from 20 Norwegian municipalities (a total of N = 747) to participate. The three sectors included are resource-intensive, and in 2014, 51 percent of the municipalities' available funds were used in these sectors.³ Although considerable resources are devoted to these sectors, a common feeling among professionals and middle managers is that the available resources are too scarce to meet the service users' needs regarding education, child welfare and health care (Skivenes & Trygstad 2012).

Both groups of respondents (politicians and staff) were asked to participate in the research project through an emailed letter with comprehensive information and an electronic questionnaire attached. Those who wished to participate completed the questionnaires; those who chose not to participate were able to indicate so by clicking on a link. We collected data from January to June 2009. The study was reported to the Norwegian Data Protection official office. We used the online survey tool 'Refleks', and the questions and vignettes were designed by the authors. Email addresses were obtained via publicly accessible websites or by contacting the local authorities via phone and letter. The response rate was 60 percent for the politicians and 50 percent for the employees. The use of web surveys may produce biases concerning our final sample because elderly employees and politicians are more resistant to answering these types of surveys. Furthermore, those who do not use computers as part of their job

may be more difficult to contact. However, we consider our response rate acceptable.

Previous studies suggested that employees in child welfare, health care and education experience organisational wrongdoing to a greater extent than employees in other sectors of the municipalities (Skivenes & Trygstad 2006; Trygstad & Skivenes 2007). We invited unit managers, health and safety delegates, and union representatives to participate in the survey because they are obliged to report organisational wrongdoing (cf. Brown 2008). We also expected them, by virtue of their positions, to have a sufficient level of knowledge of what transpires in the workplace and the community. In our analyses, we assembled health and safety delegates and trade union representatives into one group.⁴

To map the communication between politicians and employees, we use a simple indicator – namely, *contact patterns*.⁵ We believe that frequent contact may influence how different actors perceive using politicians as whistleblowing channels, how they evaluate different reasons for contacting politicians, and the actual use of politicians as receivers of news of wrongdoing. We determined the frequency by asking the politicians whether they have contact with different actors inside the administration, including the head of the administration, other top managers, middle managers, employee representatives and employees. The politicians were asked whether they had contact with one or several of these individuals every second week or more (1), monthly (2), every second month (3), every half a year (4), yearly or seldom (5). We excluded politicians who also work in the municipalities because they have more frequent contact with other employees than politicians who are not employed in the municipalities.

To examine whether politicians and employees consider whistleblowing acceptable, we used the vignette method (cf. Finch 1987). We asked both politicians and employees to assess the following fictive case:

Child welfare services in the community have, for some time, been struggling with high sickness absenteeism and high turnover. According to one of the managers, this affects the quality of the child welfare services as well as the working conditions for employees. The problem has been addressed a number of times in administrative management meetings without resulting in changes. One day, the manager sends an email to the mayor and reports the conditions of the child welfare services. Is this acceptable?

The vignette describes two different sets of wrongdoing. One aspect relates to the presence of a work environment characterised by excessive strain caused by high sickness absenteeism (i.e., conditions that affect the health of the employees), while the second aspect relates to service users, children who are in vulnerable situations in which there may be need for attention. The respondents were asked, 'Do you find the action acceptable?', and the answers were coded 1 = 'yes', 2 = 'no' and 3 = 'I am not sure'.

To study how the respondents evaluate different reasons for contact between employees and politicians, we presented three different reasons for employees to contact politicians: (1) to stop an incorrect decision; (2) to stop wrongdoing; and (3) to provide additional information for a case. We asked the respondents to evaluate the legitimacy of these reasons with the following five-point Likert scale with answers coded as follows: 1 = 'totally agree' to 5 = 'strongly disagree'.

To examine whether politicians received whistleblowing cases in the last 12 months and how they handled whistleblowing cases, we provided the politicians with six different options for potential action: 'I did nothing' (1); 'I investigated the case but did not find it serious enough to take action' (2); 'I investigated the case and confronted the responsible person' (3); 'I investigated the case, confronted the responsible person and discussed the case in a meeting' (4); 'I investigated the case and reported it to a supervisory authority' (5); and 'Other' (6).

In this article, we use logistic regression to study the correlation between politicians' handling of whistleblowing cases and variables such as contact with the administration, seniority, gender and the size of the municipality. The interpretation of the effects is quite similar to linear regression. Our dependent variable – the handling of the case – is a dichotomous variable. Politicians who answered 'I did nothing' (1) or 'I investigated the case but did not find it serious enough to do anything' are coded as 0, indicating no action, whereas politicians who answered 'I investigated the case and confronted the responsible person' (3); 'I investigated the case, confronted the responsible person and discussed the case in a meeting' (4) or 'I investigated the case and reported it to a supervisory authority' (5) are coded as 1, denoting action. Value 6, 'Other', is excluded.

We use different independent variables in the regression analysis. When investigating whether the politicians' handling of wrongdoing is correlated with the politicians' contact with actors in the administration, we coded those who have contact with administration employees every second month and more seldom as 0 (seldom contact) and those who have contact more often than every second month as 1 (frequent contact). We then created an index in which those who answered that they only have contact with administration employees seldom or never were coded as 0, those who have contact with one group or actor were coded as 1, those who have contact with two groups or actors were coded as 2, and so on up to 5.

To study whether the number of management levels influences the contact pattern, we compared the answers from politicians in flat municipalities (up to one level) with those in municipalities with two or more management levels. Those in the first group are coded 0, and those in the

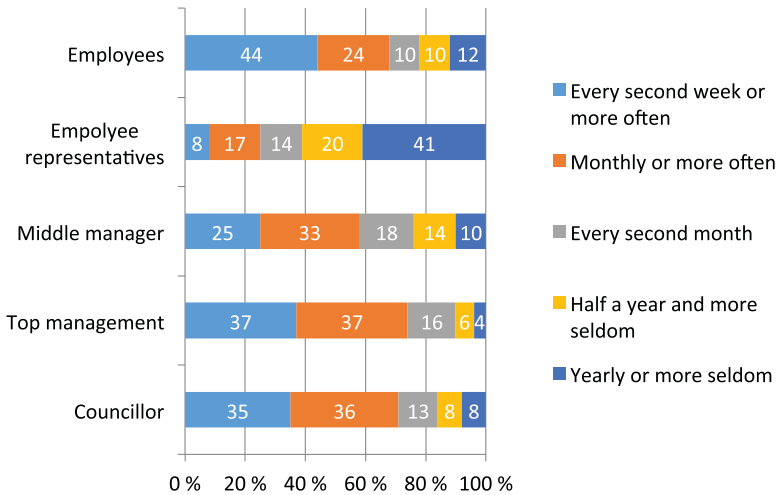
second group are coded 1. Previous studies have shown that whistleblowing routines affect whistleblowing processes in a positive way. Politicians in municipalities who have written whistleblowing procedures are coded 0; those who do not are coded 1. Those who answered 'unsure' are coded as missing. We have also included guidelines for contact between the politicians and administration as one indicator that may correlate with the handling of whistleblowing cases. These types of guidelines do sometimes intend to limit contact. Politicians who answer 'yes' are coded 0; those who answer 'no' are coded 1; those who answer 'unsure' are coded as missing.

Regarding control variables, we used gender, age and seniority. The literature indicates that gender may affect the ability to blow the whistle, but as noted by Miceli et al. (2012), the effect is inconsistent. Miethe (1999) finds that men are more likely to blow the whistle. Miceli et al. (2012, 949) also find that women are somewhat more likely to act on observed wrongdoing. Although our focus is on people informed about whistleblowing, we include gender in our analysis. The reason for including seniority and age as control variables is also related to previous findings. Research has suggested that employees with less at stake are more frequently inactive observers (Miceli et al. 2012). If this description is suitable for whistleblower receivers as well, there is a need for investigation. The control variables were coded as follows: women were coded as 0 and men were coded as 1. Age and seniority are numerical variables. Ages range from 18 to 70, and seniority ranges from 0 to more than 50 years.

There are limitations to our study. We have a sample of politicians and employees from three different sectors from Norwegian municipalities that are small or medium-sized. Because we do not know the complete universe, we are not able to conclude whether our sample is representative. If we compare age and gender among leaders in our sample with those among municipal leaders in general based on the Living Condition Survey from 2012 (<http://www.ssb.no>), we find that the leaders in our sample are slightly older; the average age is 49 compared with 46 in the LCS. Regarding gender, we have slightly more men in our sample (32 percent) compared with the average among municipal leaders in the LCS (29 percent).

The vignette method is particularly useful in comparing and teasing out attitudes and values pertaining to a specific matter but may be limited by an unrealistic case scenario in which respondents conflate the vignette with a real case they have experienced or in which the answers do not represent the participant's opinions but others' opinions. Based on our research experience, we should have a realistic case scenario, but we cannot be sure (a problem encountered in all studies involving self-reported information) whether the responses have been influenced by other themes. The responses to a vignette are certainly not the same as those produced

Figure 1. Politicians Contact with Different Groups of Employees (N = 325).



in real life, but we do not have reason to believe that actual responses in this respect will be very much different.

Findings

Contact Patterns

We asked how often politicians are in contact with different actors in the administration about issues concerning their work. The frequency is reported in Figure 1. Politicians have contact most frequently with ordinary employees (44 percent every second week or more often), the top manager (37 percent every second week or more often) and the councillor (35 percent every second week or more often). The most common explanation for this contact pattern is participation in regular meetings (63 percent). However, 58 percent of the politicians also reported that they and administration employees have direct contact with one another. Contact between politicians and middle management and employee representatives is less common: 25 percent of middle management report that they have contact every second week or more often, whereas the same proportion for politicians' contact with employee representatives is 8 percent. Furthermore, 41 percent of the politicians answered that they have contact with employee representatives yearly or more seldom. Different

Table 1. Is It Acceptable to Use the Mayor as a Channel for Whistleblowing? (Percent; N = 774)

	Yes	No	Not sure	Total
Politicians	89	8	3	100
Managers	66	25	9	100
Employee representatives	75	10	15	100
Total	80	12	8	100

management levels have no significant effect on the politicians' contact patterns with the administration.

Response to the Vignette: Is It Acceptable to Report Misconduct to the Mayor?

We first outline what politicians, managers and employee representatives regard as appropriate methods of action with regard to whistleblowing, and second, what the respondents perceive as legitimate reasons for contact between the politicians and administration. In the vignette, the manager first reported the misconduct to a group of managers in the municipality, and after no action was taken, the manager reported the misconduct to the mayor. We asked whether reporting the misconduct to the mayor is acceptable, and as shown in Table 1, nearly nine out of ten politicians answer 'yes', compared with 75 percent of employee representatives and 66 percent of managers. There is a high degree of acceptance for the manager's action as described in the vignette, especially among politicians but also among employee representatives. One out of four managers finds the described action inappropriate.

Legitimate Reasons for Contacting Politicians

Figure 2 shows three different reasons that more than 50 percent of politicians, managers, and employee representatives consider legitimate in terms of contacting politicians. Superiors and managers consider all three reasons for contact to be significantly less legitimate than do politicians and employee representatives. Moreover, 56 percent of the superiors/managers answer that they totally or partly agree that it is acceptable to contact politicians to add information to a case or to prevent a poor decision from being made. With regard to stopping wrongdoing, the corresponding share is 68 percent. By contrast, employee representatives consider two of the three reasons for contact to be more legitimate than the other two groups do, except for 'to stop wrongdoing'. For this statement, politicians and employee representatives report the same degree of acceptance: 79 percent answer that they totally or partly agree that this is an acceptable

Figure 2. Do Employee Representatives, Superiors/Managers and Politicians Find It Acceptable that Employees Contact Politicians to . . . Totally and Partly Agree (N = 773).



reason for contacting politicians. Politicians are placed between the two other groups with regard to the other statements.

Politicians as Receivers of Whistleblowing Cases

In what way are politicians involved in the whistleblowing process? Do they receive reports about embezzlement or bullying, users who suffer from a lack of resources, or children with special needs who are receiving insufficient help or care? Nearly two out of three politicians in our sample had received reports about wrongdoing one or more times in the last 12 months. In Figure 3, we show how the politicians in our study responded when they received a report on wrongdoing.

The most common reaction is to investigate the matter, confront the responsible person and discuss the matter in a meeting. Moreover, 14 percent brought the issue directly to a supervisor, whereas two confronted the presumed responsible person. Almost one out of five politicians took no further action, either by doing nothing (7 percent) or by investigating the matter (12 percent) and then doing nothing because the matter was not serious enough to merit further action. In the end, 5 percent answered ‘other’. The majority of the politicians in our survey actively respond when they receive reports of wrongdoing in the municipality.

We also find a clear and significant correlation between politicians’ contact with the administration and the handling of the reported wrongdoing, as indicated in Figure 4. Politicians who have frequent contact with employee representatives also receive more reports of wrongdoing

Figure 3. Politicians' Responses to Wrongdoing (N = 264).

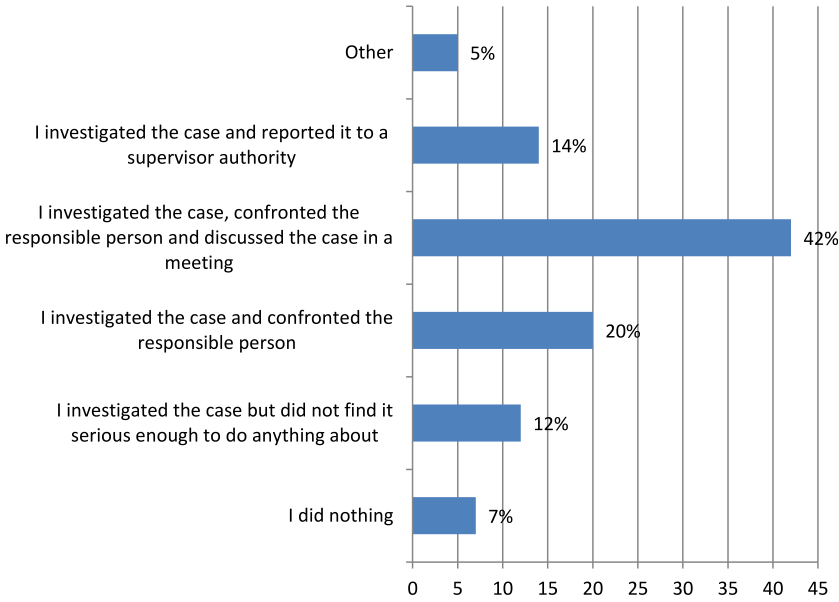


Figure 4. Politicians Who Have Received a Whistleblowing Case in the Last 12 Months and Who Did Take Action, Categorized by the Contact Frequency (N = 245).

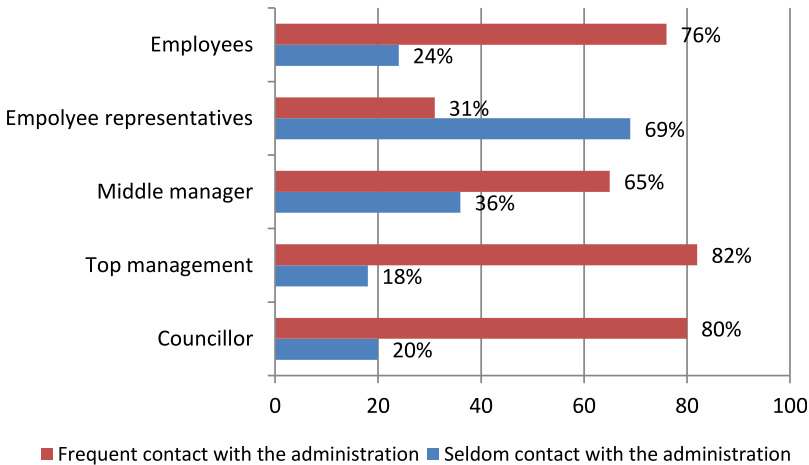


Table 2. Logistic Regression Analysis: Probability of Politicians Taking Action (0 = Did Not Handle the Case; 1 = Handled the Case)

	B	Standard error
Seniority as a politician	0.000	0.065
Gender (0 = woman)	-1.23	0.77
Age	0.072**	0.032
Contact with the administration	0.638***	0.206
Size of the municipality	-0.1	0.448
Guidelines for contact with the administrations (0 = yes)	0.28	10046.495
Whistleblowing procedures (0 = yes)	20.78	20.766
Constant	-22.03	10064.495
N	253	
Log likelihood	64.289	
Nagelkerke R ²	0.4	
Cox & Snell R ²	0.24	

Note: **Significant at the $p < 0.05$ level; ***significant at the $p < 0.01$ level.

compared with politicians who have less frequent contact with employee representatives (75 versus 62 percent). Management level does not have any significant impact.

Politicians who have frequent contact with the councillor, top management, middle management and employees appear to take a far more proactive approach to notifications of wrongdoing. Frequent contact with employee representatives does not have the same effect, but it should be noted that relatively few politicians have frequent contact with this group, which of course would affect the results. The logistic regression analysis displayed in Table 2 shows that the politicians' contact with the administration affects the dependent variable of the handling of the case. Politicians who have frequent or regular contact with the administration are more likely to report having taken action regarding the reported wrongdoing. The regression analysis shows that the guidelines for contact with the administration, whistleblowing procedures, size of the municipality, management level, gender, age and, as mentioned above, seniority of the politicians have no significant impact on the politicians' handling of reported wrongdoing.

Discussion and Concluding Remarks

The two main findings of this study are that contact between politicians and administrative employees is common and that the degree of contact between politicians and administrative employees is positively correlated with politicians who take action to address whistleblowing cases. These findings contradict central elements of the regulative and normative pillars, in which the separation between the political and administrative

spheres and the managerial prerogative is underlined in the LGA as well as in NPM.

Contact between politicians and employees is not correlated with management level. In light of institutional changes in legislation and the influence of NPM, these findings are interesting because they contradict the premise that the contact pattern between politicians and employees should follow a trajectory through the mayor and councillors. Instead, the results indicate that the tensions within the regulative pillar neutralise the intention of NPM. Hence, it appears that we have a situation in which changes in the regulative and normative pillars move in different directions. The sentiment gathered from Scott (1995) is that the regulative and normative pillars usually support each other, but when the regulative pillar simultaneously prescribes more freedom of speech and less communication between administrative employees and the politicians, tensions that pull the pillars in different directions may arise, as our analysis indicates. As noted by Engelstad (2015), when old and new rules co-exist, the interplay between them may vary significantly. One important explanation is the mobilisation of interests and power. Our analysis shows only small differences in the politicians' contact patterns with top management and employees; there is a greater share of politicians who have more contact with employees, every second week or more often, than with top management or the councillor. The vignette study also indicates a high degree of support for reporting misconduct to the mayor. In the vignette, the manager first followed the organisational structure in reporting the misconduct before turning to the mayor. Empirical research indicates that Norwegian employees follow formal authority structures when reporting misconduct in the organisation: They first approach their immediate supervisor before moving to the management level above. This form of reporting has a high level of legitimacy in the Norwegian workforce (Skivenes & Trygstad 2006, 2012). However, when the respondents were asked whether it is acceptable for employees to contact politicians to stop wrongdoing, we obtain the same picture. This finding indicates that the severity of the case legitimises contact and that perceptions are slightly less positive when we ask whether it is acceptable to contact politicians to add information to a case or to stop a poor decision from being made.

Our analyses indicate that managers have a more restricted attitude toward the legitimate reasons for contacting politicians compared with politicians and employee representatives, regardless of the reasons for contact. One explanation can be that superiors and managers are more concerned with separation between the political and administrative levels than are politicians and employee representatives. Viewed from a management perspective, it may be beneficial to limit the contact between politicians and employees/employee representatives because such contact can

disturb and even change decisions made by management. This contact can also undermine management's authority, which may indicate that the focus on management's right to manage, which is strongly emphasised in NPM, has affected managers' perception of appropriate action but not necessarily on the other actors' perceptions. It seems reasonable to assume that the frequent contact between politicians and employees can explain the fact that nearly two out of three politicians in our study have received reports of wrongdoing in the last 12 months. We consider this number to be high compared with figures reported in other studies in which top managers are asked the same question.

Our findings indicate that the separation between the political and administrative spheres is not as strict as the LGA and NPM prescribe. Politicians appear to be regarded as an important whistleblower channel. It seems reasonable to relate these findings to 'tradition' or path dependency. The politicians' contact with administration has deep roots in many Norwegian municipalities and can be considered part of the normative pillar. Highly institutionalised practices are difficult to change, especially when there is little to gain for the actors involved (Mahoney & Thelen 2010). Information about wrongdoing can be essential for politicians with respect to influence and power. This type of information can also be essential with respect to control and democracy. The need for critical information about wrongdoing is therefore in conflict with the rationale behind the separation between politics and the administration. In our study, the majority of politicians claim that they investigated the matter and contacted the person in question. Our analyses indicate that politicians with frequent contact with actors inside the municipal organisation also seem to have a more proactive attitude towards handling whistleblowing cases. This finding supports our expectation that communication between the political and the administrative levels *in practice* may have a positive impact on the whistleblowing process even though approximately 20 percent of politicians did not go forward with the reports on wrongdoing.

Previous research has shown that observed wrongdoing may be the result of a misunderstanding. We do, however, consider the chances of misunderstanding small when the matter is reported to politicians because most employees will likely have notified other agencies or parties in advance (according to official channels). Thus, by that time, any misunderstandings will have likely been resolved. The reason 'not serious enough' may therefore include cases in which the politician and whistleblower have different thresholds regarding what constitutes serious wrongdoing and how the matter should be handled.

We regard these findings as noteworthy; as an institutional practice that has normative and regulative support, frequent contact between politicians

and employees may increase the information that politicians receive, which may include critical information. This practice may increase the likelihood that politicians actively respond to misconduct cases. In our study, contact between the administrative and political levels in the municipal organisation indicates a benefit to the entire municipal organisation by informing those with formal and actual power to take action about wrongdoing. This information may be of great importance for service users, citizens and employees in the municipalities. Moreover, vulnerable groups, such as children in the child welfare system, students and the elderly, have a greater chance of being heard by their elected representatives. We argue that it is vital for politicians and citizens to be informed of not only the situation of service users in the local community, but also the working conditions of frontline professionals. Politicians need information about unacceptable incidents and practices in municipalities so that they can improve policies, correct unintended consequences of misaligned policies and optimise the allocation of resources.

Whether the regulations on separation between politicians and administrative staff contribute to greater transparency between the two spheres and render politicians capable of making reasonable and more qualified decisions is, however, debatable (Skivenes & Trygstad 2008). It is clear that the regulations create tension and produce contradictory signals, indicating that contact and communication must use the strict mayor-councillor channel or that the established contact patterns must stay active. Whistleblowing is an activity that goes beyond regular communication within an organisation that may harm employees, service users, patients or even citizens.

One way of ensuring that politicians receive such information is by facilitating communication and maintaining communication streams between employees and politicians in local governments. This recommendation runs contrary to the approach adopted in NPM and the LGA, both of which designate the mayor and the councillor as the main contact points in municipalities. We regard this approach as an organisational limitation that does not promote sufficient information exchange and communication between politicians and administrative employees, potentially reducing the quality of local government discussions on political matters. However, changes in the Constitution and in the WEA underline the importance of the freedom of expression and whistleblowing. These changes, along with the historical tradition in Norway of communication and participation between employers and employees and between politicians and the administration, seem to have neutralised the intention of the LGA and NPM. It appears that the interplay between old and new rules give rise to tension, or a sort of *status quo*. The managers in our study underline this sentiment. The managers find it less acceptable that employees contact politicians than politicians, indicating the impact of this important

dimension in the regulative and normative pillars. One explanation can be that managers have a stronger obligation to and greater respect for the formal structures in the organisation and hence tend to follow the lines of communication in the organisation. However, managers may benefit from less communication with (and interference from) politicians because a strict separation may provide the managers increased authority and power within the organisation. Unlike politicians, managers have much to gain by emphasising this separation.

Municipalities in Norway are governed by local politicians who shall ensure that citizens are addressed in a fair and reliable manner and that statutory responsibilities are met. Being a politician involves making difficult decisions regarding the prioritisation of scarce resources in a situation in which different groups compete. We have discussed changes in the regulative and normative pillars that may affect both contact patterns and handling of wrongdoing. On the one hand, we would expect the contact pattern between politicians and employees (i.e., the use of politicians as receivers of whistleblowing reports) to be modest. On the other hand, we have argued that changing institutionalised practises and actions is difficult. Our findings indicate that contact and information exchange, including reporting wrongdoing, between the political and administrative levels contributes to producing more active politicians. It is particularly encouraging that frequent contact between politicians and employees leads to a high degree of action regarding reported wrongdoing. This finding may indicate that contacting a politician can be beneficial for both the whistleblowing case and the employee who blows the whistle. Further research needs to be performed before we can generalise our results. However, our findings indicate that, according to politicians, it is common for employees to directly contact them, and vice versa. This level of contact between politicians and administrative employees stands in contrast with the focus over the past decades in Norway on separation between the political and administrative government spheres, as encouraged in the international literature on New Public Management.

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NOTES

1. Samarbeidsavtalen mellom Fagforbundet og Arbeiderpartiet, 2012. It is available online at: http://www.fagforbundet.no/om-fagforbundet/samfunnsområdet/?article_id=96380
2. The municipalities are: Bjugn, Fauske, Haram, Holmestrand, Lillesand, Risør, Flora, Førde, Kongsvinger, Kvinnherad, Os in Hordaland, Stange, Time, Voss, Bodø, Hauge-sund, Nedre Eiker, Rana, Steinkjer and Stjørdal. The first six municipalities have

between 4,500 and 10,000 inhabitants; the next eight have between 11,000 and 20,000 inhabitants; and the last six have between 21,000 and 50,000 inhabitants.

3. <http://utdanningsspeilet.udir.no/innhold/kapittel-4/4-2-kommunene-bruker-23-prosent-av-midlene-pa-grunnskolen>
4. For further information, see Skivenes & Trygstad (2012).
5. A presentation of the variables used in multivariate analyses is in the Appendix.

Appendix. Variables Used in Multivariate Analysis

Below we present the distribution of variables used in multivariate analyses.

Politicians Contact with Different Groups in the Administration: Means and Standard Deviation

		Statistics				
		Contact with the councillor	Contact with the top management	Contact with the middle management	Contact with employee rep	Contact with employees
N	Valid	397	398	394	393	395
	Missing	3	2	6	7	5
Mean		2,1738	2,0251	2,5051	3,6794	2,2127
Standard deviation		1,21751	1,07144	1,28059	1,36987	1,40172

Politicians Handling of Whistleblowing Cases (Several Choices Possible), N = 264

		Statistics	
N	Valid		264
	Missing		136
Mean			16.66
Standard deviation			14,187

Politicians handling of the case	Percent	Frequency
I did nothing	7	19
I investigated the case but did not find it serious enough to take action	12	30
I investigated the case and confronted the responsible person	20	53
I investigated the case, confronted the responsible person and discussed the case in a meeting	42	110
I investigated the case and reported it to a supervisory authority	14	37
Other	5	14

Are whistleblowing procedures present in the municipality?	Percent	Frequency
Yes	56	221
No	5	22
Unsure	39	154

Are whistleblowing procedures present in the municipality?	Percent	Frequency
Yes	56	221
No	5	22
Unsure	39	154

Are guidelines for guidelines for contact between the politicians and the administration present in the municipality?	Percent	Frequency
Yes	30	120
No	32	125
Unsure	38	152

Gender	Percent	Frequency
Man	64	255
Woman	36	143

Age and Seniority as a Politician

One-Sample Statistics				
	N	Mean	Standard deviation	Standard error mean
Age	379	32,49	11,273	0,579
Seniority	400	9,0925	6,73255	0,33663

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