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## Compliance Police or Business Partner? Institutional Complexity and Occupational Tensions in Human Resource Management

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## The Structuring of Work in Organizations

Compliance Police or Business Partner? Institutional Complexity and Occupational Tensions in Human Resource Management

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# COMPLIANCE POLICE OR BUSINESS PARTNER? INSTITUTIONAL COMPLEXITY AND OCCUPATIONAL TENSIONS IN HUMAN RESOURCE MANAGEMENT

Kurt W. Sandholtz and Tyler N. Burrows

## ABSTRACT

*Faced with institutional demands, organizations often create departments whose work is divorced from technical imperatives. This paper examines workers in one such department: Human Resources. Analysis of HR's recent history and evidence from an ethnographic study of HR work highlight the institutional origins of conflict between HR's established "compliance police" role and the "business partner" expectations of line managers. The paper outlines a theory of how organizational responses to institutional complexity contribute to persistent tension in HR and other heteronomous occupations.*

**Keywords:** Institutional complexity; work and occupations; human resource management; ethnography; research paper

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Picture a corporate networking event in a non-descript hotel ballroom. People are nervously mingling, nibbling crudités, trying to appear neither self-conscious nor self-serving. You engage a fellow networker with your go-to conversation starter: “So, what do you do?” Her response: “I’m in HR – you know, the ceremonial function whose existence is premised on a rationalized myth.”

The odds of such a reply are remote, of course, but not because the statement is theoretically inaccurate. Meyer and Rowan (1977) articulated a view of organizational structures as partly ceremonial, motivated by social legitimacy more than technical efficiency. Subsequent empirical work has demonstrated that, when faced with institutional demands, organizations create structural appendages whose primary purpose is to satisfy not the customer or shareholder, but other external audiences: regulators, ratings agencies, standards-setting organizations, and the like. These appendages, although decoupled from the core work of the organization, self-perpetuate and become familiar features of the organizational landscape. Hence the frequent observation that today’s complex organizations mirror their increasingly complex institutional environments (Kraatz & Block, 2008; Scott, 2002, p. 230).

A testament to the fertility of Meyer and Rowan’s insights is that they continue to generate unanswered questions. An important subset of these questions resides at the intersection of institutions, organizations, and work (Barley, 2008; Barley & Kunda, 2001). As a field, we have not closely examined the occupational implications of ceremonial structures, even though such examination has the potential to enhance our cross-level understanding of institutional phenomena. For example, when an organization creates a subunit in response to extra-organizational demands, the organization is bureaucratizing an interinstitutional tension. The subunit’s existence may be chiefly symbolic, but it is staffed by actual humans whose daily work is to some degree disconnected from the organization’s technical core or economic engine. This disconnect, when embedded in workplace interactional patterns and identities, may foster a fraught occupation.

Our paper inductively examines one such occupation – human resource management (HR) – within its broader institutional context. Prior work has shown how organizations greatly expanded their HR departments in response to an important but ambiguous external demand: the Civil Rights Act of 1964, which outlawed employment discrimination (cf. Dobbin, 2009; Dobbin & Kelly, 2007; Edelman, 1990; Edelman, Fuller, & Mara-Drita, 2001). Our contribution is to trace how this expansion has saddled HR with a set of regulatory tasks and a corresponding identity that are poorly

aligned with the prevailing economic logic of business and are, thus, a source of ongoing occupational tension. We analyze data collected during a multi-year ethnography of HR work to show how the interinstitutional friction that triggered the expansion of HR – the contradiction between state-imposed employment protections and profit-maximizing market forces – has been reallocated rather than resolved by organizations, absorbed into an occupation that remains widely perceived as the “compliance police” and criticized for being procedurally, rather than strategically, oriented (Cappelli, 2015).

Our broader point is that because interinstitutional tensions are constitutive of society itself (Friedland & Alford, 1991; Thornton, Ocasio, & Lounsbury, 2012), they persist despite organization-level strategies designed to mitigate them. Our central metaphor is the law of conservation of energy, which states that the total energy of an isolated system is constant; energy can be converted from one form to another, but cannot be created or destroyed. So it is, we argue, with interinstitutional tension: It can be neither created nor destroyed, only redistributed across different levels of analysis (institutional, organizational, and individual). We further observe that once the tension has been delegated to the individual level, it tends to persist at that level, embedded in the interactions and identities that come to characterize the individual’s work and occupation.

## THEORETICAL FOUNDATIONS

Our argument is predicated on the assumption that society is an interinstitutional system, as first articulated by Friedland and Alford (1991). They define institutions as “supraorganizational patterns of activity” and “symbolic systems” within which individuals enact, organize, and rationalize their lives. The “capitalist market” and the “bureaucratic state” are two of the five central institutional orders of Western society originally articulated by Friedland and Alford (1991) and retained in subsequent refinements of the institutional logics perspective (Thornton, 2004; Thornton et al., 2012). Individuals experience the practices, values, assumptions, and beliefs within each of these institutional orders as consistent and rational; between institutional orders, however, such practices, values, etc., can be contradictory and difficult to rationalize. What seems logical and necessary within the institutional order of the state – the regulation of financial markets, for example – appears inefficient and anti-competitive from the point of view of the market.

That organizations must satisfy conflicting demands originating from different institutional orders is foundational to the concept of the interinstitutional system. This insight has spawned considerable research under the banner of institutional complexity. We review this literature briefly, as well as the literature at the intersection of institutional logics and identity, to establish how our study extends current knowledge. In general, we find a rich and vibrant conversation regarding organizational responses to institutional complexity, with relatively little attention to how occupations are affected by these organizational responses.

### *Organizations in Complex Institutional Environments*

Enduring societal tension between institutional orders creates a dilemma for organizations. On the one hand, the organization may garner key material and symbolic resources from multiple institutional sources, potentially enhancing its odds of survival. On the other hand, “the organization confronting institutional pluralism plays in two or more games at the same time” – games whose rules may be incompatible (Kraatz & Block, 2008, p. 243). Playing in different games can incur resource inefficiencies and attention deficits.

Numerous studies have examined how organizations respond to institutional pluralism (Kraatz & Block, 2008 for a review). These include *sequential* approaches, wherein a dominant institutional regime is displaced or succeeded by another (Fligstein, 1990; Rao, Monin, & Durand, 2003; Scott, Ruef, Mendel, & Caronna, 2000; Thornton & Ocasio, 1999); *synthetic* approaches, in which elements of disparate institutional orders are transposed or recombined into hybrid forms (Almandoz, 2014; Battilana & Dorado, 2010; Pache & Santos, 2010; Powell & Sandholtz, 2012); and *structural* approaches, in which the organization compartmentalizes the institutional conflict by launching an initiative or assigning a department to deal with it (Lounsbury, 2001; Meyer & Rowan, 1977; Westphal & Zajac, 1998).

Common to all of these approaches is an underlying assumption of *resolution*: interinstitutional tension may persist in society, but the organization finds ways to cope with it and move on. Such resolution may be reasonably stable at the level of the organization. Indeed, a number of recent studies have documented the resourcefulness of organizations in responding to institutional complexity (Lee & Lounsbury, 2015; Pache & Santos, 2013; Zilber, 2002). However, we are unaware of comparable studies that

examine how individuals within organizations cope with such organizational responses to institutional complexity.

### *Institutional Logics and Individual Agency*

This is not to say that research has been silent on the effects of conflicting institutional logics at the individual level. On the contrary, a growing body of work examines how societal- or field-level logics enable individual agency in organizations. For example, [Reay and Hinings \(2009\)](#) show how physicians and managers both maintain professional autonomy and find common ground for collaboration by drawing on different aspects of institutional logics. Another study in this vein tracks negotiations in a drug court to illustrate how professionals skillfully and selectively apply aspects of different logics to achieve their goals ([McPherson & Sauder, 2013](#)). Similarly, [Vaerlander, Hinds, Thomason, Pearce, and Altman \(2016\)](#) examine how software engineers in geographically dispersed locations draw on their local cultural logics to adapt and rationalize directives sent from the home office in the United States.

These studies share a view of logics as enablers of action. Indeed, [McPherson and Sauder \(2013, p. 4\)](#) conceive of logics as tools that can be “continuously combined, configured, and manipulated to serve the purposes of actors.” Such a view emphasizes the generative aspect of interinstitutional tensions while downplaying the associated constraints. At the individual level, such constraints may manifest themselves as role expectations and behavioral scripts that derive from a particular logic. If institutional logics are the cultural assumptions that guide practical action ([Rao et al., 2003](#)), individual members of an occupation may find that repeated interactions based on one set of cultural assumptions can coalesce into an occupational identity ([Stryker, 2000](#)).

Once associated with a particular occupational identity, an individual occupational member may find it difficult to switch practices and justifications in the moment. Her ability to invoke different institutional logics, the way a card player would play different cards to achieve her goals, is thus constrained. As [Thornton et al. \(2012, p. 86\)](#) point out, such constraints derive from the dynamics of the identity verification process. Social identities are validated partly through social exchanges with other actors. When an individual identity becomes validated (i.e., accepted by others and associated with certain interactional outcomes), the individual’s commitment to it increases ([Burke & Stets, 1999](#)). With greater commitment comes greater

potential interpersonal conflict with individuals whose identities and practices derive from a different set of institutional assumptions.

To summarize: A common organizational solution to an institutional demand is to departmentalize it. This allows the organization to focus on its core technical or economic activities, but also creates a situation in which different parts of the organization are grounded in different institutional orders. As individuals within the institutionally motivated department grow accustomed to their particular set of assumptions, these become verified as part of their occupational identity – an identity which places them in conflict with others in the organization whose daily actions are guided by technical or economic imperatives. Thus, an organizational solution becomes an occupational problem (Huising, 2015).

To examine this phenomenon, we peel back the organizational veneer to look at how front-line workers in a human resources department are affected by their commitment to the state logic of rights protection within an organization committed to market competition. Because our exploration occurs within the context of human resource management, a short, stylized review of HR's recent history is in order.

## HISTORICAL CONTEXT

Cultural changes in the past 50 years have provided the setting for two well-documented HR professionalization projects: compliance-oriented HR and strategic HR. We summarize these two legitimation efforts to highlight how they reflect tension between fundamental societal institutions. We recognize that HR professionals are subject to additional tensions in their daily work (Legge, 2005; Watson, 1977). Our choice to focus on the tension between *compliance* and *competitive advantage* is motivated by these rationales' clear connection to the institutional orders they represent: the state and the market.

### *The Origins of Compliance-Oriented HR*

Imagine approaching an oppressed participant in the 1956 Montgomery Bus Boycott with the following proposition: "If you'll stick with this and other protests, I promise you that someday, you'll have the satisfaction of knowing that you helped create hundreds of thousands of jobs for



deserving personnel managers.” Such a claim would have sounded absurd, if not insulting. Yet this is, in effect, what happened (Dobbin, 2009). The civil rights movement resulted in the Civil Rights Act of 1964, prohibiting discrimination in education, housing, public accommodations, and employment. The ambiguity of the legislation created an opportunity for the HR profession, which stepped in to define how corporations should comply with federal anti-discrimination mandates.

Sociological analyses of these events portray the HR profession as entrepreneurial and opportunistic in expanding its empire. Edelman, Abraham, and Erlanger (1992), for example, suggest that HR “inflated” threats of wrongful discharge liability in order to establish its power. Sutton, Dobbin, Meyer, and Scott (1994, p. 950) maintain that “personnel experts sought to use the threat of EEO/AA sanctions to increase their own prestige.” Dobbin and Sutton (1998, p. 655) claim that “human resources specialists ... saw in employment legislation new possibilities for professional growth.” Such growth was impressive. As Dobbin (2009, p. 5) points out, from the advent of EEO compliance in the mid-1970s to the end of the 20th century (roughly 25 years), employment in HR grew tenfold while the overall workforce only doubled.

Less intentional, perhaps, was the concomitant creation of a new professional identity for HR: the compliance police. HR’s attachment to the rights-protection logic of the state brought with it a host of compliance-oriented work practices, which in turn came to be reflected in HR’s professional image and identity (Mirza, 2005). This is an untold aspect of the familiar HR story. As will be shown below, once embraced, the legal compliance logic has had remarkable staying power.

### *A Countermovement: Strategic HR*

Although neither Dobbin nor Edelman explore the identity implications of HR’s legal turn, both scholars mention how the HR profession changed the way it rationalized its compliance role, from “discrimination is illegal” in the 1970s to “diversity is good for business” in the early 1980s (Dobbin, 2009, p. 140; Edelman et al., 2001). This rhetorical shift coincided with a new professionalization project aimed at establishing a “strategic” rationale for HR.<sup>1</sup> The project was launched by elites within the HR community – mainly academics and consultants (Dyer & Holder, 1988; Foulkes, 1986; Tichy, Fombrun, & Devanna, 1982). In advancing the strategic HR paradigm over the past 30 years, HR leaders have sought to

move HR out of the shadow of the state by embracing the culturally dominant logic of another fundamental institution: the market.

Under this vocabulary of motive, everything HR does must be oriented toward increasing the organization's competitive advantage in the marketplace. In the words of a prominent spokesperson for strategic HR, "Basic supply-demand logic asserts that if supply is high for any given product or service but demand is zero, then its value is zero. If what we [in HR] do on the inside does not create value on the outside, in the ability of the company to attract, serve, and retain customers and investors, its value is zero" (Ulrich, Allen, Brockbank, Younger, & Nyman, 2009, pp. 5–6). Yet this emphasis on economic contribution creates dissonance with HR's concurrent government compliance logic. The logics have different institutional origins, espouse different goals (i.e., protecting individual rights vs. maximizing economic surplus), and lead to different evaluation criteria (i.e., no corporation ever dominated its market by out-complying the competition).

Contemporary HR is thus an occupation striving to serve two masters: the state and the market. Perhaps tellingly, surveys of HR executives have shown that the strategic HR movement has had greater influence on rhetoric than on behavior (Lawler & Boudreau, 2012; Ulrich, Brockbank, Johnson, Sandholtz, & Younger, 2008). Although critics continue to call for a more strategic role for HR (Mundy, 2012), front-line HR workers are unable to abandon the compliance role. We argue that this type of occupational tension is a legacy of "formal structure as myth and ceremony" (Meyer & Rowan, 1977). The organization copes with a problematic institutional demand by departmentalizing it, yet the underlying institutional tension is conserved and passed down through the hierarchy to the individual level – out of sight for senior executives but ever present for the HR practitioner.

## SETTING AND METHODS

To illuminate how this tension is both reconciled and reinforced in the daily work of HR professionals, we rely on data from a multi-year, qualitative study of HR work. This study began in 2009 with a series of interviews with HR professionals from large and small companies in a number of industries. During this exploratory phase, the first author participated in a two-day workshop entitled "Essentials of Human Resource Management," offered by the Society for Human Resource Management (SHRM) as a basic orientation for new HR managers. This phase of the project was

important for establishing the existence of the “compliance vs. strategy” tension in a variety of HR settings and for getting a glimpse into how the occupation’s dominant association (SHRM) socializes newcomers to the profession.

The main source of data for this paper, however, is an in-depth study of HR work in a single company between September 2011 and May 2012. Single-case research is particularly useful for documenting new phenomena and generating novel theoretical relationships, as articulated by Small (2009, p. 24):

...a well-executed single-case study can justifiably state that a particular process, phenomenon, mechanism, tendency, type, relationship, dynamic, or practice exists (Glaser & Strauss, 1967; Lofland & Lofland, 1995). This, in fact, remains one of the advantages of ethnographic work, the possibility of truly emergent knowledge.

The company studied is ComTech, a pseudonym for a high-tech firm based in the western United States. It was selected for study partly because of its perennial appearance on *Fortune* magazine’s annual rankings of the “100 Best Companies to Work For,” a reasonable proxy for effective HR practices and state-of-the-art employee benefits (Fulmer, Gerhart, & Scott, 2003). ComTech was founded in the mid-1980s; it designs microelectronic components that are sold to OEMs and then incorporated into a wide range of consumer devices. At the end of 2011 (the year our fieldwork began), the company employed between 15,000 and 20,000 employees worldwide, with 70 percent of these based in the U.S. ComTech’s market capitalization at the end of 2011 was more than \$100 billion. Its Price-to-Earnings (P/E) ratio was above average for its industry.

ComTech’s HR function is organized according to the current dominant corporate model, known as “embedded HR with centers of expertise.” Ulrich et al. (2008, p. 16) describe the model as follows:

[HR work] requires collaboration among embedded HR professionals and those working in centers of expertise. Embedded HR professionals may be called generalists, partners, relationship managers, or business-based HR. Regardless of their title, they are assigned to work with organizational units (business, geography, or functional unit) ... and they source HR expertise from centers of expertise.

In ComTech, these centers of expertise (COEs) include Compensation & Benefits, Staffing, Learning & Organization Development, and Employee Relations. The duties and areas of focus of these HR sub-functions are for the most part self-evident, the exception being Employee Relations (ER). ComTech’s ER specialists deal with the most emotionally and legally freighted employee situations.

Fig. 1 shows the structure of the HR function in the U.S.-based part of ComTech. As noted in the figure, 82 percent of ComTech’s HR staff work in the specialized centers of expertise (COEs). In other words, each HR generalist has on average four HR support specialists he or she can call to help resolve issues in the business unit. Including the COEs, the HR-to-employee ratio is 1:56. Note that this HR-to-employee ratio is fairly high relative to national averages of around 1:90 (SHRM, 2015). With the COEs excluded, however, the HR-generalist-to-employee ratio decreases to 1:311. In other words, the HR generalists we studied were spread quite thin in terms of the headcount they supported. Our study took place within ComTech’s largest division, a business unit that employed around 6,000 people in the United States and accounted for about half of the company’s revenues and profits in 2011.

We chose ethnographic methods for three reasons. First, detailed observation of workplace dynamics is the only way to gain a rich, situated understanding of the realities of HR work and the meanings attached to it by those inside and outside the occupation. Second, the preponderance of

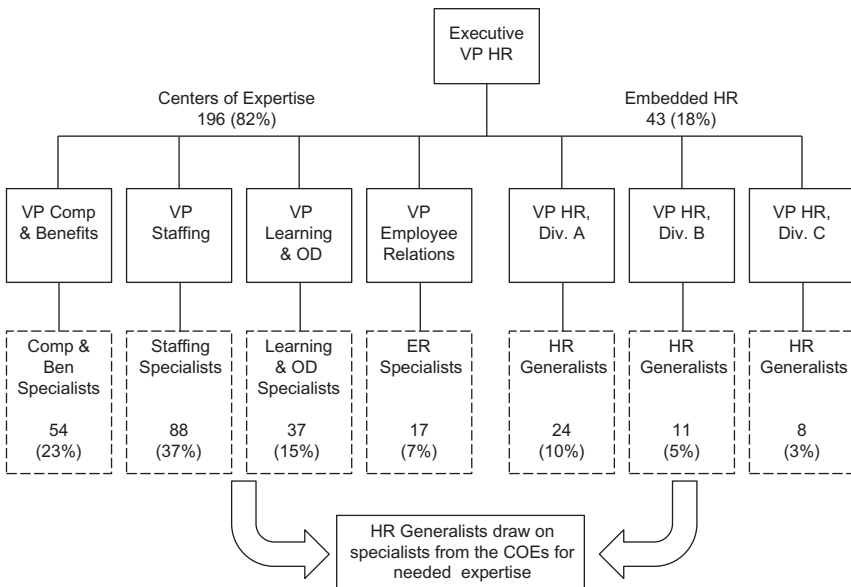


Fig. 1. ComTech’s HR Organization, with Numbers (%) of Headcount in Each Area. Note: Div. A was the focus of this study.

recent research on the role and evolution of HR has been based on surveys (Dobbin, Schrage, & Kalev, 2015; Lawler & Boudreau, 2012). While informative, such research is incapable of revealing the extent to which institutional complexity manifests itself in HR's daily work activities and the attitudes of HR practitioners towards their work. Finally, survey-based research is limited to the issues and activities that the researcher deems important or wants to emphasize. For example, the Human Resource Competency Survey, administered by researchers at the University of Michigan every five years since 1988, has failed to register the compliance-related aspects of HR work (cf. Ulrich et al., 2008). Yet, as will be shown, such activities loom large in the daily routines and occupational identity of HR workers.

The paucity of qualitative studies of HR is part of a larger dearth of scholarly work on the "heteronomous" professions: occupations that exist primarily within the boundaries of large, complex organizations (Scott, 1965). In their introductory chapter to the 1991 edition of this volume, Barley and Tolbert call for "researchers and theoreticians to examine more closely the intersection between organizations and occupations," and specify a number of contemporary occupations that are ripe for increased attention:

At present we have next to no empirical information on such occupational groups as financial managers, actuaries, *personnel administrators*, marketers, public relations specialists, development officers, systems analysts, and so forth. Without historical information on how such occupations came into being, ethnographic data on the nature of their work, and statistical information on their members' characteristics, we are poorly positioned to develop valid theories of how occupations and organizations interact. (1991, p. 9, emphasis added)

This paper answers the call for "ethnographic data on the nature of [HR] work," in the interest of illuminating not only the relationships between occupations and organizations, but the influence of institutional factors as well.

Field observations included multiple days spent with nine different HR professionals. The first author shadowed informants over the course of their full work day, from the moment they arrived at the office until they left for the evening. Because informants rarely made themselves available for more than two consecutive days, between-visit time was used to transcribe and analyze field notes, and write analytical memos about emerging themes. Selection of informants followed what Small (2009) describes as "sampling for range" – the deliberate, non-random inclusion of different types of informants who were germane to the study. Two were HR directors (managers of front-line HR generalists); six were HR generalists; one

was an Employee Relations (ER) specialist who supported the generalists in the study. Fig. 2 shows the distribution of informants across ComTech’s HR organization chart.

Job shadowing provided an opportunity to document minute-by-minute the activities, conversations, meetings, phone calls, and emails in which HR workers engage. These observations yielded detailed notes on the nature and duration of more than 800 “activity episodes.” The episodes were coded, categorized, and aggregated using Nvivo qualitative analysis software, producing a thorough analysis of how HR professionals used their time.

Formal interviews complemented the observations. The first author conducted 11 interviews with ComTech HR workers, and 23 interviews with HR outsiders (i.e., the ComTech line managers and employees whom HR supported). These interviews were important because motives and identities are not observable features of work. The way the person talks about his or

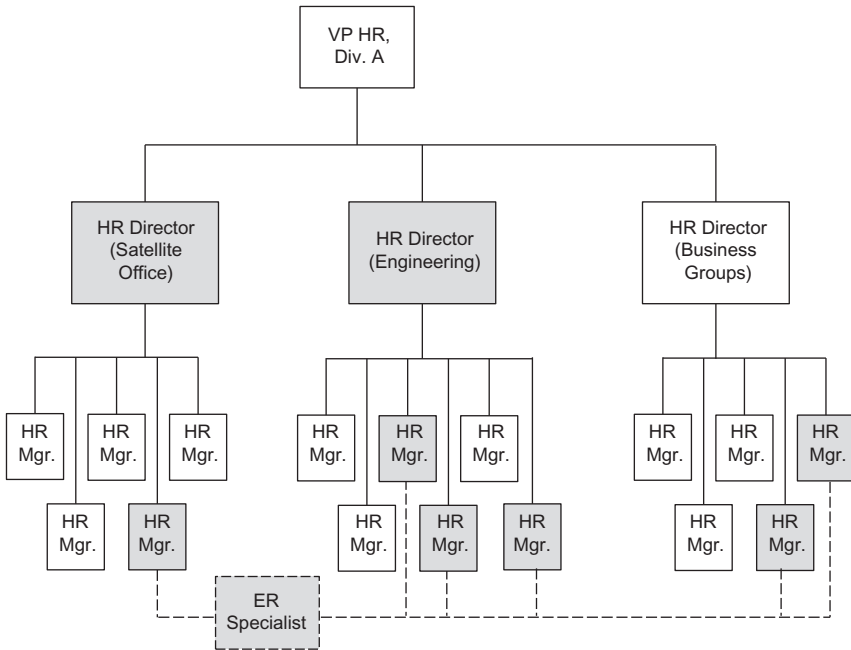


Fig. 2. Distribution of Informants across ComTech’s HR Organization Chart. Note: Informants are shown as shaded boxes.

her work, however, offers insights into work-related motivations and identity. “Work talk” has been the frequent object of sociological study (Ashforth, Kreiner, Clark, & Fugate, 2007; Kreiner, Ashforth, & Sluss, 2006). An individual’s “justificatory account” of his or her on-the-job activities is empirically useful because it expresses “the actor’s affinity for socially valued ways of acting and therefore indicates an awareness of more generalized cultural expectations” (Schulz, 2012, p. 2). Analyzing the transcriptions of these interviews and informal conversations helped us understand how people inside and outside of HR made sense of HR work (Barley, 1990; Spradley, 1979).

A final data source was a “census” of ComTech’s HR workforce. Most of this information came directly from the company’s employee data base, supplemented by an on-line survey that the first author designed and administered. Of the 235 members of ComTech’s U.S. HR staff who were invited to complete the survey, 83 provided usable responses, for a response rate of 35 percent. As will be shown, these survey responses are useful for understanding the types of backgrounds that ComTech’s HR workers believed are the best preparation for HR work.

## FINDINGS

We present the most salient findings from our study of HR work. First we provide a précis of the SHRM-sponsored “Essentials of Human Resource Management” workshop to highlight how new entrants to the HR profession are taught to manage the tension between “strategic” and “compliance” roles. We then shift our focus to our interview and observational data, most of which is drawn from our in-depth study of HR at ComTech.

### *SHRM-Sponsored Training*

On the SHRM website, the “Essentials of HR Management” workshop is described as the “foundation of effective HR management,” designed to help those “just starting out in the HR profession” to “gain the critical knowledge necessary to help reduce costs, avoid potential lawsuits, and improve [their] ability to handle challenging HR issues.” The workshop observed as part of our research effort was taught by two seasoned HR managers who worked for a local HR consulting company. Participants

were mainly from the surrounding metropolitan area. Each participant received a 178-page participant manual, attractively bound in full color with the SHRM logo prominently displayed on front and back covers. In addition, a separate workbook contained application exercises, case studies, and copies of the instructors' PowerPoint slides.

The two-day workshop covered the six topics shown in Fig. 3. Judged by the number of pages in the participant manual, the two equally dominant topics would appear to be Employment Law and Compensation and Benefits. In classroom time and participant energy, however, Employment Law outweighed everything else. During the first module of the workshop, the instructor quickly and apologetically covered the material on the strategic aspects of HR. The following is typical of her comments:

You may ask yourselves, "Why do I need to know about strategic management?" Don't worry about it. We only cover it because it's on the HR certification exam. The real value you add is in preventing claims against your employer. We'll talk about that in the next module.

During a segment devoted to how HR adds value, the instructor said, "We don't generate revenue in HR, but we prevent it from going out in the form

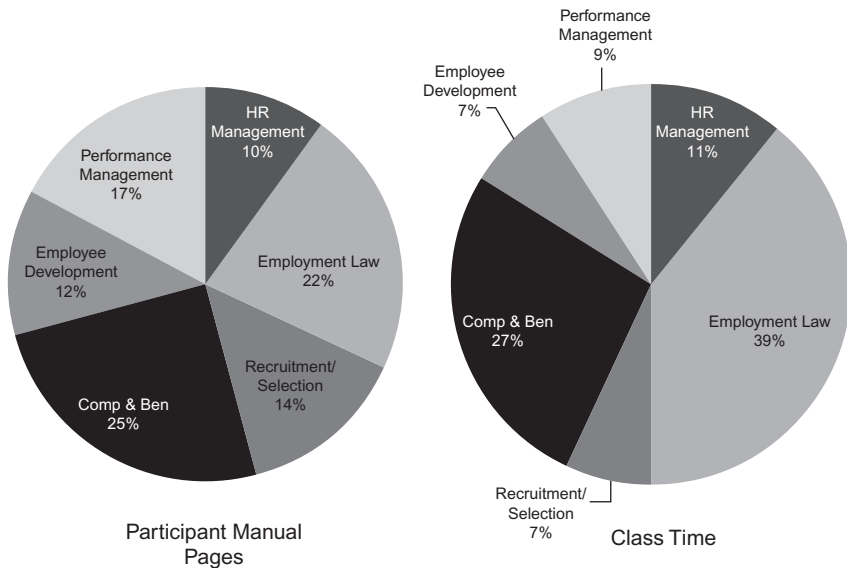


Fig. 3. Emphasis Placed on Topics in SHRM's "Essentials of HR Management" Workshop.



of lawsuits.” She also described the Strategic HR material as “textbook” and “not connected to real life.”

In contrast, the instructor prefaced the Employment Law module with, “Now we’re moving to the really exciting stuff!” For the ensuing four hours, she peppered her presentation with comments such as, “We get the executives’ attention by preventing these EEO claims,” and, “Managers don’t see value in HR until they have to hire an attorney at \$500 an hour.” Even when covering other modules – compensation, for example, or performance management – our notes show eleven instances in which the instructors connected HR’s value to legal compliance (e.g., avoiding discriminatory pay practices, or protecting against wrongful discharge suits).

To guard against unfounded generalization, we asked the instructors whether the time allocated and the heightened level of participant attention to Employment Law were unusual. The instructors readily agreed that the session we observed was typical of the numerous workshops they had delivered over the past 10 years. Explained one instructor, “[Employment law] is where if you’re a good practitioner you spend the most time trying to stay up-to-date, because it’s ever-evolving and what you knew yesterday or last year changes with one law or court case.”

If the dominant HR professional association emphasizes the legal side of HR work to this degree, there is reason to believe that the logic of regulatory compliance permeates the daily work of HR practitioners, perpetuating tension with the market-oriented logic of HR business partnership. We examine this tension next in the context of our field study of HR work at ComTech.

### *HR Practitioners’ Time Use*

As mentioned above, our data collection included documentation of the nature and duration of each activity our informants engaged in over the course of their work day. Coding each of these 800+ activity episodes on the basis of its content produced a list of 34 activity codes. These were grouped into nine higher-order categories (Table 1).<sup>2</sup>

Analyzing HR activity across these categories yields a number of salient observations. First, business-oriented activities are the largest single category of HR work (23 percent). Activities that were unequivocally compliance-related consumed 15 percent of HR workers’ time. Between these two were a collection of activities that were described as either business oriented or compliance driven (18 percent), depending on the informant and the

**Table 1.** Percent of Time Spent on Various HR Activities (*Includes all ComTech Informants*).

Business Partner ( <i>performing due diligence on acquisitions, facilitating succession planning, reorganizing a business unit, etc.</i> )	.23
Mixed Compliance/Business ( <i>dealing with poor performers, allocating bonus and stock options, approving staffing requisitions, etc.</i> )	.18
Compliance Police ( <i>verifying citizenship, investigating discrimination claims, arranging leaves of absence, etc.</i> )	.15
Personal Time ( <i>lunch and other breaks, personal phone calls, etc.</i> )	.13
Employee Counseling ( <i>one-on-one conversations with employees</i> )	.07
HR Community Building ( <i>HR staff meetings, mentoring conversations, informal banter among HR peers, etc.</i> )	.07
Administrivia ( <i>event planning, making corrections to employee records, tracking down company-issued water bottles for new employees, etc.</i> )	.06
Scheduling ( <i>managing calendars, making appointments, etc.</i> )	.03
Other/Miscellaneous	.08
Total	1.00

situation. This equivocality is an important aspect of HR and other types of work: the workers themselves decide the meaning they attach to much of what they do. For example, an HR worker's review of a line manager's salary decisions could be justified as a business practice (i.e., overpaying or underpaying employees creates labor market inefficiencies) or a regulatory practice (i.e., systematic over- or under-payment suggests discrimination). This theme will be further examined below in terms of the "hats" that HR generalists choose to put on.

Cutting the activity data by job level reveals further insights (Table 2). Consider first the differences between Employee Relations work and other HR work. ComTech's ER specialist spent almost a third of her time dealing with issues such as the following:

- An employee who was accused of having an affair with the manager of a neighboring work group.
- An employee who had just returned from medical leave and was having suicidal thoughts.
- A manager who was an ethnic minority, had been demoted, and felt discriminated against.
- An employee who, while visiting his parents in a foreign country, injured his back and could not return to work.
- A work-related feud between two employees that turned into a drunken fist fight at a nearby tavern.

**Table 2.** Percent of Time Spent on Various Categories of HR Activity, by Job Level.

	HR Directors	HR Generalists	Employee Relations Specialist
Compliance police	.08	.13	<b>.32</b>
Business partner	<b>.44</b>	.17	.06
Employee counseling	.00	.07	<b>.15</b>
Administrivia	.01	.06	<b>.13</b>

*Notes:* Only activity categories with differences of at least 10 percentage points between groups are shown here (highest percentage bolded). A full list of activity categories is shown in Table 1.

- An employee who was caught on a surveillance camera stealing other employees' lunches from the refrigerator in the break room.

That such emotionally messy and legally charged situations find their way to Employee Relations represents a clear subdivision of labor within ComTech's HR function. Each of the ComTech generalists expressed relief at being able to hand off such cases to ER.

Also consider ER's higher percentage of time spent doing employee counseling and handling administrative tasks, and the much lower amount of time spent on strategic issues. This casts ER as a lower-status HR group to which much of the less-pleasant or "dirty" work gets delegated – a perception shared by ComTech's HR informants, all of whom indicated that they would not want to work in ER. Compliance-oriented work, then, appears to be seen as low-status work by HR practitioners. Further evidence for this perception can be gleaned from the inverse relationship between compliance work and organizational level: HR directors spent eight percent of their time doing compliance-related tasks, compared to 13 percent for HR generalists and 32 percent for the ER specialists. Distance from regulatory enforcement appears to be one of the perks that accompany hierarchical advancement in HR.

### *HR Practitioners' "Work Talk"*

The way a person talks about his or her work offers insights into work-related motivations and identity. For this reason, semi-structured interviews were a crucial part of the data we collected. A number of interview questions were designed to elicit informants' lay theories of HR, and thus

their manner of identifying with their professional work. Two of these questions were general in nature: “Why does HR exist?” and, “What would happen if there were no HR function?” These questions were followed by open-ended inquiries about the meaning of compliance (“How do you feel about the legal aspects of HR?”) and business partnership (“What does ‘strategic HR’ mean to you?”). Informants’ responses provide insight into how ComTech’s HR workers identify with their work. Table 3 captures the modal responses to these questions.

### *Why Does HR Exist?*

Informants expressed a variety of rationales for HR’s existence, from standardization of people processes (i.e., “HR’s job is to make sure there’s consistency”) to the division of labor (i.e., “we’re specialists in hiring, firing, pay, and benefits”). By far the dominant occupational justification, however, was regulatory compliance, as typified by the following comments (throughout the paper, informant’s names have been changed to ensure anonymity):

First and foremost, our number one concern is making sure we obey the law, the employment laws. (*Roger, HR generalist*)

**Table 3.** How ComTech HR Workers Talk about Their Work.

Interview Question	Dominant Theme of Responses	Representative Quotes
Why does HR exist?	To keep the company out of court	<i>“First and foremost, our number one concern is making sure we obey the law, the employment laws.”</i>
What if there were no HR function?	More lawsuits	<i>“Eventually, you’d have legal problems, because I don’t think people think about what it means to be paying all the females 30 percent less than all the males.”</i>
Attitude toward compliance work?	Downplay legality, emphasize morality	<i>“[We want] to ensure that we’re being fair, not only within the confines of what would be legally required, but just as the right thing to do as a company.”</i>
Meaning of “strategic HR”?	(No dominant theme)	<i>“A lot of different things are strategic. At the end of the day, it boils down to ... making sure that the business is running smoothly and employees are feeling like their needs are being met.”</i>

For me, it's easy: [HR exists] to interpret and to be the go-between between the laws and the regulations and what the company wants to do. (*Pilar, HR generalist*)

Notice in Pilar's statement her acknowledgment of the tension inherent in HR's role as mediator between state employment protections and corporate business objectives.

### *What Would Happen if There Were No HR?*

This question was asked as a concrete follow-on to the preceding abstract, existential question. Response patterns were identical, emphasizing the legal liabilities the company would incur:

Eventually, you'd have legal problems, because I don't think people think about what it means to be paying all the females 30 percent less than all the males. (*Wendy, HR director*)

One of the HR generalists mentioned the legal department as a potential substitute for the HR department, but she then had second thoughts:

I guess there could be a legal department, but they're probably doing other things, and managers may have one focus, which is getting their business done. They don't care how many bodies they go through, or those kinds of things. So it's – I don't want to say 'policing,' but it's kind of that, in terms of making sure employees are treated fairly and managers are doing the right things. (*Hannah, HR generalist*)

Here again, note the tension between business and compliance work. Note also the informant's reluctance to identify her work as "policing," a phenomenon we explore in responses to the next question.

### *How Do You Feel about the Legal Aspects of HR?*

Almost to a person, ComTech's HR workers invoked a moral rationale when discussing their compliance-related activities. It was as if being on the safe side of the law were insufficient justification for "policing," as indicated in this statement:

One of the things that I view is a big plus for ComTech is that it's very employee-focused – and with that, wanting to ensure that we're being fair, not only within the confines of what would be legally required, but just as the right thing to do as a company. (*Janice, HR director*)

Another HR director mentioned the importance of helping managers see the issue of pay parity from a moral standpoint, but indicated she would be willing to use the threat of lawsuits to gain the manager's compliance:

Take pay parity: If you don't really care about the equity side of it, then at least think about the "you could get caught" part of it. If doing the right thing is not a consideration, then getting caught not doing the right thing should be a consideration! (*Veronique, HR director*)

As will be noted later in this paper, the use of legal sanction as a weapon of influence was resented by line managers, who were vocal in their disdain for HR's interference in their business.

### *What Does "Strategic HR" Mean to You?*

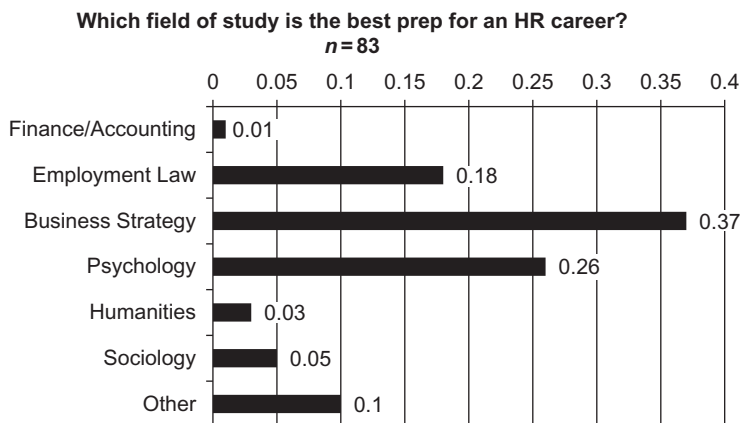
Responses to this question were noteworthy for their variety. This is not because ComTech's HR workers were unfamiliar with the concept of strategic HR. On the contrary, none had any hesitation defining the term. Their definitions bore little resemblance to one another, however. From talent management to coaching senior leaders to simply being proactive, HR workers provided a plethora of examples of what strategic work entailed. One HR generalist even labeled compliance work as strategic, arguing that her greatest value-add was "helping ComTech by lessening any legal risk."

If any consensus exists among these disparate responses, it is that strategic HR means doing whatever is asked by senior leaders, as shown in this comment:

A lot of different things are strategic. At the end of the day, it boils down to ... making sure that the business is running smoothly and employees are feeling like their needs are being met. It's helping each of our organizations and our managers to accomplish that, right? We have a lot of very busy senior folks. My guys are traveling around the world nonstop. And so, if they're calling from, you know, wherever they are, whenever they are, they need to know that whatever they need done is done. (*Nabila, HR director*)

The variety of definitions of strategic HR is somewhat puzzling, given ComTech HR's responses to a question on our survey that asked, "*Given your knowledge of the realities of HR work, which of the following fields of study would best prepare a future HR professional to excel in his/her job?*" (Fig. 4) A plurality of respondents (37 percent) identified business strategy as the most important background for HR work, followed by psychology (26 percent) and employment law (18 percent). In other words, ComTech's HR workers agreed that understanding business strategy is important, even though they showed little agreement concerning what strategic HR work actually is.

To summarize, interviews with ComTech's HR workers evince a consistent vocabulary of motive for much of their work: regulatory compliance. Although they are familiar with the notion of strategic HR, and even view business strategy as the most important field of study to prepare for a career



*Fig. 4. Best Preparation for an HR Career. Notes:* Pattern of responses to the survey question, “Given your knowledge of the realities of HR work, which of the following fields of study would best prepare a future HR professional to excel in his/her job?” ComTech’s U.S.-based HR staff was surveyed. Numbers indicate the weighted percentage of respondents’ first and second choices.

in HR, a coherent view of what it means to be a “business partner” was conspicuous by its absence. We examine next how HR’s internal clients — line managers and employees — perceive HR’s purpose and contribution.

### *The Outsider View of HR*

Among those outside the HR function, HR’s functional role was strongly associated with legal compliance. This perception did not engender goodwill among ComTech’s managers and employees. For example, interviews with a random sample of non-HR respondents included the following scenario-based question: “You’ve been out of your office and return to find the message light blinking on your phone. The message begins, ‘Hello, this is [HR manager’s name] in HR. Please give me a call back.’ What do you assume it’s about?” The baseline assumption among ComTech managers and engineers was negative, as indicated in the following comments:

Obviously, “‘Houston, we’ve got a problem.” (*Engineering manager*)

Well, I think every time we see HR we freak out, right? You assume something’s wrong.  
(*Customer service manager*)

I wouldn’t want to get such a voicemail. I don’t know anybody who would. (*Engineer*)

In other words, an unsolicited phone call from HR was interpreted as evidence they had done something wrong — that they were, in effect, “busted.” This frames HR as the police, a direct legacy of the regulatory compliance logic. Indeed, the perception of ComTech HR as an enforcement function is consistent with a larger interactional pattern. Our fieldwork uncovered numerous exchanges in which HR workers donned the “legal hat” (their term) in order to influence managerial behavior. Veronique, an HR director, summarized both the technique and line managers’ aversion to it as she explained why she monitors executives’ allocation of stock awards to employees:

Veronique: We’re here to guide actions in the right direction. We need to take advantage of this teaching opportunity with managers, to ask them, ‘Was this the right business decision?’ Of course there is also a legal implication. If we were ever audited, we would want to be able to show auditors that we are treating people consistently and fairly, year over year, in how we pay and reward them.

Researcher: So is this a business issue or a legal issue?

Veronique: It’s both. There’s a fundamental business rationale for it, but then you can put on the legal hat too.

Researcher: Which hat would you be most likely to put on when discussing this with a manager?

Veronique: It really depends on the manager. I would probably start with the business rationale, then put on the compliance hat if needed. Most managers have an aversion to the long arm of the law.

Veronique’s statement captures the costs incurred when HR generalists invoke the compliance logic: Doing so places them in the role of enforcer (“long arm of the law”) rather than business partner. Indeed, most of the tension between HR and business managers in our study originated from HR’s regulatory role. Note how, in the following comments by non-HR respondents, HR’s concern with legality is seen as getting in the way of managing the business:

[HR is] extremely conservative when it comes to addressing employee issues in a timely manner. There’s a chunk of my organization that is hourly, so there are labor laws associated with that. HR is the face of it, but I’m sure it’s coming from legal. It really hamstrings us on how we deal with these people. So, in that aspect it makes it tough for us to do our job and manage these folks. (*Engineering manager*)

Most HR people are just basically doing CYA [cover your ass], and it’s not mine that they’re covering, it’s the company’s .... ComTech has huge numbers of poor performers, but nobody fires them because of the difficulty of working with HR to get them fired. And so we just pass the buck. And every time we pass the buck, it’s another dead



piece of wood. And that's where I lose a lot of respect [for HR]. They're totally legally oriented. (*Engineer*)

How do I say this? I sincerely think that their [HR's] only motivation is to prevent or minimize lawsuits. That's all. They don't really care about the other naïve goals that I mentioned, like organizational health and all that. (*Engineer*)

We recorded many similar statements in our interviews with HR outsiders, all supporting their view of HR as a regulatory appendage. For their part, many HR workers were aware of this perception and downplayed their regulatory role, citing instead such ethical principles as fairness and justice to rationalize their compliance-based actions. When line managers failed to respond to such moral appeals, however, ComTech's HR generalists did not hesitate to play their legal trump card, thereby perpetuating the association of HR with compliance rather than competitiveness.

We thus find evidence that the societal-level tension between market forces and bureaucratic state protections is manifest as interpersonal tension between HR workers and line managers. Further, we assert that this tension is not unique to ComTech HR, but rather applies to the HR function in a variety of organizations and, indeed, has become associated with the occupation as a whole. The following observation from our interview with a senior HR executive at a large international bank expresses the idea forcefully:

A lot of what HR people end up doing is what we might call prophylactic. We end up being the moral police: "You can't do this! You can't sleep with your assistant, you can't grab someone inappropriately, you can't fire someone for that reason." We keep people from getting sued, or from getting their names in the news .... We're the "no" people, in terms of the data we collect and how we have to safeguard it, the government regulations about privacy, the legislation we're obligated to enforce. Somewhere in all that is the heart of why HR has a bad rap, you know, the Dilbert cartoons – it all traces back to the protective role.

## DISCUSSION

This paper opened with an unlikely conversation in which an HR manager described her department as ceremonial. Our point was to highlight how little research has explored the individual-level implications of a widely accepted institutional phenomenon. Organizations indeed create structures and launch initiatives in response to institutional demands, but these structures and initiatives are staffed by people who are at risk of becoming

associated with the institutional demand rather than the core work of the organization. We now return to our earlier metaphor – the law of conservation of energy – to explicate a theory of interinstitutional tension and the genesis of conflicted occupations. We also comment on the potential for occupational legitimation efforts to backfire.

### *The Law of Conservation of Tension*

Deep-seated tension between the market and the state has been noted by numerous scholars in a variety of disciplines. Socialist historian Ellen Meiksins Wood has argued that the capitalist system and the modern nation-state emerged together in 17th-century England, and have developed in a sort of counter-dependent dance ever since (Wood, 1995). Economic historian Polanyi (1944) postulated a similar counterposition of the state and the market in *The Great Transformation*. Legal scholar Skeel (2005) is less critical, suggesting that capitalism, although not inherently exploitative, tends toward periodic excesses; the recent financial crisis could be added to his long list of examples. Dobbin, Sutton, Meyer, and Scott (1993, p. 423) assert that, in the West, democratically elected governments have assumed the challenge of modulating capitalism's excesses to protect individual rights. In all of these views, the state and the market can be seen as adjacent tectonic plates, subject to constant friction and occasional ruptures.

Our study suggests that HR straddles a fault line between these tectonic plates, in large part because the profession finds itself at the end of a chain of delegation that began with the passage of the Civil Rights Act of 1964. This chain of delegation is illustrated in Fig. 5. At the societal level, the U.S. government sought to counterbalance market dynamics that led to discriminatory employment practices. By making such practices illegal but not specifying the mechanisms of compliance, the government delegated many of its rights-protection responsibilities to for-profit corporations (Dobbin & Sutton, 1998).

As a result, corporations shouldered the burden of ensuring equal protections for employees and job applicants – a responsibility that did not fit neatly within their market-oriented mandate of maximizing return to shareholders. Consistent with Meyer and Rowan's (1977) theory, corporations in turn bureaucratized the government's demand, delegating to HR the responsibility for ensuring equal employment opportunity. In the process, corporations not only buffered their core work from disruption but also provided HR departments with a compelling rationale for expansion.

	Manifestation of Tension Between Market and State	Partial Resolution	Intended Outcome	Unintended Outcome	Delegation of Tension
<b>Institution</b>	Labor markets are discriminatory. Citizens clamor for equal protection under the law.	The Civil Rights Act of 1964 and subsequent legislation and case law.	Discriminatory labor practices are made illegal in order to reduce their incidence.	The HR profession expands dramatically.	To organizations
<b>Organization</b>	Organizations must avoid discriminatory labor practices, but doing so does not boost their competitiveness.	Compliance is delegated to HR departments, satisfying external demands. HR's techniques become legally recognized (Edelman et al., 1999).	The organization's technical core is spared the burden of administering compliance activities.	Within organizations, HR workers gain access to a new source of power: the threat of legal action.	To the HR occupation
<b>Occupation</b>	HR workers become identified as the "compliance police" but are also admonished to be "strategic business partners."	HR workers adopt a moral rationale for compliance (i.e., "it's the right thing to do") and an elastic definition of what constitutes "strategic" HR.	HR workers reduce their cognitive dissonance.	Line managers resent HR's exercise of regulatory power.	Tension remains

Fig. 5. The Delegation of Interinstitutional Tension.

For its part, the HR profession secured access to a seemingly unassailable source of relevance: the uniquely sanctioned coercive powers of the state. Furthermore, this is a renewable source of power, thanks to the constantly evolving nature of workplace regulations and case-law interpretations. HR's coveted "seat at the table," then, was provided first by its association with a risk-mitigation role that, while not glamorous, was at least not optional. With this role, however, has come an identity as rule enforcer rather than business partner. Thus, the tension between state protections and market forces is built into the daily work of HR, and further delegation of this tension appears unlikely, except to the Employee Relations (ER) subspecialty within HR.

This perspective on the origins and subsequent evolution of occupational mandates adds to existing perspectives on the professions. Not only are they a complex system, jockeying among themselves for jurisdiction (Abbott, 1988), but the professions – especially the heteronomous ones – are also shaped by organizational responses to institutional tensions. Received wisdom holds that interinstitutional tension begets social

movements, which beget legislation, which begets organizational units to deal with the legislation, which begets decoupling. Our contribution is to move beyond decoupling to point out the potential for such “ceremonial” units to beget tension-ridden occupations such as HR. We have much to learn from field studies of similar heteronomous occupations: environmental compliance auditors, health and safety inspectors, and the like.

*Unintended Consequences of Occupational Expansion*

Occupations influence and are influenced by institutional dynamics (Abbott, 1988; Suddaby & Greenwood, 2005). Starting with DiMaggio and Powell’s (1983) early statement on institutionalization and isomorphism, a dominant current in neo-institutional thought has portrayed certain occupations – the professions – as agents of institutional influence. Consultants, for example, are seen as carriers of managerial concepts, templates, and rhetoric (McKenna, 2006; Sahlin-Andersson and Engwall, 2002). Economists, for better or worse, have successfully diffused their particular worldview to the point that it is largely taken for granted (Ferraro, Pfeffer, & Sutton, 2005). Indeed, Scott (2008, p. 219) labels the professions “lords of the dance” and asserts that they “have assumed leading roles in the creation and tending of institutions.”

The HR profession has had unquestioned institutional influence through its invention of the apparatus that keeps organizations compliant with the ever-expanding corpus of employment regulation. Indeed, the prevailing analysis portrays HR elites as canny institutional entrepreneurs who succeeded in expanding the profession’s jurisdiction into novel areas (Dobbin & Kelly, 2007; Dobbin & Sutton, 1998; Dobbin et al., 1993; Edelman, Uggem, & Erlanger, 1999; Sutton et al., 1994). Such expansion was based, however, on a government-mandated “Civil Rights” logic that was not aligned with the prevailing market-oriented logic of business. Thus, HR’s regulatory innovations reverberated in unexpected ways, with unintended impact in the form of the occupation’s “compliance police” identity.

This paper thus uncovers an underexplored irony: that a profession may be both intentional agent and unintentional object of institutional change. When an occupation expands by becoming the agent of the state’s coercive power, it is likely to become associated with the exercise of that power. In the case of HR, bureaucratic regulatory practices and a “prophylactic” identity fit comfortably within the institutional logic of the state. In

the context of a for-profit corporation, however, such an identity is out of place; it does little to enhance HR's reputation as a function that creates economic value. We assert that this risk is particularly acute for occupations whose mandate is to manage interinstitutional tensions.

## CONCLUSION

In 1969, before Title VII and subsequent legislation had left its mark on HR, sociologists George Ritzer and Harrison Trice published *Occupation in Conflict: A Study of the Personnel Manager*. Almost 50 years later, the conflict continues. This paper has examined HR work through the lens of institutional logics, with the goal of bringing sharper focus to the concept of institutional complexity and its potential effect on occupations. Based on our findings, we have argued that tensions between society's basic institutions may be delegated to occupations through structural differentiation and the division of labor. In the process, organizations mitigate institutional tension in their environment; for the occupation, however, that tension is exacerbated. Whether under the guise of "inhabited institutions" or "microfoundations," we believe that such dynamics at the intersection of institutions and occupations merit additional scholarly attention.

## NOTES

1. Why the strategic HR movement originated in the 1980s is a matter of speculation. Our pet theory links the movement to broader cultural influences, namely the publication of Michael Porter's *Competitive Strategy* in 1980, followed by his *Competitive Advantage* in 1985. The popularity of Porter's work elevated him to celebrity status and afflicted all corporate functions with a peculiar disorder: strategy envy. It may have taken longer to take hold in HR, but strategy's seductive rhetoric now permeates the HR literature. A simple word search in the on-line archives of HR Magazine reveals that prior to 1980, the word "strategy" in all its forms appears on average less than once per issue. After 1980, it appears on average nearly eight times per issue.

2. These higher-order categories did not come directly from the informants. Rather, they reflect our analytical process and our theoretical motivation to explore institutional tensions in HR. When presented to a focus group of 20 HR representatives at ComTech, however, the categories were endorsed as consistent with informants' own views of the types of work they do.

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