

CAN LAWS ALONE PROTECT WORKERS?

The Synergy of Law & Culture in Safety

By Andrew Mustain

The question of whether laws alone are enough to effectively protect workers when culture resists change resonates across the global construction industry. These workers face some of the highest risks of injury or fatality.

Construction accounted for about 20% of workplace fatalities in the U.S. in 2024 despite representing only a fraction of the workforce (Phillips, 2026; U.S. BLS, 2026). The need for rigorous safety standards is undeniable, but true and lasting safety is achieved only when law and culture work in a dynamic and mutually reinforcing relationship. This article examines how foundational safety concepts—encompassing legal mandates and proactive cultural practices—bridge the gap between mere regulatory compliance and genuine,

proactive hazard mitigation, providing valuable insights for both new and experienced safety professionals.

The journey toward safety excellence is not a linear path but a complex interplay of formal and informal systems. While legal frameworks provide the hard infrastructure of safety such as rules, standards and enforcement mechanisms, a strong safety culture serves as the soft infrastructure such as shared values, beliefs and behaviors that truly bring those hard infrastructure aspects to life. For decades, the dominant approach to safety has been prescriptive and reactive, focusing on legal compliance and incident investigation after an event occurred. As the field has matured, however, a new consensus has emerged: sustainable safety is a product of synergy. This article deconstructs this synergy, exploring the strengths and weaknesses of each pillar individually before demonstrating how their combined force creates a safety paradigm that is both resilient and adaptable.

Law & Culture: Pillars of Workplace Safety

Without strong safety systems, the workplace becomes a zone of daily risk. Robust EHS standards, combined with a proactive safety culture, create environments where workers feel valued and protected. While laws and culture both contribute to safety, they function in fundamentally different ways.

The law establishes a baseline of acceptable conduct, providing a clear, enforceable set of rules that all organizations must follow (OSHA, n.d.). It represents a top-down approach, driven by governmental bodies and regulatory agencies. The core principle of this approach is accountability: it holds companies and management legally responsible for providing a safe work environment and levies penalties for noncompliance. This is a crucial function; in the absence of legal requirements, safety could be relegated to a secondary concern, especially when profitability is prioritized.

In contrast, culture focuses on shared beliefs, attitudes and values that guide how people behave when no one is watching. It is a bottom-up influence that is organically developed within the workforce and is driven by individual and collective commitment. A strong safety culture empowers workers and fosters collaboration and proactive safety behaviors. It creates an environment where every individual, regardless of their role, feels a personal responsibility for their safety and the safety of their colleagues. This peer-to-peer influence is often far more effective than any top-down mandate because it is rooted in trust and mutual respect.

While laws enforce a minimum standard of safety, culture drives continuous improvement, transforming safety from a checklist of obligations into a core organizational value. A workplace might be OSHA-compliant on paper, but if its safety culture is weak, workers may take shortcuts or fail to report hazards for fear of punishment or ridicule. The synergy between the two pillars is essential. True and sustainable safety cannot be achieved by relying on one pillar alone; a collaborative relationship between law and culture is the only path to safety excellence.

The Power & Limitations of Legal Frameworks

Legal frameworks, such as those established by OSHA, provide a crucial foundation for workplace safety. The historical context for the creation of such agencies is one of significant and preventable loss of life. Before the Occupational Safety and Health Act of 1970, workplace fatalities and injuries were alarmingly high. Since its establishment, OSHA has played a critical role in reducing the workplace fatality rate by more than 60%, a testament to the power of legislative action (OSHA Online Center, 2023).

The legal mandate ensures a non-negotiable floor for safety, providing a common set of rules that all covered

TAKING SAFETY TO THE NEXT STEP

- Go beyond a compliance mindset.** Treat legal requirements as a baseline, not the goal. Actively identify and address hazards even when they are not explicitly covered by regulations.

- Track leading indicators.** Monitor proactive metrics such as near-miss reports, safety training participation and hazard observations to prevent incidents before they occur.

- Foster open reporting.** Create a blame-free environment where workers can report risks, near misses and unsafe behaviors without fear of punishment.

- Engage workers in safety processes.** Involve employees in safety committees, inspections and incident investigations to leverage their frontline knowledge and build ownership.

- Lead visibly and consistently.** Demonstrate management commitment by prioritizing safety in decisions, modeling safe behavior and responding quickly to reported concerns.

- Invest in continuous safety education.** Provide ongoing, interactive training that explains the reasoning behind rules and reinforces safety as a shared organizational value.



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employers must follow. This legal authority has a profound impact on resource allocation, as companies are compelled to invest in safety equipment, training and processes to avoid legal repercussions, fines and reputational damage. In this sense, the law acts as a powerful motivator, providing a clear set of expectations and consequences.

However, relying solely on legal authority can lead to a check-the-box mentality. Companies may comply with the letter of the law without embracing its spirit, viewing safety as a burdensome cost rather than a value-adding investment. This can result in superficial safety programs where hazards are addressed only when a regulation explicitly covers them, rather than when they pose a clear and present risk to workers. This approach often prioritizes lagging indicators, such as the number of injuries or fatalities, which only provide information after a failure has occurred (OSHA, n.d.). A truly effective safety program, in contrast, focuses on leading indicators, which are proactive measures such as near-miss reporting and safety training participation that can predict and prevent incidents before they happen.

Case Study: BP Texas City Refinery Explosion

The catastrophic explosion at the BP Texas City refinery in 2005 serves

as a stark example of the limitations of a compliance-only mindset. Federal investigators found that BP had a history of cost-cutting and a culture that prioritized production over safety, despite being largely compliant with many formal regulations. A report by the U.S. Chemical Safety and Hazard Investigation Board (CSB, 2007) identified a “broken safety culture” as a root cause. While the plant met many legal requirements, its informal culture fostered a lack of communication and a tolerance for risk. Workers feared reprisal for reporting safety issues, and managers overlooked a series of near misses and equipment malfunctions. The incident, which killed 15 workers and injured 180 others, demonstrated that legal compliance is a necessary but not sufficient condition for a safe workplace.

Furthermore, enforcement is not always perfect. The limited number of inspectors relative to the vast number of worksites can lead to sporadic inspections, allowing unsafe practices to go undetected. In some cases, the penalties for violations, while significant, may be viewed as a cost of doing business, particularly for larger corporations, which can undermine their deterrent effect. The law provides a foundation but cannot build a complete structure of safety by itself.

The Role & Impact of a Proactive Safety Culture

A strong safety culture is the psychological engine of a safe workplace. It is an environment where safety is a shared value, not merely a set of rules. This is demonstrated by numerous studies that link a positive safety culture to lower incident rates and improved worker morale (Milczarek & Najmiec, 2004). A proactive safety culture promotes open communication, where workers feel empowered to report hazards or unsafe behaviors without fear of reprisal. This bottom-up influence builds ownership and personal responsibility, transforming employees from passive rule-followers into active participants in their own safety.

Case Study: Alcoa’s Cultural Transformation

In 1987, when Paul O’Neill became CEO of aluminum manufacturer Alcoa, he made safety the company’s number one priority (Duhigg, 2012). In his very first meeting, he declared, “I want to talk to you about worker safety. Every year, we must ensure that no one gets injured on the job. Our goal is to go one year without a single incident.”

The company was not legally compelled to do this; it was a cultural decision. O’Neill believed that a strong commitment to safety was a measure of a company’s excellence. He instituted a strict policy: any time a worker was injured, the CEO of the company was to be notified within 24 hours. The focus was not on blaming the worker but on identifying the systemic failure that led to the incident. Within a year, Alcoa’s injury rate had plummeted to a fraction of the U.S. average, and it dropped by 90% over the course of O’Neill’s 13-year tenure. This cultural shift had an unexpected benefit: by focusing on safety, Alcoa became a more efficient company, leading to record profits. This story is a prime example of how a safety culture, when embraced from the top down and supported from the bottom up, can drive unparalleled success.

Key indicators of a strong safety culture include:

- Management commitment.** Leaders not only talk about safety but also show their commitment by visibly prioritizing safety in their decisions and actions. This includes wearing their own PPE when on site and actively soliciting feedback on safety concerns. A strong commitment

from the top sends a clear message that safety is a nonnegotiable value, not just a procedural formality.

•**Worker participation.** Employees are actively involved in safety committees, hazard assessments and incident investigations. When workers feel their input is valued, they become more invested in the success of the safety program. This also leverages their on-the-ground knowledge to identify and mitigate risks that may not be apparent to management.

•**Communication.** Open, honest and frequent dialogue about safety is crucial. This involves providing clear safety information, actively listening to worker feedback, and creating a psychologically safe environment where concerns can be raised without fear of punishment. This fosters a blame-free reporting culture where near misses and unsafe conditions are seen as opportunities for learning and improvement.

•**Accountability.** A strong safety culture establishes clear, fair and consistent accountability for both unsafe acts and reporting potential hazards. This is distinct from a punitive approach. It means holding individuals accountable for their role in safety while also supporting them and identifying systemic issues that may have contributed to a violation.

However, culture alone lacks the accountability provided by law. Without legal backing, a safety culture can sometimes lead to complacency, especially in the face of competitive pressures. When shortcuts are taken for the sake of speed or profit, a culture that lacks legal enforcement can fail to protect workers. The true power of a strong safety culture is realized when it complements, not replaces, a robust legal system.

Balancing Enforcement & Culture: A Global Perspective

The most successful safety models worldwide integrate strict legal frameworks with a robust safety culture. This balance is crucial for transitioning from mere compliance to a state of proactive safety. A great example is the approach taken in Sweden, which combines strict regulations with a strong cultural ethos of collaboration and shared responsibility (L&E Global, n.d.).

The legal framework in Sweden, rooted in the Work Environment Act of 1977, requires employers and employees to cooperate on matters related to safety (Swedish Work Environment Authority, n.d.). This is not just a suggestion; it is a

legal requirement that embeds the cultural expectation of teamwork into the legal system itself. Safety is seen as a social dialogue where unions, workers and employers all have a stake in and responsibility for creating a safe environment. This model demonstrates that true safety leadership integrates education, training and law enforcement to build a sustainable safety culture.

In contrast, a developing country with a less-established legal system may find that cultural initiatives are even more critical. In environments where regulatory enforcement is weak, a strong culture of personal responsibility and peer-to-peer safety becomes the most effective tool to bridge the gap (El Kholti et al., 2018). In these contexts, international organizations and multinational corporations often play a crucial role by introducing and promoting robust safety cultures that exceed the local legal requirements. This highlights the adaptability of a cultural approach, which can thrive even when formal legal infrastructure is lacking.

Building the Future of Safety: Practical Applications

For safety professionals, this synergy has direct implications for day-to-day practice. For new professionals, understanding the difference between legal compliance and cultural influence is foundational. It is not sufficient to simply memorize regulations; one must learn how to foster a culture where those regulations are embraced. This involves moving beyond a focus on lagging indicators to actively tracking and promoting leading indicators. It means learning to communicate the “why” behind safety rules, not just the “what.”

For experienced professionals, this knowledge is crucial for a strategic approach to safety management. This means:

•**Auditing beyond compliance.** Instead of just checking for regulatory compliance, conduct audits that assess cultural indicators such as worker participation rates, hazard reporting and management commitment. Tools such as safety culture maturity models can help in this process.

•**Investing in training and education.** Go beyond the minimum required training. Provide ongoing, engaging education that empowers workers to understand the “why” behind safety rules. Use interactive methods such as virtual reality simulations for high-risk activities,

allowing workers to practice responses in a controlled environment without real danger. This type of training improves skill retention and reinforces cultural values (Omoseyin, 2025).

Case Study: The Digital Transformation of a Construction Site

A leading construction firm in the United Kingdom faced a challenge: their safety program was compliant but reactive. They decided to implement a digital safety platform to transform their approach. The platform, accessible via a mobile app, allowed every worker to report a hazard, near miss or unsafe condition in real time. The report, complete with photos and GPS data, was instantly shared with the site safety manager, project managers and chief executive officer. This single change had a profound impact. Initially, management was flooded with reports, but they committed to investigating every single one. This transparency fostered trust and a sense of ownership among the workers. Near-miss reports skyrocketed, not because the worksite became more dangerous, but because the culture shifted from one of fear to one of proactive reporting. This stream of data allowed the safety team to identify systemic issues—like a recurring problem with scaffolding in a specific area—before they led to an injury. The technology acted as a bridge, transforming a legal obligation to report into a cultural behavior of proactive intervention.

•**Encourage a reporting culture.** Implement systems that make it easy and rewarding for workers to report near misses and unsafe conditions. The data from these reports is a goldmine for proactive hazard mitigation. Research indicates that organizations with stronger corporate cultures have significantly lower injury rates and allocate more resources to safety (Haga et al., 2024). This is a direct result of management’s commitment to a proactive and transparent reporting system.

•**Lead by example.** Management must demonstrate an unwavering commitment to safety, from site visits to budget allocation. When leaders prioritize safety over production, it sends a powerful message that this is a true corporate value.

•**Leverage technology.** Use digital platforms, Internet of Things sensors and smart PPE to streamline reporting, training and communication, making it easier

to reinforce a positive safety culture (Omoseyin, 2025). These tools not only improve compliance but also generate data that can be used to identify systemic issues and prevent future incidents.

Conclusion

The future of construction safety lies in a powerful synergy: robust legal frameworks paired with a proactive safety culture. This combination creates workplaces where safety is not just an obligation, but a shared value, ensuring that every worker goes home safely. It is a model of continuous improvement, where the law provides the floor and culture builds the ceiling of safety excellence. **PSJ**

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Cite this article

Mustain, A. (2026, May). Can laws alone protect workers? The synergy of law and culture in safety. *Professional Safety*, 71(5), 18-21.

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