
A mounting crisis in employment standards (ES) enforcement is prompting the adoption of new instruments and mechanisms among governments in common law jurisdictions aiming to improve workplace regulation. This shift, evident across all stages of the enforcement process, indicates the increasing influence of regulatory new governance. Using reforms in four jurisdictions as illustrative examples, this article raises serious cautions around the emergence of regulatory new governance in employment standards enforcement. The central argument of the article is that new modes of regulation that fail to account adequately for the power dynamics of the employment relationship risk entrenching processes of regulatory degradation. In light of this potential, the article outlines four principles for more effective ES regulation that aim to balance aspects of traditional regulatory models with a selective application of more promising elements of regulatory new governance, in particular participatory arrangements that involve workers in enforcement processes.