

The employee relations against a changing background



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Introduction:

The phrase employee relations was formed as an alternative term for the industrial relations but its specific meaning in present workplaces needs explanation. While traditionally this has been the major focus for business, there has been a shifting thinking. Businesses now consider a wider range of factors, and place a greater emphasis on other factors such as employee motivation. The emergence of 'human resource management' as an important function of a business, and the increase in behavioural influences has meant that employment relations are no longer viewed simply as industrial relations. Instead, terms such as employment relations and workplace relations are more appropriate in describing this widened focus.

1. 1. Explain the unitary and pluralistic frames of reference:

Alan Fox's (1966) highly influential way of looking at the employment relationship describes managers having alternative 'frames of reference'. Everyone has a frame of reference, which can be understood as a lens through which one sees employment relations. He described three ideal (in the sense of 'perfect example') frames – pluralist, unitary, radical – people usually just talk about pluralism and unitary.

Frames : Sociological viewpoint may help in the structure of a outline of orientation through which the problems of industrial relations can be seen realistically and laid more open to solution... perception... determines judgments, which in turn determines subsequent behaviour.

Unitary vs. Pluralism: An alternative way of presenting this distinction would be to ask: what is the closest similarity to the enterprise – is it, or ought it to

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be, corresponding to a team, unified by a common purpose Unitary, or is it more probably viewed as a combination of interests, a miniature independent state composed of sectional groups with differing interests over which the government tries to maintain some kind of dynamic balancing pluralism

Unitary: A unitary system has one cause of ability and one focus of faithfulness, which is why it suggests the team equivalency. What kind of behaviour do we expect from the members of the successful and healthy functioning team? We expect them to make every effort jointly towards a common objective, each pulling his [sic] weight to the best of his ability. Each accepts his place in his function gladly, following the leadership of the one so appointed. There are no oppositionary groups or factions, and therefore no rival leaders within the team. Nor are there any outside it; the team stands alone, its members owing allegiance to their own leaders but no others.

Pluralism: In place of a corporate unity reflected in a single focus of authority and loyalty, we have to accept the existence of rival sources of leadership and attachment. They need to be accepted above all, by whoever is ruling the plural society in question.

1. 2. Review development of a trade union and nature of industrial relations:

A trade union or labour union is an association of employees who have lined mutually to reach general goals in input areas, such as functioning circumstances. The labour union, all the way through its management

bargains with the company on behalf of union members and negotiates labour contracts with employers.

The first stage in the post-Marxist development of trade unions happened in year 1990 to 1991 and it was cleared by the end of the UGSR domination and an explosion of new trade unions. A move towards new forms and structures of trade union administration was driven from the bottom up. It has become common to have numerous trade unions with different orientations stands for the same company. Even though often reflected to have negative effects, in that:

In order to catch the attention of members, unions made promises which were tuff to complete within a fragile economic environment.

Consultation and conflicts were largely depended the government.

The second stage started off with the opening of the Trade Unions Law in 1991 (Law No. 54/1991), which acted as an encouragement to support the process of unifying trade unions into federations and confederations.

Attempts were made to engage trade unions and their leaders in political affairs, which went to the extent that creating a political party based on trade union membership

The present stage seems, according to some observers, to be marked by something of an emergency in the trade union movement, especially when compared to its earlier patterns. This involves a turn down in union membership, and is the result of a number of instant processes:

A sharp turn down in the number of workers, with over 3.3 million less employees today compared with 1989;

A greater keenness among labours to give up trade union membership;

The fact that legislation makes setting up and increasing trade union organisations difficult, chiefly with respect to small and medium-sized enterprises (a minimum of 15 people is required to set up an enterprise-level union). This adds to the strategies of some employers aimed at preventing trade union growth;

a certain shortfall in unions performance, mainly caused by insufficient bargaining structures and some old-formed patterns of performance; and

Blockages in feedback between the different levels of trade union organisations, which has resulted in doubt and suspicion towards union leaders and the centralised monitoring of unions activities.

These tendencies are unavoidably exerting strong pressures on trade union confederations to change their strategies the existing wage-oriented consultation have begun to alter in the direction of other issues, and to become well connected to the main monetary and social problems – privatisation, reorganising and modernisation. A strong focus is now being placed on minimising the effects of job losses; achieving stable incomes supported by production; enhancing the quality of working life; and recovering social protection for the most susceptible groups. In this respect, turning union activists as qualified staffs has become an essential part of

trade unions work and programmes addressing their training have been initiated.

1. 3. Determine the role of a trade union and its contribution to effective employee relations:

Trade unions watch over the comfort of their members; they also are on familiar terms with the advantages of working in joint venture with employers. This is because a successful, gainful business is good for workers and consequently good for the union and its members. An employer and a recognised trade union interrelate with the workplace in a different of ways, as set out below. Traditionally, the role of the trade union is viewed in a very confined manner, mainly to represent the interest of workers. While this limited role is still partly valid in a way, the modern day trade union movement must be accorded a wider scope. For rightly so much more is expected of it of the masses. It broke down social barriers and brought forth social mobility. The movement has put the concept of equal opportunity to all members of society, regardless of one's origin or station in life. In the process, it has turned many stratified societies into class's societies. The examples are numerous, and all fair minded people can justifiably be proud of the achievement of the trade union movement, regardless of whether one is an ardent unionist or a non-unionist. What is equally important is that the trade union movement has brought about social change without too much upheaval or even bloody revolution. Thus it is fair to expect that the trade union movement would continue to promote social change and ultimately be the defender of social justice.

Effectual employee relations have a say to workplace happiness and output. The process starts at the time of rent and continues in the course of separation of employment; it includes communication on administrative centre rules and prospect, as well as sensible, reliable and accurate measurement of employees' performance. It may also be able to help an employer to protect against legal responsibility on employment law claims. This webbing will inspect and discuss the best practices in conducting obedience- termination meetings and evaluations and how these help employers defend legal claims.

1. 4. Differentiate the roles taken by the main actors in employee relations:

Employee Relations deals with a different of matters all around the work surroundings of employees on the campus of the College. Employee Relations contain, but are not restricted to:

As long as autonomous analysis to employees and or supervisors to resolve work-related problems that may relate to performance and/or discipline based issues.

Mediating disputes and advising all sides concerned on matters connecting to employee relations and human resources policies.

Coordinating Employee Assistance Program (EAP) services.

Administering the staff criticism process.

Monitoring Employee presentation Management Systems (EPMS).

Counseling and reviewing decrease-In-Force plans (RIF).

Administering the College unemployment insurance program.

Issues or problems that arise in the workplace may be addressed with the immediate supervisor, the department head or vice president. Employees also can visit the Human Resources Department to receive advice, counseling, and suggestions on how to deal with any workplace issue, personal concern, or problems with co-workers and/or supervisors.

2. Examine the nature of industrial conflict and the resolution of collective disputes

Introduction:

The frequency and duration of strikes and work stoppages in this country underscore the need to take a closer look at industrial conflict – its schools of thought, theories, levels, legal definition, indicators and remedies. There are various schools of consideration on industrial conflict. Pluralists say that industrial conflict is unavoidable because of interest group divisions, which inevitably require a web of rules for conflict management and resolution.

Marxists opine that social class cleavages are at the root of conflict and that there is a need to address the uneven economic and political relations at the workplace and the larger society. The theory of cooperative conflict suggests that employers and employees can have shared goals. Conflict arises chiefly because the parties argue about the best way of achieving their common interests. The theory of competitive conflict indicates that labour and management have opposing goals and interests. There is a high degree of mistrust and a propensity for communication channels to break down,

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leading to overt conflict...The definition of a collective dispute (or a “ trade dispute” as it is known in law) is quite wide and can involve matters in dispute such as terms and conditions of employment, physical working conditions, engagement, termination, duties of employment, allocation of work, discipline and a range of other matters connected with employment relations. It is the case that in a few employment sectors ‘ private’ arrangements exist for ‘ conciliation’ or ‘ arbitration’ most employers and employee representatives avail themselves of the services of the Labour Relations Agency. The Agency can help by offering conciliation, arbitration or mediation.

2. 1. Explain the ideological framework of industrial relations:

A framework is an essential abstract structure used to resolve or deal with complex issues. These very broad descriptions have allowed the term to be used as a buzzword, particularly in a software perspective. Framework can also refer to motorized structures, such as scaffolding. The field of industrial relations looks at the relationship between management and workers, chiefly groups of workers represented by a union. A labour relation is an important factor in analyzing “ varieties of capitalism”, such as corporatism, social democracy, and or liberalism.

Manual labour dealings can take place on many levels, such as the “ shop-floor”, the regional level, and the national level. The allocation of power amongst these levels can greatly shape the way an economy functions. Another key question when making an allowance for systems of labour

relations is their aptitude to adapt to change. This change can be industrial, economic or political.

Governments set the framework for labour relations through legislation and instruction. A general lack of agreement on the meaning of the term “ industrial relations” has been recognized for some time. Moreover, although ideology is seen as a powerful manipulate on the behaviour of industrial relations practitioners, that is, those working or studying in the field, a general imprecision surrounds the current terminology. This examines briefly the more well-known understandings of what is meant by industrial relations and compares these with the views of some managers expressed in a recent research study. It proceeds to examine ideologies normally referred to in the field of industrial relations. From this analysis, an alternative move towards and framework is proposed for considering industrial relations ideology.

Investigate the different types of collective dispute:

A dispute for the reason for this policy is explained as an issue with reference to a number of employees, which is gained moreover by those employees or on their behalf by a recognized representative of the Public and Commercial Services Union (PCS). A dispute will not however include matters which are covered by other policies or procedures example disciplinary matters, individual grievances, capability, probation, absence management and/or management of change.

Collective disputes can further be divided into two sub-categories: rights disputes and interest’s disputes. A rights dispute arises where there is disagreement over the implementation or interpretation of statutory rights,

or the rights set out in an existing collective agreement. By contrast, an interest dispute concerns cases where there is disagreement over the determination of rights and obligations, or the modification of those already in existence. Interest disputes typically arise in the context of collective bargaining where a collective agreement does not exist or is being renegotiated.

Review dispute procedures and the resolution of conflict:

Conflict resolution is an essential part of any well-functioning labour market and industrial relations system. Where there are labour relations one inevitably finds labour disputes and the need to resolve them efficiently, effectively and equitably for the benefit of all the parties involved and the economy at large. The framework put in place to deal with such disputes is a crucial component of any country's industrial relations system. The options available to the social partners and to governments are numerous and range from informal negotiations all the way to formal litigation and may even include government intervention to resolve certain labour disputes in the public interest.

While the range of choices for resolving labour disputes is broad, the present discussion focuses only on the extra-judicial mechanisms of conciliation, mediation and arbitration – that is, solutions which do not involve going to court or appearing before a labour tribunal. And while there is a great variety of conflicts that can arise between workers and employers, this paper further focuses on those mechanisms used to resolve disputes in cases of collective disputes, that is, disputes associated with the process of collective

bargaining (interest disputes) or in the application/interpretation of collective
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agreements (rights disputes) and which arise between employers and groups of workers most often represented by trade unions.

Disputes should be settled at the lowest possible operational level, within the following framework:

Referral to the individual or manager responsible for the staffs who are in dispute

Referral to the director

Referral to the chief executive who will as necessary, consult other executive directors

By their party to the dispute for conciliation

By the joint agreement of the parties to the dispute for arbitration.

Critically evaluate the effectiveness of dispute:

The question of evaluating effectiveness has long been troubled by the lack of evidence for the counter-factual, what if a similar case had not been raised for WTO adjudication? Given the likelihood of a selection bias in the process that generates WTO cases, which is supported by the analysis above, cases that are raised in the WTO are not the same as other trade disputes. Yet most studies that evaluate WTO dispute outcomes have been limited to the set of filed WTO disputes (Bown, 2004b; Busch and Reinhardt, 2002, 2003; Iida, 2004). They have increased our understanding of the conditions within WTO disputes that encourage more liberalization, such as retaliatory capacity and a positive ruling. Busch and Reinhardt (2003, 725)

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find GATT/WTO disputes produce substantial concessions in 50 percent of cases, and partial concessions for another 20 percent of cases. But these studies do not address the broader question of how WTO dispute settlement compares with alternative strategies. For this question, one needs data on potential cases for WTO dispute adjudication.

Procedures in resolving conflict in a given situation:

Procedures in resolving student and faculty conflict:

The purpose of this procedure is to provide the student with a means for resolving conflict with a faculty member. E. g. of an inconsistency which might be a sensible cause for using this procedure are included under the Student Rights and Student Responsibilities listed above.

Step 1. The student who has a specific conflict shall first discuss his/her concern with the faculty member in question. In the event that the student has justifiable reasons for not communicating directly with the faculty member, the student may proceed directly to Step 2. However, the student should be prepared to defend his/her decision not to talk directly with the faculty member.

Step 2. If the student does not believe that the initial conference with the instructor has resolved the conflict, a request may be made for a conference with the faculty member's School Director. The School Director may confer with both the student and the instructor. If the student has not yet communicated directly with the faculty member and has justifiable reasons for not doing so, anonymity may be requested at this step. If the instructor is the School Director, the student may proceed directly to Step 3. At the <https://assignbuster.com/the-employee-relations-against-a-changing-background/>

student's request, the School Director will inform the student in writing, of any outcome of this process within 20 calendar days of the conference.

Step 3. If the student does not believe that the conference at Step 2 has resolved the conflict, a request may be made for a conference with the School Director's academic dean. At this point, the student will be expected to present his/her concerns in writing, and this, along with the student's identity, will be provided to the faculty member in question. However, the dean may decide that anonymity at this stage is appropriate if the faculty member is the School Director. The dean will issue a written reply to the student within 20 calendar days of the conference. The decision of the dean will be final.

Explore the processes of collective bargaining and negotiation:

Introduction:

Bargaining is a sort of negotiation in which the consumer and vendor of a good or service dispute the price which will be paid and the accurate character of the transaction that will take place, and ultimately come to an agreement.

A collective agreement is a labour contract between an employer and one or more unions. Collective bargaining consists of the process of negotiation between representatives of a union and employers (represented by management, in some countries by employer's organization in respect of the terms and conditions of employment of employees, such as wages, hours of work, working conditions and grievance -procedures, and about the rights

and responsibilities of trade unions. The parties often refer to the result of the negotiation as a collective bargaining agreement (CBA) or as a collective employment agreement (CEA).

3. 1. Explore the nature and scope of collective bargaining:

The ILO Right to Organize and Collective Bargaining Convention, it describes collective bargaining as:

Voluntary negotiation between employees or employers “ organizations and workers” with a view to the regulation of terms and conditions of employment by collective agreements.

Collective bargaining could also be defined as negotiations relating to terms of employment and conditions of work between an employer, a group of employers or an employers’ organization on the one hand, and representative workers’ organizations on the other, with a view to reaching agreement. There are several essential features of collective bargaining, all of which cannot be reflected in a single definition or description of the process:

i. It is not equivalent to collective agreements because collective bargaining refers to the process or means, and collective agreements to the possible result, of bargaining.

Collective bargaining may not always lead to a collective agreement.

ii. It is a method used by trade unions to improve the terms and conditions of employment of their members.

iii. It seeks to restore the unequal bargaining position between employer and employee.

iv. Where it leads to an agreement, it modifies, rather than replaces, the individual contract of employment, because it does not create the employer-employee relationship.

v. The process is bipartite, but in some developing countries the State plays a role in the form of a conciliator where disagreements

3. 2. Describe the processes of negotiation:

Negotiation is a conversation intended to determine disputes, to manufacture an agreement upon courses of action, to bargain for personage or collective advantage, or to craft outcomes to assure various interests. It is the primary method of alternative dispute resolution. Negotiation occurs in business, non-profit organizations, and government branches, legal proceedings, among nations and in personal situations such as marriage, divorce, parenting, and everyday life. The study of the subject is called negotiation theory. Professional negotiators are often specialized, such as union negotiators, leverage buyout negotiators, peace negotiators, hostage negotiators, or may work under other titles, such as diplomats, legislators or brokers. In organized labour, collective bargaining is the method whereby workers organize together (usually in unions) to meet, converse, and negotiate upon the work conditions with their employers normally resulting in a written contract setting forth the wages, hours, and other conditions to be observed for a stipulated period. It is the practice in which union and company representatives meet to negotiate a new labour contract. In various

national labour and employment law contexts, the term collective bargaining takes on a more specific legal meaning. In a broad sense, however, it is the coming together of workers to negotiate their employment.

3. 3. Prepare and apply negotiation strategy for a given situation:

Most of the negotiation literature aims on the 2 strategies, all though they call them by several names. One strategy is interest-based (or integrative, or cooperative) bargaining, while the other is positional (or distributive or competitive) bargaining. In their best-selling book on negotiation, Getting to Yes, Roger Fisher and William Ury argue that there are three approaches: hard, soft, and what they call “ principled negotiation.” Hard is essentially extremely competitive bargaining, soft extremely integrative bargaining (so integrative that one gives up one’s own interests in the hopes of meeting the other person’s interests) and principled negotiation is supposed to be somewhere in between, but closer to soft, certainly, than hard.

Investigate the concept of employee participation and involvement:

Introduction:

According to the Chartered Institute of Personnel and Development (CIPD):

Employee involvement is ‘ a range of processes designed to engage the support, understanding and optimum contribution of all employees in an organisation and their commitment to its objectives’.

Employee participation is defined as ' a process of employee involvement designed to provide employees with the opportunity to influence and where appropriate, take part in decision making on matters which affect them'.

According to Farnham (1997) Employee Participation is one of four policy choices for managing the employment relationship. Cited in Rose (2001, p380) Farnham states:

An employee has the right to question and influence organization decision making' and this may involve representative workplace democracy.'

The other policy choices Farnham identifies are worker subordination via managerial prerogative, union incorporation via collective bargaining and finally employee commitment via employee involvement.

It is clear then that there are differences between employee participation and employee involvement. The literature suggests that employee participation is a pluralist/collective approach with a continuum from ' no involvement' to 'employee control' (Blyton & Turnbull, 1998). As such it may involve processes and mechanisms such as:

Collective bargaining Employee share schemes

Works councils Worker directors

Joint Consultative Committees European Works Councils

Employee involvement, in contrast, is more individualistic and unitary. It aims to harness commitment to organisational objectives and relies on the maintenance of management control.

4. 1. Investigate the effectiveness of arrangements made by two departments in the organization to involve their employees in decision-making:

Organisational support can be viewed as any action taken by the organisation or its representatives that indicates a concern for the well-being of its employees. Employee's commitment to their organisation and their job satisfaction, Productivity and morale are influenced by their perceptions of the organisation's support and commitment to them. In addition, social supports from supervisors and co workers have significant effects on job stress and burn out.

Participation and worker involvement refer to situations in which employees have some meaningful input into job related decision making. Considerable research indicates the increased levels of participation and worker involvement can increase job satisfaction, motivation, productivity, and mental health and they can reduce job stress and role ambiguity. Feedback and communication includes the degree to which employees receive direct clear and timely information about the effectiveness of their performance and the relative existence of ongoing and two way communications within the organisation. Having an effective two-way communication system may be one of the best methods to involve an empower employees and it has shown positive effects on role ambiguity job performance. Job stress, worker

satisfaction, safety and health program effectiveness, safety climate, and variety of safety related behaviours and outcomes.

Analyze the influence of the EU on democracy in the UK:

The conception of democracy at the EU range is very much like the EU itself a top down preparation, the leaders of the EU do produce a big noise about democracy they claim it for the EU and require it in member states and other states universal. It is a truism that if the EU applied to join the EU. In England the regionalisation process has stalled, the regions did not divide along natural or historical lines, and have no popular base to support them as their only reason for existing in the first place is to be a conduit for repayment of our money filtered through the EU. The English have outright rejected the politicisation of our regions even though the assemblies still exists their removal is only a matter of time but this will still leaves with the regional development agencies

The European Union (EU) is the fourth constraint on the freedom of the British PM to enact the will of the UK electorate. The European Parliament is an elected body, but it has less power, if that is possible, than the House of Commons. European policy is framed by appointed bureaucrats of the European Commission, and by the Council of Ministers who have at best a distant relationship to the electorate initiate European policy. The European Parliament's powers to initiate policy are negligible, an its power to amend policy is minimal.

It is clear therefore from this analysis of the current state of affairs in the UK that our political system falls far short of the target of real democracy. The

UK is perhaps generally worse than other countries that describe themselves as “ democratic”, particularly in its lack of proportional representation, which transmits the will of the people more accurately than the UK electoral system. But democracy is not an accurate term to use for any of the “ western democracies”. The prevailing system should be better described as “ Plutocracy” or “ Monetocracy”.

Differentiate between industrial relations and employee relations:

INDUSTRIAL RELATIONS:

In most industries, wages and conditions are determined by free collective bargaining between employers and trade unions. Some European and American countries have worker participation through profit-sharing and industrial democracy. Another solution is co-ownership, in which a company is entirely owned by its employees. The aim of good industrial relations is to achieve a motivated, capable workforce that sees its work as creative and fulfilling. A breakdown in industrial relations can lead to an industrial dispute where one party takes industrial action.

Another approach to industrial relations is that of the Japanese and Israelis, who encourage in their workers a feeling of belonging amounting almost too family membership.

EMPLOYEE RELATIONS:

Employee relations may be defined as those policies and practices which are concerned with the management and regulation of relationships between the

organisation, the individual staff member, and groups of staff within the working environment.

In 1986 an advisory committee, the Industrial Relations Management Committee (IRMC) was constituted by Council to consider all matters related to current and future industrial relations at the University. In 1998 this Committee changed its name to the Employee Relations Management Committee (ERMC). In 2000 the committee was again reconstituted as the Labour Relations Management Committee (LRMC). The LRMC is advisory to the Vice-Chancellor, and through the Vice-Chancellor to Council and Council's sub-committee on remuneration. Consequent to the AIMS recommendations and with respect to HR and the subsequent restructuring process, from the beginning of 2002, the LRMC was renamed the Employee Relations Management Committee (ERMC).

The membership of the LRMC is determined by GPC from time to time. Current membership is included in the membership of committee's booklet, which is published bi-annually.

The employee relations section of the Human Resources Depa