

Opportunities of non union forms of employee representation



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Non Union Forms of employee representation have become visible following the decline of trade unions (Terry 1999). According to Charlwood and Terry (2007) the analysis of workplace outside the manufacturing and public sector heartlands of 1970s unionism has given room for organisations to practice other models of representation such as the non union forms. It is therefore necessary to give attention to the study of non-union employee representation since a number of organisations in the society are beginning to adopt it (Metcalf 1997) but this form of employee representation has been hugely criticised for its assumption that employer and employee interests are homogenous (Kaufman and Taras 2002). As Blyton and Turnbull (2004) note that the nature of employment relations involves employee's objective at work being concerned with income, security, career while that of management is to increase profit at the least cost. They are of the view that this conflict of interests makes employment relationship problematic. Hence, conformity and consent cannot be assumed. In spite of these criticisms; a number of benefits such as competitive advantage, control of workforce and employee commitment have been linked with this system. As a result, this essay adopts the Unitarists, Pluralist and Marxist approaches of employee relations in analysing the opportunities and challenges of non union forms of employee representation with focus on the private sector in the United Kingdom and draws a conclusion based on these analyses.

The term non- union is concerned with circumstances where trade union recognition is absent as a means to decide either in whole or in part the terms and conditions of employment (Dundon et al 2005). The concept of non unionism is often associated with human resource practices and

suggests that employees voice can be incorporated through direct or indirect voice engagement in the form of bi- annual surveys, joint consultation, work councils, direct address by the company CEO, online question and answer forum for employees, CEO blog and comments as well as directorate newsletters (CIPD 2010). It suggests that through communication, employers become more committed to their employee's needs and vice versa. The idea of direct communication with the company CEO also suggests that non – union employee representation is more realistic in the private sector than the public. As Flood and Toner (1997) opine that large organisations where top management is far from the workforce are more likely to operate a union organisation because the distance makes it near impossible for management to maintain personal relationship with employees. In criticism, Bruce et al (2002) argue that non union forms of employee representation are usually created, structured and operated by the employer as part of the Human Resource Management Practice of the Organisation which can be established, manipulated and terminated at the employer's discretion. Despite this pitfall, several private organisations notably IBM, Eastman-Kodak, Gillette and Marks and Spencer have been known to run a non union employee representation system successfully (Flood and Toner 1997).

For Marks and Spencer, in the words of Sieff (1990) cited in Blyton and Turnbull (2004: 279), " the key fact about a policy human relations at work is that it is not primarily concerned with the nature of the work which the employee does but with the state of mind, the spirit in which he or she does it." This show of concern is assumed to bring out a high level of performance from the employee (Guest and Hoque 1994). Similarly, Dietz et al (2005) in

reviewing a study on non -union forms of workplace partnership conclude that organisations whose human resource practices are flexible and “ employee focused” are able to secure competitive edge, employee commitment and job satisfaction without a union representation. Arguably, the Marks and Spencer claim to good human relations practice may just be on the surface. As contrary to Blyton and Turnbull (2004), Johnson et al (2011) suggest that the employees in Marks and Spencer were compelled to act committed for fear of losing their jobs. The absence of a strong representation makes employees weak against management’s decision even when it does not favour them (Storey 1997). Yet, the opportunity for employees to communicate directly with their employers gives both parties (employers and employees) a chance to know each other’s needs and become more like family and thus build a team spirit in the organisation (Metcalf 1995). This implies that the practice of non union form of employee representation has helped to create better understanding between both parties. Thus, Metcalf (1995) further opines that rather than give a collective voice which may neglect an individual’s pressing need, non -union form of employee representation helps the organisation identify employee’s needs and expectations. In essence, the non- union form of employee representation fills the gap which unions create. However, some theorists suggest that this form of representation makes the employee vulnerable to victimisation by his employer if their terms do not agree. As Freeman and Medoff (1984) cited in Golla (2001) point out that collective employee voice enable employees express dissatisfaction without fear of management retaliation.

However, the non-union form of employee representation is not restricted to direct voice as suggested by (Metcalf 1995). According to Gollan (2001) there is representation of employee interest as opposed direct employee involvement. He states that the structure of NER varies, since it can take the form of company council or Joint Consultative Committees which is common in Britain and used to resolve disputes amicably between an employee and management. But Bryson (2003) flaws these committees on the basis of the absence of membership dues and true independence from management and the fact that they lack legal protection which makes opposition difficult. Likewise, Kim and Kim (2004) in a survey comparing the effectiveness of unions and non union works council found that non- union employees are less committed to their work council compared to union representation. Yet, Lloyd (2003) opines that from the UK perspective, it has been argued that consultative bodies can be used to encourage the development of a common culture and commitment within an organisation. An advantage of having an organisational culture is that it enables employers control their workforce, give employees a feeling of belonging and helps maintain peace within the society (Grugulis 2007). But research has shown that contrarily control of workforce may be negative. This is evident in a study by Butler (2005) on exploring the efficacy of the voice process in Medico, he refers to the organisation's work council as " management's puppet" and his findings showed that rather than take a democratic form as suggested by theorists, councils in non employee form of representation give manager's interpretation to situations and rigorous questioning of management's decision is often deemed illegitimate. He attributes this to the council's lack of power and management's control. Employees who are dissatisfied with <https://assignbuster.com/opportunities-of-non-union-forms-of-employee-representation/>

the system may also express their grievances by leaving the organisation (Redman and Wilkinson 2009).

In conclusion, Guest and Hoque (1994) summarise the practice of non-union employee representation into the good, the bad and ugly. However, their study shows that non-union employee representation organisations who foster HRM practices report better results in terms of performance outcome and employee relations but to assume that all non-union employee representation adopt good HRM practice is questionable as it is also foggy to attribute good HRM practice to performance outcome since Halachmi (2005) suggests that performance is subjective and cannot be measured accurately. Kelly (2002) also opines that the initial idea of human resource oriented non-union establishments was to take care of staff interests but this idea has been replaced by employers taking advantage of the absence of union to provide fewer rights and benefits to workers. Yet, there is no doubt; non-union employee representation creates opportunities such as commitment and a happy workforce as is evident from the study on Sportasia, UK adopted by (Dietz et al 2005) where employees are seen to be incorporated in decision making which gave them a sense of company ownership. Their interview analysis also shows that both employers and employees were pleased with the non union representation arrangement. But this idea of non-unionism is Unitarists and (Wood 1995) opines that one disadvantage of the Unitarists perspective is that it cannot be generalised because from a comparative view, the success of non -employee representation in the UK may not be practical in another country as a result of differences in regulatory regimes, welfare regimes and cultural regimes (Ribery and

Grimshaw 2003). Furthermore, from a pluralist perspective, Gollan (2001) states that the role of JCC is to settle disputes between employer and employee amicably. Nevertheless, proponents of Marxism may view NER as a tool for oppression. According to a study on non-union relations in SMEs by Dundon et al (1999) because of incomplete employment contract between employee and employer, workers were faced with working “extra” hard and unlike unionised firms employees in NER settings are prone to discrimination issues and management dictatorship which they may resist through absenteeism or resignation. These challenges of NER has made researchers like Charlwood and Terry (2007) opine that non union form of employee representation serves neither the employer nor the employee interest and certainly not the society’s’.