

MODELS OF ENGAGEMENT: UNION MANAGEMENT RELATIONS FOR THE 21ST CENTURY

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ABSTRACT

Changes to Industrial Relations legislation ushers in the possibility of changes to the way managers and unions engage. Many academics suggest the most recent changes to the Australian *WorkChoices* legislation have provided an array of opportunities for businesses to alter their relations with unions and employees. However, there is a range of literature that suggests that many employers benefit from having unions involved in their workplace. This paper explores the factors that are present in 'good' union-management relations and analyses the ways in which organisations might benefit from union involvement.

1 INTRODUCTION

In recent decades Industrial Relations (IR) in Australian companies has shifted from negotiation over terms and conditions of employment at an industry level, to an enterprise level and then finally to an individual basis (Lansbury, 2000). The Federal Government's preference for individual over collective bargaining as the basis for improving productivity and subsequent legislative interventions to achieve that end has created considerable public debate (O'Neill & Fagan, 2006; Freeman, 2006). It is argued the present legislative framework provides greater opportunity for managers to exclude unions from agreements and workplaces. De-unionised, non-unionised or unionised organisations compete with each other for increased or maintained (labour) market share. It is contended that the success of these organisations will depend on levels of trust generated in employees of the management systems implemented (Lansbury 2000).

This paper investigates the changing patterns of union-management relationships and, through examination of preliminary data, develops a research agenda to investigate models of union and management engagement for the 21st century. It is important to understand the relationships so we can explain the changing dynamics of collective industrial relations. If employees and managers continue to choose union representation, understanding and improving the dynamics of these relationships can provide benefits for all parties involved. The remainder of this paper is structured as follows. Firstly, the paper briefly examines the vast literature that relates to union-management relationships with a particular focus on the partnership approach in the United Kingdom (UK). This will be followed by a brief outline of the research methodology and the discussion of the research findings. The research explored the notion of what makes a 'good' union-management relationship. We present five internal characteristics of these relationships, followed

by a discussion of the role of differing layers of management in maintaining this relationship.

2 CHANGING UNION – MANAGEMENT RELATIONS

Often, management strategy is committed to improve performance and meet organisation objectives by developing employee's potential. The replacement of the traditional IR model with new management strategy such as High Commitment Management Models (HCM) has been found to represent significant changes in work organisation and management of employees. However, employee voice changes under HCM policies which might provide problems for managers, employees and unions in establishing effective means of genuine employee voice (Baird, 2002).

In the United Kingdom, declining unionism and pressures to compete for organisations (Ackers & Payne, 1998), driven by the European Union policy agenda shifting British Government focus to more cooperative relationships, has produced the partnership alternative for management and unions (Bacon & Story, 2000). The promotion of partnership over conflict for management and union relations has prompted extensive research into these arrangements over the past decade. Partnership agreements have been increasing in numbers (Blanden, Machin and van Reenen, 2006) and have been subject to considerable debate concerning the positive and negative outcomes for unions and employees (Guest & Peccei, 2001).

Bacon & Story (2000) find the motivations for management and unions entering into partnership arrangements are strongly linked to maintaining employee trust in management. The partnership agreements examined may temporarily ensure employee trust by recognising unions but not involving them in consultation before deciding on change processes. One particular study found that actions to reduce union involvement at the workplace had a significant impact on employee's trust in management (Bacon & Storey, 2000). This confirms Bryson's (2001) findings that managers can influence employee perception of their actions through including unions in change particularly in highly unionised industries. Research into the outcomes of UK partnership for employees indicates that mutual gains are not easily established or measured (Lucio & Stuart, 2002). As such unions engaged in partnership arrangements are criticised as having unrealistic expectations in protecting jobs and increasing employees' benefits (Roche & Geary, 2002). The improvement in employee relations and facilitation of change programmes are often the objectives of partnership for management. Here, the involvement of unions is found to be insincere and is a change legitimising strategy or a short term necessity to achieve long term de-collectivisation (Oxenbridge & Brown, 2002). The debate is divided and some unions see it as an opportunity for renewal based on the increased ability to influence decision making, while others refuse to collaborate within a management agenda that is seen as too compromising (Roche & Geary, 2002).

In the UK the collaborative approach for unions is considered integral to partnership and mutual gains strongly dependent on the levels of trust in the relationship between management and unions (Novitz, 2002). As is the case for many western countries the nature of work has undergone a considerable transformation over the past thirty years and modern employee relations issues have emerged. Employee interests are increasingly focused on balancing work, leisure and domestic life commitments, which requires the ability to influence working day, week, year and lifetime arrangements. It is suggested that the union movement cannot avoid

modern employee interests and representing these interests effectively requires a far more collaborative approach than previously taken (Hyman, 2002).

Management strategy to improve organisation performance such as creating 'learning organisations' found genuine union involvement crucial to achieving outcomes. The existence of strong independent representation of employee interests reduced mistrust and scepticism that could otherwise undermine management strategy (Stoney, 2002). As such the success of partnerships is considered to greatly depend on high union density and maintenance of independent employee voice (Wills, 2004). As a result it is expected that partnership arrangements will continue to be preferred by employers who perceive an advantage from maintenance of clear and independent employee voice. This circumstance is argued to occur in organisations with high union density (Oxenbridge & Brown, 2004). The approach chosen to best develop a mutually beneficial partnership will continue to remain the responsibility of the parties (Mason, Heaton and Morgan, 2004). However, it is likely that many partnership arrangements in the UK will continue to be associated with the introduction of change programmes that implement new work practices, leading to work intensification and cost reduction (Godard, 2004).

In determining the mutual benefits of partnership arrangements in the UK, the study of 'real partnership' in organisations has progressed to greater depth, highlighting the importance of line manager's motivations and the individual factors in management-union relations (Heaton, Mason & Morgan, 2000). There are also three elements considered necessary for mutually beneficial partnership. Firstly, the mutual legitimisation of differing interest, involving recognition and acceptance of employee interests alongside management's strategic business needs. After the preferred outcomes of both parties are established, the expectations of each party's roles and behaviours are established, creating the structure that supports the partnership process. Finally, sustainability of this new way working is addressed requiring both parties to continue to experience benefits, only obtainable from participating in partnership (Haynes & Allen, 2002). Furthermore, clearly defining benefits and behaviours expected by the parties at the start is identified as crucial to the process of achieving the outcomes from partnership arrangements (Haynes & Allen, 2002).

Increasing employee involvement is central to partnership arrangements in the UK and requires strong commitment from all levels of management to overcome the difficulties in achieving mutual beneficial outcomes. Research emphasises the importance of educating line managers and providing communication mechanisms to ensure uninhibited employee participation. Communication was essential to overcoming obstacles and reducing tensions between collective and individual relations at an operational level. This involved workshops between line managers and union representatives to create shared understanding (mutual legitimisation of interests) and improve levels of trust essential to genuine cooperation. In addition, communication was enhanced by increasing the number of union representatives across the organisation to ensure genuine employee voice was encouraged (Munro, 2002).

Good management-union relationships in partnership programs continue to be associated with high levels of trust, mutual commitment and good communication, and the realisation that the establishment of partnership does not automatically deliver mutual gains. These capacities require considerable effort, dedication and attitude changes in both parties to achieve (Johnstone, Wilkinson & Ackers, 2004).

However, if union cooperative practices with management contribute to business advantages at the expense of employee interests, as the critics of partnership foresee, then partnership is then viewed as an unrealistic practice of achieving mutual gains in an environment of diverging interests (Kelly, 2004). Effective representation of employee interests may well depend on the non cooperative approach to protect employee interests (Bacon & Blyton, 2006). The strong influence of the European Union (EU) at a government policy level concerned with increasing employee involvement in organisational decision making at all levels can not be disregarded in the UK. The EU social model demands greater compatibility by UK Government policy with the European perspective advocating the involvement of unions. It is unlikely to diminish and as such employee involvement requirements are becoming less avoidable and therefore shaping relationships between management and employees (Bercusson, 2002).

Other international experiences of management-union relationships such as co-management experiences in the United States involves management and unions working together to achieve productivity outcomes. The utilisation of high performance work systems requiring flexibility and committed employee participation is widely utilised in the US to address competitiveness by organisations. Of which there are examples of significant support for union representatives over employee representatives to achieve sophisticated communication networks essential to improving quality and resolving issues (Rubenstein, 2000). The capacity of employees to contribute to organisational decisions is recognised as possibly one of the most cost effective and viable performance improvement processes available to management (Martel, 2003).

However, the positive outcomes for organisations in the US experience does not necessarily equate into the expected outcomes for employees, as increasing profitability has not flowed on to higher wages for employees. Increasing job security can also be put at risk through practices of greater collaboration providing management with more power as a result of economic uncertainty (Handel & Gittlemen, 2004). In industries that have experienced significant competition pressures, more positive outcomes for employees are linked to a strong union that is able to negotiate job security and dispersion of profits from increased productivity from the start (Greenwald, 2004). However, the facilitation and sustainability of employee involvement and union involvement requires considerable effort and dedication by management. It is therefore strongly reliant on the individuals' attitudes towards practices such as co-management arrangements and is not considered to be consistent state. In developing a model for better management-union relations, which contributes to organisation competitiveness, it is suggested that the model needs to be less structured and based on realistic goals for both parties (Schuster & Weidman, 2006).

Haynes, Marchington and Boxall (2006) provide an interesting comparison of the UK Partnership model to the New Zealand experience. They suggest that a major point of departure is the smaller business environment and domination by small to medium business operations. What is the Australian case? Understanding of union-management relations in Australia can be enhanced by developing a more fine-grained analysis of what constitutes these identified elements of good union-management relations. The Australian research, in addition to the international review presented here shows a wealth of information that analyses the nature of structural and institutional relationships. This paper expands our knowledge through taking a more sociological approach to investigate the way the people involved work

to develop and maintain 'good' union-management relationships.

3 METHODOLOGY

This research project was developed to investigate what occurs in 'good' relationships between managers and unions. The starting point was one of developing a convenience sample. The research team developed a list of industry contacts willing to be interviewed. Initially, four union officials were selected and interviews were arranged. Each of these interviewees was asked to nominate a manager with whom they have a 'good' relationship. It was important for the researchers not to impose their definitions on the interviewees; rather, the union officials were allowed to determine for themselves what constituted a good relationship. From this starting point, the research team had a pool of four union officials and four managers who shared 'good' working relationships. Eight interviews were organised to discuss a range of issues drawn for the literature around the dynamics of the relationship, formal and informal interactions and the arena in which problems would occur and be resolved. The interviews lasted from between 55 minutes and 70 minutes in duration and transcribed. The organisations are referred to in the paper as O1 through to O4 and the corresponding unions are referred to as U1 to U4.

4 DISCUSSION

In describing the union-management relationships that existed between the parties a 'good relationship' was regarded as one which was well established and considered to be ongoing. Managers and union officials all noted there had been changes in the relationship due to external factors (government legislation) however the internal factors identified remained constant. The internal factors of trust, communication, employee voice, respecting rules and professional credibility were a result of what was often a long term working relationship between the interview subjects. This relationship was commonly due to job position tenure, industry experience and working reputation. A thorough review of the literature provided the researchers with an understanding of the complexities in these relationships; however, the interviews allowed the practitioners to provide meaning to their experiences.

1. Trust

The first relevant internal factor consistently referred to in good union-management relationships is trust. Indeed, in most cases trust was considered the most important aspect of the relationships. However U3 repudiated the concept of a good relationship being based on trust in management. The union's ability to trust was contingent on the notion that management would only continue while the employer was respecting the employees' wages and working conditions. As the Assistant General Secretary of U3 stated that the relationship would only remain 'good' until "the minute that they (O3) try to screw our members."

Another consistent theme around the notion of trust was associated with a willingness to share information and having a conflict resolving approach which reduced anxiety and created openness. Honesty, keeping confidences and following through on promises were actions expected between the parties.

Interestingly, the existing relationship between the two parties was based on two distinct perspectives. Managing employee relations in an organisation from a managers' perspective represented a voluntary approach to engaging with unions in the workplace, whereas the union perspective represented the unavoidable engagement with unions at the workplace due to the strength of members.

2. Communication

The second internal factor within good relationships drawn from the literature and confirmed in the study is the quality of communication occurring at all levels of engagement in the union-management relationship. There was considerable effort by both parties to facilitate communication that assisted each in achieving their goals. The type of communication open to the parties whether formal or informal was also seen as a necessary factor that contributed to the quality of relationships. The crossover and utilisation of the extensive networks of communication that involved employees, which was established by unions and management, appeared to contribute to a hybrid communication mechanism in organisations that may not be possible to emulate in non-union organisations.

These hybrid communication mechanisms that emerged in organisations were facilitated by regular consultative meetings and training line managers in employee relations issues and resolving conflict at the workplace. The union attended the consultative meetings where invited, arranged training of delegates and regularly visited sites to discuss issues. The response by employees to a change initiative as a result of an extensive communication network in place can be significantly enhanced or impeded depending on the perceived benefits to employees.

3. Employee Voice

The interviews showed that another important internal factor present in good union-management relationships is genuine employee voice. The relevance of employee voice stems from the recognition that the union provides the means for the most effective representation of employees. Continuing recognition of the union at the workplace relies on the extensive communication networks established at the workplace resulting in a realistic consensus of employee views. The strength of the first two factors in the relationship (trust and communication) was considered crucial to good relationships. From a management perspective this meant that decisions could be made that considered consequences to employees and from a union perspective meant that valid arguments could be well supported.

The existence of genuine employee voice is difficult to measure and even harder to assess gains in competitive advantage or increased productivity for organisations. However, the interviewees did acknowledge there is a possible link between an organisation's ability to compete and the facilitation of genuine employee voice.

4. Respect for Rules of the Relationship

All of the workplaces considered in this study had certified agreements negotiated. As such, the terms and conditions contained in this formal agreement were deemed to provide the foundation of the relationship. Management were satisfied with the collective arrangements and indicated that a preference for continuing good management-union relationships into the future. However, with the WorkChoices

providing employers with a greater opportunity to deunionise, agreement making may further align the needs of the business and only involve those unions considered to have a good relationship with the organisation.

Managers also attributed the improved management-union relationships to the change in union strategy, demonstrated by a move away from adversarial to communicative and conflict resolving attitudes of union officials. There appears to be an increased willingness to resolve issues at the workplace level which is seen to benefit members/employees far more and usually only escalates to the next level of management in exceptional circumstances. Therefore the use of formal tribunals is limited and often expressed as a 'last resort' or a 'failure to do our job' by unions.

There was also significant concern expressed by some managers over the increased workload for HR/IR managers as a result of the changes to federal legislation. It is expected that the complexity of the new employee relations environment and conflicts involving non-union members will be drawn out unnecessarily as a result of the increased involvement of legal practitioners without the respect for the current efficiencies in place as a result of years of experience resolving disputes.

5. Individual Professional Credibility

The final internal aspect to be discussed is that of professional credibility. When an individual is seen to be an experienced IR practitioner the benefits are two-fold. Firstly, it appears they are more likely to benefit from an ability to draw from their own experience, but secondly, they are viewed more positively by their counterpart. Interviewees suggest that there can still be a lot 'table banging' as what is considered 'role playing' for the sake of constituents. Yet it appears that holding a counterpart in high professional esteem allows more theatrical freedom. One interviewer tells of a negotiation where the union stormed out when agreement seemed close:

"The (management) people sitting beside me said, 'what happened, what have you done? It was all going so nicely'. I said by the end of the afternoon I will have a phone call, sure enough, I got back to the office, and an hour later I got a phone call from the union official, okay we can work this out, da da da, done deal. But it was all show for the members and the management ... I knew the guy, I knew what was happening, they were just trying it on.

Overall, management appreciated the professionalism of union officials in negotiations and unions indicated that respect of the role played by unions is instrumental to producing positive outcomes. For unions the effective representation of members also was considered dependent on the level of credibility perceived by their members. Union officials suggest that the maintenance of good management-union relationships has a direct impact on their members' relationship with the managers in the organisation.

In total, these five internal factors of the working relationships lead to the 'transparency' as a result of what the interviewees see as important in developing and maintaining good union-management relationships. The following section of this paper discusses another important dimension of good union-management relations, the role of managers.

Role of Managers

In analysing the reasons why the union-management relationship were considered good between the parties there were indications that the quality of the relationship depended significantly on the actions of management at all levels. Varying degrees of interaction and the quality of management-union relationships became distinguishable between the management levels ranging from line managers or middle managers to HRM advisors and finally the head of the organisation. The following comments and observations emerging from the interviews further illustrate the critical role of managers in a good relationship.

1. Pluralist tendencies

The approach to engaging with unions described by managers involved and awareness of the potential for conflict in the employment relationship and greater success could be gained through negotiated consensus. Mostly union interviewees agreed; however, unionists (not surprisingly) saw their role as being more substantial. Unions perceived that the existence of a more pluralist management approach is directly related to the strength of the union presence in the workplace. That is to say, managers might not necessarily have pluralist tendencies, but a strong union will force them to understand the importance of other views.

The existence of pluralist tendencies by managers was found at a more strategic level and may possibly be contributed to the individual's previous experience of unions. The position as human resources or employee relations manager in all cases had been preceded by an extensive background in industrial relations and in some cases previous union official experience. The recognition that the union's experience in resolving similar issues faced by competitor organisations was considered significant for unions interviewed and encouraged a pluralist management style.

The extent that pluralist management style assists to achieve genuine collaborative approaches to resolving employee relations issues also depended on the union's ability to forge common ground in the relationship. The collaborative approach strategy engaged in by unions was based on the success of the organisation and as such demonstrated willingness in finding solutions to the issues faced by the organisation. These issues involved an external force such as a government regulatory body. In contrast, O1 examined represented a less collaborative approach to joint decision making and indicated that 'advising not necessarily seeking agreement' was necessary on some issues. The union related to this organisation was prepared for a more adversarial approach - taking the hardline in response to members' views on management decisions.

2. Line Manager Dynamics

Managers and union officials were asked to indicate the most important areas in the day to day communications experienced. The majority of responses were concerned with the line manager interaction in management-union relationships. Most interaction in management-union relationships is expected at this level and as such the levels of union activity are suggested to strongly reflect members' attitudes to managers at this level.

The organisations examined diverged on the management of the line manager-union member relationships, with O1 and O3 preferring a management structure that pushed the responsibilities for resolving issues down to operational levels. Both managers and unions interviewed described expectations that issues be resolved at

the workplace level due to the likelihood that conflict exists as a result of individual issues arising between direct managers and employees. The issues were considered to be largely dependent on individual line manager's attitudes, personalities and management styles and as such involved the provision of training to managers. The representative of O2 and O4 suggested that conflict at the line manager level was due to IR ignorance by line managers and/or actions by union members without consultation of the line manager. These two organisations provided line managers with significant training in employee relations issues and conflict resolution. However, the management structure afforded unions the ability to bypass line managers and resolve issues with HR/ER Managers, possible as a result of the open and well established relationship between these managers and union officials.

5 CONCLUSIONS

While there is substantial research that examines the benefits unions can provide organisations, we have relatively little knowledge of what actually constitutes 'good union-management relationships'. This preliminary research involved interviewing managers and union officials to explore the central facets of these 'good' relationships. There are limitations to this study, for example the preliminary nature of the research and the small sample size. However, the findings are nevertheless worthwhile. While external conditions such as legislative changes might be an influence, it was found that there are five key internal factors that influence the relationships. They are: trust, communication, employee voice, respect for the rules of the relationship, and professional credibility. Furthermore, both union and organisation's representatives agree that managers have an essential role in developing and maintaining good relationships. More specifically, it appears that the pluralistic tendencies of good managers and the education of line managers in IR issues are of increasing importance in creating good union-management relations in the 21st Century. Most importantly, this research has identified a clear gap in our knowledge and further research must be performed to understand more completely the changing nature of union-management relationships.

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