**THE ROLE OF TRADE UNION IN CONFLICT MANAGEMENT IN AN ORGANIZATION PRESENTED AT THE NATIONAL WORKSHOP OF THE NATIONAL UNION OF HOTELS AND PERSONAL SERVICES WORKERS ON 11TH APRIL, 2019.**

It’s my delight to be with you this afternoon to discuss and share opinions on how our respective organizations; as both workers and employers unions can be more relevant in promoting harmonious industrial climate in our different companies and the industry or sector as a whole. We are to discuss the ‘Role of Trade Union in Conflict Management in an Organization’.

It is normal to commence by trying to know what a trade union is and what we can regard as a conflict.

**TRADE UNION**: The Trade Union Act in its opening Section 1 (i) says: “trade union means any combination of workers or employers, whether temporary or permanent, the purpose of which is to regulate the terms and condition of employment of workers…….’’ As a layman in law, what I can infer from the statement are as follows:

 (i) trade union can be made up of workers or employers

 (ii) trade union can be temporary or permanent

 (iii) trade union has the primary purpose of regulating the terms and conditions of employment of workers

It follows from the above that if the terms and conditions of employment of workers are to be regulated by trade unions, there must have been divergent interests between trade union of workers on the one hand and the employer on the other in an organization. Alternatively, there must have been divergent interests between the trade union of workers on the one hand and the trade union of the employers on the other.

If there is divergence of interests, the first thing that comes to mind is that views may conflict. If your view tallies with mine, it means we are in perfect agreement and there is nothing to regulate. However, regulation comes to play in order to bring two divergent views to a point where the parties involved can reasonably forgo something for the collective benefit called the bigger picture.

**CONFLICT**: The other word for divergence of interests is “conflict” of interests. Therefore conflict leads to friction and where there is friction; the operation cannot run smoothly and effectively. That is achievement is hindered. Conflict can therefore be seen as any threat to the smooth operation of an organization or that may result in negative consequences for the organization if not properly handled. We can therefore say that conflict management is any principle, action or procedure that is put in place or which can be activated to prevent conflict and/or douse the negative effects of conflict in an organization.

 Conflict management in order to be effective, has three phases namely: Pre-conflict (preventive); during conflict situation (damage control) and post-conflict (policy or Strategic management). It is important to state that conflict is not just unavoidable, no matter what management instrument is in place, but that conflict many a times is an eye opener to better understand our operation process and improve upon it. Therefore, conflict is an important developmental issue in organizations when properly analyzed, managed and necessary experience and lessons are learnt and put into use.

 **CAUSES OF CONFLICT:**

 Broadly speaking, there are two types of industrial conflicts; they are; (i) Individual Conflict and (ii) Collective Conflict. For practical purpose, I shall refer to the Procedural agreement between our two industrial unions, HOPESEA and NUHPSW in defining these two conflicts.

In part III, under “Grievance Procedure”, Section 20.1 Individual Grievance (Conflict) is when “any employee considers that he has cause for complaint or that he has been unjustly or unfairly treated…” In section 20.4 Collective Grievance (Conflict) is “Any grievance arising from a breach, real or alleged, of existing terms and conditions of service in all the matters that are subject to negotiations…..which may affect any group of employees in any member company/establishment…” The addition I wish to make is that collective grievance or conflict may affect only one company or it may be industry wide; in which case, it is between the two industrial unions in an economic sector (industry) usually the workers’ union and the employers’ union. Secondly that there is a thin line between individual grievance and collective grievance as individual grievance may soon degenerate to a collective grievance if not nipped in the bud. The common saying that “injury or injustice to one is injustice to all” holds much relevance here.

Industrial relations conflict may result from a legion of sources or reasons and these include: (i) Wages, allowances and other financial benefits. They are the major reasons for most industrial relations conflicts in an organization because they also constitute the primary reasons for people working or taking up salary jobs. The conflicts become more pronounced during the time of economic down turn in a nation whereby both companies and individual workers struggle to survive and stay afloat. Whilst the companies want to avoid incurring increases in costs of operations; inclusive of employees’ remuneration, the workers on the other hand are clamouring for increase in salaries and wages to meet up with costs of living and to sustain their living standards.

(ii) Health, Safety and Environmental (HSE) standards constitute another conflict prone area. When companies fail to provide healthy and safe working environment; which include safe equipment, tools, protective wear, first aid etc. it is certain that conflict will result. Many of the requirements here are statutory obligations of the employers, despite that many of them wait until workers complained before doing the needful.

(iii) Discipline, Termination, Retrenchment and Layoffs constitute another set of reasons for industrial conflicts. Companies want to terminate at will or carry out lay-off all in the name of efficient operation of discipline their workers at whims and caprices. Usually these actions lead to conflict when not properly handled.

(iv) Management resistance to labour union and unionization is another reason for industrial conflict. Some employers of labour and their management would do all within their **power** to ensure that their workers do not belong to any trade union. Where the workers **enforce** **the right** to belong, actions are taken to suppress the influence of such union or render them unimportant and are labeled as nuisance.

(v) General unfair labour practices such as prolonged hours of work, discrimination in any form, denial of maternity rights and all other practices that do not conform to acceptable international labour standards and municipal labour regulations.

 **THE ROLES OF TRADE UNIONS IN CONFLICT MANAGEMENT**

For virtually every paid employee or worker trade unions constitute irreplaceable organizations in their work life. This is because without trade unions, the workers remain in a perpetual inferior position with his employer or the management that represents the employer. The vertical structure of organizations, called bureaucratic system, pushes the worker into what is called **psychological distance** which makes the worker strongly feels insufficiently involved in the organization where he works and gives him unfulfilled needs. Staying at the bottom of the hierarchy, workers can experience social alienation, powerlessness and exclusion from decisions that affect them such as salaries, wages and other benefits.

Staying together as union therefore, the union serves as their mouthpiece and gives them a good collective identity. Furthermore the union narrows down the employee-management power gap. It changes the power equation in the negotiation of benefits and general conditions of employment from individuals to a well-organized struggle led by professionals.

Secondly, union pressure had induced better management practices leading to more openness, accountability, information sharing and improved moral and operational efficiency. Trade union had assisted in democratizing industrial relations by bringing democratic practices of free speech, multiplicity of views and collective bargaining into the workplace.

It must be stated also that strong labour unions have in-turn compelled the formation of employers’ trade unions. As more employers found it very difficult to stand alone in confronting labour unions’ pressure during conflicts, they have teamed up with other employers in their industrial sectors to form associations which are registered as trade unions. The two parties then drew up predetermined and mutually accepted ways, procedures and principles that will guide their inter-union relationship. This is called the “Main Memorandum of Procedural Agreement” or Procedural Agreement in short term.

Above stated roles of trade union have contributed tremendously to prevent and reduce the volume and intensity of conflicts in industrial and employee relations in our organizations. Furthermore, trade unions perform some other specific roles before, during and after conflict situations that help to manage such situations.

 **TRADE UNION ROLES BEFORE INDUSTRIAL CONFLICT**

Firstly, the trade union is responsible for collating and analyzing the different reasons or causes of the conflict. Instead of various workers or departments making different cases, the union will synthesize the causes, list them out and proffer possible solutions to the management of the organization. This is an important role. It makes it easier for management to work with a unified body than with a crowd of workers.

Secondly, the union in the process of synthesizing will remove much of the emotional factors in the conflict and rather bring rationality into consideration. As professionals, they understand the environment of the industry and they can compare the situation in one company or organization with what obtains in another company within the same geographical area, business class economic sector. Even if they do not say it to the management directly, they are able to advise their members, although behind the scene, that what they are struggling for are either realizable or not and the extent of possibility.

Another major preventive role of the labour union in conflict management is membership education. This is done through regular seminars, workshops and trainings carried out for their officials and plant executives. A lot of such trainings provide avenues, such as in our own case, for the representatives of employers and the management to interact and share vital information and views. Such discussion prepares good ground to soften hard stances that might have been prevalent due to any gap in communication.

The most important instrument of conflict management between trade unions and employers or management is collective bargaining. It offers opportunity for both sides to state their positions, challenges and proposals in an atmosphere of mutual respect. One must also state that collective bargaining is equally an instrument of damage control where the conflict has already occurred and solution is being sought. Basically, collective bargaining brings a number of employment related issues such as payments, benefits, safety, health and disciple into negotiation and mutual agreement which becomes reviewable at agreed interval. It may be in-plant or industry wide (NJIC).

 **DURING CONFLICT PERIOD:**

The union equally becomes a promoter of peaceful resolution where a conflict has occurred. In doing this, the union need to be less aggressive, avoid violence especially such that may lead to injury, loss of life and willful damage to personal and corporate properties and possessions. All attempts must be made to avoid mob action because where such happens what has been damaged may be difficult to repair or replace when the situation returns to normal and most importantly a life lost will never come back. Impression created will also linger for a long time if not for a life time.

The union must endeavour to comply with grievance procedure either as stated in the Procedural Agreement or the general rules such as stated in the Trade Dispute Act. Work to rule, picketing, strike, and other tools of trade dispute should be sufficient to put pressure on the management or employers without the unnecessary impulse to rock the boat by causing chaos.

Union leadership must be wary of the ‘popularity syndrome’ whereby there is a very strong urge to play to the gallery. To say or to do things that will bring such leader into instant popularity among workers in dispute not minding the negative effect of such statement or action on the precarious situation at hand. Labour leaders are professionals and must show it in their conducts. They need to avail themselves of the provisions of the agreement existing in their industrial sector as well as the general legal framework guiding their challenging responsibility as leaders of arguably the most important segment of the society; its productive force.

**EMPLOYERS AND THEIR UNIONS**

The role of the union in conflict management is not a one-way traffic. They require to be actively complemented by the employers, their management and unions. They must show practical demonstration of mutual respect and understanding for the leadership of labour. The representative of management, usually the human resources practitioners, must keep open door and be physically available to discuss with labour leaders in their companies.

Secondly, they need to build relationship with executive members of their workers’ union in order to prevent the festering of conflict situations till they will get to explosion stage. They need to support attempts made by their unions to educate and enlighten their members through training, seminar and workshop.

Relevant management representatives also should acquire negotiation skills and strategies either through training, observation or regular practice. It is equally important that they go through acculturation in their industrial sector’s practice. By this, they need to assimilate the peculiarities in their sector’s industrial relations for proper understanding and effectiveness. Wholesale imposition of experience acquired from previous jobs in a different sector may lead to conflict, the consequence of which may become indelible. Even if changes will be made, understanding and proper appreciations of issues involved are factors that can make effective changes possible.

During conflict and damage control measures, the human resources practitioners must employ positive language and concepts. Avoid exacerbating a bad situation by using bad types of words to address industrial partners or to describe a situation. The human resources men should not shy away from making adequate use of right connections and persons in the company, industry or even among the labour union leaders. What is important is the timely resolution of the conflict and not demonstration of knowledge or expertise that do not contribute to performance.

They should avoid over commitment in their negotiation during conflict period as they would only have succeeded in laying the foundation for future conflicts. Mandate must be very clearly and should not be exceeded. If progress was not being made at the negotiating table, request should be made for adjournment that will give room for quick consultation and return to discussion table.

Employers’ representatives need to acknowledge the positive contribution of labour unions to organizational conflict management. These include the provision of correct information about what occurs on the shop floor for which management may be otherwise completely shut out. They should also work to enhance such contribution thus leading to integrating and collaborating style of conflict handling. This is a situation of high level of concern for self and concern for others. It is therefore characterized by openness, information sharing, proper examination of the differences and reaching of effective solution that is acceptable to both parties called creative solution.

 **CONCLUSION**

 In conclusion, we can see that the roles of the trade union in conflict management cannot be overemphasized by any progressive and forward looking organization. The trade union has become the second arm of management providing necessary checks on the possibility of management excesses or abuse and also democratizing decision making at the workplaces.

We have also seen that the two parties to industrial relations at the organization should complement each other and support each other in order to bring about creative solutions to the challenges encountered at the workplace which has become a main aspect of the individual life.

It is very important that proper documentation be kept at every stage of industrial conflict leading to the final solution. Such solution should also form part of the commitment for future industrial relations procedure.

Thank you.