

Trade Unionism and Industrial Democracy in the Rivers State Civil Service System

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ABSTRACT

Industrial democracy is an aspect of industrial relations system that entails a high degree of cooperation between union and management. This labor relations system is reinforced by the offer of a life-long employment which allows workers to feel secured and unthreatened by changes in technology or job characteristics. Within this context, therefore, industrial democracy which results from a process of collective bargaining assumes a mechanism for representing the interests of workers against management. This work is a descriptive survey that sought to determine the impact of labor unions on Industrial Democracy in the Rivers State civil service system. Three hypotheses were formulated in line with the objectives of this study. Data were generated through a structured questionnaire, interviews and observational techniques and analyzed using results from mean scores. Analysis showed that collective bargaining is not always employed in decisions concerning working conditions in the Rivers State civil services system. The second hypothesis justified that management unilaterally decides on issues concerning working conditions in Rivers State civil service system. Analysis of the third hypothesis showed that weakened and fragmented trade unionism inhibits the use of collective bargaining in decisions concerning working conditions in Rivers State civil service system. The study recommends that since working conditions of workers are required by law to be negotiated between employers and employees, enabling mechanism should be put in place for the existing laws to be enforceable, and punishment used/applied where there is breach of law relating to conflict resolution activities.

Key Words: Trade, Unionism, Challenges, industrial democracy, collective bargaining.

INDRODUCTION

In an effective industrial relations system, a strong, stable, well focused and democratically run trade unionism, strengthens industrial democracy through their involvement in and their expansion of the scope of collective bargaining processes (ILO 2014, NLC 2008 and IDE 1993). Conversely, the pessimistic perspective considers trade unionism as machines through which capitalists' employers and the state employ to apply brakes on the revolutionary fervor of the working class or what Trasky (2000) describes as "lieutenants of capital" in the intensified exploitation of workers (Hinto and Hyman 1975 cited in Aye, 2010).

Basically, industrial democracy has varieties of meanings that can be read into it. It reaches from workers' self-management via consultation and co-determination to collective bargaining, and in passing picks up such diverse notions as job enrichment and autonomous work groups (white and Dennison, 1990, Jentseh 2007 and Poolo, Lansbury and Wailes, 1999). Amongst others, industrial democracy could be seen as the structure and institutional mechanisms that give workers or their representatives the opportunity to influence organizational decision-making in their places of work (Hommer 1998). However, whatever spectrum one assesses industrial democracy its bottom line is that, it is a mechanism for protecting the rights and safeguarding the interests of industrial workers (Clegg, 2006). Essentially, this mechanism creates a sense of belonging of workers to their organizations, improves a sense of commitment to organizational objectives, plans and activities among employees, satisfies psychological needs of the employees, and respects the human dignity of employees (Frege, 2005; Gill and Krieger, 1999, and Sturmthal, 2008). These feats can only be achieved through trade unionism.

Historically, trade unionism (as a system, method or practice of trade or labor unions) is influenced amongst other things by: the dominant conception of trade unionism with it, the history of its emergence, and the economic and politico-legal framework which the industrial relations system is situated in (Poole, Lansbury and Waile 1999). The major means through which trade unions pursue their substantive and procedural goals of trade

unionism is collective bargaining (Sen, 2010). Therefore, collective bargaining is one of many ways of managing conflicts and enhancing cooperation in an industrial organization. It goes to show that trade unionism's collective bargaining is an instrument through which the institution of democracy in an organization is established, and by extension, the process through which participative management is implemented (White and Dennison 1999). It is in the light of this that Webs in their seminal study industrial democracy 1902 cited in White and Dennison, (1999) asserts that trade unions were the prime agents of industrial democracy. And the method of collective bargaining is the prime instrument for advancing industrial democracy as collective bargaining between employers and unions provides a more equal balance in determining the individual wage-work bargain and how work is organized in organizations. Various countries of the world have adopted some varied means of industrial democracy in their practice of industrial relations system. For instance, as practiced in Germany, industrial democracy means that workers are represented at the plant level in work councils and at corporate level through co-determination (Mejia, Balkin and Cardy 2003). While work councils are committees composed of both worker representatives and managers who have responsibility for governing the workplace; codetermination on the other hand, involves worker representation on a corporation's board of directors. As forms of industrial democracy in Germany, these practices have become amplified and deeply rooted in the way employers, unions and employees relate in the workplace (Davies, 1994).

In Japan, industrial democracy entails a system of industrial relations process characterized by a high degree of cooperation between unions and management. A key factor in this process is the Japanese enterprise union. Enterprise union in Japan, as a form of industrial democracy, involves labor union representatives of workers in only one large company rather than in a particular industry (Davies, 1994). The underlying reasons for enterprise unionism is embedded in the Japanese lifetime and long-term employment practices whereby employees remain with a particular company throughout their entire career (Takashi, 1994). Industrial relations practices in USA and UK place heavy reliance on the process of collective bargaining as a mechanism for representing the interests of workers against employers, without requiring representation of workers interests within the corporate structure through worker representation on management boards (Anya 2005). The form of industrial democracy in this view is limited to bargainable issues basically on terms and conditions of employment.

Coming closer home, the distinct trait that marks the industrial relations system and trade union practice in Nigeria is the heritage of our colonial past. Industrial democracy in Nigeria, therefore takes the form of collective bargaining. It is in recognition of the importance of industrial democracy that the Morgan commission (1963 - 1964) on Review of conditions of service of junior cadre of employees of government of Nigeria States thus:

...It is nonetheless the policy in Nigeria that salaries and wages indeed, the whole fabrics of industrial relations, should be fashioned, attained, and sustained by means of collective bargaining... (Anya 2005)

The government policy of encouraging and sustaining democracy in the Nigerian industrial sector has permeated till date. Prospects for industrial democracy in Nigeria are not a mechanical affair, but largely depend on a number of factors. However, trade union practice and government attitude to employees undermine the effectiveness of this mechanism, hence, the challenges of industrial democracy within the Nigeria context. This study is, therefore, aimed at examining the practice of trade unions in Rivers State with the view to ascertaining their relationship to the challenges of industrial democracy in the state's civil service system. To achieve the above, the following hypotheses were stated and tested:

- I. Collective bargaining is always employed in decisions concerning working conditions of workers in the Rivers State civil service system.
- II. Management does unilaterally decide on issues concerning working conditions in the Rivers State civil service system.
- III. Weakened and fragmented trade unionism does inhibit the use of collective bargaining on decisions concerning working conditions in the Rivers State civil service system

Literature Review

Collective bargaining has been known to be an effective tool by trade unions in ensuring industrial democracy. However, as observed by scholars, there are factors that hinder the use of collective bargaining in decisions concerning working conditions in most organizations. As observed by Hammond (2007) collective bargaining is seen as an exercise of power, the outcome of which is determined by the abilities of each side of the bargain to make effective use of their power. While the employer's concern is the ability of the union to back up its

demands through the amount of power the union brings to the bargaining table, the unions on the other hand ensure that they improve the deal that their members get in return for work. But, unfortunately, their bargaining power is often used by the employers to fool and bluff the unions in the negotiation process. Umanah (1982) argues that within this context, the employers are at negotiation corner grant to themselves the ability to set the best earnings and fool the employees into believing that they are giving the best offer. They further argue that within the context of the fooling as an instrument of gaining bargaining power, the employers either embark on their deceiving or tactical deceiving power on facts before them.

However, with deceiving about the facts during collective bargaining sessions according to the Umanah (1982) the employers falsify not only information on production capacities, stocks, costs, financial allocation from federation account, and revenue generated, but may fool as to the relative strength and weakness of the enterprise in the socio-economic community. Doom may be expressed even within the climate of viability. The resultant effect of the deceit when discovered by the employees will be that there will be mutual distrust to their representatives thereby stalling the effective use of collective bargaining with tactical deceiving. Umanah (1982) further points out that the employers will know everything about the employees strengths and weaknesses only to stall the employees in the negotiation process in order to achieve maximal outcome on the issues or matters under negotiations.

Echoing in the same vein, Hammond (2007) asserts that often time employers are extremely so powerful that the workers have no influence over them such that it rather becomes not difficult for such employers to determine unilaterally the terms and conditions of employment giving no room for collective bargaining. Similarly, Ewepu (2010) argues that collective bargaining has become an instrument of political manipulation. According to him, bargaining power has always been used to fool the employees from the point of appointing and consulting government representation to the bargaining process itself. A case in point is that under Prof. Borishade, a former minister of education, where government and Academic Staff Union of Universities (ASUU) reached an agreement through collective bargaining with government, the government disowned such agreement after few months without regard to the effects their actions may have on those being represented in the process.

Bargaining skill is another factor that hinders the effective use of collective bargaining in decisions concerning working conditions of workers. As opined by Umanah (1982) the employers employ facts, emotions and communication skills within the context of negotiations to maximally achieve the expected goals of negotiation to the disadvantages of the employees. Generally, negotiation is concerned with purposeful persuasions and constructive compromise to obtain substantive results, dividing the cost and benefit and achieving the goals dictated by the interest of both the organization and members of the trade union, and influencing the balance of power of all parties. This, however, is not often the case in most negotiation processes. Employers in a bid to achieve a win-lose solution adopt certain skills to their favor and to the detriment of the employees. For instance, as argued by Robbins (1998) Buchanan (1991), Venkata, (2006), employers make use of skilled negotiators, who are better listeners and assessors with defensive tactics to outdo the trade unions. In other words, some employers are better at creating a climate necessary for reaching a distributive settlement. Unions on the other hand may have the requisite awareness and skills in driving home their demands thereby not achieving good faith in a collective bargaining situation (Tang and Bridge 1986).

In likewise, a bargaining strength is used as a threat of mutual destruction in the bargaining process (Umanah 1982). Corroborating this fact, Miren, (1998) asserts that employers adopt bargaining strength to deter the employees and their unions who may be so unintelligent as to comprehend such a threat or who may be too weak to enforce or assert their demands to the employers. For instance, as opined by Reed (1989), workers organizations may not be able to fulfill their purpose of “furthering and defending” the interests of workers through a collective bargaining process. They are at times independent, not able to organize their activities and are always subject to interferences by the public authorities. Adding credence to this, Otobo (1988), argues that most employees’ organizations are under the control of trade employers or employers organizations and are always subjugated by the bargaining strength of the employers who employed them.

Buttressing this point, Nwadiora (2009), adds that the bargaining strength of employers impact negatively on trade unions. According to him, it weakens trade unions, disorients and disempowers the workers, thus making workers fear official victimization/intimidation by government and employers. Arguing further, Nwadiora, asserts that there are instances where government makes concerted efforts to weaken the unions either by harassing their leadership or divide their ranks along ethnic lines. These actions lead to fragmentation between labor unions and this serves to limit the effectiveness of the unions. He concludes that lack of awareness of negotiation’s objectives by workers or their organizations because of ineffective communication between

bargainers and members further strengthens the bargaining strength of the employers. This, according to him, enhances the divide and rule strategies of employers which hinder the effective use of collective bargaining in decisions concerning working conditions of workers in most Nigerian organizations in general and the Rivers State civil service system in particular.

METHODOLOGY

Given the above literature review, an attempt is made to examine the nature of trade unionism on industrial democracy in the Rivers State civil service system. To achieve this, ten ministries were randomly sampled out of twenty-three in the Rivers State civil service namely: ministries of justice, information, education, women affairs, agriculture, health, transport, finance, housing, and culture and Tourism. A survey method, questionnaire and personal interview techniques were used as the main instruments for collecting the primary data. Questionnaire was built out of the hypotheses and based on likert scale principle of strongly agreed (SA), Agreed (A), Undecided (U), Disagreed (D), strongly disagreed (SD).

On the whole, 300 copies of a structured questionnaire were distributed across the ten ministries at 30 copies per ministry. 213 copies were properly filled and returned. Z-test of mean was used to analyze all the hypotheses stated with the following outcomes:

Hypothesis I

Collective bargaining is always employed in decisions concerning working conditions of workers in the Rivers State civil service system.

Table 1: Collective bargaining and working conditions of workers

	SA	A	UD	D	SD	Total
Questionnaire item	5	4	3	2	1	Responses
Item 4	20	13	10	150	20	213
Item 5	10	12	-	160	21	213
Item 6	5	10	10	150	38	213
Frequency	35	35	20	460	79	639
∑-ranks x frequency	175	140	60	960	79	1374

Source: Field work, 2016

$$\frac{\sum \text{Ranks} \times \text{Frequency}}{\text{Total Responses (n)}}$$

$$= \frac{1374}{639} = 2.16$$

$$= 2$$

Decision Rule – Accept the hypothesis if the computed value is greater than the critical (Table) value, otherwise reject it.

Based on the above analyses, we therefore reject the hypothesis which states that collective bargaining is always employed in decisions concerning working conditions of workers in Rivers State civil service system. This therefore implies that collective bargaining is not always employed in decisions concerning working conditions of workers in the Rivers State civil service system. This supports the view of Umanah (1982) who suggested that:

...unfortunately, bargaining power is often used by the employers to Fool and bluff the unions in the negotiation process... agreements reached may be denied the employees..., which is a complete non-application of the collective bargaining process most employees need.

Hypothesis II

Management does unilaterally decide on issues concerning working conditions in the Rivers State civil service system.

Table 1.2: Management and unilateral decision on working conditions

Questionnaire	SA	A	UD	D	SD	Total
Item	5	4	3	2	1	Responses
Item 7	80	70	10	20	23	213
Item 8	80	80	10	30	13	213
Frequency	160	150	20	60	36	426
Σ -ranks x frequency	800	600	60	120	36	1616

Source: Field work, 2016

$$\frac{\Sigma \text{Ranks x Frequency}}{\text{Total Responses (n)}}$$

$$= \frac{1616}{426} = 3.37$$

$$= 4$$

Decision rule – accept the hypothesis, if the computed value is greater than the table value, otherwise reject it.

Based on the analyses above we accept the hypothesis which states that management does unilaterally decide on issues concerning working conditions of workers in the Rivers State civil service system. This confirms the work of Emepu (2010) who asserts that:

Collective bargaining has become an instrument of political manipulation in the hands of management...used to fool the employees from the point of appointing and consulting government representatives (management). This implies deciding unilaterally on workers working conditions... against their wish and opinions.

Hypothesis III

Weakened and fragmented trade unionism does inhibit the use of collective bargaining in decisions concerning working conditions in the Rivers State civil service system.

Table 1.3: Weakened and fragmented trade unionism and collective bargaining

Questionnaire	SA	A	UD	D	SD	Total
Item 9	5	4	3	2	1	Responses
Item 10	70	70	20	30	23	213
Item	80	80	-	40	13	213
Frequency	150	150	20	70	36	426
Σ -ranks x frequency	750	600	60	140	36	1586

Source: Field work, 2016

$$\frac{\Sigma \text{Ranks x Frequency}}{\text{Total Responses (n)}}$$

$$= \frac{1616}{426} = 3.37$$

$$= 4$$

Decision Rule – accept the hypothesis, if the computed value is greater than the table value; otherwise reject it.

Based on the above analyses, we accept the hypothesis which states that weakened and fragmented trade unionism does inhibit the use of collective bargaining in decisions concerning workers conditions of service in the River State civil service system. This conforms to the work of Nwadiora (2009) who asserts that:

...The bargaining strength of employers impact negatively on trade
Unions due to weakened and fragmented trade unionism...

Conclusion

The analyses and interpretations show that trade unionism as practiced in the Rivers State civil service system has posed serious challenges to industrial democracy. These challenges experienced in the Rivers State civil service system shows that workers or their representatives do not exercise their power over decisions concerning their working conditions. In the situation were workers or their representatives do not have the power on issues concerning their working conditions, management takes unilateral decisions on issues of workers' working conditions. This practice does not allow for a good system of industrial relations. The challenges on industrial democracy is further experienced where the power of trade of unionism is weakened and its structure fragmented by management. This then inhibits the use of collective bargaining in decisions that concern the working conditions of workers in the Rivers State civil service system. These situations ought to be reversed for an improved industrial democracy to prevail in Rivers State.

Recommendations

Based on the findings on this study, the following recommendations are made:

1. Since working conditions of workers are required by law to be negotiated between employers and employees, an enabling mechanism should be put in place for the existing laws to be enforceable, and punishment where there is breach of the law be imposed on their eering party.
2. Strategies should be put in place to enhance the principles of checks and balances between trade unions and management during a collective bargaining process.
3. Trade union members and leaders alike should demonstrate internal democracy within their unions. This will in turn enhance industrial democracy in their various organizations. This should be applicable to the case of Rivers State civil service system.
4. Since a trade union is a vehicle for the articulation of the collective interests of workers, union members should be made to participate in all their activities. This will avoid undue suppression of unions by management and also remove the general conception by workers that unions are patriarchal and oligarchical organizations when viewed on the basis of effective bargaining processes.

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