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The vital role of employee voice in resolving individual conflict at work

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The Legal and Policy Context



- Increased focus on the resolution and prevention of individual employment disputes (Gibbons 2007, BIS 2011, CIPD 2011a),
- Government response = reduce regulation, encourage more flexible informal approaches to disputes and promote the use of alternative dispute resolution (ADR) processes.
 - BUT Concerns (TUC 2011).
- Also calls for a more engaged workforce (MacLeod and Clarke report 2009)
 - Gaining interest (CIPD 2011b and c, 2012).
- BUT key issues on resolving workplace conflict not addressed-
 - processes through which conflict emerges and is managed
 - role played by employee representatives (Jones and Saundry, 2012).



Channels of voice – a review of the evidence

Grievance as voice?	Barriers?
<ul style="list-style-type: none">• ‘direct’ employee voice to raise concerns (Batt et al., 2002)• bulwark against draconian managerial action (Sanders, 2008)• joint resolution and agreement more likely (Lucy and Broughton, 2011)	<ul style="list-style-type: none">• possible employer reprisals (Marsden, 2011)• employers retain power (Thomson and Murray, 1977)• workers may take no action (Lucy and Broughton, 2011)

Role of employee representation	Barriers
<ul style="list-style-type: none">• ‘indirect voice’ in dispute resolution• Unionised workplaces tend to have lower rates of disciplinary sanctions and dismissals (Antcliff and Saundry, 2009), and more employee grievance (Kersley et al., 2006)• restrain managerial prerogative (Moore et al., 2008)• managing members expectations (Saundry et al., 2008)• negotiating with managers to resolve issues or minimise sanctions (Saundry et al., 2008)	<ul style="list-style-type: none">• Lack of employee representatives , especially unions• Concerns about impact of non-union representatives(Charwood and Terry (2007)



Channels of voice – a review of the evidence p2

Employee Engagement

- Emerging voice channel
- more committed employees = better performance (MacLeod and Clarke 2009)
- increasing employee voice = engagement (MacLeod and Clarke 2009)
- Employees need to feel = listened to / able to talk freely / involved in decisions (Robinson et al 2004)

Barriers?

- Not just influenced by voice = also shaped by senior leaders / integrity of the organisation/ employee's relationships with their line managers (MacLeod and Clarke 2009)
- employee engagement levels are low, with less than a third reporting they are engaged (Alfes et al 2010)
- Employees may only be 'transactionally engaged' =acting for the rewards (CIPD 2012).

Methodology

Organisation	Industry	Sector	Employment	Employee Representation
A	Health	Public	2-3,000	Unions recognised – high density
B	Services	Private	5-7,000	Unions recognised – high density
C	Public administration	Public	8-10,000	Unions recognised – high density
D	Services	Private	Over 50,000	Non-unionised – active staff association
E	Social services	Not for Profit	4-5,000	Unions recognised – low density

Findings – Employee Engagement

Employee engagement *could* minimise conflict :

'It has to start with the recognition that you can't be successful unless you've got people who are engaged come in, come in on time, and you treat fairly; firmly but aware of the boundaries. So there are lots of things that actually make up the ability to have a good department...our engagement score is the highest across the Group...it's been consistently up over 85, 86 percent. Couple that with low absence, low turnover, you kind of get people who want to be there, who want to deliver and your costs kind of get reduced so there's an equilibrium.' (Operational manager – Organisation B)

In contrast, without engagement mechanisms the only way to raise concerns was through the grievance process:

'...the process gets them an audience...because we didn't have the [staff] survey, we didn't have the engagement...if I was on the shop floor and I wanted to raise something, maybe the grievance process was the best way to go about it.' (HR practitioner)





Findings –Direct Voice

- Individual workplace conflict is often hidden SO problems needed to be identified at an early stage – methods used were:
- Regular informal communication between managers and staff.
 - BARRIERS =Manager time and inclination/ org environment/ staff confidence:

*‘I think the site has a pretty open culture. We encourage people to air their views, we encourage people to bring forward their ideas and opinions... we tend to encourage people to put them on the table and have an adult conversation.’
(Operational manager – Organisation B)*

- Formalised communications such as appraisals
 - BARRIERS = relationship/ focused on employee’s performance/ ‘box ticking’ exercise:

*‘I think one our biggest faults of performance management is that it comes to the end of year review and then people are then just told that they’re not good enough but there’s been nothing through the year, there’s been no sort of coaching, there’s been no inkling of it...’
(HR Practitioner – Organisation D)*

Findings – Indirect Voice



- Employee representatives (union and non-union) identified issues AND causes of conflict:
'[reps] are the eyes and ears on the floor...and they're the ones that talk to the [staff], so if there is some kind of rumbling ... we're expecting them to be picking that up and then going to the relevant [manager] and discussing that, and then going from there.' (Operational manager)
- Reps worked with HR and managers to resolve problems early on:
[union representatives] will be involved right from the very beginning. They'll often know about the grievance before we do and you know, they'll often come to see us and say you've got this grievance, what are your intentions basically? What are you going to do?' (HR practitioner – Organisation B)
- Identify mitigating factors AND ensure employees understand implications :
'In fact, often, it would be me, or my colleagues, that will say to an individual, you do understand that this could mean ... 'God, you mean I could lose my job?' ... it's sometimes about getting the person they're comfortable representing, to actually say, well, you know, we've done this...You need to be straight with people.' (Employee representative – Organisation D)
- Reps could minimise sanction / longer term implications for employee.
- Can act on staff's behalf without fear of the consequences:
'In a unionised environment such as ours, it can help in some ways to diffuse some of these situations...in non-unionised environments I've worked in the past, it's either you like what your manager says or you've got a grievance issue..' (HR practitioner – Organisation B)
- Dependent on high-trust relationships between employee reps and managers
OTHERWISE individual disputes could turn into a battle to be 'won'.

Conclusion

- Employee voice is important in identifying and resolving individual disputes.
- Through informal and formal communications, although, it may be difficult for employees to raise issues directly with managers, fearing possible ramifications.
- Employee engagement mechanisms offers opportunities to raise issues that staff are not confident to do directly.
- Employee representation is a vital source of voice, as staff confide in them. Intermediary able to informally discuss and resolve conflicts.

BUT

- Requires high trust relationships between representatives, managers and HR practitioners
- Restrained by growing representation gap in UK workplaces

