

Industrial Relations And Organizational Regulatory Practices In East Africa

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Abstract: In any working situation people need to cooperate with each other if there is to be maximum gain to themselves, to management and to society as a whole. Cooperation, however, is not easily obtained as people working together have conflicting interests. Employees are primarily concerned with the security of their jobs and what they can earn, and the employer with what they can produce as cheaply as possible to obtain the Maximum profit. When these conflicting interests have taken definite form and shape, the government protects some of these interests through legal control. Regulations of all kinds have to be complied with in a modern society that may take a legal form, such as those contained in the Factories Act, or be implied by the government of Kenya through its manifesto or other policy statement. When there is a willing cooperation from workers towards the achievement of the organization goals, we can say that there is a good labour relation. There are many factors which can contribute to either good or poor relations. A correct perspective of labour relations is possible with an appreciation of the stages of development through which an organization or a country has passed over a period of time. The practices considered to be acceptable in the western and other industrialized countries may not be applicable in other parts of the less industrialized countries.

The major source of poor labour relation resulting in inefficiency and labour unrest are found in both management and trade unions (where trade union do not exist, the cause may be attributed solely to management). Management in certain cases may be concerned enough to find out the causes of dissatisfaction and unrest until it is faced with serious labour unrest like a strike. Other reason for poor relations may be unsatisfactory conditions of work and disregard of workers welfare.

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I. Introduction

According to Acker, P, (2004) "stated that the Industrial relation refer to a dynamic and developing concept which is not limited to "the complex of relation between trade union and management but also refers to the general web of relationships normally obtaining between employers and employees-a web much more complex than the simple concept of labour capital conflict" Industrial relation pose one of the most delicate and complex problems to modern industrial society. With growing prosperity and raising wages, workers have achieved a higher standard of living; they have acquired education, sophistication and greater mobility. Career pattern have changed, for larger sections of the people have been constrained to leave their farms to become wage- earners and salary earners in the urban areas under trying condition of work. Ignorant and drenched in poverty, vast masses of men, women and children have migrated to a few urban areas. The organizations in which they are employed have ceased to be individually owned and have become corporate enterprise. At the same time, however, progressive, status-dominated, secondary group-oriented, universalistic, aspirant and sophisticated class of workers has come into being, who have their own trade union, and who have thus gained a bargaining power which enables them to give a tough fight to their employer to establish their rights in the growing industrial society. As a result, the government has step in and plays an important role in establishing harmonious industrial relations by imposing regulations to be abide by all, partly because it has itself become an employer of millions of industrial workers, but mainly because it has enacted a vast body of legislation to ensure that the rights of industrial workers in private enterprise are suitably safeguarded. Beside, rapid changes have taken place in the technique and method of production. Long-established jobs have disappeared, and new employment opportunities have been created, which call for different patterns of experience and technical education. Labour employer relationships have, therefore, become complex than they were in the past, and have been given a sharp edge because of widespread labour unrest. In the circumstance, a clear understanding of the factors which make for this unrest and which are likely to eliminate it would be a rewarding experience for anyone who is interested in industrial harmony. Salamon, Michael (2005).

II. Aspect of industrial relation

According to Kelly, John (2008), Viewed the concept of industrial relation has a very wide meaning and connotation. In the strictest sense, it refers to employer-employee relationships, that is, the relationship which emerges from the day-to-day association of management and labour. In wider sense, the concept includes the relationship between employer and employee in the course of the running of an organization, and may project itself into spheres which may cover the quality control, marketing, price fixation and disposition of profit, management and employers created industrial relationship. This association often affects and influences, for better or worse, the economic, social and political life of the whole community. In other word, industrial life creates a series of social relationships which have an impact not only on the relations between employers and employees but also on organization as a whole and on the community at large. Industrial relations are, therefore, inherent aspect of industrial life.

The industrial relations chapter spelt out the agreed responsibilities of management and union and their respective obligation in the field of industrial relations, it define a model recognition agreement as a guide to parties involved, and it set up a joint Dispute commission. The industrial Relations charter has been revised twice since then, but remained the basis for social dialogue and labour relations in Kenya throughout the years. With the set up of an industrial court in 1964, one additional basic cornerstone was laid for development of amicable conflict resolution in Kenya. (Aluchio, L.2005)

Main purpose of industrial relations

An initial purpose of industrial relations is the promotion of healthy labour management relations in an organization and for these to happen the following issue must be adapted:

- The existence of strong, well- organized, democratic and responsible trade union and association of employers in the organization. These organization help bring about a greater sense of job security among the employees ,and assist in the workers increased participation in decision-making particularly in those decision which affect the terms and condition of their employment, and ensure that labour has a dignified role to play in society. They also try to create favorable conditions for negotiations, consultation and discussion with the employer so that these may pave way to better labour- management relations
- Collective bargaining and a willingness to accept voluntary arbitration. Collective bargaining pre-supposes and equality of status between two contending groups which are in conflict with each other and prepares the ground for mutual trust and goodwill which will ensure fare discussion, consultation and negotiation on matters of common interest to both organization and labour.
- The welfare work undertaken by the government, the trade unions and employers creates and maintain good healthy labour – management relations and paves the way for industrial peace.
- Industrial harmony and peace can be also established if a machinery for the prevention and settlement of industrial dispute is provided in the form of legislative enactments and administrative action(for example, the Trade Union Act, Industrial Disputes Act, and Employment Act) representation of various cadre of employees and joint management meeting can bring good industrial lasting peace.

III. Objective Of Industrial Relations

In addition to their primary objective of bring about good and healthy relations between employer and employees, industrial relations are designed:-

- To safeguard the interest of labour and of management by securing the highest level of mutual understanding and goodwill among all those sections in the organization which participate in the process of production;
- To avoid industrial conflict or strife and develop harmonious relations, which are an essential factor in the productivity of the workers and the industrial progress of a country;
- To raise the productivity to high level in an era of full employment by lessening the tendency to high turnover and frequent absenteeism;
- To establish and nurse the growth of an industrial Democracy based on labour partnership in the sharing of profits and of managerial decisions, so that an individual's personality may grow to its full stature for the benefit of the organization and of the country as well;
- To eliminate, as far as possible and practicable, strikes, lockouts and demonstrations by providing reasonable wages, improved living and working conditions, and fringe benefits;
- To establish government control of such plants and units as are running at lost or in which production has to be regulated in the public interest.

The state endeavors to correct, through good and harmonious industrial relations, an imbalance, disordered, and maladjusted social order with a view to reshaping complex social relationships following technological advances. It also controls and disciplines both employees and employers, and adjusts their

conflicting interest; it protects some and restrains other, and tries to evolve a healthy social order. In other words, the objectives of industrial relations are to facilitate production; to safeguard the rights and interest of both labour and management by enlisting the co-operation of both; to achieve a sound, harmonious and mutually relationship between employers and employees. According to Aluchio, L. (2005) *“Industrial relations in a country are intimately connected with the form of its political government; and the objective of an industrial organization may change from economic to political ends.”* He divides the objectives of industrial in to four categories;

- Improvement in economic conditions of workers in the existing state of industrial management and political government;
- Control exercised by the state over industrial undertakings with a view to regulating production and promoting harmonious industrial relations;
- Socialization or rationalization of organizations by making the state itself a major employer; and
- Vesting of proprietary interest of the workers in the organization in which they are employed.

If political objective are likely to contribute to disunity in the trade union movement, it would be necessary to provide better and more effective safeguard and exercise greater restraint in order to avoid such situation.

The Way forward

The basic requirement for industrial relation to succeed, it should focus on the following;

- **The management support:**

Since industrial relations is a functional staff service, it must necessarily drive its authority from the line organization.

- **Sound personnel policies:**

These constitute the business philosophy of an organization and guide it in arriving at its human relation decisions.

- **Adequate practices should be developed by professional:**

The procedure and practices of an industrial relations department are the “tool of management” which enable a supervisor keep a head of his job—that of the –time keeper, rate adjuster, grievance reporter and merit rater.

- **Detailed Supervisory Training**

To ensure that organizational policies and practices are properly implemented and carries in to effect by industrial relations staff, job supervisors should be trained thoroughly, so that they may convey to the employees the significance of those policies and practices.

- **Follow-Up of Result**

A constant review of an industrial relations programme is essential, so that existing practices may be properly evaluated and a check may be exercise on certain undesirable tendencies, should they manifest themselves.

Summary and conclusion

Kelly, John. (2008) observe that in many accounts, industrial relations today are in crisis. In academia, its traditional positions are threatened on one side by the dominance of mainstream economics and organizational behavior, and on the other by postmodernism. In policy-making circles, the industrial relations emphasis on institutional intervention is trumped by a neoliberal emphasis on the laissez faire promotion of free markets. In practice, labor unions are declining and fewer organizations have industrial relations functions. The number of academic programs in industrial relations is therefore shrinking, and scholars are leaving the field for other areas, especially human resource management and organizational behavior. The importance of work, however, is stronger than ever, and the lessons of industrial relations remain vital. The challenge for industrial relations is to re-establish these connections with the broader academic, policy, and business worlds.

Competitive forces are changing the way businesses is undertaken and manage employees involved in organizational operations. First-line supervisors also tend to have greater responsibility for managing workers and senior management is usually more willing to listen to employees concerns and ideas. Organizations and Unions which may differ over policy matters may work together to increase productivity by creating an effective industrial relations strategy that requires focusing on meeting employees needs.

Conflicts in work centers usually lead to reduced productivity. Conflicts may occur between employee and employee’s supervisors and between the organization and employees. A proven strategy to deal with grievances is to establish a grievance committee authorized to find solutions to problems. These may include reassigning workers, reorganizing work activities and employee discipline. Without forgetting laws that protect employee rights, discipline should take a progressive path designed to not only solves grievances, but also to provide a path leading to higher productivity. Possible disciplinary actions include written reprimands and limitation of promotion and pay increase opportunities.

Every business that has workers must comply with governmental oversight entities such as the Occupational Safety and Health Administration. Each state also has agencies that work to keep employees safe. Industrial workers expect, and have the right to, a safe and healthful labor environment. An effective industrial relations strategy must include a company-wide commitment to doing everything possible to keep work centers safe. Safety strategies may include regular inspections and briefings, hazard reporting systems and an open-door policy for safety concerns. Employees must be able to report issues without fear of negative repercussions from management.

The organization's most important resource is the highly qualified employees who faithfully produce the products. The loss of any key employee has the potential to reduce organization competitive advantage. Human resources must utilize retention strategies that induce valuable workers to remain with the organization even as others try to draw them away. These may include promotion opportunities, professional recognition, flexible work hours, competitive benefits and educational opportunities. According to Befort, et.al. (2009) stipulated that the future of the organizations depends on their ability to recruit new employees as it grows. Traditional recruitment strategies include advertising, referrals, job fairs and campus visits. Newer strategies include the use of social media and Internet job boards, providing organization HR department the opportunity to reach out candidates across the country and around the globe.

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