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Cautious Adaptation: HR Managers in Unionized Organizations

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Innovations in Conflict Management

Research Papers

Research Paper 4

Cautious Adaptation: HR Managers in Unionized Organizations

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Introduction

This paper reports the main findings of a focus group in which HR managers in unionized organizations provided their views and insights with regard to how they address workplace conflict and the extent to which they are seeking to upgrade their workplace conflict management practices. In total, nine HR managers participated in the focus group, five from private sector firms and four from public sector organizations. All held senior positions in their respective organizations and had wide experience in managing workplace conflict. The research team elected to hold separate focus groups for HR managers in union and non-union firms as this was considered the best way to obtain a full and open exchange of views on the dynamics of workplace conflict: a single focus group might have inhibited HR managers from these different types of organization sharing with each other their experiences of workplace conflict. The research team is confident that the participants in the focus group came from a sufficiently broad range of organizational backgrounds and possessed sufficient knowledge and experience to provide a comprehensive account of the incidence of workplace conflict, how it is managed and the extent to which it is an arena for innovation in unionized firms.

The paper is organized into four main sections. The first section reports the views of the participants on the nature of workplace conflict – how extensive it is, why it arises and the challenges it poses for managers. The second section examines the strategies employed to address workplace conflict organizations, the extent to which these are successful and the extent to which they are being upgraded. The third section assesses the outcomes associated with the conflict management practices followed by organizations – do HR managers consider their approach to conflict management as successful? The final section seeks to interpret and provide greater understanding of the views and experiences provided by our group of HR managers.

The Nature and Drivers of Workplace Conflict

The external environment and workplace conflict:

A consensus emerged among the participants that workplace conflict continues to be a major preoccupation of HR managers. Ensuring that collective bargaining processes operate smoothly and that organizations address effectively the growing incidence of individual-based employment conflicts were considered the two main challenges. This is an interesting insight for it sits at odds with the lack of systematic treatment that exists in the mainstream academic HR literature on

workplace conflict. For the most part, this literature is dominated by discussions of how HR managers should become more strategic in character so that they are better able to push forward organizational change and continuous improvement. Solving workplace conflict receives little attention in comparison. Yet our group of HR managers were insistent that workplace conflict was a priority for them. Moreover, the participants in the focus group did not conform to another widely promoted view in the literature that HR managers in unionized firms tend to be relatively phlegmatic about workplace conflict, viewing it like the rain – something they dislike, but inevitable nonetheless. For the most part, this perspective was not held by the participants: most expressed deeper, more reflective comments on the topic.

One interesting argument widely shared by the HR managers was that contextual or external environmental factors could strongly influence the pattern of conflict in an organization. One participant suggested that there might be something about Irish culture or the Irish business environment that made it more difficult to secure agreement or consensus at the workplace than elsewhere: ‘I wonder is it something in us as an Irish nation that we as a people will say no, no, no. It is very interesting. In 20 years in the UK I never met the resistance that I’ve met in four years in Ireland. It just didn’t happen; people accepted.’ Participants alluded to other environmental factors that could shape the nature and intensity of workplace conflict. Business cycle conditions were considered important in determining the level of conflict and problems experienced by an organization: the general view was that it was easier to deal with collective industrial relations problems when business times were buoyant as firms were in a position to deliver pay rises or compensate employees for complying with industrial change. In contrast, depressed economic times were considered as having a paradoxical impact on workplace conflict. On the one hand, a business downturn tended to reduce the incidence of collective workplace conflict as unions found it difficult to mobilize members fearful for their jobs and livelihoods. On the other hand, individual forms of conflict were considered more likely to rise because of efforts by firms to intensify organizational change or improve employee performance in response to poorer business conditions.

Broader social developments were also considered to be impinging on the nature of workplace conflict. There was wide agreement that an increasing share of individual-based workplace conflict concerned identity-related issues – issues relating to equality and race for example: as

one participant put it, 'some of the issues people have been dealing with in the last say eight to ten years have been different, particularly equality issues.' There was acute appreciation amongst participants that workplace conflict and how it was managed would not remain immune from external environmental influences, whether these were cultural, institutional, economic or social. In other words, there was recognition that workplace conflict did not stay the same, but would evolve over time due to developments outside the organization. Equally, there was recognition that HR managers needed to be open to modifying and adopting internal organizational practices and processes used to manage workplace conflict so that they were aligned with the external environment. Thus, many of the participants spoke about how they had introduced mediation and investigation procedures as these were considered more appropriate to address the growing number of equality-related cases most were now handling.

Internal Organizational Processes and Workplace Conflict:

At the same time, factors inside the organization were considered to be at least as important as external developments in shaping the nature of workplace conflict and how it was addressed. There was general agreement that the incidence and nature of workplace conflict vary across organizations due to different employment relations' histories. Those organizations with a tradition of good industrial relations, where there was a high level of trust between management and trade unions, were considered more likely to experience low levels of workplace conflict. In contrast, organizations with a poor industrial relations record were considered more likely to experience a greater number of disputes and have difficulties in managing these. Participants were of the view that it was extremely difficult to break out of a low trust/high conflict organizational environment: one participant stated 'there's a very strong culture of resistance, and resistance to change in particular, and it seems to me as a group of managers that whatever we try to do we meet this resistance and I do not know how to break it down really.'

Another widely held view was that an organization was more susceptible to higher levels of conflict once it had decided to introduce new organizational practices and routines. Some suggested that a good rule of thumb for HR managers to adopt was: the more intense the organizational change, the greater the propensity for workplace conflict. Several participants explained, for example, that the introduction of performance management had caused the emergence of new or additional forms of both collective and individual conflict. One participant

argued that the best response to an increase in the incidence of workplace conflict due to performance management-related processes was to strengthen the formality of the conflict management process by adding on new procedures. But not everyone agreed. A number of participants expressed concern that this approach ran the danger of making the management of workplace conflict too bureaucratic and cumbersome. Most considered it to be preferable to improve the capabilities of line managers to solve workplace problems informally, particularly in the context of organizational change. Several participants spoke about how their organizations had introduced changes to alleviate the role played by line managers, including in the area of workplace conflict. Almost all the organizations present said that they had introduced training and support programmes aimed at improving how middle managers performed their roles, including conflict management tasks. One participant stated:

... what we did was we took all of our middle managers and we put them through an assessment, now that was quite difficult for them to get their heads around in the first place; what we had to do was commit to them and say this is purely development, we won't use this assessment to take you out of your position. But what we were able to do then was analyse what the skill set was and what kind of interventions we needed to put in place. So we started to roll out leadership development programmes again... and to give the line managers the tools to actually deal on a day-to-day basis with conflict management, putting the emphasis on where there's a problem try and deal with it immediately, try and deal with it straight away before it gets into a centralized group problem without taking more time. That's kind of the approach that we've had and we found it very successful.

Thus, the expectation was that upgrading the role of middle managers in the organization would lead to workplace problems being solved more informally and closer to their point of origin. Most participants said that their organization had introduced some type of initiative to enhance the role of the middle managers, which included training in conflict management. In a few organizations, this involved extensive, systematic training in mediation, but usually it involved developing a number of interrelated skills to help middle managers identify, prevent and resolve workplace disputes. One was strengthening their coaching and mentoring skills, which was

commonly seen as involving an on-going three-pronged process of observation, discussion and agreement: observation to assess whether or not employees are encountering problems either with their work or with colleagues; discussion to identify employee plans and ambitions and to assess any barriers that might stand in the way of these being realized; and agreement to develop a shared understanding about what management and the employee will do to advance the personal development of the employee.

Training was also given to line managers in the area of sense-making activity. Sense-making is the way managers come to understand the strengths and weaknesses of the organization and its employees. It normally involves two things. One is to identify those activities and processes that encourage trust and cooperation at the workplace. Building trust and cooperation is more likely to result in employees having a positive 'sense' of the organization, which in turn will create a workplace environment in which conflict is less likely to occur. The other is to make early effective interventions to stave off conflict: managers should have the capabilities to read unfolding events inside the organization so that they can nip potential problems in the bud. Thus, sense-making involves managers acting simultaneously as a socialising agent and an interpreter of events in organizations. All participants considered these to be highly desirable qualities for line managers to possess. But the bottom line was that the participants expected their line managers to be good listeners, considered to be a key problem-solving skill; good communicators so that there was no ambiguity about what was expected of employees; and good problem-solvers with the capacity to come up with good ideas to address a problem fairly, quickly and informally.

Thus, the consensus among participants was that the role of line managers in solving workplace problems had increased over the past decade or so. Equally, it was widely held that line managers needed considerable support for them to carry out effectively a problem-solving role: one participant observed that 'there needed to be a lot of support given for hand holding... so instead of the open door policy from the employee to HR we created an open door policy from line management to HR so that they could deal with problems.' Some participants conceded that even with dedicated support and training the role played by line managers in solving workplace problems occasionally fell below expectations. There was talk of line managers being reluctant to perform actively a conflict management role because they were members of the same union as

the employees involved in grievances – they preferred problems to be addressed by HR managers. Others talked about the difficulties associated with getting line managers together to deliver the information and training required to strengthen their conflict management skills: it was reported that, if it were left to line managers to sign up for conflict management skills training, attendance would invariably be low. All in all, the general view of the participants was that developing the problem-solving/conflict management skills of line managers involved a huge, ongoing effort: one participant remarked that ‘it has taken about three or four years for them to be able to do conflict management correctly at the coalface.’

Collective Bargaining and Workplace Conflict:

Participants suggested that it was useful to consider collective and individual forms of workplace conflict separately as the characteristics of each were deemed to be quite different. The general view was that collective forms of workplace conflict were more or less under control. Most of the participants thought that the sharp economic downturn experienced by the country had muted trade unions and given management the upper hand in collective bargaining processes. One participant from a large construction company, a sector that had experienced huge falls in output and employment, commented: ‘we’ve had all kinds of cuts... and they all have gone through... I would say the unions are a little, I don’t like using the term, battered, but you know, traditionally they were up for a fight continually.’ Although trade unions are likely to have faced particularly adverse economic conditions in the construction sector, the consensus view was that the collapse of growth in the Irish economy had put trade unions on the defensive. There was no dissent from the view that unions had found it very difficult to mobilize their members who, it was argued, were anxious not to engage in any activity that might put their jobs and livelihoods in jeopardy.

Participants who worked for public sector organizations suggested that the recession had changed the dynamics of collective bargaining in the sector, making it easier to reach agreement on organizational change. In particular, what became known as the ‘Croke Park Agreement’, a public sector pay agreement conceived and facilitated by the LRC Conciliation Service, was considered to be, in the words of one participant, ‘the game-changer’. Some background information is required to make full sense of this observation. The formal title of the Croke Park Agreement is The Public Service Agreement 2010–2014 and it was a four-year agreement between the Government and the Public Services Committee of the Irish Congress of Trade

Unions (ICTU) and other associations representing public sector employees. The key objectives of the agreement were to enable:

- Significant reductions in the number of people working in the public sector so as to reduce the Government pay bill
- Large scale redeployment of public employees within and across sectors, to protect frontline service delivery as staff numbers fell
- Reconfiguration of the design and delivery of public services to deliver greater efficiencies, increased productivity and improvements in services, in particular through the greater use of shared services and online services

Thus, the main thrust of the Croke Park Agreement was to secure public sector entrenchment and modernization simultaneously. In an effort to prevent collective bargaining processes impeding progress on these twin objectives, the agreement set out new dispute resolution procedures. The agreement stipulated that disputes should normally be resolved at local level within six weeks. Disputes not resolved locally within this timeframe were to be referred to Ireland's main public dispute resolution body, the Labour Relations Commission (LRC), to be resolved within four weeks. If the LRC failed to resolve the dispute, then it must be referred for binding arbitration to the Labour Court (or the civil service arbitrator). A number of sectoral implementation bodies were created to adjudicate on issues of interpretation about whether or not a dispute related to a matter covered by the Croke Park Agreement. In addition, a national implementation body was set up to deal with major issues of interpretation with cross-sectoral implications. Importantly, unions were disallowed from taking industrial action on matters covered by the agreement. The terms of the Croke Park Agreement were extended until 2016 by the subsequent 'Haddington Road Agreement'.

A strongly held view of some participants was that the dispute resolution procedures introduced by the Croke Park Agreement alongside the economic recession had caused a step-change in the conduct of collective bargaining in the public sector. Before the economic recession, it was argued, trade unions acted more or less as veto players in many parts of the public sector: not only did they have a key influence on the nature of public sector modernization, but also on the pace at which it was introduced. One participant portrayed trade unions as the co-managers of the internal labour market in several parts of the public sector. The Croke Park Agreement, and

in particular the new dispute resolution procedures, was seen as bringing to an end the trade union veto on public sector change as it facilitated massive organizational restructuring. The participant put it like this:

Croke Park brought in time-defined stages for taking matters through a process which had the potential to result in binding Labour Court Recommendations on management and on staff.... That it was agreed was an achievement in itself and I think there was recognition by the unions at the highest levels that the economy was in crisis, that the public service needed a massive reform agenda and at some point there had to be an orderly process to protect them as well as the government.... We've taken €3.5 billion out of health as well as 11,500 people in the last 6 years... there hasn't been any industrial action in that period.

The clear message from this participant was that introducing time lines for collective bargaining negotiations along with the prospect of binding arbitration on matters where the parties could not reach agreement had transformed public-sector industrial relations. A carefully prescribed binding arbitration process was seen as making trade unions less obdurate, with the effect of accelerating public sector modernization. Although, perhaps in less dramatic terms, other participants also talked about how collective bargaining processes had become less adversarial as a result of the recession and how new strategies were being adopted by management. One senior HR manager from a large organization that had experienced considerable conflict with trade unions spoke about how the economic downturn induced senior management to change tack with positive results.

In 2009 we lost €6m and we had a crisis, absolutely. There was no question. In one regard we took advantage of the crisis to drive through change, which we had to do, but in another way we took an opportunity to deal with the union groups in quite a different fashion than we had prior to that. We engaged with them more. I hesitate in saying we told them the truth but that's exactly what happened; we went in and we said look this is a look under the covers, this is the finances, this is how we're haemorrhaging money, this is the way we're going. So it was very transparent and what we did was we engaged with the

groups centrally on a number of different items instead of the usual one at a time. Another thing we did was we realized that we hadn't invested in our own staff in giving them tools and the skills to actually do their day-to-day job so part of the problem was our own and even at the senior management level, so the first thing we did was we got our story straight and we made sure that all our senior managers understood our story and what the crisis was about and we sent them all, the senior team, on communications training so that they could all speak the same consistent story, as to what it was.

Thus, rather than taking the opportunity afforded by the recession to assert managerial power, senior management opted for an alternative approach of seeking organizational restructuring through building up trust and cooperation. Engagement became the byword of the new management strategy. Senior managers were given proper training relating to the perilous state of the organization and new communication skills to impart this information to employees on a consistent and regular basis. Deliberate and important acts of trust were made to the unions: the organization opened its financial books to the unions so they could do their own audit of the organization's business circumstances. Senior managers refrained from bluster about the organization facing the abyss. Instead, they made hard-headed and factual statements about what needed to be done to ensure the survival of the organization: unions were for the first time in a position to verify the authenticity of such statements. Greater stress was placed on the need for cooperation and joint action. A new flexibility was displayed by management about the means used to restructure the organization, although they remained resolute about the scale of the consolidation that needed to take place. Negotiations on the nature and scale of the restructuring programme were extremely tough and protracted, but agreement was finally secured. Although the recession had probably provided management with the opportunity to push through unilaterally its own restructuring plan, it had opted not to follow this course, but instead pursued a more cooperative form of collective bargaining with the unions as this approach was considered more appropriate for the longer term interests of the organization.

But not all participants told stories of the emergence of a more cooperative, consensual turn in collective bargaining as a result of the recession. Some complained that collective bargaining in their respective organizations continued to malfunction in one way or another during hard

business times. One participant spoke about how collective bargaining in their organization was dispersed across a strong committee structure that not only made agreements on organizational change hard to conclude, but also made the implementation of agreed programmes difficult. The result was on-going tension between senior managers seeking to implement change and trade union representatives on the various committees seeking to defend the status quo. Another participant talked about the frustration involved with concluding collective bargaining agreements that unravelled quickly, with the effect of triggering yet another cycle of negotiations and bargaining. The participant considered her HR team to be engaged in seemingly endless rounds of negotiations with trade unions, which sometimes involved outside dispute resolution bodies such as the Labour Court and LRC, without making any significant headway. These testimonies suggest that collective forms of workplace conflict usually associated with a malfunctioning collective bargaining system persist in organizations even in the depths of an economic recession.

Individual Forms of Workplace Conflict:

As already pointed out, a consensus existed amongst the participants that influences inside and outside the firm were changing the nature of individual workplace conflict as well as increasing its incidence. A battery of external influences is seen as having an impact on individual workplace conflict. One is what might be termed the emergence of new identity politics at the workplace. For example, people are increasingly thinking of themselves in terms of religion, gender, sexual preference and ethnicity rather than class. At the workplace many of these different groups have come to see their problems at work as related to their social identities and not to their position as employees. Thus, almost all focus group participants suggested that individual grievances relating to harassment were on the increase. A second, simpler view was that employees have become more litigious, which was seen as reflecting wider society developments and the logical outcome of the proliferation of individual employment rights legislation. A further view was that general increases in educational levels alongside the decline of social deference has led to employees being more willing (and able) to pursue workplace grievances through formal processes.

External influences nudging employees towards more individualized forms of workplace conflict were seen as being reinforced by internal organizational developments. Participants were keen to

point out that a side effect of the diffusion of performance-driven HR policies was more individual-based workplace conflict. The drive for organizational change, disrupting established routines and ways of working, was seen as having the same effect. Even when organizational change was sanctioned by collective bargaining agreements, individual forms of conflict were seen as virtually inevitable as employees resisted changes to work roles or opposed the adoption of new organizational rules. Whereas collective forms of conflict embedded in malfunctioning collective bargaining processes were considered by some participants as hard to resolve, most forms of individual conflict were seen as manageable. The main concern practitioners raised was that settling individual-based workplace conflict was hugely time-consuming, diverting middle managers and often HR managers from other pressing operational tasks. One participant put it thus:

I suppose one of the things that occurs to me that, particularly in regards to individual issues, very often from a time point of view, they can take a lot more management time and have more adverse impact on management and individuals around the problem than even a fairly big collective issue can.

Some participants also expressed the concern that festering individual problems could act as a contagion at the workplace, with disaffected employees having a negative impact on employee commitment and organizational morale.

Most of the participants took the view that conflict management practices had to be adapted to keep pace with the evolving nature and dynamics of individual workplace conflict. To reduce the number of grievances arising from the operation of its performance management system, one organization introduced a binding arbitration procedure that involved the appointment of an external person to hear appeals from employees disgruntled with performance assessments. The decision of this arbitrator is binding on all parties. The senior HR manager who designed and implemented this innovation was satisfied with its functioning, saying it freed up middle managers from spending huge amounts of time trying to solve problems and allowed disaffected employees to get their grievance/complaint dealt with quickly. In his own words:

For our performance management system, we now have an appeal system at the end of that, that is an independent person hearing the appeal and it's

binding on the parties because what we were finding was individual issues taking up time and going through what turned out to be pretty elongated processes not all the time serving the interest of the parties. So we all agreed that we should have if you like a one-stop-shop, a process that was fast and fair.... Like anything there's always going to be people that are unhappy with the outcome and some have gone, if you like, the management's way and some have gone the staff way and that's the nature of these things obviously but I think the overall experience has been as a process that this is something that is adding value and it is seen as an appropriate process. It is a fast, fair, independent, impartial one-stop-shop approach to the thing.

An interesting discussion occurred on the merits of introducing some form of internal arbitration to address the rise of individual-based grievances. Not all participants supported such schemes: the main concern was that it might make middle managers insufficiently attentive to employee disaffection as they would be inclined simply to re-route complaints to the arbitrator. In response, the participant from the organization that had introduced arbitration argued strongly that the procedure had made middle managers more thorough and systematic in their appraisal of employees. Most of them had become concerned that being associated with performance appeals, or at least too many of them, would damage their reputation as managers. The discussion ended without any one view prevailing.

Almost all the participants suggested that they had experimented in one way or another with the use of investigations and fact-finding to address harassment, bullying and related cases. A fair amount of scepticism existed about the merits of such procedures. The costs of carrying out investigations and the length of time involved in completing the procedure were the most frequent complaints: one comment typical of the discussion was 'we had a lot of investigations carried out externally that went on forever.... Everybody was a loser, nobody was a winner irrespective of the finding and it cost us a small fortune and got to the stage where people wanted to be bringing legal people to the table.' Most participants considered it unwise to build a formal investigation option into their conflict management practices because it could turn out to be hugely expensive and very unwieldy, particularly if an organization had a number of these running at the same time. However, despite being cool on the procedure, none of the participants

would rule out the possibility of using investigations. By and large, a pragmatic approach was adopted: organizations would initiate an investigative or fact-finding process if it were deemed necessary, but it would not be provided automatically.

Participants were more positive about the role mediation could play in the resolution of workplace disputes. Most had used mediation to try and settle disputes, some more systematically than others. Those that had adopted mediation more systematically did so to address protracted problem cases and not as a result of any general commitment to the process or out of a desire to upgrade conflict management practices. One participant captured the general view of why organizations turned to mediation, saying, ‘when I started mediation first, there were issues that had been on-going for years and years, up to seven years in some cases. It was a matter of looking; I suppose really the bottom line was value for money in the public service.’ Unlike investigations, most organizations choose to integrate mediation with other conflict management practices, developing a strategy that spelt how and for what reasons it would be used. The preference amongst participants was to use internally trained mediators rather than external experts. One participant told the group of his experience: ‘we’ve used externals. One of them almost ran away screaming saying he never wanted to see us again.... He was very successful, but he had enough of both sides!’

The consensus amongst participants was that mediation can be usefully employed by organizations to address workplace problems. Mediation was seen as allowing difficult problems, which had the potential to be fairly long drawn-out affairs, to be addressed relatively successfully and to the broad satisfaction of all those involved. At the same time, participants were adamant that mediation should not be seen as a silver bullet. Most participants suggested that the difficulties associated with operating properly a mediation procedure should not be underestimated. Many suggested that the procedure could be complex and time-consuming even if it did produce positive results. Some talked about the difficulties with getting managers to undertake the training necessary to acquire mediation skills. Others talked about the problems they encountered getting unions to agree to the procedure. One commented, ‘some unions are very reluctant to support a mediated process on the basis that it’s even further breaking the link between their influence and their direct members.’ The general view was that the benefits of

mediation are only fully realized if an organization develops a comprehensive support system for this practice.

Approaches to Innovation

When asked to discuss their approach to innovative workplace conflict management policies, it was evident that most participants were uneasy using the vocabulary of innovation when discussing workplace conflict. To some extent, the reluctance to use innovation to describe how conflict management practices are revised, updated or adopted hints at the absence of a fully-fledged strategic approach to managing problems at work. One participant said, 'so there is an issue about innovation, is it a long process? Have we the time to do it? Does it actually work? Are we prepared to try this?... A lot of the time we are learning from previous innovations that we tried.' Another commented, 'the point on innovation is great as long as it doesn't turn into time-wasting or as a tool to prevent you from implementing something.' Few participants said that they engaged in any type of comprehensive strategic reflection of workplace conflict policies – what they were doing and why they were doing it, whether there was a need to improve established practices and in what ways. Few also engaged in a benchmarking exercise to compare how they went about addressing workplace problems with how others approached the matter. With most participants reluctant to redirect their efforts towards revising or changing their workplace conflict practices, in the language of innovation, it is not surprising that none of the participants reported their organization diffusing ADR-inspired workplace conflict practices in any systematic manner. Few suggested that they had even considered the merits of these practices in any detail.

Yet it was evident through their remarks that participants were not simply prisoners of tried-and-tested practices. Many recognized that their existing approaches were deficient in one way or another and needed upgrading. It may be worth setting out a number of examples. One participant spoke about the concerted efforts he made, after taking a new appointment, to move the organization away from adversarial industrial relations which he inherited to a more cooperative model. He suggested this could only be done through changing actual practice and not by making laudable statements about the need for trust between management and employees. In an effort to leave adversarialism behind, the firm introduced a form of joint-working between unions and management to develop a restructuring plan that could secure wide agreement. This

approach was successful as the firm was able to get employee agreement for a €3.0 million restructuring plan. The participant was of the view that the firm had turned a corner in its dealings with the union:

It was the first local agreement in 25 years. Surely by listening and engaging with the ideas of people on the floor, sometimes they're better than management ideas was kind of the point. I think that level of engagement opened a whole new door and moved that facility from being a place of very old style industrial relations.... That's a phenomenal shift in my view simply done by working with them on the problem at hand.... It's hard to write down what you do, 1, 2, 3 but it does work. There's greater engagement; a kind of trust builds.

Although the participant did not describe it in these terms, the organization was essentially introducing elements of the interest-based bargaining model developed primarily by Cutcher-Gershenfeld (2014), which seeks to improve workplace relations while recognizing that management and unions may hold different views and have competing objectives.

A number of participants spoke about introducing a direct engagement process in response to perceived inadequacies with collective bargaining arrangements inside their organizations. As one participant put it: 'so I suppose if I were to be truthful about what we've done is that we began to run a parallel system to the trade union process. In other words, we go directly to the employees and communicate heavily with them.' In every case, the motive for introducing a parallel process was management frustration with not being able to communicate effectively with employees through engaging solely in collective bargaining with trade unions. As a result, most participants suggested that their organizations now engaged in a two-pronged employee involvement process, one focused on collective bargaining and the other on direct communication and consultation with employees. Invariably, these direct engagement strategies involved briefings for line managers to ensure that they were on message, regular emails and team consultations and occasionally senior manager walk-arounds to 'press the flesh with a few people so they can hear the stories themselves'.

It is important to stress that none of the participants viewed the creation of direct employee involvement procedures as a strategy to undermine collective bargaining or marginalize trade unions. Instead, it was generally seen as a way of advancing the managerial interest, particularly in terms of winning employee support for organizational change. The consensus was that managers had to try and win employee hearts and minds because trade unions in collective bargaining negotiations were too resistant to change initiatives. Some even had harsh words to say about the calibre and conduct of some trade union officials – one participant said, ‘one of the issues really is... there are some fairly poor practising union officials.’ Another participant suggested that some union officials had found it difficult to adopt to depressed economic times – ‘they’re still going to get into the knuckle fighting... we’ve had pay freezes, you know, the whole gamut and then they’ll still put in for a 10% pay rise and that’s a very short meeting obviously, you know “what planet are you on?”.’

Most participants spoke positively about the role performed by the LRC, Labour Court and other public dispute resolution bodies in assisting organizations address workplace problems. Yet participants from public and private sector organizations viewed their interaction with these bodies in different ways. Public sector organizations suggested that bodies such as the LRC and Labour Court were playing a hugely important role in making industrial relations within their organizations less conflictual and more effective. In particular, the binding decisions made by the Labour Court and Rights Commissioners in relation to disputes and grievances referred to them under the Croke Park and Haddington Road Agreements were seen as having a positive spillback effect in terms of making collective bargaining more efficient, reducing the number of disputes and creating a more permissive environment for organizational modernization. These third-party interventions by the public dispute resolution agencies were seen as disturbing the low agreement/high resistance equilibrium in which public sector industrial relations had become embedded. At the same time, participants were at pains to point out that a new high agreement/low resistance industrial relations equilibrium had yet to emerge in the public sector. Nevertheless, participants from the public sector were effusive in their praise of the Croke Park and Haddington Road deals for disrupting the traditional pattern of public sector collective bargaining.

Participants from private sector organizations tended to look upon the public dispute resolution bodies in a different light. Although bodies like the LRC were considered high-performing, involvement with these bodies was seen as a sign of organizational failure. One participant stated, 'I think there is a laziness... on both the management and union side... neither side will stand up and actually take a decision or take responsibility for it and we consequently end up in the LRC, the Labour Court with the stamp of approval from both sides.' Thus, engagement with the LRC and other similar bodies was, for the most part, viewed as an admission that an organization was unable to settle problems on its own. Some participants even came close to suggesting that the public dispute resolution bodies had almost become an appendage to their organization's conflict management arrangements, such as their on-going involvement in helping solve internal problems. Known as the 'narcotic' effect, this problem of organizational dependency on third-party intervention to settle workplace problems is well recognized in the literature. Thus, whereas public sector HR managers were happy to maintain connections with bodies like the LRC and Labour Court as these operated as a catalyst for change, private sector HR managers considered it important to loosen such connections as this would signal enhanced organizational ability to settle workplace problems internally.

Most participants suggested that they were doing more than ever before to prevent workplace conflict. Action taken in this area included the introduction of employee surveys to capture prevailing employee attitudes towards the organization, line managers and any change management initiative being implemented. Curiously, although there was general agreement that these measures were now part and parcel of what management had to do in the broad area of conflict management, few participants spoke about preventive initiatives having a hugely positive impact. Most of the discussion revolved around two matters. One was the effort and expense involved in implementing comprehensive preventive conflict management measures such as employee engagement strategies comprehensively: one participant said,

We would have done a lot over the years... but I think there is a big challenge in communicating directly with 2,000 bus drivers... and we did that quite successfully by bringing them in in groups and managers being trained up to communicate a message to them over the years, but at the moment the cost of

doing that is the biggest deterrent... so we're back to, you know, circulars and things like that.

The other matter on which there was a consensus was that preventive conflict management initiatives were no substitute for effective conflict management practices. The general view was that it would be short-sighted for organizations to have a battery of smooth operating preventive conflict management policies yet ineffectual practices to resolve individual and collective workplace conflict. Making sure that the organization could address workplace problems effectively was seen very much as the priority.

Overall, few participants said that they formally monitored or reviewed the incidence of workplace conflict. Most considered it unnecessary to do so. All were confident that they could remain fully abreast of workplace problems and how these were being addressed through informal communications and discussions with managers. When considering the overall functioning of conflict management, participants appeared more exercised about its efficiency than with establishing quantitative measures relating to the incidence of workplace problems and the extent to which these were addressed successfully. One participant captured this sentiment when he said, 'in my view there is always room for efficiency... in the conflict management structures whether it means changing timelines, whether it means changing referral structures or whatever, there is capacity to improve it and streamline it.' For the most part, this focus on process reflects a quite deep-seated frustration held by most of the participants about the lengthy time periods required to manage a workplace problem from inception to completion. Participants were more exercised by these burdens on time than with the scale of workplace conflict or whether or not it was addressed successfully. Participants appeared to be satisfied that workplace conflict was under control in their organizations. As one said, 'in general we're happy with what we have.' None of the participants talked in visionary terms about the need to eradicate conflict from the workplace. The prevailing attitude appeared to be one of pragmatic acceptance that there will be an on-going need to manage workplace conflict in their organizations and that it was their responsibility to address this task as effectively as possible.

Discussion

A number of standout points emerged from this focus group. Consider first the matter of organizational approaches to workplace conflict. An important strand of the literature on

workplace conflict, much of which is admittedly USA in origin, exhorts organizations to establish a conflict management system by rational design. On this approach, organizations establish a set of complementary practices to address workplace problems almost through a series of sequential steps. First of all, the HRM team identifies, scrutinizes and puts into consistent order those objectives and other values that it believes should govern the design of a workplace conflict management system. Then an assessment is made of all possible means of achieving the identified objectives and values. The next step is to examine all possible consequences from employing each of the possible means. Once these tasks are completed a combination of policies and practices is selected that will achieve the designated objectives and values. The envisioned outcome is a comprehensive, highly functional conflict management system equipped to address almost all workplace conflict contingencies.

In describing their organization's approach to workplace conflict management, none of the participants in the focus group developed an account that even remotely approximated this rational form of strategy-making. Most of the participants viewed themselves as inheriting a set of practices to address collective and individual-based disputes and grievances, some of which worked more efficiently than others. The historical state of relations between management and trade unions was also considered an important influence on how effectively the organization resolved workplace problems. None of the participants seemed attached to any particular method of resolving problems, but at the same time they expressed reluctance to make changes to these methods if they were broadly functional. For the most part, participants adopted a pragmatic approach to changing conflict management practices: new approaches were adopted or established practices modified only to address identified problems. Sometimes organizations introduced new procedures – which took varying forms – to try and reduce the time burdens associated with addressing problems. At other times, changes were triggered in response to the organization introducing new performance management practices or intensifying the pace of organization change. In yet other instances, broad social developments such as the growth of individualism obliged organizations to make changes to their repertoire of conflict management practices.

Thus, participants recognized the importance of upgrading workplace conflict practices, but this was not seen as the product of strategic intention and design. Instead, it was seen as occurring

incrementally and in a piecemeal fashion. Conflict management practices were viewed as evolving over time in fits and starts largely in response to particular events and developments, some anticipated, others less so, and mostly not as a result of calculative strategic action. Because pragmatic adaptations occurred over time, workplace conflict management practices did not fully stay the same, but it would be misleading to say that the organizations strove to create conflict management systems in the sense of a bundle of complementary practices that tended to reinforce the efficiency of each other. None of the participants talked about possessing conflict management systems and none talked about seeking integration or alignment across conflict management practices. The dominant concern was with having conflict management practices that were malleable, open to change and that would allow the organization address workplace problems speedily and effectively.

Obviously a range of factors might explain why any one particular HR manager would shy away from a rational strategic approach to workplace conflict management. But a sentiment that appeared widely held amongst the participants was that no silver bullet solution exists to workplace conflict. In other words, disputes and grievances cannot be engineered out of the organization. This attitude made the participants wary of big strategic plans for workplace conflict management: it even made them cautious of terms such as innovative conflict management practices. For the most part, a hard-headed calculus prevailed amongst the participants. On the one hand, they recognized the benefits in terms of organizational stability that arose from possessing well established conflict management practices and routines. On the other hand, they recognized that conflict management practices were imperfect in the sense that these would be unable to fully eradicate conflict problems from the organization. As a result, the participants were simultaneously committed to established practices and open to experimentation. They were pragmatic problem-solvers.

It needs emphasizing that, in adopting this approach, participants were not falling short in any way. Problem-solving strategies and practices were pursued with a great deal of diligence. Thus, for example, all participants treated the introduction of a new practice or a reform of an existing practice as provisional: new conflict management practices are not automatically introduced as new ways of doing things. Many spoke about how they had experimented with using external third parties to assist in the resolution of particular forms of conflict only to end the practice

when it became clear that the benefits that initially had been anticipated were not realized. Thus, making adaptations to existing methods used to address workplace problems invariably involves a fair amount of trial and error, iteration and refinement. Participants suggested that they will only validate a new practice when they are confident that it is effective in addressing the identified problem. Thus cautious adaptation is probably the most apt description of how HR managers in unionized workplaces go about upgrading conflict management practices.

References

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