

Examine Conflicts in Industrial Relations & Collective Bargaining context and its impact on Workers & Organization Performance

Muhammad Asif Combah

asif.combah@kmlgpk.com

Head IR and admin, Kohinoor Textile Mills Limited

Abstract

Purpose - to examine the causes of conflicts in industrial relations and collective bargaining context, and their influence on workers & organization performance, also to analyze the mediatory role of different stages of collective bargaining while resolution of industrial conflict.

Design / Methodology / Approach – sample size of this study was 350-participants, who were currently working in unionized environment, they were human resource and industrial relations professionals, workers, office bearers of labour union, belongs to textile, chemicals, oil & gas, fertilizer, home appliance, FMCG, airlines, automobile sector of Pakistan.

Findings – Data shows that all types of industrial conflicts are negatively associated with employee's and organization's performance. Comparatively two types of conflicts that are (1) inequitable gaps in salary and benefits; and (2) profitability sharing, have significantly negative impact on workers & organization performance.

Research Limitations / implications – after careful analysis of different nature of conflicts there is a need to put more efforts to explore the possible preventive methods and effective mechanism, which ensure the social justice and democracy at workplace, in order to eliminate negative impact of industrial conflicts and provide the guidelines for future labour legislations.

Originality / Value – to provide a better understanding and detailed analyses of different type of potential conflicts causes and evaluate the mediating influence of different stages of collective bargaining.

Keywords – industrial conflicts, industrial relations, collective bargaining.

Introduction

Economy structure of Pakistan is changing with the significant contributions of industrial sector and importance of industrial relations became very much prominent (Ghayur, S. 2009). Research over many years in the field of industrial relations and collective bargaining has identified that industrial conflicts creates hurdle in smooth operations, productivity, efficiency and decent work. Here it is quite important to find out some common type of conflicts and their causes from the early literature and to measure their impact on workers and organization performance, particularly in unionized corporate sector of Pakistan e.g. Telecommunication, Textile, FMCG, Fertilizer, Chemical, and Automobile. Most of time conflicts at workplace create tension, frustration, demotivation and lack of interest in routine operations, further the severe nature of conflicts may caused for strike or lock-out, which is definitely have very negative impact on workers and organization performance.

The industrial relations system refers to a regulatory framework and a mechanism that governs workplace relations (Ghayur, S. 2009). After independence, Pakistan adopted Trade Union Act 1929 and Industrial Disputes Act 1947, and both were consolidated in 1969 into a single law, namely Industrial Relations Ordinance 1969, the main objective of this legislation was to resolve the industrial

conflicts with the help of statutory provision and collective bargaining and strike was also allowed (Ansari et. al, 2006). With the passage of time, legislation on industrial relation amended, and now Industrial Relations Ordinance 2010 (IRO 2010) is enforced to address the industrial conflict and collective bargaining issues amicably. Right now, Pakistan has more 70 different labour laws which deal with labour issues.

Under IRO 2010 trade union having title of Collective Bargaining Agent (CBA) can serve an application to resolve the conflicts or/and their charter of demands to employer for negotiations. On the other hand, the employer also has a right to serve their charter of demand to CBA for mutual consensus. Bilateral negotiation and collective bargaining is the best way out the resolve any kind of differences at workplace, however, in severe situation of any conflict, legal mechanism has to be followed by the concerned parties.

Conflicts in industrial relations, individually or collectively, are quite common and natural. Normally conflicts at workplace are perceived as the differences or disagreement in between workers and employer, within the organization (Wikipedia, 2010). As per Boston University FSAO, there are might be many level and causes of workplace conflict e.g. (1) at individual level: conflicts may be due to personality differences, personal problems, performance,

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conduct, individual preferences, etc. (2) at organizational level: conflicts may be due to some management issue, leadership style, task or process conflicts, disagreement on discipline issue, differences on strategy formation, disagreement on charter of demands, etc.

Collective bargaining is a process in which the elected representatives of employee and employer mutually negotiate the terms and condition of employment (Barbash, J. 1979). Employer and labour union voluntarily initiate negotiation upon any differences or conflicts in order to achieve a mutually agreement which might be adjust the wage scales, working hours, working condition, occupational safety, health and social welfare, profitability sharing, etc. (Wikipedia, 2010). On top of statutory rights and benefits, as defined under applicable labour laws, adjustment of extra benefits or rights can be made through collective bargaining with in all concerned parties, with the help of external statutory mediation, if situation warrants (Ghayur, S. 2009). In unionized corporate culture, bargaining may have four different levels: (1) collective bargaining on charter of demands, (2) bargaining at shop-floor, formal or informal, (3) bargaining at the level of individual with his/her supervisor, (4) in some cases the political bargaining at level of economy (Barbash, J. 1979) In the wake of globalization, role of industrial relations become much important as compare to the past, development of mutual agreement (between employer and workers) and harmony in industrial practices, job security, social safeguard & social justice, etc. became essential (Ghayur, S. 2009). For development of mutual consensus, there is a need to examine carefully the causes of conflicts in industrial relations and during the process of collective bargaining, which will definitely beneficial for managers and will provide awareness for resolution of conflicts. This study will also help us to identify the significant elements which caused for industrial conflicts and will provide guidelines, how to avoid conflicts in industrial relation and collective bargaining context? Further, this study will also identify the impact of industrial conflicts on workers and as well as organization performance.

Literature Review

Pakistan having population of 167-million approximately and ranked sixth as most populated country in the world (Population Census Organization). Out of 51.78million labour force 49.09million is employed and 2.69million is unemployed, women has 20% existence in employed strength i.e. 10-million, agriculture sector employs 44%, service sector employs 35%, industry and manufacturing employs only 20% of the employed labour force (Labour Force Survey, GoP: 2007-08).

The term "Industrial Relations" have two major components, one is "Industry" and the other one is "Relations"; "Industry" means any type of manufacturing or production process being carried out with the help of human or by a team of humans (Wikipedia); "Relations" means the relationship of employer and workers which are involved in manufacturing or production process (<http://industrialrelations.naukrihub.com>). "Industrial Relations" are perceived as collective relationship of employer and workers, also covers the whole industrial life as such as terms of employment, working condition, discipline and code of conduct, industrial conflicts and grievances, unfair labour practices, workers' presence in management issues, profitability sharing, compliance of labour laws and its interpretation, trade unions and collective bargaining.

As defined Lester R. A. (1951), industrial relations include the efforts made for resolution of the differences between employer and workers, on following element: objectives

and values; profitability sharing and social justice; discipline and authority, freedom and industrial democracy, collective bargaining and co-operations, individual versus group interest. A broader definition of industrial relations includes the interactions and relationships of employers, workers and government, relating to organization.

Historical Background of Industrial Relations & Labour Legislation of Pakistan; Pre-Independence Era: British ruled over Indian subcontinent for nearly a period of 200-years (1757-1947) of which Pakistan was the one. In 19th Century, British ruler introduced a lot of industrial relations legislations with a main objective to have a "protected and bonded labour market" for England (Amjad, A. 2001: 10). At that time there were two major important legislations i.e. (1) Employers and Workmen Dispute Act, 1860: defines punishments on breach of service contract for workers only, there was no provision if service contract is violated by the employer (2) Indian Factories Act, 1881: was applicable to the premises using the mechanical power, have employed hundred or more than hundred workers, the employment of children having age between 7 to 12 year was restricted (Shaheed, Z. 2007: 67).

First time in the history, after first world-war, labour management relations given due importance because the strikes and labour unrest was at peak, and at that time the common law principle of conspiracy was applicable to labour unions. To cater the situation and way forward, two important legislations, The Indian Trade Union Act, 1926 (allowed the association of workers and forms unions for their representation) and Trade Disputes Act, 1929 (defined the avoidance and settlement of conflicts between management and workers) were passed; and later on, the last legislations by the British Rulers, The Industrial Disputes Act 1947 was promulgated which placed the permanent administrative structure & procedures for settlement of conflicts, and also introduced the work committees and referral, by the government, this constitution of (Amjad, A & Mahmood, K. 1982).

Post-Independence Era (1947-2010): Just after independence, Pakistan adopted most of industrial legislation development by the British Rulers i.e. Factories Act 1934, Industrial Employment (Standing Order) Act 1946, Trade Union Act 1926, Industrial Disputes Act 1947. Adopted industrial legislations was pretty progressive at that time, which allow the formation of trade unions and right of collective bargaining even to declare a strike (Ahmed, I. 2010).

Constitutional Provisions on Labour Rights

Rights of labour are specifically protected and defined in Constitution of Islamic Republic of Pakistan:

Article 11: All type of forced labour and traffic in human beings are prohibited. Children below the age of 14-years shall not be employed in any factory or mine or any hazardous employment.

Article 17: Every citizen shall have the right to form association or unions, subject to any reasonable restriction imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality.

Article 18: Every citizen shall have right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business.

Article 25: All citizens are equal before law and are entitled to equal protection of law. There shall not be any discrimination on the basis of gender alone.

Article 27: No citizen shall be discriminated for any appointment, on the ground of race, religion, caste, gender, residence or place of birth.

Article 37(e): Government shall make provisions for securing just and humane conditions of work, ensuring that

children and women are not employed invocations unsuited to their age or gender and for maternity benefits for women in employment.

Article 38: Government shall secure the well-being of the people, irrespective of gender, caste, creed or race, by ensuring equitable adjustment of rights between employers and employees. All persons employed in the services of Pakistan or otherwise shall be provided social security through compulsory social insurance or other means.

In Pakistan, the right of collective bargaining at the first time was introduced through Industrial Relations Ordinance 1969; this right of collective bargaining is derived from Article No.17(1) of the Constitution of the Pakistan. CBA has legal right to represent all or any individual worker and undertake collective bargaining on the issues related to employment, non-employment, terms of employment, working conditions and other matters which are not secured or defined under any laws. (PIRO 2010: Section 24.13)

In the situation of any industrial dispute either relates to individual worker or all, PIRO 2010 provides a comprehensive mechanism of collective bargaining in order to resolve the disputes amicably. If any industrial conflict arises, the aggrieved party has to communicate to other through the Worker Council established under section 12 of PIRO 2010, at first stage both parties have to undertake to bilateral negotiation for resolution of differences within ten days. In case the bilateral negotiation fails, within seven days the aggrieved party has to serve a notice of strike or lock-out at least for fourteen days and also has to send to copy of Conciliator appointed by the Provincial Government. At the second stage of collective bargaining, the Conciliator will put efforts to resolve the dispute within the notice period of strike or lock-out, or within the period as mutually agreed by both parties. Upon successful conciliation, the conciliator will prepare a memorandum of settlement and will communicate to all stakeholders, in case the conciliation fails than the conciliator try to convince both parties to agree upon for Arbitration i.e. the third stage of collective bargaining. Both parties in dispute have a option to go for arbitration or not, if the parties are mutually agree for Arbitration then the Arbitrator have to resolve the dispute within 30-days or within the time period as mutually decided by all stakeholder. The award of Arbitrator will be final and no appeal is allowed against the award of arbitrator and this award will be availed for 2-years.

After failure of conciliation process, if parties in dispute are not agree to go for arbitration, the aggrieved party can declare the strike / lock-out, and the party arising dispute has to submit an application to Labour Court for adjudication i.e. the 4th stage of collective bargaining. Further if strike / lock-out prolong for more than 30-days and causing serious problems to the general community and it's against the national interest, the federal government may prohibit the declared strike / lock-out, and refer the dispute to Labour Court or NIRC for early resolution. Labour courts will fix the dispute with in 30-days or within suitable time as situation warrants.

In August-2010, Pakistan Airlines Pilots Association employed go-slow and virtually gone on strike, due to violation of working-agreement and unbalanced working conditions; the working hours of cockpit crew were too long and rest intervals were too short and ridiculous, which was totally against the international standards, and may caused for lethal accident (Eastern Worker Vol.50). In July-2010, workers of Maple Leaf Cement Factory – Pakistan protested against sacking of seven workers and caused damage to factory assets which cost approximately

millions of rupees, later on the Govt. plays a mediatory role and resolved the industrial conflict, and factory management agreed for compliance of applicable labour laws, medical facility for workers and free education for their children (Shafi, P. 2010). In December 2009, the management of Karachi Electric Supply Company (KESC) accepted the demand of protesting KESC Engineers and Officers Association (KEOA) and renew the services contractor of recently laid off staff after Government's intervention, and the conflict was resolved amicably after three days sit-in. (Eastern Worker 2009).

Unfair labour practices on the part of workers or labour union have a direct impact on organization performance and it also inculcate the wrong culture and work environment. Unfair labour practice on the part of worker or labour union are well defined in IRO 2010, which includes willful loss to employer property and slow down the production process as compare to the routine pace. Unfair labour practices on the part of employer include refraining of any worker to join or participate in labour union or try to build any undue influence on workers or labour union. Any kind of unfair practice cause for tension and show of power game, and at the end may be caused for a severe conflict at workplace.

Non-compliance of applicable labour laws is very critical issue in Pakistan. In Country Review report, International Labour Organization - ILO and International Confederation of Free Trade Unions - ICFTU (2001) have pointed out the continuous violation of forced and bonded labour, and of freedom of association, the right to organize and bargain collectively, both *de jure* and *de facto*. In unionized corporate culture there is very strong practice to promote workers in management cadre just for sake of minimize their strength and it a denial of worker's right to join labour union (ILO & ICFTU 2001). Only very low percentage of corporate sector is fully complying with the applicable labour laws of Pakistan. To ensure the compliance of labour laws is the responsibility of the Government but unfortunately the concerned officials are not able to fix the issue. Labour Inspector who is legally take care of compliance of labour laws and working conditions in industry became un-functional, as the Govt. has banned his entry in Industry in order to check and verify the compliance of labour laws. So the industrial employer is at his own accord to follow the applicable labour laws or not, if there is a labour union then they took this responsibility and ask for compliance of labour laws, and if management resist then these may cause of an industrial conflict.

In December 2009, the National Trade Union Federation (NTUF) Pakistan filed an appeal in Supreme Court of Pakistan against non-compliance of labour laws i.e. non-applicability of labour laws on agriculture workers, hindrances from employer while formation of trade union and ban on factory inspection by Labour Inspector (Shafi, P. 2010). In July 2010, the workers union of Lucky Cement Factory – Pakistan protested and continued a peaceful sit-in till the acceptance of their demands those are: to hold worker elections, withdrawal the unfair legal case against union and reinstatement of sacked workers, resultantly management decided to close down the factory (Shafi, P. 2010).

Disciplinary actions are the tool of management, as defined in Industrial & Commercial Employment (Standing Orders) Ordinance 1968, for implementation of discipline and address the misconduct at workplace. Disciplinary action includes: show cause notice, domestic inquiry, suspension, warning, and subsequently punishments according to the nature and gravity of misconduct. Some time management misuse this tool and try to build undue pressure on workers or labour union, in order to achieve

different objective as per prevailing situation. Most of time, even disciplinary action is right or wrong, labour union always take it as a negative and resist, ultimately both parties become opponent and a conflict became established, which definitely creates frustration and tension at workplace. Employees normally found to discuss the current situation of these of conflict or process of disciplinary action instead to focus on their routine responsibilities.

The differences on Terms of employment, employment, non-employment and working conditions are defined as industrial dispute in IRO 2010. CBA has a legal right to submit their charter of demands related to above mentioned issues and bargain on some better or extra benefits as already defined in labour laws of Pakistan, A majority of CBAs, normally highlighted the demands related to wages and other monetary benefits instead of development of worker's skill set or other development activities. If the demand in salary increase is realistic and fair, then employer normally never creates any hurdle and try to settle the charter of demands amicable, if the demand is very fantasy and have no logic behind then it normally cause for a very severe conflict and may lead to strike or lock out, as per recent example of PTCL Worker Union's strike 2010.

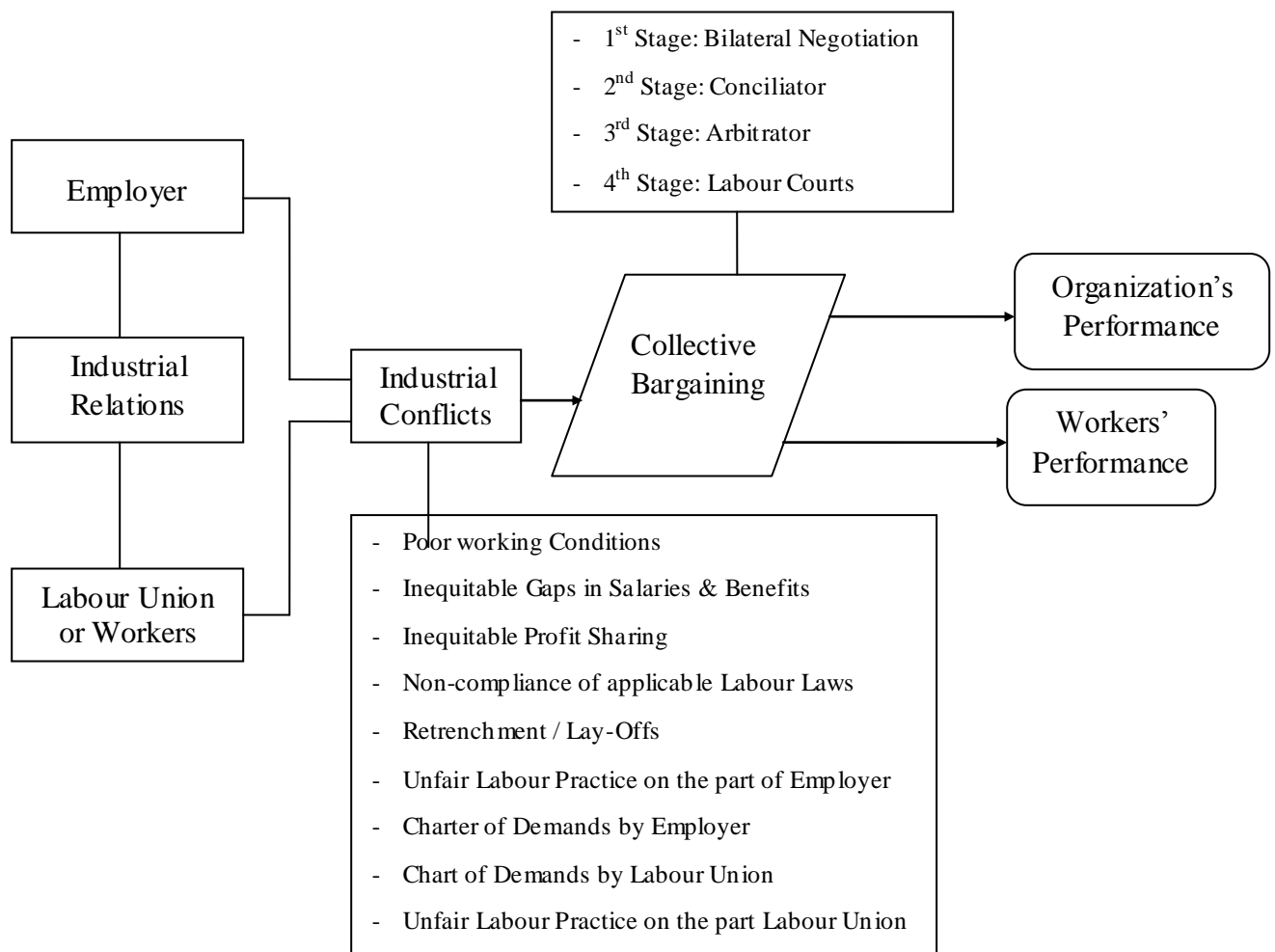
Inequitable gaps in salaries and facilities of workers and management staff are also the major causes for tension and

frustration, and normally at the time charter of demands labour union try to adjust this gap and put higher expectation of increase in salary and benefits. Further, in case of inequitable sharing of profits also cause of tension, worker or labour union try to get their share as well even the employer is already paying profitability bonus i.e. almost one gross salary and Worker Profit Participation Fund i.e. 5% of companies profits, a reasonable quantum of this five percent is distributed among the workers as per defined procedure in labour laws and rest of portion is being deposited in Govt. Accounts, which is used for worker welfare and social activities.

Task, relationship and process conflicts at workplace decrease trust, respect, and cohesiveness within team members and resultantly decrease their satisfaction and willingness to work jointly (Jehn, A. K.; Greer, L., Levine, S. & Szulanski, G. 2008). Employee's performance is correlated with task conflicts, if the task conflict higher then employee's performance will significantly be down, task conflicts are the major hurdle in order to achieve the organization's objective (Khan, A. M; Afzal, H.; & Rehman, K. 2009).

Research Methodology

Collective bargaining on industrial conflicts amongst employer and labour unions generally resolved during the process of collective bargaining.



Hypothesis 1 Industrial Conflicts have impact on workers' performance.

Hypothesis 2 Industrial Conflicts have impact on organization's performance.

Hypothesis 3 Collective Bargaining mediates the impact of industrial conflicts on organization performance.

Hypothesis 4 Collective Bargaining mediates the impact of industrial conflicts on workers performance.

The deductive research strategy used in order to find correlational causal effect. This study is conducted in the unionized corporate sector of Pakistan e.g. Textile, FMCG,

Fertilizer, Oil & Gas, Airlines, Chemicals, Automobile, etc. and the target population was the management cadre employee presently working in unionized environment i.e. HR and industrial relations professionals. Random sampling technique was used for collection of primary data. Primary data was collected during a well organized field study, with help of a proper Questionnaire covering entire aspects of ascertain variables.

For data analysis, mean, regression, correlation, standard deviation was applied. Relationship of the independent

variable was checked with the help of R-square. Impact of independent variable was checked through Beta coefficient and t-value which shows the significance of independent variable for dependent variables. Statistical Package for Social Sciences – SPSS was used for analysis and regression.

Scale reliability test was applied; the results are shown below in Table 1 below.

Table 1

Reliability Statistics

	Industrial Conflicts (IC)	Collective Bargaining (CB)	Workers' Performance (WP)	Organization Performance (OP)	Overall Reliability
Cronbach's Alpha	0.878	0.743	0.844	0.814	0.795

The value of Cronbach's Alpha for IC ($\alpha = .878$), CB ($\alpha = .743$), WP ($\alpha = .844$) and combine value of the whole data is .795 shows that data is reliable and in symmetry.

Table 2

Descriptive Statistics

	IC	CB	WP	OP
Mean	3.965	4.197	4.292	4.295
Standard deviation	0.441	0.444	0.511	0.581
N	87	87	87	87

Standard deviation of all the variables show that there is little deviation from the means like for IC, CB, WP and OP

as 0.441, 0.444, 0.511 and 0.581 respectively that shows harmony validity of data.

Table 3

Correlations

		IC	BC	WP	OP
IC	Pearson Correlation	1	-.032	-.142	.003
	Sig. (2-tailed)		.765**	.190	.977**
CB	Pearson Correlation	-.032	1	-.029	.029
	Sig. (2-tailed)	.765		.787**	.786**
WP	Pearson Correlation	-.142	-.029	1	-.078
	Sig. (2-tailed)	.190	.787		.470
OP	Pearson Correlation	.003	.029	-.078	1
	Sig. (2-tailed)	.977	.786	.470	

Correlation shows the relationship between all the variables. In our model IC is independent variable, WP and OP are dependent variables and BC is mediator. Above values of correlation shows that there are a negative and significant

correlation between IC and BC (.765), between IC and WP, between IC and OP (.977). It means correlation supports first part of our hypothesis that there are negative relationship between IC and OP.

Table 4

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Change Statistics				
					R Square Change	F Change	df1	df2	Sig. F Change
1	.142 ^a	.020	.009	.50940	.020	1.749	1	85	.190
2	.146 ^b	.021	-.002	.51212	.001	.099	1	84	.754

a. Predictors: (Constant), IndustrialConflicts

b. Predictors: (Constant), IndustrialConflicts, CollectiveBargaining

Table 5

Model		Coefficients			t	Sig.	95.0% Confidence Interval for B	
		Unstandardized Coefficients	Standardized Coefficients	Beta			Lower Bound	Upper Bound
		B	Std. Error					
1	(Constant)	4.945	.497		9.952	.000	3.957	5.933
	IC	-.165	.125	-.142	-1.323	.190	-.412	.083
2	(Constant)	5.114	.735		6.963	.000	3.654	6.575
	IC	-.166	.125	-.143	-1.325	.189	-.415	.083
	CB	-.039	.124	-.034	-.315	.754	-.287	.208

a. Dependent Variable: Workers Performance

β value (.5.114) shows the intensity of relationship between IC and WP which is significant .000. it shows the acceptance of our first hypothesis that IC have negative impact on WP. Now mediation is tested between IC and WP. In current study CB is taken as mediator.

Discussion & Managerial Implications

This study was focused on legal frame work, dealing with the formation of unions, industrial relations practices, compliance of labour laws, collective bargaining and subsequently identifies the significant common causes for industrial conflicts in unionized corporate sector of Pakistan. It also looks into the conflict or dispute settlement mechanism and impacts on employee's and organization's performance. Awareness of major causes of industrial conflicts is quite important indeed, so the manager or organization be ready to take care of these factors proactively and avoid any kind of undue interruption in routine operations and productivity. This research has provided a better understanding of industrial conflicts to the Managers for maintenance of good industrial relations and effective collective bargaining with workers and Labour Unions at workplace. There are numbers of un-predicted conflicts creates jam in the smooth operations and ultimate leads to strike or lock out but Manager needs to identify the conflict points and causes before its occurrence and put best efforts for avoidance and resolution.

Respect and implementation of labour rights are fundamentals in creating conditions of work that ensure social justice. Workplace and industrial conflicts have very grave and dreadful impact on employee's and organization's performance. The need is to identify the major reasons or factors which may cause for any industrial conflict and their remedial actions for it resolution. If managers have better understanding of the root causes then they may easily and proactively can manage the industrial conflict and can save the precious reputre, time and resources of the organization. Awareness of differences and disagreement have also plays very vital role in collective bargaining context, so the Managers needs to be equipped more for collective bargaining in order to avoid industrial conflicts which we may cause organization performance.

Conclusion

Industrial relations and collective bargaining includes not only negotiations between the employers and unions but also includes the process of resolving labour management conflicts. Thus, the collective bargaining is essentially a recognized way of creating a system of industrial jurisprudence. It acts as a method of introducing civil rights

in the industry, that is, the management should be conducted by rules and with better understanding in order to avoid the industrial conflicts. Collective bargaining develops a sense of self respect and responsibility among the employees. The workers feel motivated as they can approach the management on various matters and bargain for high benefits. It helps in securing a prompt and fair settlement of grievances. It provides a flexible means for the adjustment of wages and employment conditions to economic and technological changes in the industry.

With the help of latest research, it is a proven fact that the industrial conflicts have very negative impact of workers performance, their moral and job satisfaction as well. Further, during the phase of industrial conflict the production efficiency also suffer a lot and resultantly have bad impact on business profitability. Most of time it has been experienced that industrial conflicts on wage determination and profitability sharing became very serve and damage the goodwill of employer and also have very dangerous effects on business performance. Intensive retrenchments are also proven as very important cause of industrial conflict, its really double edge sword for employer, as in order to be cost effective employer has to reduce the fixed cost and improve the efficiency which subsequently leads towards the layoffs, but on the other side the labour unions resist and fight for their job security. However, the management has to ensure the culture of social justice at workplace and compliance of all applicable labour laws, which ultimately reduce the threats of industrial conflicts and will achieve the harmony in industrial relations and in the process of collective bargaining in the situation of any difference.

Reference

- i. Amjad, A. 2001. Labour Legislation and trade Unions in India and Pakistan, Oxford University Press, Karachi, Pakistan.
- ii. Amjad, A. & Mahmood, K. 1982. Industrial Relations and the Political Process in Pakistan: 1947-1977, International Institute for Labour Studies, Geneva, Switzerland.
- iii. Ansari, Siddique, & Salman, 2006. Governing the Labour Market: The impossibility of Corporatist Reforms, Pakistan Development Review, 45 : 4, Part II, 981 – 1000.
- iv. Barbash, J. 1979. Collective Bargaining and the Theory of Conflict. Industrial Relations, Vol. 34. No.4, pp 646 – 659.
- v. Compa, A. L. & Vogt, S. J. 2001. Labour Rights in Generalized System of Preferences: A 20-year Review. Comp. Labour Law & Pol'y Journal, Vol.22:199.

- vi. Candland, C. 2007. Worker's Organizations in Pakistan: Why no role in formal politics?. *Critical Asian Studies* 39:1 (2007),035-057.
- vii. http://en.wikipedia.org/wiki/Collective_bargaining. visited at 1535-hrs on 20-Dec-2010.
- viii. <http://en.wikipedia.org/wiki/Conflict>. visited at 1545-hrs on 20-Dec-2010.
- ix. <http://industrialrelations.naukrihub.com/introduction.html>. visited at 1621-hrs on 27-Dec-2010.
- x. International confederation of free trade unions. Annual survey of violations of trade union rights – Pakistan (2001). International confederation of free trade unions, report for the WTO General Council Review of Trade – Pakistan (2001); International Labour Organization, Individual Observations of the Committee of Experts on the Application of Conventions and Recommendations – Pakistan (2001).
- xi. Jehn, A. K.; Greer, L., Levine, S. & Szulanski, G. 2008. The Effects of Conflict Types, Dimensions, and Emergent States on Group Outcomes. *Group Decis Negot* 17:465-495.
- xii. Khan, A. M.; Afzal, H.; & Rehman, K. 2009. Impact of Task Conflict on Employee's Performance of Financial Institutions. *European Journal of Scientific Research*. Vol. 27 No.4 (2009), pp 479-487.
- xiii. Katz, C. H., 1993. The Decentralization of Collective Bargaining: A Literature Review and Comparative Analysis. *Industrial and Labour Relations Review*, Vol. 47, No.1 by Cornell University.
- xiv. Lester R. A (1951). Book: *Labour & Industrial Relations, a General Analysis*, New York, Macmillan Co.,
- xv. Ghayur, S. & Suzuki, N. 2002. Making Globalization Inclusive of People: A Trade Union Perspective. *The Pakistan Development Review*. 41:4 Part 1, pp. 357 – 387.
- xvi. Ghayur, S. 2009. Evolution of Industrial Relations System in Pakistan, New Delhi, ILO SRO, India.
- xvii. Government of Pakistan, 2008. *Labour Force Survey 2007-08*, Islamabad, Pakistan.
- xviii. Shaheed, Z. 2007. *The Labour Movement in Pakistan*, Oxford University Press, Karachi, Pakistan.
- xix. Shafi, P. 2010, PALPA challenged imposition of Essential Service Act in Sindh High Court, main issue for pilots – not enough sleep & rest. *Eastern Worker*, Vol.50, No.5, pp.27.
- xx. Shafi, P. (2010), Labour Minister mediates between MLCF Cement factory administration and workers. *Eastern Worker*, Vol.50, No.4, July-August 2010, pp.27. Bureau of Labour Publications, Karachi, Pakistan.
- xxi. Shafi, P. (2010) Luck Cement Factory closed down after workers' protest. *Eastern Worker*, Vol.50, No.4, July-August 2010, pp.28. Bureau of Labour Publications, Karachi, Pakistan.
- xxii. Shafi, P. (2009) KESC-Union stand-off ends after MQM intervenes. *Eastern Worker*, Vol.49, No.6, November-December 2009, pp.29. Bureau of Labour Publications, Karachi, Pakistan.
- xxiii. Shafi, P. (2010), Trade Union's appeal to chief justice of Pakistan on non-application of labour laws. *Eastern Worker*, Vol.49, No.6, November-December 2009, pp.30. Bureau of Labour Publications, Karachi, Pakistan.

Questionnaire

ID Number: _____

Dear Sir / Madam,

We are conducting a research “Examine conflicts in industrial relations and collective bargaining context, and its impact on employee’s & organization’s performance – the case of Pakistan”.

Your precious time and valuable participation will be a great contribution towards the noble cause of knowledge creation. *The information provided by you regarding this study will remain highly Confidential.* In any written report or publication, no one will be identified; only aggregated data will be presented.

Regards
M. Asif – MS Scholar
University of Central Punjab, Lahore. E-mail: asifcomboh@hotmail.com. Mob: +92 300 443 2866

Industry / Sector: _____

- Gender: Male Female
- Age (Year): 21-30 31-40 41-50 51-60
- Experience (years): 1-5 6-10 11-15 16 and above
- Education Level: Under-Matric Matric Intermediated Bachelors Masters
- Job Level: Owner Management Employee Worker
- Have you experience to work in unionized environment? Yes No

The following statements concern your feelings. For each statements given below, please mark the extent of your agreement and disagreement by ticking (✓) the appropriate number.

Question	Strongly Disagree	Disagree	No Idea (Neutral)	Agree	Strongly Agree
<u>Poor Working Conditions</u>					
1. Company is maintaining working conditions as per relevant standards.	①	②	③	④	⑤
2. Working conditions have impact in routine operations.	①	②	③	④	⑤
3. Workers are facing problems of poor working conditions.	①	②	③	④	⑤
4. Poor working conditions could be a potential cause of industrial conflict.	①	②	③	④	⑤
5. Industrial conflict due to poor working conditions may cause for a Strike?	①	②	③	④	⑤
<u>Inequitable Gaps in Salaries and Benefits</u>					
1. Salaries of workers are equal to or more than minimum wage rates as declared by the Govt.	①	②	③	④	⑤

Question	Strongly Disagree	Disagree	No Idea (Neutral)	Agree	Strongly Agree
2. Majority of workers are satisfied with their current Salaries and benefits.	①	②	③	④	⑤
3. A huge gap in salaries and benefits, of Workers and Management cadre staff creates frustration at workplace.	①	②	③	④	⑤
4. Demand of increase in salaries & benefits, is the major dispute in between Employer and Labour Union.	①	②	③	④	⑤
5. Most of time, demand of increase in salaries and benefits caused for Strike/Lock-out	①	②	③	④	⑤

Inequitable Profit Sharing

1. Company offers a reasonable profit sharing scheme.	①	②	③	④	⑤
2. Company offer Profitability Bonus (10-C) as defined in Labour Laws.	①	②	③	④	⑤
3. Company offer Workers Profit Participant Fund (5%) as defined in Labour Laws.	①	②	③	④	⑤
4. Profit sharing scheme is implemented without any kind of discrimination.	①	②	③	④	⑤
5. Unfair profit sharing scheme can be a potential cause for industrial conflict.	①	②	③	④	⑤
6. Unfair profit sharing scheme could be a cause for Strike / Lock-out.	①	②	③	④	⑤

Retrenchment / Lay-offs

1. Permanent workers have a secured job.	①	②	③	④	⑤
2. Legal procedure of retrenchment of workers is followed (as defined in Labour Laws).	①	②	③	④	⑤
3. Retrenchment of permanent workers could be a potential cause of industrial conflict.	①	②	③	④	⑤

Non-compliance of applicable Labour Laws

1. Working Hours are reasonable.	①	②	③	④	⑤
2. Child Labour is discouraged.	①	②	③	④	⑤
3. Workers have freedom of association.	①	②	③	④	⑤
4. There is no discrimination on the basis of age, race, gender and religion.	①	②	③	④	⑤
5. All applicable Labour Laws are fully implemented (benefits are provided as defined in Labour Laws)	①	②	③	④	⑤

Question	Strongly Disagree	Disagree	No Idea (Neutral)	Agree	Strongly Agree
6. Non-compliance of applicable Labour Laws (regarding salaries as minimum wage rate, rate of overtime, gratuity/provident fund, bonus, WPPF, leaves entitlement, etc.) could be a potential cause of industrial conflict.	①	②	③	④	⑤

Unfair Labour Practice on the part of Employer

1. Management is involved in unfair labour practice against	①	②	③	④	⑤
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Workers / Labour Union.

2.	Unfair Labour practices on the part of employer could be a potential cause for industrial conflict.	①	②	③	④	⑤
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Unfair Labour Practice on the part of Workers / Labour Union

1.	Labour Union / Workers are involved in unfair labour practice against Employer.	①	②	③	④	⑤
2.	Unfair Labour practices on the part of Labour Union / Workers could be a potential cause for industrial conflict.	①	②	③	④	⑤

Charter of Demands by the Labour Union

1.	Labour Union has freedom to submit their charter of demand to employer for collective bargaining.	①	②	③	④	⑤
2.	Charter of Demands by the Labour Union could be a potential cause for industrial conflict.	①	②	③	④	⑤

Charter of Demands by Employer

1.	Management submits Charter of Demands to Labour Union for collective bargaining.	①	②	③	④	⑤
2.	Charter of Demands by the Employer could be a potential cause for industrial conflict.	①	②	③	④	⑤

Collective Bargaining – Bilateral Negotiation

1.	Employer prefers bilateral collective bargaining on Industrial Conflicts?	①	②	③	④	⑤
2.	Labour Union prefers bilateral collective bargaining on Industrial Conflicts?	①	②	③	④	⑤
3.	Parties involved in collective bargaining process use undue/illegal influence?	①	②	③	④	⑤
4.	With the help of collective bargaining a lot industrial conflicts can be resolved peacefully	①	②	③	④	⑤
5.	Collective Bargaining normally delayed due to high demands of Labour Union.	①	②	③	④	⑤
6.	Collective bargaining normally delayed due to stingy attitude of Employer	①	②	③	④	⑤

Question	Strongly Disagree	Disagree	No Idea (Neutral)	Agree	Strongly Agree
7. Bilateral Collective Bargaining is the best tool for resolution of industrial conflicts.	①	②	③	④	⑤

8. Failure of Bilateral Collective Bargaining could be potential cause for Strike/Lock-out.	①	②	③	④	⑤
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Collective Bargaining – through Conciliator

1. Employer prefers collective bargaining through Conciliator (Labour Department)	①	②	③	④	⑤
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2. Labour Union prefers collective bargaining through Conciliator (Labour Department)	①	②	③	④	⑤
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3. Most of time collective bargaining is resolved after involvement of Conciliator.	①	②	③	④	⑤
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Collective Bargaining – through Arbitration

1. Employer prefers collective bargaining through Arbitration.	①	②	③	④	⑤
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2. Labour Union prefers collective bargaining through Arbitration.	①	②	③	④	⑤
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3. Most of time collective bargaining is resolved at Arbitration level.	①	②	③	④	⑤
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Collective Bargaining – through Labour Courts

1. Employer prefers collective bargaining through Labour Court/Government.	①	②	③	④	⑤
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2. Labour Union prefers collective bargaining through Labour Court/Government.	①	②	③	④	⑤
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3. Most of time collective bargaining is resolved at Labour Court/Government level	①	②	③	④	⑤
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Workers' Performance

1. Poor working conditions create hurdles in routine productivity.	①	②	③	④	⑤
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2. Poor working conditions have negative affect on the performance of concerned Workers.	①	②	③	④	⑤
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3. Huge gap in salaries & benefits of Workers and Management cadre staff has negative impact on Workers' performance.	①	②	③	④	⑤
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4. Due to inequitable gaps in salaries & benefits of Workers and Management cadre staff, Workers became dissatisfaction.	①	②	③	④	⑤
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5. Unfair profit sharing scheme create stress.	①	②	③	④	⑤
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6. Unfair profit sharing scheme have negative impact on Workers' performance.	①	②	③	④	⑤
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Question	Strongly Disagree	Disagree	No Idea (Neutral)	Agree	Strongly Agree
7. Non-compliance of applicable Labour Laws e.g. EOBI, PESSI, WPPF, Leave entitlement, Gratuity, Profitability Bonus, etc.) have negative impact on Workers' performance.	①	②	③	④	⑤
8. Retrenchment of workers creates stress.	①	②	③	④	⑤
9. Retrenchment of workers has negative impact on the performance of other workers.	①	②	③	④	⑤
10. Charter of Demands submitted by Employer creates tension at workplace	①	②	③	④	⑤
11. Charter of Demands submitted by Employer bad impact on Workers' performance.	①	②	③	④	⑤
12. Lengthy and tensed collective process has negative impact on worker's performance	①	②	③	④	⑤
13. Failures of Collective Bargaining have negative impact on employee's performance.	①	②	③	④	⑤
Organization Performance					
1. Due to successful collective bargaining process the organization's performance remain smooth.	①	②	③	④	⑤
2. Unfair Labour Practice on part of Labour Union caused for low productivity at organization level.	①	②	③	④	⑤
3. Due to charter of demand (submitted by the labour union) pace of routine operations become slow.	①	②	③	④	⑤
4. Non-compliance of applicable labour laws has negative impact on organization's brand.	①	②	③	④	⑤
5. Industrial Conflicts have very bad impact on organization's performance.	①	②	③	④	⑤
6. Lengthy and delayed Collective Bargaining process disturbed the focus of management team.	①	②	③	④	⑤
7. Strike by Labour Union has negative impact on organization's productivity and profitability.	①	②	③	④	⑤
8. Lock-out by employer has negative impact on productivity and organization performance	①	②	③	④	⑤

Thank you very much for your valuable contribution and time.