Workplace voice and workplace dispute resolution: theory and some evidence

Andy Charlwood
York Management School
University of York
Key questions:

• Can we see an influence of workplace voice regimes on EDR processes and outcomes?
  – Do ‘other things’ that management do affect the workings of EDR?
  • Workplace voice: any form of 2-way communication between workers and management where management give workers some sort of say in work in return for information (Bryson, Gomez and Willman 2006)
  – Do different voice configurations result in different EDR processes and outcomes?
Theory

• NB. Theoretical perspectives on voice and EDR developed in the US, based on observation of US EDR processes
• US ‘fire at will’ employment laws mean workers have no re-course to the law for unfair dismissal
Theory – EDR & union voice

• 1. Union voice will result in better EDR processes and outcomes (Freeman and Medoff, 1984)
• ‘fairness’ of union grievance procedures reduces labour turnover
• Where formal non-union grievance procedures exist, they are rarely used, and don’t work well when they are used – employees fear reprisals for initiating a grievances/ don’t expect grievances to result in anything
Theory – EDR and non-union voice

• Non-union employee involvement results in better EDR processes and outcomes (Kochan, Katz and McKersie 1986)
  – Union workplaces have more grievances and a more adversarial EDR processes – grievance filing rises around contract renegotiations
  – Workplaces with employee involvement:
Theory – non-union voice 2

• Effect of voice on EDR depends on the form of employee involvement

• Team production model
  – Worker empowerment, self managed teams – less conflict, better EDR?

• Lean production model
  – Work intensification – increased labour-management conflict?
    • Applebaum and Batt (1994) and Colvin (2004)
Pulling all this together

• Union voice and EDR
  – More use of EDR procedures, in a more adversarial way?
  – Workers believe they are more fairly treated, so lower labour turnover
  – Less re-course to employment tribunals?

• Non-union voice and EDR
  – Less recourse to grievance procedures
  – More informal dispute resolution
  – Are workers disadvantaged by this?
    • Lower rates of satisfactory resolution (from workers perspective)
    • Higher labour turnover?
    • In UK context – higher recourse to Employment Tribunals?
Evidence

• In the UK, the rise of employment tribunal cases is partially accounted for by the decline of trade union membership (Burgess et al 2001)

• In English workplaces with effective union structures and high trust between union and management, trade union involvement in EDR improves fairness and facilitates informal resolution of grievances (Saundry et al 2011)
Evidence

• In Canada, unionisation + employee involvement results in lower grievance rates
• Greater use of ‘high involvement’ voice practices associated with lower grievance rates
• Effects of specific voice practices on grievance rates was specific to industry
• In the non-union sector, no clear relationship between voice and grievance rates
  – (Colvin 2004)
Evidence

- In Britain, among low wage, non-union workers in a survey which looked at formal and informal approaches to problems at work/dispute resolution:
  - Comparing responses from workers in workplaces with voice (62% of sample) cf those in workplaces without voice
    - Respondents in voice workplaces more likely to have taken a formal approach (grievance procedure or ET claim, although this was only a small percentage of the sample)
    - Voice workplaces more likely that problems were resolved and resolved fairly (although only 16% of problems were resolved satisfactorily)
    - Workers in ‘voice’ workplaces less likely to have quit, and this was independent of problem resolution
Discussion and conclusions

• A range of evidence suggests that voice is associated with better outcomes for firms and workers in both union and non-union settings
  – Although none of this evidence is definitive
• If we want to improve workplace dispute resolution (reducing use of formal procedures and employment tribunals, improving fair outcomes for workers, reducing labour turnover) we need to look wider than the specific rules and procedures for dealing with problems and grievances to consider workplace institutions and practices that promote trust and co-operation
• On the one hand, this is obvious, on the other this awareness seems to me to be missing from policy debates on EDR
References

• Freeman, R and Medoff, J (1984) What do Unions do?