

## Outline of research findings

### 1. Review of RB panelists reports

The findings from these reports are summarised under headings relevant to the RBI process before, during and after the exercise has taken place. The findings shall focus on the weaknesses as experienced by panelists. This will be followed by a short interpretation of the summary of weaknesses and the reports themselves.

#### RBO Weakness

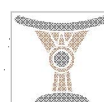
- Choice of mediators
- Venue problems
- Responsibility for costs
- No prior trust and understanding of the process before pre-RBI presentations
- Agreement on dates and times
- Availability of key leaders of both parties - work pressures
- No needs assessment checklist
- Cancellations

#### Pre-RBI

- Lack of trust in the process
- Even if delegates understand the process, it is difficult to clarify these issues to an illiterate work force
- Mandate
- No clarity on the extent of acceptance or rejection of RBO
- Conditions before accepting RBO by union

#### RBI Process

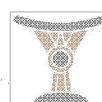
- Attitude of militant shop stewards in absence of senior leaders
- Uncertainty of the process
- Little needs analysis can make or break the process
- Deep seated differences, residue of years of dispute complicates the intervention
- Key members management outside of the process
- Long periods of time spent on management's proposals
- Feelings of disempowerment
- Opposition to mixed groups



- High expectations
- Little time to prepare with your partner you are working with for the first time
- Attitudes which impede decisions/consensus
- Opening of new matters
- No follow-up
- Resistance to implementation
- Change of management and union leadership
- No consistent monitoring of the implementation of action steps agreed upon
- Union bashing tactics by management
- Strikes and lockouts during the exercise
- Raising substantive issues during the RBO
- Strengths
- Structured process
- Problem solving
- Cathartic
- Initiative owned by all
- Immersion
- Formal and informal

The issues that are commonly raised in the RBI exercises

- Procedure
- Communication/information disclosure
- Absenteeism and time keeping
- Training
- Operational issues
- Promotion/recruitment
- Equal rights
- Worker participation
- Recognition of trade unions



These issues are not the only issues but from a study of these reports they stand out as the issues that are closest to the hearts and minds of both parties. In the RBO exercises that have been completed, committees were formed around the issues. However, most of them collapsed because of lack of a systematic monitoring system.

## **2. Overall assessment of the panelists reports**

The reports which have been written are inadequate in capturing the strengths and weaknesses. There is no consistent style of reporting as the table illustrates. There is consensus from the problems encountered that the RBI exercise is not understood, it is mistrusted and that there is not enough follow-up to guide the achievement of the action plans. A better long term RBI programme needs to be put in place to create long standing industrial peace.

The findings from these report will not be conclusive at this stage. The reason being that they still need to be tested against other findings from other methods applied. When these have been outlined it shall be clearer as how far they are valid, how serious they need to be taken, which areas in the RBI process need attention.

## **3. Mail surveys sent to users**

This section represents an overall summary of the different players, i.e. management, unions and panelists which shall be reflected under the respective group names. This section discusses the findings under the different questions asked to each one of the people who responded to the questionnaires.

### Question 1: How did you hear of IMSSA's RBO's?

The respondents all heard about the process from other people. Seven of the respondents were told by other people from other companies and unions. In one interesting instance a company chief executive officer heard about it from its union organisers. The rest heard about it by direct contact with IMSSA's panelists when they are going giving talks on issues like Appropriate Dispute Resolution or from the company's own industrial relations consultant.

There is an indication therefore that the RBO is known by people in the different corners of the industrial world. It is this been discussed, thought about and considered in some circles. As recently as the 21 to 24 October, a RBO was held outside Nelspruit between Revlon and SACWU. From information shared with one of the facilitators, there was one RBO held the previous week before the 21 October. IMSSA is increasingly being requested to facilitate RBO exercises.

If these findings are anything to go by, it goes without saying that the restructuring of the RBO process has come at a better time. The challenge is coming from IMSSA to offer a more coherent, long term process which shall win the confidence of the parties.

### Question 2: What were your reasons for contemplating a RBO?

There is a common reason stated which is an attempt to resolve major ongoing conflict between the management and union leaders and their worker members. The following is a much clearer summary of the reasons cited:

- Face to face discussions were becoming hard
- Third party intervention was becoming necessary to clarify common understandings and the origin of the dispute



- Unilateral decisions by management regarding disciplinary procedure
- A deteriorating relationship culminating in an increase in unresolved disputes and complaints
- Difficult IR climate on site
- To kick start our relationship building campaign
- Company agreed that it's IR strategy needed to change
- Hoping to build a more co-operative relationship
- To improve trust and co-operation.

It can be deduced from the latter reasons that there is growing awareness and need to build fractured relationships between management and unions. This awareness is a positive indication of an interest to move away from adversarial modes of relationships to more co-operative climate. The RBO is therefore going to play a major role in fortifying this development.

### Question 3: Were you involved in the pre-RBI stage and how?

There is a general feeling amongst the users that the pre-RBI is important and useful in clarifying the process, albeit, its weaknesses. The following comments illustrate the pros and cons of the pre-RBO.

- The format of the RBO was explained and what we could expect
- We were engaged in objectively identifying our problems and acknowledging the existence of a problem through a facilitator
- I don't know what is meant by the pre-RBO (Personnel Manager)
- None were held to my knowledge
- The presentation provided hope that we could reach out to each other
- The process may not necessarily be understood on the ground because it is too complicated.

The latter comments fortify the view that the pre-RBO stage is valuable and must therefore be retained. However there are "red light" indicating that there is a need to simplify the process so that when parties go back to their constituencies they will be able to sell the process and get an informal mandate from their constituencies. As Loet Douwes Dekker points out "Let's go back to the basics".

It is also clear from these findings that all respondents have been through the pre-RBO stage. Only one or two have indicated that they have never been through that stage. However, it is not clear whether the presentation never took place or whether the parties understood what the pre-RBO entailed. These perceptions should therefore be avoided by making sure that panelists understand the process steps.



#### Question 4: Was the pre-RBO valuable

There is consensus amongst the parties that it is a valuable stage of the RBO. The following comments may leave no doubt about the value of this process:

- Got people in the right frame of mind
- It was valuable but the union was convinced that management's agenda was "social contract" related and did not want to participate, the process therefore never got going
- Very valuable in getting commitment and identifying areas of unhappiness - most essential
- Valuable as it set the tune for the programme. In addition, it forced both management and the union to prepare for the programme
- Assisted to deal with unique situation
- IMSSA explained the process so that expectations are clarified, like "election promises". It is necessary to deal with that issue. It may suggest whether the process should be continued and helps to cleanse attitudes
- It was an opportunity to have input in conjunction with the other party in formatting an agenda.

There is unanimity regarding its delivery potential. This includes joint assessment of the issues at stake, clarification expectations and gearing the parties in the right frame of mind. However the challenge still remains of clearing the perception that it is a process favouring management's hidden agenda. These glaring gaps shall be discussed further when coming to the other research findings, recommendations of Loet Douwes Dekker, Bruce Robertson etc. By other research findings we refer to research findings from the Western Cape regional meetings with panelists and users.

#### Question 5: You were involved in the actual RBO process and how long did the process take?

The following responses were given:

- Yes, 4 days
- Yes, 3 days - was not completed within this period as the action planning was still outstanding. This part of the process took parties 6 months to complete between themselves at company level
- Yes, 2 days
- Yes, 2 days
- Yes, 1 day
- Two days initially and followed by a one day evaluation
- Three days
- Three days
- Two days



The above responses indicate that there are different adaptations and variations of the RBO exercise by parties and by IMSSA facilitators. They indicate attempts by IMSSA to overcome the shortcomings of the RBO and the rise of the new relationship building demands suiting the parties and the issues at stake.

These variations indicate that IMSSA and the parties are beginning to design alternatives to and variations on the RBO theme. These variations are proving cheaper, quicker, party owned and party driven, flexible, future oriented and more accommodating of multi-party relationships. Parties seem increasingly to be looking for assistance in building "co-determines process which deal less with traditional hostilities and more with "building tomorrow today". (Felicity Steadman - Article on RBO).

Question 6: Please describe the RBI process used

The following descriptions were outlined:

- 2 days- Sessions of shop stewards, supervisors and management who pointed out problem areas and then jointly found solutions.
- 6 months- Management and union groups each listed what they expected from the other group, what they are prepared to give, then in mixed groups delegates discussed action plans for solving problems and improving the relationship.

We went through the process of (i) identifying problems, consideration of both parties and how they would both assist each other addressing their own problems and those of the other party and actual action planning and implementation.

From these responses an earlier observation that parties were increasingly owning the process and making it less costly. This further fortifies the need to creatively design variations based on the RBO theme. There is therefore no need to stick to the usual 4 day period but as long as the process steps remain in place.

Question 7: What were your expectations of the process

The following interesting list of expectations were given:

- Success
- High hopes
- That the relationship problems would be resolved once and for all and would never manifest, that we would have better communication between the union and management
- To develop a mutually productive relationship with the union, to improve collective relationship, to remedy existing conflict
- To help smooth relationships
- I hoped for an improved constructive relationship with our shop stewards
- To get the relationship building process accepted by the unionised worker group
- Mutual trust and co-operation





It is interesting to note that parties are seeing the value of a good industrial relations climate. There is a common, shared ambition of creating trust, co-operation and communication. Some of the expectations were obviously too high to be met within the RBO itself, e.g. "that the relationship problems would be solved once and for all and would never manifest". The RBO certainly cannot guarantee this but it is yet another challenge to improve the RBO for a long term impact on the nature of the relationship between the parties.

Question 8: Were your expectations met/not

The responses to this question provide a resourceful insight into the RBO strengths and they are:

- Yes, a lot must be done at branch level still.
- No
- The programme was excellent, however the workers remain suspicious and have rejected the use of task groups to meet the agreed objectives. The workers do not support the programme.
- Yes, the mediation process allowed us to "come clean" on the problems we were having with the union in a constructive manner.
- No
- Yes
- Expectations were not really met, recently a plant was closed and agreed issues were never implemented. My expectations were only met for a short period. The result of this is that parties not being fully committed to agreements reached at the RBO. The parties either undermine each other on such agreements. We built the foundation to meet the expectations and continue to hold RBO committee meetings.

A close examination of these responses indicate that the success of the expectations is short lived. Therefore the process has a good potential, however, it lacks a systematic process by which delivery/implementation is achievable without the suspicion that is reigning at the moment.

Question 9: Comment on the outcome/results of the RBI?

These are the views of the users on this question:

- Action plans were developed and are still ongoing.
- The results were positive for a limited period only.
- Very little.
- Yes, the mediation process allowed us to "come clean" on the problems we were having with the union in a constructive manner.
- We managed to agree on objectives but the workers do not support the programme.
- We are still trying the union representatives to clarify the extent of acceptance or rejection by the bargaining with of the relationship building process.



These responses say one thing in clear terms. That there is a need for IMSSA to design a long term process to help in propelling implementation or guiding the process. This is important because parties tend to have more confidence in neutral third parties overseeing the committees.

Question 10: What caused these problems?

- Uncertainty - not familiar with the expectations of different parties.
- Poor union leadership.
- Rejection by workers of the programme because they do not understand it. Unfortunately we have an illiterate work force who due to historical factors are suspicious.
- No follow-up.
- Ignorance of management to workers problems, racist attitude of manager.
- Misunderstanding of the roles of union and management and thereby mutual distrust remains.

It cannot be gain said that uncertainty, illiteracy and suspicion attitude problems create a stumbling block. The observation that the RBO is a powerful IR tool which can be used to establish a long term relationship is fortified by the responses of the users. However the bigger question is how do we adapt the RBO or counteract other systems of dispute resolution so that problems raised are settled automatically. These and some questions will be answered towards the end of this project when recommendations are discussed.

Question 11: Please comment on the role played by the mediators during the exercise

These comments came forth:

- They were excellent - conciliatory.
- The mediators assisted the parties in an advisory manner to acknowledge their differences and jointly find means of addressing the problems.
- Well qualified and suitable for the job.
- They helped to bring the two parties together by acting as independent unbiased facilitators.
- They were keeping the process on the right track.

So far, at lease in these responses the facilitators have come out unscathed. There is consensus that IMSSA facilitators have projected themselves well by remaining neutral and unattached and thereby giving good assistance to the parties. This is the image, standard and professionalism that should be maintained. However the question of revisiting the present system of acceptance in the panel, the training in process design etc may be part of a wider discussion on the role of mediators. These provocative questions will manifest in later findings as I alluded earlier.





Question 12: Has IMSSA followed up the RBI with parties by way of meetings

- Telephonically and that's the last time we talked.
- Yes, but there are still problems.
- No
- No, even though there was one meeting at the company premises, so far nothing tangible has come out of it.
- Yes, on two occasions it helped "to steer the ship forward".
- No
- No

The responses speak for themselves. The central issue following from other questions, is that there has not been sufficient systematic follow-up sessions. This gap therefore allows for the collapse of the committees agreed upon. This gap may relegate the RBO to another event. IMSSA therefore requires prompt action in this area. A few ideas have been mooted on this issue, however at this stage it is adequate to have summed up what the problem areas are.

Question 13: Do you think the process was successful?

The following comments warrant mentioning:

- Yes
- There is lack of re-enforcement on review but it has been temporarily successful.
- No, it could have been if followed up.
- Was successful because both parties were constructive at the future, and established some common ground.
- Too early to tell.

There is a consistent mention of lack of follow-up/review of the process. Even where the parties thought it was successful, they exercised caution until the results were felt and seen.

Question 14: What changes have you noticed since the RBO

These observations were cited:

- Mutual respect/trust procedures drawn up and adhered to.
- The relationship remains the same. This is influenced amongst others by the fact that the work place consists of multi-union membership. The exercise was with one union only.
- Sound relationships restored.
- We had a two year period of relative industrial peace, discipline on shop floor improved. Grievances were promptly addressed by the union. Better co-operation between shop stewards and line management (Nettex).



- Improved in some areas and no change in others.
- Our relationship with our shop stewards has improved, however there has been little change in the work place/shop floor.
- None
- Frankness.

Relatively speaking, parties did notice change in their relationship patterns. This could have been to a limited scale, and time period. The learning from these responses is that a multi-union company may have problems when it comes to implementation of agreed objectives. Perhaps an observation attached to this may be the role that needs assessment need to play. What can also impart on the success of the RBO is the issue of supervisors and management sitting together as a team, thus the supervisors may feel intimidated to state their views. The latter has been observed in a recent RBO facilitated by Mr Charles Nupen and Mr Dunstan Mlambo.

#### Question 15: In retrospect what were the shortcomings of the process?

This insight is invaluable:

- Process none, time ran out on last day.
- Lack of commitment from both parties, lack of clarity and clear objectives, element of trust-management is confirmed only to agreements, planning company's interests above workers.
- Lack of review.
- All parties, namely unions, should have been involved, other parties cannot be expected to fall in line.
- No follow-up.
- Nobody accepted responsibility to "drive" the process, no schedule of meetings to evaluate the process and no common values and goals were developed by the parties.
- Language barriers, long hours per day, quick solutions expected.
- Little support from the workers limited understanding of the process.
- The process can be blamed for poor union leadership.
- Too short - teams did not know their strengths and weaknesses.

Most, if not all of the above issues have been raised before. Perhaps it is important to note the issue of language barriers, commitment of parties and lack of anyone taking responsibility to drive the process. These are very important observations and they need to be discussed.

#### Question 16: Recommendations

This question is very valuable in that you solicit a contribution from the parties. This empowers IMSSA as an organisation to know what its users know about its services, their interests etc. These recommendations have emerged from the questionnaires:

