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1. Explain the concept of employment relations and what is meant by the term 'the indeterminate nature of employment relations'. Define and compare unitarist and pluralist approaches to employment relations.

'Employee relations' is the term used to describe the relationship between the employer and its employees, both collectively and individually. Employee relations used to be known as 'industrial relations' but has since developed to also acknowledge the individual relationship as well as the collective relationship. The idea is that an employer should have, and maintain a good relationship with its employees to maximise its effectiveness; although there are many contributing factors to how this is done. These relationships are complicated and internal work factors as well as external personal factors contribute to how effective this relationship is, including the duration of this relationship (CIPD, 2018).

There are two types of definitions of employee relations; regulatory focused and relationship-based. Regulatory focused means to establish rules, regulations and agreements between the employer and employee to form the relationship. Internal documents and policies such as the employee handbook regulate the relationship as well as external regulations derived from employment law; this is known as the traditional definition of employee relations. The relationship-based approach revolves around having a trust based relationship between line managers and employees throughout their employment (Taylor and Woodhams, 2016).

Colling and Terry (2010), state that the contract for labour relies on the individual's ability and capacity to carry out that labour in return for money from their employer as opposed to the employer receiving goods or services for paying that money. Value for money is varied as some employees are more willing than others when it comes to carrying out the work. Employees and employers have different agendas when it comes to work; employees want and need to support their families and livelihood whilst the employer wants to maximise their profits and can often easily replace unwilling workers. Generally the employer is seen to be more powerful in this relationship and can dictate to the employee who consents during the working day.

Employers will want to turn this labour into a positive contribution for the organization by having employees who are engaged in their work. This will mean that the employer has maximum efficiency from engaged employees, and in turn will hopefully make the employer more money and more successful. When the employer goes from focusing on collective employee goals to individual goals, they form a better relationship with those individual employees however; employers should recognize the links between conflict and commitment as a collective group as well (CIPD, 2018).

There are two ways that a manager may view the employee relationship; unitarist perspective or pluralist perspective. The unitarist approach is where the employees and workers are seen as a united team who all work towards the same goals directed by their manager. It is seen as an ideal way of working as the team work in harmony with little or no conflict (Taylor and Woodhams, 2016). The unitarist approach views employees as one big family and that conflict is abnormal; this approach invokes and expects loyalty from the employees (Difference between unitarism and pluralism, 2011). However, in the journal by Ross and Bamber (2009), they state that a unitarist approach also views any allegiance to an outside organization or union (second job or trade union member), as detracting from their commitment from their employer. A unitarist manager may view trade unions as an unnecessary burden that clashes with the 'natural order' of the organization.

The pluralist approach is seen to have more conflict between the managers and employees as it assumes that whilst some of their interests are the same, that both have different interests and agendas when it comes to work. Pluralist managers will want to maximise profit

whilst employees will want to develop skills and earn a decent wage to support their families. Due to the difference in agendas, there is more likely to be conflict which will be managed through disciplinary and grievance procedures to sustain the employee relationship. It assumes that conflict is an inevitable feature of employee relations (Taylor and Woodhams, 2016). Pluralism views the organization as being made up of sub-groups who have their own interests; it also give ample opportunity for employees to voice their opinions and welcomes conflict. This approach does not instill loyalty in its employees and does not expect it (Difference between unitarism and pluarlism, 2011). Whilst this approach is less ideal, there is a key role for trade unions that have bargaining powers and influence on decisions made about employees and workers. This helped to maintain the relationship between the employer and employees, as employees didn't have much influence or choice alone (Ross and Bamber, 2009).

2. Explain the roles and typical approaches taken by the key parties in employment relations: trade unions, management, government and its employment relations agencies (such as ACAS).

The main purpose of trade unions is to pursue fairness, justice, equality and democracy for their members in employment. The trade unions are independent of the government and employers but work with other parties to regulate employee relationships. Their highest membership levels were 12.6million members in 1980 which is where they would have been most influential, but their numbers have been on the decline since with only 6.4million members in 2014 (Taylor and Woodhams, 2016).

Trade unions formed in the early 18th centaury (though not legal at this time) as employers had full control over workers pay, working conditions and (lack of) safety standards. Workers joined together to form unions in an attempt to negotiate better pay and working conditions, often using strikes to get their employers to listen to their demands. Trade unions were a fundamental part of a move towards socialism and had political power, so in 1799 and 1800 the Combinations Acts banned trade unions and collective bargaining. This failed to stop trade unions and workers joined organizations which were hiding their true purpose as unions. In 1832 six agricultural workers were sentenced to transportation to Australia for forming a union to bargain for better pay and protest automation; this lead to mass protests which eventually lead to a pardon. Events such as this lead to a Royal Commission deciding that employers could have an advantage in collective bargaining, as well as employees (Political Beliefs, 2016). Trade unions were first legalised in 1871 and were given a number of legal rights and capabilities to conduct itself as if it were "body corporate" by TULR(C)A (Trade Union and Labour Relations (Consolidation) Act 1992). Their rights and capabilities don't apply to other associations and to take full advantage of these rights, a trade union must be independent (Chronias, n.d.).

There are three types of front line managers; the "Policy Enactor", "Organizational Leader" and the "Employee Coach". The Policy Enactor rigidly sticks to HR policies and can come across as dominant with a lack human support. Whilst this approach isn't always liked by employees, the manager utilizes the HR policies to manage staff and for clarity as to why the policy is applicable to them.

The Organizational leader will pick and choose which HR policies to stick to and how rigidly they stick to them; the employees view their managers' behavior as being a good leader. This manager will use certain HR policies to their advantage and may go above and beyond in particular policies or avoid them completely. If a policy risks the relationship between them and an employee, they may attempt to deflect the responsibility on the wider organization in an attempt to avoid being disliked (for disciplining an employee for example).

Finally, the Employee Coach is a manager who is more informal and interacts with employees on an individual basis. They are liked by their employees and viewed as having genuine care in the development and success of the individual. The manager will adapt policies to individuals in an attempt to develop them, relying on their own skills at coaching. Any disciplinary action for the employee will be seen as a failure of their own management skills by the manager.

Front line manager styles can impact on the employees' relationship with work and how loyal or disloyal they are to the organization and their manager (Kilroy and Dundon, 2015).

The UK government has a considerable effect on the management of employee relationships through its role as a public sector employer, as a legislator and through agencies. The government has the ability to influence policies and practice through the terms of its employee relationships and was initially viewed as being a model employer. The government was seen to demonstrate good practice in employee relations and that it provided secure, well paid jobs with good benefits. In 1979 the conservative government amended a lot of policies and practices which had a negative impact on employees. In 1997 labour entered government and adopted a European dimension to its employee policies and implemented European law. European law for employees is associated with being a strong welfare state and having legislation relating to working hours, the National Minimum Wage and parental leave.

The UK government has the ability to influence employee relationships through agencies such as ACAS and EHRC. In 2014 the government introduced a requirement for all employment tribunal claims to be lodged with ACAS before being progressed, in an attempt to resolve issues informally. As the government fund ACAS, this seems a reasonable solution and good use of their funding. The EHRC (Equality and Human Rights Commission) aims to enforce discrimination legalization and promote equal opportunities in society. Due to the impact of discrimination on the employee relationship the Coalition government made a commitment to eradicate discrimination from workplaces in 2010.

2. Explain different models of employee representation, clarifying terms such as employee involvement; participation; partnership; information and consultation.

To influence the action of managers and raise concerns, employees have formed employee involvement and employee participation as a means to express this. Traditionally employees used trade unions to voice any concerns as this was seen as the only way their concerns had any weight or would be listened to. Since the decline of trade union memberships and having more communication between managers and employees, employee participation and involvement have emerged (Taylor and Woodhams, 2016).

'Employee participation' is when employees are involved in organizational decision-making through an elected representative. This is often through employee forums or committees and has become more common in work places.

'Employee involvement' is where the employees directly communicate to management regarding new practices and policies. The benefit is that management can gain ideas and co-operation from employees. Employees can be more hands on with the decision making and offer ideas on how to overcome issues and problems that may arise. Since 2005 the use of employee voice has been mandatory for employers; the Information and Consultation of Employees (ICE) Regulations provided employees with the legal right to be informed and consulted with regarding various work matters.

Employee voice practices have benefits for both employees and employers as employees' skills can be better utilized; employees have a sense of value; the organization gains a good reputation; and the conflict between managers and employees is reduced. The benefits for employees is that they have more influence over their work; they have job satisfaction; opportunities to develop; and job security for making their employers more successful as a result.

'Employee partnership' uses an employee representative to co-operate with managers (instead of employees directly communicating with managers) on tackling issues in the work place, as opposed to an adversarial relationship with the managers. Both employees and managers are committed to use information sharing in order to do this (CIPD, 2018).

'Employee information' is where the employer provides information systematically to employees on matters that concern them. This can be done through employee forums and committees or through closed social media groups and email.

'Employee consultation' is where the employer consults with its employees regarding any changes to practices or procedures. The employer should actively take account of the views of its employees before making any decisions. When employees know their duties, obligations and rights they will be able to work to their best ability as they know that they have opportunity to discuss any issues with their employer (Advisory booklet - Employee communications and consultation | Acas, 2014).

Some employee voice forms are direct where the employee directly speaks to the manager regarding issues however, not all employees wish to do this, especially if the employee thinks that the consequence of raising concerns outweighs the concern itself. As a result employees form a group such as a committee or forum and elect a representative who speaks to management; it is perceived to have more impact as a group and less likely to impact on one person stating a concern. An example of direct communication with management is 'employee involvement'; an example of indirect or through a representative is 'employee participation'.

Giving employees a stage to voice their opinions on their work not only improves their perception of their employer (when they are listened to), but also adds to the organizations success. If the organization is known for listening to its employees and involving them in its decision making, they are more likely to attract people that want to work in that organization and that they want to employ. The two main purposes for employee voice is that it allows the organization to become more innovative and use suggestions from employees which promotes the organization; and that whilst it is a basic right for employees to voice their opinion and concerns, they are also involved in the decision-making (CIPD, 2018).

Taylor and Woodhams (2016), argue that some voice practices are more important than others and are concerned with a broader range of issues than others, which enables employees to be more influential in decision-making. They view practices that provide information to employees as being inadequate and vague, limiting opportunities for employees to realistically influence organization decision-making.

Different employee voice practices may have different outcomes and have varying levels of influence and ability to contribute to decision-making. Whilst employee voice is

essential and important for employees and their organizations, there are advantages and disadvantages to the different forms of employee voice.

4. Explain different types of individual and collective conflict behavior and some of the evolving approaches that can be used to manage these. Your response should include and distinguish between: Conflict and misbehavior; official and unofficial industrial action; third party conciliation, mediation and arbitration.

Conflict can come from a group of people or individuals and is the discontent that appears from a perceived clash of interests between the employer and employees. Conflict is usually seen as inevitable from a pluralist management point of view but as an exception from unitarist managers. Conflict can come in different forms such as an organized strike, protest or overtime bans; however, there are also unorganized types of conflict such as theft, sabotage and absence. Organized conflict often occurs on a collective basis and is where it has been made official by being organized by a trade union which is lawful under TULRCA framework. Unofficial organized conflict is where it hasn't been arranged or approved by a trade union. These types of conflict often lasts less time and it can still be conducted in the same way as an official organized conflict such as a strike. Sometimes this type of unofficial conflict is known as 'misbehavior' and can also be demonstrated by sabotage or damaging property of the organization as an expression of their discontent (Taylor and Woodhams, 2016).

Industrial action is a term used to describe actions of employees to put pressure on their employer; it covers a broad range of actions including strikes, protests and work-to-rule. For example, for a strike to be official the trade union must organize a legal ballot. Employers need to be given two weeks' notice of this and be informed of the result as soon as possible. Employees taking part in official industrial action have a statutory protection from unfair dismissal; those who take part in unofficial industrial action do not and can be dismissed (CIPD, 2018).

Most disciplinary and grievance issues are resolved within organizations and don't go any further however, if a dispute cannot be resolved internally organizations can seek advice from a third party, usually ACAS. ACAS (Advisory, Conciliation and Arbitration Service) use techniques such as arbitration, mediation and conciliation to assist organizations in resolving disputes with employees or ex employees (Taylor and Woodhams, 2016).

Resolving a dispute using arbitration is where an independent person known as an 'arbitrator' evaluates the issues; these issues are usually for unfair dismissal or flexible working. Before the arbitration starts, both sides must agree to accept the arbitrators' decision. Once the arbitrator has seen all evidence and heard both versions of the issue they will make a binding decision. The benefit of arbitration is that it's free, voluntary, and confidential and brings the dispute to an end with a binding decision (ACAS, 2014). Conciliation seeks to resolve the issue by getting both parties to come to a mutual decision if a dispute has resulted in or is likely to result in a claim to an employment tribunal. The conciliator makes recommendations for both sides instead of making a binding decision.

Mediation is where the dispute hasn't resulted in a tribunal claim and is often related to a breakdown in relationship rather than the result of disciplinary action, but is essentially the same as conciliation. The mediator often meets with both parties individually to discuss the dispute followed by a joint meeting to come to an agreement. Mediation is the more commonly appropriate form of conflict resolution for this type of dispute as it brings both sides together to come to a mutual agreement.

Due to employees having different interests to their employer regarding their work, conflict is common and varied. In some contemporary organizations, conflict is demonstrated in forms such as grievances and employment tribunal claims rather than collective conflict forms such as strike or demonstration. As employers are being encouraged to resolve conflict more informally there are less claims reaching tribunals however, this does not necessarily mean there is less conflict but that there may be implications for approaches to resolving conflict (Taylor and Woodhams, 2016).

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