

Qualification: CIPD Diploma in Applied Human Resources

Module Name: Employment Relations

Word Count: 2,702

Student Name: Elinor Beynon

Student Number: 2016038

CIPD Membership Number: 57493068

By signing below, I confirm that the work/evidence presented is my own, unaided work. I understand the regulations pertaining to candidate malpractice and the action that may be taken as a result.

Signed: 

Date: 7th January 2022

1.1 Explain what is meant by the indeterminate nature of employment relations.

The nature of employment relations is difficult to define but there are two approaches to defining it. Gennard and Judge give an example of defining employment relations in a regulatory-focused way. By establishing rules, regulations and agreements, employment relations can be regulated. These can be found in policies and staff handbooks. Pay is an example of a regulation agreed between managers and trade unions, and flexible working is an example of regulation between managers and employees. Outside sources can also regulate employee relationships. The Equality Act 2010 is an example of how the law regulates employee relationships (Ellis, 2016, p. 100).

The other approach focuses on individual relationships rather than the collective. Line managers need to form strong relationships with their employees that are based on trust (CIPD, 2021). The employer and employee relationships cover the whole of the employee cycle. The problem with this approach is that it does not factor in external influences that impact employee relations as it only focuses on individual relationships between the employer and employee (Ellis, 2016, p. 100).

Employee relations is managing the relationship between employers and employees effectively with the opportunities and constraints present in the organisational context (Ellis, 2016, p. 100). The way we work is constantly changing and this affects employee relations. An example of how organisational contexts have changed include manufacturing employment has declined and service employment has risen since the middle of the 19th century. Other examples include advances in technology, increased globalisation, an ageing workforce, an increase in women in the workplace, a decline in union memberships and an increase in qualified workers. There has also been an increase in other options such as part-time working and flexible working, and there are many people who work from home (CIPD, 2013a).

The fourth industrial revolution will have a big impact on employee relations as changes will be happening faster than ever before. Technology advancements have made it possible for almost anyone to produce new products for low costs and at high speed. Issues that can arise from this will be inequalities, unemployment and low productivity so it is important to focus on having good employee relations (World Economic Forum, 2015).

CIPD (2013a) predict future trends such as slower job turnover, pay rises declining, workers no longer trusting their organisation and harder working. Therefore, it is important for HR to keep employees engaged and motivated throughout these changes which can be achieved with good employee relations.

The first force that forms an employment relationship is indeterminacy where instead of money being exchanged for a product or service, which is common for production contracts, the capacity to provide something desired by the purchaser. To get the most value out of this arrangement, employers must be ensured that the worker is willing and able to perform it. The worker only works during the working day and the standards of their performance are realised during the production process.

The employment relationship being unequal is the second force. This is where workers must work to provide for themselves and their families and do not have much choice in their employer. On the other hand, employers are able to replace workers easily with other people or technology. Workers must obey their employers and are controlled by them during their work times. This only varies in situations such as high unemployment makes it easier for employers to find other workers and if a lot of training has gone into one worker it would not be in the employers best interest to replace them.

The final force that makes up employee relations is that it is dynamic. Both cooperation and conflict coexisting drives it forward in varying degrees (Colling and Terry, 2010, pp. 7-8)

1.2 Compare unitarist and pluralist approaches to employment relations.

The unitarist approach is where the organisation is united as a team where employees and employers all work together to serve a mutual goal, as employees are loyal to the organisation (Transite, 2017). The employee relationship is harmonistic and there is a team ethic (Ellis, 2016, p. 101).

The pluralist approach is where the employer and employees have both shared and different interests for the employee relationship. An example is an organisation looking to increase profits and an employee looking to increase their income and develop their career. Because of these differences, conflicts emerge which need to be managed as necessary (grievance procedures and disciplinaries). Therefore, the unitarist and pluralist approaches differ as conflict does not occur in the unitarist approach and complete loyalty to the organisation is not present in the pluralist approach (Ellis, 2016, p. 101).

2.1 Explain the purpose and key developments of the trade union movement.

Trade Unions are organisations that are independent of management and the government but work with them to help regulate employee relationships. They are made up of workers who help regulate the relations between workers and employers. They pursue democracy in the workplace by representing the interests of their members. Trade Unions can work for individuals but they believe they have more influence over management in numbers.

Trade Unions emerged as a way to re-balance the power between workers and employers. They help employees in terms of their salaries but also with working conditions and working time. They negotiate with management and then consult the member of the trade union before accepting/rejecting a deal.

Although trade unions are there to have a positive influence over employee relationships, membership has been decreasing over the years. In 1979 trade unions had a strong influence on employee relationships and membership was at its highest but membership has been declining since then. Rose (2008) argues the first reason for the decline is that HRM policies promote individualisation of employee relationships which is the opposite to the collectivism of trade unions. Secondly, as unemployment rises, trade union memberships fall. Thirdly, legislation has taken away the influence trade unions have, therefore, people are less likely to join if they do not think they can help. Finally, the compositions of workforces have changed since the time where trade unions were at their peak. We no longer have jobs such as coal mining and shipbuilding, and there is a far more diverse workgroup, such as part-time workers and females who do not make up the core membership of trade unions, which are dominated by full-time male employees.

As well as these reasons, trade unions have other trends they need to change to keep their membership levels up. The globalisation of the workforce calls for trade unions to be less UK-centric. They need to use tools such as social media to attract and recruit younger people, and people of a more diverse background. Trade Unions are still dominant in the public sector, however, so their influence should not be dismissed (Ellis, 2016, pp. 105-106).

2.2 Compare different management approaches to employment relations.

Management plays a key role in employee relations and the style of management adopted determines the effective outcome of employee relations. The force of management has become the greatest for employee relations since the 1980s according to Sisson (2010) which implies that it holds more power than the government and trade unions role in employee relations (Ellis, 2016, p. 103).

Kilroy and Dundon (2015) identify one type of management style as an organisational leader. This is where the manager relies on their employee relationships and follows HR policies that support this. They will go above and beyond HR policies for the good of their employee relationships. They select the best ways to maintain an overall good group relationship (Kilroy and Dundon, 2015, p. 413). Marquet (2013) explains the management style of leader-leader as opposed to leader-follower. If leaders encourage those below them to become leaders themselves and empower them to do so, this allows employees to give their best to the organisation. The leader-follower approach is more controlling but with the shift from the industrial age to the knowledge worker age, it is best to allow workers to think for themselves which the leader-leader approach does (Wind4Change, 2021)

Another type of management style identified is called Policy Enactor. This is where managers rely on the company hierarchy and policies to manage their staff (Kilroy and Dundon, 2015, p. 413). Some companies are moving away from this style, instead opting for a more trusting style of management. For example, Netflix gives its staff the freedom and independence to make their own decisions without producing policies to stop them. This has led to them making better decisions and being held accountable for their own outcomes. This has had positive effects such as staff reporting an increase in happiness, an increase in motivation and more flexibility to deal with change (Hastings and Meyer, 2020).

The final management style is Employee Coach where managers operate in a tailored way to meet each employee's individual, personal needs. They use HR policies to advance the development of the employees' competence, as best suited to each individual employee (Kilroy and Dundon, 2015, p. 413). Halliday (2021) explains how team literacy where a more collaborative way of running an organisation is adopted and is needed for the future success of organisations. Halliday (2021) also explains how team coaching is also necessary for the future success of modern organisations. Sharing knowledge, diverse thinking and general team problem solving are all essential skills to deal with the complex and uncertain modern world.

2.3 Explain the role of the UK and EU governments, and the principal employment relations agencies of the state, in managing employment relations.

As its role as legislator and employer, the government has a direct impact on employee relationships. Given the size of the public sector in the UK, the government is a major employer. In the past, the government was seen as being a model employer through its influence on its policies and practices. The public sector was seen as having better benefits such as high job security, pension schemes and pay levels when directly compared to the private sector. There was also collective of employee relationships which meant that trade unions played a key role. However, this has changed in modern times with the likes of the Conservative government looking to increase profits and ensure the public sector be run in the most efficient manner. The public sector is no longer associated with having a job for life, market rates are considered when deciding pay, changes to the pension schemes and the introduction of performance management and pay related to performance as practised in the private sector.

Job cuts and pay freezes have both been used to save costs, both having been strongly resisted by employees and trade unions. From these changes, the government have been seen to have an overall negative effect on employee relations, rather than a positive effect.

The government has a direct role in employee relations through its role as a legislator. It decides upon and implements laws from both the UK Parliament and the European Union. When Labour took over the government in 1997, they signed up to the Social Chapter of the Maastricht Treaty which meant that EU dimensions were introduced to the UK policies and procedures. This led to management and trade unions having to co-operate as stated in policies and procedures. Evidence of this can also be seen from working hours, parental leave and the National Minimum Wage. Therefore, the EU law has a direct, significant impact on UK employee relationships.

By using its agencies, the government can have an indirect influence on employee relations (Ellis, 2016, p. 107)) For example, ACAS is funded by the government but works independently who believes better employment relations improve the working life and organisations (CIPD, 2013b, p. 4). ACAS achieves this by assisting with dispute resolution. The government stated in 2014 that all Employment Tribunal claims to need to be lodged with Acas first, as a way to informally resolve disputes. This shows how the government affects the employee relations processes in an indirect way through the means of their agents (Ellis, 2016, p. 107).

3.1 Explain the differences between employee involvement, participation, partnership, information and consultation.

Employee voice is used to express the concerns of employees and as a way to influence management. Employee participation is where employees get a say in organisational decision making through a representative. Participation is not direct from employees to managers. Examples include joint consultations, employee forums and partnership practices (Ellis, 2016, p. 115). Employees get an actual say in the decision-making process across all levels of the organisation (Gennard et al, 2016, p. 198). John Lewis is an example of an organisation that has a partnership scheme where employees have the opportunity to show their potential and commitment (John Lewis & Partners, 2022). Benefits of this include attracting and retaining talent, being more sustainable, a shared commitment to the organisations' success and being more innovative due to the sharing of information (Employee Ownership Association, 2017). An example of collective representation from non-union representatives is the social activism conducted by employees at Wayfair. They staged a walkout when they found out the company was selling furniture to a contractor running detention centres on the US-Mexico border. They spread awareness using social media which led to many people boycotting the company (Faragher, 2019).

Employee involvement is where instead of managers controlling their employees, they ask for their opinions during the decision-making process. Individual employees are given the chance to share their ideas about decisions for the benefit of the organisation (Gennard et al, 2016, p. 198). Practices include communications via email, company newsletters, management briefings, suggestions schemes and problem-solving groups (Ellis, 2016, p. 115). In contrast to employee participation, employee involvement is not about management and employees sharing power as managers ultimately have the final decision (Gennard et al, 2016, p. 198).

The Workplace Employee Relations Survey (2004) found that entire workforces meet or team briefings occur 91% for companies who have ten employees or more and all employees receive a newsletter regularly for 45% of companies. They also found that joint consultation committees are

more prominent in larger workplaces. Only 14% of workplaces have joint consultative committees but this covers 42% of UK employees (Gifford, Neathey and Loukas, 2005, pp. 14-16).

4.1 Distinguish between conflict and misbehaviour, and between official and unofficial industrial action.

Conflicts can arise from individuals or groups and can be expressed through a range of expressions. They occur when there are clashes of interest (Ellis, 2016, p. 116). There has been a decline in organised industrial action but unorganised conflict is a part of organisations still (CIPD, 2021).

Examples of organised conflict include strikes, protests and work-to-rule. These are usually organised through trade unions which makes them official (Ellis, 2016, p. 116). An example of an organised conflict is the BA Strikes (BBC, 2019).

However, strikes can be unofficial if not organised via trade unions. An example of this is when Sports Direct employees went on strike due to 'Victorian Workhouse Conditions' (BBC, 2016). Other examples of unofficial industrial action include sabotage, theft and absence. An Amazon worker set fire to the warehouse after he claimed he was 'disrespected'. They were sentenced to 48 months in jail (BBC, 2018).

4.2 Distinguish between third party conciliation, mediation and arbitration.

Independent organisations such as Acas can be used by organisations to help resolve conflicts when they cannot be resolved internally. Arbitration can be used to resolve conflicts relating to flexible working and unfair dismissal where the arbitrator evaluates the situation and makes a binding decision.

Conciliation looks for a mutually acceptable resolution to a conflict that has resulted or led to an employment tribunal claim.

Mediation is similar to conciliation apart from the dispute has not led to an employment tribunal claim. Mediations aim to bring the two sides together and meet in the middle to form an agreement to resolve the conflict. This type of conflict resolution is the most encouraged and is popular to use. However, it is best used to conflicts relating to breaking down of relationships and it cannot be used for conflicts around breaching disciplinary rules. Therefore, mediation has its limits and is not universal (Ellis, 2016, p. 118).

References

Chartered Institute of Personnel and Development (2013a) *CIPD Megatrends: the trends shaping work and working lives*. Available at:

<https://www.cipd.co.uk/knowledge/work/trends/megatrends/trends-shaping-working-lives>
(Accessed: 21 December 2021).

Chartered Institute of Personnel and Development (2013b) *Mediation: an approach to resolving workplace issues*. Available at:

<https://www.cipd.co.uk/knowledge/fundamentals/relations/disputes/workplace-mediation-report>
(Accessed: 1 January 2022).

Chartered Institute of Personnel and Development (2021) *Employee relations: an introduction*.

Available at: <https://www.cipd.co.uk/knowledge/fundamentals/relations/employees/factsheet>
(Accessed: 20 December 2021).

Colling, T. and Terry, M. (2010) *Industrial Relations: Theory and Practice*. (3rd edn) Chichester: John Wiley & Sons Ltd.

Ellis, C. (2016) 'Contemporary Developments in Employee Relations' in Taylor, S., & Woodhams, C. (2016). *Human Resource Management: People and Organisations* (2nd edn). London: CIPD.

Employee Ownership Association (2017) *Employee Ownership Benefits*. Available at:

<https://employeeownership.co.uk/what-is-employee-ownership/employee-ownership-benefits/>
(Accessed: 7 January 2022).

Faragher, J. (2019) *How employees are using social activism to make their voices heard*. Available at:

[How employees are using social activism to make their voices heard - Personnel Today](#) (Accessed: 7 January 2022).

Gennard, J. et al (2016) 'Employee Involvement and Participation' in Gennard, J. (2016) *Managing Employment Relations*. Chartered Institute of Personnel and Development.

Gifford, J., Neathey, F., and Loukas, G. (2005) *Employee Involvement Information, Consultation and Discretion*. Available at: [https://www.employment-](https://www.employment-studies.co.uk/system/files/resources/files/427.pdf)

[studies.co.uk/system/files/resources/files/427.pdf](https://www.employment-studies.co.uk/system/files/resources/files/427.pdf) (Accessed: 7 January 2022).

Halliday, M. (2021) *Team coaching: How to optimise your teams for the new world of work*. Available

at: [https://www.trainingzone.co.uk/deliver/coaching/team-coaching-how-to-optimise-your-teams-](https://www.trainingzone.co.uk/deliver/coaching/team-coaching-how-to-optimise-your-teams-for-the-new-world-of-work)
[for-the-new-world-of-work](https://www.trainingzone.co.uk/deliver/coaching/team-coaching-how-to-optimise-your-teams-for-the-new-world-of-work) (Accessed: 23 December 2021).

Hastings, R. and Meyer, E. (2020) *Inside Netflix's No Rules Rules Culture*. Available at:

<https://www.managers.org.uk/knowledge-and-insights/article/inside-netflixs-no-rules-rules-culture/>
(Accessed: 23 December 2021).

John Lewis & Partners (2022) *Employee Ownership*. Available at:

<https://www.johnlewispartnership.co.uk/work/employee-ownership.html> (Accessed: 7 January 2022).

Transite, J. (2017) HRM 107 : *Unitarism, Pluralism and Radicalism*. Available at:

<https://josephinetransite.wordpress.com/2017/06/17/hrm-107-unitarism-pluralism-and-radicalism/>
(Accessed: 21 December 2021).

Wind4Change (2021) *Turn the ship around, the Leader-Leader model by Captain David Marquet*. Available at: <https://wind4change.com/turn-ship-around-david-marquet-control-mastery-clarity/> (Accessed: 22 December 2021).

World Economic Forum (2015) *The Fourth Industrial Revolution*. Available at: [The Fourth Industrial Revolution](#) (Accessed: 21 December 2021).