Applicant's Name :   Dr Deborah Hann

Workshop Name :   RESOLUTION OF CONFLICT IN THE WORKPLACE: TRENDS AND CHANGES

Chair :   Brown, W., (1)

   (1) University of Cambridge

Presenter/s : Paper 1: Currie, D (2), Roche, WK. (3) and Teague, P (2)

Paper 2: Hann, D (3), Heery, E (3) & Nash, D (3)

Paper 3: Bamber, G (4), Teicher, J (4), Van Gramberg, B (5) & Cooper, B (4)

(2) Queen's University Belfast

(3) University College Dublin

(4) Monash University

(5) Swinburne University

Discussant : Discussant 1: Latreille, P

Discussant 2: TBC – Representative from South African Commission for Conciliation,

Mediation and Arbitration

(6) Sheffield University

Convenor : Hann, D (3), Heery, E (3) & Nash, D (3)

(3) Cardiff Univeristy

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PROPOSAL

Statement outlining the theme of the special workshop:

Academic and practitioner literature, as well as government policy-making, suggests that conflict management in the workplace is growing in importance around the world, but that conflict in the workplace is also changing in nature. The aim of this special workshop is to examine these changes and consider the degree and direction of trends developing within, but also between countries.

The body of existing literature focuses heavily on the USA, so this special workshop intentionally looks elsewhere to consider the extent to which trends highlighted in the literature from US academics have resonance beyond their own borders. The three papers will present survey data from three Anglo Saxon countries, the Republic of Ireland, the UK and Australia, each considering similar themes within the different countries.

The role of the first discussant will be to subsequently draw together these themes highlighting the key role for individualisation of conflict and the growth of juridification in each case. The first discussant will also highlight the roles played by HRM and line managers within these changing contexts. The second discussant, who will be an expert in the field of conflict management within South Africa, will be asked to consider the extent to which these themes are relevant beyond the Anglo-Saxon sphere.

The overall purpose of the special workshop is to extend, deepen and promote the study of an aspect of labour and employment relations of increasingly importance, both academically, but also in the policy making sphere. The special workshop would fit well with, but not overlap directly the subject matter of Track 3 (Developments and Trends in Employment and Employment Relations Around the World, and the Impact of Globalisation) and Track 4 (Labour Law and Regulation). The lack of direct overlap would mean that this material would not be naturally covered within each of these spheres, but would be of interest to delegates in both of these disciplines.

Convenors: Dr Deborah Hann, Prof, Edmund Heery and Dr David Nash (Cardiff University)

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Chair: Prof. William Brown, (University of Cambridge)

Papers

Paper 1 - Workplace Innovations in Ireland: Dr Denise Currie (Queen's University Belfast), Prof. Bill Roche

(University College Dublin) and Prof. Paul Teague (Queen's University Belfast)

Paper 2 - The Management of Workplace Conflict in the UK: Dr Deborah Hann (Cardiff University), Prof. Edmund

Heery (Cardiff University) & Dr. David Nash (Cardiff University)

Paper 3 - The Rise Of Individualism: Implications For The Regulation And Settlement Of Workplace Disputes:

Prof. Greg J. Bamber (Monash University), Julian Teicher (Monash University), Bernadine Van Gramberg (Swinburne

University) and Brian Cooper (Monash University)

Discussant 1: Prof Paul Latreille of Sheffield University

Discussant 2: TBC – Representative from South African Commission for Conciliation, Mediation and Arbitration___

Paper 1 - Workplace Innovations in Ireland:

Authors: Denise Currie (Queen's University Belfast), Bill Roche (University College Dublin) and Paul

Teague (Queen's University Belfast)

An important theme in the USA literature on workplace conflict management is that organizations are diffusing a raft of ADR-styled innovations to address work disputes and grievances (Lipsky et al 2014). Often these innovations are diffused in a strategic way so that organizations can develop workplace conflict systems, bundles of ADR practices that combine both 'rights-based' and 'interest-based' approaches to addressing problems at work. The consequences of this development are considered to be far-reaching. In particular, it is seen as accelerating the decline of the New Deal social contract at work, which essentially involved people being incorporated into working life through collective industrial relations processes and assisting the creation of a new social contract premised on the individualization of work and employment.

The purpose of this paper is to examine whether a similar process is taking place in Ireland. The paper argues that Ireland has followed the trend experienced by all Anglo-American countries of encountering simultaneously a decline in collective forms of workplace conflict and a growth in more individualized forms of employment disputes. It is argued that as a result of this trend organizations may be facing the predicament of established processes used to manage organizational problems not being fully aligned with the new forms of conflict they are experiencing, thus prompting the adoption of innovative workplace conflict management practices. The paper uses survey data, focus groups and case-study evidence to assess the extent and nature of workplace conflict management innovation in Ireland.

A number of important findings emerge from the analysis. First of all, organizations in Ireland, even the subsidiaries of USA multinationals, are not following the pathway pioneered by organizations in the USA in diffusing ADR-style conflict management practices: the incidence of these practices in Ireland is low. Secondly, the study found that most firms favoured making small scale, incremental revisions to conventional practices to address new forms of conflict. Cautious adaptation was the preference of most firms, which reflected either a dispassionate assessment by managers that workplace conflict was under control and as a result no radical change was required or reluctance by them to move away from triedand-tested methods used to address conflict. Thirdly, to the extent that workplace conflict management innovation was occurring it involved the growth of *informal* conflict management usually in the form of elevating the role line managers perform in addressing organizational problems. The paper concludes by suggesting that the increasing juridification of the employment relationship and informal workplace conflict management may be feeding off one another in a manner that is leading to workplace problems not being resolved optimally in Ireland.

References

David B. Lipsky, Ariel Avgar and J. Ryan Lamare. (2014). "Conflict Resolution in the United States." In William K.

Roche, Paul Teague, and Alexander Colvin (Eds*.) The Oxford Handbook on Organizational Conflict Management.* New

York Oxford University Press.

Paper 2 - The Management of Workplace Conflict in the UK:

Authors: Dr Deborah Hann Nash (Cardiff University), Prof. Edmund Heery Nash (Cardiff

University) & Dr. David Nash (Cardiff University)

This paper will present findings of a large-scale survey of workplace conflict management practices in Welsh companies.

The issue of dispute resolution has featured in the UK policy agenda in recent years, with the government instigating a consultation on 'Resolving Workplace Disputes', which formed part of its wider Employment Law Review, designed to improve the quality of workplace regulation. Despite this interest, as Roche and Teague observed the vast majority of research and literature in the area of conflict management 'is highly prescriptive and draws heavily on case studies or on descriptive data', whilst 'rigorous empirical studies concerned to test theory are few.' (2012: 231). This paper will begin to address this gap for the United Kingdom.

The paper will analyse responses from a survey sent to more than 2000 companies in Wales, which builds upon an earlier survey carried out in 2008 in the Republic of Ireland. The survey collected data on the factors that influence or motivate organisations to establish their particular form of conflict management system. The nature and incidence of conflict management practices and mechanisms used by organisations will be outlined with particular focus on innovative conflict management mechanisms. The paper will also seek to evaluate the roles of various actors in the management of workplace conflict, notably line managers, together with trade unions and other forms of employee representation. The extent to which external agencies are used will also be outlined.

The aim of the paper is thus to provide both an objective assessment of the pattern of dispute regulation and management in Wales but also to consider what these practical changes might mean for the way we understand the management of conflict in the workplace.

References

Roche, William K. and Teague, Paul (2012) Do Conflict Management Systems Matter? In Human Resource Management

Vol. 51, Issue 2, p. 231-258

Paper 3 - The Rise Of Individualism: Implications For The Regulation And Settlement Of

Workplace Disputes:

Authors: Prof. Greg J. Bamber (Monash University), Julian Teicher (Monash University), Bernadine

Van Gramberg (Swinburne University) and Brian Cooper (Monash University)

In the post-1945 period many scholars and policy-makers focussed attention on the study of strikes, particularly their causes, conduct and consequences. But with the decreasing incidence of strikes in many countries, particularly beginning in the 1980s, their agendas shifted to other topics. Recently, there has been a renewed interest in industrial conflict, particularly individualised workplace disputes (e.g. grievances, dismissals, claims of bullying and harassment). We focus on individualism and dispute settlement particularly in the context of Australian industrial tribunals. In Australia, we see increasing evidence of a rise of individual disputes coming before various tribunals. Our research questions include:

1. What is the evidence of a shift to individualisation of the expression of workplace conflict including at the level of industrial tribunals?

2. What has been the role of human resources management (not necessarily HR managers) in managing these forms of conflict?

3. Why do some disputes not get resolved at the workplace level and get referred to tribunals for assistance in their settlement?

4. In view of the increasing volume of individual disputes coming before tribunals, at least in Australia and Britain, how are these institutions responding?

Our research data includes:

- Published data including on workplace conflict and its resolution (RQ1)
- An Australia-wide survey of 1400 managers responsible for the HR function in organisations with at least 20 workers (RQ2)

- Semi-structured interviews with present and former members of the Australian national industrial tribunal, the Fair Work Commission (RQ3 & 4)

Our argument is that individualisation of employment relations can be discerned in a range of countries. Evidence can be found in terms of several indicators, most readily captured in declining collective manifestations and increasing individual manifestations of conflict. Individual manifestations include the realm of dispute settlement at workplaces and in the context of tribunals.

This process is relatively advanced in Australia where it has occurred against the backdrop of the survival of a heavily juridified system of employment relations.

Our contributions include a consideration of the importance of workplace justice in the settlement of disputes. We have a working hypothesis that the process of individualisation of employment relations is widespread, though the evidence is incomplete. At least in Anglo-American nations this is manifest in the increasing role of HRM. The performance of managers in dealing with disputes and giving employees voice is variable across employing organisations.

The Australian experience of a heavy reliance on state regulation of dispute settlement may be instructive for those in other countries as Australian has changed to an individual-rights based jurisdiction. We highlight practical changes and also what such practical changes mean for the way we understand the management of conflict in workplaces. We draw conclusions, then, in terms of conflict settlement practice and theory.