

Does a long dispute really mean that both parties are wrong? : Lessons from 4 extreme prolonged strike cases in Korea

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Abstract

This paper aims to find out the characteristics of extreme prolonged strikes. Using four cases (Kiryung Electronics, Cort Guitar, Jae Neung Education, and Yoosung Enterprise) who had gone on strike for more than a year, this qualitative article analyzed the common factors affecting extreme struggles. Results showed that disputes' traits including non-wage issues, broken labor-management relationship, unethical employer, anti-union strategies, bargaining agent, K.C.T.U(Korean Confederation of Trade Unions), and external solidarity are positively related to the duration of strikes. This paper shows worst practice triggering extreme events and contributes to explanations of the relationship between dispute characteristics and duration of strike.

Key Words: *prolonged strike, dispute characteristics, non-wage issues, broken labor-management relationship, unethical employer, anti-union strategies, bargaining agent, external solidarity*

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1. Introduction

This research began with a concern about the reality of workplaces suffering from extreme prolonged strikes in spite of decreasing overall trend of labor disputes in Korea. In 2000s, the cases of extreme prolonged strikes that had gone on more than a year significantly rose, although the number of labor disputes had continuously declined. In addition, it was noted that dispute characteristics of prolonged strikes took on very different aspects from those of wage strikes, and prolonged strikes often generated many victims.

Despite the fact that prolonged strikes impose enormous social costs, related research is insufficient. To build a productive industrial relations system, backgrounds and causes of labor disputes need to be thoroughly examined, and a systemic in-depth analysis on characteristics of disputes and bargaining is crucial; however, related studies still leave much to be desired, and academic discussion has not kept pace with reality as new employment phenomena constantly emerge.

Being acutely aware of the issues raised above, this paper was designed to use quantitative analysis and case studies with the aim to achieve a more comprehensive understanding of the characteristics of workplaces dealing with prolonged strikes. In general, these workplaces have strong outlier characteristics to which usual rules do not apply.

Before taking up the main subject, it should be mentioned that this paper is based on the premises that collecting worst practices is as important as discovering best practices, and that there are universal principles that can be applied to workplaces with prolonged strikes in the similar manner as to the best practices. In this context, the following chapters will examine and summarize the findings of this research, and make an attempt to explain theoretical and policy implications.

2. Case Study

This chapter is to conduct an in-depth examination on the backgrounds, processes and results of cases of workplaces with prolonged strikes. The actual case study was proceeded as follows: First of all, after considering workplaces where a strike had occurred since the Korean financial crisis, 4 of them were selected for the research because their labor disputes had lasted more than a month. Secondly, the author of the research conducted intensive interviews with both labor and management parties of the 4 workplaces above and subject-matter experts in order to understand the characteristics of workplaces with prolonged strikes. Thirdly, the analysis framework of the case study used previous research literatures and theoretical discussions as its basis.

To explain the research model briefly; 1) external conditions and circumstances, such as legal

and institutional environment, industrial characteristics, business strategies, corporate history and culture, governance structures and technological backgrounds, were identified as circumstantial elements in the prolonged strikes of the 4 workplaces, and these elements directly or indirectly (through the actions of labor and management) affected the strike duration.

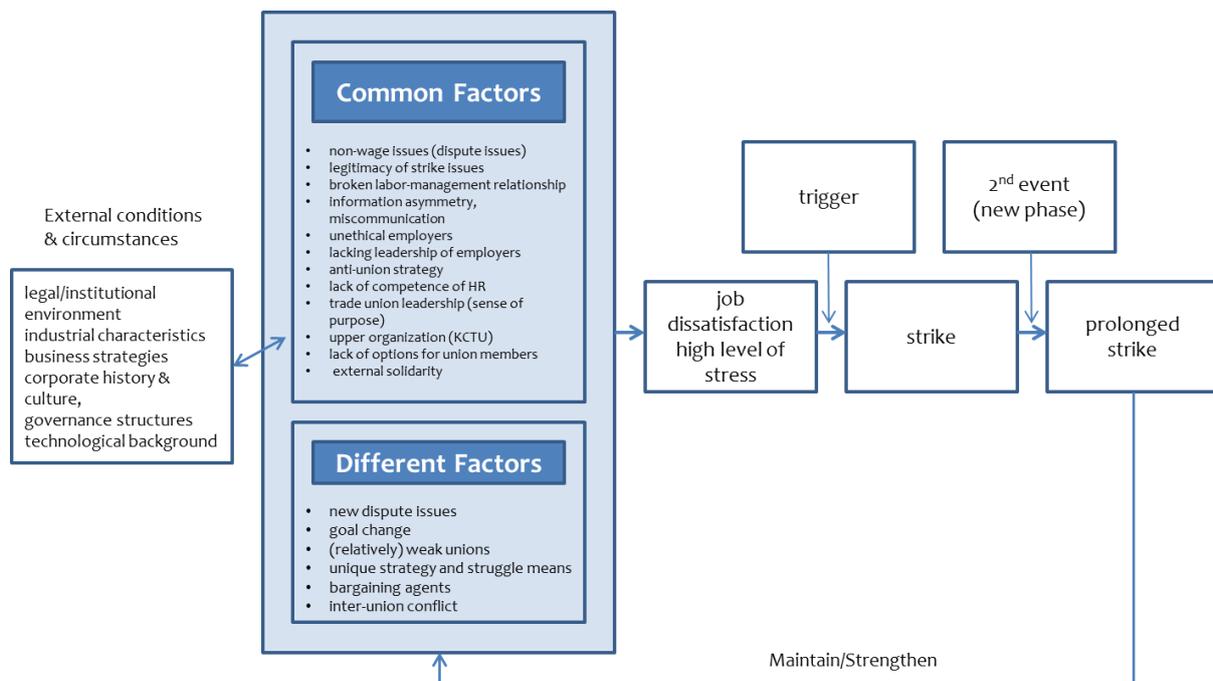
2) From a general standpoint, there are best practices that can be well applied to any environment. On the other hand, worst practices also exist as appeared in the cases of prolonged strikes, but universal principles are commonly applicable to the cases just like to the best practices. In this paper, several common factors were found in the 4 workplaces including non-wage issues, legitimacy of strike issues, broken labor-management relationship, information asymmetry, miscommunication, unethical employers, anti-union strategy, lack of competence of human resources departments, strong trade union leadership, lack of options for union members, and external solidarity.

3) While the common factors of the 4 workplaces come from a general standpoint, their differentiators follow the contingency approach, which is a concept in management stating that each company forms a different work practice to fit its organization because organizations are individually different and face different situations (Katz & Darbishire, 2000; Dongwon Kim et al., 2008). According to the standpoint of this approach, each workplace with prolonged strikes has its own set of principles based on their organizational characteristics and situations, although most of them may share common factors leading a long-term dispute. For example, labor and management independently decide a unique strategy and means to approach a strike on the basis of industrial characteristics, resource mobilization capabilities, networks, strike issues, past experiences and etc. In addition, the contingency approach may mean that some workplaces with prolonged strikes fight for/against an entirely new issue that they have not experienced before, which is closely related to the institutional conditions around the time of their strikes.

4) At this point, it should be noted that the goal of a strike may change as it is prolonged, and some of trade unions in workplaces with prolonged strikes are very weak. Employment status of union members affect a great deal on the power of their unions; therefore, a trade union made up only with non-regular members often faces a hard time to build the power to go on a strike. As described above, the labor and management of workplaces with prolonged strikes adopt a different means to deal with a strike based on their situations and resources, and some of them may use a bargaining agent as the third party. In some workplaces, prolonged strikes can also cause inter-union conflict.

5) The characteristic elements of workplaces with prolonged strikes are linked closely to job dissatisfaction and high level of stress among union members. If a particular event stirring up the anger of a trade union additionally occurs in this stressful situation, a strike can be instantly triggered. This particular event frequently involves inhumane actions such as

violence, abuse, disdain and slander, and when it is followed by a second and third one, the strike becomes intensified and prolonged; thus, these events can be regarded as a trigger to change conditions of a labor dispute. In addition, broken labor-management relationship plays a certain role to maintain or strengthen their future strategy and actions. The <Figure - 1> concisely shows the research model described in the chapter.



<Figure - 1> Integrative Model of the Case Study

(1) Overview

This research targeted workplaces having suffered from prolonged strikes. This chapter is to analyze the 4 workplaces selected from the cases of prolonged strikes that happened during the period from January 2008 to December 31, 2013. Those 4 workplaces were considered consistent with the purpose of the research.

The 4 cases used in the study consist of: 1) 3 manufacturers and 1 non-manufacturers by industry type; 2) 2 in Seoul and 2 in other than Seoul by region; 3) 2 employing less than 100 and 2 more than 500 by company size; 4) 2 mainly employing full-time positions and 2 mainly with non-regular positions like dispatched and special employment workers by employment type; 5) all 4 having dealt with prolonged strikes that had lasted more than 1 year by dispute duration.

no.	case	industry	size	region	dispute period
1	K Electronics	manufacturing	32	Seoul	Jul. 2005 ~
2	J Education	education	1,200	Seoul	Oct. 2007 ~
3	CC	manufacturing	20	Incheon / Deajon	Apr. 2007 ~
4	Y Enterprise	manufacturing	700	Youngdong Chungbuk / Asan Chungnam	May. 2011 ~

<Table - 1> Case Summary

The reasons why these 4 workplaces were selected are as follows:

Firstly, K Electronics and J Education were the close examples of which various problems of irregular workers, including indirect and special employment, became a social issue. The case of J Education was especially meaningful, because several unique challenges in the labor-management relationship of special employment workers were particularly magnified during the strike, and their union could enter into a collective bargaining agreement, which was very rare considering their employment status.

no.	case	employment type	trigger	major issues
1	K Electronics	dispatched workers	Unionization, suppression over the union, lay-offs	indirect employment, regularization of employees, recognition of the union
2	J Education	special employment workers	change in commission system, union incapacitation	commission rate, special employment, Re-bargaining collective agreement

<Table - 2> Dispute Cases led by Irregular workers & Major Issues

Secondly, CC and Y Enterprise were the cases where a trade union of regular workers led a prolonged strike, therefore, showing different aspects from those of strikes occurred in K Electronics and J Education. CC was a good example how disguised closing of business, offshoring, and the employment philosophy of an employer could affect a labor dispute,

while the case of Y Enterprise confirmed that a subcontractor was greatly influenced by the relationship with prime contractors, and that anti-union strategies had a big effect on dispute duration. Thus, this research selected these 4 workplaces for the case study based on the fact that their labor issues were socially emphasized so that they had valuable implications for the industrial relation studies.

no.	case	employment type	trigger	major issues
1	CC	permanent position	disguised closing of business, offshoring, layoff	reactivation of domestic factories, reinstatement
2	M Company	permanent position	parachuting employment, disciplinary action on union members	opposition against parachuting employment, broadcasting fairness
3	Y Enterprise	permanent position	bargaining on work shift, suppression over the union	2 consecutive shifts during the week days, problems between prime and sub-contractors

<Table - 3> Dispute cases led by Regular Workers & Major Issues

The primary methodology of the case study was interviews with related parties (total 26 respondents comprised of 17 from the labor, 2 from the management, 7 experts including college professors). To explore the research subject in-depth, intensive interviews with concerned personnel both from labor and management of the 4 workplaces were conducted, and experience surveys were also carried out targeting subject-matter experts knowledgeable on the relevant issues.

In general, the contents of an in-depth interview can be biased depending on the position of an interviewee. If an interviewee is directly involved in a prolonged strike, his/her response is likely to be highly lopsided. Therefore, this case study was conducted by comparing the information collected from the interviews with relatively objective secondary data, such as news articles, discussion materials and related books, in attempt to maintain the objectivity of the research. In addition, the information gathered from the third parties who had no stake in the 4 workplaces helped the research to be more balanced.

In the research, the 4 cases are examined in terms of characteristics, backgrounds, processes, results, and implications of their strikes and bargaining, in which the characteristics include

main issues and nature of the disputes; the backgrounds include external conditions (such as legal and institutional environments, industrial characteristics, and technological environments), and traits of each business, trade union, and labor-management relationship (such as company type and size, major products, governance structures, business strategies, corporate history and culture, leadership of labor and management, industrial relations strategies, upper organizations, and external solidarities); and the strike processes focus on circumstances and incidents that triggered the strikes and specific aspects that made the strikes to be prolonged. During the course of the interviews, when a different factor resulted from certain characteristics of each workplace was found, a semi-structured interview was tried so that the relevant interviewee could speak freely.

(2) Case Summary

(2.1) K Electronics

This manufacturing company located in Seoul has 32 employees who are mainly dispatched workers. The labor decided to go on a strike in 2005 with a hope to regularize more job positions, and have the union recognized by the management. The struggle is still ongoing.

dispute characteristics	main issues	indirect employment, regularization of employees, recognition of the union, reinstatement
	nature of dispute	new issues, legal/institutional inadequacy
	trigger	unionization, suppression over the union, lay-off
labor-management relationship	mutual trust	very low
employer characteristics	CEO's personal traits	speculation funds, highly unethical and immoral
	strategy toward union	union avoidance and destruction strategy
	HR characteristics	low road and outsourcing strategy
	HR competence	very low

	counterattack measure	use of violent outside force (the Gusadae), moonlight fliting
union characteristics	leadership	strong sense of purpose as a pattern setter
	organization power	very weak
	upper organization	KCTU
	options for members	very insufficient
	distinctive dispute means	hunger strike, occupation, overseas expeditionary strike, sit-in in mourning clothes, fork crane sit-in
exterior solidarity		industrial unions, civic and social organizations, a few politician
inter-union conflicts		low
others		icon of female irregular workers' struggle, running for the presidency

<Table - 4> Summary of the K Electronics Case

(2.2) J Education

This education company seems to employ a large number of workers, but most of them are categorized under the special employment. The strike which began in Oct. 2007 has mainly focused on the commission rate, re-bargaining of collective agreement broken unilaterally by the management.

dispute characteristics	main issues	Recovery of the original collective agreement, reinstatement
	nature of dispute	legal/institutional inadequacy for special employment
	trigger	change in commission system, abolition of collective agreement, suppression over the union, lay-off
labor-management	mutual trust	very low

relationship	CEO's personal traits	highly unethical and immoral
employer characteristics	strategy toward union	union avoidance and destruction strategy
	HR characteristics	outsourcing strategy
	HR competence	low
	counterattack measure	use of violent outside force (the Gusadae and Labor Corporation Changjo Consulting)
	leadership	strong sense of purpose as a pattern setter
union characteristics	organization power	very weak
	upper organization	the Service Alliance of KCTU
	options for members	very insufficient
	distinctive dispute means	street sit-in, bell tower strike
exterior solidarity		civic and social organizations, college students, PTA
inter-union conflicts		High
others		lack of solidarity among special employment workers such as homeschool teachers, golf caddies, transit-mixer truck drivers, insurance sales persons and etc.

<Table - 5> Summary of the J Education Case

In this guitar manufacturing company of 20 employees located in Incheon and Daejeon, the labor got very upset when the management tried a disguised closing of business and increased offshoring rather than securing their jobs. Since a strike was triggered in 2004, the union has used a unique means, such as hosting a concert and going abroad to participate in an international instrument exhibition, to inform the world of their situation in more amicable way.

dispute characteristics	main issues	reactivation of domestic factories, reinstatement
	nature of dispute	biased court orders favoring the employer, change in dispute issues
	trigger	poor working environment, gender discrimination, unionization, suppression over the union, offshoring, lay-off, self-burning of union members
labor-management relationship	mutual trust	very low
employer characteristics	CEO's personal traits	highly unethical and immoral
	strategy toward union	union avoidance and destruction strategy
	HR characteristics	low road and outsourcing strategy
	HR competence	very low
	counterattack measure	factory lockout, use of violent outside force (the Gusadae), suspension of power and water supply, moonlight fliting
union characteristics	leadership	strong sense of purpose as a pattern setter
	organization power	very weak

	upper organization	KCTU
	options for members	very insufficient
	distinctive dispute means	occupation of factories, overseas expeditionary strike, culture concert
exterior solidarity		upper organization, religious/cultural/civic/social organizations
inter-union conflicts		low
others		low unionization rates of export-oriented companies

<Table - 6> Summary of the CC Case

(2.4) Y Enterprise

This company manufactures engine parts of a vehicle such as liner, air compressor, cam shaft, and etc. Because this manufacturer is inevitably a subcontractor to a number of major motor companies, the great influence over the relationship between labor and management has been the prime contractor, and the management has been easily pressured to adopt an anti-union strategy, resulting in establishment of another union. Therefore, other than traditional warfare of the labor and employer, the original union has to deal with inter-union conflict as well.

dispute characteristics	main issues	2 consecutive work shifts during the week days
	nature of dispute	complex dispute characteristics due to the relationship between the prime and subcontractor
	trigger	abolition of collective agreement by the management, incapacitation of the union
labor-management relationship	mutual trust	Medium
employer characteristics	CEO's personal traits	relatively amicable, specific limitation as an employer in a subcontractor

	strategy toward union	union avoidance and destruction strategy
	HR characteristics	inadequate HR expertise, lacking the ability to deal with industrial relations
	HR competence	low → medium
	counterattack measure	use of violent outside force (Labor Corporation Changjo Consulting), office lockout, massive disciplinary action, establishment of a 2nd union
union characteristics	leadership	strong sense of purpose as a pattern setter
	organization power	strong
	upper organization	the Metal Union of the KCTU
	options for members	insufficient
	distinctive dispute means	strike at high altitude, vinyl greenhouse strike
exterior solidarity		upper organization, civic/social organizations, hope bus of Y company
inter-union conflicts		high level of conflict with the 2nd union
others		prime's huge influence over employment relationship of a subcontractor, revitalization of unofficial sectors resulting in strong organization power of the union

<Table - 7> Summary of the Y Enterprise Case

(3) Common Factors and Different Factors

(3.1) Common Factors

The cases used in the research showed significantly different aspects from the ones to which the preceding research previously paid attention. The existing studies have largely focused on rational aspects, for they have regarded the likelihood for a strike to occur more importantly. In case of workplaces with prolonged strikes, however, factors other than rational ones have more influence. The issues that these workplaces fight for differ from those of wage/collective bargaining, and they tend to receive a lot of outside influences.

In accordance with the general view, the case study of this research assumes that there are universal principles that workplaces with prolonged strikes commonly follow. Resulting from the case study, the common factors of these workplaces were identified as follows:

1) All of the labor and management in workplaces with prolonged strikes fight for issues other than wage; in other words, there is no workplace who decides to go on a strike for a wage issue. It is relatively easier to address wage issues, so that a dispute around the issues tends to be shorter. On the other hand, the issues of prolonged strikes are much more complex, including employment adjustment and recognition of a trade union. It is not always true that a strike starts from problems of employment adjustment; however, layoffs are frequently accompanied in the course of a strike. Consequently, a pattern is created and repeated; reinstating the laid-off workers becomes another important issue during a strike, and then the issue obstructs the negotiation process leading the strike to be more prolonged.

2) A labor practice that neither labor nor management trusts each other is deeply rooted in all of the workplaces with prolonged strikes. Negative attitude of a company toward industrial relations is one of the leading factors to extend strike duration. In the cases of the 4 workplaces, the employers had already started to take destructive actions against unions while taking whatever resources they have available for an easy route and means to make a getaway, long before the labor came to realize both parties needed to share the pains. Hence, there was never an opportunity to form fundamental trust between the labor and management in those workplaces.

3) There is information asymmetry between labor and management of workplaces with prolonged strikes, which acts as a factor to deepen mutual mistrust and misunderstanding.

This information asymmetry fuels uncertainty, which has a positive (+) effect on the occurrence of a strike. Asymmetric and incomplete information in the negotiation process, in particular, is a major factor for a strike to be prolonged; in fact, some organizations of the 4 workplaces had to face with a severe management crisis because of the factor. Among the cases dealt in the research, it was clear that no management tried hard enough to share business information with the labor as a means to persuade them. The employers frequently changed their words during the bargaining, and agreements were easily abrogated, which left no room for labor-management trust.

4) Most workplaces with prolonged strikes tend to have an unethical and immoral employer,

and an unethical employer is one of the factors that have the greatest impact on long-term dispute. They generally make use of anti-union strategies, since they lack the entrepreneurial spirit, feel a strong rejection to a trade union, and treat their employees as a means not an end. Their characteristics easily break the labor-management relationship resulting in strong union resistance. In the 4 cases used in the research, many employers had ethical flaws. Some of them were even turned out to be frequent offenders charged with breach of trust, embezzlement, fraud and etc.

5) Employers of workplaces with prolonged strikes usually devise powerful anti-union strategies, because they have a strong tendency to reject the idea of a trade union. In the 4 cases of the research, it seemed that the anti-union sentiment of employers had become their belief over a long period of time. In general, the stronger this belief is, the longer a strike lasts, and their anti-union strategies grow more powerful as a strike goes on. Before a strike happens in a workplace, there is typically power struggle between labor and management. During the struggle, employers maintain a strategy to weaken their trade unions, and then start full-fledged anti-union strategies as soon as the balance of power collapses. Also, they may intentionally try to cripple the union before carrying out a large-scale restructuring. The interviewees of the case study explained how these crippling efforts could become a strategy to destroy the union as follows:

“In terms of a strategic approach employers take, an union-avoidance strategy is commonly found in the workplaces in the middle of prolonged strikes. In some workplaces where a labor dispute constantly occurs, employers prepare for a so called union-crippling strategy over a medium to long time-frame, and readily turn it to a union-destruction strategy at a decisive moment. In the case of workplaces with mid/long-term disputes, various predominance strategies over their unions are devised on a daily basis, which means that the employers make a use of the seesaw game as an attempt to incapacitate the unions with a number of strategies. As soon as they realize that the power of the unions become weaken because union members are exhausted and/or withdrawal from union membership increases due to prolonged fights, employers instantaneously start a union-destruction strategy along with more detailed tactics like blocking, closing or removing the main entrance. In a broad sense, these can be regarded as a union-avoidance strategy. If employers can successfully drive out the opposed with democratic traits, they can implement a de facto anti-union strategy. All of these examples are nearly common.”

The ways how the employers of workplaces with prolonged strikes use these anti-union strategies above can be divided into 3 types based on employers behavioral traits; a principled, ignorant, helpless type, which are not necessarily mutually exclusive. In some cases, all 3 types could be applicable to one employer.

type	characteristics	example
principled	anti-union sentiment as a firm belief	K Electronics, CC, J Education
ignorant	little understanding of industrial relations, lack of leadership	
helpless	pressured to use an anti-union strategy	Y Enterprise

<Table - 8> Anti-union Strategy of Employers in the Case

Principled-type employers are the ones who feel the most strongly against trade unions, for their anti-union sentiment have been developed over a long period of time. The employers of K Electronics, CC and J Education came under this type. Ignorant-type employers have a relatively little understanding of industrial relations, and they tend to lack leadership. Helpless-type employers are the ones who are easily pressured into using an anti-union strategy. Among the cases selected for the research, the Y Enterprise was forced to start the strategy because of its prime contractor, A Motors.

Aside from right and wrong, any strategy that produces a lot of victims while it is carried out cannot be considered desirable. Possible factors of whether an employer uses it intentionally or not, and whether there is a circumstantial pressure or not, cannot change the nature of an anti-union strategy.

6) Human resources departments in the workplaces with prolonged strikes generally lack competence. How competent a HR department really is has a great influence over labor-management relationship and effectiveness of bargaining. According to the case study of this research, the HR competence of the 4 workplaces was deemed to be very inadequate.

It was rather surprising to know that there was no single institutional and customary practice to carry out a systematic conflict management and build basic labor-management trust even in the companies with trade unions.

7) The trade unions in the workplaces with prolonged strikes have a strong leadership, in which 'strong' means that they are not easily swayed and have a strong tendency to defend their inherent principles. Why their union leadership is strong comes from various elements, such as their personal traits and clear sense of purpose. The ones determined to keep their belief are often willing to sacrifice themselves; therefore, it is inevitable that a strike decided by them goes on longer. Institutional procedures are another element that makes union leadership stronger. These unions have their own set of institutional procedures that require an adequate democratic decision-making structure to deliver requested proposal and have

union members ratify it. This long tradition and operation of democratic trade unions acts as an element in reducing the relative autonomy of the leadership while strengthening their uncompromising position.

8) The workplaces with prolonged strikes, which have aroused social interests and also which this research focuses on, are affiliated to the Korean Confederation of Trade Unions (KCTU), although it is not clear whether the KCTU had specific influence over them to go on a prolonged strike or not. Thus, the causal relationship between an upper organization and strike duration needs to be complemented by a quantitative analysis. Yet, it is fair to say the KCTU is the only upper organization that actually have the powers of unions (organizational power, bargaining power, mobilization capability and etc.) to enable a prolonged strike, proper democratic procedures to collect opinions during the course of starting and ending a strike action and abilities to provide practical support for solidarity.

9) There are not enough options for unions and their members of the workplaces with prolonged strikes to make a different choice other than going on a strike. In general, the jobs of these workplaces reflect the distinct business characteristics, so it is hard for laid-off/resigned employees to get another job in other companies. The lower the probability of their reemployment is, the longer their strike can get, and the stigma effect on those who have participated in a prolonged strike even lowers the probability. It is obvious that the sunk cost of workers increase as a strike becomes extended; however, they are susceptible to lacking so-called economic rationality because they have spent too much during the strike period anyway. Economists may consider their behavior irrational, but the behavior is rational to the workers without having any other choice. Simply put, these workers who go on a prolonged strike are vulnerable and beleaguered.

10) The forces of external solidarities have complemented the poor competence of unions for their struggles; hence, a strike tend to last longer when the forces gets stronger. In addition, an external solidarity is closely related to the legitimacy of strike issues. When a trade union fights for illegitimate issues, external solidarities do not back them up for long. Combined forces of them might support the efforts of the union at the early stage of its dispute, but they are likely soon to break away from the dispute that can risk their reputation. The union eventually gets to lose the driving force, and it cannot continue the dispute much longer.

As information and communication technology advances, it has become a circumstantial element for unions to ensure the support from various external solidarities. In the past before the internet was universalized, news of a strike rarely went far, and it took a long time to spread the news. Now, any news is delivered in real time, and this change has become the foundation of which unions can effectively secure the support of external solidarities. The solidarities in the past were centered around the similar industry-level organizations or public union organizations like the KCTU, but today's unions are ensured with the support of

various external solidarities plus alpha.

“Today, workers can inform the world of their desperate situations in real time. In terms of the media, the present is a brave new world. Unlike the past when union executives had to take an initiative, any individual member can now easily provide any information through their personal network such as Facebook or Twitter. In some cases of small unions, a member has greater power than the leadership. So, it can be said that unions who uses the media properly is better positioned to easily obtain the reinforcements.” (SD)

An external solidarity can make an issue of a certain workplace to become a social one; in other words, dispute issues of workplaces with prolonged strikes can be socially justified through a solidarity. However, the route for labor and management to withdraw from a strike may have become narrower.

The lessons from this case study are simple in a way, but they have been surprisingly overlooked. The following table summarizes the common factors of the 4 workplaces used in the study.

<ol style="list-style-type: none">1. The labor and management in workplaces with prolonged strikes fight for issues other than wage.2. Most dispute issues raised by unions in the workplaces with prolonged strikes are not legitimized.3. A labor practice that neither labor nor management trusts each other is deeply rooted in all of these workplaces.4. There is information asymmetry between the labor and management in these workplaces, which acts as a factor to deepen mutual mistrust and misunderstanding.5. Most of these workplaces tend to have unethical and immoral employers.6. The employers rarely demonstrate leadership.7. Human resources departments in the workplaces generally lack competence.8. The trade unions in the workplaces usually have a strong leadership.9. Most of the unions in the case are affiliated to the Korean Confederation of Trade Unions.10. There are not enough options for unions and their members to make a different choice.11. The forces of external solidarities have complemented the poor competence of the unions.

<Table - 9> Common Factors of Workplaces with Prolonged Strikes

(3.2) Different Factors

Different factors also affect the workplaces suffering from prolonged strikes. The contingency approach suggests that workplaces are under the influences of different factors depending on their organizational characteristics and the context of their situations, although they do share common factors to fight a long-term dispute. The followings are the different factors resulted from the case study of the 4 workplaces:

1) Some labor and management fight for a new dispute issue not dealt in the law or related institution. When a dispute characteristic is a new employment phenomenon that has not been seen before, the results of the relevant strike in a workplace can have a huge impact on overall working conditions of entire businesses and industrial relations in Korea. Therefore, the parties directly involved in the strike are forced to feel the burden of the new issue, and the strike is likely to be prolonged.

“There were quite a few of those strikes. Expectations from the outside were extremely high. They used to say, ‘if that strike ends well, we can do well later, too.’ Employers were in the similar situation. They were often heard that ‘you must stop it right there before it becomes everyone’s problem.’” (SA)

“The rules of the game hadn’t been determined. Because there was no rule, they couldn’t know how to fight. If there was a referee, he would just stand idly by and couldn’t do anything about it.” (SH)

2) When strike duration gets extended, the goals of some workplaces can be changed entirely differently from the ones they originally set. This change seems to be closely related to external solidarities including upper organizations. During the course of a prolonged strike, its focus can also be moved from previously accentuated issues to punishing the vicious employer, which may eventually lead workers to decide to go all the way possible.

Sometimes, a struggle that could be settled quickly might become prolonged because of the intervention of upper organizations; that is, the issues appeared to be relatively simple at the beginning get to accumulate justification since certain upper organizations have continuously intervened. Also, a microscopic issue like making the jobs of in-house contractors permanent may turn into a social agenda, which later results in a claim that every in-house contractor job in Korea should be a permanent position. These kinds of agendas are particularly difficult to address, so the strike become a very long and sheer torture to the parties involved.

3) Some unions in the workplaces with prolonged strikes have relatively weak organizational power. For example, certain unions in the 4 cases of this research lost most of their organizational power at the beginning of their dispute, even though the power was strong when the unions were firstly established. Unlike unions of regular workers, the ones organized by irregular workers are inherently vulnerable. While strike duration of the former can be explained with the resource mobilization theory, the resource dependence theory is

more appropriate for the duration of the latter, for a strike of the latter rely more on external solidarity and less on internal power. For this reason, it was hard to apply a general framework to the relationship between the organizational power and strike duration of the unions considered in the case study. In the case of extreme prolonged strikes, however, several examples were found where the occurrence probability got higher as the organizational power was weaker and/or if the employment of most union members was a temporary position.

4) The labor and management of the workplaces with prolonged strikes decide their own strategy and means for struggle depending on external conditions and circumstances, such as industrial characteristics, business strategies, corporate history and culture, governance structures and technological background, and internal elements such as resource mobilization capability and network.

case	dispute means	counterattack measure
K Electronics	hunger strike, occupation, overseas expeditionary strike, sit-in in mourning clothes, fork crane sit-in	use of violent outside force (the Gusadae, contractor, police force)
CC	occupation of factories, overseas expeditionary strike, culture concert	factory lockout, use of violent outside force (the Gusadae, contractor, police force), suspension of power and water supply, moonlight fliting use of violent outside force (Labor Corporation Changjo Consulting), office lockout, massive disciplinary action, establishment of a 2nd union
J Education	street sit-in, bell tower strike	use of violent outside force (the Gusadae, contractor, police force, Labor Corporation Changjo Consulting)
Y Enterprise	strike at high altitude	use of violent outside force (Labor Corporation Changjo Consulting), office lockout, massive disciplinary action, establishment of a 2nd union

<Table - 10> Dispute means and Counterattack Measures by each Case

For example, among the cases used in the research, the union of CC comprised with members who manufacture guitars developed their struggle by hosting a culture concert, and participation in a renowned international instrument fair. The labor and management of the workplaces with prolonged strikes frequently sue each other. Also, the labor often carries out stay-in strike, while the management counterattacks the labor with a lockout,

provisional attachment of factories, and/or use of governmental authority. A few companies even sought for professional help and advice from a firm like Labor Corporation Changjo Consulting, and/or tried to establish a 2nd union in an attempt to break up unions.

5) In some cases, labor and management use a bargaining agent as the third party. Generally speaking, unions use agents as a means for solidarity support, whereas employers retain them to avoid liability; hence, use of third-party agents in the process of bargaining can be a factor to make a strike last longer as found in the case study. In addition, most of agents are used primarily to make the labor give in and cripple unions, not to reach a settlement. In the bargain process, third party agents are entrusted with negotiation on behalf of either party, but most of them do not have the actual authority; therefore, their presence can delay the process. Even when labor and management are close to bridge the gap of their opinions through active communication, these agents can suddenly intervene the process only to complicate the issues at hand while many of them frequently leave the room to get confirmation and permission from employers at a decisive moment . As mentioned earlier, the labor in the workplaces with prolonged strikes has substantially weak power, so they tend to heavily depend on external power. When labor and management are weak and incompetent to make a strategic decision, various external forces may just make their struggle prolonged some more.

6) In some workplaces, prolonged strikes can also lead to inter-union dispute. When inter-union conflict occurs, employers typically take a more aggressive strategy to destroy unions while acting as an instigator. This type of controversy between labor organizations can have both positive(+) and negative(-) effect on strike duration; for example, if there are diverse factions inside a union, the opinions on whether they should continue a strike or not are divided into pro and con, and some of them start arguments like ‘those against continuing it are definitely dominated by the employer’, or ‘the current leadership is being a defeatist’, which put pressure on the leadership and ultimately make their strike go longer. On the other hand, a strike can end due to inter-union conflict, especially when a certain force inside the labor is pro-business.

These common and different factors in the workforces with prolonged strikes were directly connected to job dissatisfaction and stress. When a particular event stirring up the anger of a trade union additionally occurred in a highly stressful situation, a strike was instantly triggered.

As a strike continued, it could entered into a new phase due to several elements such as coping mechanism of employers and combined forces of external solidarities, which eventually led it protracted.

3. Future Research Challenge

This research made an unprecedented effort to conduct a comprehensive examination into the characteristics of the workforces having suffered from long-term dispute. Through an in-depth case study, it identified the characteristic factors of the selected workforces, and drew implications for productive industrial relations. Additionally, the determinants of a prolonged strike were subdivided into the characteristics factors of a strike and concerned parties and other factors, and how each factor affected a strike were analyzed. The research has academic and policy implications, for it could be considered as the first attempt to carry out a comprehensive review of the characteristics of workforces with prolonged strikes by using both quantitative and qualitative methods.

Nevertheless, this research also has a few limitations, since it somewhat lacks the point of view of employers. To maintain balanced objectivity, an interview with management parties were tried, but it was almost impossible to meet them; consequently, the case study was mostly filled with interviews with labor parties. However, the situation was not resulted from laziness or lack of effort of the researcher, but rather from unique characteristics of the long-term dispute cases. Rather than actively defending their positions on a dispute that has just been settled or being progressed, the employers opted to avoid to make any comment on it, which reflected their exact standpoints on labor-management relationship. In spite of this reality, it is absolutely necessary for related research to seek for a suitable method to capture the position and arguments of employers, and this effort should be more than doubled in the future.

Furthermore, it is recommended that future studies should pursue more accurate diagnosis on the reality of industrial relations and come up with more rational alternatives.

4. References

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