

Guidelines of the Industrial Relation Practice

The observance of good industrial relations practice is based on the understanding that there is a desire and intention on the part of both the management of workplaces and trade union representatives, to treat to problems responsibly, independently, freely and fairly. The principal objective of this removes the possibility of the development of a hostile and adversarial relationship, and in its stead, allows for a cordial and productive relationship to develop and exist. This is the recommended approach to be adopted, so as to ensure that both trade unions and employers can attain their respective goals.

The achievement of this ideal is founded on the respect shown by all parties for the collective bargaining process. There is the understanding that industrial relations is developed through tripartite cooperation. With this being the case, it is expected that Government, labour and the private sector will all be in tune with the need to observe in practice, the internationally recognized principles, obligations and standards put out by the International Labour Organization (ILO), of which they are a part. It is therefore to be expected that their behaviours and actions will be in line with the guidelines of good industrial relations practices which include the guiding principles and rights at work.

Notwithstanding the importance attached to the principles and rights at work, the first step towards achieving good industrial relations practice is to observe mutual trust and respect. These are essential in order to foster good relations and to pave the way for open, frank and productive discussion, the exchange of views and for arriving at genuine consensus by labour and management, on issues and matters of dispute. This extends to making determinations on strategic direction and policy issues. The hallmark of this mutual trust, respect, communication and engagement, is the door it opens for consultation, dialogue and collaboration. Of significance is the fact that it provides for involvement in the decision-making process, as it embraces rather than undermines the application of the democratic principles and process, and does not tend to eliminate authoritarian behaviour and actions.

The mutual respect is an imperative which specifically relates to the fundamental rights of workers and employers. The basic rights of employers and workers include the freedom of choice and freedom of association. This gives both parties the right to pursue their own agendas and to organize. The right to freedom of speech allows for the parties to express their opinions. In the case of workers, they can have their case put through the voice of their representative body in the trade union, or a representative agent if they so choose. Such a freedom enables the workers to exercise their right to influence work-related matters of concern to them. In like manner, employers also have the right to responsibly and reasonably manage their business, so they have a voice and a right to representation. Taking on board that both parties have equal entitlements,

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what is fundamental to the promotion of a good relationship would be exercise of good faith in their dealings. In underscoring the point of good faith, mutual respect and trust, it ought to be recognized by employers that freedom of association and freedom of choice are fundamental freedoms of a just society. It must also be respected that trade unions and employers' organizations have a right to exist and to individually represent the collective interest of their respective membership.

The guidelines on good industrial relations practices dictate that employers and trade unions discuss and negotiate the terms and conditions of work with a view of concluding mutually agreed collective agreements. These discussions and agreements reached should take into consideration the existing labour laws, regulations and labour standards. When it comes to the matter of grievance handling and dispute resolution, there should be appropriate mechanisms in place to address these. It is best that efforts are directed at addressing employee grievances and resolving workplace disputes in a timely manner. This would serve the useful purpose of promoting positive relationships between employees, management and their employer.

The reduction of workplace tensions and conflict is important to promoting a conducive work environment and a harmonious working relationship. The key to this happening is very dependent on the nature and level of communication which is encouraged between workers and the employer, and the workers' representative and the employer. This is essential to building trust between the parties. Employers can work to establishing a good communication bridge by undertaking to having regularly meetings with staff members and by committing to the sharing of information with staff and their trade unions, so that informed decision making can take place.

Employers, members of the management team, workers and their trade unions all have a responsible part to play in developing and maintaining good industrial relations practices. Employers must not be oblivious to the fact that they have a duty to treat employees equally, regardless of whether they support the position of management or the labour union. Workers, trade unions and employers must denounce acts of discrimination and instead promote equality of treatment. Acts of coercion whether it is the employer threatening or discouraging workers from joining a trade union of choice, or workers and their trade union who attempt to coerce or threaten workers who don't want to engage in collective activity.

The point must be underscored that the principles of good industrial relations practice should form the basis of all arrangements which seek to promote and protect the employee/employer relationship. In accepting this, nothing should be done to remove from labour the right to withdraw one's labour. The right to strike or to withdraw one's labour is a basic right of every worker. Equally so, workers maintain the right to make a decision on whether to withdraw their

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labour free from coercion and intimidation. Workers also have the right to refuse any activity to which they morally object and to refuse to carry out duties which they genuinely believe to be dangerous to their health or to the safety of themselves, other workers and the community.

Good industrial relations practice will ensure that good labour-management relations exist, as it primarily seeks to seek to promote and protect the employee/employer relationship. The establishment of such good relations will contribute to a productive and engaged workforce, the promotion of justice and harmony in the workplace and in safeguarding the interest of labour and management by securing high level of mutual understanding and goodwill between parties. This is a sure way to ensure that the industrial relations practice works to maintain peaceful workplace relations, good employer–employee relations and good communication – interaction between all parties.