

## Part V

## FOCUS ON SKILLS



### INTERACTIVE SKILL 5: GRIEVANCE AND DISCIPLINARY INTERVIEWING

In concluding this Part we pick up on the theme of Chapter 25 by considering grievance and disciplinary interviewing. This type of interactive skill falls into the fourth category of face-to-face situations that we described in the first of our Focuses on skills, namely conflict resolution (see Figure I.1).

We said earlier that the appraisal interview was the hardest aspect of management for any manager to undertake. The subject now is the least popular of all management activities: talking to people when things have gone wrong. Reading most books on management you might think that things never go wrong. The writing has such an upbeat tone that it is *entirely* positive, enthusiastic, visionary, forward looking and all the other qualities that are so important. Sometimes, however, things really do go wrong and have to be sorted out. The sorting out involves at some point a meeting between a dissatisfied manager and an employee who is seen as the cause of that dissatisfaction, or between a dissatisfied employee and a manager representing the employing organisation that is seen as the cause of the employee's dissatisfaction. Procedures, as described in Chapter 25, can do no more than force meetings to take place: it is the meetings themselves that produce answers.

The objectives of this Focus on skills are:

- 1 To review concepts of discipline and grievance
- 2 To examine the nature of interviewing in grievance and discipline
- 3 To outline an approach to grievance and discipline interviewing by suggesting model sequences

Many present-day views of discipline are connected with the idea of punishment, as we saw in the last chapter; a disciplinarian is one seen as an enforcer of rules, a hard taskmaster or martinet. To discipline schoolchildren is usually to punish them by keeping them in after school or chastising them. Disciplinary procedures in employment are usually drawn up to provide a preliminary to dismissal, so that any eventual dismissal will not be viewed as unfair by a tribunal. This background makes a problem-solving approach to discipline difficult for a manager, as there is always the sanction in the background making it unlikely that the employee will see the manager's behaviour as being authentic. There will always be a feeling somewhere between outright conviction and lingering uncertainty that a manager in a disciplinary interview is looking for a justification to punish rather than looking for a more constructive solution. The approach of this Focus on skills is based on the more accurate notion of discipline implied in its derivation from the Latin *discere*, to learn and *discipulus*, learner. In disciplinary interviews the manager is attempting to modify the working behaviour of a subordinate, but the modification does not necessarily involve punishment.

The idea of grievance similarly has problems of definition and ethos. In the last chapter we used the convenient scale of dissatisfaction–complaint–grievance as an explanation, but that is a convenient technical classification. The general sense of the word is closer to the dictionary definitions which use phrases such as ‘a real or imaginary wrong causing resentment’ or ‘a feeling of injustice, of having been unfairly treated’. Notions of resentment and injustice seem too heavy for situations where the basic problem is that the maintenance crew have fallen down on the job or the central heating is not working properly. Where we have unresolved problems about our jobs (even when we are deeply worried by them) we are often reluctant to construe our feelings as ‘having a grievance’. We just want to get more information, or an opportunity for training, or a chance to talk to someone a bit more senior. Very few people indeed want to be seen to be grumbling. Customers are generally reluctant to grumble about the service they receive, because it is too much trouble, because no one would listen, or just because they do not want to make a fuss; yet they can simply walk away. Compared with customers, employees are much less inclined to complain, or even to point out problems, for fear of being categorised as a nuisance.

Despite the difficulties, our aim here is to formulate an approach to the interview that achieves an adjustment in attitude, with the changed attitude being confirmed by subsequent experience. Either the manager believes that the employee's subsequent working behaviour will be satisfactory, or the employee believes that his or her subsequent experience in employment will be satisfactory. The conflict of interest between the parties is resolved and the interview only succeeds when there is that confirmation.

In his profound and simple book of 1960, Douglas McGregor advocated an approach to management based on the strategy of *integration and self-control*. He regarded forms and procedures as having little value and emphasised the importance

of social interaction as well as the difficulty of achieving any change in people's interactive behaviour:

Every adult human being has an elaborate history of past experience in this field and additional learning is profoundly influenced by that history. From infancy on, his ability to achieve his goals and satisfy his needs – his 'social survival' – has been a function of his skills in influencing others. Deep emotional currents – unconscious needs such as those related to dependency and counterdependency – are involved. He has a large 'ego investment' and his knowledge and skill in this area, and the defences he has built to protect that investment are strong and psychologically complex. (McGregor 1960, p. 75)

Just as we set grievance and discipline alongside each other in the last chapter, similarly we examine here the grievance/disciplinary encounter in the same framework, as both are trying to tackle dissatisfaction where resolution of the problem is not straightforward. If Jim sets fire to the Plant Director's office and admits to the police that he did it for a lark because he was bored, then any disciplinary interview ought not be too difficult. If Joe is not working as well as he used to, but nobody quite knows why and he refuses to say anything about it to anyone, then there is the less straightforward situation with which the approach of this Focus on skills might help.

### ACTIVITY V.1

What grievance or disciplinary incidents can you recall where the situation was not clear-cut and where an interview with a manager produced a resolution to the problem that was effective, although quite different from what had been anticipated by the manager at the beginning of the interview?



### The nature of grievance and disciplinary interviewing

Many grievance or discipline interviews are simple: giving information, explaining work requirements and delivering rebukes, but from time to time every manager will need to use a problem-solving approach, involving sympathy, perception, empathy and the essential further feature that some managers provide only with reluctance: time. The method will be analytical and constructive; not only for the interviews built in to the grievance and discipline procedure, but also for interviews that avoid recourse to the rigid formality of procedure. We see such interviews as one of the means towards *self-discipline* and *autonomy* of employees, reducing the need for supervision. The sequence we advocate has discipline and grievance intertwined for much of the process but diverging in the interview itself (*see* Figure V.1).

As we have shown in the previous chapter, a grievance may be expressed only in manifest form, requiring interviewing to understand its latent content in order

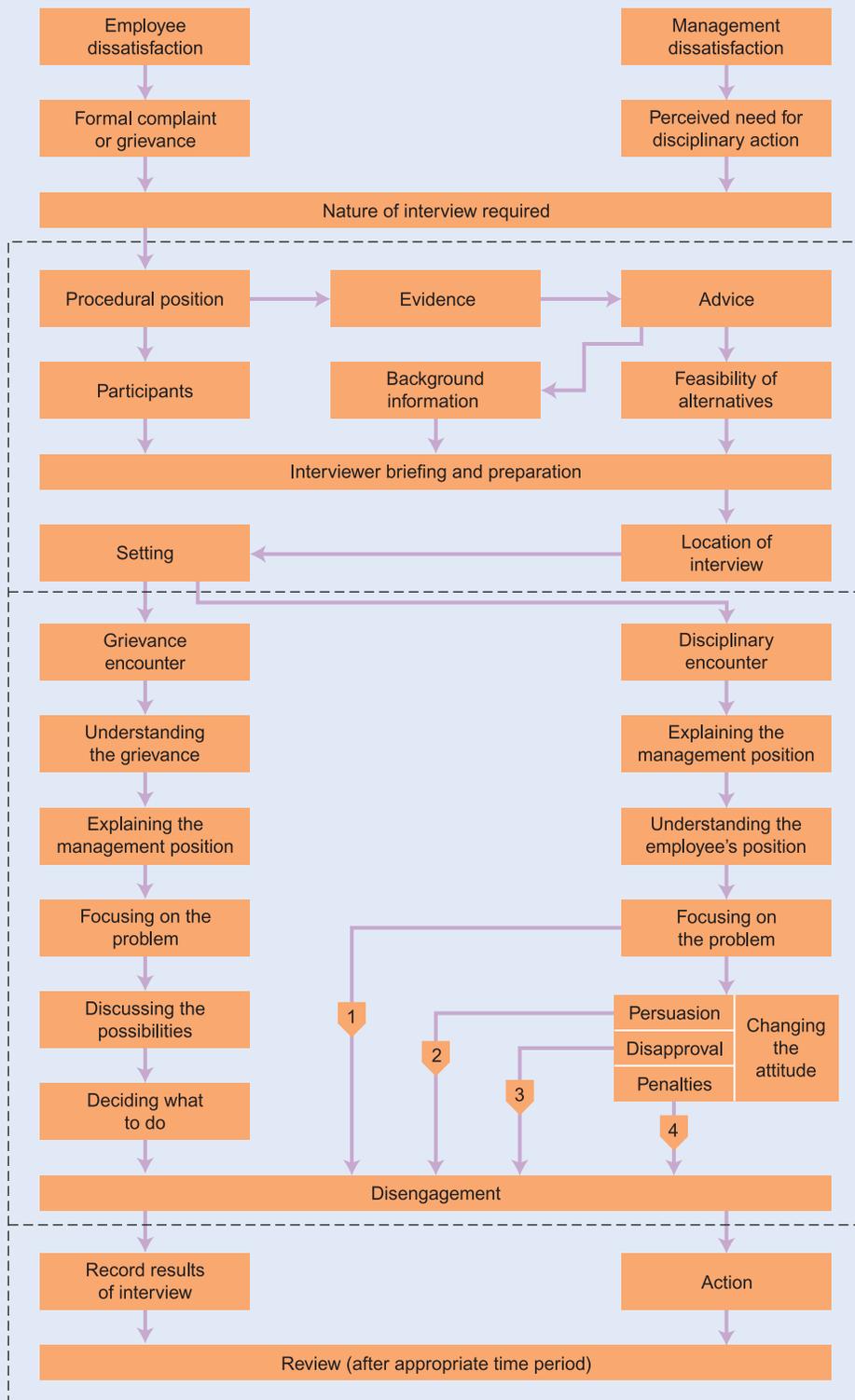


Figure V.1 The grievance and disciplinary interviews

that appropriate action is taken to remove the underlying dissatisfaction. Discipline problems will have underlying reasons for the unsatisfactory behaviour and these need to be discovered before solutions to the problems can be attempted.

## The discipline and grievance sequence

### Preparation

The first requirement is to check the procedural position and to ensure that the impending interview is appropriate. In a grievance situation, for instance, is the employee pre-empting the procedure by taking the matter to the wrong person or to the wrong point in the procedure? This is most common when the first-line supervisor is being bypassed, either because the employee or the representative feels that it would be a waste of time, or perhaps because the supervisor is unsure of the appropriate action and is conniving at the side-stepping of the procedure. It is also possible that the supervisor knows what to do but is shirking the responsibility or the potential unpopularity of what has to be done.

In disciplinary matters even more care is needed about the procedural step, as the likelihood of penalties may already have been set up by warnings, thus reducing the scope for doing anything else in the impending interview apart from imposing a further penalty. In the majority of cases we believe that interviews will precede procedure, in which case the parties to the interview are less constrained by procedural rules. In these situations the manager will be at pains to establish that the interview is informal and without procedural implications. Alternatively the interview may be in a situation where the likelihood of a move into procedure is so remote that the manager will be at pains to avoid any such reference, for fear of the complainant taking fright.

Who will be there? Here there are similar procedural considerations. In procedure there is the likelihood of employee representation; out of procedure there is less likelihood of that, even though the employee may feel anxious and threatened without it. If the manager is accompanied in the interview, the employee may feel even more insecure, and it is doubtful how much can be achieved informally unless the employee feels reasonably secure and able to speak frankly.

What are the facts that the interviewer needs to know? In grievance it will be necessary to know the subject of the grievance and how it has arisen. This type of information will have been filtered through the management hierarchy and may well have been modified in the process, so it needs to be considered carefully and any additional background information collected.

Disciplinary interviews always start at the behest of the management so the manager will again need to collect evidence and consider how it may have been interpreted by intermediaries. This evidence will include some basic details about the interviewee, but mainly it will be information about the aspects of the working performance that are unsatisfactory and why. Too often this information exists only in opinions that have been offered and prejudices that are held. This provides a poor basis for a constructive interview, so the manager needs to ferret out details, with as much factual corroboration as possible, and should try to make a shrewd guess about the interviewee's perspective on the situation.

It is almost inevitable that the interviewee will start the interview defensively, expecting to be blamed for something and therefore ready to refute any allegations,

probably deflecting blame elsewhere. The manager needs to anticipate the respondent's initial reaction and be prepared to deal with the reaction as well as with facts that have been collected. Unless the interview is at an early, informal stage, the manager also needs to know about earlier warnings, cautions or penalties that have been invoked.

For both types of interview there will be more general information that is required. Not just the facts of the particular grievance or disciplinary situation, but knowledge to give a general understanding of the working arrangements and relationships, will be required. Other relevant data may concern the employee's length of service, type of training, previous experience, and so forth.

Most managers approaching a grievance or disciplinary interview will benefit from advice before starting. It is particularly important for anyone who is in procedure to check the position with someone such as a personnel officer before starting, as management ability to sustain any action will largely depend on maintaining consistency with what the management has done with other employees previously. The manager may also have certain ideas of what could be done in terms of retraining, transfer or assistance with a domestic problem. The manager needs to verify the feasibility of such actions before broaching them with an aggrieved employee or with an employee whose work is not satisfactory.

Where is the interview to take place? However trivial this question may seem it is included for two reasons. First, because we have seen a number of interviews go sadly awry because the parties arrived at different places; this mistake seems to happen more often with this type of encounter than with others. Second, because there may be an advantage in choosing an unusually informal situation, or an unusually formal location, according to the manager's assessment. A discussion over a pie and a pint in the local pub may be a more appropriate setting for some approaches to grievance and disciplinary problems, although they are seldom appropriate if the matter has reached procedure. Also employees frequently mistrust such settings, feeling that they are being manipulated or that the discussion 'does not count' because it is out of hours or off limits. If, however, one is trying to avoid procedural overtones, this can be a way of doing it.

Unusual formality can be appropriate in the later stages of procedure, especially in disciplinary matters, when proceedings take on a strongly judicial air. An employee is not likely to take seriously a final warning prior to probable dismissal if it is delivered over a pint in a pub. The large, impressive offices of senior managers can provide appropriate settings for the final stages of procedure.

### ACTIVITY V.2

What incidents have you experienced or heard about where the location of the interview was clearly unsuitable for the nature of the encounter?



## The grievance interview

The first step in the grievance interview is for the manager to be clear about what the grievance is; a simple way of doing this is to state the *subject* of the grievance and get confirmation from the employee that it is correct. The importance of this lies in the probability that the manager will have a different perspective on the affair from the employee, particularly if it has got beyond the preliminary stage. A supervisor may report to a superior that Mr X has a grievance and ‘will not take instructions from me’, but when the interview begins Mr X may state his grievance as being that he is unwilling to work on Saturday mornings. In other situations it might be the other way round, with the supervisor reporting that Mr X will not work Saturday mornings and Mr X saying in the interview that he finds the style of his supervisor objectionable. Even where there is no such confusion, an opening statement and confirmation of the subject demonstrate that the two parties are talking about the same thing.

Having clarified or confirmed the subject of the grievance, the manager will then invite the employee to state the case, explaining the nature and reasons for the dissatisfaction. This enables the employee to explain why he or she is aggrieved, citing examples, providing further information and saying not just ‘what’ but also ‘why’. Seldom will this be done well. The presentation of a case is not a particularly easy task for the inexperienced, and few aggrieved employees are experienced at making a case of this type. Furthermore, there is the inhibition of questioning the wisdom of those in power and some apprehension about the outcome. Because of this the manager will need to ask questions after the declaration of the case in order to fill in the gaps that have been left by the employee and to clarify some points that were obscure in the first telling. As a general rule it seems better to have an episode of questioning after the case has been made, rather than to interrupt on each point that is difficult. Interruptions make a poorly argued case even more difficult to sustain. There may, however, be disguised pleas for assistance that provide good opportunities for questioning to clarify: ‘I’m not very good with words, but do you see what I’m getting at?’ ‘Do you see what I mean?’ or ‘Am I making myself clear?’ Among the communication ploys that the manager will need at this stage could be the method of *reflection* that was mentioned briefly in our first Focus on skills. Its application in this context is described more fully by Beveridge:

a selective form of listening in which the listener picks out the emotional overtones of a statement and ‘reflects’ these back to the respondent without making any attempt to evaluate them. This means that the interviewer expresses neither approval nor disapproval, neither sympathy nor condemnation. Because the respondent may be in an emotional state, sympathy is liable to make him feel resentful and angry. Any attempt to get the respondent to look objectively and rationally at his problem at this stage is also likely to fail; he is still too confused and upset to be able to do this and will interpret the very attempt as criticism. (Beveridge 1968, p. 121)

After all the necessary clarification has been obtained the manager will restate the employee grievance, together with an outline of the case that has been presented, and will ask the employee to agree with the summary or to correct it. By this means the

manager is confirming and demonstrating an understanding of what the grievance is about and why it has been brought. This is not agreeing with it or dismissing it; all that has happened is that the grievance is now understood.

This phase of the interview can be summarised in sequential terms:

Manager	Employee
1 States subject of grievance	2 Agrees with statement
	3 States case
4 Questions for clarification	
5 Re-states grievance	6 Agrees or corrects

### The grievance is now understood

The next phase is to set out the management position on the grievance. This is not the action *to be taken* but the action that *has been taken*, with the reasons for the action; this phase may include an explanation of company policy, safety rules, previous grievances, supervisory problems, administrative methods and anything else which is needed to make clear why the management position has been what it has been. The manager will then invite the employee to question and comment on the management position to ensure that it is understood and the justifications for it are understood, even if they are not accepted. The objective is to ensure that the parties to the discussion see and understand each other's point of view.

### The management position is now understood

Setting out the two opposed positions will have revealed a deal of common ground. The parties will agree on some things, though disagreeing on others. In the third phase of the interview the manager and employee sort through what they have discussed and identify the points of disagreement. At this stage the points on which they agree can be ignored, as the need now is to find the outer limits. This is very similar to the differentiation stage in negotiation, which is explained in the Part VI Focus on skills.

### Points of disagreement are now in focus

As a preliminary to taking action in the matter under discussion, various possibilities can be put up for consideration. It is logical that the employee's suggestions are put first. Probably this has already been done either explicitly or implicitly in the development of the case. If, however, specific suggestions are invited at this stage they

may be different ones, as the aggrieved employee now understands the management position and is seeing the whole matter clearly following the focusing that has just taken place. Then the manager can put forward alternatives or modifications, and such alternatives may include, or be limited to, the suggestion that the grievance is mischievous and unfounded so that no action should be taken. Nevertheless, in most cases there will be some scope for accommodation even if it is quite different from the employee's expectation. Once the alternative suggestions for action are set out, there is time for the advantages and disadvantages of both sets to be discussed.

### Alternatives have now been considered

A grievance interview is one that falls short of the mutual dependence that is present in negotiation, so that the decision on action is to be taken by the manager alone; it is not a joint decision even though the manager will presumably be looking for a decision that all parties will find acceptable. In bringing a grievance the employee is challenging a management decision and that decision will now be confirmed or it will be modified, but it remains a management decision.

Before making the decision the manager may deploy a range of behaviours to ensure that the decision is correct. It may be useful to test the employee's reaction by thinking aloud, 'Well, I don't know, but it looks to me as if we shall have to disappoint you on this one . . .' There may be an adjournment for a while to seek further advice or to give the employee time to reflect further, but the manager has to decide and then explain the decision to the employee. In this way the manager is not simply deciding and announcing, but supporting the decision with explanation and justification in the same way that the employee developed the case for the grievance at the beginning. There may be employee questions, the employee may want time to think, but eventually the management decision will have to be accepted, unless there is some further procedural step available.

Management action is now clear and understood.

### The disciplinary interview

Discipline arises from management dissatisfaction rather than employee dissatisfaction with the employment contract, so the opening move is for a statement of why such dissatisfaction exists, dealing with the *facts* of the situation rather than managerial feelings of outrage about the facts. This shows that the interview is being approached by the manager as a way of dealing with a problem of the working situation and not (at least not yet) as a way of dealing with a malicious or indolent employee. If an employee has been persistently late for a week, it would be unwise for a manager to open the disciplinary interview by saying, 'Your lateness this week has been deplorable' as the reason might turn out to be that the employee has a seriously ill child needing constant attendance through the night. Then the manager would be embarrassed and the potential for a constructive settlement of the matter would be jeopardised. An opening factual statement of the problem, 'You have been at least twenty minutes late each day this week . . .', does not prejudge the reasons and is reasonably precise about the scale of the problem. It also circumscribes management dissatisfaction by implying that there is no other cause for dissatisfaction: if there is, it should be mentioned.

### WINDOW ON PRACTICE

In the booklet *I'd Like a Word With You*, Tietjen describes types of difficult interviewee, one of which is 'the professional weeper':

This is the person who can turn on tears like turning on a tap. Some people are quite unmoved by tears, but lots of bosses find tears and emotion very hard to cope with. They are either very embarrassed or very apologetic that their words could have had such an effect. (1987, p. 26)

Another difficult interviewee is the 'counter-attacker':

who operates on the maxim that the best defence is attack. Once you have stated your reasons for the interview, he will leap straight into the discussion, relishing the opportunity to 'have it out'. The obvious danger is that you respond to his aggression, that a battle of words will ensue and that nothing else will happen. (p. 28)

Notice that Ms Tietjen leaves the gender open in the first instance and specific in the second!

Now the manager needs to know the explanation and asks the employee to say what the reasons for the problem are, perhaps also asking for comments on the seriousness of the problem itself, which the employee may regard as trivial, while the manager regards it as serious. If there is such dissonance it needs to be drawn out. Getting the employee's reaction is usually straightforward, but the manager needs to be prepared for one of two other types of reaction. Either there may be a need to probe because the employee is reluctant to open up, or there may be angry defiance. Disciplinary situations are at least disconcerting for employees and frequently very worrying, surrounded by feelings of hostility and mistrust, so that it is to be expected that some ill feeling will be pent up and waiting for the opportunity to be vented.

#### First possible move to disengagement

If the employee sees something of the management view of the problem and if the manager understands the reasons for the problem, the next requirement is to seek a solution. We have to point out that a disciplinary problem is as likely to be solved by management action as by employee action. If the problem is lateness, one solution would be for the employee to catch an earlier bus, but another might be for the management to alter the working shift to which the employee is assigned. If the employee is disobeying orders, one solution would be for them to start obeying them, but another might be for the employee to be moved to a different job where orders are received from someone else. Some managers regard such thinking as unreasonable, on the grounds that the contract of employment places obligations on individual employees that they should meet despite personal inconvenience. However, the point is not how people *should* behave, but how they do. Can the contract of employment be enforced on an unwilling employee? Not if one is seeking such attitudes as enthusiasm and cooperation, or behaviour such as diligence and carefulness. The

disenchanted employee can always meet the bare letter rather than the spirit of the contract.

The most realistic view of the matter is that many disciplinary problems require some action from both parties, some require action by the employee only and a small proportion require management action only. The problem-solving session may quickly produce the possibility for further action and open up the possibility of closing the interview.

This simple, logical approach outlined so far may not be enough, due to the unwillingness of employees to respond to disciplinary expectations. They may not want to be punctual or to do as they are instructed, or whatever the particular problem is. There is now a test of the power behind management authority. Three further steps can be taken, one after the other, although there will be occasions when it is necessary to move directly to the third.

### Second possible move to disengagement: persuasion

A first strategy is to demonstrate to employees that they will not achieve what they want, if their behaviour does not change:

'You won't keep your earnings up if you don't meet targets.'  
 'It will be difficult to get your appointment confirmed when the probationary period is over if . . .'

By such means employees may see the advantages of changing their attitude and behaviour. If they are convinced, there is a strong incentive for them to alter, because they believe it to be in their own interests.

### Third possible move to disengagement: disapproval

Another strategy is to suggest that continuing the behaviour will displease those whose goodwill the employee wishes to keep:

'The Management Development Panel are rather disappointed . . .'  
 'Some of the other people in the department feel that you are not pulling your weight.'

A manager using this method needs to be sure that what is said is both true and relevant. Also the manager may be seen by the employee as shirking the issue, so it may be appropriate to use a version of 'I think this is deplorable and expect you to do better'.

We asked for a restraint from judgement in the early stages of the interview, until the nature of the problem is clear. The time for judgement has now come, with the proper deployment of the rebuke or the caution.

### Fourth possible move to disengagement: penalties

When all else fails or is clearly inappropriate, as with serious offences about which there is no doubt, penalties have to be invoked. In rare circumstances there may be

the possibility of a fine, but usually the first penalty will be a formal warning as a preliminary to possible dismissal. In situations that are sufficiently grave summary dismissal is both appropriate and possible within the legal framework.

### Disengagement

We have indicated possible moves to disengagement at four different points in the disciplinary interview. Now we come to a stage that is common to both grievance and disciplinary encounters from the point of view of describing the process, although the nature of disengagement will obviously differ. The manager now needs to think of the working situation that will follow. In a grievance situation can the employee now accept the decision that has been made? Are there faces to be saved or reputations to be restored? What administrative action is to be taken? In closing a disciplinary interview, the manager will aim for the flavour of disengagement to be as positive as possible so that all concerned put the disciplinary problem behind them. In cases where the outcome of the interview is to impose or confirm a dismissal, then the manager will be exclusively concerned with the fairness and accuracy with which it is done, so that the possibility of tribunal hearings is reduced, if not prevented. It can never be appropriate to close an interview of either type leaving the employee humbled and demoralised.

#### WINDOW ON PRACTICE

The American Eric Harvey has reduced what he calls 'positive discipline' to three simple steps:

- 1 Warn the employee orally.
- 2 Warn the employee in writing.
- 3 If steps 1 and 2 fail to resolve the problem, give the employee a day off, *with pay* (Harvey 1987).

A similar, very positive, approach was outlined in a seminal paper by Huberman in 1967.

#### SUMMARY PROPOSITIONS

- V.1 Grievance and disciplinary interviews are central to the process of sorting things out when there is a management/employee problem, but most managers dislike such interviews intensely.
- V.2 Grievance and disciplinary interviews are one of the means whereby people at work achieve self-discipline and autonomy, reducing the need for supervision and reducing the need for recourse to the formality of procedure.
- V.3 The steps in conducting a grievance interview are first to understand the nature of the grievance, to explain the management position, to focus on the problem, to discuss possibilities and then to decide what to do.

- V.4 The disciplinary interview starts the other way around, first explaining the management position, then understanding the employee's position and focusing on the problem. If that does not produce a satisfactory result, the manager may have to move through three more steps: persuasion, showing disapproval or invoking penalties.

### GENERAL DISCUSSION TOPICS

- 1 Do individual grievance and disciplinary procedures weaken trade union organisation in a workplace by enabling the management to deal with employees individually rather than having to face the potential strength of collective action and representation?
- 2 In 1791 Edmund Burke, a British statesman, said, 'He that wrestles with us strengthens our nerves, and sharpens our skill. Our antagonist is our helper.' Do trade union officials help HR managers by strengthening their nerves and sharpening their skill?

### FURTHER READING

Bouwen, R. and Salipante, P.F. (1990) 'Behavioural analysis of grievances', *Employee Relations*, Vol. 12, No. 4, pp. 27–32

Hook, C.M., Rollinson, D.J., Foot, M. and Handley, J. (1996) 'Supervisor and manager styles in handling discipline and grievance', *Personnel Review*, Vol. 25, No. 3, pp. 20–34

These recent studies cover behaviour in discipline and grievance interviewing.

Edwards, P.K. (2000) 'Discipline: towards trust and self-discipline?' in S. Bach and K. Sisson (eds) *Personnel Management: A comprehensive guide to theory and practice*. Oxford: Blackwell, pp. 317–37

Redman, T. and Wilkinson, A. (2001) *Contemporary Human Resource Management*. Harlow, Essex: Pearson Education, pp. 177–92

These studies provide further background and discussion of the place of interviewing in employment relations processes.



### WEB LINKS

[www.eoc.org.uk](http://www.eoc.org.uk) (the website of the Equal Opportunities Commission)

[www.cre.gov.uk](http://www.cre.gov.uk) (the website of the Commission for Racial Equality)

[www.ageconcern.org.uk](http://www.ageconcern.org.uk) (the website of the charity Age Concern)

### REFERENCES

Beveridge, W.E. (1968) *Problem-Solving Interviews*. London: Allen and Unwin.

Harvey, E.L. (1987) 'Discipline versus punishment', *Management Review*, March, pp. 25–9.

Huberman, J.C. (1967) 'Discipline without punishment', *Harvard Business Review*, May, pp. 62–8.

McGregor, D. (1960) *The Human Side of Enterprise*. Maidenhead: McGraw-Hill.

Tietjen, T. (1987) *I'd Like a Word With You*. London: Video Arts Ltd.

### REVIEW OF PART V

Part V has dealt with aspects of management that centre on a basic conflict of interest between those who employ and those who are employed. To a great extent that

is a feature of all management, but here it is most apparent. The grievance or disciplinary interview both illustrates and symbolises that division, but also illustrates how the conflict can often be resolved and does not have to be destructive. Various forms of collective consent can be negotiated, employees can be involved, teams briefed and unions recognised. Health hazards can be modified and stressful working conditions alleviated. The extent to which people are disadvantaged or have their dignity affronted through discrimination can be lessened. When there is a real problem of dissatisfaction with the employment or psychological contract, that problem can be tackled through policy, procedure or face to face.

In 1776 Adam Smith, in his *Wealth of Nations*, made a sly comment about universities:

The discipline of colleges and universities is in general contrived, not for the benefit of the students, but for the interest, or more properly speaking, for the ease of the masters.

All readers of this book, as well as its authors, will know that is certainly not true for all universities in the twenty-first century even if it may have been true in the eighteenth, but it remains a useful homily to underpin the management of employee relations, illustrated by part of a true story about an industrial dispute. In a small factory in Lancashire production was halted because of an unofficial strike. Attempts to solve the problem failed and the strike lingered on despite the fact that the strikers were not eligible for strike pay and were experiencing considerable hardship. One day the pickets heard that 'a man from London' was coming. Hopes rose for a breakthrough. Soon after 11.00 a.m. the General Manager drove to the station, returning with a passenger. Both went in to the offices to emerge after an hour with the Works Manager and the Production Manager. All four got into the car and drove out. The car and two passengers returned at 4.00 p.m: the man from London had obviously been returned to the station after a lengthy lunch. The following day it emerged that the meeting had not been about the strike at all, but to discuss replacement company cars for the Works and Production Managers. The strike continued for six more weeks and the plant closed completely seven months later.

### Industrial disputes at British Airways, 1997 and 2003

British Airways is an international company by any standards and, by 1990, was the world's most popular and most profitable airline, although this position was compromised after the events of September 2001, which had such a disastrous effect on air travel.

Because of its extensive network and the salient position of Heathrow as the world's busiest airport, it was relatively straightforward for BA to become the most popular airline, but achieving high profitability was more difficult. There was overstaffing and the need for radical measures:

The organisation had a bureaucratic style of management, damaging industrial relations and a poor reputation for customer service . . . There was a drastic reduction in staff numbers from 60,000 to 38,000. This was achieved by a combination of voluntary severance and natural wastage. (Hopfl 1993, p. 117)

In order to maintain market leadership the airline embarked on a famous programme of staff training to develop commitment to customer service, and the quality of service to the customer improved markedly, so that British Airways was able to maintain its premier position despite ever-increasing competition.

There were, however, mounting problems with the staff as the pressure on margins continued. In 1996 a strike by pilots was narrowly averted, but 1997 brought one stoppage and the threat of another.

On 9 July a 72-hour strike by cabin staff began. It was an official stoppage called by the Transport and General Workers Union following protracted negotiations and a ballot among its members working for the airline. According to British Airways only 142 cabin crew formally joined the strike, but 1,500 (compared with a normal daily average of 120) reported sick – a novel strategy! The number that reported for work as usual was 834.

The management reaction was to announce that all strikers would forfeit travel perks and promotion prospects for three years. Film was also taken of strikers on picket lines. The threats were later withdrawn and the filming was stopped. The situation was complicated by the existence of a rival union, Cabin Crew '89, which had broken away from the TGWU in 1989. This union, known as CC89, supported the management position and all their members worked normally through the stoppage.

Another interesting feature of the dispute was reported by *The Times*:

During the past few years, BA, like many companies in Britain, has appointed middle and senior managers who fear for their jobs. To get on, they believe, they must show they are tough. I have heard these 'performance managers' brusquely warning vacillating staff that if they follow their union and refuse to work, they will 'face the consequences.' This has irked the cabin crew far more than the dispute over pay and conditions. They no longer feel part of a team and believe they are being bullied. (Elliott 1997, p. 41)

As usual, the dispute moved on to talks to find a resolution, but BA had lost many flights and its reputation was as severely dented as its financial position. The share price dropped from 763p to 583p before recovering to 635p, and there were varying reports about how many millions of pounds the dispute was costing.

Four years later the terrorist attack on the World Trade Center in New York badly affected full-service airlines, especially those with transatlantic services like BA. Competition from low-cost airlines and anxiety about a war in Iraq added to the pressure, so cost-cutting had to slice even deeper. One method introduced was Automated Time Recording (ATR) that kept a tighter control on hours worked. Many check-in and engineering staff were alarmed at this innovation, fearing that it might lead to a reduction in flexibility about working hours, which was a major attraction for many who relied on this to fit in with their domestic arrangements. They were also angered by senior managers using terms such as 'feather-bedding' and making comments about high absenteeism in the summer. On 18 July 2003, on one of the busiest weekends of the year, BA's operations at Heathrow were paralysed by a wildcat strike by check-in and other groundstaff. It was expected to cost the airline £100 million.

### Required

- 1 Do you think it is inevitable that the pressures of international competition drive companies into a situation where unilateral managerial decision making must prevail and there is simply no time for the consultation and compromise that is involved in union negotiation?
- 2 This case provides an excellent example of the problems that can arise from having two unions representing the same group of employees and competing with each other for membership. How would you have tried to deal with this situation in 1997 – not back in 1989?
- 3 How accurate do you regard Harvey Elliott's views to be as a general comment on current management practice?
- 4 'Informal arrangements for flexible manning, made by supervisors individually with employees, are better than electronic or similar controls.' Do you agree or disagree?

### References

- Elliott, H. (1997) 'BA is Plunging towards Disaster', *The Times*, 10 July.
- Hopfl, H. (1993) 'Culture and Commitment: British Airways', in D. Gowler, K. Legge and C. Clegg (eds) *Case Studies in Organizational Behaviour and Human Resource Management*, 2nd edn. London: Paul Chapman Publishing, pp. 117–25.



## Part V

## EXAMINATION QUESTIONS

- 1** Explain the difference between these four terms:
  - (a) Industrial relations
  - (b) Employee relations
  - (c) Collective bargaining
  - (d) Employee involvement
- 2** What are the aims and objectives of British trade unions?
- 3** What is meant by the term 'derecognition'? How extensive is derecognition in present-day Britain, and what employment practices, if any, have employers initiated to take the place of trade unions?
- 4** 'Good health is good business.' Discuss.
- 5** How just can the framework of organisational justice ever be when managers have so much more power than employees?
- 6** Analyse critically the assertion that employers develop employee involvement schemes in order to empower their employees.
- 7** Explain the main components of a grievance procedure.
- 8** Explain the difference between bargaining and grievance handling.