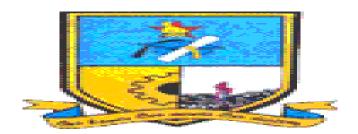
# MIDLANDS STATE UNIVERSITY



# **FACULTY OF SOCIAL SCIENCES**

# HUMAN RESOURCE MANAGEMENT DEPARTMENT

THE EFFECTIVENESS OF WORKS COUNCILS IN PROMOTING INDUSTRIAL DEMOCRACY. A CASE STUDY OF THE ZIMBABWE REVENUE AUTHORITY.

# $\mathbf{BY}$

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SUBMITTED IN PARTIAL FULFILMENT OF A BSC HUMAN RESOURCE MANAGEMENT HONOURS DEGREE

(JUNE 2016)





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# **Abstract**

This research was carried out to explore the effectiveness of works councils in promoting industrial democracy. It was carried out using the Zimbabwe Revenue Authority as a case study. The problem identified was the non-implementation of works council resolutions, which tainted the achievement of industrial democracy. It should be noted however that although there is no requirement at law for parties to reach agreements whenever they convene for meetings, both parties should be bound by the voluntary agreements that they make. Literature reveals that works councils have a positive impact and effectively result in industrial democracy in organizations, when the social partners negotiate in good faith and ensure successful implementation of works council agreements. This is because implementation of works council resolutions although not encompassed in industrial democracy has a strong impact on the process. On the conceptual framework, the Unitary and Pluralistic perspectives were adopted. More so the research constituted sixteen (16) participants, these were selected from a population of individuals knowledgeable of how works councils operate. Purposive non probability sampling was used in identifying the individuals used in the research. Questionnaires and interviews were used as research instruments in gathering data from the primary sources. Thematic analysis was used as a method of analyzing the findings from the research and data was presented using tables, summaries and matrixes. The major findings of the research were that non-implementation of works council resolutions was being caused by lack of resources, failure to negotiate in good faith by management and poor communication between management and labour. The findings also revealed that the non-implementation of the resolutions affect the trust of employees in works councils thereby affecting their effectiveness in promoting industrial democracy. The researcher concluded that implementation of works councils resolutions make works councils effective in promoting industrial democracy in organizations. The major recommendations were that negotiations should be done in good faith, strong communication should be enhanced between the two parties and that follow ups meetings should be put in place to ensure successful implementation of works council resolutions. This ensures that works councils become effective in promoting industrial democracy.

# **Dedications**

### **To My Parents**

This piece of work is dedicated to my parents, Mr. Sorobias Vengesai Makumbe and Mrs Dzidzai Kuchinani. I would like to say thank you for the moral, financial and psychological support under all circumstances and conditions. Nothing can ever be compared to your unquestionable exhibition of concern and passion for me to pursue my studies. This achievement would not have come by without your deep involvement and never ending PRAYERS. Words only are not enough to express my gratitude.

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# **DEFINITION OF TERMS**

**Industrial democracy** - is defined as a concept which is concerned with the participation of employee representatives from all or most levels of an organization in its decision making process and the arrangement involves sharing responsibility and authority in the workplace (Boxall, Purcell, Wright ,2007; 231).

**Works Councils** - means a council composed of an equal number of representatives of an employer and representatives drawn from members of a workers committee and a chairman (Labour Act Chapter 28;01 of 2006).

**Human resource management** - is defined as a strategic and coherent approach to the management of an organization's most valued assets which are the people working there who individually and collectively contribute to the achievement of its objectives (Armstrong 2006; 3).

*Industrial relations* - is a term that describes the interconnections that exist between employers and employees in the workplace. These may be formal, for example contracts of employment, procedural agreements. They may also be informal, in the shape of the psychological contract, which expresses certain assumptions and expectations about what managers and employer have to offer and are willing to deliver (Armstrong 2006; 215).

**Management representatives-** means an employee who by virtue of his contract of employment or of his seniority in an organization, may be required or permitted to hire, transfer, promote, suspend, lay off, dismiss, reward, discipline or adjudge the grievances of other employees (Labour Act Chapter 28;01 of 2006).

Workers' committee- A Workers' Committee is essentially a committee created and elected by the workers to represent themselves in discussions/negotiations with members of management. A Workers' Committee therefore consists entirely of employees and does not include any management representatives. Members of the Workers' Committee are free to discuss such matters as they may wish to debate without interference by management. (Labour, Capital and Society 1981; 142).

*Works council resolutions* - means agreements negotiated in accordance with the labour Act which regulates the terms and conditions of employment of employees (Labour Act Chapter 28; 01 of 2006).

# **LIST OF ABBREVIATIONS**

**HRM**- Human Resources Management

MNCs- Multi-national Corporations

**ZIMRA**- Zimbabwe Revenue Authority

**ZIMRATU** – Zimbabwe Revenue Authority Trade Union

**ZCTU** – Zimbabwe Congress of Trade Unions

**WCRs-** Works Council Resolutions

**Hr.** - Human Resource

# **INTRODUCTION**

The rise of industrial democracy to prominence is significantly attributed to political democracy. The concept has become a major workplace system in the world, this has been as a result of the need to address the plight of workers in global workplace environments in as much as their rights and interests are concerned. It is now also strongly associated with the growing understanding that to achieve best results workers should have an input in the decision making process, since they are the ones that directly carry out work and interact with clients. This makes the workplace conducive for interaction between management and employees, uniting them to achieve organizational best results. Industrial democracy is therefore a system which seeks to create an organization for the people by the people with the people. Although industrial democracy has a wide spectrum of meaning, this research seeks to look more on works councils as a form of representative democracy at the workplace, based on the argument that consultation and debate, is the way to stir democracy and gather best ways of handling workplace issues. The idea of industrial democracy in relation to works councils at the workplace, is mostly affected by the relationship between employers and employees and their understanding of the meaning of the concept. Outright industrial democracy is achieved if they is consultation, deliberations on issues of mutual interest and successful implementation of works council resolutions. Where works council resolutions are not implemented it gets back to haunt works councils, as employees may no longer wish to be part of a platform where their views are considered and decisions jointly made but without being implemented. Limited research has been conduct in relation to the impacts of non-implementation of works council resolutions on works councils and their ability to perpetuate industrial democracy in organizations. This is because from the definition given for industrial democracy, implementation of decisions jointly made is not encompassed, industrial democracy is only restricted to participation and involvement of employees/representatives in decision making. Although works councils try to be democratic through consulting employees, discussing issues of mutual interest and making joint decisions, their ability to effectively promote industrial democracy is also affected by the implementation of works council's resolutions.

The desired state in an employment relationship is characterized by both parties working together harmoniously and where conflict is minimal, in this state employer's accord employees

consultation, participation, authority and responsibility in decision making. This is based on the argument by Armstrong (2012) that workers are critical assets that contribute significantly to the success of organizations hence should be accorded the chance to make decisions pertaining issues that affect them and the organization of their work. Literature reveals that workers who work in a democratic environment where decisions they help in making are implemented performs better than those working in an opposite environment. Literature goes on to reveal that, employees who work in an environment where there is democracy in terms of participation, authority and responsibility but where there is non-implementation of works council resolutions tend to be disengaged to their work and are not motivated to perform. Withdrawn efforts and continuous employee-management conflicts can be seen as serious consequences of not implementing decisions jointly made with employees.

## **BACKGROUND OF STUDY**

## **Defining industrial democracy**

The term industrial democracy has no one best definition and it has several meanings that can be attached to different contexts. Turner (2006) asserts that this concept places much attention on a high degree of employee involvement where they fully take part in decision making through representation by such institutions as Trade Unions or works councils at the workplace as is required by law. The definition is inclusive and takes into cognizance consultation of employees by employers, employees taking part in the decision making process and the implementation of works council resolutions. The consultation aspect involves management informing the workers of developments that are likely to take place due to internal or external factors, providing a platform where the issues can be deliberated on and agreements made where possible. The critical aspect is that there is information sharing and consultation. In the set-up workers are viewed and treated as partners, rather than being manipulated. The workers' input is incorporated in the decision making process through a system that is acceptable and transparent to both groups. Transparence indicates the willingness of management to accept openly the ideas that have come from the workers. There is profound and regular communication between management and employee representatives.

According to Adams and Hansen (1993) Industrial democracy can take two broad forms, representational democracy or direct democracy. This point is buttressed by Aviiad (2002) cited in Allard, Davidson and Mathieu (2008) who stressed that participatory or direct democracy means the participation by all employees in the workplace, and representative democracy entails employees choosing individuals among themselves to represent their interests. The same author, on the other hand said that, representative democracy at the workplace normally exists through trade unions and works councils. In both direct democracy and representative democracy, workers take control of the decisions that affect them at the workplace. In order to -avoid unnecessary work stoppages many organizations have adopted forms of representative democracy such as works council, to ensure that labour and management regularly meet to discuss issues that of mutual interest at the workplace. Maphosa (1991) and Kadungure (2015) concur that works councils are the best platform for representative democracy at the workplace. Hence the need to study their effectiveness in promoting industrial democracy.

#### **History of industrial democracy: Global Level**

Industrial democracy is a significant concept in industrial relations with traceable roots. According to Jentsch (2007) the term industrial democracy was coined and popularized in industrial relations by Sidney and Beatrice Webb in their publication "industrial democracy" in 1897. These two scholars viewed industrial democracy in two perspectives which are the internal dimension that viewed trade unions as democracies in their own capacity and capable of advancing the interests of workers due their ability to choose representatives from the same workers. The other perspective is the external dimension in which they singled the method of collective bargaining which they argued to equal the concept of industrial democracy in its totality. In Germany the term was referred to as Wirtschaftdemocratie which translates to codetermination, which is mainly concerned with representation of employees at the highest level in organizations that is in supervisory boards, management boards and the board of directors. The German Co-determination concept is therefore an ideal model for how industrial democracy should be like in organizations. This is because employment relations are characterized by sophisticated mutual co-operation, collaboration and interdependence between the social partners. In codetermination the decisions jointly made are jointly implemented by the parties involved. Blumberg (1968) and Hammer (1998) both cited in Jentsch (2007) placed much

emphasis on industrial democracy at employee level and employee participation through institutions such as works councils.

The concept of industrial democracy can also be traced to the works of three authors. According to Jentsch (2007) the first author is Karl Korsch who was a German Marxist who referred to industrial democracy as "industrielle demokratie," which according to him encompassed institutions of labor representation and participation at workplace level and at a national economical level. He strongly stipulated that it was a critical stage in the postulation of collective involvement in decision making. Jentsch (2007) further pointed out that the second scholar Michael Poole coined six different forms of industrial democracy which are workers selfmanagement, producer co-operatives, co-determination, works councils, trade union action and shop floor programs and that trade union action comprised of collective bargaining as its important component and that shop floor programs cover direct participation and team work among others. He also defined the financial participation of employees as economic democracy. The other scholar to make a critical contribution is Hugh Clegg. Clegg (1960) cited in Jentsch (2007) assumed a radically seductive new approach to industrial democracy. He defined the term as a concept that must institutionalize and defend the rights and interests of employees at workplaces at a global scale. Summarizing these different explanations shows that industrial democracy is mainly concerned with employees at shop floor level directly involved in production and the fact that they really need to be involved in decision making in issues that affect them at the workplace.

Much of the struggle for industrial democracy originated in Europe according to Okorodudu (1986) it was as a result of the revolt of workers against the socio-economic injustices perpetrated on the emerging industrial working class. The legislations relating to workers in industrial settings were restrictive and oppressive and they fostered socio-economic injustices. For example, in Britain, combination of laws were enacted preventing workers from belonging to trade unions or associations and in Germany the earliest legal proposals for institutionalized forms of democracy date back to 1848 in Frankfurt where parliamentarians drafted the rights of factory workers. The proposal was never seen through because the body dissolved before they could carry it out. However the Prussian bureaucracy introduced forms of worker representation

in the mining sector after a period of industrial unrest in 1892, at first without a law, however they were compulsory in 1905.

Various scholars' standpoints relating to the development of industrial democracy have been documented. Jentsch (2007) was of the view that the concept of industrial democracy was developed as a result of the conflictual interplay that exists between management and labour in workplace setups. He further argued that the pioneers who introduced forms of worker representation such as workers committees were firstly influenced by the need to avoid resentment between workers and company owners and increase worker discipleship to the company owners. He further propounded that the second reason was that they were influenced by liberalism whereby open-minded employers advocated for employer-employee equality at work. The Opstishe Werke Carl Zeis in Germany is a classic example where employees were accorded the opportunity to participate in wage related issues. This argument was reinforced by Cornock (2011) who elaborated that industrial democracy, as it is being currently understood gained attention from the 1950s upwards due to the vast industrialization and rise of labour movements. However instead of improving the general organization of work, making it less strenuous and improving working conditions and employee lives, the rapid scientific and technological advances failed dismally giving rise to the fight for improved workplace conditions, work-life balance and involvement and participation of employees in workplace issues.

Most importantly over time employers and management have accepted that they cannot make decisions on their own but have to jointly make them with employees. This is supported by Gollan and Patmore (2002) who argued that it is critical for employers to consider the views of the workforce in decision making, since they can be effective strategic business partners and a source of competitive advantage. This has led to various conventions on employee involvement and participation being put in place. Employees are now being involved through such as platforms as works councils, collective bargaining among other platforms. As Cornock (2011;np) denotes "the idea of industrial democracy arose along with socialism in the nineteenth century and continues to be an issue of great importance to working people because what takes place in the workplace affects their health, wealth and status." Generally the case for industrial

democracy is sustained by a number of arguments which maybe moral, economic and political, providing a need to study the effectiveness of works councils in promoting industrial democracy.

#### History of industrial democracy in Zimbabwe

In pre-independence Zimbabwe, economic development was encouraged along capitalist and racist lines. According to Maphosa (1991) harsh racial discriminatory policies and practices secured economic control for the white oppressors. These limited the development and skill advancement initiatives of indigenous workers. In the industrial relations structure, before the postulation of the Industrial Conciliation Act in 1959, blacks were victims of segregator control and could not participate at the same level with the white workers when it came to issues affecting their employment welfare. They were deemed non-workers due to their exclusion in the definition of workers. The white workers where so protected that the advancement of the Zimbabwean worker was structured in such a way that it did not threaten their position at workplaces and in the labour market. During this period industrial democracy only existed to white workers and these where the ones that were involved in negotiating for and determining working conditions at the workplace, conditions for black workers were determined for them by their employers. Thus the plight of workers in as much as industrial democracy was concerned was marred by racial discrimination and segregation.

After independence the government introduced worker participation at workplace level, however according to Maphosa (1991) this move was faced by a number of challenges. The first being polarization of races between a predominantly native black workforce and a large cluster of white employers and management. Their industrial relations was characterized by continuous conflict and resentment. The parties were constantly at each other's throats and that defeated the whole purpose of democracy. More so companies lacked experience and the required gusto to introduce worker participation frameworks and democratization at the workplace. They was also no legal framework to govern the worker participation until 1985 when the Labor Relations Act was enacted. The absence of the framework had meant that the process was left to the discretion of employers leaving employees at their mercy Maphosa (1991).

The first years after independence advancement towards industrial democracy was affected by state restrictions which marginalized the role of workers committees. The restrictions denied employees the right to influence decisions and partake in the determination of favorable

conditions of service and the determination of wages. This is supported by Bond and Saunders (2005) who stated that after independence the new ruling party provided a hope for a brighter future for labour. However it is the zigzagging economic policy and malgovernance that casted doubt in the minds of labour, workers responded to this through a series of strike action and notable are the Hwange colliery, sugar plantations and bakery strikes. The state then criminalized striking and the workers committees were also reduced to mere channels of communication due to the fact that during this era companies were mostly M.N.Cs and both workers and management could not determine workplace issues. The issues were determined at headquarter level and mostly out of the country. The advancement towards workplace democracy was also affected by various factors which encompassed the relationship of ownership and control where employers disregarded the views of employees during their negotiations but only accepted them to avoid conflicts and also when they made good business sense.

The plight of the workers and their demand for industrial democracy worsened between 1980 and 1989 when the government engineered an institutional control over labor by joining employee unions into one, the ZCTU as noted by Bond and Saunders (2005). The government particularly ZANU PF ensured that key leadership positions were manipulated, the union was unaccountable to the workers and a continuous political interference in the unions operations. This weakened the operation of the worker movement and reduced their acceleration towards industrial democracy since their representational body that was supposed to deliberate with the government was in actual terms the puppet of that same government.

The period from 1989 upwards saw a significant change in the fight for industrial democracy as a new generation of union activists took leadership positions within ZCTU and began demanding accountability to the workers. According to Bond and Saunders (2005) this new ZCTU leadership demanded autonomy from ZANU PF and formed alliance with other groups and notably students who were in much support of social democracy and also industrial democracy. The period between 1989 and 2002 was iconic in the fight for industrial democracy as noted by the massive peaceful demonstrations, strikes and stay-always that involved workers from all the sectors. This period also led to the promulgation of the Movement for Democratic Change, a political party whose members and leadership constituted ZCTU membership and leadership as well. This showed that the fight for industrial democracy had taken a new twist with labour

activists prepared to stand political against the ruling party and the government in order to promote industrial democracy and advance the interests of workers. According to Bond and Saunders (2005) these new wave of labour activists were fighting for decentralization of the labour system where employers and employees are solely responsible for determining issues that are of mutual interest, and most importantly where employees significantly influence issues pertaining to their welfare.

At the turn of the century the Zimbabwean government has continuously lobbied for employee involvement and participation at the workplace. Kadungure (2015) elaborated that employers and employees have continuously engaged each other on issues that affect them, this has been done at station level and national level depending on the organizations. The state has been involved only in issues where it seeks to restore order and sanity at the workplace, for example the amendments that were made to the labour act after employers dismissed employees unilaterally without informing or involving the workers. Many organizations have embraced the concept of industrial democracy, due to the improvingly sophisticated nature of the business environment, which requires organizations to view their employees as a strong form of competitive advantage. The main thrust of this research is to bring out the effectiveness of works councils in promoting industrial democracy.

#### **Legal structure of industrial democracy in Zimbabwe**

Industrial democracy is provided for in the Labour Act (chapter 28; 01) section 7. This provision makes reference to the protection of the right of employees to democracy at the workplace. The provision is mainly concerned with employees having the right to advance their interests at the workplace. The employer is obligated to honor the democracy rights of employees at the workplace, of which failure results in legal punishment.

#### The rationale for promoting industrial democracy

The contemporary workplace has seen employee input being considered of fundamental value to the success of organizations. It has necessitated the need for organizations to involve employees in deliberations, negotiations and decision making pertaining workplace issues and in particular those that have a bearing on their work and welfare. This can be attributed to the economic state and the highly volatile business environments which are in constant transformation. According to Cornock (2011) involvement of employees will enhance their engagement to work, motivating them to perform at their best, improving overall organizational performance. When all employees in an organization operate at their maximum capacity they improve an organizations productive growth, which contributes significantly to their performance. Industrial democracy therefore empowers employees with decision making autonomy over issues that directly affect their work and enables them to have control over their work.

he current business environment has become unstable and is characterized by continuous change and renewal. Therefore for companies to remain competitive there is need to place much emphasis on the management of employees, in terms of their participation in decision making, sharing responsibility and authority with them at the workplace. Sundaray, (2011) cited in Doran (2013) argued that labor-management co-operation is a vital cog to the success of organizations. He further explained that if companies are capable of attracting, retaining, developing and engaging their employees they can achieve a sustainable degree of competitive advantage. This was strongly supported by a view from Macey and Scheneider (2008) which stipulated that an engaged workforce cannot only lead to competitive advantage but it creates a positive atmosphere within the organization within which employees can add value to the organization, through new and improved way of doing things. Jentsch (2007) was of the view that emotional employee engagement to their work is as a result of their participation in workplace matters, individually or through representational platforms such as works councils. These arguments justify the need for organizations to ensure the promotion of industrial democracy.

The current Zimbabwean economy, requires employees to perform at their best, such that maximum value can be achieved, costs of operations reduced and targets achieved by organizations. Due to the economic meltdown the Zimbabwe Revenue Authority (ZIMRA) is finding it hard to meet its yearly financial targets and this now requires robust initiatives to ensure that employees play their part. According to Rothmann and Rothmann (2010) organizational success can only be achieved if employees are fully engaged. This engagement is derived from control over workplace issues, freedom to influence decisions and protection of employee rights at work. Rothmann and Rothmann (2010) further elaborated that engaged employees tend to be passionate about their work and approach it with a great deal of enthusiasm and are willing to go an extra mile. The employees may be willing to work overtime and extra

hours to see their work for the day accomplished and their objectives achieved. They may also be willing to recommend new best ways of doing things for the organization basing on their interaction with clients and also their work. This is supported by Macey and Schneider, (2008) cited in Doran (2013) who propounded that successful employee engagement can help achieve employee's commitment, passion, enthusiasm and focused effort and energy in relation to their work. Similar to this argument the other positive outcomes of employee engagement involves higher productivity levels, job satisfaction, motivation commitment, low attrition rates, increased passion and commitment to the organization, a high energy working environment, a greater sense of team, higher levels of customer satisfaction, reduced absenteeism. Successful participation of employees in negotiations and deliberation about workplace issues ensure that employees become engaged, more productive, more customer oriented and committed to the organization as compared to disengaged employees.

Employees who work in an undemocratic environment tend to be disengaged to their work and are not motivated to perform at their best and this has a negative impact on the performance of organizations. Withdrawn efforts and continuous employee-management conflicts can be seen as a result of employees not having control over their work and issues pertaining to their welfare. According to Luthans and Peterson (2002) if employees are not involved in all issues of mutual interest with management at the workplace they tend to be resentful of the managers and their work. The employees are more likely not to respond positively to their managers or even demonstrate good performance for the success of the organization. Industrial democracy therefore becomes a concept to be embraced at the workplace so as to ensure value creation by the employees in collaboration and in harmony with management. The argument is that best performance does not come out of chaos where there is an antagonistic relationship between management and labour, but rather where the parties co-exist harmoniously.

#### **Works Councils**

Works councils were defined by Kallaste, Jackson and Eamets (2005) as permanent elected bodies of workforce representatives set up on the basis of law or collective agreements with the overall task of promoting employer and employee cooperation and perpetuating industrial democracy. This may be accomplished by creating and maintaining good and stable employment conditions, increasing welfare and security of employees and their understanding of the

enterprise's operations, finance and competitiveness. The operation of works councils and the laws that bind them is different between countries. In Zimbabwe they are also prominent and they are supported by legislation. Trebilcock and Ozaki (2000) postulated that the idea of works' councils arose first in Europe, due to the fact that forms of employee representation and participation were found at industry level for example collective bargaining, thus the need for employee representation at company level was not being satisfied, therefore workplace representation platforms such as workers committee and works councils were introduced. Although the idea of works councils first arose in developed countries, developing countries have adopted them to promote industrial harmony and benefits that can be reaped from democracy at the workplace. In Zimbabwe they have been adopted as a means of promoting labor-management co-operation and increasing the democratization and joint decision making such that industrial harmony prevails.

Works councils enjoy codetermination rights between employers and employees, thus resolutions that are agreed on in works councils are expected to be implemented as required. According to the Encyclopedia of Business (2016) non-implementation of these works council resolutions pose as a serious threat to their existence as work place platforms that promote industrial democracy.

#### Nature of works councils in Zimbabwe

In Zimbabwe the government is responsible for enacting legislations that govern industrial relations, these are often influenced by developments at the workplace that affect the employment relationship. Rogers and Streeck (1995) argued that it is the duty of the state to prioritize and enact legislations that govern the contact of employers and employees at work. This ensures that their conflict is transformed to benefit their operations and also to control the powers of both parties. This is based on the assumption that every reasonable government will act in the best interest of its subjects. They further stated that, governments prefer changes to be initiated by employers and employees at work or act on labour court decisions pertaining labour-management cases. This is true of the Zimbabwean government when it comes to industrial relations legislation, they mostly wait for the workplace and courts to make adjustments, before moving in to make reasonable laws in the best interests of both parties. The provision for works

council operations in the country are governed by the Labour Act Chapter (28; 11 of 2006) section 25 and other subsidiary sections in the Act.

## The characteristics, roles and functions of works councils

A works council is composed of a workers committee put in place by employees to engage the employer or management representatives in deliberations and negotiations on areas of mutual interest at the workplace Kadungure (2015). The Labour Act Section 24 states that workers committees represent employees and their interests only, management employees are not entitled to be part of or represented by the committee, if management wish to be represented they are entitled to form their own managerial employees workers committee which also general employees cannot be part of. Thus to make this a fair platform each committee represents the interests of its constituency, without being aligned or influencing the needs and interests of the other constituency.

Works councils are the pivots of representative industrial democracy, which work to minimize gaps between management and employees since parties jointly meet periodically to discuss pertinent issues that are of joint interest. In Kadungure (2015) argued that they should operate in such a way that they advance the interests of the organizations and those of employer and employee constituencies. This view was also echoed by Blonch (2013) who stated that management and labour must develop mutual co-operation and work together harmoniously such that organizations become successful and this enables an economy to grow and sustain the lives of its citizens, workers and employers. This clearly elaborates that democratization of the workplace through the use of works councils is a worthy cause that employers should vigorously and robustly advocate for especially in Zimbabwean context, where various organizations are operating below capacity. The highly turbulent business environments require co-operation and flow of ideas between employers and employees to ensure that the organization remains viable and operates without continuously choking. According to Armstrong (2012) the human resource is the most precious asset that can make the difference for an organization. Their consultation and involvement in the affairs of the organization, makes them emotionally engaged and eager to work and put maximum effort thus helping an organization maintain its viability.

The Labour Act also makes provision for the formation and composition of a works council on any given work station. Section 25A subsection 1 states that, at every workplace where workers committees that seek to advance the interests of workers only exist, works councils shall be held. Subsection 2 highlights the composition of the works council, where it places much emphasis on equality of `members that ought to represent employer and employee constituencies. This is meant to bring a sense of equality to the platform, the assumption being equal members on the table, amounts to equal power in deliberations and voting for decisions. According to the Labour Act it is within the jurisdiction of the employer and workers committee at the workplace to determine the procedure for works councils. The responsibility for how works councils should be held lies in the hands of the social partners, and they are the ones who will determine how and when they want to hold the councils and also the issues or agenda to be discussed in the meetings.

Works councils also have rights and obligations that they should strictly abide by. According to Rogers and Streeck (1995) countries differ in terms of the legislations that bind the rights and obligations of the platforms, they further stated that employers are obliged to abide by works council rights and obligations, of which failure is punishable at law, works councils are also required to honor and perform their duties as is required by the law. The rights of works councils in Zimbabwe are provided for in Section 25 A subsection 5 of the labour act and these are centered mainly on issues of consultation on restructuring matters, product development plans, job grading and training, plant closures, codes of conduct, compensation and the retrenchment of employees.

Another critical characteristic of works councils is that representation of employees is accorded to all employees at the workplace regardless of their union membership however trade unions may have a significant influence on the operations of works councils in some industries. According to Rogers and Streeck (1995) this is meant to avoid control problems between workers unions and the works councils. Therefore the fact that works councils represents all employees at the workplace is meant to enable joint regulation at the workplace of workplace industrial relations with the employer and avoid conflicts between works councils and trade unions. The Zimbabwe Revenue Authority has a closed shop system when it comes to trade union membership where all its employees are represented by one union, which is the

ZIMRATU, thus the workers committee that represents workers in works councils and all the workers belong to a single union thus there is hardly any conflict of interest between the works councils and the union over joint regulation of the workplace.

More so Rogers and Streeck (1995) stated that another critical aspect of works councils is that by virtue of being representative institutions, they are different from management initiatives which are meant to elicit employees to air their views on work. These management initiatives include delegation and empowerment programs which aim to increase work consciousness and spread task responsibility on workers. They argued stated that although works councils can be used as communication channels by management to communicate organizational transformation, management have no power to control and own them. Furthermore while works councils enable employees to collectivize and speak in one voice, they act as a platform where employees advance their collective interests with a commonality of purpose. According to Cornock (2011) the firm efficiency argument for works councils is supported by their ability to bring together management and labour in deliberations, negotiations and agreements on how best to solve their differences. Thus works councils are different from management's lines of authority and cannot be controlled by management because they are an institution in itself that can actually control the behavior of both management and workers. In relation to advancing industrial democracy at the workplace, works councils bring together management and labour and ensure consultations and deliberations on issues pertinent to the parties. Works councils are therefore a powerful system that plays a significant role in promoting industrial democracy, the power comes from joint decision making (consultation) and successful implementation of resolutions.

There is a general misconception about works councils, where most people believe that communication comes from one side. However Rogers and Sleeck (1995) argued that communication can be initiated by either side and is centered on issues of mutual interest. Although the employer may seemingly control the process works councils are a platform for joint consultation, with employees and although the workers may largely table their co-operative interests, which the employer is supposed to pay attention to, works councils remain an employer-employee exchange platform. Rogers and Sleeck (1995) strongly emphasized that communication in works councils may not entirely be on production improvement, but it entails

deliberating and idea exchange on all issues that are of mutual interest which may also result in joint decision making and implementation.

The legislation in Zimbabwe through the Labour Act Chapter (28; 11 of 2006) Section 25A subsection 5 makes provisions for the roles and functions of the works councils. The roles and functions clearly stipulates the requirement on management to consult through the works councils with workers on any matter directly affecting their interests in such areas as capital/equipment expenditure, use of resources, cost cutting measures that may involve laying off of employees and other economizing measures that might affect employees such as acquisitions and joining operations with other organizations and even replacement of the current employer with a new employer. This argument is sustained by Nguwi (2014) who states that before an employer implements any issues which are of mutual interest with the employees, the works council should be accorded time to deliberate on the issues, where parties can make proposals and counter-proposals in order to consider the best way forward which will be supported by both parties. This was also argued by Jevtic (2012) who detailed that it is the duty of the employer to inform employees about planned initiatives related to them through works councils, and in the event that the employer fails, the employees reserve the right to use legal means or even approach an Arbitrator. The employer therefore has an obligation to hear out the ideas of employees and reflect on their proposals and if he is not in agreement with the proposals, he is supposed to offer justification. The Labour Act explicitly states that it is the employer's obligation to negotiate in good faith and try and arrive at an agreement with employee representatives. The requirement here is for consultation and agreements becomes the products of the process.

A critical role played by works councils is that they help promote industrial harmony and ensure labour and management collaborate and co-operate in settling their differences, in order to find a common ground where they can both perform at their best. According to Nguwi (2014) Settling of differences and conflicting views ensure that management and labour work together effectively in utilizing company resources such that the organization operates at its best. This becomes its competitive advantage at the same time ensuring that favorable employment conditions are also sustained.

#### **Works councils and industrial democracy**

Works councils are considered a form of democracy in themselves, because of the characteristics that they possess which support industrial democracy. These encompass involvement and joint decision-making. According to Dahl (2003) ideal democracy is required to meet five criteria and works councils are capable of meeting the criteria. The criteria include effective participation which involves parties having equal opportunities to advance preferences and question the decisions of others whilst justifying theirs. The fact that works councils involve employer and employee representatives in deliberations satisfies the effective participation criteria ingrained in industrial democracy. Another criteria for ideal democracy according to Dahl (2003) is of voting equality at the decisive stage, in works councils when voting for decisions employer and employee representatives are assured that their judgments will be counted as equal and are given an equal opportunity to vote. The equality to vote for both sides on issues of mutual interest make works councils effective in promoting industrial democracy, in that industrial democracy entails involvement of all affected by decisions in decision making. The third criteria is enlightened understanding this is evident in works councils where parties are given equal opportunities to choose what would best serve their interests without interference from the other party. The fourth criteria for ideal democracy is control of the agenda, this is highly evident in works councils where both the employees and employer constituencies are granted the opportunity to decide the issues that should be brought up for discussion. Before works councils are held HR personnel as custodians of the whole process are supposed to ensure that agenda for discussion comes from both sides.

The fifth criteria for ideal democracy is inclusiveness, this is concerned with citizens having a legitimate stake in the process. Dahl (2003) argued that works councils themselves guarantee inclusiveness, before workplace decisions are made employers include the employees in deliberations, decision making and finally the implementation of the decisions. Although he argues that ideal democracy is a utopian objective, works councils appear capable of meeting the five criteria required, thus the need to understand their effectiveness in promoting industrial democracy.

Works councils are able to contribute significantly to the performance of organizations, through creating a culture of co-operation between management and labour at the workplace. According to Rogers and Streeck (1995) the increased consultation enables efficient decision making since parties deliberate on the decisions to be made. This is reinforced by Armstrong, (2006) who states that a, best decisions that can be reached are a product of consultation and continuous interaction between management and employees.

The council is intended to be a communication channel between management and workers where both parties speak and listen to each other, before attempting to reach a mutually agreed decision. The Labour Aspects (2013) concur that this clearly shows that works councils are an effective platform for consultation that results in industrial democracies capable of advancing organizational interests. Thus in trying to promote industrial democracy works councils results in enhanced joint decision making which results in quantitatively improved work place decisions. This is because the decisions are made in the best interest of both parties with conflict having been sidelined.

Works councils by reducing the information gap between employers and employees, encourage a smooth transition in periods of organizational transformation. This increases the faith between parties. This is supported by the argument that organizations are highly susceptible to change and this may mean new ways of doing things and the need to guarantee quality to customers. Thus unhindered information exchange between management and labour, ensures that organizations are continuously ready for change and can easily adapt to the changing environments. According to Burnes (2004) the unfreezing stage of Lewin's model for planned change can be made successful if there is continuous consultation and co-operation between management and workers at the workplace. Thus a climate of industrial democracy sustained by works councils provide economic benefits for firms.

In their strongest form, works councils are said to enjoy unified decision making rights on critical work process issues. According to Janet (1998) in the broader context, works councils help diffuse industrial relations conflicts promoting a peaceful environment at work. This is because if workers and management representatives fail to reach a consensus on a pertinent issue, the issue can be resolved by an internal special committee constituted by employer and

employee representatives. Where the special committee fails to resolve the issue, it is forwarded to the labour court or to a third party which may be a conciliator or an arbitrator. Industrial democracy can only be successful if parties see things the same way, without conflict to disrupt the relationship.

If embraced with the need to promote industrial democracy, works councils also contributes significantly to decreased stress and increased well-being on the party of employees, this is because they will have more say on the general organizational of work. Unlike in situations where they take orders from the top and some of them which not be practical in relation to their work. Industrial democracy therefore empowers employees with decision making autonomy over issues that directly affect their work and enables them to have control over their work. This view is supported by Cornock (2011) who postulates, that involvement of employees will enhance their engagement to work, motivating them to perform at their best, improving overall organizational performance. When all employees in an organization operate at their maximum capacity they improve an organizations productive growth, which contributes significantly to the gross domestic product and performance of a country. Jentsch (2007) arrived at a similar conclusion that emotional employee engagement to their work is as a result of their participation in workplace matters, individually or through representational platforms such as works councils. This statement sums up the argument for the pursuance of a democratic workplace through works councils.

#### Challenges faced by works councils in promoting industrial democracy

Works councils are faced by a couple of challenges, the critical challenge that they face is the untimely implementation of resolutions or agreements. This emanates from the fact that employers finance most of the resources required for the successful implementation of the agreements, thus when they are not in total agreement with them they may delay implementing the agreements. This causes tension at the workplace resulting in employee representatives losing trust in the forum as a form of representative democracy. This argument is supported by Maphosa (1991) who stated that in the Zimbabwean set up the owners of factors of production influence significantly the deliberations that take place at work, the participation of employees and the decisions that are made. Thus in this scenario employers in most cases determine to a large extent the outcome of works council agreements. Maphosa (1991) further stated that

management tend to accept contributions from employee representatives as a courtesy for their presence in the works council. The business owners are said to have some preconceived decisions prior to the holding of works councils and they control all the deliberations and the agenda and those issues they do not feel should be discussed may be removed from the agenda too be discussed. Although the above argument was put forward two decades ago, management still maintain an iron grip on how things should be done in organizations. This in contrast to the concept of industrial democracy which entails total involvement and inclusiveness of employees in the decision making process which overlaps to implementation of agreements.

Another challenge faced by works councils in their bid to promote industrial democracy is that management normally consider them and similar voice mechanisms to be a channel of communication, operating in either a top-down or occasionally a bottom-up direction, rather than a more complex and less linear arrangement involving employees in active discussion. In support of this argument Bailey (2009; 202) stated "that communication to and from both sides is deemed to be providing the workers with more power above the consultative role played by works councils, in the event that their arguments support transition, not favored by the employer." In this regard management representatives can legitimately override workers committee wishes without providing a full and satisfactory explanation. Therefore management's lack of understanding of what effective consultation comprises deters the success of works councils in their bid to promote industrial democracy.

The quality of worker representatives affects worker participation in works councils. Maphosa (1991) argued that in most organizations workers choose members who are vocal and outspoken but without a deep understanding of labour laws or who lack representational experience. This proffers a challenge in that the selected members will be in most cases dominated by management representatives who possess high levels of skills. To show that this problem has persisted in the employment relationship Kadungure (2015) stated that workers are still ignorant when it comes to choosing their representatives, and these may lack relevant knowledge and information pertaining the concepts to be discussed and the laws that bind the process and thus cannot match their management counterparts. In this regard worker representatives end up agreeing with most of the proposals advanced by management. In literal terms decisions or

agreements would then have been made unilaterally by management and this is contrary to the concept of industrial democracy which advocates for bilateral negotiations and agreements between employers and employees.

The limited knowledge that worker representatives may have has a negative impact on their ability to negotiate with management representatives. According to Kadungure (2015) the argument here is that the workers representatives may not be able to interpret technical documents such as the Labour Act itself, and may also fail to understand major economic jargons used by management. This is evident in the Agricultural sector where according to Zimstsats (2011) 83% of the employees are unskilled and thus are also found to lack experience and knowledge of key issues and concepts that are pertinent to representative democracy. This is detrimental to the whole process of representative democracy since the participation of the employee representatives in decision making is only limited to areas they are fully aware of. This is also supported by Carley and Hall (2006) cited in Kohler and Begega (2010) who stated that the role of works councils seem to be constrained the inability of employee representatives to have insights on issues under discussion leaving managers to dominate the whole proceedings.

More so workers committee members believe it is fashionable to disagree with management. They are many reported cases where worker representatives choose to deliberately stifle management initiatives, however reasonable these might be. Works council meetings are turned into battlefields where workers take aim and shoot down management proposals. Kadungure (2015) stated that such behavior affects the success of works councils in their effort to promote and sustain industrial democracy. This is because workers committee members want to be seen as doing something by their counterparts at the workplace hence they engage in all sorts of tactics, to suffocate the ideas brought forward by management even if they make good business sense.

Many Zimbabwean organizations are characterized by tall structures, where it is a basic requirement to follow the chain of command, when making decisions, this restricts the participation of employees in the decision making process. According to Maphosa (1991) the role of worker representatives in decision making with management is marginalized by the tall

organization hierarchies, which leave no room for them to influence decisions. This is evident in most parastatals where they are tall structures that inhibit the participation of workers committees even in works council. This lack of a participation structure inhibits the success of works councils in as much as the promotion of industrial democracy is concerned. For instance the Zimbabwe Revenue Authority has a very tall reporting structure, which employees are required to abide by at all times, hence their ability to mobilize ideas to present for consultation in works councils is stifled by organizational protocols. Since the company is also partly owned by the government, some decisions are imposed by the government, leaving both management and the workers committee with no room to influence the decisions.

Another challenge faced by works councils is based on representative participation. The workplace like most institutions constituted of groups with varying interests is prone to politics therefore each group is supposed to choose individuals to represent their common interests, through some form of political decision-making. This involves either side advancing its interests, coming up with proposals and counter proposals and matters being resolved through consultation, deliberation and negotiation. However according to Talbot (2010) the problem of this is best explained by Robert Mitchels iron law of oligarchy, which states that were group interests are advanced by selected members, they are situations where the representatives may end up advancing their own personal interests without necessarily considering and advancing the interests of those that they represent. Talbot (2010) further stipulated that where the size of those that are being represented is large, it becomes difficult for all members to participate equally. The argument here is that it will be hard for the representatives and the represented to convene and discuss issues they wish advanced due to constrained time, and also slowed decision making due to participation of all members in the discussion process. Therefore responsibility for representation ends up delegated to the representatives such that they recommend courses of action in deliberation with management. Talbot (2010) in relation to industrial democracy argued that although groupings may seek to maintain democratic control through continuously asking the representatives to account for their decisions and voting for the members, the concept of industrial democracy seem constrained as only a few individuals end up participating in the decision making process. This problem mostly affects the employees' constituency, as they are the ones that are many, with different ideas which they may need to

continuously meet to amalgamate, unlike management who seek solely to represent the interest of the organization.

#### Overview of the organization under study

The organization (ZIMRA) was established in January 2001 as a successor organization to the then Department of Taxes, Customs and Excise. This followed the promulgation of the Revenue Authority Act on Feb 11, 2000. Statutory Instrument No.21B of 2001 fixed 19 January 2001 as the date on which the Revenue Authority Act (Chapter 23:11) became operational. The First Revenue Board of Directors was appointed that same year. ZIMRA is also one of the few Revenue Authorities that was formed without any external Assistance. Mr. Gershem Pasi was the first and is still the Commissioner General of the organization. The Zimbabwe Revenue Authority became fully functional in September 2001. The Authority has 2800 employees that are spread across the country and these range from level 1 up to 16 depending on the nature of the job one would be involved in. These employees are meant to help the Authority achieve its mission which is to promote economic development through efficient revenue generation and trade facilitation. Due to the large numbers of employees they are instances where issues of mutual interest may need to be jointly discussed and decisions implemented such that industrial peace and harmony prevail. The organization has adopted works councils in a bid to promote industrial democracy within its structures.

## PROBLEM STATEMENT

Works councils have been put in place in a bid to promote industrial democracy within ZIMRA. The major reasons being to comply with legal regulations on employee participation and involvement in decision making and also to maximize on the benefits that can be obtained from the process. However the results of the 2014 ZIMRA employee satisfaction survey show 51% employee satisfaction against a target of 80%. The major issues that were highlighted by the employees as affecting their satisfaction levels include the organization's rigid transfer policy, stunted career progression, lack of work-life balance and non-implementation of works council resolutions. Among the issues highlighted non-implementation of works council resolutions becomes an area of interest because it has a direct impact on works councils and their ability to promote industrial democracy within the organization. Where works councils meetings are held

and decisions are made but not implemented, it affects the commitment, and trust of employees in works councils as a platform to promote and advance industrial democracy at the workplace. This also has a negative impact on the satisfaction of employees as highlighted by the results of the satisfaction survey. Evidence of non-implementation of works council resolutions is seen in the workers committee proposal for the works council resolutions dating back to January 2013, the proposal was noted in the May 2015 works council meeting. The workers committee representatives where arguing that there has been non-implementation of works council resolutions by management within the organization. It is against this background that the researcher sought to explore the effectiveness of works councils in promoting industrial democracy within the Zimbabwe Revenue Authority.

## **OBJECTIVES OF STUDY**

#### **Main Objective**

1. To determine the effectiveness of works councils in promoting industrial democracy in ZIMRA.

#### **Specific objectives**

- 1. To establish the issues discussed in works councils within ZIMRA.
- 2. To establish the benefits of works councils in promoting industrial democracy in ZIMRA.
- 3. To explore the reasons for untimely and non-implementation of works council resolutions within ZIMRA.
- 4. To examine the impacts of untimely and non-implementation of works council resolutions on work's councils ability to promote industrial democracy in ZIMRA.
- 5. To determine other challenges works councils face in promoting industrial democracy.
- 6. To proffer recommendations and insights to alleviate the challenges encountered by works councils in promoting industrial democracy in ZIMRA.

# **JUSTIFICATION OF STUDY**

Industrial democracy is a modern day workplace topical issue which is viewed by many scholars as a panacea to labour-management problems and employee performance thus the need to

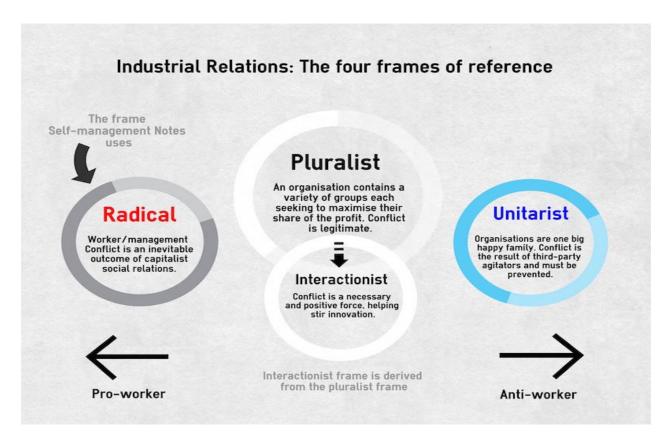
research more into the topic. Researching more about industrial democracy has benefits for both employers and employees and will also shed more light on the concept. The high levels of competition and the fluidity of contemporary business economies, is evidence enough that labour and management should adopt a collaborative approach in order to sustain their survival. There is no survival strategy better than co-operation where ideas on how to best adapt to the ever changing situations flow between employers and employees. Thus employees at the workplace require the democracy to be consulted when making decisions, sharing the responsibility and where decisions have been jointly made to see them implemented. This gives employees some degree of authority which enables them to control their work and be motivated to improve their performance.

This research and results of the findings would improve the Human Resources Management profession and academic field in terms of knowledge of the concepts of works councils and industrial democracy. The stakeholders that will benefit from this research apart from employers and employees include Midlands State University and Zimbabwean society. The University will benefit from increased literature for reference after the successful completion of the research. The society will benefit from increased understanding of the topic and prevalence of peace at the workplace due to employers and employees working together harmoniously, further according to Marxist theories, industrial democracy is closely related to social democracy, and embracing industrial democracy is a positive step towards total social democracy.

# **CONCEPTUAL FRAMEWORK**

The research is theoretically guided by the Unitary and Pluralistic perspectives.

Figure 1: Conceptual Framework



Self-management (2015; np)

#### Unitarism

According to Ivanovic (2003) cited in Waiganjo and Nge'the (2012) unitarism is centered on the belief that management and labour should work together for the benefit of the organization. The unitarism theory emphasizes that labour and management are conjoined by a mutuality of purpose and the organization is viewed as a unified harmonious entity with no room for disagreements and potential for conflict. Waiganjo and Nge'the (2012) argued that conflict when and where it exists is unreasonable, detrimental and as a result of interactional differences, poor communication and initiated by external campaigners who are against the prevalence of harmony at the workplace, examples being trade unions. Supporters of this approach see a partnership approach between the employers and employees as a means of developing better organizational outcomes and increasing commitment to the firm. Bray (2009) cited in Waiganjo and Nge'the (2012) were also of the view that, both parties in the employment relationship adopt a teamwork like approach bound by mutual understanding and a unified vision, putting more emphasis on collaboration other than conflict.

Waiganjo and Nge'the (2012) further pointed out that the unitary perspective adopts an authoritarian approach, supported by paternalism, which emphasizes on employee devotion and commitment and support for management's right to run the affairs of the organization. In appreciation it becomes the responsibility of management to honor the needs and the general wellbeing of workers. This is based on the notion that collaborative interaction between management and labour should guarantee organizational success. Organizational success translates to the continual existence of organizations, enabling them to improve their productivity and achieve their goals and objectives. The researcher used this perspective because it clearly explains the desired state in industrial relations where they is no conflict and they is harmony between employers and employees. This state can be as a direct result of effective use of works councils in promoting workplace democracy and shows would be climate if democracy exists at the workplace. It also highlights a situation where workers have trust in management. This gets back to the issue of implementation of works council resolutions, where management in honoring the loyalty of employees to them and their commitment to the organization, they address issues pertaining to their interests.

### **Pluralism**

Unlike the unitary theory the pluralists' perspective acknowledges and accepts the existence of conflict in the employment relationship and believe that its non-existence is utopian. The pluralist perspective is therefore in direct contrast to the unitary perspective. According to Cradden (2011) pluralism is based on the notion that employers and employees are different, and have different needs and wants that are not easily reconcilable. Conflict in their association is therefore inevitable and where it is resolved it encompasses compromise from both parties. Armstrong (2012) however argued that, the different interests of employers and employees can be bridged and controlled for the benefit of organizations. This contention is supported by Schumpeter (1942) cited in Becker and Mathews (2008) who hypothesized the notion of creative destruction, he stated that it is progression that continuously changes an economic structure from inside, continuously abolishing old structures and replacing them with new ones. Thus conflict being internal and inevitable within an organization can be bridged by the interaction of the two parties through works councils without necessarily involving a third party, therefore industrial democracy can best realized from within the organization. This can be done through employer

representatives and employee representatives meeting together to deliberate on issues that affect them, and reaching mutual consensuses. The main argument here is that even if they may be no consensus on issues discussed, it remains the responsibility of the employer to consult employees on issues that affect them and when if decisions are jointly made it also is the responsibility of the employer to implement the decisions. The researcher used this theoretical framework in order to fully explain that industrial democracy encompasses consultation and implementation of resolutions. This then brings in the concept of works councils into play, which is a platform where there is consultation and implementation of works council agreements. The theory clearly explains that if works councils and other forms of participation are used extensively they will result in the desired state of industrial democracy, where there is consultation and implementation of resolutions.

The pluralist perspective is strongly supported by the Pluralist theory for democracy which according to Dahl (2003) states that democracy is described as episodes of conflict among interest groups which compete to promote their preferences. This then requires the parties to negotiate, bargain and compromise such that no one party dominates resulting in an increasingly democratic institution.

# RESEARCH METHODOLOGY

Research methodology refers to an organized way of finding a solution to a problem; According to Rajasekar, Philominathan and Chinnathambi (2013 it encompasses the procedures in which a research program is going to be carried out. They further stated that the concept involves the study of ways in which data for research would be gathered. The importance of the concept is to devise a map or work plan on how the research will be carried out. Research methodology may comprise of primary data gathered firsthand and secondary data collected from secondary sources such as company records and works council minutes. The main thrust of this chapter is to show the methods and techniques that the researcher used in gathering data in order to conduct an analysis of the effectiveness of works councils in promoting Industrial democracy. This chapter also seeks to outline the actual data sources, research procedure, and other research analytical frameworks used.

### Research approach

The researcher adopted the qualitative research method. According to Given (2008) the qualitative research method is meant to find out human elements pertaining certain phenomena and topics on how people relate with their surroundings. Borgan and Taylor (1987) cited in Denzin and Lincoln (2005) proclaim that qualitative research is centered on studying the whole situation and the researcher is mostly exposed to a lot of information, and this data is usually obtained through the use of case studies. The researcher used this approach because it helped answer questions that the researcher had pertaining the area understudy and the information was found directly from the original area under study, this was necessitated through the use of the ZIMRA as a case study.

### Research design

A research design is mainly the approaches that a researcher adopts in carrying out a research program. According to Rajasekar, Philominathan and Chinnathambi (2013; 22) a research design "indicates the various approaches, that a researcher will use in researching the problem." This creates the foundation for the whole research process. In other words this refers to a plan which seeks to guide the research process of collecting, interpreting and analyzing data, and seeks to explain how the researcher found answers to the research. The researcher used a case study, Mcleod (2008) postulated that case studies are in-depth investigations of different phenomena that may include a single person, an organization or a community. He further stated that information is gathered from different contexts through the use different research instruments which may include interviews and questionnaires. The researcher adopted this design because it allowed direct interaction with the sample population, enabling a direct analysis of the phenomena to be studied. Mcleod (2008) further reiterates that case studies enable a researcher to have an in-depth analysis of the topic understudy through direct interaction with the participants. The researcher used ZIMRA as the case study for this research in finding out the effectiveness of works councils in promoting industrial democracy.

### **Sampling**

Sampling was defined by Somekh and Lewin (2005) as a process of identifying and selecting individuals who are to be included in data collection, from a large population in which they belong.

### **Sampling Method**

Purposive non probability sampling was used as a sampling method in this research. Purposive non probability sampling according to Haijimia (2014) is a process where the researcher identifies individuals with expertise, information and knowledge pertaining a particular area or topic to be researched and makes them the sample group. Kumar (2011) detailed that non-probability sampling does not give everyone the chance of being selected, thus only knowledgeably individuals and those with the most information are selected regarding a particular area. In this regard not all employees had information about how works councils operate at the workplace, the knowledge and information is restricted only to managerial representatives, workers committee members and HR personnel and the works council chairperson. The researcher used purposive sampling because, it enabled a better cross section of information obtained from knowledgeable individuals, other than collecting information from everyone else even those without information and expertise pertaining operations of works councils in ZIMRA.

### **Sampling Frame**

A sampling frame was defined by Turner (2003) as the total population in which participants for the research would be chosen from. The purpose of the sample frame is to enable the researcher to identify members or the population that will be used in the study. The sample frame for the research was twenty-five (25) these are the employees knowledgeable about how works councils operate in ZIMRA at Domestic Taxes Bulawayo Offices. The respondents that the researcher used are the works council chairperson, management representatives, workers committee representatives and Human resource personnel.

### **Target Sample size**

A sample size refers to the specified total of participants in a population to be studied. According to the Bio-Online Dictionary (2015) the sample size is supposed to be convincing in order to

show what the research seeks to find out in relation to the larger population. In simple terms a sample size encompasses the respondents drawn from the total population to whom research instruments would be administered. The sample size should be big enough to ensure validity and reliability. Table 1 shows the population that was targeted for the research.

Table 1: Target Sample Size

Category	Total population	Target population						
Works council Chairperson	1	1						
Management Chairperson	1	1						
Workers Committee	1	1						
Chairperson								
Management Representatives	7	7						
Workers Committee representatives	11	11						
Human Resource Personnel	1	1						
Total	25	22						

# SOURCES OF DATA

Primary and secondary data were used as sources of data collection.

### **Primary data**

Primary data was defined by Kumar (2011) as the information gathered using the first hand approach. Primary sources provide direct authentication or proof of the area being researched. Information is gathered through witnesses who lived through the circumstances being researched. Faume (2013) propagates that primary data encompasses collection of information from first hand witnesses and documents. The researcher used semi-structured interviews and semi-structured questionnaires. Primary data is an important source of data, according to Faume (2013) firsthand information obtained from the field is dependable on, genuine and reliable since the researcher gets to obtain information from the original sources and contexts. More so primary data allows the researcher to have a greater control of information collection, only required information will be collected. Another advantage of primary data is that research instruments to

be adopted such as questionnaire and interviews enable information to be gathered first-hand and thus the researcher is accorded an opportunity to seek clarification on unclear areas from participants as compared to secondary data where the information is already available restricting interaction with respondents.

### Secondary data

Secondary data was defined by Law Teacher (2013) as data that has already been collected and is found in other sources. Readily available from other sources. The data is less costly to obtain and sufficiently available as compared to primary data, which will need to be collected. The reasons why the researcher used secondary data are that it serves time that would otherwise been spent on collecting data. The researcher also got current information from continuously updated sources such as e-journals, journals, newspapers and books. The researcher used secondary data from secondary sources such as the ZIMRA quarterly newsletters and works council minutes.

### **RESEARCH INSTRUMENTS**

Research instruments according to Annum (2015) refers to data gathering methods which researchers develop and adopt and these can include interviews, observations and questionnaires. Annum (2015) further states that it is the duty of the researcher to choose research instruments that are useable and consistent with what the researcher seeks to find out. For the purposes of this research the researcher used semi-structured interviews and semi-structured questionnaires. It is critical to use two instruments in order to offset weaknesses and avoid biases that can come about as a result of using only one instrument.

### **Semi-structured Interviews**

An interview can be defined as a verbal exchange of information between the researcher and the respondent. According to Annum (2015) interviews encompass interaction, where the researcher poses questions to the participants and expects answers, it is the duty of the researcher to identify the participants with the required information and even ask further questions to seek clarification. Interviews can also be broadened into structured and unstructured interviews, the researcher adopted semi-structured interviews, because according to Cohen and Crabtree (2006) they enable the researcher to have her/his understanding of the area of inquiry open to revision by respondents and it also allows the researcher to probe for more information from the

respondents. The researcher interviewed the works council chairperson, managerial representatives and workers committee chairpersons because they are the parties involved whenever works councils are conducted, therefore information from them is highly critical for the purposes of the research. In order to gain an understanding of other critical issues pertaining works councils the researcher also interviewed the Human Resource personnel, since they are the custodians of the whole process. Interviews allow probing, thus the researcher can get better explained responses as compared to when using questionnaires, therefore through probing information can be understood in greater depth.

### **Semi-structured Questionnaire**

Questionnaires are defined by Annum (2015) as a data collection system mostly used in case studies. He further elaborated questionnaires that, these are methodically organized papers, with questions that are intentionally created to gather information from research participants. The questions are carefully laid out such that they shed more light on the area to be studied and the problem identified. The respondents are selected from the sample that is being studied and their responses becomes information required for the research. The researcher used semi-structured questionnaires. The researcher adopted this instrument because it covered a larger number of people at the same time, saving time and work this is supported by Oppenheim (1992). Semi-structured questionnaires can also be completed anonymously thus giving respondents time to express their feelings and opinions without fear of victimization. They are also structured in such a way that they save time and are easy to complete for the respondents. The researcher administered questionnaires to management representatives and workers committee representatives.

# **Ethical consideration**

Prior to carrying out the research, the researcher took into consideration various ethical considerations. The Belmont Report (1974) summarizes three basic ethical principles relevant to research involving human subjects and these are respect for persons, beneficence and justice.

1. The researcher explained to the participants that the research will only be used for academic purposes and that their confidentiality will be guaranteed.

- 2. The researcher also disclosed the study and its composition to the respondents and accorded them time to seek clarification on areas they felt were unclear.
- 3. The researcher sought prior authority from ZIMRA which was used as a case study for the research.
- 4. The researcher also sought informed consent from the participants before gathering data from them.

### **Limitations**

Limitations were defined by Simon (2011) as potential weaknesses or limiting factors in one's study and maybe out of the researcher's control. It was the duty of the researcher to ensure that limitations were addressed such that they did not affect the successfulness of the research process. The following were the limitations that were identified and addressed by the researcher.

- 1. Organizational constraints, included pressing work commitments for the employees, especially managers and workers committee representatives- the researcher utilized authorized break times, such as tea breaks and lunch breaks to gather information from the respondents, such that normal operations of the organization were disturbed.
- 2. Financial constraints- the researcher ensured that gathering of information was conducted in a limited period of time, so as to save on accommodation costs and other costs.
- 3. Mistrust and fear of divulging information by the respondents- the researcher informed the respondents that all information they were going to share was not going to be divulged and will be used for academic reasons only.

# **Delimitations**

Delimitations according to Simon (2011) refers to the features that highlight the confines of a research area, and these may include topic, time, choice of objectives and geography. The following were the delimitations to the study, for the purpose of this research the term industrial democracy was only confined to the workplace setting. The concept of industrial democracy was also in the context of works councils. The major focus of the research was on non-implementation of works council resolutions and its impact on the effectiveness of works councils in promoting industrial democracy. The research was also limited to works council members only since they are the ones with much knowledge on how works councils operate.

This research was also restricted to the Zimbabwe Revenue Authority Domestic Taxes Department Bulawayo.

### DATA PRESENTATION AND ANALYSIS METHODS

These refer to the methods that were used by the researcher to present and analyze data. De Vos (1998) argued that the process of data analysis is perplexing and requires the researcher to be resourceful, this is because the researcher is directly involved with the participants and the information gathered from them. The researcher used the thematic method of analyzing data. Thematic analysis was defined by Braun and Clarke (2006; 79) as a qualitative approach for "identifying analyzing and reporting patterns within data." This method categorizes and explains data deeply. They further states that thematic analysis is a process which involves the researcher acquainting with data, labelling it and reporting the findings of the data. The researcher used this method because, it provides a much clearer analysis for qualitative data even without much knowledge of the qualitative techniques. The researcher used tables, summaries and graphs in the presentation of information.

### **Response Rate**

**Table 2: Response rate** 

CATEGORY	TARGETED	ACTUAL	PERCENTAGE					
	RESPONDENTS	RESPONDENTS						
Works Council Chair	1	1	100 %					
Management Chair	1	1	100%					
Workers Committee	1	1	100%					
Chairperson								
Management	7	5	77%					
Representatives								
Workers Committee	11	7	63%					
Representatives								
HR personnel	1	1	100%					
TOTAL	22	16	73%					

Source; Field Research 2016

The researcher targeted 22 respondents, 11 workers committee representatives, 7 management representatives, 1 Hr. personnel and, 1 worker's committee chairperson and 1 works council chairperson. Of the targeted twenty-two, 16 employees managed to take part in the research. The researcher administered twenty-two questionnaires to the management and workers committee representatives. Four workers committee representatives and two management representatives did not return the questionnaires. Four interviews were conducted, with the participants being the works council chairperson, management chairperson, workers committee chairperson and a Hr. personnel. Of the sixteen respondents ten were males and six were females, twelve were holders of masters' degrees, four with degrees and one with a diploma. One respondent had below three years' experience in the organization, four between three and six years, ten had over ten years and 1 for between 7 and ten years.

# Demographics

Table 3: Demographic characteristics of participants

Category	Gend	ler	Age (years)									Years served in organization								
			20-25		26-35		36-45		46-55		55+		Below 3		3-6 years		7-10 years		10+years	
	Males	Females	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Management representativ es and chairperson	4	2	0	0	0	0	0	0	4	2	0	0	0	0	0	0	0	0	4	2
Workers representativ es and chairperson	5	3	0	0	0	1	3	2	2	0	0	0	0	0	2	1	1	0	3	1
HR personnel	0	1	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Works council chairperson	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
Total	10	6		1		1	3	2	7	2				1	2	1	1		8	3
Grand total	1	6	16						16											

### Understanding of works councils and industrial democracy

The researcher wanted to find out if the participants knew the meanings of the concepts of works councils and industrial democracy.

Of the 8 workers committee representatives that answered questionnaires only 6 responded that they understood what is meant by works councils. These had more than three years in the organization, and a minimum qualification of a diploma. One worker's committee representative stated that "a works council is a body that constitutes workers and management negotiating to resolve work related conflicts to make the workplace a better place." However two workers committee members left the spaces on the questionnaire blank, one had more than ten years in the organization and the other had below three years. The five management representative who answered questionnaires also showed some understanding of the concept as noted in their responses, they all have a minimum qualification of a master's degree and more than 10 years' experience in the organization. One management representative stated that works councils are "a situation where we have both employees and management sitting together to deliberate issues of staff welfare and production for the growth of both." The management representatives' chairperson was also of the view that "works councils involve management representatives and worker representatives sitting together to discuss issues affecting each side which are of mutual interest." Four management representatives concurred with his sentiments. The Works council chairperson stated that works councils with reference to how they operate in ZIMRA "refer to a platform where worker representatives and management, sit together to discuss issues that affect them at the work place and come up with solutions where needed."

On the concept of industrial democracy 5 of the 7 workers committee respondents were conversant with the concept, these highlighted that, it encompasses harmonized relations between management and workers at the workplace, where employee rights are honored. They also stated that there is continuous consultation and joint decision making. One worker representative stated that "industrial democracy is freedom of representation and expression given to employees at the workplace." The five management representatives who answered questionnaires on the same concept were well conversant with its meaning. 3 of them highlighted that it encompasses workers being given responsibilities and authority in decision making with management. One management participant was of the view that "industrial democracy is an

arrangement which involves workers making decisions, sharing responsibility and authority in the workplace." The works council chairperson alluded that industrial democracy entails giving employees' freedom to influence the deliberation of works place issues, specifically those that affect them and their work.

### **Issues discussed in works councils**

The researcher sought to find out the issues discussed in ZIMRA works councils.

The works council chairperson who was interviewed highlighted that issues that affect employees and management at the workplace such as productivity issues, performance issues, performance bonuses are the ones discussed in ZIMRA works councils. The management chairperson also echoed the same sentiments. From the works council minutes accessed by the researcher, the agenda for works councils is brought forward by both management and workers representatives. Health and safety, ISO updates, loans for staff, productivity, water and electricity bills are examples of issues discussed in ZIMRA works council meetings. These issues were discussed in the March 2015 works council meeting. This shows that within ZIMRA issues that affect both employers and employees are discussed in the works councils.

The five management representatives who are all holders of master's degrees and with over 10 years of experience with the organization, stated the issues discussed in work councils. Two male and two female management representative stated that issues that are discussed in works councils encompass, employee's welfare and matters of common interest in the workplace. One management representative stated that "works councils discuss industrial relations issues."

The seven workers committee representatives, four males and three females responded that they understood the issues discussed in works councils. Three highlighted such issues as, health and safety of workers, productivity, working conditions and employer-employee relations. The HR personnel interviewed stated that "works councils in ZIMRA discuss issues pertaining health and safety, working conditions, performance related issues and productivity issues."

Eight respondents from both management and workers committee representatives who answered questionnaires stated that works councils are held once per quarter. However 8 respondents including the chairpersons and the HR personnel stated that three works council meetings are held per quarter. Upon probing the HR personnel interviewed stated that under normal

circumstance three works council minutes are supposed to be held per quarter. However due to busy work schedules and limited time, in the January 2016 to April 2016 quarter only one works council meeting was held, this explains the differences in answers by the respondents.

### The benefits of works councils in the promotion of industrial democracy

The researcher wanted to find out if the research participants understood the benefits of works councils in the promotion of industrial democracy.

In his own understanding of the benefits of works councils in relation to the promotion of industrial democracy in ZIMRA, the works council chairperson stated that, "they provide an avenue for communication between the social partners, were employees are given an opportunity to have a say on issues that affect them at work, through a deliberation process with management. Decisions pertaining issues discussed if made are made through the involvement of both parties." In an interview with the management chairperson, he alluded that the works council in ZIMRA "serves as a conduit to management to address issues affecting employees at the station and the addressed issues may lead to increased productivity." On the same note he pointed out that "they serve as a voice of workers' issues to management and also as a relay of what management wants to implement on the shop floor." Five management representatives, 3 males and 2 females showed that they were aware that works councils have benefits, which can help them promote industrial democracy in ZIMRA. One management representative answered that, "they encourage family spirit that enhances co-operation between staff and management, and there is efficiency and effectiveness at work." Another management representative responded that works councils in relation to industrial democracy, results "in informed decisions, mutuality, workplace peace and improved performance." Six of the seven committee representatives also showed that they were aware of the benefits of works councils, highlighting such benefits as improved working relations, improved engagement of employees. One was of the view that, "it harmonizes working relations and allows a free working environment where workers rights are respected." However one workers committee representative could not state the benefits of works councils in relation to industrial democracy.

When asked the same question an HR personnel stated that works councils provide "a platform where employees' views can be heard, the regular meetings with management to discuss issues of concern reduces chances of conflicts and promotes employee -management relationships."

### The causes of non-implementation of works council resolutions

The researcher sought to find out the causes of non-implementation of works council resolutions in ZIMRA.

The 7 workers committee representatives, to which questionnaires were administered were aware that in some instances there is non-implementation of works council's resolutions, 3 of the respondents identified lack of resources as a major challenge. One workers committee representative, stated that the "cause of non-implementation of works council resolutions is a dysfunctional HR office or department," this was also stated by another workers committee participant who wrote, "HR is not serious about works councils." Upon interviewing an HR personnel she highlighted that workers tend to believe that the human resource department in ZIMRA seeks to advance management interests. She however alluded that the department plays a supporting or consultancy role to the parties in works councils. Another worker representative stated that, "whenever works councils members are presenting issues from their constituencies there are higher chances that they are taken to be speaking on their own behalf." Another worker further stated that "the organizational structure affects the implementation of works council resolutions." Upon probing with the Hr. personnel it was highlighted that some issues although discussed and agreed in works councils, works councils do not have control over them. She gave an example of the issue of employee transfers, which she pointed out that although it is discussed in works councils, decisions on who should be transferred to were are made by individuals higher up the organizational structure.

The worker's committee chairperson stated that "the works council itself is not taken serious. works councils are done only to fulfill legal requirements and the demand by employees for involvement and participation" When asked to clarify he stated that management, are not equally concerned with implementing works council resolutions that pertain to employees but are fixated at productivity and performance issues to such an extent that these have been made permanent agendas in works council meetings. The workers committee chairperson also stated "that non-implementation of works council's resolutions is caused by employers who would have committed themselves to works councils without the capacity to implement the resolutions."

The 5 management representatives 3 males and 2 females, all holders of masters' degrees and with more than ten years' experience in the organization were aware of the non-implementation

of works council resolutions in some cases. One management representative stated that "limited understanding of how works councils should operate and of what they seek to achieve," is a cause of non-implementation of works council resolutions in ZIMRA. The management chairperson was of the view that non-implementation of works council resolutions is being caused by lack of appreciation of issues brought to the council and also due to limited time. Upon probing he highlighted that in some instances issues brought forward are taken for a face value without an understanding of importance to the party that would have advanced the issues, thus the party responsible for implementation may take the resolution lightly.

An interview with the Hr. personnel, showed that the causes of non-implementation of works council resolutions were mainly an adversarial relationship between the management and workers, issues beyond the parties control and lack of funds. She stated that "negative attitudes towards worker representatives as they are usually perceived to be adversaries rather than social partners, hinder the implementation of works council resolutions where they are made." A point raised in an interview with the works council chairperson was that "the cause of non-implementation of works council resolutions is poor communication between the social partners." Asked to explain further the works council chairperson highlighted that in some instances parties may fail to communicate the reasons that may restrict them in the implementation of works council resolution, in as much as they may be willing to implement them.

### The impact of non-implementation of works council resolutions on industrial democracy

The researcher wanted to find out from the respondents, the impacts of non-implementation of works council resolutions on industrial democracy.

Of the 16 respondents, both management and worker representatives concurred that non-implementation of works council resolutions has a negative impact on attainment of industrial democracy. Four management representatives, two males and two females, highlighted the impacts that non-implementation have on industrial democracy. One management representative stated that "this has resulted in lack of trust in the works councils as a platform for joint representation and decision making." One management representative did not answer the question. The workers committee chairperson stated that as a result of the non-implementation of works council resolutions, "problems continue to occur which are resulting in reduced

productivity amongst the workers." Upon further questioning he explained that some issues that would need to be resolved affect the welfare of employees, he pointed out an issue where employees had requested that they may be authorized to stay with their families in officer's messes provided by the company, management responded that they would look into the matter, however the whole issue was not looked into resulting in constant complains from employees pertaining the issue. 5 workers representatives shared the same view that non-implementation of works council resolutions have affected the morale and motivation of employees and encouraged misbehavior such as corruption and absenteeism.

The 7 workers committee representatives, highlighted the impacts of non-implementation of works council resolutions on industrial democracy in ZIMRA. One respondent from the workers committee stated that "non-implementation of works council resolutions has resulted in resentment and an antagonistic relationship between the workers and management." Three workers committee representatives concurred that non-implementation of works council resolutions has resulted in conflict between management and labour and created a suspicious relationships between the two parties, whenever the two parties convene in works councils meetings. Asked the same question the HR personnel stated "that workers may feel as if their opinions are not being considered, resulting in continuous conflict with management and reduced willingness to be part of the platform."

The works council chairperson stated that "non-implementation of works council resolutions in ZIMRA has resulted in loss of trust of the parties in each other and also in works councils as a platform of equality in terms of deliberations and negotiations, where both parties have the freedom to advance their interests freely and fairly." This is supported by the sentiments of the workers noted in the March 2015 works council meeting in relation to an issue they raised pertaining non-implementation of works council resolutions and also failure of management to provide a document with all works council resolutions that were not resolved. The workers representatives stated that "With due respect, this is the reason we are saying we are equal unequal partners. The table is not even, yakarereka. We humbly request from the Chairs that we trade on an even ground, Tinongoti vakuru havapikiswe, ndizvo zvatinoziva kwatakakurira. Document iri rine zvinhu zvino affecta Mushandi. Tine hurombo kuti tinoprosidha asi takanyunyuta. Tingangoenderera hedu mberi, asi ruvimbo hatisina muungano ino." (Employees

where complaining about non-implementation of works council resolutions highlighting their lack of trust in works councils).

### Other challenges faced by works councils in promoting industrial democracy

The researched wanted to find out other challenges faced by works councils in their bid to promote industrial democracy in ZIMRA apart from non-implementation of works council resolutions

All respondents acknowledged that works councils are really important in the promotion of industrial democracy. They also concurred that a climate of industrial democracy is largely preferred. Four of the five representatives management representatives all stated challenges works councils face in promoting industrial democracy. A management representative stated that, "ambiguous demands and overemphasis of employee rights deter the implementation of works council resolutions at the workplace.' However one failed to highlight the challenges faced by works councils in the promotion of industrial democracy.

An interview with the works council chairperson brought out that, the busy schedule within ZIMRA restricts the holding of works councils and where they are held the social partners particularly the employees are not given enough time to consult with the rest of the workers. Upon probing an HR personnel interviewed alluded that the company is forever chasing revenue targets hence employees and management are always busy and in some instances works councils are continuously postponed, due to the non-availability of both constituencies. The workers committee chairperson however alluded that "poor communication between management and labor affect their ability to consult and negotiate effectively in works councils."

# Solution to the causes and challenges faced in the implementation of works council resolutions

The researcher wanted to find out the solutions that can be proffered to the challenges that works councils face in promoting industrial democracy.

The 13 respondents to which questionnaires were administered which encompassed management and worker representatives, stated that in as much as the works councils may be affected by highlighted problems, solutions can be proffered. The workers committee chairperson

Interviewed stated that "there is need for joint training of worker leaders and management." Three workers committee representatives emphasized the need for management to conduct the meeting in good faith and ensure that industrial democracy through works councils go beyond decision making and encompass implementation of resolutions. Two participants from the workers committee highlighted the need for open communication, interdependence and mutual understanding between the parties involved. This was also brought out by the works council chairperson who stated that "there is need to provide a climate of open and continuous communication between the social partners within the organization, such that they may be able to fully communicate all issues of mutual interest prior and after works council meetings." This is supported by the minutes of the works council meeting held on 6 March 2015 were on the agenda discussed both parties were highlighting poor communication as a deterrent to their successful negotiations and implementation of resolutions.

One management representative did not provide a response. Three management representatives responded that there is need for mutual co-operation and interdependence between management and worker representatives. The management chairperson was however of the view that *in order to alleviate the challenges works councils face there is need to increase the frequency of works council meetings and also holding of periodic review meetings for works council resolutions.* The HR. personnel interviewed highlighted that in order to make the operations of works councils successful, "they is need for management to understand that works councils do not end only with decision making but implementation becomes an important part of the process because it affects the future of works councils.

# **DATA ANALYSIS**

### **Demographics**

From the data presented it can be seen that they was a high degree of involvement and contribution from the management representatives and the workers committee representatives. The conclusion by the researcher is that this can be attributed to the highest level of learning and literacy on both the parties. This is evidenced by 10 respondents with master's degrees, 3 with degrees and one with a diploma. This is also supported by the fact that the organization engages in organization wide employee training and development initiatives. All the parties contributed

significantly, this gives the research the understanding that the parties are committed and engaged to the organization, and they seek to see organization related initiatives succeed. It can be deduced that these parties wish to prolong their stay within the organization and seek to work together harmoniously.

The researcher noted that, all management representatives have more than 10 years' experience within the organization. This shows that the representatives are now well versed with works council issues and the information they provided can be relied upon. It also shows that they are now more committed to the organization and are keen to see initiatives succeed. One worker representative has more than 10 years working experience within the organization, his experience is critical in mentoring the younger worker's committee members in how workers committees and works councils operate. The works council's members are within the 26-35 age group, showing the capability to grow within the organization and advance worker interests.

The composition of management representatives is also not equal to the composition of worker representatives as shown by their composition, 10 workers committee representatives versus 7 management representatives. This is in contradiction with the codes of the Labour Act, Chapter 28; 01 which states the parties should be equally constituted. Evidence for the unequal representation of the members in a works council is found in the works council minutes of 6 March 2015, which had 6 management representatives against 12 workers committee members. However equality in the quorum of both parties does not disregard the ability of works council to promote industrial democracy. From the researcher's perception this is based on the notion that, works councils members seek to represent the collective interests of their constituencies. Therefore less numbers can still represent the interest of a lot of individuals. This is supported by the definition of workers councils given by Rogers and Streeck (1995; 6) which states that works councils are "institutionalized bodies for representative communication between a single employer ("management") and the employees ("workforce") of a single plant or enterprise ("workplace")." Looking at this definition it is somewhat clear that, the quorum may not really matter as the parties present can still represent the collective interests of their constituencies. On the same issue Rogers and Streeck (1995) stated that works councils in themselves are platforms for collective representation which aggregate the views of the social partners and transform them into common voices. Therefore in as much as the quorum may not be properly constituted the

researcher is made to believe that the available members can still speak effectively for their constituencies.

### Understanding of the concepts of works councils and industrial democracy

Of the 8 workers committee representatives only 6 responded that they understood what is meant by works councils as highlighted by one that works councils involve management and labour sitting together to deliberate workplace issues and resolve conflicts. Four management representatives highlighted that works councils involves management and labour coming together to deliberate workplace issues. The idea of management and workers sitting together to deliberate on work places issues for the benefit of both is a critical characteristic of works councils. The deliberation element encompasses parties exchanging ideas and consulting each other which is a fundamental basis of industrial democracy. According Kadungure (2015) works councils are composed of a workers committee put in place by employees to engage the employer or management representatives in deliberations and negotiations on areas of mutual interest at the workplace. The pluralist perspective states that the workplace is an institution with parties having conflicting interests only bridgeable by compromise. Cradden (2011) states that pluralism is based on the notion that employers and employees are different, and have different needs and wants that are not easily reconcilable. Conflict in their association is therefore inevitable and where it is resolved it encompasses compromise from both parties. Works councils therefore are a platform where the parties can bargain and try to resolve their conflicts and reach a compromise jointly.

The findings from the research revealed that industrial democracy encompasses the protection of employee rights at the workplace and their freedom of expression through involvement. Industrial democracy came into being with a pro-employee initiative, to support employees at the workplace and ensure that their rights are honored and more importantly involved the decision making process of the organization, particularly in those areas that affect them. Clegg (1960) cited in Jentsch (2007) stated that industrial democracy is indeed a concept which is meant to institutionalize and defend the rights and interests of employees, in industries across the globe. The term, being borrowed from political democracy obviously has freedom and representational connotations, but in this case at the workplace. Employees deserve the freedom to opt for representation at the workplace and also the freedom to express themselves in areas that affect

them at the workplace and most importantly joint decision making. Turner (2006) asserts that this concept places much attention on a high degree of employee involvement where they fully take part in decision making through representation by such institutions as Trade Unions or works councils at the workplace as is required by law. The Labour Act (Chapter 28;01) section 7 makes an illustration that employees should be given freedom of representation and expression at the workplace, infringement of these rights amounts to unfair labour practices and has legal implications.

The findings from management representatives also revealed that the concept encompasses employees influencing decisions at work. Abercrombie, Hill and Turner (2006) illustrated that industrial democracy is mainly concerned with employees enjoying decision making power in areas dominated mainly by management but affecting their employment lives. The researcher is inclined to believe that over time employers and management have realized that they cannot unilaterally make decisions at the workplace without involving employees, due to the changing nature of businesses that require them to be highly competitive and the need for a fully engaged employee. Allard, Davidson and Mathieu (2008) argued that workers are increasingly being given the opportunity to influence the decisions that affect them at the workplace. Jentsch (2007) stated that consulting employees and involving them in the decision making process of issues that affect them at the workplace results in their emotional engagement to the workplace. Rothmann and Rothmann (2010) further elaborated that engaged employees tend to be passionate about their work and approach it with a great deal of enthusiasm and are willing to go an extra mile, for instance they may be willing to work overtime and extra hours to see their work for the day accomplished and their objectives achieved. They may also be willing to recommend new best ways of doing things for the organization basing on their interaction with clients and also their work.

More so from the findings, it can be denoted that the explanations given by the participants of industrial democracy do not encompass implementation of works council resolutions. The researcher is inclined to believe that the parties imply that were decisions are jointly made, their implementation is guaranteed.

### Issues discussed in works councils

From the research findings the management representatives showed that they are well aware of the issues discussed in works councils, they highlighted such issues as employee welfare and issues of mutual interest at the workplace. According to the Labour Act (chapter 28; 01) issues to be discussed in works council encompass, any matters of mutual interest such areas as capital/equipment expenditure, use of resources, cost cutting measures that may involve laying off of employees and other economizing measures that might affect employees such as acquisitions and joining operations with other organizations and even replacement of the current employer with a new employer. Employees and employers are supposed to be directly responsible for deliberating on conditions of employment and other issues of mutual interest at the work place, this is because these issues affect their socio-economic exchange relationship. This is supported by Beardwell, et al (2004) who stated that, a fair way of deliberating the terms and conditions of employment is through negotiation. Works councils therefore provide a platform where both parties can negotiate on all the issues that may affect their relationship at the workplace. It is thus ethical for employers to involve employees in the decision making process, particularly in areas that concern them at the workplace. This implies industrial democracy, since it mainly concerned with giving employees the ability to influence decisions.

Research findings also brought forward that industrial relations issues are discussed in works councils. This was also brought out where minutes of the March 2016 works council revealed that issues from both sides are discussed in the ZIMRA works council meetings. Waiganjo and Nge'the (2012) stated that the industrial relationship is primarily concerned with managing the relationships which deal with terms and conditions of employment and all other issues that arise that are of common interest to the parties. The Labour Act (Chapter 28; 01) section 25 subsection 4b states that a function of the works council shall be to "to foster, encourage and maintain good relations between the employer and employees at all levels, and to understand and seek solutions to their common problems." Successful organizations are those that have managed to put in place platforms where employment issues are jointly discussed and decisions jointly made by both management and labour. According to Waiganjo and Nge'the (2012) such organizations are those that have managed to develop a constructive relationship between social partners.

Works councils in this instance promote industrial democracy, which has more benefits for the firm and the employees as well.

From the findings the researcher also noted that the fact that the parties are fully aware of the issues that are discussed at works councils, clearly shows that the councils are operational and are capable therefore of successfully advancing industrial democracy within ZIMRA. This is supported by Rogers and Streeck (1995; 4) who stated that "... councils appear capable of making an efficiency contribution to the performance of advanced industrial democracies." Works councils through providing a platform where parties can continuously deliberate on issues of mutual interest, they continuously increase the consultation and negotiation process between management and labour.

From the findings three works council meetings are supposed to held per quarter, however only one is being held of late. The success of works councils in promoting industrial democracy is determined by the frequency in which the meetings are held. This is so because industrial democracy is hinged upon employers and employees continuously deliberating on issues that affect them at the workplace. Management and employees continuously have mutual issues they would wish to discuss at the workplace.

### The benefits of works councils in promoting industrial democracy

According to the findings works councils foster communication between management and labor and encourage involvement of employees in decision-making on issues of mutual interest. Rogers and Sleeck (1995) argued that communication can be initiated by either side and is centered on issues of mutual interest. In works council therefore parties communicate from their angles the issues that affect them such that they can be deliberated on. This communication is important in the employment relationship where management and workers have different interests, which can only be resolved where the parties understand each other. This is supported by the unitary perspective which according to Waiganjo and Nge'the implies that the success of the industrial relationship is based on a collaborative relationship between management and labor, strengthened by strong communication. Involvement of employees in decision making, boosts their engagement as they would recognize their input in workplace issues and the commitment of management to their welfare. According to the unitary perspective the partnership approach between management and labor increase the commitment of the latter to

the organization. The partnership in this sense refers to the involvement of employees in decision making by management, in workplace issues. Jentsch (2007) denoted that where employees are involved and participate in decision making pertaining workplace issue, they become more engaged to the organization.

The findings revealed that works councils in relation to industrial democracy results in cooperation and improved work efficiency and effectiveness. According to Rogers and Streeck (1995), works councils are able to contribute significantly to the performance of organizations, through creating a culture of co-operation between management and labour at the workplace. This is based on the notion that conflicts that exists between the parties are detrimental to the employment relationship. Therefore the fact that parties sit together to deliberate on issues of mutual interest and compromise to accommodate each create a culture of togetherness and mutuality for purpose. In this case consultation would become so defined and employees accorded the opportunity to influence decisions at the work place. This finding also has a legal underpinning in the Zimbabwean context, the Labour Act (Chapter 28; 01) section 25 subsection 4d states that in general, the function of the works council is "to promote and maintain the effective participation of employees in the establishment, and to secure the mutual cooperation and trust of employees, the employer and any registered trade union representing employees in the establishment, in the interests of industrial harmony." Works councils therefore provide a platform were parties can jointly influence issues that affect them at the place, with employees clearly included in the whole process, this entails industrial democracy.

The findings from the research also revealed that works councils harmonizes the industrial relationship through reducing conflicts. According to the Labour Act (Chapter 28; 01) section 2 the purpose of the act is to promote industrial harmony and ensure representation of employees in issues of mutual interest. Therefore works councils through encouraging continuous interaction between management and labour, ensure that industrial harmony is sustained. The parties negotiate on conflicting issues in order to reach a compromise, such that peace may prevail and the conflict resolved. This is supported by the pluralist theory for democracy which according to Dahl (2003) states that democracy is described as episodes of conflict among interest groups which compete to promote their preferences. This then requires the parties to negotiate, bargain and compromise such that no one party dominates resulting in an increasingly

democratic institution. Craden (2011) concluded that it is this negotiation, bargaining and compromising that results in both parties agreeing to a common settlement thus eradicating conflict, resulting in industrial harmony.

Research findings also highlighted such benefits as management -worker issues being addressed, increased productivity, increased co-operation, and two way communication and employee commitment. The researcher is of the view that the understanding by the social partners of the benefits of works councils is clear indication that they would love to work together, to reap the benefits. The fact that works council ensure a direct link between workers and employees at the workplace is important in its own right. According to Jevtic (2012) works councils are an important representational platform at the work place. This emanates from the argument that other platforms of employee and employer representation such as the collective bargaining and trade union platforms leave a representational gap at the workplace. According to Rogers and Streeck (1995) traditional representational platforms such as collective bargaining and trade unions always leave a huge representational gap at the workplace, resulting in the need to institutionalize representation at the workplace through work councils. Dahl (2003) states that works councils are considered a form of democracy in themselves, because of the involvement and joint decision-making characteristics they possess.

### The causes of non-implementation of works council resolutions

From the research findings lack of resources was identified as a major cause of non-implementation of works council resolutions. If resources are unavailable this means that the ability to carry out the resolutions in works councils is hindered. According to Jevtic (2012) it is the duty of the employer however to cater for the costs associated with the operation of works councils, meaning the employer is directly responsible for facilitating availability of resources to ensure that works council resolutions are implemented. However due to the fact that the employer control the availability of resources, the employer may not wish to implement resolutions in contrast with his interests. This argument is supported by Maphosa (1991) who stated that in the Zimbabwean set up the owners of factors of production influence significantly the deliberations that take place at work, the participation of employees and the decisions that are made. Thus in this scenario employers in most cases determine to a large extent the outcome of works council agreements and may not provide resources to implement resolutions they may be

against. This results in pseudo-industrial democracy where management accord employees decision making responsibility and authority in works councils but then do not implement the resolutions.

In relation to the findings the workers committee representatives pointed out that the HR department is partly to blame on non-implementation of works council resolutions. Human resource personnel are the custodians of HRM policies and practices, thus they are supposed to see it through that the resolutions are implemented. The social partners both look up to the human resource department in the management of industrial issues at the workplace, this is because of the functional expertise that they possess. According to Armstrong (2012;3) human resource management is defined as "a strategic and coherent approach to the management of an organization's most valued assets – the people working there who individually and collectively contribute to the achievement of its objectives." He further propounded that, the major aim of human resource management is to create industrial relations climate, characterized by harmony and maintained through partnership between management and labour. according to Ulrich and Brockbank (2005) cited in Armstrong (2006) human resource practitioners at the workplace should play the roles of strategic partners and functional experts, these state that they should use their insights and bodies of knowledge they possess, to ensure they help management and workers get things done at the work place. However HR only plays a consultancy role in works councils and are not inclined towards the interests of either party, except that a conducive climate is created for both parties to negotiate and deliberate. This is supported by Ulrich and Brockbank(2005) cited in Armstrong (2006) who stated that with the functional expertise that the HR personnel possess help them create conducive environments of operation for their businesses. The researcher however would like to point out that in some instances, the social partners may wish to over-emphasize the role of the HRM department, and this is because they may see their role in works councils as going beyond their consultancy.

The findings revealed that works councils are not taken seriously by management but only done to fulfill legal requirements and employee demand for participation. Management normally use works councils as a platform to advance their agenda such as how work should be done in the organization. This means that deliberation with employees on other issues of mutual interest becomes secondary and only to fulfil the requirements of the law on industrial democracy,

making implementation of resolutions difficult where there are made. Haynes (2005) cited in Bailey (2009) propounded that management normally consider works councils to be a channel of communication, operating in a top-down or occasionally a bottom-up direction, rather than a more complex and less linear arrangement involving employees in active discussion. In support of this argument Bailey (2009; 202) stated "that communication to and from both sides is deemed to be providing the workers with more power above the consultative role played by works councils, in the event that their arguments support transition, not favored by the employer." In this regard management representatives can legitimately override workers committee wishes without providing a full and satisfactory explanation because they merely take works councils as their channel to influence workers. This makes it hard for them to implement works councils resolutions for the benefit of the employees, thus affecting the effectiveness of works councils in promoting industrial democracy.

From the findings one workers committee representative pointed out that the organizational structure affects the implementation of works council resolutions. The point deduced by the researcher is that in as much as issues may be discussed and decisions jointly made, the works council may not have control over the issues, since organizations in some instance control specific areas. This finding is supported by Maphosa (1991) who stated that many Zimbabwean organizations are characterized by tall structures, where it is a basic requirement to follow the chain of command, when making decisions, this restricts the participation of employees in the decision making process. The role of worker representatives in decision making with management is marginalized by the tall organization hierarchies, which leave no room for them to influence decisions. This is evident in most parastatals where they are tall structures that inhibit the participation of workers committees even in works council. This reduces the effectiveness of works in promoting industrial democracy, since at the end of the day employees would not be involved in decision let alone be given the authority and responsibility. In most Zimbabwean parastatals, the government gives directives on how issues should be handled, restricting the ability of organizations to promote industrial democracy, since employees are not given an opportunity to participate in the decision making process.

The research also brought out that non-implementation of works council's resolutions is caused by employers who would have committed themselves to works councils without the capacity to implement the resolutions. This finding is supported by another finding where participants highlighted that management tend to view employees as adversaries other than social partners. The capacity of management to implement works council resolutions depend on their willingness to embrace the ideas from employees. In most instances management believe that they have a large stake in work place issues owing to their accountability to the performance and success of organizations. In this scenario they become more inclined to advancing resolutions that advance their specific interests, limiting their capacity to implement employee initiated resolutions. This argument is supported by Maphosa (1991) who stated that in the Zimbabwean set up the owners of factors of production influence significantly the deliberations that take place at work, the participation of employees and the decisions that are made. He further alluded that the business owners tend to have some preconceived decisions prior to the holding of works councils and they also tend to control all the deliberations and the agenda, such that when resolutions are made which contradicts to the ones they will be having they will lack the capacity to implement them. This affects the promotion of industrial democracy through works councils since, management would not be fully willing to engage employees.

Research findings also revealed that not taking issues discussed seriously and taking them for their face value affects the implementation process. Where issues discussed are taken for their face value and are not taken seriously it may results in agreements if reached on the issues not being implemented. This may emanate from the fact that management and labor may only be interested in advancing their own interests without considering the interests of others. Therefore were agreements are reached on issues raised by the other party, it becomes hard to implement them.

### Impact of non-implementation of works council resolutions on industrial democracy

The responses from the respondents showed that non-implementation of works council has negative effects on industrial relations. From the findings it was highlighted that a climate of trust is affected by non-implementation of works council resolutions. Although there is no provision at law that requires parties to reach agreements, where they reach voluntary

agreements, the social partners are however supposed to be bound by the agreements. The Labour Act Chapter 28;01 section 75 states that parties to the negotiation of a collective bargaining must negotiate in good faith and that it will constitute an unfair labour practice to fail to negotiate in absolute good faith, or in any way to bring about a situation that undermines the basis of negotiating in good faith. Section 8 of the Labour states that it constitutes an unfair labour practice if an employer fails to negotiate in good faith. The parties affected will lose trust in the platform where resolutions are not implemented. The point here is that, they would not see any reason to negotiate or advance their interests, where agreements are made and would not be implemented.

The findings revealed that where non-implementation of works council resolutions occur, problems remain unresolved and this affects the productivity, motivation and morale of workers. As highlighted by an issue brought forward where management failed to address an issue pertaining the officer's living quarters. According to Cornock (2011) involving employees in deliberating workplace issues and implementation of agreements will enhance their engagement to work, motivating them to perform at their best, improving overall organizational performance. However where issues that affect the employees are discussed and resolved but not implemented this affects their engagement at their work and reducing their performance, this is supported by Jentsch (2007) who argued that emotional employee engagement in as a result of participation of workers in workplace matters and this participation is reinforced by the implementation of issues agreed upon. With the ability to directly influence the productivity of an organization, employees become important in organizations, resulting in the need to address their plights. This is supported by Gollan and Patmore (2002) who argued that it is critical for employers to consider the views of the workforce in decision making, since they can be effective strategic business partners and a source of competitive advantage.

Research findings also highlighted that non-implementation of works council resolutions affects the relationship between management and labour within ZIMRA. According to Waiganjo and Nge'the (2012;64) "A modern organization is really a coalition of interest groups, and is the legitimacy of different interests and values concerned with performance, quality, service, equal opportunity and innovation." Therefore were parties meet, deliberate and reach voluntary mutual agreements, their non-implementation by either party responsible, is detrimental to the

employment relationship. This results in mistrust, resent and hostility amongst the parties. This affects the future process of works councils, obstructing their ability to promote industrial democracy. Works councils, are democracies in themselves since they, provide co-determination rights between employers and employees. Thus resentment of works councils will, mean that it will be difficult for parties to engage each other in decision making, more specifically management engaging employees, hindering their ability to promote industrial democracy. Continuous conflict prohibits the ability of social partners to engage each other continuously, even when they do engage each, the conflict prevails. Although industrial democracy mainly encompasses participation in decision making, which can be provided in works councils it does not end there. This is because where the decisions are made employees are keen on seeing them being implemented, and where they are not this affects their zeal to continuously sit for works council meetings.

### Other challenges faced by works councils in promoting industrial democracy

From the research findings limited time and busy schedule affects the holding of works council meetings. Representative democracy entails that members choose individuals to represent them at the workplace. Therefore whenever works council meetings are to be held the represented parties will need to be consulted such that democracy prevails. Allard, Davidson and Mathieu (2008) pointed out that even in representative democracy, workers should take control of the decisions that affect them at the workplace. However where time and busy schedule's affects the holding of works councils constituencies may not have enough time to deliberate issues with those they represent particularly workers. This affects the ability of works councils to promote industrial democracy. According to Talbot (2010) this is supported by Robert Mitchels iron law of oligarchy, which states that were group interests are advanced by selected members, they are situations where the representatives may end up advancing their own personal interests without necessarily considering and advancing the interests of those that they represent. Talbot (2010) further stipulated that where the size of those that are being represented is large, it becomes difficult for all members to participate equally. The argument here is that it will be hard for the representatives and the represented to convene and discuss issues they wish advanced due to constrained time, and also slowed decision making due to participation of all members in the discussion process. Therefore responsibility for representation ends up delegated to the representatives such that they recommend courses of action in deliberation with management. Talbot (2010) argued that although groupings may seek to maintain democratic control through continuously asking the representatives to account for their decisions and voting for the members, the concept of industrial democracy seem constrained as only a few individuals end up participating in the decision making process.

The findings from the research brought out ambiguous demands and over-emphasis of employee rights as challenges that affect works councils. According to Kadungure (2015) works councils are turned in to battle fields where parties shoot down each other's proposal. He further stated that employees tend to believe that it is fashionable for employees to disagree with management. These behaviors affects the operations of works councils and in this case, implementation of works council resolutions. This challenge put forward by respondents, is not unheard of and is supported by Rogers and Streeck (1995;12) who stated that "...... the workplace is a zone of potential wildcat militancy— excessive demands, unauthorized strikes, and overshooting settlements... the enterprise is a sphere of potential wildcat cooperation with the employer...." These affect the ability of parties to reach mutual agreements and if they do implement them. From the researcher's analysis wild cat co-operation bring about wild cat agreements, which both parties may not be willing to implement. According to the unitary perspective, where conflict exists it disrupts relationship between labour and management, in this case industrial democracy cannot thrive in a conflicting environment.

From the findings it was also highlighted by the participants that poor communication between the social partners is among the challenges faced by works councils in their bid to promote industrial democracy in ZIMRA. This restricts the ability of both management and works to work together harmoniously, resulting in conflict and resentment between the parties. An ideal industrial relations system is characterized by both parties working together harmoniously and where there is open communication between the parties. The unitary perspective according to Waiganjo and Nge'the (2012) states that where poor communication exists in the employment relationship, it results in conflict. Open communication entails that both parties including workers are able to advance their interests and influence decisions that affect them at the workplace and are able to iron out issues that affect them harmoniously.

# Solutions to the causes and challenges faced by works councils in implementation of works council resolutions.

Research findings revealed that there is need for management to negotiate in good faith. Negotiation in good faith implies that where employees are consulted, issues are negotiated and resolutions are made, management should thrive to implement the resolutions. Section 75 of the Labour Act (chapter 28;01) subsection C states that parties to a collective bargaining process should earnestly and expeditiously endeavor to arrive at a successful conclusion in the negotiation so as to ensure that the entire negotiation is conducted in absolute good faith. Therefore where resolutions are made and management fail to implement them, it constitutes bad faith, and workers may lose trust and faith in the whole platform of works councils affecting their ability to promote industrial democracy.

In relation to the findings training can be an effective solution. The initiative of joint training is meant to ensure that one ness prevails between the two parties, this is necessitated when both parties understand the purpose of the existence of their relationships, and understand what is expected of them, when they conduct works councils. This is supported by the concept of unitarism, according to Waiganjo and Nge'the (2012) unitarism places much emphasis on unity of purpose between management and labour and the organization is considered as a harmonious entity. The idea of industrial democracy is embraced in unitarism, according to Beardwell and Claydon (2009) cited in Waiganjo and Nge'the (2012) staff involvement and participation in workplace decision making is facilitated, employees are empowered in their work, to address problems, quality improvement and other important issues. Employers work extensively to ensure that important issues, pertaining the running of the organization are fully communicated and discussed with the employees. Therefore joint training of management representatives and workers committee representatives ensure the parties understand the role and importance of works councils in the promotion of industrial democracy.

More so from the findings it was highlighted that there is need for independence in negotiation. The Labour Act (chapter 28; 01) section 23 makes reference to how representative constituencies should be constituted. It states "that no managerial employee shall be appointed or elected to a workers committee, nor shall a workers committee represent the interests of managerial

employees, unless such workers committee is composed solely of managerial employees appointed or elected to represent their interests." This provision, which identifies the separation of representational members ensures that there is independence, in the negotiation process. This promotes industrial democracy in that parties are given a platform to advance their personal interests without interference from the other party. Dahl (2003) states that ideal democracy should encompass effective participation, this means the ability of parties to participate in issues of mutual interest at the work place, without one party influencing or interfering with the interests of the other party prior and during the deliberation process.

From the findings it was revealed that open communication can be a solution to the challenges works councils face in promoting industrial democracy. An open door policy and two way communication between the two parties will ensure that there is a clear understanding of both parties, as they continuously and freely exchanges ideas and views. Effective two way communication is the life blood of any given relationship, which helps sustain it. Communication is very significant in the organization, because it encompasses the sharing of information and parties reaching mutual settlements. Open communication entails that parties continuously interact and share ideas on how to work over, works council related problems. The Labour Aspects (2013) concur that the council is intended to be a communication channel between management and workers where both parties speak and listen to each other, before attempting to reach a mutually agreed decision. Communication therefore works to strengthen the relationship between management and labor. This argument is cemented by the unitary perspective which according to Ivanovic (2003) cited in Waiganjo and Nge'the (2012) states that management and labour should work together for the benefit of the organization. The unitarism theory emphasizes that labour and management are conjoined by a mutuality of purpose and the organization is viewed as a unified harmonious entity with no room for disagreements and potential for conflict. Waiganjo and Nge'the (2012) pointed out that conflict when and where it exists is as a result of poor communication between the parties to the employment relationship.

Another solution brought forward from the findings is that there is need for interdependence by the parties. The employment relationship is a socio-economic exchange relationship, where both parties depend on each other, for sustenance, this entails mutual co-operation and interdependence at the workplace. This also means that to make the relationship successful,

employees should be given a leeway to influence decisions and have access to information at the workplace and also see resolutions being implemented. This view was also echoed by Blonch (2013) who stated that management and labour must develop mutual co-operation and work together harmoniously such that organizations become successful. The pluralist perspective acknowledges that although conflicts of interest are inevitable in the relationship, parties should work together to reconcile their differences. Thus conflict being internal and inevitable within an organization can be bridged by the interaction of the two parties through works councils without necessarily involving a third party. This interaction involves parties exchanging views points on how to settle differences and jointly making decisions, and this is the basic underpinning of industrial democracy. Management should therefore implement works councils resolutions such that workers can effectively develop a strong bond with them, enabling successful interdependence between the parties. The Labour Act (Chapter 28; 01) section 25 subsection 4d states that "the function of a works council in general, is to promote and maintain the effective participation of employees in the establishment, and to secure the mutual cooperation and trust of employees, the employer and any registered trade union representing employees in the establishment, in the interests of industrial harmony." The ability of employees to continuously have a zeal to participate in works councils is hinged upon successful implementation of works council resolutions by management.

### **RECCOMENDATIONS**

- ✓ Negotiating in good faith- the researcher recommends that parties should negotiate in good faith, especially management with which most of the responsibility for implementation of resolutions lies.
- ✓ Management should ensure that they implement all the resolutions that they agree upon with employees in works councils.
- ✓ Open communication- There is need for enhanced communication between management and labour. The industrial relations department should work to ensure that there is two way communication, openness and transparence between management and labor. into.
- ✓ The researcher recommends that the Human Resource department should put in place briefing meetings/follow up meetings. The briefing meetings/follow up meetings should

- focus on gauging the rate at which works council resolutions would be implemented within the organization.
- ✓ The researcher recommends that the organization should engage in networking and relationship building schemes for works council members. The organization through the human resource department should engage in relationship building schemes for works council members, these may be in the form of joint workshops, seminars and other networking programs such as sports days that bring together management and workers.
- ✓ Human Resource works council procedure-The researcher recommends that the Human Resource department must adopt a hand on approach on the operation of works councils. The organization should put in place a procedure for HR. personnel to handle works councils and works council resolutions. This is not catered for in the organization's human resource and administration procedure manual. The procedure should highlight the standard procedures to be observed by the HR personnel in carrying out works councils.
- ✓ Joint training of parties about the role works councils play in organizations. The organization through the industrial relations department should ensure that the works council members are all jointly trained, this can be done through seminars and awareness programs or works council orientation from an external consultant. The joint training programs will seek to cover the negotiation aspects of works councils and the roles works councils play in promoting industrial democracy.
- ✓ Through the Human resource department the researcher recommends that the parties should be given enough time to caucus with their constituencies on the issues to be discussed in works councils.

### **CONCLUSION**

Summarily this research sought to find out the effectiveness of works councils in promoting industrial democracy in the Zimbabwe Revenue Authority. Although they are various challenges that impact the successful implementation of works council resolutions and general operations of works councils, literature revealed that they play a fundamental role in promoting industrial democracy at the workplace. Industrial democracy has various benefits for the industrial relationships and also economic and ethical arguments for organizations. The research findings have shown that successful consultation and negotiation between management and labor at the workplace, ensures that quality decisions are made for the benefit of both parties and also for the organization. Industrial democracy entails that employees are given enough room to influence decisions on issues of mutual interest at the workplace, encouraging a culture of co-operation and interdependence. The research availed that the success of works councils in promoting industrial democracy is being affected by non-implementation of works council resolutions and poor communication between the social partners. However organizations can successfully promote industrial democracy, through totally embracing works councils. Organizations should have an understanding that implementation of works council resolutions has a large bearing on the effectiveness of works councils in promoting industrial democracy.

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# **APPENDICES**

#### **APPENDIX A**

# SEMI-STRUCTURED QUESTIONNAIRE FOR MANAGEMENT AND WORKER REPRESANTATIVES

Dear respondent

My name is Benjamin .B Makumbe, a final year student at Midlands State University studying to attain a Bsc Human Resource Mangement Honours Degree. As part of my studies, it is a requirement that I conduct detailed research on a pertinent issue in the industry. My research topic is "The Role of Works Councils in promoting Industrial democracy; A case study of ZIMRA. May you please assist me by completing the attached questionnaire which shall be collected from you after three days. Please note that your response will be only used for academic purposes and will be held with high level of confidentiality.

Your cooperation will be greatly appreciated.

(a) Please **tick** or **fill** were it is necessary.

#### **DEMOGRAPHIC DATA**

#### **Instructions**

(b)	The que	estionnaire	e shall col	lected froi	n you after	completion	by the	student.

1.	Department	 	 	_
2.	Position Held	 	 	
3.	Age/ Years			
	20-25	26-35	36-45	46-55
	Over 55			
4.	Sex			
	Female	Male		

	5. Educational Qualifications
	O' Level Diploma
	Degree Master's Degree
	6 Longth of Soming (Voors)
	6. Length of Service (Years)  Below 3
1.	Can you briefly explain what you understand by the terms works council and industrial democracy.
2.	How many works council meetings are conducted in each quarter?
3.	What are the issues discussed in works council meetings?
4.	What are the benefits of works councils in the promotion of industrial democracy?

5.	What are the causes on non-implementation of works council resolutions					
6.	Can you briefly outline the impacts of this non-implementation of works council resolution on industrial democracy?					
7.	In your own views what are the challenges that works councils face in their bid to promote industrial democracy?					
0						
8.	What will you recommend to alleviate the challenges works councils face in the promotion of industrial democracy?					
9.	Can you point out the critical roles played by works councils in the promotion of industrial					
	democracy?					

10. Please answer the following questions by placing a mark in the box out of 5. The mark allocation should be as follows: 5= strongly in favour of/to a very large extent, 4=, in favour

(a)	Works councils are critical in promoting industrial democracy [ ]
(b)	Would you prefer a climate of industrial democracy within the organization?[ ]
11.	Please comment (in less than 50 words) on how you think the organization can help facilitate timely implementation of works council agreements inorder to promote industrial democracy
	THANK YOU

of, 3= neither in favour of nor against, 2= against, 1 = strongly against.

#### Appendix B

#### SEMI-STRUCTURED INTERVIEW GUIDE FOR MANAGEMENT CHAIRPERSON

- 1. Can you briefly explain what you understand by the terms works councils and industrial democracy?
- 2. Can you briefly outline the issues discussed by works council in ZIMRA?
- 3. What do you think is the role played by works councils in the promotion of industrial democracy in ZIMRA?
- 4. What do you think are the perceptions of management towards works councils and industrial democracy?
- 5. Can you briefly outline the benefits of works councils in promoting industrial democracy in ZIMRA
- 6. What are the main causes of untimely implementation of works council resolutions in ZIMRA?
- 7. Do you as management thrive to implement all works council resolutions you are agree on with employee representatives?
- 8. What are the main challenges faced by works councils in trying to promote industrial democracy in ZIMRA?
- 9. What do you think can be done to alleviate the challenges?

#### **APPENDIX C**

#### SEMI-STRUCTURED INTERVIEW GUIDE FOR WORKER CHAIRPERSON

- 1. Can you briefly explain what you understand by the terms works councils and industrial democracy?
- 2. Can you briefly outline the issues discussed by works council in ZIMRA?
- 3. What do you think is the role played by works councils in the promotion of industrial democracy in ZIMRA?
- 4. What do you think are the perceptions of workers towards works councils and industrial democracy in ZIMRA?
- 5. Can you briefly outline the benefits of works councils in promoting industrial democracy within ZIMRA?
- 6. What are the main causes of untimely implementation of works council resolutions in ZIMRA?
- 7. What do you think can be done to improve on the implementation of works council resolutions in ZIMRA?
- 8. What are the main challenges faced by works councils in trying to promote industrial democracy in ZIMRA apart from non-implementation of works council resolutions?
- 9. What do you think can be done to alleviate the challenges faced by works councils in trying to promote industrial democracy in ZIMRA?

#### Appendix D

#### SEMI-STRUCTURED INTERVIEW GUIDE FOR WORKS COUNCIL CHAIRPERSON

- 1. What do you understand by works councils and industrial democracy?
- 2. What are the issues discussed in works councils in ZIMRA?
- 3. In your own view how do workers perceive works councils in ZIMRA?
- 4. In your own view how do management perceive works councils in ZIMRA?
- 5. What are the main causes of untimely implementation of works council resolutions in ZIMRA?
- 6. What are the critical challenges faced by the works council apart from non-implementation of works council resolutions in ZIMRA?
- 7. Do parties view works council as an institution to promote industrial democracy? If yes explain.
- 8. What is the role of works councils in the promotion of industrial democracy?
- 9. In your own views what should be done to improve the operations of works councils so that industrial democracy can be promoted?

#### Appendix E

#### SEMI-STRUCTURED INTERVIEW GUIDE FOR HR PERSONNEL

- 1. What do you understand by works councils and industrial democracy?
- 2. What are the issues discussed in works councils in ZIMRA?
- 3. In your own view how do workers perceive works councils?
- 4. In your own view how do management perceive works councils?
- 5. What are the main causes of untimely implementation of works council resolutions in ZIMRA?
- 6. What are the critical challenges faced by the works council in ZIMRA apart from non-implementation of works council resolutions?
- 7. Do parties view works council as an institution to promote industrial democracy? If yes explain.
- 8. What is the role of works councils in the promotion of industrial democracy in ZIMRA?
- 9. In your own views what should be done to improve the operations of works councils so that industrial democracy can be promoted in ZIMRA?



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#### DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

To whom it may concern:

RE: REQUEST FOR PERMISSION TO CARRY OUT A RESEARCH AT YOUR ORGANISATION.

Please assist him there by allowing him there access to your organisation so that sthe can use it as a case study. The research is for academic purposes only and findings will not be published anywhere. Your privacy and confidentiality is guaranteed.

Thank you for your co-operation.

Sincerely yours

Dr C. Hungwe CHAIRPERSON CHAIRPERSON
PRIVATE BAG 9006 GWERU
12 24 280417/260450/260476

MMLANDS STATE UNIVERSITY DEPT. OF HUMAN RESOURCE MANAGEMENT 2 3 MAR 2016