A CRITICAL ANALYSIS OF THE ROLE PLAYED BY ZIMBABWE MOTOR INDUSTRY WORKS COUNCILS IN PROMOTING INDUSTRIAL RELATIONS

BY

MS EVELYN MUZOTA

PIN: P1425491W

THESIS SUBMITTED IN FULFILMENT OF THE REQUIREMENTS FOR DOCTOR OF PHILOSOPHY IN INDUSTRIAL RELATIONS

ZIMBABWE OPEN UNIVERSITY

SUPERVISOR: DOCTOR EDGAR MAKANDE

NOVEMBER 2018
Abstract

This study attempts to make a critical analysis of the role played by Zimbabwe motor industry works councils in promoting industrial relations. The study was conducted against a background where a lot of productive time was lost during negotiations which were not properly handled. In this study, which is a descriptive survey, forty-five works council members were given questionnaires to respond to, 15 chairpersons of works council were interviewed, 30 companies sent their representatives for focus group discussions at the national employment council for the motor industry, 5 companies were observed during works council meetings and 5 companies had their documents analysed. A sample of companies in the motor industry was used. These companies were sampled on the basis that they had functional works councils in place. The motor industry was chosen because no research especially focusing on the motor industry has been undertaken before. The main objective was to explore the role of works councils in promoting industrial relations. In order to come up with strategies that mitigate the effects of deadlocks, five different instruments were designed and distributed to the members of the works council. Questionnaires, interviews, observations, document analysis and focus group discussions were used as research instruments to gather data. The research identified two constructive strategies in collective bargaining, namely, thorough preparedness of both parties before engagement and relationship-building between partners involved. However, it was concluded that parties to the negotiations should be flexible enough to adjust from their original positions.
Acknowledgements

I am deeply indebted to my supervisor, Doctor Edgar Makande, whose excellent guidance and thought-provoking feedback immensely contributed to the success of this thesis. I take this opportunity to extend my heartfelt gratitude to him.

My deepest and most sincere thanks go to my husband, Erasmus Mupfïga, for encouragement and constructive ideas at every stage of the thesis, not forgetting our three sons, Tafadzwa, Ignatius and Tinashe for their love, patience and encouragement.

Lastly but not least, I would like to thank my beloved mother, Anna, and my father, Samuel, for their support, which was a big source of inspiration for me.
Dedication

This thesis is dedicated to my dear husband, Erasmus Mupfiga, and my beloved children, Tafadzwa, Ignatius and Tinashe for their love, patience and encouragement. It is also dedicated to my parents and sisters for their strong moral support and prayers.
TABLE OF CONTENTS

Title .................................................................................................................................i
Abstract ..........................................................................................................................ii
Acknowledgements .......................................................................................................iii
Dedication .......................................................................................................................iv
Table of contents .........................................................................................................v

CHAPTER 1 THE PROBLEM AND ITS SETTING

1.1 Background to the problem ..................................................................................1
1.2 Statement of the problem .....................................................................................45
1.3 Purpose of study ...................................................................................................46
1.4 Objectives of the study ......................................................................................46
1.5 Research questions ............................................................................................47
1.6 Significance of the study ....................................................................................47
1.7 Assumptions .......................................................................................................48
1.8 Delimitation .......................................................................................................48
1.9 Theoretical framework ........................................................................................49
1.10 Limitations of the study ....................................................................................49
1.11 Definition of terms ............................................................................................50
1.12 Chapter Summary...............................................................................................52
CHAPTER II REVIEW OF RELATED LITERATURE

2.1 Introduction ..............................................................................................................................................53
2.2 The concept of industrial relations ........................................................................................................61
2.3 Collective bargaining ...............................................................................................................................65
2.4 Conceptual framework .............................................................................................................................72
2.5 Theoretical framework ..............................................................................................................................75
2.6 Other literature related to the study ........................................................................................................78
2.7 Chapter Summary .....................................................................................................................................87

CHAPTER III RESEARCH METHODOLOGY

3.1 Introduction ..............................................................................................................................................88
3.2 Research philosophy .................................................................................................................................88
3.3 Research paradigm ....................................................................................................................................91
3.4 Research design .......................................................................................................................................107
3.5 Data collection methods ..........................................................................................................................120
3.6 Data collection instruments ....................................................................................................................121
3.7 Instrumentation .......................................................................................................................................123
3.8 Sampling ..................................................................................................................................................144
3.9 Population ...............................................................................................................................................149
3.10 Data types ..............................................................................................................................................149
3.11 Ethical considerations .............................................................................................................................151
3.12 Chapter Summary ..................................................................................................................................151
CHAPTER IV DATA PRESENTATION, ANALYSIS, INTERPRETATION AND DISCUSSION

4.1 Introduction ...........................................................................................................153

4.2 Response rate ........................................................................................................153

4.3 Response rate of interviews ...............................................................................160

4.4 Chapter Summary .................................................................................................181

CHAPTER V SUMMARY, CONCLUSION(S) AND RECOMMENDATIONS

5.1 Introduction ...........................................................................................................182

5.2 Summary of thesis and findings .............................................................................182

5.3 Conclusions ..........................................................................................................184

5.4 Recommendations ..............................................................................................188

REFERENCES .............................................................................................................192
## List of tables

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Number of employees vs works council members</td>
<td>4</td>
</tr>
<tr>
<td>1.2</td>
<td>Works council members vs number of employees/company</td>
<td>14</td>
</tr>
<tr>
<td>1.3</td>
<td>Retrenched workers within eight years</td>
<td>27</td>
</tr>
<tr>
<td>3.1</td>
<td>Criteria for judging quantitative and qualitative research</td>
<td>97</td>
</tr>
<tr>
<td>3.2</td>
<td>Stratification of companies by location</td>
<td>148</td>
</tr>
<tr>
<td>4.1</td>
<td>Company questionnaires</td>
<td>154</td>
</tr>
<tr>
<td>4.2</td>
<td>Percentage distribution of respondents by age</td>
<td>157</td>
</tr>
<tr>
<td>4.3</td>
<td>Tabular presentation by level of education</td>
<td>158</td>
</tr>
<tr>
<td>4.4</td>
<td>Percentage distribution of duration in employment</td>
<td>160</td>
</tr>
<tr>
<td>4.5</td>
<td>Chairperson’s professional qualification</td>
<td>161</td>
</tr>
<tr>
<td>4.6</td>
<td>Frequency of works council meetings in companies</td>
<td>162</td>
</tr>
<tr>
<td>4.7</td>
<td>Time frame of works council meetings</td>
<td>163</td>
</tr>
<tr>
<td>4.8</td>
<td>Distribution of respondents by occupation</td>
<td>163</td>
</tr>
<tr>
<td>4.9</td>
<td>Quality of employees that attend works</td>
<td>167</td>
</tr>
<tr>
<td>4.10</td>
<td>Distribution of respondents by occupation</td>
<td>169</td>
</tr>
<tr>
<td>4.11</td>
<td>Negative implications of works council agreements</td>
<td>173</td>
</tr>
<tr>
<td>4.12</td>
<td>Whether parties negotiate in good faith or not in works council meetings.</td>
<td>176</td>
</tr>
<tr>
<td>4.13</td>
<td>Survey response rate of respondents</td>
<td>176</td>
</tr>
<tr>
<td>4.14</td>
<td>Distribution of establishments with functional works council</td>
<td>177</td>
</tr>
</tbody>
</table>
## List of diagrams

<table>
<thead>
<tr>
<th>Diagram</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Structures of National Employment Council Motor Industry</td>
<td>16</td>
</tr>
<tr>
<td>1.2</td>
<td>New dispute settlement system</td>
<td>21</td>
</tr>
<tr>
<td>1.3</td>
<td>Process of collective bargaining</td>
<td>38</td>
</tr>
<tr>
<td>1.4</td>
<td>Motivational model according to Porter and Lawler</td>
<td>40</td>
</tr>
<tr>
<td>2.1</td>
<td>Organisational effectiveness models</td>
<td>57</td>
</tr>
<tr>
<td>2.2</td>
<td>Method of settling industrial disputes</td>
<td>63</td>
</tr>
<tr>
<td>2.3</td>
<td>An example of a (generic) conceptual framework</td>
<td>73</td>
</tr>
<tr>
<td>2.4</td>
<td>The conceptual framework of this study in the motor industry</td>
<td>74</td>
</tr>
<tr>
<td>2.5</td>
<td>Conceptual framework for success of companies</td>
<td>74</td>
</tr>
<tr>
<td>3.1</td>
<td>Concurrent design, concurrent triangulation design</td>
<td>105</td>
</tr>
<tr>
<td>3.2</td>
<td>The impact of ontology on choice</td>
<td>114</td>
</tr>
<tr>
<td>3.3</td>
<td>Mixed model research design</td>
<td>115</td>
</tr>
<tr>
<td>3.4</td>
<td>Stages of the mixed research process</td>
<td>116</td>
</tr>
<tr>
<td>3.5</td>
<td>Convergence of evidence from multiple sources</td>
<td>141</td>
</tr>
</tbody>
</table>
**List of graphs**

4.1  Response by gender  
4.2  Distribution of respondents by position  
4.3  Distribution of respondents by age in companies  
4.4  Level of education  
4.5  Duration of employment  
4.6  Views of the chairpersons of works council meetings on verdict ever been challenged by workers  
4.7  Collective bargaining strategies in works council meetings  
4.8  Qualities of workers’ representatives in works council meetings  
4.9  Distribution of respondents by representation  
4.10 Whether parties should be tactful when negotiating  
4.11 Weaknesses and strengths of works council meetings  
4.12 Whether verdicts were challenged by workers  
4.13 Whether parties negotiate in good faith during collective bargaining  
4.14 Whether negotiations were done in good faith or not  
4.15 Length of service at a company
### List of Appendices

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix A</td>
<td>Release form</td>
<td>200</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Questionnaire</td>
<td>201</td>
</tr>
<tr>
<td>Appendix C</td>
<td>Interviews</td>
<td>207</td>
</tr>
<tr>
<td>Appendix D</td>
<td>Observations checklist/guide</td>
<td>214</td>
</tr>
<tr>
<td>Appendix E</td>
<td>Document analysis</td>
<td>216</td>
</tr>
<tr>
<td>Appendix F</td>
<td>Focus group study</td>
<td>224</td>
</tr>
</tbody>
</table>
### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAWUZ</td>
<td>Automotive Allied Workers Union of Zimbabwe</td>
</tr>
<tr>
<td>CC</td>
<td>Constitutional Court</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>COD</td>
<td>Charters of Demands</td>
</tr>
<tr>
<td>DAs</td>
<td>Designated Agents</td>
</tr>
<tr>
<td>EMCOZ</td>
<td>Employers’ Confederation of Zimbabwe</td>
</tr>
<tr>
<td>EWCN</td>
<td>European works council</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GT</td>
<td>Grounded Theory</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organisation</td>
</tr>
<tr>
<td>IWA</td>
<td>International Works Association</td>
</tr>
<tr>
<td>LME</td>
<td>Liberal Market Economy</td>
</tr>
<tr>
<td>MCA</td>
<td>Management Cost of Agreeing</td>
</tr>
<tr>
<td>MCD</td>
<td>Management Cost of Demand</td>
</tr>
<tr>
<td>NEC</td>
<td>National Employment Council</td>
</tr>
<tr>
<td>NECMI</td>
<td>National Employment Council for Motor Industry</td>
</tr>
<tr>
<td>NSSA</td>
<td>National Social Security Authority</td>
</tr>
<tr>
<td>SA</td>
<td>South Africa</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>USA</td>
<td>United States of America</td>
</tr>
<tr>
<td>VW</td>
<td>Volkswagen</td>
</tr>
<tr>
<td>WCA</td>
<td>Works Constitution Act</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Name</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------------------------------------------</td>
</tr>
<tr>
<td>WMMI</td>
<td>Willowvale Mazda Motor Industries</td>
</tr>
<tr>
<td>ZCTU</td>
<td>Zimbabwe Congress of Trade Union</td>
</tr>
<tr>
<td>ZESA</td>
<td>Zimbabwe Electricity Supply Authority</td>
</tr>
<tr>
<td>ZLR</td>
<td>Zimbabwe Labour Relations</td>
</tr>
<tr>
<td>ZIMASSET</td>
<td>Zimbabwe Agenda for Sustainable Socio-economic Transformation</td>
</tr>
</tbody>
</table>
CHAPTER I  THE PROBLEM AND ITS SETTING

1.1 INTRODUCTION
This chapter outlines the key research study issues and the structure of the thesis. It specifically focuses on the background to the study, which cascades to the statement of the problem. This chapter addresses the research questions and the significance of the study. The aim of the study is to identify non-progressive practices within works councils at the workplace for purposes of enhancing industrial relations. This chapter is, therefore, presented to afford the reader an opportunity to have an overview of the origins and purpose of the study.

The background of the study highlights what compelled the researcher to investigate in the motor industry. The idea is to see where the works councils are falling short because some workers are being dismissed on matters that can be settled at works council level and also to investigate the deterioration of working conditions of employees. The presence of works councils in companies should reduce the number of cases at company level, but it is not the case. The statement of the problem will be dealt with in this chapter whereby the unbalanced platform during works council’s meetings will be revealed. Other areas to be discussed in this chapter are research questions, delimitations, research methodology, et cetera.

1.2 Background to the problem
In the Zimbabwean Motor Industry, a works council is composed of management representatives, representing the employer and workers’ committee representatives representing employees. It is a consultative body composed of employee representatives in equal numbers and
employer representatives. Employee representatives are members of the workers’ committee, according to the Statutory Instrument 1990, Number 372. The procedure of the works council according to Statutory Instrument 372 of 1990, is determined by the employer and the works council constitution. The council is intended to be a channel of communication between management and employees. Management is required to consult workers on any matter directly affecting their interests through workers’ council. They consult on areas like capital expenditure, use of resources and voluntary or compulsory retrenchment of employees, the execution of the employment code, job grading, training of employees and schemes affecting employees. It is a statutory requirement, according to Statutory Instrument 372 of 1990, to consult before a final decision on these areas made by works council.

1.2.1 Functions of works councils

The roles of the works council in a Zimbabwean situation according to Statutory Instrument 35 of 2011 are to:

- adopt, reassure and uphold good working relationships among employees at any level and to seek and understand answers to problems.
- acquire an understanding of the company’s productive capacity and developments.
- sustain a constant exchange of ideas between employees at all levels.
- promote the overall and mutual interests, as well as the health and safety and welfare of both employees and establishments.
- encourage effective employee participation in the institution and to safeguard the teamwork and trust of employees.
- establish reconstruction of the workplace initiated by technological advancement.
1.2.2 Works councils globally

Under the European Union law, conglomerates run their operations in EU nations sponsored European Works Councils (EWCs) to negotiate better working conditions on behalf of workers. Works councils in European countries are usually isolated from collective bargaining negotiations. Works councils have no involvement in remuneration discussions, though activities undertaken in the works councils may be complementary to collective bargaining. Works councils are involved in matters such as conditions of work, safety, healthy and policies in communication. Unions are the ones that handle issues like remunerations and hours of work. Most employees who are active in trade unions are also representatives in works councils. (Creswell, 2011) In Germany, works councils were first legally recognized under the Works Councils Act in 1920. The legal basis of works councils was re-created by the Works Constitution Acts of 1952 and 1972.

The Act of 1972 required all business operations in German, having five and above employees who are permanent, to create a works council. However, not all companies complied with the Act. Works councils were organised at grass roots level. According to the Act, the number of employees on the works council and its powers were determined by the size of the company. For instance, a firm with 5 to 20 employees would have one person in the works council, while a workforce of 9,000 would require 31 representatives. (Creswell, 2013).

When comparing the Zimbabwean scenarios with the world situation, Zimbabwe is compliant with what is happening worldwide as far as works councils’ representation and roles are concerned. The only difference is found on negotiations because in European countries works
council members are isolated from collective bargaining negotiations and are involved in industrial relations.

1.2.3 Numbers and structure

The establishment of a works council can be done when there are five or more permanent employees in a workplace with the size accumulating with an increase of employees (see Table 1.1).

Table 1.1 Number of employees vs works council members in New York

<table>
<thead>
<tr>
<th>Number Employed</th>
<th>Number of Works Council Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 – 20</td>
<td>1</td>
</tr>
<tr>
<td>21 – 50</td>
<td>3</td>
</tr>
<tr>
<td>51 – 100</td>
<td>5</td>
</tr>
<tr>
<td>101 – 200</td>
<td>7</td>
</tr>
<tr>
<td>201 – 400</td>
<td>9</td>
</tr>
<tr>
<td>401 – 700</td>
<td>11</td>
</tr>
<tr>
<td>701 – 1,000</td>
<td>13</td>
</tr>
<tr>
<td>1,000 – 1,500</td>
<td>15</td>
</tr>
</tbody>
</table>


In a company if the number of employees is between 1,500 to 5,000, the number of representatives in the works council increases by 2 for every 500 employees or portion of that, and if between the is 5,000 and 7,000 the representative workers increase by two for each for an
addition of 1,000. Large organisations with workers ranging from 7000 to 9000 workers have 35 representatives in the works council, and those with more than 9,000, have two additional workers in the works council for each surplus of 3,000 employees. However, the table above gives us an overview of the works council representation in the motor industry in Zimbabwe. Senior management is exempted from coverage, a separate provision for their representation is provided. For every 10 senior managers, whether in the factory or in administration, the managers can elect a member to represent them. One to a maximum of seven members, can be elected, subject to the number of senior management involved. Works councils in German are represented by employees only. Labour-intensive and administrative workers are proportionally represented with the number of employees within that organisation. In 2001, new requirements introduced stated that the minority gender among the employees should be proportionally represented with more than one member on all works councils. The amendment was intended to increase representation of females in works councils. A research was conducted by Davis and Le Roux (2012:306) on works council elections in 2006 and it revealed that the amendment had an effect with the representation of women slightly increasing from 25.4% to 25.9%.

The above elections were held simultaneously throughout the country, with representatives on the works councils serving four-year terms. Funds for the works council activities were provided by the company and conducted during business hours. The works council is overseen by a chair who is elected from among the works council members by the whole works council. The chair plays a key role in the works council. Some of the duties of the chairperson include calling for meetings and setting an agenda for the meeting. The law also requires the works councils with nine or more representatives, with a workforce of above 200 workers, to elect a separate workers
committee that will deal with the goings of the company on a daily basis. If the works council desires, subcommittees could be set up.

Companies that have above 100 employees that are permanent, were required by law to set up an economic committee. The function of the committee is to consult on financial issues. This committee is elected by the works council and, in other situations, the works council can do away with the committee. The law also requires representation for the youth and people with disabilities to be part in the works council.

According to Creswell 2011, companies in France have their own works councils, a Comite d’Enterprise is mandatory in any company with 50 or more employees. Members of the Comite d’Enterprise (C.E.) are elected by all the employees and have 20 hours of delegation. The main function of the works council involves being the interface between the employees and the board members which is constituted of the human resources. The number of members in the works council is proportional to the employees in the company. All members of the works councils hold a monthly meeting with the board in which the agenda is to deal with specific points. The minimal legal percentage of funding of employees on the payroll is 0.404%.

According to a study carried out in France, companies that have 50 workers elect works councils. While companies with less than 50 employees choose their representation, who undertake the same roles as works council and they have meeting with management on a monthly basis. Unions in France now dominate representation on works councils. A majority of works council members are also involved in the unions.
According to Creswell, 2011:106, “In France, over the last few years, there has been an increase in representatives in the works council facing dismissals by their employers, the numbers have risen by 5%. The number of employees dismissed increase because management is aiming at reducing the number of works councils representatives who challenge their right to dictate working conditions”. The elected members are there to generate higher efficiency at the workplace in order to increase the company’s profit, provided they do not challenge management. In 1993, the judicial system endorsed the firing of 14,326 members of the works council out of a total of 17,740 firings as lawful. Thus the French government legally endorsed 81% of members in the works council to be fired.

According to the French, participating in works council elections reinforces unity in the company through an awareness of their systems and thinking. In the long-run, this leads to unity among members and a workforce that is enthusiastic to take part in the proceedings of the organisation.

1.2.4 United States

In the United States labour law, a works council would be legally possible if only the workers involved have their own independent representative and a union. At a Volkswagen company, President Bob King (Creswell, 2013), says he wants “innovative labour-management relations that benefit the company, the entire workforce, shareholders and the community.” It was resolved that any works council structure VW management came up with would be purely voluntary.
In the United Kingdom, all employers with 50 or more employees are allowed to establish formal works councils. The European Union takes employers that are not willing to comply with the formation of works councils as a serious matter, and may fine them up to 75,000 pounds and then impose a works council that is not in line with their business.

1.2.5 The procedure for establishing a works council in United Kingdom

At least 5 employees, making 10% of the workforce, must request for a works council to be created. A formal request with the details of the employees can be submitted by employees so that they can determine the number of representatives provided they are 50 employees and more in order to comply with the regulations. When the request is made, both the employees and employer have up to six months to bring forth a formal agreement on the framework of the works council. The modalities and the responsibilities.

Some employers can agree to ignore the matter and wait for the employees to suggest with a formal request to set up a works council. These employers are usually content with the outline contract and can wait for a appeal to appear on their desk.

On the one hand, the employer can take initiative and prompt the creation of a works council under terms that are allowed by the regulations to be in their favour. Usually, chances are high that employees will accept an employers’ proposed agreement without scrutiny and any modifications.
According to the Maastricht Treaty, companies in Europe were required to create European Works Councils (EWCs) only when the company employ over 1000 workers in their ‘parent’ country. This alone resulted in the introduction of over 1200 EWCs, with household names such as Phillips, Spencer and Renault. This subsequently led to the election of an estimated 30,000 workers to serve on works councils.

The Maastricht drive of 1999 imposed EWCs on multinational corporations whose origins are not European, but conducted major activities within Europe. This meant multinational corporations like Ford, Sony and Panasonic created works councils for their European operations.

The European Union introduced EWCs to guarantee that there is communication between employers and employees before taking any direction that might affect the business. Management was required to produce a statement of plans for the future. According to Maastricht drive (1990) discussions with the works council were to be “on the basis of a report drawn up by central management on the progress of business… and its prospects.” The report included matters like the present economic state, future projections and staffing prospects. Proposed terminations, mergers, transfers of production, any technological advancements in the working place were some of the issues that should be consulted with the works council.

In the United Kingdom trade union movements have never been legally recognised, instead, they rely on building membership among employees and imposing acknowledgment from their employers. The unrestricted collective bargaining approach shows the rivalry between
employees and employer that have long characterised industrial relations in Britain. The works councils in Britain, should take whatever is given by management be it, a decline in the standard of living for the employees and unsafe working conditions, in the favour of their employers and overlook the employees’ grievances.

1.2.6 Workers Committee in Zimbabwe (Labour Act [Chapter 28:09])

In Zimbabwe, the Labour Act provides for the formation and functions of workers’ committees. In terms of Section 23(1) paragraph 1(a), workers employed by the same employer may appoint a workers’ committee to represent their interests as an umbrella body. Thus the workers’ committees have *locus standi* to be elected at a company.

The employees decide the structure and processes of the workers’ committee. Section 24 of the Labour Act [Chapter 28:09] provides for the functions of workers’ committees and, in terms of that section, workers’ committees perform the following duties:

i. They represent the employees’ matters affecting their rights and interests.

ii. They negotiate with the employers in matters concerning working conditions in the work place.

iii. Its members can be elected to the workers’ council to represent the employees’ interests in the works council where the workers’ committee has been appointed to represent employees, no person other than such workers’ committees and the appropriate trade union may act for the employees.
The workers’ committees are a creation of the Act, but the employees decide on the duties and responsibilities of the committees. The committees are supposed to have a constitution which determines the scope and parameters of their activities. When the workers’ representatives in the workers’ committee meet management at company level, they form a works council.

1.2.7 The researcher’s opinion on works councils globally

The works council is an organisation representing employees and management, which operates at company level, and recognizes the needs and rights of employees. They are created to establish channels of communication and minimise conflicts at work. The creation of such a body increases the power of workers to bargain at the same table with their employers on a legal basis. There are committees elected by employees to represent the employees during any negotiations with the employers and at times can even have certain decision-swaying powers. There are democratic bodies that give voice to workers’ welfares. They are meant to reduce labour conflict and to promote pleasant labour practices, mostly, regarding changes in the workplace. Members must keep peace in the institution. They look at issues that concern the financial condition, any future endeavours the company might want to venture into, expected levels of investment, retrenchments and restructuring, mergers and transfers of production. Thus, the works council functions as a tool by which management and workers can mutually solve problems in order to advance labour peace, economic development and promote democratization of the workplace.
1.2.8 Tasks and/or rights of works councils

Works councils are created to keep the employer in check and make sure that some key decisions are not made unilaterally by the employers, but should include workers’ representation. Its legal basis is to work in unison with the employer “in a spirit of mutual trust for the good of the employees and the establishment”, Davis and Le Roux (2012;306).

The law provides the works council with two main types of rights:

(a) Participation rights: where the works council must be informed and consulted about specific issues and can also make proposals to the employer, and

b) The co-determination rights: where decisions cannot be taken against the wishes of the works council.

The rights of works councils in Europe are different from one area to another. The workers’ councils mainly negotiate for the social rights, such as working hours, leaves and personal days, how they should be paid, and they are not concerned with wages and salaries.

The works council must be well-versed with the financial situation of the company. In large workplaces, quarterly reports should be provided about the financial state of the company and any changes that could lead to disadvantages for the workforce, such as an increase in working hours, and the introduction of new technology should be discussed in the meetings. In companies that employ more than 100 people, an economic committee is set up, composed of works council members, to which the employer make monthly reports.
The rights of workers to access information were introduced in companies. The employer was required to inform the works council before acting on general staffing needs, on the job training, promotions and demotions, ranking and re-grading, transfers and sackings. However, any action to be taken by management or the employer could only be prevented if the intended plans clashed with any pre-existing arrangements. Proposals can be made by the works council to the employer concerning issues like promoting gender equality and eradicating racism and ethnicity at the workplace.

It is in the purview of the works council to negotiate over a range of social issues, that include procedures to follow when disciplining an employee, working hours, tea and lunch breaks, overtime or short-time working, holiday arrangements, the payment of wages and salaries, bonus method of payment and an introduction of concerns to check the behaviour of employees. The works council will have to come to an understanding with the employer on some of the issues and the agreement would have to be formalized in writing.

According to the law in Europe, works councils are not involved in financial negotiations, issues that involve remunerations and working hours, as these issues are normally dealt with by the unions.

1.2.9 Election and terms of office

The nomination of representatives to the works council is done either by groups or by separate workers, at times about 5% of those eligible to vote – or from any trade union with at least one member in the workplace. The elections are held every four years.
1.2.10 Protection against dismissals

Members of the works council can only be dismissed under special circumstances such as blatant disregard of the organisational rules, and also when the works council committee or labour court agrees.

1.2.11 Time-off and resources for works council members

Members of the works council are given time to carry out their council duties such as attending meetings or advice management. At workplaces with less than 200 employees, the works council code of conduct is not legalised. Workplaces that have more than 200 employees, the law stipulates the number of works council members that should leave work and attend to works council meetings. The details of works council members versus number of employees per company shown below:

<table>
<thead>
<tr>
<th>Representatives</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>200-500</td>
</tr>
<tr>
<td>2</td>
<td>501-900</td>
</tr>
<tr>
<td>3</td>
<td>901-1500</td>
</tr>
<tr>
<td>4</td>
<td>1501-2000</td>
</tr>
</tbody>
</table>

Researcher’s own source

Furthermore, works council members have the right to take part in on-the-job training programmes that are in line with their duties in the works council and an additional three weeks
can be spared for training during their tenure in office. The employer is entitled to provide all
that is needed by the works council, like administrative costs, office staff, telephone bill and
stationery during outings, stationery, administrative costs, office staff and telephone bills. In very
large companies, the works council may pay professional staff.

The researcher is an interested party in the motor industry and also a seasoned professional in
industrial relations. The researcher works as a designated agent on the National Employment
Council for the Motor Industry. Her portfolio includes organising workshops on industrial
relations, conducting training on collective bargaining and attending meetings with both
employers and employees in the motor industry. The National Employment Council (NEC) for
the motor industry is ordinarily made up of four structures, namely, (a) the council, (b) the
executive committee, (c) negotiating committee, (d) local joint committee and (e) designated
agents. Key to these structures are designated agents (DAs) who are responsible for resolving
disputes in terms of the Labour Act. The structure can be shown diagrammatically below.
Diagram 1.1 Structure of NEC Motor Industry

Source: Statutory Instrument 35 of 2011

The researcher observed gaps in the motor industry profession and was driven by the quest for knowledge and the desire to explain the anomalies in works council meetings, hence the researcher’s reason to embark on the research study.

The researcher being one of the designated agents has been involved in works council meetings, in some cases at company level. As the designated agent appointed by the Registrar in terms of the Labour Act, Section 63, her duties are outlined in the Labour Act, Chapter (28:01). Some of her duties are:

1. Registration of companies in the motor industry
2. Monitoring compliance with the Statutory Instrument 35 of 2011
3. Enforcing compliance with the motor industry code of conduct
4. Advising and assisting employees in relation to their rights of employment
5. Checking books, records and other documents in relation to the motor industry
6. Redressing any disputes or unfair labour practice in terms of subsection (3a).

Collective bargaining in the Zimbabwean motor industry takes place at NEC level and, in some cases, at company level through functional works councils. In terms of the Labour Act, Section 63, workers are entitled to negotiate, at company level, for specific benefits through works councils. In Zimbabwe, with this high unemployment rate, workers lack the desire and the inclination to engage the employer concerning any work related complaints as some highlight the problems of victimisation and intimidation as the main causes of the non-functionality of workers’ committees and works councils.

When business is struggling, both the employees on the ground and the employer experience the same hardships in the company, but when it comes to collective bargaining at works council level, there is an unequal negotiating power, which strips off the employees’ right to negotiate, hence endless salary disputes, retrenchments and unfair dismissals in the Zimbabwe motor industry.

1.2.12 The High Court Judgement of 17 July 2015 and its impact on Industrial Relations
Supreme Court Case of Nyamande and Anither versus Zuva Petroleum (Pvt) Ltd 2015 (2) 2CR 186 SC (Hereinafter referred to as the Zuva Petroleum Judgement).
The Zuva Petroleum Judgement reemphasized the employer’s right at common law to terminate the employees’ contact on notice without obligation to pay the employee any other money other than what was the due to him/her in respect of the remaining 3 months of employment to which notice related. After recognizing that workers were being dismissed from employment without adequate compensation, the legislature amended Section 12 of the Labour Act (Chapter 28:01), in particular Section 12(4) of the Act which regulated the notice periods to be given in respect of different types of employment contracts. The legislature enacted cabon. Ammendment Act No. 5 of 2015 which introduced, amongst other reforms, a transitional provision which in effect assigned an obligation on notice of pay compensation for loss of employment calculated in terms of Section 12C (2) which was given retrospective effect from 17 July 2015.

The fact that the low did not prescribe any form of package to be paid upon termination of employment despite the number of years worked on its own caused industrial disharmony or was against public interest because by the end of December 2015 a large number of employees had been laid off.

With the economic challenges currently facing Zimbabwe, such cash shortages, viability constraints and competition coming from cheap imports, business owners’ view that they can grow an economy because it is now possible to dismiss employees when the need arises to do so. The government of Zimbabwe, through the Ministry of Public Service, Labour and Social Welfare, was helpful in assisting the stakeholders deal with the industrial relations system with regards to this ruling.
The Herald of Monday, 20 July 2015, the then minister, quotes Prisca Mupfumira saying, “There is definitely need to settle on corrective legal options to safeguard the worker as the Ministry is already receiving numerous complaints from workers whose contracts of employment have been terminated on notice since the court ruling.” Thus, according to an equilibrium with regards to the needs of the employee and the employer. Alternatively, Section 65 of the Constitution specifies labour rights that include the right to fair and safe labour practices, the right to a fair and reasonable wage and the right to engage in collective bargaining.

The government, labour and business accept the Amendment Act, Number 5 of 2015, with open hands as it has come under a time where amendments are being made to the current Labour Act to balance the interests of the workers and employers. The Supreme Court judgment can be taken as an opportunity to review and harmonise the new constitution, ILO Resolutions and ZIMASET.

Regionally, in South Africa, there was a matter between Nettawu and others vs University of Cape Town (2003) 24 IL195 (CC), the South African Labour Relations Act 66 of 1995 (LRA) provides that, “Fairness denotes a balance between competing interests of employees on the one hand and employers on the other hand.” Thus, legislators should balance the interests and the needs of both the employer and the employees over stakeholders’ commitments and enhance development and the application of the right legal route to follow.

By taking away job security, which is a key factor of the intangible contributions given to employees in exchange for their loyalty and emotional commitment, there is a definite lack of
state of equilibrium that has been created. The ruling in the eyes of the employees takes away job security and is viewed mostly favouring the employer, at the same time, this was one way an employer can guarantee loyalty and commitment. Simply put, the Supreme Court held termination on notice as one lawful way of terminating an employees’ contract, even in proper circumstances, while other ways of termination are dismissal, retrenchment, et cetera. The termination on notice can be applied even when the employee is not at fault. The Labour Court made a mistake, legally when they allowed termination on notice as this gave precedence to employers firing workers for no valid reason. It would appear on paper that the differences between the employer and employees is the legal standing of the employers’ right to terminate employment as and when they deem fit.

The section that deals with termination of a contract of employment on notice is Section 12(4) of the Labour Act. There is need to note that with regards to Section 8 of the Act, it is illegal and a biased labour practice. However, in accordance with section 12B of the labour act, misconduct will lead to disciplinary action.

The new dispute resolution system adopted by Labour Social Welfare due to the high court judgment of 17 July 2015 is illustrated diagrammatically below.
Diagram 1.2 New dispute settlement system

If there are cases involving retrenchment, Section 12C of the Labour Act, should be followed to the letter. Employers should not terminate on notice as a way of avoiding procedures in terms of Section 12B or 12C, respectively, concerning disciplinary or retrenchment issues, this would be viewed as unlawful and procedural, and would most probably end up in a legal battle.
Section 8 of the Act provides eight unfair labour practices by the employer. An employer is said to commit an unfair labour practice if by act or error when:

a) Prevents, hinders or obstructs any employee in the exercise of any right conferred upon him in terms of Part II; or

b) Contravenes any provision of Part II or of Section 18; or

c) Refuses to negotiate in good faith with a workers’ committee or a trade union which has been duly formed and which is authorised in terms of this Act to represent any of his employees in relation to such negotiation; or

d) Refuses to co-operate in good faith with an employment council on which the interests of any of his employees represented; or

e) Fails to comply with or implements

   (i) A collective bargaining agreement; or

   (ii) A decision or finding of an employment council on which any of his employees are represented; or

   (iii) A decision or finding made under Part XII; or

   (iv) Any determination or direction which is binding upon him in terms of this Act; or

f) Bargains collectively or otherwise deals with another trade union where a registered trade union representing his employees exists; or

g) Demands from any employee or prospective employee any sexual favour as a condition of:

   (i) The recruitment for employment; or

   (ii) The creation, classification or abolition of jobs or posts; or

   (iii) The improvement of the remuneration or other conditions of employment of the employee; or
(iv) The choice of persons for jobs or posts, training, advancement, apprenticeships, transfer, promotion and retrenchment.

The case involving the Commercial Careers College totally destroyed the relationship between the employer and the employees. The employer argued that since the employees can resign at any given time without giving any warning yet it is called unfair when the employer terminates an employees contract on notice. However, the proposition was disallowed.

In the Winterton, Holmes & Hill v Paterson 1995 (2) ZLR 68 (S) case, the court ruled that when the relationship between an employer and an employee has deteriorated such that no amends can be made, that relationship can be terminated on notice.

Evidently, the dismissal of an employee refers to all methods of termination. The idea that other forms of termination of employment besides dismissal was clearly brought to light in the case of Samuriwo v Zimbabwe United Passenger Company 1999 (1) ZLR 385 (H), in which Garwess J said:

“The code, in compliance with Section 101 of the Labour Act, steers clear of the matters that have nothing to do with misconduct, such as termination for other reasons.” While it should be acknowledged that the code does not have any provision for a managing director to be subjected to disciplinary proceedings, it appears to the researcher that the relevance of the ruling is not based on the code but in terms of the employees’ contract.
The case of Samuriwo demonstrates beyond doubt that there are other methods of termination of employment other than dismissal and in terms of codes of conduct a read in Labou Act chapter 28;07 following disciplinary proceedings are as follows:

   a) Three months’ notice in case of a contract without limit of time or a contract for a period of two years or more;
   b) Two months in case of a contract for a period of one year or more but less than two years;
   c) One month in case of a contract for a period of three months or more but less than one year;
   d) Two weeks in case of a contract for a period of three months or more but less than six months’;
   e) One day in case of a contract for a period of less than three months or in the case of casual work or seasonal work.

According to the Act, Section 12(4), it is clear that there is no room for misinterpretation. The section governs the times that apply for termination on notice as being administered to an employee. When an employee has already been dismissed, the notice periods may not apply.

In cases where dismissal has already taken place, a notice is not required. According to Section 12(4) of the Act, the period of notice only apply when termination of employment is done using the terms provided in the contract of employment.

From the above-highlighted impact of the Labour Amendment Act, No.5, the researcher has observed with concern that there are issues to be ironed out at works council level which are not
settled. The majority of workers’ representatives are not qualified such that they cannot argue out facts when negotiating, which brings out the issue of disparity. There is no mutual settlement of differences.

It has come to the researcher’s attention that when negotiations are being tabled, there is lack of transparency. Transparency is observed in theory only, not practically, which disables the functionality of the works council. Employees end up resorting to economic sanctions such as strikes, picketing and boycotts.

Experience in workshops held in the motor industry has shown that employees do not know their rights when negotiating at works council level. The reasons being that many cases to be dealt with at works council level (lower level), surprisingly, are coming to higher level at an alarming rate. The main purpose of this research is to identify where the works councils are falling to address employees’ concerns. Sometimes workers are dismissed on matters that are to be settled at works council level. The two parties should work out their problems in a mutually satisfactory manner.

Victimisation of employees at works council level could be another cause of their misrepresentation. There is also massive deterioration of working conditions of employees in the motor industry in Zimbabwe. All these issues should be ironed out at works council level.

The researcher intends to find out the root cause of the ineffectiveness of the works council because there is something vitally wrong with the relationship between the workmen and the
employer. Curative measures are urgently needed. The presence of works councils at shop-floor level should reduce the number of cases referred to the NEC Motor Industry, when one looks at the frequency and magnitude of labour-related cases. The cases are sky rocketing whilst the presence of works councils should reduce the number of cases at company level. This is evident enough to show that there are problems in works councils to be investigated. The researcher’s experience when holding workshops with employee representatives has shown that they lack qualifications, skills and even knowledge of statutory instruments. This probably contributes to the ineffectiveness of the works councils.

The researcher’s position as a designated agent is that she has been observing the operations of the works councils and it came to her realisation that the works council is the key phenomenon which needs interrogation. The issue of the ineffectiveness of works council is not valid because it has come to the researcher’s notice that many employers, if not all, are deciding when, how and which employees can attend works council meetings, and this entails that the company is not affording the worker his/her full labour rights.

Companies or employers are taking advantage of the current harsh economic environment where jobs are scarce and the job market is dwindling, thereby forcing workers to operate within their means, all in the fear of being fired or victimised.

According to The Sunday Mail of 16-22 March 2014, a cumulative 31/50 jobs were lost in the seven-year period. The figures were obtained from the employers’ confederation of Zimbabwe (EMCOZ) from 2006 up to 2013. The most affected years are 2006 to 2013.
Table 1.3 Retrenched workers within 8 years

<table>
<thead>
<tr>
<th>Year</th>
<th>Workers retrenched</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>3744</td>
</tr>
<tr>
<td>2007</td>
<td>3470</td>
</tr>
<tr>
<td>2008</td>
<td>2048</td>
</tr>
<tr>
<td>2009</td>
<td>4101</td>
</tr>
<tr>
<td>2010</td>
<td>Job losses peaked</td>
</tr>
<tr>
<td>2011</td>
<td>4432</td>
</tr>
<tr>
<td>2012</td>
<td>4007</td>
</tr>
<tr>
<td>2013</td>
<td>2376</td>
</tr>
</tbody>
</table>

Source: - The Sunday Mail, 16-22 March 2014

Retrenchments has been on the increase since the adoption of the multi-currency regime as wages continue to ascend above production. Major companies that have retrenched include Paramount Motors (Private) Limited in Bulawayo, Willowvale Motor Industry and Quest Motors in Harare. The shutdown of Willowvale Mazda Motor Industries in 2012 was instigated by the crippling of vehicle imports on local production. The government controls Willowvale Mazda Motor Industry through state enterprises, like the Industrial Development Corporation. The other stakeholder in Willowvale Motor Industry is Itochu Corporation of Japan.

Willowvale seems to have taken the hardest blow as this has forced the motor industry to shutdown, despite the presidential order passed in October 2012 that, “Given the imperative need
to conserve the nation’s scarce foreign currency resources, promote development of the domestic automotive industry and provide support at a time of considerable challenge for industry . . . all vehicles purchased by government and other public institutions, including parastatals, shall be procured from local vehicle assembly plants.” Thus the idea is to boost sales at Willowvale Madza Motor Industry (WMMI) that have been on a down trend due to cash shortages that is being faced by the entire industry.

According to *The Herald* of November 2013, “An average of 7000 new vehicles are imported into Zimbabwe each year with only 10% of these produced by the local assembly plants, WMMI and Quest combined.”

WMMI estimates about 53000 second-hand vehicles are being imported into the country, the imports are mainly from Asia and the United Kingdom. If production was done locally, it would have been enough to support WMMI and Quest, in addition to the two bus manufacturing companies, Deven Engineering and AVM. Minister of Industry and Commerce, Mike Bimha, in an interview with *Sunday News* said that, “Zimbabwe’s motor industry is rooted in financial mire due to importation of cheaper used cars. The entire motor industry is feeling the heat of this stiff competition from Japan.”

The Zimbabwe Congress of Trade Unions (ZCTU) estimates that more than 9 600 workers lost their jobs in 2013. EMCOZ Executive Director, John Mufukare, said the prevailing macro-environment has exerted “severe stress” on the relationship between the employer and the employee. The adoption of the multi-currency system continues to raise the cost of production
hence salaries are on the increase, and this has led to an increase in retrenchments. The case of rising unemployment in Zimbabwe in the motor industry and the rise in retrenchment statistics confirm Arthur Melvin Okun’s (1962) propositions as inflation continues to point to a slow-down in economic activities. In economics, according to Okun, the law stipulates that an economy needs to be wary of the level of employment within it if it is to maintain a decent sustainable economic growth rate. According to Okun, for every one percent increase in the unemployment rate, a country’s GDP will be approximately two percent lower than its potential GDP.

Some financially-troubled companies are reportedly paying their employees in kind instead of cash as they can no longer afford remuneration, but Labour and Social Service Minister, Paurina Mpariwa, condemned the practice and pledged to investigate the matter in an effort to stop it. The Labour Act, Chapter 28:01, states that, “remunerations may be payable in kind only in industries or occupations where such payment is customary.” The Act further states that remuneration in kind shall not substitute entirely the remuneration in money. In the motor industry, employees are given money to survive, between $30,00 and or $50,00 per month they start work at 7.30am and dismiss at 4.30pm. The money that they get is not enough for food or transport and, as a result, they have to walk to work.

More often than not, the researcher has come across cases where employees are intimidated and humiliated, denying them their rights, forcing them into silence. Questioning authority is considered to be insubordination.
In terms of Section 7(1) of the Labour Act, Chapter 28:01, “No person shall: (b) threaten any employee with any reprisal for any lawful action taken by him in advancing or protecting his rights or interests.”

Thus, employees are a valuable resource which needs to be taken care of. Profit is the motive behind setting up a business, but there is a need to balance profit and general regard of human life. Business should benefit both parties.

The main purpose of the works council is to safeguard the highest quality and safety of workers in the workplace. According to statistics released by NSSA in Chronicle (15 Nov 2012), there is a decline in compliance with the stipulated safety standards and regulations leading to high levels of work related accidents.

Additionally, Section 65(1) of the constitution provides that, “every person has the right to fair and safe labour practices and standards and be paid a fair and reasonable wage.”

At an enterprise/workplace level, works council members work together to come up with a code that regulates the operations of the company. Labour Act, Chapter 28:01, Section 101, states that, “a works council may apply in the manner prescribed to the registrar to register an employment code of conduct that shall be binding in respect of the industry undertaking on workplace to which it relates.”
Codes of conduct can be at industrial level and specific National Employment Councils (NECs) to govern those industries. It is a legal requirement that every employer abides by the code of conduct. Most importantly, functional works councils should be in place. However, there is a need to try and solve most of the issues between the employer and employees at works council level before forwarding them to NEC for conciliation and arbitration. Currently, the trend is that trivial issues and personal grudges are found to be escalating among cases being forwarded to NEC. Ideally, issues that have failed at works council level should go to NEC for conciliation and arbitration.

It must be remembered that most of the issues that get to NEC show us that the works council, workers’ representatives, department heads and human resources department would have failed to resolve them.

Collapsing the works councils can be a short-term victory that, in the medium to long-term, but the organisation can end up paying a huge price in the form of litigation, labour unrest, work sabotage and staff turnover and, at the same time, projecting a cruel, evil and bad employer image, which could take long to restore. Regionally, the Marikana Collective Job Action which engulfed South Africa is a clear example of the need to correctly manage and relate correctly at company level.

Furthermore, the educational gap between employers and employees can also be a source of serious problems as it was shown in the Marikana incident where, instead of dialoguing at works council level, workers hired a sangoma, resulting in the two parties operating from two very
different platforms, an incident that contributed to the death of a number of people (Chronicle, 15 November 2012). Workers can engage trade unionists, labour consultants and lawyers who can easily manoeuvre the employer at a huge cost.

In many instances when problems arise, the employer has nobody to talk to as the workers are violent. Many employers wrongly assume that, due to their better education levels, they can outsmart workers, forgetting that workers have an indirect capacity to outsmart the employer through seeking guidance for free from relatives and friends who are experts on issues in dispute.

Zimbabwe, as a member of the International Labour Organisation (ILO), is bound by the ILO Constitution and all international conventions, declarations and recommendations that are made at international level. For some employers to campaign for the rights to employ and let go of workers at will, will be a breach for the country to its international labour responsibilities that promote fair working conditions and collective bargaining, among other international standards, according to Minister of Finance and Economic Development, Honourable Patrick Chinamasa (The Sunday Mail, 23-29 March 2014). The law must be fair to the interests of the three essential players, the owners, business and labour force.

The sad reality of the situation is that the unpredictable nature of the job market in the country, coupled with the judgement allowing companies to hire and fire at will, the government is at a loss of revenue from tax collections. The same government is obliged to come to the aid of its struggling citizens thus creating a dependency syndrome.
The researcher was prompted to undertake this study by the fact that there has been a major turn for the worst in motor industry terms and conditions of employment. A provision has been provided to that effect in terms of the Labour Act, Chapter 28:01, Section 12B (3a).

As things stand, all that remains of the once vibrant motor industry as it is the name, and it would require something close to a miracle to resuscitate the motor companies. One critical point for an organisation to note is that works councils have a lot of activities to perform at company level such as retrenchments, downsizing, mergers, extinguishing the labour disputes, negotiating for wages, and negotiations for better working conditions. Where parties fail to agree, then the NEC gets seized with the matter.

In most cases, NECs require that employers and workers at the workplace meet at works council level to try and reach a consensus on issues, and if it is reached, the NEC only endorses the agreement. If both the employer and the employee are found operating outside the confines of the law, they are prosecuted. The study seeks to shed light on how works council meetings are often mishandled.

One of the mandates of the works council includes the disciplinary action in the form of fine, suspension, demotion and dismissal. Most of the employers refuse to negotiate wages, better working conditions and productivity bonus. They refuse to negotiate in good faith with employees because they do not want employees to be in a clear picture of what is happening in the company.
In Zimbabwe, workshops about negotiations have been conducted in the motor industry and it has been realised that there is a gap yawning in addressing employees’ concerns. The issue of justifiable negotiations takes into consideration issues like accommodation, transport, decent working conditions, better wages, wages top-up, rights to be heard, retrenchment packages, promotions and other labour-related issues.

The researcher has observed that there are issues to be ironed out at works council level. The majority of the representatives of workers are not academically qualified enough to argue out facts when negotiating and this leads to the issue of disparity. There is no mutual settlement of differences.

It has come to the researcher’s attention that when negotiations are being tabled, there is lack of transparency. Transparency is observed only in theory and not in practice, and this disables the functionality of the works council. Employees end up resorting to economic sanctions such as strikes, picketing and boycotts.

Experiences in workshops held in the motor industry have shown that employees do not quite know their rights when negotiating at works council level because many cases to be dealt with at works council (lower level), surprisingly, are coming to NEC (higher level) at an alarming rate.

The main purpose of this research is to identify where the works councils are falling short. Sometimes workers are being dismissed on matters that can be settled at works council level. The two parties should work out their problems in a mutual manner. Victimisation of employees at works council level could be another cause for their misrepresentation. Something has to be put in
place to minimize victimisation. There is a quality deterioration of working conditions in the motor industry in Zimbabwe. These issues have to be ironed out at works council level.

The researcher wants to identify the root cause of the ineffectiveness of the works council because there is something vitally wrong with the relationship between the workers and the employer and, therefore, curative measures are urgently needed. The presence of the works council at shop-floor level should reduce the number of cases referred to the National Employment Council Motor Industry (NECMI). The frequency of labour-related cases is skyrocketing when the works councils should reduce them at company level.

It is evident that there are problems in the works councils that should be investigated. The researcher’s experience when holding workshops with employee representatives/unions has revealed that they have low academic qualifications, skills and even knowledge of statutory instruments. These have probably contributed to the ineffectiveness of the works councils.

The relationship between employers and employees is often characterised by complaints from both parties. It is a win-win situation which brings out the need for negotiations. Workers perceive that they are being underpaid while employers feel that the objective is to make money because employees are regarded as ‘tools’. The negotiation platform does not cater for the above situations. Employers may claim that they subsidise their companies and see production as below threshold when, in fact, they are benefiting.
Globally, industrial relations are perceived as the relationships between an employer and an individual worker and the relationship between employees among themselves. The relationships that employers and employees have with the organisations are made to promote their separate interests and the relationships between those organisations at all levels. It also comprises the processes through which these relationships are expressed such as collective bargaining, worker participation in decision-making, grievance and dispute settlement and the proper handling of conflict between employers, workers and trade unions as it arises.

It is the intention of this study to investigate the bargaining power and skills of employee representatives with reference to the sharing of profits between employers and employees. The constitution of Zimbabwe allows for the creation of workers’ committees who negotiate and bargain for the benefit of all employees in the motor industry. The workers’ representatives sit at works council level and negotiate an agreement which binds the total workforce.

1.2.13 The objectives of the workers’ committees are to:

- act as a direct connection and way of communication amongst employers and employees at every levels.
- offer a way for employees to present their requirements and grievances, and discussing a way forward with management.
- encourage a good and stable working environment.
- promote the interests of the employees they represent by continuing to give feedback with their electorate.
In the motor industry in Zimbabwe, there is a formal board that is formed at company level called works council. This body is set up for the purposes of being a communication channel between management and workers. It is made up of equal numbers of representatives from workers drawn from the workers’ committee and managerial representatives that are appointed by the management to represent them on the works council. It is a formalised structure to ensure that the communication process in dealing with the workforce is done in a formal manner. At enterprise level, it can be referred to as an internal collective bargaining channel and the agreement with that representative body is legally binding on employees. The agreements may come in the form of procedural or substantive agreements. Procedural agreements deal with interaction of employees and employer and measures to taken to resolve specific or collective disputes, while substantive agreements have to do with specific issues such as pay structures, overtime, bonus, holiday entitlements, hours of work and so on, while. The process of collective bargaining is shown diagrammatically below:
1.3 Process of collective bargaining

Source: http://industrial-relations.naukrihub.com

In negotiations, the starting point is to come up with workers’ issues to be taken to the works council. The agenda is put together, the workers’ committee should anticipate possible responses from the employer. In addition, strategies to present issues to the employer are crafted.

A number of workers’ requests are rejected, not because the employer sees them as unreasonable, but because the workers present the issues in a submissive way that would make the employer resist to give in to demands since that would be regarded as a sign of weakness.
Both parties have to try and work towards a win-win situation. They should avoid threatening each other by taking matters outside for arbitration as many workers have learnt the hard way when arbitrators rule against them. So, when negotiating, real competence must be demonstrated.

The consequences of ineffectiveness of works council are indisputable and the only question that remains unanswered is: What causes it, and what can be done to mitigate the crisis?

According to the researcher’s experience in the motor industry, in most cases, workers’ representatives display mediocre performance in the works council meetings. This was also pointed out by Vroom (1964) in Armstrong (2009:142) when he said, “the effects of motivation on performance are dependent on the level of ability of the worker and the relationship of ability to performance is dependent on the motivation of the worker.”

Armstrong (2009) is of the opinion that the data available on this question suggests something more closely resembling the multiplicative relationship depicted in the formula:

\[
\text{Performance} = f (\text{Ability} \times \text{Motivation})
\]

Vroom, therefore, suggests for employees to perform better, they need both ability and motivation to, that is, either ability or motivation is zero, therefore, there will be no effective performance.
According to Armstrong (2009:326), there is a motivation model that leads to the effectiveness of one’s deliberation in works council meetings. There are two additional variables, apart from effort that affect task achievement in works council meetings which are:

1) Individual’s ability and characteristics like intelligence, knowledge, skills, and

2) Role perceptions, that is, what individuals want to do or think they are required to do.

**Diagram 1.4 Motivation model according to Porter and Lawler**

```
Value of rewards --> Abilities

Probability that
reward depends
upon effort

Effort --> Performance

Role expectations
```

**Source: Armstrong, 2009:202**

The concept of competency is essentially about performance (Mansfield, 1999). Armstrong (2009:202) defines competency as “an underlying characteristic of a person that results in effective or superior performance.”

Rankin (2004) in Armstrong (2009:202) says, “Competencies represent the language of performance. Employers can articulate both the expected outcomes from employees but the manner in which these activities are carried out matters.”
According to Mischel (1968) in Armstrong (2009:300), most employees lack competencies which cover ability and skill. There is an unfortunate tendency by some employees in the motor industry who, instead of exhausting the internal process of disciplinary hearing in their code of conduct, just rush to file papers with the court or the relevant NEC. This shows that trust and confidence between employer and employees have completely broken down.

The labour law has also an impact on the motor industry. The current Labour Act includes many obstacles that prevent people from being employed, this is not in contradiction of the decrees of Section 24 of the constitution that stipulates that the state must foster “the removal of restrictions that unnecessarily inhibit or prevent people from working.” The current Labour Act is holding job seekers at ransom.

In The Sunday Mail, 9-15 March 2014, Stallone Consultancy indicates that there is an outcry from industry that labour laws have become uncompetitive and deterrent to investment as they are too protective of the employee at the expense of the employer, for example, the outstanding wages for non-operational entities such as the former ZiscoSteel.

Collective bargaining in Zimbabwe Motor Industry is now the major approach to organisational maintenance in the labour relations area. Management is required as a matter of public policy to bargain with the motor industry union and to do so in good faith. However, this should not be taken as a surrender of rights to direct the company, as management is not obliged to always comply with the demands of the works council.
Aims and objectives of the works council are well laid out in the Statutory Instrument 372 of 1985, Section 1 (points. to g.) by the Ministry of Labour in the workers’ committee guidelines (Annexure 6).

One major aim is to provide and maintain a continuous exchange of information and ideas and to establish an understanding between the company and its employees with a view to reducing the dimensions of problem areas.

The constitution of the works council lays down in Section 2, points (a) to (g), a number of areas for discussion. At works council meetings, matters are discussed and finalised. Issues and minutes of the discussion can be referred to as precedents, should the issue be raised at a later stage.

The process leading to negotiation and bargaining is that workers elect representatives. Management representatives are chosen to form a joint body composed of equal members of managerial and employee representatives. An agenda for negotiation is set by management before bargaining. In the process, employees look at salary top-up, better working conditions, productivity bonus, transport allowances and housing allowances, among other things.

Most employee representatives sent for negotiations and bargaining lack the mandate to make decisions and, as a result, certain information is withheld by management. In countries like China, there are challenges of mutual understanding as far as negotiations are concerned. Chinese negotiators are concerned more with the process of negotiation rather than the goal.
because the middle person, not the negotiator, first brings up the issue to be discussed and often settles differences. Their approaches are seen as incompatible.

According to Ron S. Fortangetal (2003), the Americans view Chinese negotiators as ineffective, indirect and even deceitful, while the Chinese view American negotiators as hostile, detached and impulsive. The idea in negotiations is to thrive for mutual profitability and satisfying business relationships.

According to Klerk Eral (1997:14), in most African countries, the state is involved in the labour negotiations. The government is caught between two conflicting demands, the needs and aspirations of people and the interest of capital accumulation. The power of trade unions ranges from weak to strong. The government positions itself between the unions and the employees, thereby becoming their bargaining partner. This tripartite discussion on corporatism can also be seen in South Africa where interests in civil society are represented in the National Economic Development and Labour Council.

According to Singh et al. (2001:433), “In India, collective bargaining has been used to settle a variety of issues, including wages and conditions of employment.” Long-term agreements covering a period of two to five years are on the increase. On the whole, collective bargaining has proved to be feasible and effective.

Ghosh and Nath (1973:425) are of the opinion that, “the matters that are discussed during collective bargaining are in recognition of union, salaries and allowances, operating hours,
vacation and public holidays, profit-sharing arrangements and bonuses, position, rationalisation and matters concerning lay-offs and retrenchments, victimisation and works council activities, prudent funds, perks, retirement-benefit schemes and incentives, accommodation and transport facilities, matters of discipline and procedures to handle grievances, conditions of work, issues relating to the safety and ways to prevent or reduce accidents at work, protective clothing and other benefits for the employees like medical aids.”

In Zimbabwe, the observation made by the President of the Employers’ Confederation of Zimbabwe, Antony Mandaza, in the *Sunday News* of 17-23 June 2012 revealed that, “Most workers are living in fear of their jobs as most companies threaten to streamline staff to cut costs, meaning to say three in every five working Zimbabweans are not secure at their jobs.”

This means that there is an over-bloated labour force which implies that companies cannot negotiate for better benefits for employees.

An observation made by Lloyd (2006) is that, “There are certain circumstances in which workers are limited in their participation in collective bargaining agreement, for example, when dealing with circumstances that have to do with the employment contract which are of mutual interest to both parties.”

This shows that employees in the works council have a limited right to negotiate a collective bargaining agreement. In practice, this right is little used, if ever, but again, the results of such negotiations are not a formal registered collective bargaining agreement.
According to Gwisai (2006:12), “There are stipulations that undermine actual and active negotiations such as severe restrictions which force employees to bargain from a disadvantaged position.”

Van Schaik (1998:364) says, “The art of negotiation is not something that can be acquired easily. It is advisable that individuals concerned with negotiations in the field of industrial relations go for training and also obtain hands-on procedures and practice skill.”

This applies to the motor industry in Zimbabwe. The researcher is of the opinion that employees lack negotiating skills, and employers take advantage of that to suppress their views. This study, therefore, intends to make an assessment of industrial relations and the politics of the stomach in the motor industry in Zimbabwe.

1.3 The statement of the problem
In Zimbabwe the motor industry works council’s effectiveness has never been probed. The works council meetings are attended by management representatives as well as employee representatives. Employers are represented by qualified and competent staff. Employees are represented by people who lack knowledge of bargaining power, fear and unskilful, hence an unbalanced platform. Therefore, employees lack bargaining power which is a discrepancy whilst they sit on the same table with management and bargain. There is no equity in terms of negotiations. From the researcher’s experience, this area has never been researched, yet there are problems emanating from this unbalanced forum in negotiations. As an insider, the researcher
has come to the position that the reasons behind the ineffectiveness of works councils need to be investigated.

1.4 Purpose of the study
The study seeks to find out and avail the factors influencing the effectiveness of the works councils and provide factors/principles/models that can be adopted to make them more effective, and also aims to identify the effectiveness of the employee input in negotiations with the employer.

1.5 Objectives of the study
1.5.1 This study intends to:

1. Explore the functions of works council in promoting industrial relations.

2. Identify challenges faced by workers’ representatives in collective bargaining and proffer possible solutions.

3. Determine the weaknesses and strengths of the works councils’ bargaining process in negotiating employees’ benefits.

4. Establish strategies that employers’ representatives apply to suppress employees’ interests in the motor industry.
1.6 Research questions

The study seeks to address the following questions: -

i. What challenges do works councils face in representing employees’ interests in the motor industry?

ii. What difficulties do workers’ representatives encounter during collective bargaining?

iii. Are employers negotiating with workers’ representatives in good faith?

iv. What are the strengths and weaknesses of works councils’ bargaining process?

v. How effective and efficient are the processes in works councils’ meetings?

1.7 Significance of the study

Findings from this study will add to the knowledge and understanding of the importance of the works council to the stakeholders and its role in negotiating employees benefits in the following ways:

- Create awareness through explanation to the motor industry authorities, that is, to incorporate social responsibilities to invest in employees, educate them with entrepreneurship skills for high production and commitment and economic growth of the country.

- Craft new legislation that facilitates employee empowerment when negotiating their benefits.

- Provide useful knowledge through training on policy issues on how to clearly state the nature of the employee’s benefits and not to leave the issue to the works council to decide/bargain on the exact percentage or figure on the benefit to avoid unfair labour practice in the motor industry.
1.8 Assumptions

This study assumes that there will be cooperation from all sampled works council members. It is also assumed that, to non-functional works councils, no records will be found. The official secrecy act will be observed by the sampled members of the works council.

1.9 Delimitation

The research study will be delimited to-

- Registered companies in the motor industry in Gweru, Masvingo, Kwekwe and Zvishavane.
- Factors that have a bearing on the effectiveness of works councils.
- Roles of employers and employees in works councils.

From the 15 sampled companies, five management representatives were the current chairpersons of the works councils were interviewed to determine the effectiveness of works councils. Forty-five employee representatives who participated in works council negotiations were respondents to the questionnaires and three workers’ representatives per company were randomly selected to determine the effectiveness of the works councils. Focus group study guides were administered to 30 supervisors from the fifteen sampled companies. These supervisors were put into six groups. Discussions were held at NEC Motor Industry as workshops to find out their views on internal processes in relation to works council work and also to find out respective challenges they encountered during works council meetings at their respective companies.
1.10 Theoretical framework

Globally, there are problems in the process of negotiations in the motor industry. Collective bargaining is a corporate social responsibility as well as education of employees’ representatives. Companies should have an obligation to give assistance to employees in the works council meetings. If companies fail to render assistance, this will affect employees’ commitment and productivity, leading to closure of many establishments. In negotiations, the labour law is designed to protect the worker as stated by Walton and Mckersie (1991) in their theory where they have a distributive bargaining model where there is a conflict of interest between management and the union in the allocation of scarce resources like wages, working hours and working conditions. The model is used in joint decision-making process of resolving conflicts of interest when dividing limited resources where one part wins and other looses and hence, compromises for the purpose of harmony. However, the eventual real product should be promotion of industrial relations.

1.11 Limitations of the study

The researcher intended to cover a large area where companies in the motor industry were and where there was one functional works council, but the constraint was that there was going to be a lot of information to be analysed again and it was going to be difficult to handle large amounts of information for analysis and processing.

Despite the above limitation, the researcher will take advantage of technology which will enable her to create a database of files and store large amounts of data. In relation to the challenges of power load-shading by ZESA, this would be overtaken by making use of a generator in order to
work at the most convenient times. On the issue of being a full-time worker, the researcher will work extra time by arrangement with various companies.

1.12 Definition of terms

In this study:

**Act** – means the Labour Act [Chapter 28:01] as amended.

**Council** – A group of people or legislative body who come together to consult, deliberate or make decisions for the entire company.

**Collective bargaining** – the way of settling work related differences and disputes among the employer and employees. A process in which representatives of the two groups, the employer and employees, come together and negotiate an agreement for future relationship.

**Designated agent (D.A)** – An individual in a firm appointed to represent only the interests of the council with regards to scrutinising local service delivery and act as a decision-maker with regard to a range of local delivery of services.

**Employee** – any worker from whom wages are prescribed in the agreement.

**Employer** – any person who hires or provides work for another person and pays.

**Effectiveness** – being able to bring about the intended result or to make a striking impression.

**Establishment** – any place in or on which any activities of the motor industry or any branch of the motor industry are carried out, including workshops, vehicles showrooms, parts department and used cars lots; service stations and kiosks on service stations.

**Executive committee** - A committee with executive powers to deliberate or share information and co-ordinate actions of the company.

**Industry** – motor industry
**Industrial relations** – the relationships between employees and employers within the organisational settings

**Local joined committee (LJC)** – A joint committee comprising of members who meet together on dates agreed and established by council in terms of its constitution to administer agreement in an area specified by council.

**Motor industry** – the industry in which the employer and the employee are associated together for the purpose of assembling, dealing in repairing and disassembling motor vehicles or any parts or components.

**Negotiation** in the labour context is a process of bargaining entered into between the employer and those bodies representing the interests of his/her workers or employees whereby a compromise is sought between what is in the best interest of the employer and the worker.

**Negotiating committee** – A group of representatives of management and unions who negotiate a wage settlement or discuss industrial relations with representatives of workers.

**Representative** - A person appointed by any party to represent such part on a council meeting.

**Works council** – it is made up of representatives from workers elected from amongst the company’s employees who are members of workers’ committee, if there is any, and management of an individual enterprise. They are legally-mandated employee representatives’ mechanisms which confer with management in ensuring that workers’ statutory rights are observed.

**Workers committee** - workers employed by the same employer and appointed by other workers to represent their interests in terms of section 23(1), paragraph 1(a) of the Labour Act.

**Source:** Labour Act [Chapter 28:01] / Statutory Instrument 35 of 2011.
1.13 CHAPTER SUMMARY

It has been shown in this chapter that at works council level there is a disadvantage on employees’ representation, because workers feel that they are not represented adequately. Furthermore, the researcher noted with concern the rise in the number of cases coming to national employment councils for conciliation and arbitration. It was the researcher’s intention to investigate the reasons for this gap by using selected companies in the motor industry in the Midlands and Masvingo Provinces. However, having said this, it was necessary to find out what other scholars say about this discrepancy in the next chapter of the literature review.
CHAPTER II REVIEW OF RELATED LITERATURE

2.1 INTRODUCTION

Review of literature is an evaluative report of information found in the literature related to one’s designated area of study. The review describes, summarises, evaluates and clarifies this literature. It gives a theoretical frame for the research and helps the researcher determine the nature of his/her research.

Literature review is an assessment of a body of research that addresses a research question. The purpose of literature review is to identify and review what is already known about an area of study.

It is an acute in-depth evaluation of previous research of the related field which summarises and outlines a particular area of research. It allows anyone who reads the research to establish the reason the researcher is pursuing a particular research programme. Additionally, it expands on the motives behind selecting a particular research question. In other words literature review can be said to be a critical analysis of a section of a published body of knowledge through summary, classification and comparison of prior research studies reviews of literature and theoretical articles.

In other words, a literature review uses as its database reports of primary or original scholarship, and does not report new primary scholarship itself. The primary reports used in the literature are vast majority of cases reports written documents, but in some instances may be verbal. The types
of scholarship may be empirical, theoretical, critical/analytic and methodological in nature. Literature review also seeks to describe, summarise, evaluate, clarify and, or integrate the content of primary reports.

Literature review may be purely descriptive, as in a noted bibliography, or it may provide a critical assessment of the literature of a particular field, stating where the weaknesses and gaps are, contrasting the views of particular authors or raising questions. Such a review will not just be summarised, but will also evaluate and show relationships between different materials so that key themes emerge.

Literature review as an evaluation report, of studies found in the literature related to one’s selected area of study and should describe, summarise, evaluate and clarify this literature. Its purpose is to give a theoretical basis for the research and help the researcher determine the nature of his/her own research. Literature review goes beyond the research for information and includes the identification and articulation of relationships between the literature and the field of research. This was supported by Cooper (1988) who says literature review is a description of the literature relevant to a particular field or topic. It gives an overview of what has been said, who the key writers are, the prevailing theories and hypothesis, questions being asked and the appropriate and useful methods and methodologies. As such, it is not in itself primary research, but rather reports on other findings.

This chapter focuses on the concepts of industrial relations, workers’ committee, works council and collective bargaining. A number of studies have been carried out and a lot has been
discovered and said about industrial relations in general. Studies have also been conducted on the role of works councils in coming up with the employment means through collective bargaining. Not much has been said about the effectiveness of the works council.

From an organisational perspective, effectiveness of an organisation is the degree to which something is effective in producing an anticipated result. It is the degree to which objectives are attained and the extent to which targeted challenges are solved. In other words, effectiveness means doing the right thing. (Auber, 1985)

Organisational effectiveness is the efficiency with which an organisation is able to meet its objectives. It is the concept of how effective an organisation is in achieving the results the organisation intends to produce. The main measure of organisational effectiveness for a business is generally expressed in terms of how well its net profitability is. Additional measures might include growth data and the results of customer satisfaction surveys.

In other words, it is organisational efficiency which is the capacity of an organisation to produce the desired results with minimum expenditure of energy, time, money, human and material resources. (Auber, 1985)

The organisational effectiveness points towards the organisation’s effective, prudent and strategic use of all the organisational resources, namely human, financial and technological resources for creating competitive advantage.
Employees are often in the best position to intimately understand the needs, goals and performance of their company since organisational effectiveness is difficult to express in a concrete formula. A company may choose to state the results of an assessment through specific goals achieved or desired. Self-assessment of effectiveness can also help the employees reconnect with the initial mission of an organisation.

The organisational effectiveness also calls for the creation of sustainable growth and development by taking care of not only the shareholders’ expectations, but also the expectations of other stakeholders. It also means that management takes the right ethical decisions in the interest of all the stakeholders.

Organisational effectiveness is basically about the ability of the organisation to meet its set goals and objectives given the resources at its disposal. Every organisation has certain predetermined goals that should be met for it to be considered effective.

Therefore, organisational effectiveness is the company’s ability to perform its functions with high levels of input and output. Companies use organisational effectiveness to measure any number of things from the relationship between employee performance and company profits to the correlation between manufacturing processes and product volume.

An organisation has a lot of departments. For an organisation to function effectively, it is vital each department to be in the best working order. Every department must work with the other departments for the whole organisation to perform.
Diagram 2.1 Organisational Effectiveness Model

Source: Sinha et al. (2004:180)

The model presented classifies the crucial parts of an effective organisation. It is a framework to view and assess any part or the entire organisation. This model is a tool that can help any organisation, regardless of size, to move towards organisational excellence. This model helps to align resources, enhance communication, productivity and effectiveness and attain strategic goals.

1) Customer service and performance results
An effective organisation attends to the needs of its customers and pays attention to maximising the performance of the organisation. Providing a service to customers and producing quality
goods are of paramount importance to the organisation because, without this, the organisation is
directionless. Customer relations and customer satisfaction are emphasized greatly by any
organisation aspiring to be highly effective. These organisations understand their customers and
stakeholders are. Organisations that are effective rapidly respond to the ever changing
requirements of their stakeholders. A great degree of attention is paid to the satisfaction of the
customers and the stakeholders.

Performance results are directly involved in the productivity and efficiency of both the workers
and the organisation. Organisations that are effective have an outcome that is clearly defined and
each worker recognises how they contribute to the overall accomplishment of the organisations’
objectives and goals. Employees are kept up-to-date about the organisation’s advancement
towards established objectives and goals. The results are identified, and satisfaction, product and
service performance, financial performance, human resource results and operating performance
are measured.

2) Leadership

Leaders that are effective make significant changes in the organisation’s ability to succeed in a
predictable market. Effective leaders determine the direction an organisation takes, and then
influence other people to follow that direction.

The model suggests that leadership is a key element in an effective organisation. Effective
leadership involves including subordinates in coming up with sustainable organisational ethics,
way the organisation should be moving, what is expected in terms of performance, an
uninterrupted focus on customer needs and wants, in addition to a system of management that
upholds excellency. Leaders incorporate expectations and standards into the organisation’s
management structures, the way an organisation constantly adapts and develops ways of
addressing to the responsibilities of the customers, employees and stakeholders.

3) Strategic planning
A strategic plan outlines the way an organisation follows for it to survive, as enshrined in the
vision statement. Strategic planning is imperative since it aids in the alignment of the efforts of
both the sectors and individuals. It also establishes which elements to prioritise and defines in
what way the organisation’s funds are apportioned. It also defines goals and objectives that
contribute to management in order to assess advancement towards the anticipated future state.

4) Structure
The structure of an organisation has significant influence on the organisation’s efficiency. An
effective organisation is structured so that it is capable of doing such things as:

(a) Responding rapidly to an ever changing working environment;
(b) Efficiently meeting its vision and mission;
(c) Effectively using the knowledge and abilities of its employees;
(d) Promote effective communicating skills and the flow of information necessary for every
   employee achieve their tasks;
(e) Encourage decision-making at the proper level in the organisation; and
(f) Link departments and work units so that they work with each other effectively.
5) **Human Resources development and management**

Effective organisations always acquire the best people they can get for the job. For an organisation to be effective, it should make a consorted effort to employ and improve an employee that is well vexed with the organisation’s mission, vision and objectives. Organisations should thrive to form and uphold an environment that inspires excellence when performing tasks, maximum contribution, and individual and organisational progress.

6) **Process management**

Effective organisations constantly study processes in the organisation in order to make improvements when necessary. There are many ways that govern the production process, marketing strategies to use and in what way customers are served. These processes vary depending with the product or service. Process management areas that might be considered for improvement include:

   a) Product development processes: – crafting products
   b) Service delivery processes: – distributing products
   c) Marketing processes: – marketing products to consumers.

7) **Information and data analysis**

Organisations seeking to be effective and to serve the customers satisfactorily in a diversified market must depend on precise information in order to monitor if the customers are satisfied and to see if the organisation is meeting its goals and objectives set out in the strategic plan. Organisations that are effective consider information that is vital to meeting its goals and objectives at the same time making the customer satisfied. Carefully consideration should be
made to determine how the information gathered, analysed and conveyed. The information is, therefore, used in the decision-making process to provide vital organisation procedures as well as the organisation’s performance management system.

This chapter focuses on literature review with the aim of gaining insight into the problem of ineffectiveness of the works council. RatnaSen (2010:321) feels that, “the concept of industrial relations is like thin ice and all those who tread on it must do so carefully because it is easy to fail.” The whole exercise depends on monetary benefits, hence becoming subjected to a series of the so-called bribes.

In most establishments, management expects unions to continue to deliver discipline, productivity, timely attendance and reduced absenteeism even after they themselves have stopped insuring these. The control system cannot be bargained.

2.2 The concept of Industrial Relations

2.2.1 Industrial disputes

According to Sinha et al. (2004:160), “industrial disputes can be defined as a difference or dispute between employers and employees with regards to salaries, conditions of work, other work related matters or recognition of unions.”

These are some of the matters that are submitted to the management for negotiation. These issues are so many as long as there is a contract between management and labour. Industrial disputes arise when there are clashes in the expectations of workers and employers. The variations in the
causes of industrial disputes usually indicate the changes in the pattern of workers, goals and aspirations.

Sinha et al. (2004:161) says industrial disputes could be classified into the American pattern where disputes are categorised under two heads, namely disputes of interests and disputes of rights.

If there is a dispute concerning a general wage increase or acceptance of seniority as the basis of promotion, the resolution of this dispute may create certain rights, that is, right to a higher wage or right to promotion on the basis of seniority.

Industrial disputes regarding rights arise if an employer refuses to make payment according to the terms of the agreement or the adjudication award or refuses to make promotion on the basis of seniority.

Conflicts have far reaching effects on production, competence, production costs, excellence, customer satisfaction, discipline and also on the welfare of the society. A disgruntled workforce with grumbles and bitterness cannot be effective and has low staff morale.

Under such conditions, absenteeism and labour turnover increase, plant discipline breaks down and both quality and quantity of production suffer. The accumulation of these individual and collective resentments and dissatisfaction find expression in violent strikes and lockouts. The industrial relations concept has a tool called collective bargaining which is used to reduce tension.
and apprehensions to compensate for other inadequacies. The management and workforce can resolve their disagreements through collective bargaining. This is shown diagrammatically below.

**Diagram 2.2: Method of settling industrial disputes**

Collective bargaining is a way of resolving differences and disputes between the employer and his/her employees. Sinha *et al.* (2004:186) stipulate that collective bargaining implies four main steps:

**Source:** Sinha *et al.* (2004:186)

Collective bargaining is a way of resolving differences and disputes between the employer and his/her employees. Sinha *et al.* (2004:186) stipulate that collective bargaining implies four main steps:
a) Presentation of a collective manner by the employees to the employer with their demands and grievances;
b) Discussions and negotiations on the basis of mutual give-and-take for settling the grievances and fulfilling the demands;
c) Signing of a formal agreement or an informal understanding when negotiations result in mutual satisfaction; and
d) In the event of failing to negotiate, a likely resort to strike or lockouts to force the recalcitrant party to come to terms.

In these four steps, there is no outside assistance when the two parties come at loggerheads, and the representatives of both parties may require the services of an intermediary to assist in settling the disputes and break the deadlock, thereby helping them reach an agreement. Bargaining with the help of a third party is called conciliation or mediation. If the negotiation results in a mutually satisfying solution, an agreement may be signed formally. The last step in the process of collective bargaining is a likely resort to coercive measures, that is, strikes or lockouts.

2.2.2 Voluntary arbitration

Voluntary arbitration is a second way by which the parties can settle disputes without state intervention. The parties may feel that mutual negotiations may not succeed, and realising the futility and wastefulness of strikes and lockouts, they may decide to submit the dispute to a neutral person for arbitration. An impartial person listens to both parties and gives his/her award which may or may not be binding on them. At the time of submitting a dispute for arbitration, the
parties may agree with the arbitrator but, reserve their right to accept or reject the award when it comes (Sinha et al. 2004)

### 2.3 Collective bargaining

In 1960, the International Labour Organisation (ILO) looked at collective bargaining as a purely bi-partite process and defined it as discussions about conditions of work and employment terms between an employer, a group of employers, or more employers’ organisations on the one hand and one or more representative workers’ organisations on the other, with a view to reach an agreement (Ratna, 2010:322).

Ratna (2010:317) says the origin of collective bargaining may date back to the earliest unionisation and industrialisation in Great Britain, as early as 1874, among coal miners.

Collective bargaining is a process associated with market forces since the term itself, negotiations, implies a market mechanism. It is a bipartite process since it envisages the pressure on the parties. Bargaining can be at national level, industrial level, corporate level or plant level. The essence of the collective bargaining relationship is that the employer acts and the union reacts. The union might resort to economic sanctions such as strike, picketing and boycotts. The union attempts to alter the status quo, as defined by Webster who regards it as being the “existing state of affairs at the time in question.”

Singh et al (2001:423) define the term collective bargaining as, “a technique where two parties, the employees and employers, agree about income rates and working conditions. This is a
technique where representatives of the parties involved meet and make an effort to negotiate an agreement that stipulates the nature of the future relationship pertaining to employment.

Beach (1979:424) is of the opinion that, collective bargaining is setting the working conditions through negotiations among a selected group of employees and management or an association of employers acting over authorised mediators. It involves a process which workers come to a shared agreement in terms of salaries, working hours as well as dispute settlement procedures with employers. In other words, it is a system which establishes, revises and administers many of the rules which govern the workers’ place of work. Dunlop (1958:433) says it is a method of settling disputes, depending on agreement. Collective bargaining can be classified into two broad categories:

a) Single-employer bargaining: – It takes place between one company and either one union or several unions at one plant.

b) Multi-employer bargaining: – Signifies collective bargaining between employers’ federation and the workers of an industry represented by the federation of all the trade unions.

Agreements can be conducted at various levels, which include plant level and industrial level and can be long-term agreements covering a period between two and five years.

The process involves the meeting of management and employee representatives (trade unions), hence the term collective. The two parties strive to establish mutually agreeable terms and conditions for employment. The purpose of collective bargaining may be seen as an official
mechanism for resolving differences, not necessarily disputes. It is a means to maintain the
industrial relations system and thereby gain industrial peace.

2.3.1 Objectives of bargaining

According to Patil, (1993:539) unions achieve the following through bargaining:

(i) The agreement is a concrete proof that the union has been able to influence
management.

(ii) Setting for its members by way of wages, allowances, welfare, et cetera.

(iii) Making enterprises more responsive to human needs.

(iv) Bending the work situation somewhat in favour of workers by making rules for the
organisation, particularly in those areas where greyness exists.

(v) Acquiring a degree of control over the work and gaining control over the process.

2.3.2. Management objectives

i. To preserve and strengthen the business organisation, and by signing an agreement, they
establish their own legitimacy.

ii. To retain control over the work process.

iii. To increase productivity through accepted norms.

iv. To bind unions to their commitments or promises.

v. An agreement establishes certain norms which the union is bound to accept if it signs the
agreement.

Ratna Sen (2010:330) went onto give preconditions of collective bargaining as:
a) Parity of power between two parties. Management and unions should be more or less equal in the matter of power or strength in order to achieve genuine bargaining status.

b) Bargaining in good faith. The bona fides of the bargaining parties have to be clear right from the start and the existence of a hidden agenda can only hamper the process.

c) The existence of mechanisms to break a deadlock. Bargaining may often result in a statement with neither management nor union’s budging from their respective offers or demands. The breaking of this deadlock can be achieved in two ways, either through an ultimatum like strikes or lockouts, or through third-party mediation, arbitration on conciliation.

2.3.3. Features of collective bargaining

Dunlop (1958:425) suggested that in collective bargaining there are features which are as follows:

i. It is a shared process between employer and their employees.

ii. It is a continuous process. It is a day-to-day process.

iii. It is a flexible and dynamic process.

iv. It is a method of partnership of workers and management.

v. It is based on a give-and-take approach.

vi. Used to achieve and maintain discipline in industry.

vii. It is an effective step in promoting industrial jurisdiction.
2.3.4. Subject matter of collective bargaining

Collective bargaining covers a variety of issues affecting employment relationship. According to Ghosh and Nath in Dunlop (1958:425), the matters that are discussed during collective bargaining include acknowledgment of union, salaries, working hours, vacations and holidays, bonuses and profit-sharing schemes, position validation, matters pertaining to the issuing of assignments, issues relating to retrenchments and lay-offs, victimisation of trade union members, gratuity, benefits accrued after retirement, incentives, provision of accommodation and transport amenities, disciplinary measures, procedures taken to resolve grievances, employment conditions, matters concerned with providing a safe and accident-free working environment, protective clothing, workers’ welfare concerning issues such as restrooms, medical aid schemes, and training schemes. A survey of labour action in the motor industry in 1990 highlighted the following key factors which formed the basis of grievances in most cases in Zimbabwe:

a) Companies proved to be reluctant paymasters in meeting agreed bonuses and allowances.

b) Sharp decline in the quality of service due to shortages of staff, equipment and facilities.

c) Declining working conditions.

d) Cheap labour system.

e) Poor working conditions.

Source: Labour Movement and Post-colonial State in Zimbabwe (2001)

2.3.5. Steps in collective bargaining

1. Employees’ presentation of their demands and grievances in a collective manner to their employer.
2. Negotiations and discussions on the basis of mutual compromise for setting the complaints and accomplishing the tasks.

3. Signing of a formal agreement or an informal understanding when negotiations result in a mutual satisfaction, and

4. In the event of the failure of negotiations, a likely resort to strike and lockouts to force the employer to come to terms.

These stages show the step-by-step of the process of collective bargaining conducted by the parties without the assistance of an outsider. In the event that a deadlock is reached, the negotiators from both sides can request a third party to assist them in settling their differences.

An outsider is a person who is a mutually agreed upon, and their role is to remove the impasse, thereby helping the parties arrive at an agreement.

Ratna Sen (2010:338) says the negotiation process should be in nine steps listed below:

(1) Review of current status
   - This is a review of existing position vis-à-vis the working of the earlier agreement.
     New areas to be included in the agreement are to be identified.

(2) Collection of background data
   - Management should be forearmed with knowledge and information on the new types of benefits that are given or withdrawn.
(3) Anticipating union demands

- Management has to prepare strategies so that they press their own demands in exchange for those which the union considers important.

(4) Selecting company negotiating team

- It depends on issues management is likely to pursue (status of the leader)

(5) Studying union charters of demands (COD) and determination of company negotiating strategy

- This is where cutting of costs, wastage and reducing absenteeism occur.

(6) Preparation on emergency services in case of a strike.

(7) Determining physical arrangements for negotiations.

- That is where transport costs, venue and dates are determined.

(8) Negotiations

- The process ends with the signing of an agreement.

(9) Implementation of the agreement copies to other responsible people and changes being monitored.

Collective bargaining is now a major approach to organisational maintenance in the labour relations area. Management is required, as a matter of public policy, to bargain with the union and to do so in good faith. However, this should not be taken as management shifting its position with regards to union demands. The basic philosophy of collective bargaining is that the parties are the best judges of what is right for them. This aspect of collective labour law in Zimbabwe needs to be reviewed as it appears to be out of step with trends in other countries in the region.
2.4 Conceptual framework

Conceptual framework refers to analytical tools that encompass various disparities and perspectives. It is an intellectual illustration associated with the research projects’ goals that gives direction to the collection and examination of data. It is the way ideas are organised to achieve research projects purposes.

McGaghie et al. (2001) regard the conceptual framework as “the stage for the presentation of the particular research question that drives the investigation being reported, based on the problem statement.” The conceptual framework is the researcher’s understanding of how the particular variables in the study connect with each other. The conceptual framework lies within a much broader framework called theoretical framework.

2.4.1. Step-by-step guide on how to make the conceptual framework.

1. Choose your topic: - Choose a research topic.
2. Do a literature review: - Analysis of vital and rationalised modern research on the chosen theme after the examination of the topic.
3. Isolate the important variables: – Isolate the specific variables defined in the literature review and find out the relationship between the variables.
4. Generate conceptual framework: – Construct the conceptual framework using your mix of the variables from the scientific articles.

The problem statement serves as reference in that it identifies variables required in the research investigation. It is the researcher’s ‘map’ in pursuing the investigation and it serves as reference.
in constructing the conceptual framework. That is, the study attempts to answer a question that other researchers have not explained. Thus, the research addresses a knowledge gap.


Diagram 2.3. An example of a (generic) conceptual framework

Source:- (http://research-methodology.net/)
Diagram 2.4. The conceptual framework of this study in the motor industry

Impacts/Variables
- Life at the company
- Workers education level
- Employers education level
- Company performance

Participants
* employers: management CEO
* employees: workers representatives

Skill level
- participation in
in works council
meetings
- hearings
- briefings
- negotiations


Diagram 2.5 Conceptual framework for success of companies in the motor industry

Impacts/Variables
Social level at a company
Workers educational level
Employers education level

Participants
* Managers, CEOs, Employers
* Employees’ workers representatives

Skill Level
- Participants
in works council
meetings
- Negotiating
- Hearings

Source:-- (http://research-methodology.net/)

Conceptual framework
What is your conceptual framework?

- Can you produce a diagram of the process of your research?
- Can you produce a flow chart of your research, of how knowledge will be developed and how it will contribute to the field of study?
- An example of a (generic) conceptual framework

In this research, the above conceptual framework shows how the variables in this study are connected. The variables required in the research are used as a ‘map’ in pursuing the investigation.

2.5 Theoretical framework

Theoretical framework refers to the structure that can hold or support a theory of a research study. The theoretical framework introduces and describes the theory that explains why the research problem under study exists. The theoretical framework draws support from time-tested theories that embody the findings of many researchers on why and how a particular phenomenon occurs. ([http://www.com.theoretical-framework-of-a-thesis-what-and-how/](http://www.com.theoretical-framework-of-a-thesis-what-and-how/))

2.5.1. Chamberlain model

The model pays attention to the factors of bargaining power as well as any change in the factors might lead to a resolution in a number of collective bargaining cases. Bargaining power refers to the skill one uses to gain control and come to an agreement with an opponent on your own terms. In union negotiations, bargaining power refers to the willingness of the employer to agree with
the terms and the demands of the employees. The willingness or unwillingness of management to agree to the terms and the demands of the unions is determined by at what cost will agreeing or disagreeing will have on the company.

\[
\text{Management’s perceived cost of disagreeing with the union’s / terms}
\]

Unions bargaining power = \( \frac{\text{Management perceived cost of agreeing with the union’s / terms}}{\text{Management perceived cost of disagreeing with the union’s / terms}} \) \( \text{(1)} \)

\[
\text{Management Bargaining Power (MBP)} = \frac{\text{Union’s perceived cost of disagreeing management with management terms}}{\text{Union’s perceived cost of agreeing with management terms}} \text{(2)}
\]


If the management estimations show that agreeing is more costly than disagreeing, if union bargaining power is less than one, management choice will most likely be to disagree and reject the union terms. But if management estimates that disagreeing is costly, agreeing is the only option, if the unions’ bargaining power is greater than one.

Management bargaining power can be similarly defined as:

\[
\text{(Numerator)}
\]

\[
\text{Union’s perceived cost of disagreeing management with management terms}
\]

\[
\text{Union’s perceived cost of agreeing with management terms}
\]

When the union considers that agreeing is costly, the union disagrees with the management’s proposals, when the denominator is greater than the numerator (equation 2), this is when the bargaining power of management is less than one, the union choses to throw away the managements’ proposal. On the one hand, if the union considers it not be in their best interest to by disagree than to agree, the union. Once managements’ bargaining power is bigger than one, the union is to accepting managements’ proposals. The cost of whether to disagree or to agree for the unions’ can be defined the same as for the management.

The Chamberlain Bargaining Power Model encompasses outstanding features, which include,

a) The assumption that to disagree is not in the best interest of either parties for the agreement to occur.

b) Bargaining power is subjective because it bases on the amount of increase in wages one is requesting for or is willing to offer.

c) The model allows for coercive tactics (which increase opponents’ cost of disagreeing) to/and for persuasive tactics (which reduce your opponents’ cost of agreeing).

2.5.2. Negotiating Model

(Distributive Bargaining model)

Walton and Mkersie (1991) propose one of the most leading models in analysing negotiations, namely the Distributive Bargaining Model. The outcome of the negotiations is based on the skills of the negotiators, information that is available, the method to be used and the behaviour of the negotiators. While pursuing distributive bargaining model, the factions have an interest in the maximisation of the personal outcome so that they may not be able to see the total potential of an
integrated approach. In labour negotiations, the function of this model is to resolve conflicts between the parties.

2.6 Other literature related to this study

2.6.1. Workers Committee

Zimbabwe’s workers’ associations have a shop-floor employee organisation referred to as a ‘workers’ committee’ that represents the workers in matters pertaining to their interests and collective bargaining on the shop-floor according to section 24 of the Labour Relations Act.

A workers committee is a formal structure of workers put in place in terms of the Labour Relations Act or the Statutory Instrument 312 of 1985. It is a committee created when workers under the same employer assign or choose a certain number of workers for the purpose of representing them at the workplace in their dealings with the management of that company.

It is, therefore, a representative body of workers within a single workplace, and its purpose is to represent the interest of the employees in their dealings with the employer.

A workers committee differs from a works council in that the former body represents only the interest of the employees and is made up of persons elected for that purpose, who must be workers.

The process of forming a workers committee should be to adopt the draft constitution by way of a show of hands and then to conduct elections. Elections should be conducted by secret ballot or
Section 4 of the Labour Act. It involves the Trade Union and the Ministry of Labour to ensure that there is no dispute over the fairness of the electoral process. The period in office should not exceed two years.

2.6.2. Aims and objectives of a workers committee

a) Acts as a direct link and mode of communication among management and employees at shop-floor level.

b) Provides a means for the representation and discussion with management of employees’ requirement as well as complaints.

c) Promotes stability and good relations between employee and management.

d) Encourages the resolution of differences and disputes through conciliation.

e) Promotes efficiency by making a constant working environment at the company.

f) To ensure that fellow workers seek advice in respect of any grievance or disciplinary matter - committee members render such advice and assistance.

Section 23 (1) of the 1985 Act provided that “. . . employees employed by any one employer may appoint or elect a workers’ committee to represent them”, in accordance with the provisions of Act. Each worker has the right to contribute to the creation of a workers’ committee and to take part in the workers’ committee.

According to Raftopoulous, Sachikonye and ZCTU (2001:116), the 1992 amendment repealed Section 23(1) and substituted it with the following: “in accordance with this Labour Act [Chapter 28:01] and any code of practice, employees at an organisation may appoint or select a worker or
a committee to negotiate on their behalf, as long as not anyone in management shall be chosen or selected to a workers’ committee nor shall a workers committee represent the interests of managerial employees unless such workers committee is composed solely of management employees appointed or elected to represent their interests.”

However, this amendment seems to have been designed to drive a further wedge between managerial and non-managerial employees with a view to weakening the strength of worker organisations.

Section 6 of the Labour Relations Act of 1985 states that the workers’ committee shall elect some of its members to represent the employees on a works council.

In the Act, Section 2 of the Amendment Act states that, a workers’ committee is required to elect some of its members as their representatives onto a works council (see Section 24/(1)(d) inserted by Section 2 of the amendment.

2.6.3. Works Council

Works councils are defined by Harry and Koas Chan (2010) as “legally mandated employee representation mechanisms independent of unions and confer with management in ensuring that workers’ statutory rights are observed.” Works councils address issues like lay-offs, discipline systems, workplace safety, wages and benefits.
Streeck and Vitols (1996) are of the opinion that, in the European Car Industry, European Works Councils (EWCs) are union-dominated and are also seen as trade union instruments used to further their local interests. The European Motor Industry is marked by competition between establishments over wages and working conditions, such that European Works Councils, have been unable to counter this development.

A research carried out by Hancke (2000) concludes that unions and management in Europe have different expectations of works council. Management uses works councils for restructuring, and unions use this organisation for the extension of national industrial relations and also to obtain information from management on investment and production. This means that it is seen as a weak structure and the incapacitation of the European Works Councils (EWCs) to address problems. The European Car Industry led to the closure of the Renault Plant in Belgium in 1997 and the crisis over the Vauxhall Lutan Plant in 1998.

In both cases, Renault Plant and Vauxhall Lutan Plant, management reached its decision in the context of negotiations. According to Lecher and Rub (1999), in these two cases, the (plants) companies with the strongest unions and works councils in the mother plants exercised control over the process.

In the research by Huncke (2000), at Opel, another automotive organisation in Germany, the works council was forced to accept increased working time flexibility, and wage moderation in exchange for investment guarantees over the next five years. The main obstacle or reason for this
failure was collective bargaining. Management in European Works Councils has been able to turn European Works Councils into a useful tool to facilitate industrial restructuring.

Streeck and Vitols (1996) observed that the difference between European Works Councils and Betriebsräte in Germany Works Councils is that Germany Works Councils are staffed with workers’ representatives only and they have enforceable negotiation rights in companies, whereas most European Works Councils follow the French model of joint management labour institutions and have no such firm rights. EWCs are seen as weaker structures which are union-dominated, and that makes the European Car Industry a sector in crisis.

In a research by Bramucci (2013), in Germany firms, it was discovered that “in works council meetings, as stated in their Works Constitution Act 2 (1) (WCA), both parties discuss the matters at issue with an earnest desire to reach agreement and make suggestions for settling their differences” (Addison, 2009).

An examination of this research showed that this finding was in line with the general stronger job stability found in Germany and also workers’ representatives in works councils are given the constitutional mandate to defend the employee’s interests. Further to that, full-time works councils are paid salaries and, if in the establishment where there are more than 200 workers, one member is completely exempted from work. Globally, works councils are found to have effects in companies, even though they are associated with stronger job stability.
Developed countries, like the United States of America, have experienced vast challenges in industrial relations. Labour relations in the USA were controlled by labour unions and politicians, though the two main political parties in USA did not consider the benefits of labour class. The Democratic Party listened to the labour unions not only with regards to legislation but as well as national policies. With the expansion of globalisation, the competition between corporations has increased. American employees soon found themselves a situation where labour unions were weakened while employers or owners were strengthened. American enterprises weakened the negotiation force of labour unions by introducing strategies such as human resources management methods like quality circle objective management, group construction, professional planning and so on, and subcontracting or outsourcing non-labour unions in new enterprises or withdrawing labour unions in the existing enterprises.

The result led to a decrease in the number and density of labour unions. The density of labour unions was reduced to 15.5% in 1990, from 23.5% in 1973, and until 1999, the density of labour unions was 13.4% (Blanchflower and Bryson, 2011). This resulted in labour dissatisfaction over the retirement pension, medical insurance, unemployment insurance and so on. The difference in incomes between employees and employers became the most important feature in American industrial relations. For instance, in 1965, the income of an American CEO was 25 times the income of an ordinary worker, while in 2005, the figure was 265 times (Mishel, Bernstein and Allegretto, 2005).

From the market economy perspective, America is a typical country based on a liberal market economy. According to Petre et al. Liberal Market Economy (LME) is one of the main variations
of capitalism. Under the LMEs, also recognised as free-market economies, firms resolve organisational problems mainly through hierarchies and market mechanisms. The employee relations under LMEs are short-lived. A market relation between employee and employer in LME is relatively frail, the wage setting is decentralized and there is no job security.

There is lack of job security in most American firms, this is because the American labour force market applies the free-employment system. The relationship between workers and the management level is conflicting, therefore, American employees have the reasons not to be dependable to an organisation. Thus the conflict or relations between employer and employees are represented in strikes or lay-offs forms.

The principle of Karl Marx described it a hundred years ago, that capitalist or their representatives employ labour force according to the market price and make every important decision solely based on their interests (Commons, 2009) and this is fully reflected in the liberal market economy in America. In the international capitalism market economy, according to Adam Smith’s theory, the ultimate goal of enterprise owners or managers is to maximise profits for the owners or shareholders, but less likely to attach importance or concern to the welfare and wages of employees (Chiu, 2009).

Non-regulatory employment, such as part-time workers, temporary workers and home workers with low wages are rapidly increasing by the day and power of labour unions is decreasing workforce in America feels extremely unprotected.
In Japan, however, there is a coordinated market economy (CME) where there is a long-term relationship between an employer and an employee, and formalised participation in decision-making with the management. The industrial relations under CMEs guarantees trade unions and employers’ organised, industry-wide collective bargaining and pay determination, hence employment is relatively secured.

A comparison of the two models shows that American employees feel extremely unprotected, while the employment system in Japan is described as corporate life-time employment with trade unions that belong to firms. Large Japanese corporations offer security for their ‘core’ workers and, as a result of job security, employees’ loyalty to the firms is certain. The employees’ loyalty to firms is good for establishing inter-cooperation industrial relations and establishes a good relationship between employers and employees.

In Japan, employees negotiate with management and employees are highly involved in decision-making. Lay-offs are less likely to happen or kept at a minimal, unless the company is about to go bankrupt. Compared to capital determining production in USA, labour is the determining factor in Japan.

Collective bargaining is the most important strategy to deal with industrial relations in Japan. Collective bargaining is the process in which employers and employees bargain their own interests, for instance management is more focused about reducing costs while employees are concerned with wage increases. Employee bargaining power in Japan is much better than in the USA. Under the globalisation trend, collective bargaining power is becoming less relevant and
companies continue to gain greater discretion in wage-setting. In Japan, unions present in maintaining the bond between the employer and employees.

Chines firms however, have to design industrial relations which are suitable for the local cultural context. When foreign firms require to operate in China, they have to combine the Asian market economy in order to design new industrial relations. Industrial relations are an important factor in improving the company’s productivity, and firms have to deal with the industrial relations within the organisation properly to become more competitive on the global market.

In the Zimbabwean motor industry, a works council is composed of an equal number of employer representatives and employee representatives who are members of the workers’ committee (Statutory Instrument 1990, Number 372). It is a consultative body composed of company and employee representatives in equal members. The procedure of the works council is determined by the employer and the works council constitution.

**2.6.4. Functions of works council**

- The following are the functions of the works council: To foster, encourage and maintain good relations between employees at all levels and to understand and seek solutions to problems.
- To get better insight into the company’s productive capacity, developments and services to the community.
- To maintain a continuous exchange of ideas.
To promote the general and common interest, including the healthy safety and welfare of both workers and establishments.

In general, to promote the effective participation of employees in the establishment and to secure the mutual co-operation and trust of employees.

Reconstruction of the workplace caused by the introduction of new technology and work methods.

Partial or total plant closures, mergers and transfers of ownership.

2.7 CHAPTER SUMMARY

The literature review shows the concept of collective bargaining as a complex process involving works councils. The process is like a system which, if any part of the system is inadequately carried out, then the whole process is affected, hence it affects the industry negatively. As has been highlighted in the reviewed literature, the researcher is interested in the activities of the works council at company level to see if the employees’ representatives are competent enough to bring good results. If not, the grey areas should be identified and recommendations made, having been critically reviewed in related literature of this study. The next chapter deals with the research design, methods and instruments that will be used to gather data for this study.
CHAPTER III  RESEARCH METHODOLOGY

3.1 INTRODUCTION
This chapter gave a detailed blueprint of the research methodology adopted in the study. It defined what research philosophy is, its type and the researcher’s choice. Thus, according to Mavhunga (1998), “The success of any research, to a greater extent, depends on the technique employed in conducting the study.” Therefore, the design of the research remains pivotal in any given activity of research as the results’ validity is entirely dependent on the research design. This chapter dwelt on the methodology employed in this research, entailed a very detailed research description together with the instruments used in data collection. The research design that followed the paradigms within research design was also highlighted in this chapter. The sampling procedure, target population, sample size and the technique adopted were also highlighted in this chapter. Data collection tools utilised by the study, were outlined and discussed data of the data presentation and analysis techniques were also explained.

3.2 RESEARCH PHILOSOPHY

3.2.1. Grounded-theory approach
In this research, the sample itself was not even fixed since the researcher had to go back and forth for deeper insights. In light of new information, the grounded-theory approach was then applied.
According to Oktass (2012), grounded theory is a general research method which guides the researcher in matters of data generation and it details rigorous procedures for data analysis. It uses quantitative data of any type, for example, observations and spoken words.

This was supported by Charmaz (2000) who defined grounded theory as a systematic methodology construction of theory through the analysis of data. Grounded theory is a research methodology which operates almost in a reverse fashion from social science research in the positivist tradition. A study using grounded theory is likely to begin with a question, or even just with the collection of qualitative data.

The grounded theory analysis involved the following basic steps:

1) Coding text and theorising: The research for the theory started with the very first line of the very first interview that one coded. This process broke data into conceptual components.

2) Memoing and theorising: - Memoing field notes about the concepts in which one laid out observations and insights.Memoing started with the first concept that was identified and continued right through the process of breaking the text and of building theories, integrating, refining and writing them. When coding categories emerged, the next step was to link them together in theoretical models around a central category that held everything together.

The grounded theory is an inductive methodology. Many call grounded theory a qualitative method, but it is a general systematic method used in the generation of theory in a systematic
research. It can be called a set of rigorous research procedures, leading to the emergence of conceptual categories.

### 3.2.2. Features of a grounded theory

Charmaz (2006) identifies the following features that all grounded theories have:

- Concurrent data generation and analysis.
- The formation of analytic themes and categories derived from data and pre-existing concepts.
- The discovery of basic social process in the information
- Abstract categories which are inductively constructed.
- The refinement of categories through theoretical sampling.
- Drafting analytical reports in course of the report between coding and writing.
- The combining of categories to a framework that is theoretical
- The sole purpose of the grounded theory is to discover or generate a theory.
- Grounded theory may be said to be the discovery of theory from information which is systematically collected from a social research

The questions the researcher repeatedly asked in grounded theory were: “What is going on?” and “What is the main problem of the participants and how are they trying to solve it?” Consequently, the grounded theory method could be said to be a general method that can use any kind of data even though the most common use is with qualitative data (Glaser, 2001; 2003).

Most grounded theories are considered qualitative since statistical methods are not used and figures are not presented. The results of grounded theory are not a report of statistically
significant probabilities, but a set of probability statements about the relationship between concepts, or an integrated set of conceptual hypothesis developed from empirical data (Glaser, 1998).

In the process of using grounded theory, the researcher went back and forth comparing data, constantly modifying and sharpening the growing theory and, at the same time, building up a schedule of grounded theory’s different steps.

3.3 RESEARCH PARADIGM

3.3.1 Qualitative methodology

This research logic is brought about as a result of the philosophy of phenomenology and reiterates on the essence of assessing variables in a natural setting that they are found. Detailed information is collected with the use of open-ended questions that give direct quotations. The interview is an essential part of data collection (Jacob, 1988). Therefore, qualitative methods assess the why and how of a decision making process, not just who, when, where and what. According to Stainback (1988) when doing a qualitative research, a holistic depiction of events is present, as well as process and settings in a bid to come up with informed decisions for any given situation.

There are various research designs, which are different, that are used by a researcher of a qualitative approach. The commonly employed qualitative research approaches include the following:
a) An elementary qualitative research uses a mixed method approach.

b) The grounded theory is often an inductive research type that is cemented on observation or information developed. It makes use of various sources of data like records review, observations, surveys, interview etc.

3.3.2 Strengths and weaknesses of qualitative research

3.3.2.1 Strengths

- The generated data is built on the categorical meaning of the respondents.
- It is essential when the research is done on limited participants and in depth.
- It is helpful when describing complex phenomena.
- Gives individual informational case.
- Allows the researcher to cross-case descriptions and comparisons.
- Gives an understanding, as well as descriptions, of individuals’ experiences and opinions.
- It defines the matter at hand with rich details as they are put in local contexts.
- The researcher always identifies the contextual and setting constitutes with their relation to the matter of interest.
- The researcher is in a better position to study dynamic processes.
- The researcher is in a better to use to use core qualitative method of the grounded approach to be able to get an explanatory theory about the matter at hand.
- It determines how participants view constructs.
- Information is usually collected in a natural setting in a qualitative research.
• Qualitative approaches are in most cases responsive to the local instance, conditions as well as the needs of the stakeholders.

• The changes that transpire during the research are a responsibility of the qualitative researcher, and may change the focus of the research.

• A qualitative datum in the view of participants lend themselves to the exploration of the how and why phenomena.

• One can employ an important case which thoroughly demonstrate the matter to the individuals that benefit from the report.

• It also determines causative agent of a particular event.

3.3.3.2 Weaknesses

• The information generated may not give a generalisation to other settings, the results may be unique to people involved in the research.

• Making quantitative predictions is hard.

• Testing a theories and hypothesis with extensive participant tools is a challenge

• It often has a lower the credibility from programme commissioner and administrators.

• It usually consumes time to gather the data in comparison to a quantitative research method.

• The analysis of data is a tedious and time consuming task

• The findings of such a research are in most cases brought about by the biases of the researcher.
3.3.4 Qualitative approach

Qualitative philosophy makes researchers make sense of reality, like the research which was carried out in the real world, that is, Gweru, Kwekwe, Masvingo and Zvishavane with the works council phenomena in its natural context (Polit et al. 2001).

3.3.5 How to ensure trustworthiness/truthfulness of qualitative aspect of study

There were channels taken by the researcher in a bid to ensure that there is an honest and realistic view in the qualitative aspects of the research. To make sure that the qualitative research was very precise the aspects that following were put in place when the qualitative research was being done:

- Credibility
- Transferability
- Dependability
- Conformability

3.3.6 Credibility

According to Wolcott (1990) in Guba’s model, this criterion entailed the establishment of results which are qualitative in natures that are reliable and realistic from the point of view of a participant concerned with the research. It heavily relied on quality data generation rather the quantity of information collected. The research employed various techniques like multiple analysis, triangulation and member checking to get to accurate findings. Realistically, the participants were in the best position to make a judgement of the results credibility.
3.3.7 Transferability

According to Wolcott (1990), transferability in a qualitative research explains the extent to which the findings of a qualitative research could be assimilated to other notions or settings which are beyond the research boundaries. The bodies that benefit from the research note the specific details of a study situation and methods and then compare them to a familiar instance that it completely new to them. The qualitative researcher therefore maximized the transferability by conducting a thorough job of describing the research context as well as the assumptions of the research context together with the assumptions which were core to the research. If the specifics of the research were comparable to the original they would be seen as very credible. The researcher also gave a highly detailed description to the methods and the situation. Transferability in a qualitative research can be described as the extent to which the findings of a research are applied or to the project limits. Transferability, other invited readers of the study make associations as well as research elements basis on their own experiences.

It is important that a sufficient description on the matter at hand be given to the matter being studied so as to allow the readers to gain enough understanding of the phenomena, thereby allowing them to make a comparison of the instances of the matter being explained in the research document with those which probably be comes in their instance. Thus information the points that follow are required to be highlighted from the onset:

- The number of organisations taking part in the research as well as their location
- The number of individuals that was active in the fieldwork
- The data collection techniques that was used
- The amount and time taken in the data collection session
- The time that was taken to gather all the data.

### 3.3.8 Dependability

According to Wolcott (1990) in Guba’s model, this aimed on ensuring that the results of the research were very consistent and was not a repetition, with the results would still be observed even if the research was observed twice. Dependability was measured by the standard with which the study was done, data collected, analyzed and presented. The research gave a detailed report of each process with the aim of enabling external researchers to re-do the inquiry as well as come up with the same results. This, therefore, allowed the researcher to understand the effectiveness as well as the methods used in the research.

### 3.3.9 Conformability

According to Wolcott (1990) in Guba’s model, this refers to the extent to which the findings of the research could be justified or affirmed by others. Various strategies were used to enhance of comfortability. The research noted the procedures that were employed for checking as well as rechecking the data in course of the study. The researcher searched and outlined the negative scenarios that contradicted before the observation as well as afterward by conducting an information audit which examined the data that was collected as well as the analysis procedures and came up with judgement on the potential for distortion and bias.
Below are the four criteria for judging the qualitative research soundness as an alternative to traditional quantitatively-oriented criteria:

Table 3.1 Criteria for judging quantitative and qualitative research

<table>
<thead>
<tr>
<th>Traditional criteria for judging quantitative research</th>
<th>Alternative criteria for judging qualitative research</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal validity</td>
<td>Credibility</td>
</tr>
<tr>
<td>External validity</td>
<td>Transferability</td>
</tr>
<tr>
<td>Reliability</td>
<td>Dependability</td>
</tr>
<tr>
<td>Objectivity</td>
<td>Conformability</td>
</tr>
</tbody>
</table>

3.3.10 Quantitative methodology

This is driven by the philosophy of positivism. Quantitative research study is intended to determine the relationship between one thing and the other within a population. Quantitative research designs are either descriptive (subject usually measured once) or experimental (subject measured before and after treatment). Quantitative research deals with numbers, logic and an objective stance. It focuses on numeric and unchanging data and detailed, convergent reasoning rather than deductive reasoning.

3.3.11 Characteristics of the quantitative method

- Structured instruments are used in the data collection process.
- With a high reliability the research study can be replicated or repeated again.
• All important parts of the research are properly designed before data collection.
• The information is usually numerical, statistical are arranged in tables, figures, charts and other non-textual forms.
• The researcher thoroughly explained the research question.
• The researcher made use of questionnaires and computer software to sort and analyse numerical information.

3.3.12 Strengths and weaknesses of quantitative research

3.3.12.1 Strengths of quantitative research

- The researcher is in the best position to assess and measure the validity of the constructed theories on how and why the subject matter occurs.
- The researcher can test the hypotheses that are formed before the data were collected.
- The researcher can generalise the research findings when the data which are based on sufficient sizes of random samples.
- A research allows the researcher to generalise the research findings when the study has been redone on an extensive population and subpopulation.
- It is helpful in the acquisition of data that allows quantitative predictions to be done.
- The researcher can construct a situation that minimises the confounding influence of varying variables which allows one or more credible established effect and cause correlations.
- Collecting data on a quantitative approach is often quick.
- Quantitative research gives accurate quantitative and numerical information.
- Quantitative research can have a high credible characteristic with many people in control.
• Quantitative research is essential when there is need to study large number of people.

3.3.12.2 Weaknesses of quantitative research

• The researcher’s categories reflect local constituencies’ understandings.
• The researcher’s theories might not reflect local constituencies’ understanding.
• The researcher might miss out on phenomena occurring because of the focus on theory or hypothesis testing rather than on theory or hypothesis generation (called the confirmation bias).
• Knowledge produced might be too abstract and general to direct application to specific local situations, contexts and individuals.

3.3.13 Quantitative aspect: Validity and reliability

3.3.13.1 Validity

Validity is the most important criterion of research and is concerned with the integrity of the conclusions that are gathered from a piece of research. It involves the generalisability that is sometimes referred to as external validity and concerns the extent to which one’s research results or findings may be equally applicable to other research settings such as other organisations (Saunders et al. 2009). This was achieved through sampling where the chosen sample was representative of the population. The sample had 90 companies in the motor industry.

Internal validity is the extent to which findings can be attributed to interventions rather than any flaws in research design. Internal validity was achieved through the measures or techniques used
for collecting data, that is, secondary data sources, interviews, questionnaires for the survey which accurately assessed the motives of works council meetings, factors that affect their success and the impact of performance of works council members. The study also made use of qualitative to validate the data collected as it fused findings from the interviews of top management of motor industry companies and that from focus group discussion. The study allowed the respondents to ask questions where issues of clarity were concerned in order to ensure that they provided the correct and relevant responses.

Validity is the extent to which an instrument measures what it is supposed to measure and performs as it is designed to perform. It measures in degrees. As a process, validity in this research involved collecting and analysing data to assess the accuracy of an instrument.

Validity of research can be explained as the extent to which requirements of the scientific research method have been followed during the process of generating research findings. Oliver (2010) considers validity to be a compulsory requirement for all types of studies. In any research, there are different forms of research validity and the main ones are specified by Cohen et al. (2007) as content validity, criterion-related validity, construct validity, internal validity, external validity, concurrent validity and face validity.

Measures to ensure validity of a research include:

a) Appropriate time scale for the study has to be selected.

b) Appropriate methodology has to be chosen, taking into account the characteristics of the study.
The most suitable sample method for the study has to be selected.

d) The respondents must not be pressured in any way to make specific choices among the answer sets.

The researcher strived to minimise the threats on validity as much as possible.

3.3.13.2 Reliability

According to Creswell, 2013, reliability refers to the extent to which the same answers could be obtained more than once, using the same instruments. If a research is associated with high levels of reliability, then other researchers need to be able to generate the same results using the same research methods under similar conditions.

Reliability is the extent to which the instrument consistently measures what it is intended to measure. Babbie (2010:159) is of the view that, “reliability is a concern every time a single observer is the source of data because we have no certain guard against the impact of that observer’s subjectivity.” According to Wilson (2010), reliability issues are, most of the time, closely associated with subjectivity, and once a researcher adopts a subjective approach towards the study, then the level of reliability of the work is going to be compromised.

Reliability refers to the extent to which data collection techniques or analysis procedure yield consistent findings (Saunders et al. 2009). The same observations would be made or conclusions reached by other researchers or there is transparency in how sense was made from the raw data. The study was concerned with ensuring that the questions in the questionnaire were consistent in terms of response by respondents. Ambiguous questions and those yielding various meanings
instead one. This was done by way of pre-testing. According to Saunders et al. (2009), the purpose of pilot testing was to refine the questionnaire so that respondents would have no problem in answering the questions and there would be no problems in recording the data. Pilot-testing guaranteed that a research instrument could be utilised properly and the data obtained was consistent and reliable.

### 3.3.14 Quantitative research vs qualitative research

Qualitative research primarily exploratory research. It was used to gain an understanding of underlying reasons, opinions and motivations. It provides insight into the problem or helps to develop ideas or hypothesis for potential quantitative research. Qualitative research was also used to uncover trends through opinions and getting deeper into the problem. Qualitative data collection methods vary when using unstructured or semi-structured techniques. Some common methods included focus group discussion, individual interviews and participation/observations. The sample size was typically small and respondents were selected to fulfil a given quota.

Qualitative research is an inductive, subjective process of inquiry conducted in a natural setting in order to build a complex, holistic picture, described in words, including the detailed views of the informants in informal, personal language. Quantitative research was used to quantify the problem by way of generating numerical data or data that could be transferred into useable statistics. It was used to quantify attitudes, opinions, behaviours and other defined variables and generalised results from a larger sample population. Quantitative research used measurable data to formulate facts and uncover patterns in research. Quantitative data collection methods are much more structured than qualitative data generation methods. Quantitative data collection
methods included various forms of surveys – online surveys, paper surveys, face to face interviews, telephone interviews and systematic observations.

Quantitative research is a deductive, objective process of inquiry where the variables in the study were measured in numbers and analysed using statistical procedures in order to describe or make generalisations and reported in formal, impersonal language. The difference between quantitative and qualitative research was based on their uses and purposes and on their roots. However, when words were used to describe or to generalise, then the research was now called quantitative research. The bottom-line questions were: ‘what is/are’ for quality, and ‘how much/many’ for quantity?

In other words, qualitative research is inductive descriptive research, depending on the nature and purpose of the research. Where quantitative research was statistical, numerical-based research (empirical), qualitative research was rooted in interpretation and constructivism, both of which stem from the ontological view that reality depended on one’s mental structure and activity (Slevitch, 2011). The quantitative approach stemmed from the ontological view that objective reality existed independently of human perception (Slevitch, 2011).

Quantitative studies relied on quantitative information, that is, numbers and figures, while qualitative studies based their accounts on qualitative information, that is, words, sentences and narratives. Quality was the ‘what’ and quantity was the ‘how much’ (Blumberg et al. 2011). The study investigated qualitatively as well as quantitatively. The one main advantage of choosing the qualitative method was to bring out people’s experience, their feelings and emotions using
flexible language. Qualitative research focused on data that exists in the minds of individuals and how it was expressed and concentrates on data that was valid and gave true and full picture of that which was researched (Oyedele, 2003). The method was appropriate in analysing the respondent’s open responses towards the end of the questionnaire. This was supported by Creswell (2009) who says qualitative researchers collect data themselves through examining documents, observing behaviour or interviewing participants. During observation, the researcher recorded information as it occurred during first-hand experience with participants when interviewing them. It was one-on-one interview, thereby allowing the researcher control over the questions. It involved talking directly to people and seeing them behave and act within their context, making a face-to-face interaction. According to Cohen and Manion (2007), in a qualitative research design the researcher becomes intimately involved with the participants and collects data through open-ended interviews, focus group discussion, observation and document analysis. The choice of qualitative design was relevant to this study which critically observed the role played by works councils in promoting industrial relations.

Creswell (2009:4) agreed with Cohen and Manion that qualitative research is a means for exploring and understanding the meaning that individuals or groups ascribe to a social or human problem. The data were generated in the field of motor industry where workers experience the problem at grassroots level.

Public documents such as minutes of meetings or private documents such as emails and official memos were analysed in this study. The advantage was that written evidence of thoughtful data, which participants gave attention to, was compiled.
By combining the quantitative and qualitative methods, it was intended to offset the weaknesses inherent within one method with the strengths of the other. This can be indicated by the table below.

**Diagram 3.1 Concurrent design, concurrent triangulation design**

```
<table>
<thead>
<tr>
<th>Quan</th>
<th>Qual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data generation</td>
<td>Data generation</td>
</tr>
<tr>
<td>Data Results Compared</td>
<td>Data Results Compared</td>
</tr>
<tr>
<td>Data Analysis</td>
<td>Data Analysis</td>
</tr>
</tbody>
</table>

Analysis of Findings

**Source:** Adapted from Creswell *et al* (2003:210)
‘Quan’ and ‘Qual’ stand for ‘quantitative’ and ‘qualitative’ respectively, and they use the same number of letters to indicate equality between the forms of data.

Both quantitative and qualitative data were collected simultaneously for the researcher to gain broader perspective, according to Tashakicom and Teddie (1998).

Quantitative and qualitative data collection was concurrent, happening in one phase of the research study with the weight being equal between the two methods. The researcher was able to collect the two types of data simultaneously during a single data collection phase. It provided the study with the advantage of both quantitative and qualitative data. Considering the amount of time the researcher had to collect data, concurrent approaches were less time-consuming because data was collected at the same time on the same visit to the field.

The quantitative method helped in analysing the information in the structured questionnaires. The researcher’s instruments were structured questionnaires with a section at the end for open comments from the respondents.

It involved the processes of collecting, analysing, interpreting and writing the results of the study. Variables, numbered could be analysed using statistical procedures.

Interviews and observations were either quantitative or qualitative, depending on how open (qualitative) or closed (quantitative) the response options were in an interview or checklist for an observation (Creswell, 2009:217).
Some authorities considered this method as the best for the following reasons:

a) Data produced is accurate and the presentation can be quantified.

b) It allows the researcher to measure specific sets of responses of a particular topic.

c) It is also good because it makes it possible to probe people to give information that they might otherwise not have volunteered.

The disadvantage of this method was that there was no way to statistically analyse the results. Many scientists regard this type of study as very unreliable. However, the researcher used the triangulation method, whereby data was collected through questionnaires, interviews, focus group discussion and observation. This approach was influenced by the aim of the study which required statistical analysis and a control group for comparison.

3.4 RESEARCH DESIGN

3.4.1 Design of the study

A research design is a logical approach as well as outline used for the selection, rationization and organization in a sequential manner of the data collection procedures as well as evidence handling with the aim of answering the research questions (Shumba, 2004).

In this research, a descriptive survey was adopted, which lends itself to the paradigms, which are qualitative and quantitative in nature. A research design which is descriptive was used in both the qualitative and quantitative nature.
3.4.2 Descriptive research

This research is structured to illustrate the manner respondents react. A very simplified descriptive research design aims at giving a description of the people involved in the research. The term descriptive refers to the research question types, as well as the way the data is analysed in relation to the topic. A descriptive research design entails the collection of information which is quantitative in nature then tabulated on a numerical scale like test scores or the frequent times an individual opts to make use of a particular multimedia programmes, or the information classes which are usually gender, or interaction pattern described, when technology is being used in a group set up. A descriptive research design, in most cases, entails the collecting of information which gives a description of the events and the sorts, clean, codes and describes the data that would have been collected (Glass and Hopkins, 1984). A descriptive research design makes use of visual presentations, like charts and graphs that helps the reader to grasp the distribution of data. Statistical information which was descriptive in nature was essential for the reduction of information to a manageable manner when in-depth narrative descriptions which entailed small figure cases. The research made use of the descriptive research design as a way to organise information quantitatively that were employed in course of the analysis. Such patterns therefore help in the comprehension of a qualitative research as well as its implications. A number of quantitative researches can be split into two areas; studies that seek to discover the inferences or relationships a well as studies that describe events.

The purpose of descriptive research designs is gathering was observed quantitatively as well as the methods of survey which are always used when descriptive data is being collected (Borg and Gall, 1989). A report of a descriptive research gives a summary of data like the central tendency
measures, which ranges from correlations between variables, the mean and the deviance from the mean, mode, percentages, and variations to the medians. Like any other research type, a descriptive research design entails various variables which are used to hypothesis testing in contrast to other research methods (Borg and Gall, 1989). For instance, a descriptive research can use a particular method to analyze the correlations between variables with the use of SPSS tests lies multiple regression, regression as well Product Moment correlation by Pearson. On another note, a research design, which is descriptive, presents a percentage summary report on one variable. Instances of this score of indication certifications in particular journals on technology as well as instructional designs by Anglin and Towers (1992). The statistics of description also used the data gathering and techniques of analysis which reports that concerned the correlation, variation and central tendency measures. The main characteristic of feature that distinguishes a descriptive research design from the rest is in its ability to summarize as well as provide correlational statistics together with its focus on the research questions types, results and methods.

A descriptive research design is designed to observe depends on the participants in action in an accurate way. It is all about describing people who take part in the study, (Borg and Gall, 1989). Studies which employ the descriptive research design often give in-depth and rich information which then leads to essential recommendations.

Borg and Gall (1989) analysed the results of a research with the use of a descriptive survey. The core categories are explanation, improvement, prediction as well as description. A descriptive research design can be said to be scientific in manner that engrosses the observation as well as
description of certain behaviour of a subject with no intention of manipulating it in any way. The con of such a research design is that the variable is observed in an unchanged and natural set up.

When conducting the descriptive research project, the researcher uses the following methods:

- **Observation** – identified as schemes for screening as well as recording the respondents.
- **Case study** – classified as a detailed research of a single entity or number of individuals.
- **Survey** – named a precise discussion or interview individuals on a specific topic on the subject matter.

### 3.4.3 Observational method

Such a study was similar to environment. The researcher made an observation of the respondents in their natural set up. Watching individuals as they were in a field they were most comfortable in. This is basically what Jane Goodhall did: when she carried out an observation of the chimpanzees in their natural environment they were most comfortable in and came up with conclusions from such an observation is all about watching people and drew conclusions from this. An observation was very realistic to what transpired in the chaotic, as well as natural world though it had limited control of what transpired.

### 3.4.4 Survey method

The researcher employed the use of a survey in data collection. Saunders *et al.* (2009) pointed out that surveys help with the gathering of extensive information from a specific population in the most economical way. Data was gathered by the use of standardised questionnaires which were given to a sample. Adding on, the information which was collected with the use of a survey
strategy was employed to bring the relationships between variables to justice (Saunders et al. 2009).

A survey was done in different ways like the questionnaire administration and face to face interviews. Surveys were equally useful as they did not take much time in comparison to observations because participants were asked direct questions.

According to Guba (1990) paradigms can be characterized through their ontology, epistemology and methodology the terms are classified below.

3.4.5 Ontology

According to Baikie (1993) ontology is the science or study of being which is deals with the nature of reality. This is system on the belief which highlights an interpretation of respondents on what brings about a fact. It is a view on the nature of reality. In general terms, ontology is linked with a central question as to whether social entities ought to be viewed as subjective or objective.

A) Objectivism portrays the position that social bodies, exists in reality, external to social actors concerned with their existence (Saunders et. al 2009). Alternatively, objectivism “is an ontological stance in which the social occurrence and its meanings possess an existence which is entirely independent of its social actors” (Bryman, 2003).

B) Subjectivism: perceives that social phenomena is created from perceptions and consequent actions of those social actors concerned with their existence. Formally, such a stance can be described as an ontological posture which states that the social matters and its meaning is being improved and attained by social actors on a continual process.
3.4.6 Epistemology

It is a perceived relationship with the knowledge discovered, Marsh and Furlong 2002:18 says that one's epistemological position reflects the view of what we can know about the world and how we can know it. Thus it is a theory of the knowledge distinctions to be made here are that, firstly it is possible to acquire knowledge about world with no interference, meaning to say objectivity is possible because everyone observes things in the same way, secondly observation is never objective because it can be affected by the social constructions of reality. So there is no real world to observe.

The research process begins with the identification of ontology, which is essential in the research design one opts for. For instance, from the diagram 3.1 below the objectivism ontology option results in the positivism epistemology. This is in conjunction with the deductive as well as according to the quantitative methods of research, which is used in the study.

Ontology and epistemology are the foundations on which a research must build since they shape the approach to theory and the methods. The relationship between ontology and epistemology is shown below.

3.4.7 Difference between Ontology and Epistemology

Ontology is the study of the survival, temperament, or life form of a certain entity. It responds to the what is question. On one note, epistemology is the entity of philosophy which entails knowledge presence. It shows that one knows about something transpiring because of the know-how at hand. It responds to what or how question.
Both epistemology and ontology are components of a body or something. Ontology shows the research of an entity that existed. It naturally responds to the what. Epistemology is said to be a knowledge theory which ascribes to the existence of a body as well as respondents to what and how question. Ontology is the philosophy which works on the overall nature of defining things and epistemology is the knowledge nature, and the possibility it brings to the general past and the scope.

Constructivism ontology brings about a selection of interpretivism epistemology, leading to methodology which is inductive in nature. This method is going to be used together with the relevance of qualitative methods of collecting data and analysis.

The following diagram shows the effect that ontology has on the various research methods choices via the epistemology, data analysis, data collection methods, research strategy and research approach.
Diagram 3.2 The impact of ontology on choice of research methods

Ontology Has view of
Nomothetic Positivist

Epistemology Has view of
Positivist is the same as

Empiricist is an

Empirical Approach

Experiment uses

Case study uses

Case study is an

Method

Uses

Can be

quantitative

Can be qualitative

3.4.8 Mixed methods

Mixed methodology (triangulation) is a method of research that blends both the qualitative and quantitative techniques of research in one study. This method entails the blending of quantitative and qualitative information, methodologies as well as paradigms of a related research. With such an approach, both qualitative and quantitative data collection methods are combined at the initial stage of a research. The use of multiple sources of evidence allows an investigator to address a broader range of historic and behavioural issues, thereby developing converging lines of inquiry.

Source :-( http://research-methodology.net/research-methods/qualitative-research/)
### 3.4.9 Mixed-model research within-stage

In any of the mixed model research within-stage, the duo, qualitative and quantitative methods are blended together in one or varying stages of a given research. An instance, of a within-stage mixed research model which in course of data collection one questionnaire is used which often comprises of both open and closed ended questions.

In across stage-mixed research model, the qualitative and the quantitative research approaches are used together on a minimal of two stages of the study. Across-stage mixed model of research is in most instances easily seen by the examination of the second to the seventh design as seen in the diagram below.

**Diagram 3.3 Mixed model research design**

```
<table>
<thead>
<tr>
<th>Qualitative Research Objective(s)</th>
<th>Quantitative Research Objective(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collect qualitative data</td>
<td>Collect quantitative data</td>
</tr>
<tr>
<td>Perform qualitative analysis</td>
<td>Perform quantitative analysis</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>8</td>
</tr>
</tbody>
</table>
```

Designs 1 and 8 on the outer ages are the mono-method designs. The mixed-model designs are designs 2, 3, 4, 5, 6 and 7

**Source:** (Greene, 2007)
Diagram 3.4 Stages of the mixed research process

There are eight stages in the mixed research process as shown below.

Source: (Greene, 2007)

1) Determining if the mixed design is suitable.
   - Are you confident that your research questions can be best answered with the use of a mixed research approach?
• Are you confident that the mixed research approach will present you with an excellent design in-sync with the amount as well as kind of evidence that you aim on obtaining as the research is being conducted?

2) Determining the rationale for the employment of mixed design.

• Triangulation – convergence of multiple data sources.
• Complementarity – self-enhancement and clarification of results.
• Development – aims on how to use the findings to develop another method.
• Initiation – seeks to discover the recent framework perspectives.
• Expansion – aims on extending the breadth as well as the range of any given inquiry.

Source: Based on Greene, Caracelli and Graham (1989)

3) Opt for either the mixed model research design or mixed-method research design.

4) Gather the information.

The six main constituents of data collection are questionnaire, interviews, observation, focus groups, official and personal documentation in form of secondary data or past research information.

5) Conduct Data Analysis.

One can capitalize on qualitative and quantitative data techniques altering qualitative information into quantitative information.
6) Validate the data.

The reliability and validity measures employed in a quantitative research set up should be mixed for a mixed research study.

7) Interpret the data.

- The stage of data interpretation is a continuous process throughout the research.

8) Write the research report.

- Compiling a research report should start in course of data collection and not until the end of data collection.
- The report should highlight the blending, that is, as results are being discussed, one ought to relate the quantitative as the qualitative parts of the research.

3.4.10 Why use mixed methods

- To minimise the problems of one design.
- To add on to the strengths of one design
- To mitigate the risk of the single design weakness
- To attend to the question on different angles.
- To attend to the theoretical perspectives of varying levels.

3.4.11 Strengths and weaknesses of mixed research design

3.4.11.1 Strengths

- Things like images, narratives and words are often use to enhance the meaning of numbers.
• Numbers can also be used to give a precise illustration of what images, narratives and words intend to mean.

• The qualitative and quantitative research strengths are provided with such.

• A test ground theory can be generated from such.

• The response can be wide and more complete range of research questions are the study would not be limited to a particular research method.

• The mixed research design discussed in this chapter has its own opportunities and challenges which ought to be noted. For instance, a two-phase design which is sequential, some results can be employed to develop as well as inform the purpose and design of the subsequent component.

• A researcher can capitalize on the advantages of an additional method to mitigate the weaknesses of another method thus employing the mixed-method approach in the research.

• Can help with cohesive evidence for a conclusion with the junction and affirmation of findings.

• Helps with missing insights and information which will be missing when a single method approach is used.

• Is often employed to enhance the results generalisability.

• When used together, both qualitative and quantitative research, more information that is necessary in informing the practice and the theory.
3.4.11.2 Weaknesses

- It is usually a challenge for a mono research to do both qualitative as well as quantitative research, in cases which two or more approaches are supposed to be employed concurrently.
- The researcher ought to be educated about the various methods and approaches as well as understand how to incorporate them appropriately.
- Methodological purists point out that a researcher ought to always work in either a quantitative or qualitative paradigm.
- It is costly.
- It takes time.

3.5 Data collection methods

The researcher employed five techniques of data collection, namely interviews, questionnaires, focus group discussion and observation and document analysis. These methods were triangulated to increase the validity of data. The tools used in the research are shown below:

3.5.1 Tools

<table>
<thead>
<tr>
<th>Tools</th>
<th>-</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviews</td>
<td></td>
<td>20 managerial representatives in 20 different companies.</td>
</tr>
<tr>
<td>Questionnaires</td>
<td></td>
<td>45 workers’ representatives from 15 companies in the motor industry.</td>
</tr>
<tr>
<td>Focus group</td>
<td></td>
<td>30 supervisors from five groups of six, that is, human resource managers, company representatives, lawyers</td>
</tr>
<tr>
<td>Observations of meetings</td>
<td></td>
<td>five companies with functional works councils were</td>
</tr>
</tbody>
</table>
observed when conducting their works council meetings.

Document analysis - Documents like memos, minutes and agenda from five different companies were collected for analysis.

The researcher used interviews in which management representatives were asked whether they negotiated with workers’ representatives in good faith in line with research questions numbers (i) and (iii).

This research also employed the questionnaire in which 45 workers’ representatives were selected to participate in focusing on challenges faced by employee representatives in the works council meetings. This was in line with research questions numbers i, ii and iv.

The third instrument was the focus group discussion with supervisors focusing mainly on challenges in the works council bargaining environment in line with research questions (i), (ii), (iii) and (iv). From the researcher’s observation, the findings were in line with all the five research questions.

3.6 Data collection instruments

In this research, Muranda (2004:71) said, “A researcher can use an interview guide, and when arranging interviews, the well-informed individual in the organisation is targeted. Where the targeted individual is lower in rank and, therefore, not in a position to individually authorise the interview, someone in the decision-making position who can open the way is met.”
There has been some criticism about the interview process by Muranda (2004:58) who pointed out that, “a slight hitch with this technique is the cancellation of appointments and long waiting at offices by the interviewer to see management because of the busy schedule of the executives. However, Panneerselvam (2004), says the respondents can be issued with questionnaires and be asked to fill them in their own time. The advantage was that interview bias was removed and it was less costly and it was also a quicker process.

On the interview, Robert (2009:107) suggests that, “the interview may, therefore, take place over an extended period of time, not just a single sitting.” The same authority went on to say that a reasonable way of dealing with this pitfall is to rely on other sources of evidence to corroborate any insight by such informants such as archival records in conjunction with organisational records such as budgets and personal records. Furthermore, Robert (2009:115) says it is more convincing and accurate to use several different sources of information, hence the triangulation allowed the investigator to address a broader range of historic and behavioural issues. This was supported by Basu, Dir Smith and Gupta (1999) when they conducted a case study of the federal governments audit agency, the United States Government Accountability Office, where multiple sources of evidence were used, such as observation, diaries, interviews, public records and use of articles, all triangulating in data collection. “The potential problems of construct validity were addressed because the multiple sources of evidence that were provided measured the same phenomenon” (Robert, SAGE, Volume 5:99).
3.7 Instrumentation

3.7.1 Questionnaires

The primary data were obtained by the use of self-administered questionnaires which were administered to 45 workers’ representatives chosen from 15 companies. According to Muranda (2004:62), “each person in a questionnaire is like a brick in a building structure. It has to be seen to contribute in its small way to the accomplishment of the total structure.” The same authority suggested that, “a good questionnaire should be able to see beyond the smokescreen. It should dig into feelings, attitudes and perceptions” (Muranda, 2004:63).

A questionnaire is a set of questions to be answered by respondents either through face to face interviews or self-completion, as a tested structured, clearly presented and systematic means of collecting data (Rakotsoane, 2012). The use of a “questionnaire is a technique of data collection which each person is asked to respond to the same set of questions in a predetermined order” (Devaus, 2002, in Saunders, 2009:360). It is a document containing a set of questions to solicit information. The questionnaire has both structured and unstructured questions. Structured questions were fixed alternatives of multiple-choice questions. Unstructured questions allowed free response for the respondents. Questionnaires were considered appropriate since respondents considered in the study answered the same questions. They were easy to administer to a large population which was geographically scattered because the researcher drives to these companies making routine visits. Individual employee representatives’ views were gathered from a large population within a short time. Questionnaires ensured respondent anonymity and were kept for reference and further analysis.
The survey was crucial in the identification of challenges that works council representatives face in representing employees’ interests in the motor industries, factors that affect the effectiveness and efficiency of the processes in the work meetings when negotiating. The questionnaires also sought to assess perceptions by workers’ representatives before and after works council meetings. The factors that resulted in works’ council representatives facing in representing employees’ interest in the motor industry.

### 3.7.2 Justification for Using Questionnaires

The study utilised questionnaires because they afforded respondents magnitude in terms of time to answer the various questions. Questionnaires gave them room to respond to various questions on issues of effectiveness and efficiency of work meetings in the motor industry in Zimbabwe. Due to time considerations, the questionnaires gave the respondents enough time to provide information on the strengths and weaknesses of works councils’ bargaining process and the difficulties workers’ representatives encounter during bargaining. Questionnaires helped to eliminate bias in the collection of data as some people behaved differently and they provided quantifiable answers. The researcher saved on time as the respondents completed the questionnaires, upholding research ethics in that a high degree of confidentiality was observed and, due to the researcher’s absence, there were no biases based on the researcher’s influence. Questionnaires were also adopted as they are less expensive to use and the response rate is higher when compared to email-based questionnaires.
3.7.3 The limitations of questionnaires

The limitations were that some respondents did not answer all questions. It was also difficult for the researcher to detect biased information and probing was not possible. To reduce the low-return problem associated with mailed questionnaires, the researcher personally administered the questionnaires which presented a number of problems as Tuckman (1978:196) stated below that:

- Respondents needed to cooperate when completing questionnaires.
- Some respondents would just withhold information because they do not wish to give it.

A good questionnaire should be capable of capturing the abstract to a certain extent and see things beyond the smokescreen and attempting to measure them in what research is all about.

The following aspects were clearly spelt out before the questionnaire drafting process started:

- What information was needed to address the research questions?
- What was it that the instrument was going to measure?
- How was the instrument going to measure? What was that intended to be measured?
- What were the characteristics of those whom the questionnaires were to be administered to?

The five aspects outlined above predetermined the extent to which the questionnaire was successful in capturing the appropriate data. Each question was like a brick in a building structure as it had to be seen to contribute in its small way to the accomplishment of the total structure. Whatever is measured in interviewing people, it should be a by-product of the topic.
Burns and Bush (1995:291) suggests the following considerations before settling for a format in a questionnaire:

- The nature of the characteristic or property being measured, for example, occupation.
- Previous research studies.
- Data collection method used, for example, personal interviews and self-administered interview.
- The statistical analysis technique desired by the researcher.
- Questions must be matched to the knowledge and level of willingness to disclose information.

### 3.7.4 Pretesting the questionnaire

Before a questionnaire was taken to the field for interviews, it was pretested. Pretesting a questionnaire involved a pilot administration of the questionnaire on a small group of potential respondents. The pretested questionnaires had the following:

1. **Length of the questionnaire:** the questionnaires were therefore to be of a reasonable length.
2. **To be understood by respondents:** the target respondents were not only to understand the questions but also to have the knowledge.
3. **Respondents to be willing to answer the questions.**

Respondents were to have the interest and willingness to answer the questions in the questionnaire. If a question made respondents withdraw and withhold information, it means it was sensitive and intrusive, therefore, had to be rephrased.
• Omissions were observed through gaps that could make it difficult to explain in the process of pretest, and corrections were made for questions that could have been omitted.

• Instructions were to be clear to the interviewees/respondents.

• Sequencing of questions: Questions were appropriately sequenced with the objective to extract maximum information on the research problem.

• Choice of words: The pretest showed which words needed replacement.

• Questionnaires were checked for analysability.

A good questionnaire should be able to find out beyond the smokescreen. It should dig into feelings, attitudes and perceptions.

Questions should be focused on accomplishing the objectives and testing the hypotheses.

3.7.5 Interviews

Semi-structured interviews were held with key actors involved in the chairing of works council meetings. Semi-structured interviews involved the researcher having a list of themes and questions to be covered, although these varied from interview to interview (Saunders et al. 2009). They followed a set outline of topics with some pretested questions and prompts in each section and allowed the interviewer to explore additional information that the respondent had raised and follow up on other issues not included in the interview schedule (Alston and Bowles, 2003). This was crucial to get insights into the actors involved in works council meetings. They also provided insights into the motives of not bargaining in good faith and the difficulties workers’ representatives encounter during collective bargaining meetings. These helped to confirm the results from the survey as well as avoid cases of biased data. For the purpose of this
study, one set of respondents was to be interviewed, namely three members of management per company who were involved in works council meetings.

All sample units interviewed in this study were from a single industry, that is, the motor industry. The objectives behind selecting a single industry were to minimise sample heterogeneity. For an establishment to be part of the sample, it had to fulfil the following criteria:

(i) To be in the motor industry.
(ii) An establishment to be either in Masvingo or Midlands Provinces.
(iii) A company had to have a functional works council.

Source: Saunders (2009)

Respondents interviewed in the study were five current chairpersons of works councils from five different companies in order to ensure reliability of the information provided (Huber, 1985). Questionnaires were first sent to the companies involved in the study. This was followed by a telephone call to each company, seeking an appointment. Executive interviews, which involved visiting to conduct interviews, were done but these had a slight hitch which has the cancellation of appointments and long wait at the offices by the interviewer to see them, so door-to-door interviews, which involved interviewing respondents in their homes when they were relaxed, were necessary.

During interviews, probing was done on some unclear widely used gestures to ascertain unclear responses. Where necessary, chairpersons were requested to provide documentary evidence to support responses made in interviews. Some of the information collected from the NEC motor
industry dealt with chairpersons. Other information was collected from Automotive Allied Workers Union of Zimbabwe. These secondary sources provided substantial background information on the motor industry.

Where necessary, telephone interviews were done. It was important to have the questionnaire around at the time of calling. The questionnaires were short and precise and could be filled during interview proceedings. This helped because most of the respondents had personal cellphones and they were geographically scattered.

Yin Robert (2009) says an interview is a guided conversation rather than structured queries whereby one may want to know ‘why’ a particular process occurred as it did. In the same situation, the researcher may even ask the interviewee to propose his or her own insights into certain occurrences and may propose further inquiry.

The interview may, therefore, take place over an extended period of time, not just a single sitting.

All questions must be carefully worded, so that the researcher appears genuinely naïve about the topic and allow the interviewed to provide fresh commentary about it (Yin Robert, 2009).

Further probing was needed as a way of testing the sequence of events. To those who failed to comment, the researcher jotted this down, citing the fact that a person was asked but declined to comment, as is done in good journalistic accounts.
A common question about interviews is whether to record them using recording devices or not. It is a matter of personal preference since audio tapes certainly provide an accurate information of any interview than any other method. However, according to Yin Robert (2009:109), “a recording device should not be used when:

(a) an interviewee refuses permission or appears uncomfortable in its presence.

(b) the investigator thinks that the recording device is a substitute for ‘listening’ closely throughout the course of the interview.

Interviews were time-consuming in that the interview process resulted in the reduction in willingness to take part on behalf of some of those who refused to take part. This was an issue that was to be considered carefully and attempts should have been made to overcome it through the approach taken in sampling.

Healey and Rawlinson (1994:138) suggested that, “it is usually best to leave sensitive questions until near the end of an interview because this allows a greater time for the participants to build up trust and confidence in the researcher.”

Assurance from the researcher that confidential information was not going to be revealed to other organisations was vital. This relaxed made respondents feel and open about the information. Assurances about anonymity increased the level of confidence and reduced the possibility of interviewee bias.
Sellitz et al. (1959) identify advantages of using the interview as compared to the questionnaire. These are given below as follows:

- Almost all interview questions are answered.
- During an interview the interviewer may exhibit some flexibility and can rephrase questions so that the respondent understands what is meant by a particular question.
- The interview situation allows some appraisal of the validity of the response that the interviewer has access not only to what people say, but how they say it.

The limitations of this approach were that it did not accommodate mutual trust and confidentiality. The researcher was a designated agent whilst the interviewee was a manager of a company, so the social distance was somehow compromised. Furthermore, some respondents felt uneasy to the extent that they used avoiding tactics. More so, the method itself was costly and time-consuming in that the researcher could take some 30 minutes or so interviewing one respondent.

The researcher, at one point, wanted to use a set of interview guides which were in line with Robson (1993) who says, in a focused interview, the researcher uses interview guides, specifying key issues. The interview guide has two types of items: fixed alternatives and open-ended items. The fixed alternative items allow two or more alternatives. This was also supported by Kerlinger in Cohen and Manion (1989) who confirmed that the use of fixed alternative items have the advantage of achieving greater uniformity of measurement and, therefore, greater reliability.
since fixed alternative items have their own limitations of being restrictive to the respondent. The researcher also used open-ended questions in the interview guide.

The advantages of open-ended questions were highlighted by Borg and Gall (1996) when they assert that they allow the researcher to follow up on any revealing needs which would be given by the interviewee. This, again, allows probing and clears up misunderstanding that could have cropped up.

An interview provided them with an opportunity to reflect on events without needing to write anything down. Other researchers reported similar conclusions, where participants preferred to be interviewed rather than fill in a questionnaire [(North et al. 1983) cited in Healey (1991)]. This situation provided the opportunity for interviewees to receive feedback and personal assurance about the way in which information was to be used.

The use of personal interviews where appropriate, to achieve a higher response rate than questionnaires as was pointed out by Healey (1991:206) who says, “the interviewer … has more control over who answers the question in comparison with a questionnaire, which may be passed from one person to another.”

An interview can be arranged at a time when the interviewee is under no pressure. On the disadvantages, it was possible that one might demonstrate bias in the way he or she interpreted response (Smith et al. 2008).
There are general rules for interviews that the researcher followed to enhance the interview process, such as familiarity with the questions, recording exactly what the respondents said in order to avoid distortions of answers by rephrasing the given information and carrying out whole-heartedly requests such as ‘repeat the question’.

In trying to overcome barriers to primary data collection, every questionnaire was accompanied by a cover letter of self-introduction. This enabled respondents to identify the researcher and, at personal interviews, introductions to avoid suspicion by respondents and also to get maximum cooperation. To ensure a high rate of response, follow-ups were made on questionnaires and revisits to interviewees were also made.

3.7.6 Focus group discussion

To consolidate these approaches, the focus group method was also used. Due to the possibilities of victimisation of workers and availability of time to attend to the study, the researcher was to make use of the focus group discussion. The targeted groups comprised of supervisors from different departments in each selected company. The researcher used focus group discussion on 30 supervisors who were grouped into five groups of six. These were human resources managers, lawyers, directors and line managers.

The chosen respondents had a deep insight into the relevant topic. A discussion on the same open questions and topics was held for one to two hours. Exchange of feelings and experiences was discussed per company and six to ten respondents were in this focus group. The output of the
session was a list of ideas and behavioural observations, with recommendations by the moderator.

Questionnaires were first sent to the companies, then followed by a telephone call to each company, seeking an appointment.

Small samples of respondents who provided descriptive information about their thoughts, feelings and beliefs that could not easily be projected onto the total population were taken.

This technique involved bringing together a small group of people for an unstructured discussion under the guidance of a moderator. The moderator was the researcher whose job was to guide the discussion and ensure that all areas of the topic were covered. Zororo Muranda (2004:74) claimed that in an African culture, it can be interpreted as impolite to go straight into the subject of discussion immediately after the initial introductions. A short gap of informal chat, especially on social issues, should be provided for. One takes advantage of such a gap to settle down, create a rapport and assess how far the respondent is prepared to talk.

The main objective of the focus group discussion was to generate ideas, revealing shareholders’ motives, perceptions, beliefs and attitudes. Focus group discussions took place in the NEC boardroom. On the selection of focus group participants, Muranda (2004:55) suggests that a focus group should have six to twelve participants at each sitting. Each assembled group should share homogenous characteristics. This is intended to encourage free participation. Participants in the focus group discussions were supervisors in departments from 15 selected companies. A
focus group discussion could be conducted anywhere convenient, for example, in the boardroom.

The benefits of focus group discussion were as follows:-

- Relatively quick.
- Inexpensive to administer.
- Excellent for obtaining background information.
- A client can participate in the discussion if appropriate.

3.7.7 Rules and regulations observed for the focus group

- Everyone was to participate in the discussion.
- There was no right or wrong answers.
- What was said in the room stayed there.
- Participants remained anonymous.
- The moderator had a position of authority and remained neutral.
- All participants’ comments were taken as essential information.

The moderator performed the following tasks during the discussion:

a) Introduced the topic for discussion and guided the discussion throughout.

b) Encouraged every participant to contribute to the discussion, especially the reserved participants.

c) Was to be a good observer and communicator who could help put the discussion on track without antagonising the talkative and dominant participants.

d) Was to be flexible and be able to manoeuvre the discussion in the appropriate direction.
e) The moderator was to ensure exhaustive discussion of the topic and only offer obscure features of relationships in the subjects that were discussed.

f) Results of the discussion were to be interpreted in the context of the topic.

The advantages of this focus group discussion were that it allowed observation of the interaction between different respondents. The other advantages were that focus group discussions were not costly and at the same time effective as they allowed the researcher to collect the ideas, opinions and knowledge of a large group of people within two hours.

The disadvantage was that this method required a well-trained moderator because certain individuals wanted to dominate the group and some respondents were also reluctant to speak up and remained in their role. The researcher had control over the flow of discussion in the group interview as compared to individual interview. Results were difficult to analyse than interviews. The number of questions that could be addressed was smaller than the question for the interview.

3.7.8 Observations

The researcher, as a person who was familiar with the motor industry, used the observation method, thus participating in the study by observing so as to get a finer appreciation of the phenomena in their natural setting (https://en.wikipedia.org/observational techniques). The aim of participant observation was to gain a close and intimate familiarity with a given group of individuals and their practices through an intensive involvement with people in their cultural environment over an extended period of time.
The main advantage of observational research was its flexibility and the fact that it measured behaviour directly. However, its limitation was that it was incapable of exploring the actual causes of behaviours and the impossibility to determine if a given observation was truly representative of what normally occurred.

By making a field visit to the case study ‘site,’ the opportunity for direct observation was created, some relevant behaviours or environmental conditions were available for observation. Such observations served as a source of evidence in the study. The observations ranged from formal to casual data collection activities. As a fieldworker, the researcher could measure the incidence of certain types of behaviours during certain periods of time in the field. This involved five different companies in the motor industry with functional works councils. Works council representatives were observed and the feedback to their counterparts after meetings. Direct observations were made throughout field visits, including those occasions during which other evidence such as that from interviews was being collected.

Observational research is a type of correlational research in which the researcher observes behaviour. It is a social research technique that involves a direct observation of phenomena in their natural settings. It is simply studying behaviour that occurs naturally in a natural context and it permits measuring what behaviour is really like. In participant observation, the researcher intervenes in the environment. Most commonly, this refers to inserting himself/herself as a member of a group aimed at observing behaviour that otherwise would not be accessible. Behaviours also remain relatively natural, thereby giving the measurements highly external validity. Case studies are a type of observational research that involve a thorough descriptive
analysis of a single individual group or event. Its aim is to gain a close and intimate familiarity with a given group of individuals and their practices through an intensive involvement with people in their cultural environments, usually over an extended period of time.

3.7.9 Method and practices of observation

Research method involves a range of well-defined though variable methods of informal interviews, direct observation, participation in the life of the group, collective discussion, analysis of personal documents produced within the group, self-analysis, results from activities taken off or online and life histories. Although the method is generally characterised as qualitative research, it can include quantitative dimensions.

3.7.10 Advantages of observations

- The researcher gets empathy as well as in-depth understanding of the group members and their activities.
- The researcher notices things that group members take for granted.
- Group members feel comfortable and act more naturally when a researcher participates in their activities.
- The researcher gets to observe group members in varied situations and the researcher gets to learn about the group and its activities in great detail.
3.7.11 Disadvantages of observation

- It can be very time-consuming and it generates a vast amount of data.
- By participating in activities, the researcher adversely influences other participants’ behaviour.
- Active involvement in the group can cause the researcher, as a member, to become more comfortable with him or her to participate, observe and take notes at the same time.

De Walt and De Walt (2002;92) believe that the goal for a design of a research using participant observation as a method is to develop a holistic understanding of the phenomena under study that is as objective and accurate as possible, given the limitations mentioned. They suggest that participant observation can be used as a way to increase the validity of the study as observations may help the researcher have a better understanding of the context and phenomenon under study. Bernard (1994) listed reasons for including participant observation in research, all of which increases the studies validity. De Walt and De Walt (2002;8) add that it improves the quality of data collection and interpretations and facilitates the development of new research questions and hypothesis. Munck and Sobo (1998:43) alluded that it allows for richly detailed description of “behaviours, intentions, situations and events.” It provides opportunities for viewing or participating in unscheduled events. There is prolonged engagement for findings to be more trustworthy.

In participant observation (Schensul, Schensul and Lecompte (1999:65), the observer should take note of the following:
• Listen carefully to conversation.
• Keep a running observation record.
• Make a write-up of the findings.
• Use exact quotes when possible.
• Describe activities in order in which they occur.
• Use pseudonyms to protect confidentiality.
• Provide descriptions without inferring with the meaning.
• Record the date, time, place and name of researcher on each type of notes.

The conditions of the work environment indicated something about the impoverishment of an organisation. The establishments under observation were ten in number, with six in Midlands Province and four in Masvingo Province. These were purposely sampled.

The advantage was that there was a purposively opportunity to perceive reality from the viewpoint of someone ‘inside’ rather than external to it. Other opportunities arose such as convening a meeting of a group of persons in the case study.

According to Becker (1958), the major problems related to observation have to do with the potential bias produced. The observer was likely to become a supporter of the group or organisation being studied, hence the rationale for using (triangulation) multiple sources of data collection dealing with a wide variety of evidence. This allowed the researcher to address a broader range of historical, attitudinal and behavioural issues.
However, the most important advantage presented by using multiple sources of evidence was the development of converging lines of inquiry. A process of triangulation meant that findings were likely to be much convincing and accurate (Sieber, 1973; and Yin, 19082c). This is supported diagrammatically below:

**Diagram 3.5 Convergence of evidence from multiple sources**

![Diagram](attachment:diagram.png)

*Source: Robert (2009:100)*

This shows the collection of data from multiple sources.

### 3.7.12 Document Analysis of company records

According to Robert, (2009) documentary information is a social research method that looks at events or occurrences that include written documents, public records and private papers. This type of information can take many forms and should be the object of explicit data collection plans. A variety of documents were used from five different companies. These documents were
in the form of letters, memorandum, agendas, announcements, minutes of meetings and other written reports of events. These and other types of documents are useful even though they are not always accurate. These documents provide other specific details to corroborate information from other sources, and were collected for analysis during the course of the study. This method revealed what people do or did and what they value in a company. This was exercised when the researcher was not able to observe or interview the population.

During field visits, arrangements were made to access and examine the files of any organisation being studied. Documentary evidence reflects a communication among other parties attempting to achieve the same objectives.

3.7.13 Cases of Document Analysis

3.7.13.1 Quantitative content analysis

- A question which could be measured with variables and coding scheme to capture questions was used.
- All cases were coded and analysed.
- Semi-quantitative results were produced using charts, graphs and tables.
- A sample that is representative but small enough to be analysed was created.

3.7.14 Qualitative conversational analysis

It is concerned with structures of spoken interactions, hidden meanings in a document and messages conveyed by documents.
3.7.15 Document analysis form

The information below is required from different documents:

- When and where the document was written.
- What events, people, places and issues does the document describe?
- Who wrote the document, to whom and what was their reaction?
- Where was it written?
- What specific circumstance brought about the creation of the document?
- What outcomes did the creator hope to achieve by writing the document?
- How does the creator’s viewpoint affect the ways and events described?
- What can the document review or hide about the company?
- What intentional messages does the document convey?
- To what other document does the document relate? How?
- Which unanswered questions are there in the document?

The document analysis revealed the place, time and when the document was created and also the purpose for the document creation. The type of documents can be minutes of the meetings, memos, agendas, reports, newsletters and invitations.

3.7.16 Advantages

Documents are helpful in verifying information from different sources. Documents played an explicit role in any data collection like during field visits. Arrangements were made to access files of organisations being studied. No programme was interrupted by this method because the
information existed already. The information was reliable, valid and inexpensive. The information gathered provided insight into what people thought and did.

3.7.17 Disadvantages

According to Robert K. Yin (Volume 5), the disadvantage of using documents is that they may have a reporting bias and it may be difficult to access them due to privacy reasons. The method was time-consuming and some of the information which was found to be incomplete data was restricted to what already existed.

3.8 Sampling

For the purpose of this research, the researcher’s sampling was composed of 45 workers’ representatives, of which three were randomly selected at each of the 15 sites, as was pointed out by Stat PacInc (2014) that, “random sampling is the purest form of probability sampling. Each member of the population has an equal and known chance of being selected.”

Further, the researcher also purposively sampled 30 focus group informants in which two were selected at each site. And, finally, the researcher also interviewed five management representatives in the works council who were purposively sampled. This is in line with Sandelwski (2007) who is of the view that purposive sampling is when a researcher chooses specific people within a population to use for a particular study or research project. The idea behind purposive sampling is to concentrate on people within particular characteristics who will better be able to assist with the relevant research. The focus is on people who are employed in the motor industry and are in the works council at their workplace.
The main goal of purposive sampling is to focus on particular characteristics of a population that are of interest, which will best enable the researcher to answer research questions.

There are several different types of purposive sampling, for example, homogenous sampling, expert sampling and critical case sampling.

Qualitative research usually involves a number of different phases, with each phase building progressively onwards from the original. This being the case, purposive sampling is useful to the researcher because they can use the variety of methods available to build and increase their research data.

In this research, since there are several different types of purposive sampling, one of the key benefits of purposive sampling method is the ability to gather large amount of information by using a range of different techniques. This variety will, in turn, give the researcher a better cross-section of information. This being the case, purposive sampling is useful to this research because a variety of methods can be used to build and increase the research data. For example, the researcher could start with homogenous sampling and then, using the information gathered, progress to critical case sampling in Stage Two. Whilst each of the different types of purposive sampling has its own advantages and disadvantages, this sampling technique can prove to be highly effective in the following circumstances:

- Data review and data analysis need to be done in a simultaneous manner.
- Primary data needs to be obtained from a very specific group of respondents.
- Only representatives of certain professions can contribute to the study.
This sampling method offers the following advantages:

- It is less time-consuming compared to many other sampling methods because only suitable candidates are targeted.
- Results of purposive sampling are usually more representative of target population compared to other sampling methods.
- Purposive sampling can be the only way to recruit the members of rare or much sought-after groups.
- The purposive sampling is convenient in terms of saving time, money and efforts.
- Purposive sampling may be associated with disadvantages like very high level of subjectivity by the researcher.

3.8.1 Sampling procedure

The semi-structured interviews used purposive sampling. With this technique, the researcher selected respondents who have the relevant data that is needed to ensure validity of results. Greene (2008) defined purposive sampling as sampling in which the researcher uses their own judgement to select a sample. It is common when qualitative data is collected. This justifies the interview of the five current chairpersons of works councils from five motor industry companies because they had access to a wide scope of information on the operations and performance of the firms and, hence the researcher could get as much information as possible.

The survey utilised stratified random sampling technique which is a probability sampling method. Saunders et al (2009) observed that in probability sampling, the chance, or probability
of each case being selected from the population is known and is usually equal for all cases, and it
is often associated with survey and experimental research strategies randomly stratified.

Sampling was premised upon dividing the population into two or more relevant and significant
strata based on one or a number of attributes. The sampling frame was divided into a number of
subsets (Greener, 2008; Alston and Bowles, 2003). A random sample (simple or systematic) is
then drawn from each of the strata. The survey was carried out in the Midlands and Masvingo
Provinces and these are strata in themselves and it is in these provinces where the researcher
works. The study was confined to these regions because this is where most economic activities
take place and the majority of the motor industry companies are located, such that they are better
able to provide the data on performance. This survey targeted to administer questionnaires to 45
workers’ representatives who have been in works council meetings and have been with the site
for a long period in each region. Companies were randomly selected using the random sampling
technique.
Table 3.2 Stratification of companies by location.

<table>
<thead>
<tr>
<th>Motor Industry Companies</th>
<th>Masvingo Companies</th>
<th>Midlands Companies</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviews</td>
<td>3</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Questionnaires</td>
<td>15</td>
<td>30</td>
<td>45</td>
</tr>
<tr>
<td>Focus group discussions</td>
<td>15</td>
<td>15</td>
<td>30</td>
</tr>
<tr>
<td>Observation</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Document analysis</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36</strong></td>
<td><strong>54</strong></td>
<td><strong>90</strong></td>
</tr>
</tbody>
</table>

**Source: originated by the researcher**

In selecting respondents in 15 selected companies in the motor industry, a simple random sampling procedure was used for management and workers’ representatives who were in the works council. The researcher used the stratification method, and then to get the specific sample, the simple random sampling method was used. To select the supervisors of the departments, the same sampling method was also used. The same method was used on members of the works councils.

### 3.8.2 Sample size

One company in the Midlands Province was used for pilot study to determine companies’ responses before the final research. In the Midlands and Masvingo Provinces, there were 250
companies in the motor industry, but the researcher chose a representation of 15 companies from both provinces. The purpose was that it would be functional and convenient to look closely at 15 motor industry companies in detail. This provided the researcher with an opportunity to look closely at the activities of the works councils and see where disparity existed.

3.9 Population

A target population has been defined by Professor Ron Fricker (2007) as a group of elements to which the researcher wants to make inference, and it must be finite and can be counted. Population elements can be persons, households, house units or part of an organisation. The study focused on companies in the motor industry in Midlands and Masvingo Provinces. These motor industry companies have functional works councils and, thus, may show how effective the works councils were in their roles. Data were collected from the workers’ representatives who participated in the works council meetings, management who were in the work councils and supervisors in various departments from selected companies in the motor industry.

3.10 Data types

The data types that were used in this research were mainly primary and were collected specifically for the purpose of this research. In this research, questionnaires were used on employees who took part in works council meetings and also management who chaired meetings in the works council were interviewed. Focus group discussions were conducted on supervisors in various departments at company level from the sampled companies. These sources of data have advantages and disadvantages of using them which were already highlighted.
The advantages were that the data suited the needs of the researcher in that instruments were designed to suit the researcher’s requirements and this also enabled the researcher to collect data which were relevant, reliable and valid, thus enabling the researcher to collect current data.

### 3.10.1 Data management and analysis

The data collected using questionnaires, interviews, observation, focus group discussions and document analysis was entered in the statistical package for social sciences (SPSS). There was double entry of data by two individuals to enable file merging and cleaning to check for data entry mistakes. The data was cleaned by looking at outlines which were cross-checked with the questionnaire to identify the source of errors. Value labels were added to the cleaned files and codes consolidated so that they were the same across the whole data set. Data analysis was done using the statistical package for social sciences (SPSS). The findings from the secondary sources on document analysis and observation were captured and analysed in microsoft excel whilst the information revealed in the interview of top management was narrated to complement the findings of focus group discussions. Frequency tables and cross tabulations were used to identify motives and challenges that works council face in representing employees’ interests in works council meetings. They were also used to present the difficulties that workers’ representatives encounter during collective bargaining. They were also used to present the strengths and weaknesses of works councils bargaining processes. A trend analysis on the effectiveness and efficiency of the processes in works council meetings was done. Content analysis was used to analyse data that was collected through the interview of top management of establishments and used to substantiate the field research and secondary data.
3.11 Ethical Considerations

Ethics refers to one’s behaviour in relation to the rights of those who become the subject of his/her work, or are affected by it. It is concerned with the research topic, design of research, gaining access, collecting data, processing and storing data, analysing data and write-up of the research findings in a moral and responsible way (Saunders et al., 2009; Alstan and Bowles, 2003). The study upholds research ethics by applying in writing to the top management of the concerned motor industry companies for permission to carry out research in their establishments. The questionnaires had a cover note that declared that the information would be kept under the strictest confidentiality levels with no name of respondent were assigned respondents codes such that they were referred to by way of codes during data management, and thus protecting the respondents. The principle of autonomy as outlined by Alston and Bowles (2003) was critical in this study and the researcher respected the respondents’ right to privacy, including the right to withdraw from the process at any stage and to refuse to answer certain questions if they wished to, the right to anonymity and the right to confidentiality sources consulted from the background of the study, literature review and other secondary sources were cited and acknowledged, thus eliminating the chances of plagiarism.

3.12 CHAPTER SUMMARY

In this chapter, the descriptive survey was used as an appropriate research design after considering a number of factors. The methodology adopted in this study was clearly outlined. The sampling procedure, target population, sample size and the technique that was adopted were highlighted in this chapter as well. Issues of ethics followed in the collection of data for this
study were shown. In data collection, tools utilised by the study were explained and details of the
data presentation and analysis techniques were identified and explained how each was used.
CHAPTER IV DATA PRESENTATION, ANALYSIS, INTERPRETATION AND DISCUSSION

4.1 INTRODUCTION

This chapter presents and interprets the collected data. The data that are presented and analysed in this chapter were collected to answer, the research questions as outlined earlier on in Chapter One. The researcher kept on referring to the research objectives and research questions to find out how the findings are correlated to the research objectives. The presentation and analysis of data collected through interviews, questionnaires, focus group discussions, document analysis and observation from companies in the motor industry in Zimbabwe was discussed and the results were presented. This was followed by data presentation in various forms such as histograms, tables, pie charts, bar graphs and so forth, for easy reference.

4.2 Response rate

A total of 45 questionnaires were issued out to respondents for completion and 39 questionnaires were completed and returned to the researcher. The researcher in the same instance drove around collecting the completed questionnaires or phoned companies where those questionnaires were left to encourage them to complete and return them. Some were completed in the researcher’s presence. At one company, the researcher found the doors completely closed and was told by the neighbours that the employer had gone for orders in South Africa and would returning after a month or so.
The response rate for this study in terms of questionnaires was 86.6%. High survey response rates help to ensure that survey results are representative of the target population (Hamilton, 2003). The response rate varied, depending on the method used to administer the survey (Hamilton, 2003). For example, if questionnaires were sent via mail, a response rate of 70% is very good (Hamilton, 2003). In this study, 86.6% response rate is generally acceptable to validate the study findings. The table below shows the response rate company by company.

Table 4.1: Company questionnaires issued and the response

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Issued questionnaires</th>
<th>Completed and returned questionnaires</th>
<th>Response rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urbanlink Trading</td>
<td>4</td>
<td>4</td>
<td>100%</td>
</tr>
<tr>
<td>Bond group Service Station</td>
<td>4</td>
<td>2</td>
<td>50%</td>
</tr>
<tr>
<td>Amtec Motors</td>
<td>3</td>
<td>2</td>
<td>66%</td>
</tr>
<tr>
<td>Mambo Service Station</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>CMED (Pvt) Ltd</td>
<td>5</td>
<td>4</td>
<td>80%</td>
</tr>
<tr>
<td>Puma Amtec</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>Parks Service Station</td>
<td>3</td>
<td>2</td>
<td>66%</td>
</tr>
<tr>
<td>Average Motors</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>Mainstreet Motors</td>
<td>4</td>
<td>3</td>
<td>75%</td>
</tr>
<tr>
<td>Thunder Run Pvt Ltd</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>Cummings Auto</td>
<td>3</td>
<td>3</td>
<td>100%</td>
</tr>
<tr>
<td>Spellpont Investment</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>By Word Motors</td>
<td>5</td>
<td>5</td>
<td>100%</td>
</tr>
<tr>
<td>Kwekwe 2 Service Station</td>
<td>4</td>
<td>4</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>45</strong></td>
<td><strong>39</strong></td>
<td><strong>86.6%</strong></td>
</tr>
</tbody>
</table>

*Source: Researcher’s field study (2017)*
Among the questionnaire respondents, 32 were male and 7 were female. In terms of percentage, male respondents were 82% while 18% were females. This shows that most of the views were from male respondents, so the motor industry is male-dominated.

**Figure 4:2 Distribution of respondents by position in the companies**

Source: Researcher’s field study (2017)
Figure 4.1 shows the distribution of respondents by position in the companies, namely that out of the 39 respondents, 5.1% were employees’ representatives, 15.4% were supervisors, 23.1% were managers and 56.4% were directors. This translates to 5.1% employee representatives, 15.4% supervisors, 23.1% managers and 56.4% directors.

**Figure 4.3 Distribution of respondents by age in companies**

![Bar chart showing age distribution](chart.png)

**Source: Researcher’s field study 2017**

From the 39 respondents, two were below the age of 25, 9 and were aged between 25 and 34 years, 11 were between 35 and 44 years, 14 were between 45 and 54 years, and those who were above 55 years were three. Percentage-wise, the distribution was as follows:
### Table 4:2 Percentage distribution of respondents by age

<table>
<thead>
<tr>
<th>Age range</th>
<th>Number of respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 25 years</td>
<td>2</td>
<td>5.1%</td>
</tr>
<tr>
<td>25-34 years</td>
<td>9</td>
<td>23.1%</td>
</tr>
<tr>
<td>35-44 years</td>
<td>11</td>
<td>28.2%</td>
</tr>
<tr>
<td>45-54 years</td>
<td>14</td>
<td>35.9%</td>
</tr>
<tr>
<td>55 years and above</td>
<td>3</td>
<td>7.7%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>39</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)

### Figure 4.4 Level of education

Source: Researcher’s field study (2017)
From the information received, the majority of respondents have attained ‘O’ Level. Those who did not get to ‘O’ Level are about 7.7% of the respondents. Every level of academic qualification was represented.

The table below gives a summary of qualifications.

**Table 4.3 Tabular presentation by level of education**

<table>
<thead>
<tr>
<th>Level of education</th>
<th>Number of respondents</th>
<th>Percentage of respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below ‘O’ Level</td>
<td>3</td>
<td>7.7%</td>
</tr>
<tr>
<td>‘O’ Level</td>
<td>5</td>
<td>12.8%</td>
</tr>
<tr>
<td>‘A’ Level</td>
<td>2</td>
<td>5.1%</td>
</tr>
<tr>
<td>College Level Certificate</td>
<td>7</td>
<td>17.9%</td>
</tr>
<tr>
<td>Diploma Level</td>
<td>9</td>
<td>23.1%</td>
</tr>
<tr>
<td>Degree Level</td>
<td>12</td>
<td>30.8%</td>
</tr>
<tr>
<td>Postgraduate Level</td>
<td>1</td>
<td>2.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>39</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*Source: Researcher’s field study (2017)*
Figure 4.5 Duration of employment

Source: Researcher’s field study (2017)

Figure 4:5 reflects that from the 39 respondents, no one had less than two years experience. In a company, 12.8% of the respondents had 2 to 5 years with their companies, 33.3% had 6 to 9 years with their organisations. Those with 10 to 13 years with their respective companies were 25.6%, and 28.2% had more than 13 years with their companies.
The table below summarises the information on experience derived from the research.

**Table 4.4 Percentage distribution of duration in employment**

<table>
<thead>
<tr>
<th>Duration of employment</th>
<th>Number of respondents</th>
<th>Percentage of total respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2 years</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>2 to 5 years</td>
<td>5</td>
<td>12.8%</td>
</tr>
<tr>
<td>6 to 9 years</td>
<td>13</td>
<td>33.3%</td>
</tr>
<tr>
<td>10 to 13 years</td>
<td>10</td>
<td>25.6%</td>
</tr>
<tr>
<td>Above 13 years</td>
<td>11</td>
<td>28.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>39</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*Source: Researcher’s field study (2017)*

Table 4.4 shows that the majority of respondents had between 6 and 9 years with their respective companies and 0% had less than 2 years of experience and, finally, those who had more than 13 years of experience were 28.2%.

**4.3 Response rate of interviews**

The study conducted interviews of 15 current chairpersons of works councils from 15 companies. All the fifteen chairpersons were available, thus achieving a 100% response rate.
4.3.1 Interview

4.3.1.1 Chairpersons of works councils age categories

Research evidence from interviews indicated that most of the works council’s representatives are relatively mature, ranging between 46 to 55 years. Some authorities like Harris (1985) believe that age determines the effectiveness of an employee but, according to Chivore and Masango (1984), the relationship between age and effectiveness is difficult to assess. This variable is associated with experience, seniority and stability. However, despite their representation as mature persons, it was established that it had no contribution to the effectiveness of works council meetings.

4.3.2 Qualifications

Another finding from interviews conducted to chairpersons of works council meetings was on academic qualifications of which the following was established.

Table 4.5: Chairpersons’ professional qualifications

<table>
<thead>
<tr>
<th>Qualification</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>2</td>
<td>13.3%</td>
</tr>
<tr>
<td>Postgraduate</td>
<td>5</td>
<td>33.3%</td>
</tr>
<tr>
<td>Doctorate</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>46.7%</td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
<td>100%</td>
</tr>
</tbody>
</table>
From Table 4.5 above, it shows that the majority of chairpersons, 46.7%, are either diploma holders or certificate holders and 33.3% are postgraduate holders while 13.3% are undergraduates from various organisations. Research by authorities, like Sergiovanni and Starrat (1979), has shown that qualifications determine the effectiveness of a chairman. Looking at this variable alone, one can say that the expectation of effectiveness is high due to the fact that the majority of them are diploma and certificate holders.

Another question sought to establish the frequency of works council meetings at companies. Data collected through interviews with chairpersons is shown below.

**Table 4.6 Frequency of works council meetings in companies**

<table>
<thead>
<tr>
<th>How often?</th>
<th>Number of chairpersons</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly</td>
<td>2</td>
<td>13.3%</td>
</tr>
<tr>
<td>Fortnightly</td>
<td>3</td>
<td>20%</td>
</tr>
<tr>
<td>Monthly</td>
<td>7</td>
<td>46.7%</td>
</tr>
<tr>
<td>Other, specify</td>
<td>3</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

**Source: Researcher’s field study (2017)**

Research evidence from interviews on time taken in the works council meetings indicated that most of the companies in the motor industry take about one hour and more so when employees are changing shifts. Data collected on the time frame of meetings through interviews from works council chairpersons is shown below on Table 4.7.
Table 4.7: Time frame of works council meetings

<table>
<thead>
<tr>
<th>Duration of works council meetings</th>
<th>Number of respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 hour</td>
<td>8</td>
<td>53.3%</td>
</tr>
<tr>
<td>2 hours</td>
<td>2</td>
<td>13.3%</td>
</tr>
<tr>
<td>3 hours</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>4 hours</td>
<td>Nil</td>
<td>0%</td>
</tr>
<tr>
<td>The whole day</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>Other, specify</td>
<td>3</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)

Table 4.8 Shows the respondents by occupation

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directors</td>
<td>8</td>
<td>53.3%</td>
</tr>
<tr>
<td>Managers</td>
<td>4</td>
<td>26.6%</td>
</tr>
<tr>
<td>Accountants</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>Supervisors</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>Employees</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)

The interview questions for chairpersons of works council meetings were designed to probe on their designation at company level. In response, 53.3% indicated that they were directors of companies, 26.6% were managers of different departments in their companies, 6.7% were either accountants, supervisors or employee representatives or workers’ representatives. Suggested
improvements on the works council meetings like to invest in human capital for meetings was of paramount importance.

Figure 4.6: Views of the chairpersons of works council meetings on the verdict ever been challenged by workers

Source: Researcher’s field study (2017)

As reflected on the pie chart above, 78% of respondents indicated that whatever is passed and agreed on is not challenged by workers’ representatives in the meeting and 22% of respondents indicated that, at least, given a chance to air their views, they felt they can fight to be heard, depending on the type of grievance. This is another indication of the ineffectiveness of the works council meetings in collective bargaining as revealed in the interview.
In an attempt to answer research questions of the study, the first research question was about the challenges that works council employees’ representatives face in representing employees’ interests in the Zimbabwe motor industry.

The first research question that was asked concerned the challenges that works councils face in representing employees’ interests in the Zimbabwe motor industry. Questionnaires were administered to representatives of both management and workers who took part in such meetings. Managers’ representatives said they represent management because of some reasons which they stated after further probing, and it emerged that the decisions they made were imposed on them. After highlighting this, they also said that the situation could be improved.

One of the key issues in the research questions was to establish the strategies employers’ representatives applied to suppress employees’ interests in the motor industry. This question was answered when respondents were asked to choose strategies that were used in negotiations from a list of choices. The findings are presented below.

Six collective bargaining strategies were given to the respondents of the study to choose three most important strategies that were likely to influence the parties to reach an agreement. The pie chart below shows the findings.
Figure 4.7 Collective bargaining strategies in works council meetings

Source: Researcher’s field study (2017)

The pie chart above shows what respondents perceived to be the importance of each strategy towards achieving of agreement. The findings revealed that parties should aim at building a harmonious relationship rather than regarding each other as enemies so as to achieve goals of the company. Out of 39 respondents, 38.5% supported the idea, 20.5% of the respondents strongly supported the idea that in works council meetings, parties should prepare adequately for the meeting. Positive thinking as a strategy was popular as 20.5% of the respondents thought it was important. This was followed by embrace give-and-take, because, out of 39 respondents, 7.7% supported the idea. Those who were interviewed on this research question said that participants’ preparedness and adequate knowledge are not demonstrated by being articulate in the meeting because being merely articulate does not mean that one is saying something sensible.
On the focus group discussion, the same question about the strategies used by employers when selecting workers’ representatives into works council meetings was discussed. The criterion to choose employees with the right qualities to attend works council meetings was questioned in the focus group discussion. Respondents in the discussion had mixed views. The following figures are the findings of the study on the focus group discussion.

Table 4.9. How the quality of employees that attend works council meetings are rated

<table>
<thead>
<tr>
<th>Reasons for selecting workers into works council meetings</th>
<th>Respondents who picked each strategy</th>
<th>Percentage of total respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td>13</td>
<td>43.3%</td>
</tr>
<tr>
<td>Qualifications</td>
<td>6</td>
<td>20%</td>
</tr>
<tr>
<td>Workers’ selection</td>
<td>10</td>
<td>33.3%</td>
</tr>
<tr>
<td>We have no information</td>
<td>1</td>
<td>3.3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

The respondents were asked to identify qualities of employee representatives that attend works council meetings, and four options to choose from were given to respondents in focus group discussions. Experience at a company turned out to be the most popular quality of a successful works council meeting as indicated by 43.3% of the respondents.

From the above findings, it can be inferred that the three qualities are the ones that were preferred by parties in works council meetings. The bar graph below gives a summary of what respondents perceived to be indicators of a worker representation in works council meetings.
The questionnaire for management representatives and workers’ representatives was designed to probe the effectiveness of the works council meetings they attended. In response, 61% of employers indicated that works councils were effective and 39% said works councils were ineffective but the 39% of respondents who were workers’ representatives suggested that companies should send their employees for training. Views of both employee and employers’ representatives on effectiveness of works council meetings in addressing employee issues are shown in the table below. Sixty-one percent of the respondents were from the management and 39% were from workers. The percentage itself shows a lot of disparity and grey areas to be ironed out for the betterment of companies in the motor industry.
Figure 4.9. Distribution of respondents by representation

![Bar chart showing distribution of respondents by representation. Employee representatives: 39%, Employer representatives: 61%]

Source: Researcher’s field study (2017)

From the interview carried out it 26.7% of the respondents were chairpersons of works councils, 46.7% were directors and managers of companies, 13.3% were supervisors from various departments and, lastly, 6.7% were employees’ representatives and Accountants. This can be illustrated below.

Table 4.10. Distribution of respondents by occupation

<table>
<thead>
<tr>
<th>Respondents’ occupations</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directors</td>
<td>4</td>
<td>26.7%</td>
</tr>
<tr>
<td>Managers</td>
<td>7</td>
<td>46.7%</td>
</tr>
<tr>
<td>Accountants</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td>Supervisors</td>
<td>2</td>
<td>13.3%</td>
</tr>
<tr>
<td>Employees</td>
<td>1</td>
<td>6.7%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)
From Table 4.10 above, 26.7% of the directors felt that works council meetings are effective whilst 13.3% of supervisors had different feelings. Combining the frequency of respondents and their response by percentage, it would seem that, in works council meetings, employees felt that it was a stooge representation, thereby leading to ineffectiveness of works council meetings.

One of the key questions in the questionnaire was to find out whether parties in the works council meetings should be tactful during negotiations. The findings are clearly shown by the bar graph below.

**Figure 4.10. On whether parties should be tactful when negotiating**

Out of 39 respondents, 65% strongly agreed that parties in the works council should be tactful, 22% agreed and 13% were neutral, which means that the majority of the respondents supported the idea that all parties should be tactful when bargaining.
Findings from interviews with chairpersons of works council meetings on the weaknesses and strengths of the works council bargaining process in negotiating employees’ benefits are illustrated in the table below.

**Figure 4.11. Weaknesses and strengths of works council meetings**

As reflected in the bar graph above, 55% indicated ‘yes,’ workers are satisfied with the results of the works council meetings, while 32% had different perceptions and 13% of the respondents were neutral. The interview was dominated by directors and managers as chairpersons of works council meetings.

**Source: Researcher’s field study (2017)**
Another finding from interviews conducted on workers’ representatives was on whether the verdict of the meetings had ever been challenged by workers. This is summarized in the pie chart below.

**Figure 4.12. On whether the verdict was challenged by workers or not**

As reflected in the pie chart above, 47% indicated that the works council verdict can be challenged by workers while 53% indicated that there is no room for such platform. However, after thorough probing, it was revealed by workers’ representatives in their responses that they feared to be dismissed, so they avoided at all cost to query whatever was agreed upon.

**Source: Researcher’s field study (2017)**

As reflected in the pie chart above, 47% indicated that the works council verdict can be challenged by workers while 53% indicated that there is no room for such platform. However, after thorough probing, it was revealed by workers’ representatives in their responses that they feared to be dismissed, so they avoided at all cost to query whatever was agreed upon.

The table below shows the findings of the negative implications of works council agreements.
Table 4.11 Negative implications of works council agreements

<table>
<thead>
<tr>
<th>Works council verdict ever challenged by workers</th>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>7</td>
<td>47%</td>
</tr>
<tr>
<td>No</td>
<td>8</td>
<td>53%</td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
<td>100%</td>
</tr>
</tbody>
</table>

Table 4.11 above shows that the variance was very small since it was 6%. Each negative effect should be taken seriously as it militates the smooth running of the company.

One of the key questions in the study was to find out whether negotiations were done in good faith or not. Respondents were asked to choose from six options why negotiations in good faith were a key factor for effective negotiations. The following were the findings of the study from the questionnaire.
Out of 39 respondents, 35% of them agreed that parties to collective bargaining negotiate in good faith. The majority of the respondents, that is 60% of them, strongly agreed that negotiations are conducted in good faith and this is pivotal for effectiveness of works council meetings. Only 4% were neutral. Overall, all the 39 respondents did not dispute that negotiations are done in good faith.

From the information gathered from respondents who were interviewed in this study, the majority of chairpersons of works councils, who were directors, strongly agreed to the idea of negotiating in good faith. Interviewed chairpersons, who were workers’ representatives, argued
that employers advanced their personal agendas and also hid information from employees. The following were the findings of the study.

**Figure 4.14 On whether negotiations are done in good faith or not**

![Bar Chart](chart.png)

**Source: Researcher’s field study (2017)**

Respondents were to choose out of three options. The option of ‘sometimes’ turned out to be the most popular with 53% of the respondents supports the idea of negotiating in good faith while 33% of the respondents agreed that they negotiates in good faith. 14% of the respondents disagreed with the idea of negotiating in good faith. The table below gives a summary of what respondents perceive to be the truth.
Table 4.12 On whether parties negotiate in good faith or not in works council meetings

<table>
<thead>
<tr>
<th>Options</th>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>13</td>
<td>33%</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>14%</td>
</tr>
<tr>
<td>Sometimes</td>
<td>21</td>
<td>53%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>39</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study 2017

Table 4.13 Survey response rate for respondents

<table>
<thead>
<tr>
<th>Company level</th>
<th>Targeted respondents</th>
<th>Actual respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scheduled Interview</td>
<td>20</td>
<td>15</td>
<td>75%</td>
</tr>
<tr>
<td>Questionnaires that were</td>
<td>45</td>
<td>39</td>
<td>86,7%</td>
</tr>
<tr>
<td>distributed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus group studies</td>
<td>30</td>
<td>30</td>
<td>100%</td>
</tr>
<tr>
<td>Observation</td>
<td>5</td>
<td>5</td>
<td>100%</td>
</tr>
<tr>
<td>Document analysis</td>
<td>5</td>
<td>4</td>
<td>60%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>105</strong></td>
<td><strong>92</strong></td>
<td><strong>331.7%</strong></td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)
4.3.3 Composition of the respondents (Interview)

Table 4.14 below shows that 43,6% of the respondents that were interviewed were from fuel service stations, 33,3% from motor spares and 23,1% from car sales. This means that there was a proportioned representation of establishments that were involved in works council meetings.

Table 4.14. Distribution of establishments with functional works councils

<table>
<thead>
<tr>
<th>Establishments</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service stations</td>
<td>17</td>
<td>43,6%</td>
</tr>
<tr>
<td>Motor spares</td>
<td>13</td>
<td>33,3%</td>
</tr>
<tr>
<td>Car sales</td>
<td>9</td>
<td>23,1%</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Researcher’s field study (2017)

Table 4.14 above shows the companies that the respondents were working for that had functional works council. About 43,6% of the respondents were working for fuel service stations in the Midlands Province. In Masvingo Province, 33,3% were from motor spares and about 23,1% were from car sales. This shows that in Zimbabwe motor industry, service stations, motor spares and car sales have functional works councils.

The same table also shows that, of the targeted 45 respondents for the questionnaires that were distributed amongst the worker representatives and employer representatives, 39 respondents managed to respond, thereby achieving an 86,7% response rate. Baruch (1999) states that for most academic studies involving top management or organisations representatives, a response
rate of approximately 35% is reasonable. In this case, the study achieved a response rate of 86.7% and, thus, the data can be considered statistically relevant and representative.

The overall analysis illustrates that 80.6% of the respondents were male and 19.4% were female. Masvingo Province had 84.6% respondents as male and 15.4% as female. In the Midlands Province, Gweru had 77.8% as male and 22.2% as female whilst Kwekwe had 78.6% respondents being male and 21.4% being female. From this, one can conclude that the motor industry works councils are dominated by men as they make up the majority of the works councils when compared to their female counterparts. In the interviews, chairperson respondents were wholly male-dominated as 92% of the management interviewed were male. However, Masvingo had proportionally more women involved in the management of fuel service stations when compared to the Midlands Province. The interview of top management at service stations revealed that it was within best practice to strive towards achieving gender balance in the organisation’s structure as it had certain benefits associated with it. On the length of service in the works councils, it was observed that 70% of the respondents ranged from six to ten years experience and 21% of the directors had three to five years experience. The last category of 9% ranged from less than a year to two years. This indicated that sampled works council members were experienced in works council meetings.
The graph below summarises the findings

**Figure 4.15 Length of service**

![Graph showing length of service](image)

**Source: Researcher’s field study (2017)**

Information gathered from the interviews of works council chairpersons showed that, on the level of education, 35% of them have reached ‘O’ Level and 55% of the management representatives confirmed that they had either a diploma or a certificate. Lastly, 10% of respondents were postgraduates. This indicates that sampled workers’ representative chairpersons of works councils in the motor industry have not attained university education.

**4.3.4 Observation**

In the process of the interview, the researcher as a fieldworker in the motor industry was observing in order to deepen her views. The majority of respondents were male and most of the views were from them. This shows that there is a strong representation of males than females in works council meetings. Women are still to break the male stronghold in the industry.
During the observation, one could see the reactions of respondents. Many employees confessed that their decisions were not taken seriously, so they were not part of decision-making. In many companies, there was a general trend where employers never bothered to discuss with the workers’ representatives but simply gave an instruction which the worker found difficult to reject as long as he/she expected to continue to be employed.

Employers used a number of tactics, including firing employees or framing the employees for poor performance or misconduct or provoke the employee into committing misconduct. It was also observed that works council meetings were convened in the managing director’s office. The delegates present in the meetings were summoned at lunchtime when they were hungry, then fed them first before signing an agreement as a binding document. Members in the works council meetings were given food as a way to cool their tempers, thereby diverting their attention and losing focus. This was used as a strategy to disempower the group. The workers would just be required to rubber-stamp an agreement to make it official just in case a dispute arose between the employer and employees at a later stage.

The focus group discussion was used in the study four to seven people were involved in the discussion. Expression of feelings and their restricted English language were revealed as a weakness of most employees and that is why they were taken advantage of. The language barrier was evident in most employees and, as a result they were taken advantage of by the employer. A broader range of attitudinal and behavioural issues could be detected. Participants in the focus group discussion felt to be safe.
The other observation was that workers’ representatives with lower grades in the company were the ones who participated in the works council meetings. This was used as an employer’s strategy which affected the execution of their duties in that they could not argue with management in order to avoid being laid off. Employers took advantage of that gap to create this harmful imbalance of power that leads to unacceptable decisions.

In the document analysis, it came to light that one of the most important variables that contributed to the ineffectiveness of the works council meetings was the environment in which the meetings took place, namely the managing director’s office. This affected the workers’ input in works council meetings in that the atmosphere was not free and not conducive because the management was automatically at an advantage.

### 4.4 CHAPTER SUMMARY

The major thrust of this chapter was the presentation and analysis of the data gathered in the field of research. The data were from questionnaires, interviews, focus group discussions, observations and document analysis from companies that have functional works councils. The data were presented and analysed. It was derived from research questions and objectives that the study sought to achieve. The responses were presented in tables, bar graphs and pie charts. The focus now is on Chapter 5, which is the summary, conclusions and recommendations.
CHAPTER V SUMMARY, CONCLUSION(S) AND RECOMMENDATIONS

5.1 INTRODUCTION

This chapter focuses on the summary of findings, conclusions, recommendations and suggested areas for further research on works councils in the motor industry in Zimbabwe. The study makes recommendations to the government, motor industry firms and areas that require further research.

5.2 Summary of thesis and findings

The study set out to investigate how the role of works councils promotes industrial relations during collective bargaining. Samples of companies in regions like Midlands and Masvingo of Zimbabwe Motor Industry were chosen. Research objectives and major research questions were highlighted. The significance of the study was discussed. The delimitations of the research, together with limitations encountered by the researcher and how the limitations were mitigated, were also discussed.

It was necessary to find out what other authors and educationists said about the effectiveness of works councils globally, regionally and in Zimbabwe. The literature review revealed that the collective bargaining exercise that was carried out by works councils in European companies like German is a complex process, which, if not carried out properly, can negatively affect the industrial relations. In the literature review, the legislative framework of collective bargaining
from the Labour Act (Chapter 28:01) perspective, International Labour Organisation (ILO) conventions perspective and Industrial perspective, that is, the statutory instruments governing the Motor Industry in Zimbabwe were discussed.

The descriptive survey was adopted as an appropriate research design. The sampling procedure, target population and sample size were explained. The use of five different instruments, the justification and mitigatory factors to maximize the response rate to fulfil the objectives of the study were discussed.

The data that were gathered from secondary sources were analysed and presented in different forms originating from objectives that the study sought to achieve. The objective of the study was to explore the role of works councils in promoting industrial relations and ascertain strategies used by employers to suppress employees’ deliberations in the Zimbabwe motor industry. The other objective was to determine causes of failure of works councils’ bargaining process in negotiating employees’ benefits. The study determined the effectiveness and efficiency of the works councils’ deliberations. From the objectives of the study, the researcher concluded that most firms and the workforce in the Zimbabwe motor industry agree that collective bargaining was very effective in meeting the grievances of employees. However, there are employers and employees who disagreed with the model of collective bargaining as being a remedy for addressing employee demands.
The researcher established that lack of preparedness for the works council meetings, lack of transparency by employers and lack of movement from original positions in negotiations, were the major causes of failure to reach an agreement.

The study revealed that positive relationship between employer and employees are essential in avoiding conflicts at workplaces. It was also established by the researcher that thorough preparedness for works council meetings was very vital as it aids chances of agreement. The study also concluded that in order to reach an early conclusion, there should be movement from the original position by each negotiating team.

The researcher noted that early conclusions to collective bargaining processes usually lead to a period of high morale on the part of the employees. High staff morale will have a positive effect on the other forms of behaviour displayed by employees such as punctuality, low staff turnover and responsibility. It further concluded that organisations whose employees have high morale have a high rate of attaining their goals more easily.

5.3 Conclusions

The study revealed that during the negotiation process, if employees notice that negotiations are most likely to result in a deadlock, or total failure, they would behave negatively to the extent that goals of the organisation are not met, abuse of company property becomes rampant and, generally, trust between the employer and the employee is compromised. It was further
concluded that collective bargaining should be taken as a process and not an event, thus parties involved in the collective bargaining process should re-engage each other until the deadlock is broken.

The study discussed how works council meetings were carried out in motor industry companies. Through this study, it was found out that works council meetings held at company level would ultimately benefit the employers and contribute to industrial harmony in the motor industry. According to this study, it emerged that there was a need to come up with strategies that enable motor industry companies and their stakeholders to work as a team.

With regard to the frequency of works council meetings, it was observed through interviews that 81% of the meetings are done in the mornings, 13% after work and 4% in the afternoon. However, a very interesting observation on this study was that 2% of the interviewed chairpersons of works councils stated that they never have a scheduled time for works council meetings, so they call for meetings if they feel it is necessary. The reasons for not calling for meetings, according to further probing, was due to domination of employers of the Zimbabwe motor industry companies. Finally, the study sought to find out the works councils chairpersons’ views on the preparedness and adequate knowledge of what to do in the meetings. It was discovered that workers’ representatives need coaching that would enable the development of cooperative dialogue between two parties. It also emerged that if workers are not satisfied with the outcome arrived at in the meeting, no action was taken thereafter to pursue outstanding
issues. Workers also had sentiments that some of them were threatened by employers during the meetings.

On the whole, the study revealed that all the responsible authorities such as workers’ representatives, company supervisors and human resources managers themselves were of the opinion that investing in human capital before engaging them in works council meetings was a noble idea despite the problems highlighted in the study that companies were operating below 50% of their capacity. This needs to be looked into in order to enhance the effectiveness of works council meetings in the motor industry in Zimbabwe.

In addition to the above problems, the study also revealed that effective works council meetings were affected by the poor preparation for the meeting. The idea of conducting meetings in the bosses’ offices was a demoralising factor. This was also clearly pointed out in focus group workshops by many supervisors who attended the workshops.

Closely related to the conclusion discussed above, some company supervisors did not understand how workers’ representatives were chosen. A significant percentage of company supervisors felt that workers’ representatives were imposed by management or they volunteered to attend meetings.
Even in cases where disciplinary hearings were held, the study found out that the majority of workers’ representatives were not given time to prepare for such meetings.

The study discussed highlighted on the sentiments by workers’ representatives who attended works council meetings. It was revealed that company CEOs put first preference on profits of the companies to the extent that problems faced by employees remained unaddressed due to lack of training on both parties.

Although there is a binding literature on the importance of training, this study established that the majority of workers’ representatives have not undergone training as works council members of a company in the motor industry of Zimbabwe, so there is a need for team coaching that would enhance the fusion of the two parties.

Finally, the study found out that the employers’ representatives were generally satisfied with the limited contribution rendered by workers in the works council meetings and this is contradictory to what was indicated by the workers’ representatives who were of the view that they could not fully represent their fellow workers. It can be concluded that the majority of the workers’ representatives did not understand the essence of works council meetings in general and their roles in particular. Judging from the number of times most companies meet for works council meetings and the amount of hours they spend, one can conclude that the frequency was definitely
inadequate. It emerged that there was a need to come up with strategies that would enable motor industry companies and their shareholders to work as a team.

5.4 Recommendations

In light of the foregoing conclusions, a number of recommendations to enhance the effectiveness of works council meetings are outlined below:

1. What is urgently needed is for the government (Ministry of Labour) to convene seminars and workshops for relevant motor industry stakeholders where works council roles are discussed fully to both employers and employees. To ensure that operations are effective and, in turn, when operating at below 50% of capacity, inputs from the parties should be incorporated in the motor industry policies to foster a spirit of partnership and cooperation between them.

2. Motor industry authorities should educate the stakeholders on the essence of works council meetings with more emphasis being put on the roles of works council representatives so as to acquire relevant skills and competences in works council meetings.

3. Motor industry authorities should organise resources or a mechanism which makes it easier for companies to access information, especially before works council meetings are held so as to negotiate in good faith. Furthermore, there is need for a budget by the government to inject subsidies for the motor industry companies for economic growth of the country.
4. It is also recommended that further studies on a wider scale be carried out so that judgements and policies are based on a more representative sample of works councils in other industries in Zimbabwe.

5. There is need to establish democratization of firms and improved industrial relations in order to harmonise works council roles to enhance economic performance in the motor industry in Zimbabwe.

6. A works council committee at national level should be established to initiate the consultation and joint decision-making process to companies in the motor industry for the betterment of the Zimbabwean economy.

7. The study further recommends that motor industry works council deliberations should be well thought out and should not be reactionary to the situation at hand, for organisational growth. Information should be available to workers’ representatives to avoid domination of one party over the others. Potential players from other parties can be helpful in the growth of the company thereby attracting new investors who may want to come in.

The appellants in the Zuva Petroleum Judgement here employed by Zuva Petroleum (Pvt) Ltd “the company”. The company wrote letter to the appellants giving them notice of its attention to terminate their employment at the end of 3 months. Thereafter the company paid the appellants cash in lieu of notice only and terminates their employment relationship. After exhaustion of lower remedies the appellants appealed to the Supreme Court, alleging that the provisions under SI 2B of the Labour Act on unfair dismissal has terminated and on abolished the right of employees to terminate employees’ contracts on notice. The Supreme Court dismissed the appeal there by upholding an employer’s right at common law to terminate a contract of employment on
notice as provided for in the agreement between the parties. Some employers within the motor industry have gone on to use the labour court decision as in the case of Zuva Petroleum v Don Nyamande to dismiss employees on notice. Our labour laws have to be reviewed in the context of the new constitution and streamline it for effective application. Employee representatives in works council meeting can easily be singled out and be victimized simply because they are carrying out their mandate to ensure a safe working environment for fellow employees whom they represent in works council meetings.

A Tripartite Negotiation Forum, a platform that brings together the government, employers and labour experts should be an ideal starting point. This Tripartite Negotiating Forum needs to come up with a labour legislation that creates a balance between job retention to employees and business survival for the employers.

Government, as signatory to various regional, and international conventions, treaties, declarations and protocols, should promote and create a conducive environment for the attainment of equality in works council meetings. These include the Convention on the Elimination of Discrimination Against Women (1991). In order for employers to negotiate in good faith, the government has to develop a retention tool, which instills loyalty and commitment to employers so that regulations are not flouted willy-nilly. Companies now exist in a global village and they need laws that position them well and yet, at the moment employers are operating outside the confines of the law.
It is these findings that were used in the next chapter to draw conclusions and recommendations.

5.4.1 Recommended areas for further study

- This research was a critical analysis of the role played by the Zimbabwe motor industry works councils in promoting industrial relations. The following recommendations are made for further study.
- There is need for studies that establish the relationship between the workers at large and management, as measured by the performance and profitability of the company. This should enable works council representatives of both parties to widen the scope of their decision-making and strategies in works council meetings for industrial harmony.
- It is further recommended that studies of the same magnitude be carried out in other sectors, such as the clothing industry, banking industry, food industry, catering industry and mining industry, just to mention a few. This is because the concerns unearthed in the Zimbabwe Motor Industry might also be prevailing in such sectors, hence there is need to be eradicated.
REFERENCES


Musakaruka, T. (9-15/03/14) “Democracy in the workplace.” *The Sunday Mail.* pp. 4


Musakaruka, T. (30/05/13) “Chairpersons’ role in hearings.” *The Herald.* pp. D1

Musakaruka, T. (09/05/13) “Fairness in hearings.” *The Herald.* pp. 1


Mutandi, K. (16-22/03/14) “Companies shed more jobs.” *The Sunday Mail.* pp. B4

Nyasaru, P. (01/11/12) “How much are you investing in human resource development?” *News Day*. pp. 15


Statutory Instrument 1990, Number 372.
Ref: HD/21

12 July 2017

To whom it may concern

MRS EVELYN MUZOTA (P1425491W) DIRECTORATE REFERENCE
(D/MAR/14/17/16)

The bearer, Evelyn Muzota P1425491W, Directorate Reference Number D/MAR/14/17/16 is a bona fide Higher Degrees candidate registered for the Doctor of Philosophy programme with this University. She is conducting research under the theme: “A critical analysis of the effectiveness of works councils in promoting industrial relations: A case study on Zimbabwe motor industry.”

Any assistance offered to her to facilitate her study will be most appreciated.

Prof. C. Chiome
A/Director, Higher Degrees Directorate
APPENDIX B

QUESTIONNAIRE FOR MANAGEMENT REPRESENTATIVES/WORKERS REPRESENTATIVES

Instructions

Put a tick to indicate your choice of the answer. Comment where indicated.

1. Name of company

............................................................................................................................

2. Gender

male [ ]    female [ ]

3. Position in the works council:

   Employers’ Rep [ ]    Employees’ Rep [ ]

4. Length of service in the works council

............................................................................................................................

5. Your position

   a) Employee [ ]
   b) Supervisor [ ]
   c) Management [ ]
d) Director [ ]

6. Age

   a) Less than 25 [ ]
   b) 25 to 34 [ ]
   c) 35 to 34 [ ]
   d) 45 to 54 [ ]
   e) Above 55 [ ]

7. Level of education

   a) Below ‘O’ level [ ]
   b) ‘O’ level [ ]
   c) ‘A’ level [ ]
   d) Certificate [ ]
   e) Diploma [ ]
   f) Degree [ ]
   g) Post graduate [ ]

8. Duration of employment with the organisation

   a) Less than 2 years [ ]
   b) 2 to 5 years [ ]
   c) 6 to 9 years [ ]
   d) 10 to 13 years [ ]
   e) Above 13 years [ ]
9. Do you agree that parties to the works council meetings at company level need to be tactful?

a) Agree [ ]

b) Strongly agree [ ]

c) Neutral [ ]

d) Disagree [ ]

e) Strongly disagree [ ]

10. Of the following strategies that are used in negotiations, which of the three are most important in order to reach agreements?

a) Positive thinking [ ]

b) Adequate preparedness [ ]

c) Continual building of relationship [ ]

d) Thinking of the best and worst scenario [ ]

e) Be articulate and build value [ ]

f) Embrace give-and-take [ ]

11. Do you agree that works council meetings are effective in meeting the demands of company goals and employee needs?

a) Agree [ ]

b) Strongly agree [ ]

c) Neutral [ ]

d) Disagree [ ]

e) Strongly disagree [ ]
12. Of the following, what are the three factors that contribute most in reaching an agreement?

- a) Positive employer-employee relationship
- b) Transparency
- c) Thorough preparedness
- d) Asking for reasonable demand
- e) Negotiating as equal partners
- f) Working towards achieving company goals

Thank you for taking your time to complete this questionnaire.
TO WHOM IT MAY CONCERN

We have permitted Ms Evelyn Muzota, Registration No. P142549W, who is undertaking a research on a topic:

“A critical analysis of the effectiveness of Works Council in promoting Industrial Relations: a case study of Zimbabwe Motor Industry”

To administer her questionnaires to workers representatives at this company in order to gather information.

P. MOYO
0777 065 387
7 July 2017

To Whom It May Concern

We have permitted Ms Evelyn Muzota, Registration Number P142549W who is undertaking a research on:

“A critical analysis of the effectiveness of works council in promoting industrial relations: A case study on Zimbabwe Motor Industry”

to carry out her research using questionnaires.

Yours Faithfully

V. NCUBE
APPENDIX C

INTERVIEWING CHAIRPERSONS OF WORKS COUNCIL

1. Name of company ……………………………………………………………………………………

Please tick one of the following:

2. Position in the company
   a) Employer                      [  ]
   b) Employee         [  ]
   c) Director             [  ]

3. Age
   a) Up to 18 years  [  ]
   b) 19-24years             [  ]
   c) 25-35years              [  ]
   d) 36-45years              [  ]
   e) 46-55years              [  ]
   f) More than 55years  [  ]

4. Gender
   a) Male [  ]
   b) Female [  ]
5. Occupation

……………………………………………………………………………………………

6. State your grade

……………………………………………………………………………………………

7. Qualification

a) Student [ ]
b) Undergraduate [ ]
c) Postgraduate [ ]
d) Doctorate [ ]
e) Other (specify)………………………………………………………………………

8. How often do you attend works council meetings?

a) Weekly [ ]
b) Fortnightly [ ]
c) Monthly [ ]
d) Other (specify)………………………………………………………………………

9. The meeting should take about
a) 1 hour [ ]

b) 2 hours [ ]

c) 3 hours [ ]

d) 4 hours [ ]

e) The whole day [ ]

f) Other (specify) [ ]

10. What do you propose to be done about the outcome of the meetings?

................................................................................................................................................................

11. Do you have power to remedy any wrongs reported in the works council meetings?

a) yes [ ]

b) no [ ]

c) sometimes [ ]

12. At what time do you attend works council meetings?

a) Morning [ ]

b) Afternoon [ ]

c) After work [ ]

13. Where do you get your best ideas for the works council meetings?
a) Friends [ ]
b) Co-workers [ ]
c) Other sources [ ]

14. Are workers satisfied with the results of the works council meetings?

a) Yes [ ]
b) No [ ]
c) Sometimes [ ]

If no, give reasons

............................................................................................................................................................
............................................................................................................................................................

15. What are your general expectations from the works council meetings?

............................................................................................................................................................
............................................................................................................................................................

16. Some may feel that coming to works council meetings is a waste of time. Do you

a) strongly agree? [ ]
b) moderately agree? [ ]
c) strongly disagree? [ ]
d) moderately disagree? [ ]
e) neither agree or disagree? [ ]
17. List the inconveniencies faced by workers at works council meetings

........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

18. Have works council verdicts ever been challenged by workers?

a) Yes [ ] b) no [ ]

If yes, state why. Give reasons........................................................................................................
........................................................................................................................................
........................................................................................................................................

19. In what way do works council meetings show evidence of participants’ preparedness and adequate knowledge?........................................................................................................

20. Do employee representatives demonstrate that they significantly research before negotiations?

a) yes [ ] b) no [ ] c) sometimes [ ]

THANK YOU FOR YOUR COOPERATION
KWEKWE 1 SERVICE STATION
24 R G MUGABE WAY
KWEKWE

TO WHOM IT MAY CONCERN

WE HAVE PERMITTED MS EVELYN MUZOTA REG NUMBER P142549W WHO IS UNDERTAKING A RESEARCH ON:

“A critical analysis of the effectiveness of works council in promoting industrial relations; a case study on Zimbabwe Motor Industry”

To carry out her research using interviews.
TO WHOM IT MAY CONCERN

We have permitted Ms. Evelyn Muzota, Registration No. P142549 W., who is undertaking a research on:

“A critical analysis of the effectiveness of Works Council in promoting Industrial Relations: a case study on Zimbabwe Motor Industry."

To carry out her research using interviews at our company.

Yours faithfully

A. Lock

Director: S.C. Johnson & A. Skinwith
APPENDIX D

OBSERVATION GUIDE

1. Venue of the meetings
2. How do works councils conduct the meetings? – The atmosphere
3. Were juniors/subordinates free to contribute?
4. How do management take contributions/views of workers representatives?
5. How are the resolutions from the meetings noted/documentated?
6. Post-meeting socialisation e.g employee feedback
7. Any other observation
TO WHOM IT MAY CONCERN

We have permitted Ms. Evelyn Muzota, Registration No. P142549W, who is undertaking a research on:

“A critical analysis of the effectiveness of Works Council in promoting Industrial Relations: a case study on Zimbabwe Motor Industry.”

To attend our works council meeting as an observer for the benefit of her research.

M. Muroyiwa

Autoworx Car Fitment Centre

967 Pilkington Street, Kwekwe
Tel: 065 222788
Fax: 065 222788
Mobile: 077 216 2012
E-mail: muroyiwa@autoworx.com
## APPENDIX E

## DOCUMENT ANALYSIS WORK SHEET

1. **Type of document** (Tick one)

   - Letter
   - Memorandum
   - Report
   - Agenda
   - Written document
   - Other (specify)

2. **Unique physical qualities of the document.** (Tick applicable features)

   - Handwritten
   - Typed
   - Notations
   - Design of letterhead
   - Other (specify)

3. **Date of documentation**

4. **Author /creator of the document**
5. Position of author of document (Title).........................................................................................

6. For what Audience was the document written?..........................................................................

7. Document information
   a) What circumstances brought about its creation
   b) Three things the author said which are important.
   c) Outcomes achieved by writing the document
   d) Why the document was written
   e) What evidence in the document helps the researcher to know why it was written?
       .............................................................................................................................................
   f) Quotation from document.
       .............................................................................................................................................
       .............................................................................................................................................
   g) Two things that the document tells about life at the company the time it was written
       .............................................................................................................................................
       .............................................................................................................................................
   h) What is it that the document cannot tell audience?
       .............................................................................................................................................
       .............................................................................................................................................
   i) Is there any question about the company which was unanswered by the document?
       .............................................................................................................................................
       .............................................................................................................................................
Autoworx Car Fitment Centre

Date........................................

TO WHOM IT MAY CONCERN

We have permitted Ms. Evelyn Muzota, Registration No. P142549W, who is undertaking a research on:

“A critical analysis of the effectiveness of Works Council in promoting Industrial Relations: a case study on Zimbabwe Motor Industry.”

To carry out her research using our company documents e.g. minutes to gather research data.

M. Muroyiwa

Autoworx Car Fitment Centre

Vebron Investments (Pvt) Ltd. Ltd.
Autoworx Car Fitment Centre

9/7 Parsons Street, Light Industrial
Sau, Edddza, Zhinabana
Tel: +263 55 51378-80
Fax: +263 1425201

Director: D.P. Mudzinganya
Manager: E.T. Mudzinganya
Reg No: 92/2005

Bank: Stanbic
Branch Code: 50001835
Account No: 324079817501
Total Park
32. Robert Mugabe Way
Gweru

Date...........................

TO WHOM IT MAY CONCERN

We have permitted Ms. Evelyn Muzota, Registration No. P142549W, who is undertaking a research on:

“A critical analysis of the effectiveness of Words Council in promoting Industrial Relations: a case study on Zimbabwe Motor Industry.”

To carry out her research using our company documents e.g. minutes and memos, agendas to gather research data.

F. Muruwi

TOTAL PARK SERVICE STATION
Plumvi
09 AUG 2017
32 R. MUGABE WAY
GWERU
TEL: 054 - 231515
Dear Sir

**REF: FOLLOW UP ON MY SERVICE PACKAGE**

According to the Labour Amendment Act number 5 of 2015 section 5 subsection 2, “a compensation for loss of employment shall be paid to any employee who would have been affected”. “whether the loss of employment has been occasioned by retrenchment or by virtue of termination of employment”.

Therefore the three months notice pay and cash in lieu of leave days, is the only total benefits I received and signed for and that with regards to those, I stand no chance to forward any claim on leave days and notice pay. However with regards to my service package for a total number of seventeen and half years of loyal service with your company, I have got the Legitimate right to forward my claim of two weeks salary for every year that I served. The above quoted Act grants it. I also am well-versed with subsection (3) of the said Act regarding the measures which should be followed by the employer if he is alleging financial incapacity and inability to pay the compensation moneys, and would also request for proof of an exemption document that he would have been given by the responsible authority “National Employment Council for the Motor Industry” granting him that exemption.
If there is no such document, please let me have what belongs to me according to the current ruling as per the Labour Amendment Act number 5 of 2015. The sum should be calculated at the rate of a month’s salary per every two years served. All in all, I served for a total of seventeen years and six months. Failure to respond within the next fourteen days, I will take the case to the next stage. I am asking for a payment plan to be availed to me.

Waiting to hear from you.

Yours faithfully

Elisha Memory Rondoza 0772 835 304
MEMORANDUM

TO : ALL MANAGERS

CC : HUMAN RESOURCE OFFICERS

FROM : HUMAN RESOURCE & ADMINISTRATION EXECUTIVE

DATE : 10 MARCH 2017

SUBJECT : NEC RULING ON SALARY CUT DISPUTE

Please be advised that the NEC Motor Industry has handed down its ruling on the dispute between non-managerial employees and the employer over the implementation of the salary cut in November 2016.

The determination summary is that:-

1. Status quo be applied on any staff who did not agree to the 30% salary cut for the period 1st November 2016 to 31st January 2017.
2. The agreements signed for the period November 2016 to January 2017 (three months) are binding.
3. Noting the period February 2017 onward is outside the prior three months on 30% salary cut, the NECMI determined that from 1st February 2017 to expiry of the 12 months duration for short time, employees be paid at the rate of 75% of their salaries but they will be coming to work full time. There will not be a short time arrangement.
4. The employer should arrange to clear any dues on or before 31st May 2017.

As a result, please compute the financial implications of implementing backpay to any staff who did not agree to the salary cut with effect from 1st November 2016; backpay for February 2017 across the board and the wagebill for March 2017. Submit these by end of day Tuesday 14th March 2017.

Please await further instructions on implementation of the ruling.

MAFURA A.O.S
Total Clonsilla Service Station
No. 10 Boundary Road
Clonsilla
Gweru
17 February 2017

The Principal Officer
N. E. C. Motor Industry
Gweru

Dear Sir/Madam

REF: NOTIFICATION OF AGREED CHANGES TO EMPLOYEES’ SALARIES

The above subject matter refers and I would like to highlight on it to you.

Following a deep slump in business recently that caused viability challenges in which the wage bill, being one of the largest operational costs, we sort to out-lay some of the employees in order to break-even. We are currently running at a working capital loss of $2900 per month and our total revenue is $7052, of which our wage bill is $4490 and total expenses being $7555.

We invited the employees to discuss this issue with them and notify them that some of them will be laid off. The employees however, knowing the viability challenges of the business pleaded and asked for a reduction in their current salaries, which is also according to NEC rates. Attached is the proposed monthly salaries for the employees which they agreed to instead of being laid off.

We tend to be corrected where you, as the custodian of the law feel it will have some repercussions. Your advice will continuously be cherished.

Yours Faithfully

P. Mfiri

Station Manager
APPENDIX F

FOCUS GROUP STUDY GUIDE FOR SUPERVISORS OF VARIOUS DEPARTMENTS

1. Name of company …………………………………………………………………………. 

2. When was your company established?…………………………………………………………

3. How many full time employees are there in your company? 

   a) 0-1 [ ] 
   b) 2-3 [ ] 
   c) 4-5 [ ] 
   d) 6-7 [ ] 
   e) 8-9 [ ] 
   f) 10 and above [ ]

4. What is your current capacity utilization of the company in percentage

   a) (1-10)% [ ]
   b) (11-20)% [ ]
   c) (21-30)% [ ]
   d) (31-40)% [ ]
   e) (41-50)% [ ]
   f) (51-60)% [ ]
   g) Other ……………………………………………………………..

224
5. How do you rate the quality of employees that attend works council meetings?

   a) Our quality is based on experience [ ]
   b) Our quality is determined by qualifications [ ]
   c) Our quality depends on results workers elections [ ]
   d) We have no information [ ]

6. Does your company have a works council?

   a) Yes [ ]
   b) No [ ]

7. What is the biggest strength of your workers representatives in works council meetings?

   a) High qualifications

       a) Well established at this company [ ]
       b) Have established long term relationships with employer [ ]
       c) Have better workers committee [ ]
       d) Other [ ] specify ………………………………………

8. How do you access the risk of your job by being in the works council?

   a) Greater risk of being dismissed [ ]
   b) No risk of dismissal [ ]
c) Other [ ] specify .................................................................

9. Has the works council verdict been challenged by workers

   a) Yes [ ]
   b) No [ ]

10) How do you expect feedback from works council meetings ...........

   ................................................................................................

11) What sort of feedback do you feel works council representatives should give?

   ................................................................................................

12) What happens if you get contradictory feedback from works council meetings?

   ................................................................................................

13) Is there any value in reading minutes at the initial stage of the meetings?

   ................................................................................................

14) How are workers representatives chosen?

   a) elected [ ]  b) imposed [ ]  c) volunteers [ ]

15. What are the intentions of the works council meetings

   ................................................................................................

16. What strategies do workers representatives use in negotiations

   ................................................................................................

226
17. What do you propose should be done about the outcome of the works council meetings?

..........................................................
<table>
<thead>
<tr>
<th>No</th>
<th>NAME</th>
<th>COMPANY</th>
<th>TELEPHONE 1</th>
<th>TELEPHONE 2</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ELISON</td>
<td>MGWASHIKE</td>
<td>0715 324-073</td>
<td>0715 380-81</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>MAPWASHI</td>
<td>CROWN</td>
<td>0743 955-094</td>
<td>0715 824-57</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>GEWA</td>
<td>GUGEJU</td>
<td>0773 273-597</td>
<td>0773 273-597</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>AUSTIN</td>
<td>AMTEC ENERGY</td>
<td>0735 341-856</td>
<td>0735 341-856</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>CHABO</td>
<td>CHABO ENERGY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>NAME</td>
<td>COMPANY</td>
<td>TELEPHONE</td>
<td>SIGNATURE</td>
<td>EMAIL</td>
</tr>
<tr>
<td>----</td>
<td>----------------</td>
<td>-------------------</td>
<td>------------</td>
<td>-----------</td>
<td>----------------------</td>
</tr>
<tr>
<td>1</td>
<td>JACET NYONIE</td>
<td>MAMBO FILLINGS</td>
<td>0715400392</td>
<td></td>
<td>1114</td>
</tr>
<tr>
<td>2</td>
<td>RUPIPHER CHINWE</td>
<td>MAMBO FILLINGS</td>
<td>07737992342</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>FLORENCE MAJUKA</td>
<td>UNITED PANEL BANK</td>
<td>0777126816</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>BERNICEWARI</td>
<td>2MS SHOPPING</td>
<td>0774131799</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>NAIROBITEI MARICA</td>
<td>MICOA SERVICE</td>
<td>0777327247</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>CECELIA CHINASA</td>
<td>PETRONIC EXPOS</td>
<td>0775156931</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>MANMANN MINNOKANDA</td>
<td>KEECEX METALS</td>
<td>0773289946</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>CHIRENGE CHRISTIAN</td>
<td>KALEMI METALS</td>
<td>0773951781</td>
<td></td>
<td><a href="mailto:Chireng2@gmail.com">Chireng2@gmail.com</a></td>
</tr>
<tr>
<td>9</td>
<td>GERALD CHINAKOMA</td>
<td>GUERNI TOYOTA</td>
<td>0773975993</td>
<td></td>
<td><a href="mailto:gerald@bim.com">gerald@bim.com</a></td>
</tr>
<tr>
<td>10</td>
<td>KUNJUNI KHUNJI</td>
<td>JULU MOTOR</td>
<td>0773851558</td>
<td></td>
<td><a href="mailto:kunji@gmail.com">kunji@gmail.com</a></td>
</tr>
<tr>
<td>11</td>
<td>TAWANKA H. MAOFFA</td>
<td>JULU MOTOR</td>
<td>0773952594</td>
<td></td>
<td><a href="mailto:maoffa099@gmail.com">maoffa099@gmail.com</a></td>
</tr>
</tbody>
</table>

J. NZAI                    Tel: 2773124558        P.O. 2834-2  VIBER
F. BINALI                  ECARRD MOTORS  0773682398  GUSHER N/A

**TOTAL**
<table>
<thead>
<tr>
<th>No</th>
<th>NAME</th>
<th>COMPANY</th>
<th>TELEPHONE</th>
<th>SIGNATURE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sonen Mathur</td>
<td>Sheva</td>
<td>0772 432#3</td>
<td></td>
<td><a href="mailto:Sonen.mathur@gmail.com">Sonen.mathur@gmail.com</a></td>
</tr>
<tr>
<td>2</td>
<td>Jitesh Singh</td>
<td>Piya</td>
<td>0772 490#3</td>
<td></td>
<td><a href="mailto:Jitesh.singh@gmail.com">Jitesh.singh@gmail.com</a></td>
</tr>
<tr>
<td>3</td>
<td>Charan Singh</td>
<td>Piya</td>
<td>0772 960#3</td>
<td></td>
<td><a href="mailto:Charan.singh@gmail.com">Charan.singh@gmail.com</a></td>
</tr>
<tr>
<td>4</td>
<td>Enoch Nike</td>
<td>Anwari</td>
<td>0772 535#3</td>
<td></td>
<td><a href="mailto:Enoch.nike@gmail.com">Enoch.nike@gmail.com</a></td>
</tr>
<tr>
<td>5</td>
<td>Ayumi Makara</td>
<td>Nanway</td>
<td>0772 996#3</td>
<td></td>
<td><a href="mailto:Ayumi.makara@gmail.com">Ayumi.makara@gmail.com</a></td>
</tr>
<tr>
<td>6</td>
<td>Naveen 1</td>
<td>Aarav</td>
<td>0772 920#3</td>
<td></td>
<td><a href="mailto:Naveen.1@gmail.com">Naveen.1@gmail.com</a></td>
</tr>
<tr>
<td>7</td>
<td>Mustafa</td>
<td>Rakesh</td>
<td>0772 2873#</td>
<td></td>
<td><a href="mailto:Mustafa.rakesh@gmail.com">Mustafa.rakesh@gmail.com</a></td>
</tr>
</tbody>
</table>

230
<table>
<thead>
<tr>
<th>No</th>
<th>NAME</th>
<th>COMPANY</th>
<th>TELEPHONE</th>
<th>SIGNATURE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>S. Kasirori</td>
<td>OUCYS</td>
<td>0776 744 762</td>
<td></td>
<td><a href="mailto:juuyske@alys.co.zm">juuyske@alys.co.zm</a></td>
</tr>
<tr>
<td>2</td>
<td>P. Moyo</td>
<td>ELAND MOTORS</td>
<td>0777 665 337</td>
<td></td>
<td><a href="mailto:pmojo@alys.co.zm">pmojo@alys.co.zm</a></td>
</tr>
<tr>
<td>3</td>
<td>F. Mukuru</td>
<td>TOTAL PARK</td>
<td>0776 474 733</td>
<td></td>
<td><a href="mailto:fmarigim91@gmail.com">fmarigim91@gmail.com</a></td>
</tr>
<tr>
<td>4</td>
<td>S. Munyanyiwa</td>
<td>CHILDS AUTO PARTS</td>
<td>0772 484 312</td>
<td></td>
<td><a href="mailto:chilsautoParts@gmail.com">chilsautoParts@gmail.com</a></td>
</tr>
<tr>
<td>5</td>
<td>S. Johnson</td>
<td>Kwe Kwe Motors</td>
<td>0311 226 292</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>A. Mano</td>
<td>TOTAL MIDLANDS CENTRE</td>
<td>0773 877 760</td>
<td></td>
<td><a href="mailto:total1.midlandscentre@gmail.com">total1.midlandscentre@gmail.com</a></td>
</tr>
<tr>
<td>7</td>
<td>L.A. Muren</td>
<td>MIDLANDS STATION</td>
<td>0772 247 49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>L.T. Chikazwe</td>
<td>CHILDS AUTO PARTS</td>
<td>0712 763 134</td>
<td></td>
<td><a href="mailto:chikonzopono@gmail.com">chikonzopono@gmail.com</a></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>NAME</td>
<td>COMPANY</td>
<td>TELEPHONE</td>
<td>SIGNATURE</td>
<td>EMAIL</td>
</tr>
<tr>
<td>----</td>
<td>------------------</td>
<td>---------------------</td>
<td>---------------</td>
<td>-----------</td>
<td>------------------</td>
</tr>
<tr>
<td>1</td>
<td>Elisha M. Pondozi</td>
<td>Central Service</td>
<td>0772 835 394</td>
<td></td>
<td><a href="mailto:georgino@ymail.com">georgino@ymail.com</a></td>
</tr>
<tr>
<td>2</td>
<td>Alfred Chipangwa</td>
<td>Central Service</td>
<td>0775 997 923</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Steady Denhez</td>
<td>Central Service</td>
<td>0773 396 791</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Climent Chipangwa</td>
<td>Total Park &amp; Station</td>
<td>0715 215 495</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Dube Derek</td>
<td>Total Park &amp; Station</td>
<td>0415 115 505</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Leon Matijana</td>
<td>Total Midlands</td>
<td>0779 906 105</td>
<td></td>
<td><a href="mailto:leonmatijana@gmail.com">leonmatijana@gmail.com</a></td>
</tr>
<tr>
<td>7</td>
<td>Titus Mutambara</td>
<td>Akman</td>
<td>0774 229 446</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Austin Ncube Amtec</td>
<td>Amtec</td>
<td>0773 641 836</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Abdul Nlamane</td>
<td>NTS</td>
<td>0774 719 466</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Juma Kaseke</td>
<td>TN Tire</td>
<td>0773 472 020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Sparkle Toledo</td>
<td>Alima Tobacco</td>
<td>0774 272 305</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>E Mapwane</td>
<td>Puta Puta</td>
<td>0715 324 073</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID NO.</td>
<td>NAME</td>
<td>BASIC SALARY ($)</td>
<td>ALLOWANCE ($)</td>
<td>GROSS SALARY ($)</td>
<td>MIRF ($)</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------</td>
<td>------------------</td>
<td>---------------</td>
<td>------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>27-131033C27</td>
<td>CHIKWANDA LAXON</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>27-131384C67</td>
<td>MASUKU MOSES</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>27-131809C27</td>
<td>MBODIAHGEMA</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>08-2126920178</td>
<td>NDLOVI NONTOKOZO</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>27-168359W17</td>
<td>RUBVOTA MARGARET</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>25-224576566</td>
<td>SVOVA TINEY</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>27-131033C27</td>
<td>DHOMAINI BARBAHONK</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>25-224576566</td>
<td>CHINGURUME NGONIDZASHE</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
<tr>
<td>29-152916826</td>
<td>MUTTWE MURUNDI</td>
<td>200</td>
<td>91</td>
<td>291</td>
<td>10</td>
</tr>
</tbody>
</table>
Stand 5533
Mkoba 6
Gweru
05 April 2016
The Manager
National Employment Council.
Gweru.

Dear Sir/Madam

Re: NOTICE FOR SHORT TIME WORKING HOURS

The above matter refers.

I would like to bring to your attention that Mkoba Service Station is embarking on a Short Time working hours.

We have been incurring losses and we are facing financial challenges. Therefore it is prudent for us to keep the expenditure at manageable level to remain in business.

The short time working hours will be implemented until further notice or when the financial situation improves.

Attached is a copy of the minutes of the workers meeting held at the station.

Yours faithfully

Edward M. Mwase
Station Manager.
MINUTES OF THE WORKERS MEETING HELD ON THE 7th APRIL 2016 AT MKOBA SERVICE STATION AT 6:15 AM.

AGENDA: SHORT TIME WORKING HOURS

After a meeting held with attendants, it was agreed that short time working hours be implemented with immediate effect until further notice.

This had been necessitated by poor financial situation at the station, which is running at a loss.

Present were:
ALIFAYI MALUNGA signed
NDAKATIYEI MABIKA
SONENI NKOMO
WADANAYI MANIKWA
FUNGAI BUNZAWABAYA
VENGANAI MACHINA

Meeting ended at 6:45am

Minutes compiled by E Mwase.

Station Manager.