

## **Contemporary Developments in Information and Consultation**

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**Contemporary Developments in Information and Consultation**

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## Introduction

The employment relations environment is in a period of significant change. Pressures of globalisation have intensified competition in product and labour markets, emphasising the need for greater efficiency and productivity, and leading to a greater focus on the link between employment practices and organisational strategy. In the area of participation this has led to a renewed focus on employer-sponsored employee involvement arrangements with direct engagement with workers and co-workers in autonomous or semi-autonomous teams. From this perspective, prescriptions are less concerned with voice *per se*, and the related issues of social justice and organisational democracy, and more focused on the alleged business benefits (Sako, 1998). This agenda has been subsumed most recently within the debate surrounding the implementation of high performance work systems. Leading advocates have described such approaches in terms of high involvement management, high commitment management or high performance work systems under a mutual gains approach (Kochan et al., 1984; Levine and Tyson, 1990; Appelbaum and Batt, 1994; Wood, 1996; Lawler, 1986; Levine, 1995).

However, employee voice through participation forms can differ in the scope of decisions, the amount of power workers can exercise over management, and the organisational level at which the decisions are made. Some forms are purposely designed to give workers a very modest role in decision-making, while others are intended to give the workforce a substantial amount of power in organisational governance. At the same time there are pressures to democratise the workplace with an emphasis on the rights of workers (Gratton, 2004). The Industrial Society has suggested that the debate over employee information and consultation is more than just an 'economic imperative' (other words for 'good for business') or a rationalisation of the law (too much and too complex legislation) (Burns, 2000). Fundamental to this debate is the underlying argument that employees and their representatives have a right to be consulted and 'to have a say at work' or what is sometimes referred to as 'industrial citizenship'.

The question for the state and policy makers is whether these rights should be of an individual nature or whether there should also be collective rights of employee representation. Hammer (1997) has questioned whether worker involvement in decision-

making at the workplace is a sufficient condition for industrial democracy, or whether joint decision-making or power sharing between representatives of workers and management is necessary before democracy at the workplace can really be achieved.

Fairness is also important. Hammer suggests that, 'there must be mechanisms or structures in the workplace that ensure fair treatment'. Because assessment of fairness depends so much on how one defines inputs and outcomes, neither of which are clear-cut, employees should have a voice in these structures. The reason for this can be found in the need for procedural justice, which are the rules and processes through which we make organisational decisions and judgments (1997: 15-16). Other research findings suggest that fairness in procedures and processes are as equally important as the outcomes when people are assessing just outcomes. As Hammer argues, 'In a way procedural justice is perceived to be a prerequisite for distributive justice' which '...clearly points to the need for employee representation' (1997:16).

A recent stimulus to discussion and practice on participation is the EU Directive on informing and consulting employees (I&C Directive). The Information and Consultation of Employees (ICE) Regulations came into force in the UK on the 6<sup>th</sup> of April 2005<sup>1</sup>. This development could have far reaching consequences for the way British employers inform and consult employees over a wide range of organisational issues, and carries with it the potential to transform the UK industrial relations environment. However, the realisation of this potential will depend on the strategies of employers and the response by employees and trade unions to these initiatives.

In this introductory paper we explore current arrangements for employee participation in the UK, with a focus on the processes for informing and consulting employees. Participation is regarded as encompassing the range of mechanisms used to involve the workforce in decisions at all levels of the organisation—whether direct or indirect—conducted with employees or through their representatives. Information and consultation refers to part of this process. Information in this context means the provision of data on the business—whether on workplace issues or more strategic matters—to employees or their representatives, which allows workers to participate in dialogue with

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<sup>1</sup> Under European requirements, European Directives are required to be transposed into domestic national legislation before they become law.

employers. Consultation is concerned with the exchange of views between employers and employees or their representatives, but does not include work-place bargaining, so that responsibility for decision-making remains with management.

### **Decline of Trade Unions**

These developments have come against a background of decline of trade unions. According to the Workplace Employee Relations Survey (WERS)—the most authoritative study in this area in Britain—union membership density declined from 65 per cent in 1980 to 26 per cent in 2004. **Based on the latest WERS (2004), recent research indicates that only 34 per cent of all employees in workplaces with ten or more employees were union members and 64 per cent of workplaces had no union members.** Importantly, union members made up a majority of the workforce in only 18 per cent of all workplaces in the survey (Kersley, et al., 2005). Consequently, some commentators have suggested that a ‘representation gap’ (Towers, 1997) has developed in many workplaces, and there has been growing interest in the development of a wider range of participative practices in the workplace.

### **Management Approaches Towards Consultation**

Several studies have indicated a rise in the use of some participative practices (Bryson, 2000; Cully, et al., 1999; Millward, et al., 2000). These have taken a variety of forms, such as direct and indirect methods of employee participation at the workplace or higher level in the organisation. . There has also been a literature relating to the role of participation in organisational change.

**Direct methods tend to be oriented around an employee’s individual work performance, be characterised by individualised reward structures, and use appraisal systems that are linked to individual performance and quality circles.**

Some research would suggest that these direct methods of communication between senior management and the workforce have replaced more indirect forms conducted through employee representatives (Millward, Bryson and Forth, 2000). Other studies have emphasised the mutual reinforcement of direct and representative forms of participation (Gollan, 2000a; Gollan, 2001; Gollan and Markey, 2001; Sako, 1998). There is also

evidence to suggest that some firms have primarily retained collective mechanisms such as unions and works councils to achieve their objectives, though these would seem to be in decline (Cully et al., 1999).

Other European countries have also experienced a growth in the incidence of direct participation, but this has not necessarily been at the expense of other forms. Some commentators have suggested the potential for marginalising works councils, which are prevalent in most other Member States, through a combination of direct participation and centralising control at supra-national level. However, it could be argued that the same trends offer the potential for an expansion of the role of works councils if they are sufficiently flexible to be integrated with direct participation processes. One European study on employee participation practices shows that direct and representative forms of participation can be mutually supportive, and that direct participation is most likely to be successful where representative bodies such as unions and works councils are involved in its planning and implementation (Sako, 1998).

Another theme that has emerged from recent changes in the workplace is the importance of employee participation in achieving successful organisational change. Where there is a lack of participation structures, especially in the growing non-unionised sector, a greater emphasis is placed upon management's ability to implement change processes. However, many organisations do not formally involve employees until the later stages of change, once management has clearly established how the new initiatives will be implemented (Gollan, 2000a; Millward et al., 2000; Terry, 1999).

Managerial attitudes are often seen as key to the existence of highly developed employee participation practices (Fenton-O'Creevey et al., 1998; Kessler et al., 2000; Millward, et al., 2000; Wood and Albanese, 1995; Wood and De Menezes, 1998). **They suggest that relationships based on a high level of trust between management and employees underpin such practices.** It is assumed that employees can be trusted to make important workplace decisions that will result in greater productivity and effectiveness. Employees are therefore given the opportunity to develop their knowledge and skills so that they can make these decisions. Research, conducted by West and Patterson (1998) into employee satisfaction and productivity, indicates that encouraging know-how and locating information at the lowest levels of the organisation gives

employees the expertise to manage their work, recognise problems and generate solutions.

The motivation for management to create employee participation structures is based on the notion that by allowing workers a 'voice' they provide a mechanism for the early detection of problems and for workers' participation in decisions that could impact positively on productivity and quality. Research by Guest and Peccei (1998) indicates that high levels of direct and representative participation, especially representative participation in policy decisions, influence employee commitment to the organisation and the positive state of the psychological contract between employees and employers

### **Level of Consultation and Multi-Channel Representation in UK Workplaces**

Millward et al. (2000) compared the findings from previous WERS. They found a fundamental change over the period 1984 to 1998 was the proportion of employees *without* access to active consultative structures through "functioning consultative committees" (those committees which regularly meet and discuss important issues at the workplace). Millward et al. (2000) paint a bleak picture for such arrangements and suggest that these committees may actually be declining, in step with the fall in trade union membership.

This research also highlights the importance of the complementary presence of a trade union and consultative committees at the workplace. It suggests that workplaces that do not recognise a union are significantly less likely to have a consultative body. In addition, this study highlights the increase in direct forms of employee involvement and participation in UK workplaces. During the period 1984 to 1998 the incidence of representative-only structures halved, while direct voice channels increased threefold. Millward et al. (2000) conclude that while formal voice mechanisms help to promote communication in the workplace, with non-union or direct voice mechanisms more effective in enhancing responsiveness of management to specific employee issues, they appear less effective than unions at promoting fair treatment for employees in general.

The recent WERS 2004 findings indicate that only 14 per cent of workplaces with ten or more employees had a joint consultative committee. A further 25 per cent of workplaces did not have a workplace-level committee but had a committee at a higher

level in the organisation. Importantly, this shows a decline over the last six years, with WERS 1998 equivalent figures at 20 per cent and 27 per cent respectively (Kersley, et al., 2005). In addition, 42 per cent of all employees worked in a workplace with a workplace-level joint consultative committee, compared with 46 per cent in 1998. WERS 2004 also suggests some increase in direct communication in the private sector. Some 82 per cent of managers in the private sector held meetings with their entire workforce or team briefings in 1998, compared with 90 per cent in 2004. There was little change in the public sector during this period (Kersley, et al., 2005).

The establishment of participation structures may come from management or labour, which is usually represented by unions. In a number of European countries, it is essentially the responsibility of unions to set the structure of works councils. In countries where joint consultative committees are more common, such as in the UK, these are frequently initiated by management. Direct participative mechanisms are also usually introduced by employers.

Case study evidence suggests that for a large majority of firms the main aim of collective consultation is to increase information and communication, rather than bargaining. Most of these companies see non-union collective consultation as providing a more effective channel of communication than unions, stressing more 'harmonious' and less 'conflictual' relations with the workforce, thus building and encouraging an atmosphere of mutual co-operation. It would seem from their stated objectives that management view collective consultation structures as a means of increasing company productivity and efficiency, and promoting an understanding of company policy rather than as an effective forum of collective representation for the interests of employees (Wilkinson et al., 2004).

The case study evidence also suggests that management is usually the party that controls the structure and agenda at meetings. While the election of employee representatives could give the impression of legitimacy to decisions, in reality this must be questioned. Indeed most bodies are only given powers of recommendation to management, or the chair has the right of veto decisions. Furthermore, unlike unions, few committees have negotiation and bargaining rights over pay and conditions, while consultation issues often lack financial, investment or strategic data. Finally, few of these



bodies in practice fulfil the traditional trade union activities of grievance handling and conflict resolution, with such issues being dealt with by local managers or internal dispute resolution mechanisms (Gollan, 2005).

### **The Information and Consultation Directive in Context**

It has been suggested that potentially the most far-reaching initiative from Brussels is the proposed directive on national-level information and consultation. It is estimated that the directive could cover approximately 60 per cent of employees within the EU and some 65 per cent of the UK workforce (Burns, 2000).

A call for further EU action regarding consultation rights was made after the closure of the Renault plant at Vilvoorde in Belgium because the consultation processes were seen as inadequate under EU legislation. Following this case, the Commissioner responsible for social affairs and employment at the time, Pádraig Flynn, reaffirmed his commitment to extend employee consultation rights. In June 1997 the Commission initiated a first round of consultations on the advisability of legislation based on the procedure outlined in the social policy Agreement annexed to the Maastricht Treaty.

In November 1998, the European Commission proposed a Council Directive establishing a general framework for informing and consulting employees. The European Commission (1998) stated that:

This initiative is an essential step in completing the EU's social dimension and in achieving the creation of an adaptable, high-skilled and motivated workforce, because of the role of information and consultation in developing adaptability and contributing to increases in productivity.

Penalties for non-compliance are to be set by Member States, but must be 'effective, proportionate and dissuasive'. The Commission suggests that this proposal complements existing national and EU provisions and legislation, and seeks to 'fill the gaps and inadequacies that have been identified in the long process of consultation'. In other words, the proposal is seen by the Commission as building upon the 'piecemeal' nature of existing **community** law, enhancing the impact of the existing directives on collective redundancies and safeguarding employees' rights in the event of transfers of

undertakings. It was argued that creating a general framework for employee information and consultation at the EU level would make these legislative provisions more effective, comprehensive and workable.

The directive offers a substantial degree of flexibility in relation to the shape of information and consultation arrangements to be put in place. However, some commentators have suggested that this proposal implies the establishment of national-level works councils in the UK (Millward et al., 2000).

Notwithstanding the proposal's fate, the directive may have a profound impact on current EWC legislation. As Hall (2000:5) argues:

In any event, the future prospects of the controversial draft Directive on national consultation rules and of the review of the EWCs Directive appear to be closely linked: a continued lack of progress on the former is likely to strengthen the pressure for amendments to the EWCs Directive.

The purpose of the Directive is to establish a general framework of minimum requirements for the right to information and consultation of employees. The Directive requires employers to inform and consult employee representatives about employment prospects and decisions likely to lead to substantial changes in work organisation or contractual relations. More specifically, the Directive places employers under a legal obligation to inform their staff on an ongoing basis about matters such as firm performance and strategic planning. Although it does not make employee representative structures compulsory, this may prove necessary to meeting its requirements, including that of providing evidence of a procedure. The text was agreed by the European Parliament in December 2001 and officially came into force in March 2002.

The likely impact of the Directive, when transposed into national legislation as in the UK Information and Consultation of Employees (ICE) Regulations, is still undecided. Some employment law experts argue that the regulations will lead to a fundamental change in how employers involve and engage their workforces, while others believe the legislation will prove a 'damp squib', with employer and employee apathy resulting in little change. Chartered Institute of Personnel and Development (CIPD) research into employee attitudes shows that organisations that involve and engage their employees in

matters that affect their employment experience are likely to benefit through increased motivation and commitment (CIPD, 2005).

The UK and Eire were granted later implementation dates for smaller companies. The UK and Eire are most affected by the Directive's requirements because they currently do not have any general permanent and statutory system of Information and Consultation (Hall, et al., 2002). Other EU Member States already have a range of workplace consultation requirements, and it is expected that fewer legal changes will be required in these countries.

Information and Consultation are defined as taking place between the employer and employee representatives. The Directive requires:

- information on the recent and probable development of the undertaking's or the establishment's activities and economic situation;
- information and consultation on the situation, structure and probable development of employment and on any anticipatory measures envisaged, in particular where there is a threat to employment; and
- information and consultation, with a view to reaching an agreement, on decisions likely to lead to substantial changes in work organization or in contractual relations.

Under the I&C Directive, information in this context means the provision of data on the business—whether on workplace issues or more strategic matters—to employees or their representatives, which allows workers to participate in dialogue with employers. Consultation is concerned with the exchange of views between employers and employees or their representatives, but stops short of bargaining, so that responsibility for decision-making ultimately remains with management.

Interestingly, unlike other European countries which view the Directive in terms of social partnership the UK Labour Government has linked these initiatives to the concept of the high performance workplace which has become a modern mantra recited by employers, policy makers and the social partners. According to a Department of Trade and Industry (DTI) discussion document, *High Performance Workplaces: The role of employee involvement in a modern economy*, 'modern, high performance

workplaces...build on the simple insight that individuals are more likely to give of their best if they feel valued and are given the opportunity to contribute their ideas; and that people who are well-prepared for change can help to introduce it and thereby help secure employment within the business' (DTI, 2002: 13).

### **The potential challenges and opportunities of Information and Consultation**

It has been argued that transposing EU directives into British legislation is likely to lead to a proliferation of employee representation structures for different purposes (Bercusson, 2002). Notwithstanding these concerns and reservations, the UK ICE Regulations will require more extensive voice arrangements for employees if the establishment is covered by the legislation, and either entered into a voluntary arrangement with employees, or is triggered by the workforce.

It could be argued that the ICE Regulations could easily result in 'weak' employer-dominated partnerships and non-union firms using direct communications and information while marginalising collective consultation. Managers may provide information and insist on employee involvement but employees have no guarantee of effective consultation in return.

Indeed previous research has suggested information and consultation arrangements are often regarded by employers as a vehicle for communication only. The Eurotunnel case (Gollan, 2005) would suggest that employees may perceive such arrangements as not addressing their concerns and interests and therefore as impotent and ineffective. Therefore, by implication the ICE Regulations could in this scenario be regarded by employees as accomplishing very little in terms of true consultation and thus fail in its objective of ensuring 'effective and balance involvement of employees' and providing 'an essential step in completing the EU social dimension and in achieving the creation of an adaptable, high-skilled and motivated workforce' (European Commission, 1998).

Whatever the evidence on the importance of employee information and consultation for organisational success, it seems likely that firms will be required to review their arrangements as a result of ICE Regulations emanating from Europe. In theory it could provide a catapult for change. Thus, for some, the Directive represents the 'opportunity to improve the quality of UK industrial relations with the potential for widespread general

gains that has come to be associated with the concept of partnership' (Sisson, 2002: 13). However, legislatively prompted voluntarism (Hall, 2005) may not be enough to provide a platform for a fundamental change in employment relations.

Recent research conducted into employees knowledge of the legal requirements concerning information and consultation suggest that more than eight in ten employees in the UK have not heard of the I&C Directive or ICE Regulations. Only 12 per cent of employees have been informed of these requirements from their employer, and almost all (94%) have not been told about these requirements from their trade union. Only 13 per cent of employees were aware that the requirements gave them a right to ask their employer about the future of their organisation (CHA, 2005: 4-5)

Hall (2006) has explored the initial impact of the ICE Regulations by analysing the strategies of employers and the responses of trade unions in the context of the recent statutory framework, and the likely patterns of implementation. He argues that few firms are introducing pre-existing agreements to meet the legislative requirements due to the design of the legislation and the cautious approach from employers and the defensive attitude of unions. The paper presents a number of key questions around the likelihood of the ICE Regulations bringing the UK closer to the 'European social model' or whether the flexibility built into the Regulations will provide employers a tool for continued British 'exceptionalism' (Bercusson, 2002).

However, there is no reason to assume that representative forms of participation such as works councils are necessarily an alternative to unions. Some commentators argue that non-union forms of employee participation need not have a negative effect on unions, and in some circumstances may be complementary. Indeed, non-union structures may have the capacity to assist unionism in workplaces where these structures are given substantial responsibilities, and especially when they are enforced through statutory rights (Fishman, 1995; Hyman, 1996; Hyman, 1997). An example can be found in the UK with the development of staff associations which now have a significant union presence in the previously non-union banking and financial services sector in the 1950s and 1960s.

Pyman et al. (2006) compares the incidence and effectiveness of different forms of employee voice across three measures—perceived managerial responsiveness to employee needs, job control and the influence over job rewards. Their findings suggest

that the effective co-existence of different forms of voice (union, direct and non-union representative voice) challenges the view that these channels are mutually exclusive and non-union voice acts as a substitute for union representation. They suggest that the effectiveness of multiple channels of voice, rather than a single channel from this Australian study, reflects empirical studies in Europe, the UK and New Zealand. In so doing they also argue that a critical issue is the configuration of multiple channels of voice rather than a single channel, and how and why different voice channels complement each other and under what conditions multiple arrangements are sustainable. It is also highlighted that a critical issue for future research is the extent to which voices are embedded in workplace arrangements.

They conclude that the interaction and co-existence of multiple channels of voice and plurality of arrangements are most effective and legitimate from an employees' perspective in achieving organisational outcomes. Importantly they challenge the view that non-union voice (direct and representative) act as a substitute for union voice and non-union voice and representative arrangements are ineffective in providing a true voice for employees due to the lack of independence; and seek to institutionalise worker cooperation as a means to avoid union representation and action.

It has been common to suggest that there are 'a priori' reasons why direct participation may marginalise unions; for example, Kumar (1995: 40) argues that new management initiatives (including participation) which seek to increase efficiency and flexibility 'pose serious challenges to unions, threatening their traditional role of defending and advancing worker rights', and have the potential to seriously harm unions. Beale (1994: 120) suggests that participation schemes represent 'a significant challenge to the traditional influence of trade unions in the workplace. Employee involvement programmes provide an alternative source of information, ideas and interpretation of workplace experiences, an alternative to that provided by the union'. Employee Involvement (EI) programmes actively promote a new culture in competition with the traditional explanations and culture communicated by the union. There are certainly examples of this taking place where managers introduce a barrage of direct communications—such as briefing or videos—aimed directly at employees with the objective of reducing their dependence on the unions as the main transmission of

information, and making it more difficult for union representatives to challenge management's interpretation of issues.

There have been other examples where employers have not implemented direct participation with the explicit aim of undermining unions, although a consequence of managerial action was to marginalise the union. A more open approach to employee relations which includes a package of direct participation measures could help to erode distrust, leading employees to identify more with their employer, and hence diminish the role of the union. This may only be temporary if employers are unable to sustain product market success and maintain high wages and benefits. In situations where unions lack membership or recognition, it is possible that a substitution effect takes place in the direct participation, filling in the gaps otherwise occupied by trade unions (Marchington and Wilkinson, 2005).

More generally, Wilkinson et al.'s (2004) research on employee consultation suggest there are three ways in which it can have a positive impact. First, valuing employee contributions might lead to improved employee attitudes and behaviours, loyalty, commitment and more co-operative relations. Second, it could lead to improved performance including increases in general productivity and individual performance due to lower absenteeism and greater teamwork. Third, it could improve managerial systems by tapping into employees' ideas, knowledge and experience, promoting greater diffusion of information and facilitating improved relations with trade unions.

We begin this special issue with a review paper by Toby Wall and Stephen Wood on the role of involvement within the HRM models. Current perspectives on the effect of human resource management (HRM) on organizational performance were derived from Walton's (1985) view of high commitment management, and Lawler's (1986) notion of high involvement management. At the heart of both these models is the idea of employee involvement, in which work enrichment and voice are seen as key components. initiatives. By implication these are central to the contribution that HRM makes to organizational performance. However, employee involvement has been de-emphasised in much of the recent empirical work. The authors conclude with ideas for developing HRM research that incorporate both the original emphasis on work enrichment and voice

and the more recent emphasis on human capital, labour flexibility and extrinsic motivation.

In the second paper Dundon and Gollan present a conceptual analysis of the literature and research surrounding voice in the non-union workplace. The core analysis consists of a re-conceptualization of factors affecting non-union voice, and the potential outcomes as a result of external macro-market pressures such as changing regulatory and market pressures for employee voice, and internal micro-organisational dimensions such as management choice and strategy towards employee voice. From the analysis it is argued that more individualised and company-specific forms of employee voice are likely to increase. This poses new challenges for traditional collective representation and the institutional structures within which employee voice operates, which requires critical analysis and future empirical investigation.

Brewster, Croucher and Wood use survey data to examine whether, as some researchers have suggested, there has been a convergence toward individual forms of employee voice mechanism in Britain, Germany and Sweden. They then review competing accounts of the utility of different forms of employee voice and their manifestations within different varieties of capitalism. Two hypotheses are developed from this discussion. The data showed little evidence of directional convergence towards individual voice models in these three West European economies. Collective channels remain significant in larger organisations, a positive finding for trade unions and proponents of other forms of collective voice such as works councils.

Alex Bryson, Rafael Gomez and Paul Willman argue that the secular decline in union voice in the UK cannot be fully explained without understanding the role of employers in choosing and modifying voice regimes. The paper presents a model of employer voice. The model assumes regimes are chosen by firms on the basis of positive net benefits, and that once adopted there are switching costs associated with changing regimes. Drawing from WERS they report a rise in voice regimes that does not include unions (i.e., the growth of so-called non-union voice) and a clear decline in voice regimes involving unions, particularly union-only voice. Ecological factors (i.e., new entrants and the demise of older workplaces) are important in explaining the rise in non-union voice,



whereas the shift to dual forms of voice was primarily the result of switches undertaken by union only workplaces as early as the 1950s.

Wilkinson, Dundon and Grugulis examine involvement in small and medium-sized enterprises (SMEs). They argue that most research on employee involvement (EI) has focused on large or 'mainstream' organizations. By adopting those schemes which 'appear' to work well in larger organizations, then smaller firms assume there will be enhanced employee commitment beyond formal contractual requirements. The main question in this paper is whether EI schemes designed by management will suffice under the 2004 Information and Consultation of Employees (ICE) Regulations. It focuses on SMEs which tend to favour informal and direct EI, and it remains unclear how these methods will be played out under the new regulatory environment. Evidence from four case studies is presented here and it suggests that the ICE Regulations impose new challenges for smaller firms given their tendency to provide information, rather than consult with employees. It also appears organisational factors, workplace relations history and the way processes are implemented at enterprise level may be far more important than size itself.

David Marsden looks at the notion of individual employee voice and the issue of renegotiation and performance management in public services. This article focuses especially on the non-codified elements of employees' work and considers the role of individual employee voice in the process of adaptation, and how it relates to more familiar forms of collective employee voice. It is argued that the process can be analysed as a form of integrative bargaining, using the framework from Walton and McKersie. Employee voice enters into this process by virtue of consideration of the respective goals and preferences of both parties. The element of employee voice may be very weak when new work goals and priorities are imposed unilaterally by management, and they may be strong when full consideration is given to the changing needs of both parties. The article concludes with a discussion of the ways in which collective employee voice may help to reinforce individual level integrative negotiation.

Beaumont and Hunter focus on the *process* of joint consultation. They see that the process of consultation is important, both as an end in itself and as a shaper of outcomes; but also, that this process is y fragile and easily damaged by events and decisions both

within and without the consultation process and the parties immediately involved in this. They develop this theme of ‘fragility’ by arguing that those engaged in the process of joint consultation will, over time, encounter events or tasks that will constitute a double-edged challenge: deal with them successfully and the process of joint consultation will be reinforced and strengthened, but deal with them unsuccessfully and the process will be damaged and potentially undermined.

Hoque and Humphreys examine a case study of involvement and participation in the devolved further education (FE) sector. They explore the extent to which participative management approaches (central to Total Quality Management (TQM) and HRM) have been adopted in FE. They found no evidence of participation beyond the perceptions of some members of the senior management team. While obstacles to a more participative approach included the tight funding regime, work intensification, casualisation, and management competence, role-overload at middle management level was found to be particularly influential. A non-participative management style was also seen as deleterious to the functioning of the college as senior managers were failing to draw on expertise lower down the organisational hierarchy.

Gollan and Wilkinson examine the implications of the EU Directive on informing and consulting employees (I&C Directive) and provide a commentary on the origins and rationale of this new legislation in the UK context, drawing on existing knowledge and academic debates in the area. In addition, the paper discusses the potential implications of the I&C Directive and the likely impact of the ICE Regulations on UK representative voice arrangements.

Dietz and Follan present a theoretical framework for understanding the *processes* involved in designing, setting up, and maintaining new joint staff-management consultative arrangements such as a works council, or ‘staff forum’. They argue that the literature on these processes is thin. The paper identifies six phases in the creation of new joint staff-management consultative arrangements such as a works council, or ‘staff forum’. Trust and justice theories are then used to analyse the processes involved in initiating, designing, setting up, and maintaining such a forum. The resulting framework considers both institutional and interpersonal aspects, and is intended to present

researchers with a structure and an agenda for investigating the nature and consequences of the processes involved.

Thompson looks at high involvement practices in the Aerospace industry. Using dynamic capability theory he argues that internal capabilities enable sustained competitive performance. He argues that a practice perspective helps us appreciate the situated and context bounded nature of managerial activity in shaping new forms of work organisation. The role of managerial agency is central to explaining innovation in work practices.

Johnson and Shields explore appraisal as a potential vehicle for employee voice, both individually and collectively, and for varying degrees of constructive management-union partnership. This study examines the case of management-union cooperation in performance appraisal among teachers in Australia's largest public schooling system, the NSW Department of Education and Training, whose teachers have a long history of union solidarity and industrial militancy. They explore the factors underlying the emergence of this limited experiment in co-partnership, the procedural changes associated with it including its effects on union voice; its effect on union discourse and strategic thinking; its impact on work relationships at the operational level; and the extent and limits of its impact to date on teacher appraisal and development and on the sector's industrial relations climate.

### **Conclusion**

These studies show that the new co-operative tendencies do not fully eliminate the adversarial and conflict elements in organisations but channel them instead. The pattern of tensions has shifted due to the changing expectations of employees and the interpretation of these expectations by their representatives. The papers in this special issue would also suggest that the old dichotomy of a union versus non-union workplace is likely to prove inadequate in shaping future representation arrangements. Instead the focus could be more fruitfully directed towards the quality of employee representation and resultant climate of employment relations, manifested in a mosaic of substance and process (Gollan, 2006). Embracing this alternative orientation has important consequences for management strategies and union responses to employee voice .

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