

## **Collective Bargaining: how Useful is it for Industrial Harmony? Evidence from Shell Petroleum Development Company (SPDC), Port Harcourt, Rivers State**

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### **Abstract**

No organization can be at its optimum productivity level without some degree of harmonious relationship among its staff. Even though scholars agree that conflict in social settings such as industries is inevitable, collective bargaining has been identified as a useful tool for proactively addressing issues. Against this foregoing, this study examined the link between collective bargaining and industrial harmony in Shell Petroleum Development Company (SPDC), Port Harcourt, Rivers State, Nigeria. The main aim of the study is to provide empirical proof that collective bargaining can play a significant role in ensuring industrial harmony in an organization. To achieve this aim and other objectives, a sample of 350 respondents comprising different cadre of staff from SPDC was used. Thus, relying on the basic assumptions of the Marxist theory, as well as the analytical strengths of the descriptive models and Chi-Square ( $\chi^2$ ) Statistical techniques for data analysis, the study revealed among others that even though respondents see collective bargaining as having a positive link with industrial harmony, collective bargaining procedures have not been sufficiently followed to address grievances in the organization and even where they have been followed, agreements have not been significantly implemented. on these findings, the study recommends that collective bargaining processes should be adhered to in addition to increasing the level of communication among staff. It was also recommended that a mechanism should be put in place to ensure that outcomes from collective bargaining should be implemented in order to avoid slippages and further deterioration in industrial harmony within the organization.

**Keywords:** *Collective bargaining, Conflicts, Strikes, Industrial harmony, SPDC*

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### **Background Background to the Study**

It is already a known fact that no social system such as industrial organizations can function optimally without some degree of harmonious relationship among its members. This is perhaps why humans have always made conscious attempts at ensuring some degree of harmonious co-existence over the years. However, the historical trajectory associated with the different social epochs has shown that the need for mutual co-existence became more necessary with the emergence of the industrial age and the growing reliance on paid employment which gave rise to the capitalist economy. As Onusanya (2005:290) points out “in the wake of capitalism and the spread of industry, negotiation took a new turn more than ever before and as such, people must not fear to negotiate and negotiation must not be in fear”. Onusanya's position clearly brings to mind the fact that bargaining and human existence are inseparable to an extent that where more than two persons are gathered, the next possible party is or should be bargaining.

The justification for bargaining in society literally stands on the clear fact that conflict is an inevitable part of human existence and whenever it occurs, people need to find the best possible way or ways of settling such conflicts. Interestingly, nowhere else is the above assertion more correct and prevalent than the workplace. Social relationships in the workplace is constantly fluid in such a way that conflict and bargaining can be rightly described as industrial bedfellows. This is particularly true of the Nigerian industrial system where the interest of the employers represented by management and those of the employees represented by the unions are almost always diametrically opposed. Perhaps this is why Chidi (2014) made it succinctly clear that, over the years, industrial action in Nigeria has greatly hampered performance and productivity in fast tracking the expected socio-economic development of the country. Similarly, adding substance to Chidi's argument, Fagade (2013) opines that industrial unrest continues to persist in the public sector in Nigeria due mostly to inadequate application or even outright neglect of the collective bargaining framework.

Undermining the power of collective bargaining in mitigating industrial conflicts continues to be a major incentive for extreme industrial actions such as strikes in Nigeria. While managements neglect for proactive collective bargaining promotes unhealthy industrial relations environment in the country, the situation has attracted a good number of academic interest. As Fashoyin (2002) has observed, collective bargaining in Nigeria has become a distinct field of study in industrial relations. The resultant effect of this is the prominence that collective bargaining as a unique industrial relations tool has assumed in the works of scholars in academic fields such as personnel management, industrial sociology, industrial relations among others.

Workers agitation for improved welfare has continued to remain a concern to management of various organizations in different parts of the world and Nigeria is no exception. According to Makinde (2013), many organizations (no matter the type) in Nigeria are bedevilled by a myriad of problems and ailments caused by inefficient and ineffective management style or strained relationship between management and the labour unions. There are other ailments that emanate from influence of external forces such as fiscal policy shocks, wrong government policies, environmental factors and the global economic recession (Chidi, 2014).

The meaning, purpose and relevance of collective bargaining as an effective tool of harmonious labour relation have been subjects of extensive discussion since the first comprehensive international instrument on collective bargaining came into being in 1948 (Makinde, 2013). Nigeria ratified this Convention on October 17, 1960. It has also ratified the Collective Bargaining Convention of 1981 (and its Recommendations), the most recent international instruments on this subject. However, it is clear from the incessant strike actions in the country, that the collective bargaining instrument has not been properly harnessed at least not proactively.

Previous studies in this area have been rather fragmented in terms of measuring the direct link between collective bargaining and industrial harmony. While some of the studies focused on collective bargaining and other variables such as strikes (see for instance: Adewole, 2010; Anyim, Tunde and Gbajumo-Sherrif, 2011; Anyim, Oseloka and Olusoji, 2011; Chidi, 2014), others discussed industrial harmony as something static and not associated with collective bargaining (Makinde, 2013 and Nkiinebari, 2014). As a result, there is a lack of knowledge on how collective bargaining is directly linked to industrial harmony. In the light of this academic gap, this study examines the issue of collective bargaining as a method for industrial harmony using Shell Petroleum Development Company (SPDC), Port Harcourt, Nigeria.

### **Objectives of the Study**

The objectives of the study are to:

1. Determine whether the collective bargaining procedure has been sufficiently followed to address work related grievances in SPDC
2. Determine if outcomes or agreements from collective bargaining are kept by parties involved to ensure industrial harmony in SPDC
3. Determine the relationship between collective bargaining and industrial harmony in SPDC

### **Research Questions**

The following research questions were answered in this study.

1. To what extent has the collective bargaining process been followed to address work related grievances in SPDC?
2. To what extent have outcomes or agreements from collective bargaining been kept by parties involved to ensure industrial harmony in SPDC?
3. What is the relationship between collective bargaining and industrial harmony in SPDC?

### **Hypothesis**

The following hypothesis was tested in this study at 0.05 level of significance:

- H<sub>1</sub>:** The more work-related grievances are managed through collective bargaining, the more there would be industrial harmony in SPDC.

### **Literature Review**

The history of collective bargaining as a tool for organizational conflict mitigation has been well documented. Collective bargaining is both a tool and a methodology for dealing with some of the social problems that emerge in the course of work between labour and management. As Yoder and Staudihar (2002) puts it, collective bargaining is useful for the setting of rules that govern the workplace, and so it is viewed as a means of industrial jurisprudence. What this

means, is that collective bargaining represents a unique instrument for the management of conflicts in the workplace. However, it is necessary to state that as an instrument, collective bargaining is a process consisting essentially of, advancing proposals, discussion of such proposal, receiving counter proposals and resolving differences.

Like conflict, collective bargaining requires at least two socially distinct groups to make concerted effort to resolve their differences by agreeing to negotiate their terms. Perhaps, Makinde (2013) captures this scenario much better when he stated that, collective bargaining is equal to negotiation plus agreement. Otherwise, Fajana (2000) corroborates the above point of view by pointing out that endless negotiations without necessarily reaching agreements does not in any way suggest that a bargain has been reached. In this regard, it becomes easy to see that the outcome of collective bargaining is the collective agreement which must be enforced by both parties.

The origin of collective bargaining in Nigeria is traceable to the public sector, and as Fashoyin (1999) recorded, this was as a result of the near absence of a private sector at the turn of the 19<sup>th</sup> century. However, despite its long history in the country, collective bargaining has not been effectively deployed to address the many problems plaguing management and union relationships in the workplace. This is perhaps the reason why there has been incessant industrial conflicts leading to strike actions in Nigeria. Fashoyin (1999) attributes this relative poor performance of the machinery and practice of collective bargaining in Nigeria's public sector to the uniqueness of the employer. The government of Nigeria has been described as outrightly insensitive to the plight of labour and as such, has remained socially deaf to the need for proactive collective bargaining as a way of fostering a healthy or harmonious work environment in the country.

The literature on collective bargaining and industrial harmony converge on the notion that the former creates the necessary conditions that enable the latter especially in the Nigerian work environment. As a process, collective bargaining is known to be very dynamic in terms of providing the required pathways to conflict resolution and harmony in the workplace. Makinde (2013) for instance, views collective bargaining as a kind of industrial democracy believing that democratic processes provide the best possible window for social inclusion and harmony in any system including the industrial setting. Makinde further argued that the long term interest of government, employers and trade unions alike would seem to rest on the process of consultation and discussion which is the foundation of democracy in industry. However, Makinde left a question unanswered which is that "If the objective of Collective bargaining is to reach agreement by bargain, why does conflict arise in work relations? The answer is not farfetched since in the Nigerian work environment especially in the public sector, collective bargaining is not proactively deployed and in most cases, the social discord between management and labour would have festered before its deployment making it rather otiose in terms of the expected positive result.

Lending his argument to the collective bargaining and industrial harmony relationship, Onah (2008) opines that collective bargaining is the foundation for peace in any organization. However, the scholar further argued that unilateral regulation or primacy of wage commissions which has become a norm in the Nigerian Public Sector vitiates the ideal of collective bargaining. Indeed, that the process cannot take firm root in the Nigerian management/labour relations, especially when the larger democratic system in the country is

anti-people. The point is that no subsystem can grow above the larger society in which it is situated. As a result, collective bargaining as industrial democracy is subject to the dysfunctional character of the larger democratic system of governance in Nigeria.

The ineffective use of proactive collective bargaining for industrial harmony in Nigeria has created a scenario where there is strong disharmony, instability and lingering industrial conflicts. Most of these problems have been as a result of poor understanding of the bargaining principles (Fagade, 2013). As Makinde (2013) observes, most organizations in Nigeria have experienced a series of crises caused by poor understanding of the basic principles of collective bargaining and especially the communication of outcomes. Similarly, Chidi (2014) highlights the fact that when the appropriate organ does not provide the required information, substitute communication develops in the form of rumours, gossips and falsehoods. These, in turn, have the potential to generate misunderstanding of social relationships and conflict within the organizations. Also, Odiagbe (2012), observes that conflicts between groups can be an indication of a lack of effective communication and positive interaction. Conversely, when used properly communication enhances the prompt detection of internal strain, serves as preventive factor in conflict situations, and increases worker productivity. It is thus imperative that employers realize the potential for communicating the outcomes of agreements derived from bargaining to improve industrial harmony and workers performance in our organizations. Laden (2012) is of the opinion that maintaining harmonious relationship in organizations require conditions that promote an aura of friendliness and cooperation between employers and employees. This type of work environment further promotes mutual benefits which some organizational experts have referred to as a win-win situation. According to Puttapalli and Vuram (2012), organizational harmony emerges when relationship between management and employees rests on the principle of respect for the terms and conditions of employment and the general wellbeing of the workplace.

From the literature, it is possible to aggregate some key indicators that promote industrial harmony in organizations. These are employment policy underpinning terms and conditions of work, collective bargaining, communication and industrial democracy. No matter how this is viewed, industrial harmony enhances labour productivity and in turn improves performance in organizations, achieving economic growth, and enhancing living standards and quality of life. It creates a peaceful working environment conducive to tolerance, dialogue and other alternative (to strike) means of resolving management/labour disputes in Nigeria (Laden, 2012).

### **Theoretical Framework: Marxist Approach**

The Marxist theory also referred to as Marxism, is associated with the German scholar Karl Marx who under this perspective focused strongly on the political economy of societies. Fundamentally, Marxism rests basically four assumptions which are that; (1) there is an intricate link between political and economic structures of society; (2) the economic structures of a society determine its general values, cultures and norms as well as the direction and practice of governance, (3) a more robust analysis of society is provided by an understanding of the relationship between the economy and its dialectical interrelations with other social structures or institutions, 4) economic social relations and the exploitation therein is responsible for all class struggles and historical reorganization of society.

As Raimi (2017) observes, the emphasis on class conflict in society accrued to Marxism its popularity in the social sciences. The main argument of the Marxist approach is concisely summarized by the famous statement by Karl Marx in the Preface to *A Contribution to the Critique of Political Economy* (1859). According to Marx “In the social production of their existence, men inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in their development of material forces of production” (Ryazanskaya, 1993:2). The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness. In this sense, Marxist assumptions about class-based societies (like the one we live in) and the social relations emerging from them are intricately woven around the overarching logic that economic structure determines the character of the superstructure which includes the political, legal, cultural and religious sub-systems of society.

Thus within the Marxist model, is the interplay between political and economic structures of society on the other hand (underscoring its political economy perspective) and the antagonistic relationship between classes on the other hand (defining class struggle usually exemplified by the conflict between management and labour). With regard to class relations, the ruling class is found within the dominant equation in the mode of production as owners of the means of production either by historical circumstances or by their control of political power at the detriment of the masses who are exploited. From the point of view of this theory, every struggle in society is purely class-based since the oppressed are often found struggling against their oppressors for control of the means of production.

While it can be said, that the Marxist theoretical orientation provides analytical justification for the class contradictions that play out as industrial conflict, it requires a little bit of modification to understand the link between collective bargaining and industrial harmony especially in a private sector organization like SPDC. Hence, it is the position of this paper that the character of collective bargaining in Nigeria and indeed multinational industrial settings like Shell Petroleum Development Company (SPDC) is that of exploitation and deceit. It is this inherent character of the capitalist to deceive and exploit labour that defines the nature of collective bargaining which further undermines the actualization of industrial harmony organizations.

### **Methodology**

This paper adopts the survey research design. The study population is the entire 3,481 staff of SPDC Port Harcourt, located at Rumubiakani, in Obio Akpor Local Government Area of Rivers State, Nigeria. The population includes Management, Regular and Casual staff. The sample for this study is 358 determined through the Taro Yamane formula  $(n = \frac{N}{1+N(e)^2})$  at 0.05 level of significance. To select the sample, the stratified and simple random sampling techniques were used. The questionnaire method was the main instrument for data collection and two methods of data analysis were used in this study. These are the simple percentage/descriptive method and the Chi-square ( $\chi^2$ ) statistical technique.

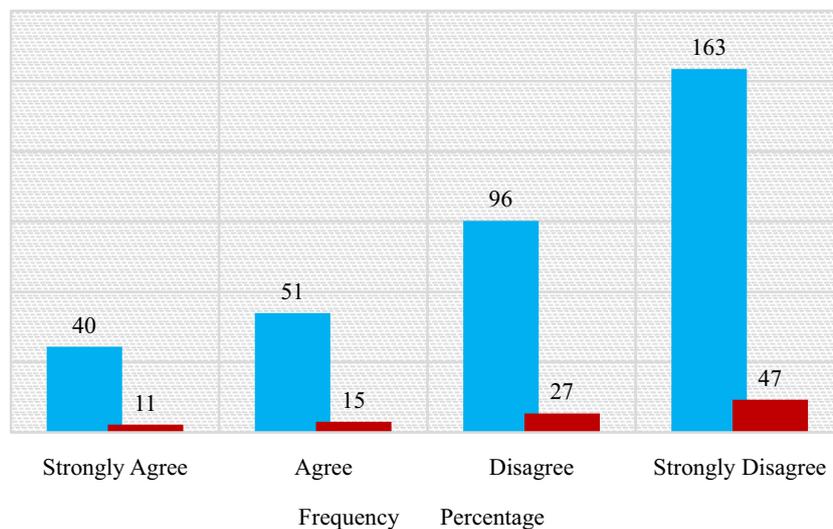
## Results

In this section, the results are presented and analyzed using descriptive models such as bar charts, trend graphs and histograms, while the hypothesis was tested with the Chi-square ( $\chi^2$ ) statistics

### Evaluation of Objectives

**Objective 1:** Determine whether the collective bargaining procedure has been sufficiently followed to address work related grievances in SPDC:

**Fig. 1: Collective bargaining procedures have been sufficiently followed to address work grievances in SPDC**

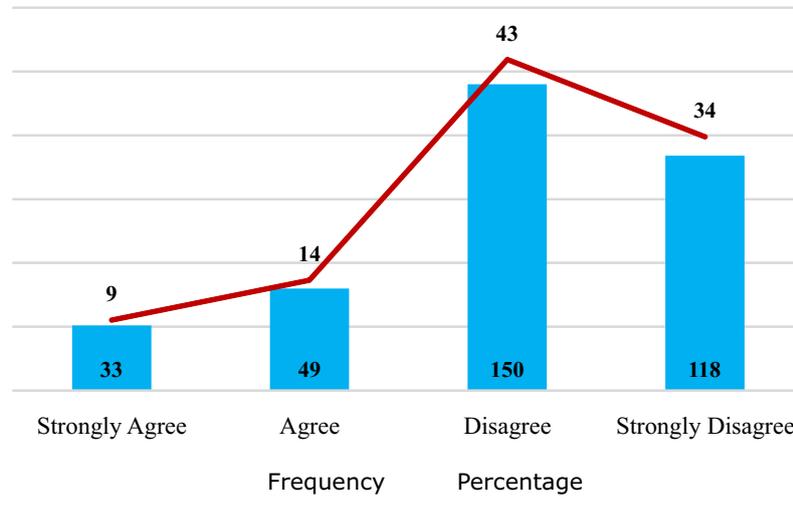


**Source:** Field Survey, 2017

Figure 1 above shows information on whether collective bargaining procedures have been sufficiently followed to address work grievances in SPDC. From the data in the chart, it can be seen that 40(11%) of the respondents strongly agree that collective bargaining processes have been duly followed to address work related grievances SPDC, 51(15%) of the respondents agree, 96(27%) of the respondents disagree, while 163(47%) of them strongly disagree. This shows that collective bargaining as a process for ensuring that work-related grievances are managed has not been duly followed in SPDC. This may have accounted for the continuous strained relationship between management and labour especially the contract staff who are in persistent faceoff with the organization for better welfare.

**Objective 2:** Determine if outcomes or agreements from collective bargaining are kept by parties involved to ensure industrial harmony in SPDC.

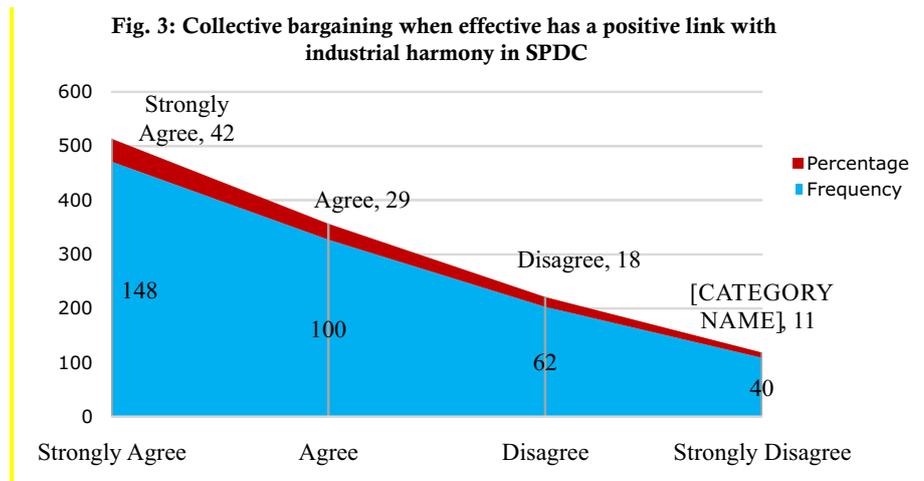
**Fig. 2: Outcomes/agreements from collective bargaining are usually kept by parties to ensure harmony in SPDC**



**Source:** Field Survey, 2017

Figure 2 above provides information on whether the outcomes or agreements reached through collective bargaining are usually kept or implemented by parties to ensure harmony in SPDC. From the data presented in the chart, it can be seen that 33(9%) of the respondents strongly agree that collective bargaining outcomes and or agreements are being kept/implemented in SPDC, 49(14%) of the respondents agree, 150(43%) of the respondents disagree, while 118(33%) of them strongly disagree. This goes a long way to show that outcomes of collective bargaining process are not effectively implemented in SPDC. This further justify the Marxist position that management in capitalist organizations such as SPDC only function to protect their own interest and not that of the working class. In this regard, management out-rightly refuses to implement collective bargaining agreements especially when such outcomes are known to contain provisions that would benefit the working class if implemented.

**Objective 3:** Determine the relationship between collective bargaining and industrial harmony in SPDC



**Source:** Field Survey, 2017

Figure 3 above provides data on whether the when collective bargaining outcomes are effectively implemented there is usually some level of harmony in SPDC. From the figure, it can be seen that 148(42%) of the respondents strongly agree that effective implementation of collective bargaining outcomes certainly creates enabling environment for harmony, 100(29%) of them agree, 62(18%) of the respondents disagree, while 40(11%) of them strongly agree. Although previous data shows low adoption of collective bargaining process, it is however agreed that when effectively followed, it has the potential to foster harmony in SPDC.

### Test of Hypotheses

**H<sub>1</sub>:** The more work-related grievances are managed through collective bargaining, the more there would be industrial harmony in SPDC

**Table 1:** Managing grievances through collective bargaining would promote work-related harmony in SPDC

Staff	SA	A	D	SD	TOTAL
Casual Staff	80	82	29	5	196
Regular Staff	64	42	10	8	124
Management	10	8	6	6	30
TOTAL	154	132	45	19	350

**Source:** Field survey, 2017

Table 1 above reveals data on whether managing grievances through collective bargaining would promote harmony in SPDC. From the data presented in the table, 154(44%) of the respondents strongly agree, 132(38%) of them agree, 45(13%) of them disagree, while 19(5%) of them strongly disagree. The data from Table 1 is also used to compute the chi-square statistics for hypothesis one (see table below).

**Table 2:** Chi-square Computation for Hypothesis

Staff	O	E	O-E	(O-E) <sup>2</sup>	(o-e/e) <sup>2</sup>
Casual Staff	80	86.24	-6.24	38.94	0.45
	82	73.92	8.08	65.29	0.88
	29	25.20	3.80	14.44	0.57
	5	10.64	-5.64	31.81	2.99
Regular Staff	64	54.56	9.44	89.11	1.63
	42	46.77	-4.77	22.71	0.49
	10	15.94	-5.94	35.32	2.22
	8	6.73	1.27	1.61	0.24
Management	10	13.20	-3.20	10.24	0.78
	8	11.31	-3.31	10.98	0.97
	6	3.86	2.14	4.59	1.19
	80	86.24	-6.24	38.94	0.45
<b>Chi-Square</b>	$\chi^2 =$				<b>24.14</b>

**Source:** Field Survey, 2017 (Computed in Microsoft Excel, 2013)

From the table above, the chi-square ( $\chi^2$ ) calculated value for the Hypothesis is as follows:

$$\text{Chi-square } \chi^2 = \frac{\sum(o-e)^2}{e}$$

where o = observed frequency  
 = expected frequency.

Note that expected value is calculated by multiplying the row total by column total for each response and dividing by total number of respondents.

After this, chi-square calculated value is compared with chi-square table value based on the calculated degree of freedom (df). Hence, to ascertain the degree of freedom the following formula applies.

$$\begin{aligned} \text{DF} &= (R-1)(C-1) \\ &= (3-1)(4-1) \\ &= 2 \times 3 \end{aligned}$$

Therefore DF =6

At 9 DF, the table value of  $\chi^2$  at 0.05 level of significance is =12.59

**Decision rule:** The generally accepted decision rule for the application of chi-square  $\chi^2$  test states that we accept null hypothesis if calculated value is less than the table value and reject

hypothesis if the calculated value is greater than table value. In this study, since calculated value for  $\chi^2$  is 24.14 and table value is 12.59, the hypothesis which states that “The more work-related grievances are managed through collective bargaining, the more there would be industrial harmony in SPDC” is hereby accepted. This leads to the submission that, there is a significant relationship between managing work related grievances through collective bargaining and organizational harmony.

### **Discussion of Findings**

This section deals with a concise narrative of the findings associated with each of the objectives highlighted above. In doing this, emphasis is placed on previous studies that either corroborate or contradict such findings.

The first objective focused on determining whether collective bargaining procedure has been sufficiently followed to address work-related grievances in SPDC. The data derived in this regard was presented in Figure 1 above and the analysis that followed led to the finding that collective bargaining procedure has not been sufficiently followed in handling staff grievances in SPDC. This is because a good number of the respondents strongly disagreed as shown in. This finding corroborates that of Aidelumuoghene (2014) who a previous study of industrial action in Nigeria discovered that collective bargaining processes are undermined leading to failure of the framework as a way of managing grievances between management and employees. This goes a long way to show why there have been numerous strike actions embarked upon by staff over the years. While starting a collective bargaining process is necessary, following it to the latter is clearly more important if harmony is to be achieved in any organization. Clearly, the hegemonic and exploitative character of the SPDC management puts the organization in contradictory standing when it comes to ensuring that collective bargaining processes are duly followed.

The next objective is to determine if outcomes or agreements from collective bargaining are kept by parties involved to ensure industrial harmony in SPDC. The data associated with this objective was presented in Figure 2 above and the analysis that followed generated the finding that, collective bargaining agreements have not been significantly implemented or followed by management of SPDC. This simply means that outcomes from collective bargaining are usually not given positive actions leading to more grievances in the end. Over 76% of the respondents supported this position. The finding here corroborates that of Makinde (2013) who found in a study of collective bargaining in the private sector that management in most cases neglect the agreements reached during collective bargaining with serious adverse consequences for harmonious relationship in these organizations. It also supports Aidelumuoghene's (2014) study which found that the failure to meet agreements accounts for the persistent strikes the country.

The last objective centred on determining the relationship between collective bargaining and industrial harmony in SPDC. Like others, data were collected and presented in Figure 3 above. The analysis that followed revealed that there is a strong and positive relationship between collective bargaining and organizational harmony. This finding was also supported by the

outcome of the chi-square statistical test for the research hypothesis which showed a significant relationship between the use of collective bargaining and industrial harmony in SPDC. This result corroborates that of Nkiinebari (2014) who in a study on communication and industrial harmony in schools, found that effective collective bargaining with the right communication goes a long way to promote peaceful coexistence and industrial harmony in organization.

### **Conclusion**

Following the positions taken by previous researchers and the findings associated with this study, it is evident, that collective bargaining is an important factor for industrial harmony. However, the machinery has performed relatively poorly due to the nature of the employer with its attribute of being omnipotent and ubiquitous. This strongly justifies the Marxist theory adopted for this study especially on the grounds that the management of SPDC displays the capitalist agenda of exploitation of labour and as such maintain an ideology that is antithetical harmonious labour relations.

The study therefore concludes that the effective practice of collective bargaining processes and machinery holds the promise of achieving stability and regularity in SPDC through procedural and substantive rules with the objective of ensuring credible mechanism for peaceful resolution of labour conflicts which would inevitably lead to harmony in SPDC.

It is also the conclusion of this study that there can be no doubt that the real cause of most strikes in SPDC is either the non-payment of wages or non-enforcement of collective agreements. Even where an agreement has been duly entered between the unions after bargaining, the workers may be constrained to embark on industrial action by the very fact of the failure on the part of SPDC management to honour and or keep to the terms of the agreement.

### **Recommendations**

Based on the findings and the conclusions reached in this study, the following recommendations have been suggested:

1. *Increased participation:* It is recommended here that more union members especially the executives should be encourage to participate in collective bargaining engagements. By getting more people into the process, a much broader opinion would emerge on ways to ensure industrial harmony in SPDC.
2. *Effective Communication:* It is pertinent that outcomes of collective bargaining engagements should be effectively communicated to members of the different staff unions. It is our belief that constant and constructive engagement/discourse on critical issues will be beneficial. The adoption of Alternative Dispute Resolution mechanism which has the supplemental benefit of encouraging communication in conflict situations is highly recommended in preventing deadlock in the collective bargaining process.

3. *Prompt Implementation of Outcomes*: The study recommends that there should be a deepening of democratic culture and practices in managing outcomes of collective bargaining. The authorities of SPDC and more importantly, management should avoid unnecessary delays in the implementation of agreements reached with labour unions. Such recalcitrant moves have the tendency of provoking fresh grievances and disharmony in SPDC.

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