

## **The Changing Employer- Employee Relationship**

There is the growing perception that the labour movement is facing the threat of declining power and influence. This perception cannot be easily dismissed, given the fact that the transformative age has brought with it several changes. These changes for the most part have been substantial, to the point that some traditional practices are fast becoming obsolete and irreverent.

It is evident that changes have occurred in both the labour market and the employment relationship. There is the bigger challenge of having to adapt to the changes which include the introduction of new technologies, which feature digital technologies such as AI (artificial intelligence) and robotics. The introduction of the new technologies has brought about changes to the workplace, as it relates to how it is organized and functions. There has also been a change made to how business is done. A case can be made that all this represents progressive change, as it accounts for enhanced productivity and efficiency in the production of goods and services. From the employer's perspective, these changes are seen as value added to the growth and development of business. Employers can breathe a sigh of relief that their operations are no longer labour intensive. They are of the belief that this relieves them of the pressures of having to deal with collective bargaining issues, a myriad of human resource issues, and most important, reduces the recurring expenses that occur with the payment of wages and statutory obligations, such as social security benefits.

Trade unions are saddled with the tasks of pressing demands for the retention of labour and the maintaining of many of the benefits won for labour over the years. With the shift towards engaging workers on contract, this immediately changes the employment relationship. Employees can be offered fixed term contract, with the possibility of renewal. Generally, the latter is based on the performance of the individual or even need for the service.

Where employees are engaged under a contract for service, that employee in most instances is required to contribute to their own pension scheme. Some stand to be beneficiary of a gratuity on completion of the contract of employment. It is a matter of interest, that some employees may be required to work from home and in doing so, can regulate their own hours of work. Others are not so fortunate. They are subject to rigid work schedules as if they were in the office environment, and moreover, are required to meet deadlines and fulfill work requirements outside of the regular eight hour work day. Based on the time zone in which the company is headquartered, employees may be required to complete assignments and tasks at irregular times. There is the possibility that they are required to work on the day that a public holiday is being observed in the country of residence.

It is to be understood that employees who are engaged on a contract for service, are known as independent contractors. They assume responsibility for managing their own time and are not entitled to the same benefits as tenured employees. These include paid vacation leave and sick leave. Unfortunately the employee as an independent contractor, does not enjoy the protection

of a collective bargaining agreement. The interest of the employee within the individual jurisdiction, is subsumed in the global policy of the multinational organizations and conglomerates. Local trade unions are sure to find it difficult to match the force and power of these companies, in an effort to ensure the protection of this category of workers.

The independent contractor, has every reason to be concern about the occupational safety and health risks which as workers they potentially faced as a consequence of the new technologies which they engaged. Over and above this, is the constant emotional and psychological stress associated with their job performance. This opens the door for the growth of mental health issues. Trade unions are left to voice their concern over this development and to call on governments to address this growing concern within the context of the national health and wellness policy. Whereas the policy speaks to ideals, contract workers or independent contractors are left to find their own solutions to addressing the emotional, psychological and physical demands of the job.

It is to be understood that there is a clear difference between the employee-employer relationship and the independent contractor relationship. A good employer- employee relationship is usually grounded in the representation provided for the employees by the trade union at the level of management. More often than not, the independent contractor does not have the satisfaction of having representation. This is a negative that can contribute to communication problems between the employee and employer.