

The Future of Collective Bargaining

The process of collective bargaining has long been entrenched in the process of negotiation between the trade union as the employees' representative and the employer. It has been preferred since it offers employees a means by which they can collectively fight for their rights, increase wages and salaries and better conditions of work.

The argument has been advanced that union membership is not reaping the expected benefits as an outcome of centralized bargaining. With this being the case, it begs the question whether or not centralized bargaining has a role to play in the future life of trade unions. Truth be told, there are those who share a concern or resent the fact that all employees, including non-unionized members, stand to benefit when a collective bargaining agreement is reached. The fairness of this is being called into question. With the challenges of union density, trade unions may be forced to examine how this matter is impacting on its membership base and what can be done to remedy it.

Those who are highly critical of the collective bargaining process would tend to promote the fact that it is prone to inequality. From an employee's point of view the claim can be made that employees can sometimes get less than what they deserve. Some may even go as far as to question the quality of the representation at the negotiation table. This may not be fair to the leadership of trade unions, as it carries the presumption that the employers' side is more capable than that of the employees. However, if for whatever reason there is merit to this, it would mean that there is a need for the trade union to look towards addressing any deficiencies it has in the training providing to its membership and leadership. To go further, consideration may be given to the qualities which the elected or appointed labour leaders possess. Gone are the days where leaders are elected to high office based on the charismatic nature of the individual or the fact that he/she is most vociferous.

It would seem that there are two significant problems that are attempting to compromise the traditional collective bargaining process. It has already been established that declining number is an emerging problem. It sometimes requires the need for the membership to act through forms of protest action in order to press their demands. With the dwindling numbers, this can serve to undermine the effort of the employees. Coupled with this is the fact that the tolerance level

of the membership may be stretched as a consequence of the protracted nature of the collective bargaining process; which at times can be time consuming.

Based on the contention that collective bargaining is relatively more conflictual than some other forms of negotiation and consultation, it may mean that consideration is given to engaging interest based bargaining instead. Interest based bargaining is all about adopting a collaborative approach. It is known also known as integrative or win-win bargaining. It is defined as a negotiation strategy in which both sides start with declarations of interest instead of putting forward proposals. The process involves working together to develop agreements that satisfy common interests and balance opposing interests.

One burning threat to the issue of collective bargaining is that of non trade union recognition. Where there is trade union recognition, the employer accepts and respects the fact that a bargaining unit exists at the workplace, where the trade union represents the unionized employees under the collective bargaining process. In the absence of the bargaining unit, the threat to the collective bargaining process becomes apparent, since the employer is in a position to deal directly with employees with employment relations problems.