

Introduction to Industrial Relations

- ▶▶ Industrial Relations is about bringing order and systems to the organization.
- ▶▶ It relates to giving stakeholders an opportunity to be heard and to enable those in the organization to be involved in the decision making.
- ▶▶ It also allows for minority opinions to be acknowledged.
- ▶▶ Linked to the practice of IR is the democratization of the organization.
- ▶▶ The fundamental basis of IR is the legal institution that is linked to the relationship between the employer and employee.
- ▶▶ The Legal frame work exists as a consequence of the Contract of Employment
- ▶▶ The contract takes the form of written or oral agreement, which is usually arrived at through a process of negotiation.
- ▶▶ The method of contract also extends to the conduct of the parties, which is based on the relationship which they enjoyed overtime.

Nature of the Contract of Employment

⇒ **Voluntary:**

- ▶▶ Search and Selection (This is the Recruitment Process)
- ▶▶ The contract addresses conditions of service
- ▶▶ Contracts are negotiated or are determined under a collective agreement

⇒ **Legal Aspect**

- ▶▶ Provisions in the contracts are arrived at based on statutory regulations
- ▶▶ Common law & Customs and Practices (Common law refers to responsibilities of the employer and expectations of the employee)

⇒ **Common law Obligations**

⇒ **Employer**

- ▶▶ To provide a safe work environment
- ▶▶ To employ competent employees and honour agreed rates of pay
- ▶▶ Not to impose unreasonable restraint on an employee right to take up similar employment after leaving the place of employment

⇒ **Employee**

- ▶▶ To be ready and willing to work and to obey lawful and reasonable instruction
- ▶▶ To take reasonable care and not to cause any financial loss to the employer
- ▶▶ To work only for the employer on the employer's time
- ▶▶ To be loyal to the employer
- ▶▶ Not to discuss or disclose confidential information

⇒ **Types of Contract of Employment**

- ▶▶ Temporary / Probationary
- ▶▶ Permanent
- ▶▶ Fixed period – There is a starting and terminal date
- ▶▶ Intermediary – Seasonal Contracts