

Violence and Industrial Relations

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In the past five or six years, employers, trade unionists, researchers and our criminal and industrial courts have confronted the growing magnitude and brutality of violence in industrial conflict. In particular, because they reached the Supreme Court through criminal prosecutions, violence in the AFCOL and SATS strikes in the late 1980s focussed attention on the brutal murders of non-strikers by striking workers – often explained through competing sociological and psychological expert evidence. More recently, violence or threats of violence in the course of strikes such as the Checkers strike and the NEHAWU strike at provincial hospitals, have attracted significant media attention.

But these are merely some of the more extreme incidences of violence within industrial relations and this article will not specifically address this issue.

In examining some of these conflicts, some authors have argued that, considering the extent to which violence has dominated the political culture of our society – and considering the historical politicisation of the workplace – the intrusion of violence in industrial relations is an inevitable consequence of the reciprocal relationship between community and workplace, rather than merely the consequence of the psychological profiles of the individual perpetrators. In this vein, they argue that attempts to refine collective bargaining so as to institutionalise conflict at the workplace could, at best, only have a limited effect in preventing violence at work if this is not accompanied by the broader empowerment of black working-class communities as a whole.

But, in the context of dramatic political change since 1990 – which has not surprisingly been associated with increased rather than decreased levels of political and criminal violence – the vision of most employers has remained rather conservatively limited to futile attempts to insulate or protect the workplace from encroaching violence, rather than engaging in any way with the origins of the problem beyond the factory gates. Furthermore, employer concerns over community violence have frequently been limited to concerns with productivity and have more often than not been relegated to employee care programmes aimed at treating individual victims within the workforce. The result is that in-house programmes have tended to address the symptoms rather than the causes of violence and, in so doing, have been inclined to individualise the problem instead of engaging with its collective implications and its broader influence on industrial relations.

Another consequence of this conservative approach has been to effectively draw a clear line of distinction between company insiders and those members of the wider community who have no direct access to corporate care programmes. Perhaps this conservative view assumes that violence only affects workplace relationships through direct victimisation or when industrial conflict is most extreme, such as in strike situations.

I believe this traditional approach ignores the influence of both direct and indirect experiences of violence on workplace relationships and ultimately constitutes the "non-management" of the transition process in South Africa on the part of employers and managers – despite frequent demands and pleas from worker representatives and victimised communities for business organisations to get involved. The result is that the potential of the workplace as an agency for social change is severely under-utilised, and the narrowly conceived strategies to insulate industrial relations thus actively undermine the potential for relative peace that the workplace has.

Employer Duties

This fact appeared to be partially recognised in the 1993 draft Bill on Occupational Health and Safety which, under s 13(1), imposed extensive duties on employers to take pro-active measures to protect employees and to prevent violence at the workplace. These duties included:

... action plan which provides for the measures necessary to protect such employees including, but not limited to, training, the provision of security measures, the adaptation of procedures, aid to victims and, generally, all other measures necessary under the circumstances to give effect to the employer's duty contemplated in this section.

Despite the limited ambit of the Bill in addressing violence at work, the final Occupational Health and Safety Act of 1993 excluded these measures altogether, and merely provides in s8 for a general duty of care on the part of employers, including a duty to ensure a safe working environment.

Yet recent research conducted by the Centre for the Study of Violence and Reconciliation has shown that community-based violence (whether political or criminal) and the trauma associated with both direct victimisation and with stress resulting from potential or indirect victimisation has had the effect of broadly polluting workplace relationships. These stress factors, affecting shop-floor employees, middle managers and senior managers alike, serve to undermine channels of communication in the workplace, detrimentally intensify ordinary workplace conflicts and dramatically intrude into the enterprise's capacity to generate non-adversarial collective bargaining approaches.

In all these respects, the situation cries out for effective pro-active strategies which take account of the extensive and collective impact of community violence on

industrial relations – strategies which are rooted in the informed monitoring of the frequently disguised effects of violence on workplace relationships and performance.

In needs assessment workshops conducted within a range of business organisations in several regions in the country and involving workers and worker representatives as well as supervisors and senior managers, a number of disguised manifestations of violence-related stress became evident in the workplace and were identified as negatively affecting industrial relations.

These included:

- increased racial tensions;
- conflicts between workers (including those between union and non-union members or between members of competing trade unions);
- loss of concentration resulting in increased industrial accidents;
- sleeping on the job; and
- increased alcohol-related disciplinary infringements.

Significantly, incidents of direct political violence at work were relatively isolated. Of greater significance was that, despite differing lifestyles and social experiences, the fears and concerns of senior managers and shop-floor workers were strikingly similar in respect of both criminal and political violence beyond the factory gates.

Ironically, the very violence which is seen as a divisive feature of South African social life, actually operates as a shared problem in those workplaces where the parties acknowledge its impact both within industrial relations in general and beyond the shop-floor. Potentially, this approach can lead to joint problem-solving strategies with greater worker participation in managing the stress associated with social transition. Equally important is the extent to which open workplace discussion forums on violence also facilitate a non-adversarial approach to issues of housing, transportation, insurance schemes, medical and legal aid schemes (amongst others) as partial solutions to the problems of violence-related trauma – where these very issues have been stumbling blocks in collective bargaining.

There is a vital need – with attendant advantages – for business and trade union leaders to engage jointly in interactive planning to harness the potential of the working environment as a proactive arena of peaceful social change, whilst simultaneously addressing the concrete needs of the most victimised township communities. This entails some commitment to victim-driven programmes and, therefore, to increased worker participation in generating solutions within the workplace.

To this end, the Centre for the Study of Violence and Reconciliation has evolved a four-pronged approach for dealing with the impact of violence on industrial relations.

Victim Aid

Companies should recognise the workplace as a place where violence-related trauma can be treated. While such treatment may appear to be reactive, it can, if

appropriately developed and administered, empower and thus play a crucial role in intervening in the cyclical nature of violence in the society and in the workplace.

Training

Employees must be trained to support and counsel traumatised co-workers. More importantly, training should develop the skills necessary for monitoring and identifying the disguised impact of violence-related stress on workplace relationships to facilitate directed joint problem-solving strategies to deal with problems as they arise.

Education and Communication

Cross-sectional communication forums are essential to generate information and sensitivity to the shared problems of violence and their influence on industrial relations. Such forums must provide victims of violence with a voice within the workplace and operate as a vehicle for management education about violence. These forums can operate as the foundation for generating creative in-house and broader strategies and for building reciprocal understanding in the workplace which will assist more peaceful industrial relations.

Corporate Community Involvement

Consistent with any attempt to address the impact of violence in the workplace, is a programme of community engagement. This may take several forms including: employer and trade union involvement in national and/or local peace structures, involvement in conflict resolution processes beyond the shop-floor, violence monitoring and community development initiatives where worker or community representatives are party to decisions about allocating resources for corporate social upliftment programmes.

In conclusion, the potential of violence in industrial relations and the experiences of trauma resulting from high levels of community violence are fundamentally inseparable. The challenge in dealing with the problem touches directly on the role of the industrial community beyond the confines of the workplace. Ultimately, if business is to play a role to its full potential, it needs to do so as an active agency for peaceful social change.

Bibliography:

Anstey. "Process analysis of the SATS Strike in terms of Conflict Escalation." Report prepared for *State v Sibisi*, unreported.

Bendix, Bibb and Ibbotsen. "The 1987 SATS Strike: An IR Institutional Environmental Perspective". *South African Journal of Industrial Relations*, First Quarter, 1988.

Dor. "East Rand Violence: Building Unity at Work", *South African Labour Bulletin*, Vol.17 No.5. 1992.

Government Gazette 13978 of 11 May 1992.

Segal and Simpson, "Off The Rails: Violence in the Railway Strike of 1987." ASSA conference paper, July 1990.

Simpson. "Violence and Social Change: Some Effects on the Workplace and Some Possible Solutions", IPM conference paper, August 1991.

Simpson and Vogelmann. "Overcoming Violence: The Role of Business", *Innes Labour Brief*, October 1992.

Von Holdt. "Violence in the Workplace", *South African Labour Bulletin*, Vol.14 No.3.

Vogelmann. "Strike Violence: Some Factors to Consider", *South African Labour Bulletin*, Vol.14 No.3.

Webster and Simpson. "Crossing the Picket Line: Violence in Industrial Conflict", *South African Journal of Industrial Relations*, Vol. 11 No.4.

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