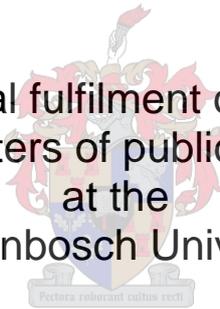# AN ANALYSIS OF THE ROLE OF LABOUR RELATIONS PRACTITIONERS AS CHANGE AGENTS: A CASE STUDY ON THE DEPARTMENT OF DEFENCE

by
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Thesis presented in partial fulfilment of the requirements for the
degree of masters of public administration
at the
Stellenbosch University

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December 2009

DECLARATION

By submitting this dissertation electronically, I declare that the entirety of the work contained therein is my own, original work, that I am the owner of the copyright thereof (unless to the extent explicitly otherwise stated) and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

December 2009

SUMMARY

Chapter 1 outlines the purpose of the research, provides the background on the way in which LR matters are currently managed and handled in the Department of Defence (DOD), identifies the research problem, and outlines the research design and methodology.

Chapter 2 explores the theoretical framework of the principles of labour relations and management of change. The chapter reveals that the principles of labour relations hold persons in management or supervisory positions responsible for managing LR matters, and suggests that LR practitioners should therefore be able to equip them with adequate skills and knowledge of the procedures for dealing with LR matters in the workplace. The chapter also reveals that the principles of the management of change suggest that the employees should be prepared for change; that a change agent, who should create an environment conducive to change through lobbying the support of persons in management and employees for the proposed change, should be identified; and that resistance to change should be identified at an early stage of the change process in order to eliminate it. Change agents are encouraged not to dominate the change process, but rather to facilitate it in order to ensure that the organisation and its employees drive the change process themselves.

Chapter 3 explores the objectives of the LR support function as well as the content of LR practices in order to determine the extent to which LR practitioners can become change agents in the DOD. The chapter reveals that LR at grassroots level is practiced in the way that has resulted to conflicts and costly litigations. In this chapter the regulatory framework and procedures that impede LR practitioners from becoming change agents are also analysed.

Chapter 4 covers the data collection process and the analysis thereof. The data reveals that the LR structure at grassroots level is not conducive for the professional delivery of enhanced LR services; that the target group does not have access to adequate resources that would enable them to execute their functions; and that empowerment programmes are implemented to equip the target group with

adequate qualifications, skills and or knowledge to be able to render enhanced LR services. The main findings were that guidance is lacking to ensure that LR systems, structures and processes at grassroots level are in place, to ensure that LR matters are managed and handled in a fair and responsible way; to ensure that LR staff with adequate competences to render LR services is appointed; and to ensure that the LR department is active enough and lead the execution of enhanced LR services.

In Chapter 5 the main findings are analysed and it is concluded that LR practitioners are unable to become change agents if LR systems, structures and processes are not in place. It is encouraged that LR practitioners should form a cohesive but diverse team that is able to render enhanced LR services, and that the LR department should take a leading role. It is recommended that a study be conducted to determine overarching LR strategy that would guide the establishment of LR systems, the determination of LR structure and processes for dealing with LR matters, and the empowerment programmes for ensuring the professional delivery of enhanced LR services.

OPSOMMING

Hoofstuk 1 skets die doel van die navorsing en verskaf agtergrond oor die manier waarop arbeidsverhoudinge tans in die Departement van Verdediging bestuur en hanteer word. In hierdie hoofstuk word die navorsingsprobleem ook geïdentifiseer en die navorsingsontwerp en -metodologie uitgestippel.

Hoofstuk 2 ondersoek die teoretiese raamwerk van arbeidsverhoudingbeginsels en die bestuur van verandering. Die hoofstuk openbaar dat die beginsels van arbeidsverhoudinge persone in bestuurs- of toesighoudende posisies verantwoordelik hou vir die bestuur van arbeidsverhoudingkwessies. Daar word voorgestel dat arbeidsverhoudingpraktisyns daarom in staat moet wees om hierdie persone toe te rus met voldoende vaardighede en kennis van die prosedures vir die hantering van arbeidsverhoudingkwessies in die werkplek. Die hoofstuk openbaar ook dat die beginsels van die bestuur van verandering aandui dat werknemers op verandering voorbereid moet wees en dat 'n veranderingsagent geïdentifiseer moet word. Só 'n agent moet 'n atmosfeer skep wat bevorderlik vir verandering is deur steun vir die voorgestelde verandering van persone in bestuur en werknemers te werf. Verder moet weerstand teen verandering in 'n vroeë stadium in die veranderingsproses vasgestel word om dit sodoende uit te skakel. Veranderingsagente word aangemoedig om nie die veranderingsproses te oorheers nie, maar eerder te vergemaklik om te verseker dat die instelling en sy werknemers die veranderingsproses self dryf.

Hoofstuk 3 ondersoek die teikens van die arbeidsverhoudingsteunfunksie asook die inhoud van arbeidsverhoudingpraktyke om te bepaal tot watter mate arbeidsverhoudingpraktisyns veranderingsagente in die Departement van Verdediging kan word. Hierdie hoofstuk onthul dat arbeidsverhoudinge op grondvlak op 'n manier beoefen word wat reeds tot konflik en duur litigasies gelei het. In hierdie hoofstuk word die regulerende raamwerk en prosedures geanaliseer wat arbeidsverhoudingpraktisyns verhinder om veranderingsagente te word.

Hoofstuk 4 dek die data-insamelingsproses en analise van hierdie proses. Die data onthul dat die arbeidsverhoudingstruktuur op grondvlak nie bevorderlik is vir die professionele lewering van verbeterde arbeidsverhoudingdienste nie, en dat die teikengroep nie toegang tot voldoende bronne het wat hulle in staat sou stel om hulle funksies uit te voer nie. Die data openbaar verder dat bemagtigingsprogramme toegepas word om die teikengroep met voldoende opleiding, vaardighede en/of kennis toe te rus om verbeterde arbeidsverhoudingdienste te lewer. Die hoofbevinding was dat daar gebrekkige leiding is om te verseker dat arbeidsverhoudingstelsels, -strukture en -prosesse op grondvlak gereed is; dat arbeidsverhoudingkwessies op 'n regverdige en verantwoordelike manier bestuur en hanteer word; dat arbeidsverhoudingpersoneel met voldoende bevoegdhede aangestel word om arbeidsverhoudingdienste te lewer, en dat die arbeidsverhoudingdepartement aktief genoeg is en die voortou neem in die uitvoering van verbeterde arbeidsverhoudingdienste.

In hoofstuk 5 word die hoofbevindinge geanaliseer en die gevolgtrekking gemaak dat arbeidsverhoudingpraktisyns nie in staat is om veranderingsagente te word indien arbeidsverhoudingstelsels, -strukture en -prosesse nie gereed is nie. Arbeidsverhoudingpraktisyns word aangemoedig om 'n verenigde maar diverse span te vorm wat verbeterde arbeidsverhoudingdienste kan bied en die arbeidsverhoudingdepartement word aangemoedig om 'n leidende rol in hierdie verband te speel. Daar word aanbeveel dat 'n studie gedoen word om 'n oorkoepelende arbeidsverhoudingstrategie vas te stel wat as riglyn kan dien vir die stigting van arbeidsverhoudingstelsels, die bepaling van arbeidsverhoudingstruktuur en prosesse om met arbeidsverhoudingkwessies om te gaan, en bemagtigingsprogramme om te verseker dat verbeterde arbeidsverhoudingdienste professioneel gelewer word.

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CHAPTER 1:   GENERAL INTRODUCTION

1.1   Introduction

During the apartheid era the Defence Act (South Africa, Act 44 of 1957) prohibited military members in the Department of Defence (DOD) from exercising their labour rights. As such, labour relations activities within the DOD were dealt with in terms of the Military Disciplinary Code (MDC, Schedule 1 of the Defence Act 44 of 1957) transgressors were charged for contravening the provisions of the MDC and locked in the detention barracks. The introduction of the Constitution of the Republic of South Africa (Act 108 of 1996) brought about changes in this situation by providing fundamental rights for all the citizens of the Republic, one of which is the right to labour relations (section 23 of the Constitution, South Africa, 1996a:10). The right to labour relations includes the right of workers to strike, to form and join any recognised trade union of their own choice, and to participate in the activities and programmes organised by their own trade union.

Since 1999 military trade unions have challenged the DOD in courts (Transvaal High Court of South Africa, 2003(e and f) and Supreme Court of Appeal of South Africa, 2006d) and the DOD was consequently forced to transform. One of the premises of this thesis is that labour relations issues in the DOD were not managed or handled in a professional manner. This lack of professional management or handling of labour relations matters, especially the management of the integration of seven military forces, contributed towards encouraging military members of the South African National Defence Force (SANDF) to form and join military trade unions, which subsequently led to extensive litigations between the South African National Trade Union (SANDU) and the Minister of Defence.

In addition, the White Paper on the Transformation of the Public Service (South Africa, 1995b:70-71) promotes the professional handling of labour relations to minimise unnecessary disputes or litigation, and it also promotes transformation in the public sector. It is for this reason that it is crucial to

analyse the role of LR practitioners in the SANDF as change agents. This chapter will cover the following aspects:

- background to labour relations issues in the DOD;

- research problem and research objectives;

- research design and methodology; and

- outline of chapters.

1.2   Background

Prior to 1994 the DOD had a large component of military members and a very small component of civilian employees. During that time the civilian employees were employed and utilised as secretaries, grounds men, office cleaners, tea makers and/or administrative clerks. In addition, the labour rights of both military members and civilian employees were limited and regulated in terms of the Defence Act. The Constitution (South Africa, 1996a) provided for changes that, amongst other things, clearly defined the fundamental rights of the citizens of the Republic of South Africa. Enacting the fundamental rights enshrined in the Bill of Rights (South Africa, 1996a:6-24), the South African government introduced several labour relations-related laws, which include the Labour Relations Act (South Africa, 1995a), the Basic Conditions of Employment Act (South Africa, 1997a), the Employment Equity Act (South Africa, 1998a), and the Occupational Health and Safety Act (South Africa, 1993). This legislation, amongst other things, clearly defines the fundamental principles of managing or handling labour relations-related matters in South Africa. Section 204 of the Constitution (South Africa, 1996:114) influenced the establishment of the Defence Secretariat (Def Sec) to promote civil oversight over military activities, which also resulted in a significant increase in the civilian employee component. It means therefore that the DOD is composed of the SANDF and Def Sec.

Subsequently, the DOD has to address the serious challenge of protecting and at the same time limiting the labour rights of military members and civilian

employees. After the national elections on 27 April 1994 the DOD embarked on the massive task of integrating the former armed forces (Umkhonto weSizwe (MK), the Azanian People Liberation Army (APLA), the South African Defence Force (SADF), the Transkei Defence Force (TDF), the Bophuthatswana Defence Force (BDF), the Venda Defence Force (VDF), and the Ciskei Defence Force (CDF)), a process that created numerous problems and conflicts (Williams, 2002:17-25). In this regard, Williams argues that the other former forces were not integrated with the SADF, but rather absorbed into it.

Since the above-mentioned forces were utilising different management systems prior to integration, the lack of proper management of the integration process gave rise to problems such as:

- loss of service benefits and services allowances for those military members who were not members of the SADF;

- unfair labour practices against military members who were not members of the SADF;

- improper implementation of HR policies, i.e. equal opportunity, affirmative action, fast tracking and promotion that were aimed at addressing the imbalances of the past regime;

- improper implementation of the staffing and promotion processes; and

- improper implementation of performance appraisal and incentive systems.

As a result, serious conflicts and disputes were generated between the supervisors (as employers) and their subordinate military members and civilian employees, or their trade union representatives regarding the above-mentioned issues. When these conflicts and disputes arose, of LR practitioners (in their capacity as LR specialists) were expected to intervene and resolve the problems.

In addition, over the period 1999 to 2000 the DOD also underwent a massive restructuring process that resulted in, amongst other things, the establishment of a Chief Directorate Equal Opportunity (EOCD) and a Directorate Labour and Service Relations (DLSR). These structures were established to manage transformation issues, and labour and service relations-related matters respectively. The transformation issues referred to above dealt with equal opportunity and affirmative action activities and challenges, and the term labour and services relations in the DOD refers to labour relations, which is applicable only to civilian employees, and service relations, which is applicable only to military members. Subsequently, multi-skilled functionaries (MSFs) were selected from HR practitioners, and were appointed and placed under the supervision of the DLSR to advise and empower the persons in supervisory positions, and provide DOD personnel (i.e. military members and civilian employees) with adequate knowledge and skills for dealing with labour relations (LR), equal opportunity (EO) and personnel separation (PS) matters (South Africa, 2001b:1-2).

The majority of the MSFs received training in the United States of America (USA) to equip them with the knowledge and skills that would enable them to be advisors on equal opportunity and affirmative action-related challenges that may emerge in the workplace. However, these MSFs were not trained to manage LR issues. In spite of the initial purpose of the establishment of the DLSR and the training obtained by the MSFs, in October 2003 the officer in charge of HR took a decision that MSFs should only focus on executing LR functions. This management decision resulted to some MSFs vacating LR posts in favour of HR and EO functions.

In 2005 the Public Service Commission (PSC) issued a report (South Africa, 2005b:1-33), which reveals that the role of LR practitioners in the public service is not clearly defined. In addition to the transformation that is taking place in the public service, the report emphasised that there should also be greater clarity on the role of LR practitioners in the work place.

Chapter 3 of the report deals with the broad perspectives regarding the role of the LR practitioners. The report cited various arguments made by some

authors who regard LR practitioners as change agents. The PSC report (South Africa, 2005b: 8) noted that Schutte and Pieterse (1989:47) as well as Horwitz (1989:6) argue that the LR practitioners in the workplace acts as a change agent when dealing with internal (management and employees) and external (unions) stakeholders, and when interfacing with people at various levels. The report also cites that Schutte and Pieterse's (1989:47) point that one of the functions of the LR practitioner is to equip management and employees with adequate knowledge to deal with LR matters, thereby adopting the wider role of a change agent (i.e. the facilitator, counsellor and advisor).

Furthermore, the PSC report (South Africa, 2005b:9) also notes that Slabbert (1997:15-16) argues that LR practitioners (acting as change agents) proactively engage management on labour relations issues, procedures and standards, and conscientise employees regarding relevant issues to enable them to deal with their problems that are related to labour relations. From the above, it is evident that LR practitioners are regarded as change agents and are therefore expected to play that role in the workplace.

1.3   Research Problem

As indicated earlier, LR practitioners are expected to be specialists in the field of labour relations because the assumption is that they have adequate experience, knowledge and skills in managing LR matters, and that they have obtained the minimum relevant qualifications in the field of labour relations management (Duty Directives for LR practitioners in the DOD, 2005).

Since 2004 the researcher (in his capacity as the officer responsible for the execution of LR functions at grassroots) has conducted skills audits of all the LR practitioners in the LR regional offices once a year and discovered that the majority do not satisfy the minimum requirements of the LR posts that they occupy (Post Profiles of the LR practitioners, 2005). This problem is regarded as one of the reasons why they are unable to discharge the responsibilities and functions entrusted to them as LR practitioners. Subsequently, the researcher (in the capacity of supervisor of LR

practitioners) has also conducted numerous workshops with LR practitioners to engage with LR challenges as experienced at grassroots level, as well as training sessions to empower LR practitioners with adequate knowledge and skills for dealing with LR matters in their areas of responsibility. Serious challenges were encountered in clarifying the role of LR practitioners as change agents, taking into account that LR functions in the SANDF are regarded as interfering with the execution of military command and the maintenance of military discipline.

The research question is therefore '*What role should LR practitioners play as change agents to ensure that LR functions in the DOD are executed effectively and efficiently?*'

1.4 Research Objectives

The objectives of the research are to:

- define and analyse the theoretical framework of labour relations and change management, in order to determine the characteristics and the role of LR practitioners as change agents;

- explore the case of the DOD specifically in terms of the process of labour relations and the role of LR practitioners within the context of change management; and

- make clear and practical deductions and recommendations for the consolidation and refinement of the role of LR practitioners as change agents within the given organisational context.

1.5 Research Design

Welman and Kruger (2001: 46) define a *research design* as the plan according to which the researcher obtains research participants (subjects) and collects information from them. From a different point of view, Mouton (2001: 56) explains that a *research design* focuses on the end product – what kind of study is being planned and what kind of result is aimed at. He further explains that the point of departure is the *research problem or question*, and

that it focuses on the logic of the research – what kind of evidence is required to address the research problem or question.

The element of research (in other words, the unit of analysis) is the DOD and the target group is the LR practitioners who are operating at the LR regional offices in the DOD. In the DOD there are 22 LR regional offices distributed throughout the Republic of South Africa, but the researcher has organised them in a regional set-up for easy reference and understanding. The researcher will personally compile and organise the data regarding the target group and will utilise these data to analyse LR practitioners' capacity to become change agents.

The researcher adopts a case study research design. The case study research design is qualitative in nature and is aimed at providing an in-depth description of a group of people being studied (Mouton, 2001:148-149). Such a description is embedded in the life-worlds of the people being studied and it produces an insider perspective on them and their practices.

1.6   Research Methodology

The *research methodology* is the process or the method that would be adopted in conducting the research and it should include the literature study, the selection of cases, data collection, data analysis and data interpretation (Mouton, 2001:49). The researcher will conduct a qualitative research study that is based on the information obtained from the literature study, theoretical knowledge and understanding of general principles, and practical experiences in the field of military labour relations. In an attempt to achieve the research objectives, the researcher will apply an inductive approach in which a critical analysis of the theoretical framework on labour relations and change management, and observations based on the case study, will be utilised in order to come up with findings and make recommendations on the way forward.

The case study referred to above is aimed at illustrating the behavioural patterns of the LR practitioners when executing their functions in the DOD. The behavioural pattern refers to the way in which the LR practitioners

execute or carry out their LR functions. The functional responsibilities of the LR offices include, inter alia, enhancing the knowledgebase of the persons in supervisory positions as well as DOD personnel (i.e. military members and civilian employees) at the grassroots level regarding the skills and procedures required for dealing with LR matters in the workplace; and facilitating the professional management of grievances, disciplinary procedures for employees, conflicts, and participation of DOD personnel in the activities of labour unions.

The researcher will utilise a combination of qualitative research methods, viz. participant observation and unstructured personal interviews, as data collection tools; this will be supplemented with personal experience and knowledge. The researcher will also consider the biographical and background information of the target group. According to the SANDF COLET handbook (South Africa, 2003d:16-17), the biographical information refers to the general information regarding the target group such as race and gender, and the background information refers to the educational levels of the target group such as their academic and functional qualifications, as well as information on the previous experience of the target group such as military and functional background. This information will be gathered by conducting unstructured interviews with the target group and is utilised to determine the behavioural patterns of the target group when dealing with LR matters.

The unstructured interview questions will focus on the participants' experiences, feelings, beliefs and convictions regarding LR functional responsibility in their areas of responsibility. The interview questions will be structured to solicit respondents' knowledge of the LR regulatory framework and the procedures for dealing with LR matters, their commitment to rendering LR services in their areas of responsibility, whether they are able to identify a need for change in the application of LR in the areas of responsibility, their understanding of the principles of labour relations and change management, and their understanding the characteristics and role of change agents in managing the change process.

An analytical induction approach will also be utilised to analyse the collected data. When analysing the data, the theoretical framework on labour relations and management of change, as well as the case studies on the behavioural and performance patterns of the LR practitioners in executing their functional activities, would be scrutinised to ascertain the role of LR practitioners as change agents.

There are numerous labour relations-related matters that can be analysed which are of great concern in the DOD. But in this thesis the researcher has considered only three because of the controversy they are creating in the workplace. These LR matters are the management of disciplinary matters, the management of poor performance because of incapacity, and the management of the participation of military members and civilian employees on union activities. The researcher also visited LR practitioners in their areas of responsibility (i.e. at LR regional offices) to determine by means of direct observations the way in which they execute their functions. The researcher has also considered the outcomes of the annual training workshops that were organised in Pretoria. The purpose is to reflect on acceptable LR and change management practices. The outcomes of the reflections were recorded in order to determine the way in which LR practitioners execute their LR functions.

Welman and Kruger (2001:184-5) state that a participant observer performs a dual role: one of experiencing the activities of the group, and one of observing and recording his or her observations. As a participant observer, the researcher participated in the activities of the member group that is being studied (i.e. the target group or LR practitioners in this case) and also observed the behavioural patterns of the group as an insider, thus becoming a member of the inner circle of the group. The researcher participated in the reflection on LR and change management practices, and also took part in executing the LR functions of the group members in order to experience and understand what they are experiencing in the workplace and to see things from their perspective in order to unravel the meaning and significance that they attach to their workplace experiences. In some circumstances the

researcher adopted the role of an observer in order to avoid becoming too involved in the activities of the group. As an observer, the researcher recorded the observations on the behavioural patterns of the group when executing their functions in their areas of responsibility, e.g. when they enhance their knowledge base on the procedures for dealing with LR matters.

Welman and Kruger (2001:185) argue that the extent to which the researcher participates in the activities of the group will vary from time to time. As the member of the inner circle of the group that is being investigated, the researcher has participated in executing LR functions of the group in order to experience (i.e. to feel) their behavioural patterns and to ascertain the challenges they encounter when rendering LR services. In order to avoid causing the group to react differently from their normal behaviour, the researcher obtained permission from the group to investigate them. However, the researcher has, throughout the research process, attempted to uphold the objectives of the study in order to ensure the anonymity of the group as well as to build up a sound relationship and trust with the group members. The researcher has become the actual research instrument and therefore has relied on his personal experience, expertise and intuition, and the deductions and conclusions that will be arrived at might be highly subjective or idiosyncratic (Welman and Kruger, 2001:187).

According to Welman and Kruger (2001), unstructured personal interviews are employed to identify important variables in a particular area. The researcher has conducted unstructured personal interviews to ascertain the opinions of the LR practitioners on their experiences when rendering LR services, and how they have address LR challenges in their areas of responsibility. In addition, an attempt was made to understand how LR practitioners experience their life-world in relation to the role they are expected to play and how they make sense of it (Welman and Kruger, 2001:188). The questions during the interview have focused on their experiences, feeling, beliefs and convictions in relation to rendering LR services and managing the change process as change agents.

The advantages of the personal interviews are that they are completely unstructured to ensure flexibility and adaptability; that the researcher has full control of the interview situation; that all questions are answered by the respondent (the participant) him-/herself; that all responses (the first and changed responses) are recorded; that the interviewer (the researcher) is able to explain all unclear questions and is able to follow up vague responses; and that a higher response rate is achieved than when telephonic interviews and survey questionnaires are conducted (Welman and Kruger, 2001: 158-9). The researcher is able to explain the purpose of the interviews to the prospective participants and appeal for their cooperation. The researcher is also able to allow the respondents to express their true feelings and opinions without fear. Welman and Kruger (2001: 189) argue that only when there is a relationship of mutual confidence and respect between the interviewer and the respondent are the chances good that the respondent would feel free to reveal his/her innermost feelings and beliefs to the interviewer.

1.7   Outline of Chapters

Chapter 2 will provide the theoretical framework on labour relations and management of change. In this chapter the researcher will demarcate the literature covered and show how the arguments of the authors relate to the research topic. The key concepts around which the study is built will be defined in order to ensure that the reader understands the idea of the researcher. These definitions will be provided as a separate appendix. The theoretical provisions of the labour relations and change management literature will be discussed in order to ascertain the relationship between general principles of labour relations and change management, and to determine the characteristics (qualities – noticeable features) and the role (duty) of LR Practitioners in facilitating the change process.

Chapter 3 will reflect a DOD case study in which the objectives of the LR support function will be explored in order to determine the functions of LR practitioners as change agents. These functions will include the processes for managing labour relations matters, focusing on a theoretical framework regarding the procedures for the management of disciplinary matters,

incapacity leading to poor performance, and the participation of members and employees in union activities, in relation to LR practice in the DOD. Secondly, the chapter will explore the content of LR practices in order to determine to what extent LR practitioners can be expected to be change agents. This will relate the theoretical provisions on the management of change to the labour relations practices. Lastly, the chapter will attempt to identify the regulatory framework and procedures that impede the ability of LR practitioners to become change agents.

Chapter 4 will deal with the information and data collection process and its limitations. It will also explain what data are collected, the methods used to collect the data, and how they are presented. The information and data will indicate how LR functions are rendered and why they are rendered in that way. This chapter will further provide a critical analysis of information or data collected, and what influence such information or data has on the behaviour of the target group when handling LR matters or delivering LR services. An analysis of the information and data will be conducted to determine the characteristics and the role of the target group as change agents, with specific reference to the information and data regarding the management of change discussed in Chapter 2 and to the case study on the behaviour of the target group discussed in Chapter 3.

Chapter 5 will deal with the conclusions drawn in the study and make recommendations. The findings of the previous chapters will be analysed in order to make recommendations regarding the role of the LR practitioners as change agents in the DOD, including necessary interventions, any future research, the implementation of the findings, and the possible policy implications. The chapter will conclude with highlights of the research.

1.8   Conclusion

In this introductory chapter the researcher has indicated the purpose of and background to, the research topic, the research problem has been outlined and the objectives as well as the design and methodology adopted throughout the research has been noted. The chapter conclude by outlining the

chapters of the thesis. The background covers the underlying LR challenges facing the DOD, which include the conversion of MSFs into LR practitioners, and the underlying problems they are facing in their endeavour to address these challenges in the DOD at grassroots level. What transpired from an exploration of the background is that the majority of LR scholars argue that LR practitioners are change agents.

This chapter indicates that the research problem has to do with difficulty in assessing the extent to which LR practitioners can become change agents in the DOD. In the endeavour to achieve the research objectives, the researcher adopted a combination of two methods, namely participant observation and unstructured personal interviews. This was done to address the complications in the DOD in executing LR functions and in obtaining written information on the target group. The two methods adopted will be supplemented with information gathered from the PSC report (South Africa, 2005b).

The next chapter deals with the theoretical framework on labour relations and the management of change. The purpose of providing the theoretical framework is to cover the definition of concepts and principles regarding labour relations and change management, and to investigate the relationship between labour relations practice and the change management process in the workplace.

CHAPTER 2: THEORETICAL FRAMEWORK ON LABOUR RELATIONS AND THE MANAGEMENT OF CHANGE

2.1   Introduction

In the previous chapter the background to labour relations in the DOD and the challenges facing the DOD management were discussed. It was stated that the management of labour relations matters in the DOD is controversial, and that the management's perception of labour relations in the DOD needs to be changed in order to ensure that peace in the workplace is realised.

This chapter will deal with a theoretical framework for labour relations and management of change, including a literature survey. The literature on a labour relations regulatory framework covers especially controversial issues and the principles of labour relations; the management of change, focusing on the principles of change management; the process of change; the characteristic features and noticeable qualities of a change agent; the role that the change agent should play when facilitating the change process; and the improvement of service delivery as required by the South African government.

2.2   Labour Relations

In South Africa all organs of state are obliged to manage labour relations activities in a professional manner. However, labour relations practice in the DOD is a new enterprise and as a result the management of labour relations is a controversial matter. As such, labour relations matters are managed in two ways: one that deals with personnel employed in terms of the Public Service Act (South Africa, 1994b), who are referred to in this thesis as Public Service Act Personnel (PSAP) or civilians; the other deals with personnel employed in terms of the Defence Act (South Africa, 2002), referred to in this thesis as members in uniform or military members. In this section, therefore, labour relations concepts are defined; this is followed by a discussion of the regulatory framework for civilian and military labour relations, conflict management, labour relations functions and the role of labour relations (LR) practitioners in the public sector.

2.2.1 Definition of Labour Relations Concepts

Different authors define and/or utilise the concepts '*labour relations*', '*industrial relations*' or '*employment relations*' interchangeably. However, this document adopts the definition of labour relations by Nel and Van Rooyen (1989:18). They define labour relations as *the relationship and interaction between workers and management, the structures designed to formalise the relationship, and the systems created to support the interaction, including the conditions under which the workers seek to satisfy their economic, social, sociological and psychological needs and the effect on themselves and on society of their attempts to do so.* Nel *et al.* (2005:9) further claim that the employment relationship is acknowledged to have built-in common ground as well as conflict, and a central feature of this field of theory and practice is the notion of fairness and justice in balancing and reconciling the partly common and partly divergent interests of the parties. This implies that labour relations refer to the relationship between the employer and employees in the workplace, and as such the above definition is suitable for a discussion of the DOD's labour relations situation.

Furthermore, section 14 (1) of the Labour Relations Act (South Africa, 1995a) provides that the concept '*representative trade union*' refers to a registered trade union, or two or more registered trade unions acting jointly that are sufficiently representative of the employees in a workplace. The following concepts of labour relations are utilised in this thesis and therefore are also defined: incapacity, incompatibility and conflict. Landis and Grossett (2005:229) define *incapacity* as the supervening impossibility of performance, an interruption in the ability to perform (permanently or temporarily, partial or absolute) by an employee in relation to his/her employment obligations. They (2005:233) further define the concept *incompatibility* as the failure or inability of the employee to maintain a standard of relationship with his/her superiors, peers and subordinates that is suitable for maintaining productive working relationships and effectively performing the job function. Nel *et al.* (1993:114) define *conflict* as a direct or indirect clash between individuals or groups over a particular matter. They further note that *industrial conflict* in

particular is encountered mainly between management and labour where there is a difference in interest between the two groups. The definitions of other concepts of labour relations are provided in Appendix A of this thesis.

In order to understand how labour relations should be managed in the public service, it is imperative to discuss the provisions of the South African labour relations regulatory framework that controls both civilian and military labour relations.

2.2.2   Labour Relations Regulatory Framework

2.2.2.1   Regulatory Frameworks for Civilian Labour Relations

In the DOD the management of civilian labour relations is regulated in terms of the Labour Relations Act (LRA), Act 66 of 1995. In South Africa the LRA was promulgated to enact the fundamental right to labour relations enshrined in the Bill of Rights (South Africa, 1996a:6-24). In this regard, section 23 of the Constitution (South Africa, 1996a:10) provides that every citizen of the Republic has the right to fair labour practice, to form and join any trade union of their choice, and to participate in the activities and programmes of their trade unions.

Consequently, section 36 of the Constitution (South Africa, 1996a:18) provides that the rights enshrined in the Bill of Rights can be limited only in terms of the law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into consideration all relevant factors (which are specified in the section itself). This thesis, however, will only deal with those labour relations issues that are controversial in the DOD. These labour relations issues include, amongst others, freedom of association and general protection, organisational rights, strikes and code of good conduct: dismissal. A brief discussion on the principles regulating the procedures to deal with these issues will follow.

Section 4 of the LRA (South Africa, 1995a) regulates the employees' right to freedom of association, which includes their right to participate in forming and

joining a trade union; their right to participate in the lawful activities of their union, to participate in the election of its office-bearers, to stand for election and be eligible for appointment as an office-bearer (including trade union representative) and to hold office; and their right to carry out the functions of a trade union representative in terms of the Act or any collective agreement.

Section 5 of the LRA further protects employees and persons seeking employment against discrimination for exercising their rights conferred by the LRA, protecting them from threats to prevent them – or from being prohibited from – becoming members of trade unions or workplace forums, and protecting employees or persons seeking employment from being prevented from exercising their rights conferred in the LRA. Sections 6 and 7 of the LRA provide employers with their rights to freedom of association and the protection thereof. It further provides a burden of proof: that is, any party which alleges that a right or protection conferred by LRA has been infringed must prove the facts of the conduct, and that the party which engaged in the alleged conduct must also prove that the conduct did not infringe any provisions of LRA.

In addition, section 12 of the LRA further regulates organisational rights, which include, amongst others, the trade union access to the workplace, trade union representation and leave for trade unions activities. The LRA provides that any office-bearer (or official of a representative trade union) is entitled to enter the employer's premises in order to recruit members, to communicate with their members, to serve their members' interests, and to hold meetings with employees outside their working hours at the employers' premises; and members of the representative trade union are entitled to vote at the employer's premises in any election or ballot contemplated in that trade union's constitution.

However, section 12 (4) of LRA also provides that these rights are subject to any conditions as to time and place, which are reasonable and necessary to safeguard life or property, or to prevent the undue disruption of work or productivity. This implies that representative trade unions have access to the workplace provided that their activities are conducted outside of working

hours (i.e. tea and lunch times of the employees and after working hours) and/or that they do not disrupt work and the productivity of the employees. Although it is not stipulated as such, one could say that representative trade unions should obtain permission from the employer to conduct their trade union activities on the employer's premises in order to avoid unnecessary resistance from the employer as well as conflict between persons in management positions and trade union representatives.

Section 14 (2) of the LRA (South Africa, 1995a) regulates the number of trade union representatives based on the membership of a representative trade union. For instance, if there were more than 300 members of a trade union employed in the workplace, then there should be seven trade union representatives for the first 300 trade union members plus one additional trade union representatives for every 100 additional members up to a maximum of 10 trade union representatives. In the end, the LRA provides that there should be a maximum of 20 trade union representatives for every representative trade union in any unionised organisation. This implies that the number of trade union representatives in the workplace is dependent upon the number of trade union members and the agreements reached between the parties in the relevant bargaining council.

Section 15 of the LRA (South Africa, 1995a) further provides that an employee who is an office-bearer of a representative trade union, or of a federation of trade unions to which the representative trade union is affiliated, is entitled to take leave during working hours for the purpose of performing functions of that office, and that the representative of a trade union and the employer may agree to the number of days of leave, the number of days paid leave and the conditions attached to any leave. An agreement was reached in the Public Service Coordinating Bargaining Council (PSCBC, Resolution 7 of 2000) between government as employer and organised labour that a trade union representative is entitled to take leave for trade union activities up to a maximum of 10 working days per annum. This means that when the 10 days are exhausted, the trade union representative will have to use his/her annual leave days for this purpose.

It was mentioned earlier that section 23 of the Constitution (South Africa, 1996a) grants citizens the right to strikes. Section 64 of the LRA (South Africa, 1995a) provides that employees have the right to participate in a strike or protest action only if the strike or protest action is protected. In terms of the Act, the strike or protest action is protected if the issues in dispute have been referred to the Public Service Coordinating Bargaining Council (PSCBC) – hereafter referred as a council – or to the Commission for Conciliation, Mediation and Arbitration (CCMA) – hereafter referred to as the commission. A certificate stating that the issue in dispute remains unresolved needs to be issued, or a period of 30 days or an extension of the period agreed to between the parties to the dispute elapsed since the referral was made to the council or commission. In case of the proposed strike or protest action where the state is the employer, at least 7 days notice of the commencement of the strike or protest action must be given to the parties, unless the issue in dispute relates to a collective agreement to be concluded in the council, in which case the notice must have been given to the council.

Despite the above, section 65 of the LRA (South Africa, 1995a) provides that no employee may participate in a strike or protest action if that employee is bound by a collective agreement that prohibits a strike or protest action in respect of the issue in dispute. This section also stipulates that an employee is bound by the agreement that requires the issue in dispute to be referred to arbitration; that the issue in dispute is one that a party has the right to refer to arbitration or to the Labour Court. In terms of this section, it is illegal for the employees to participate in a protected strike or protest action if the strike or protest action is not protected or they (the employees) are engaged in essential or maintenance services.

Furthermore, section 66 of the LRA (South Africa, 1995a) provides that an employee may participate in a secondary strike under certain conditions: if the strike or protest action that is to be supported is a protected strike or protest action; if the employers of the employees taking part in a secondary strike or protest action have received written notice of the proposed secondary strike or protest action at least 7 days prior to its commencement; and if the nature

of the secondary strike or protest action is reasonable in relation to the possible direct or indirect effect that it may have on the business of the primary employer.

However, section 67 of the LRA (South Africa, 1995a) provides that an employee who participates in a protected strike or protest action does not commit a delict or a breach of contract and may not be subjected to disciplinary action unless he/she has committed misconduct during the strike or protest action, but an employer shall apply the principle of '*No work no pay*' regardless of the strike or protest action being protected. On the other hand, section 68 of the LRA (South Africa, 1995a) provides that an employee who participates in an unprotected strike or protest action commits a delict or a breach of contract and therefore may be subject to disciplinary action, which may constitute fair dismissal and the principle of '*No work no pay*' shall also apply. This implies that persons in supervisory positions must ensure that they have control over the whereabouts of their subordinates and monitor closely their participation in the labour activities of their trade unions in order to ensure that those who have contravened the law or who have committed a delict or a breach of contract are subject to disciplinary action.

Section 6 of schedule 8 of the LRA (South Africa, 1995a) provides that participation in an unprotected labour action constitutes misconduct and the employee may be dismissible. However, to determine whether a dismissal for misconduct is fair or unfair, it must be established whether or not the employee has contravened a rule or standard regulating conduct in, or of relevance to, the workplace; and if a rule or standard is contravened, whether or not the rule was valid or reasonable, the employee was aware or could reasonably be expected to have been aware of the rule or standard, the employer has consistently applied the rule or standard, and the dismissal is an appropriate sanction for the contravention of the rule or standard. This means that it would be regarded as procedurally unfair if the above stipulations are not considered before dismissing an employee who participated in an unprotected labour action or who has contravened the law or committed a delict or a breach of contract.

Furthermore, section 4 of schedule 8 of the LRA (South Africa, 1995a) provides that the employer should conduct a thorough investigation to determine whether there are grounds for discipline or dismissal. The Act requires that the employee should be notified of the allegations using a form and language that the employee can reasonably understand. It also requires that the employee should be allowed to state his/her case in response to the allegations and that the employee should be provided a reasonable time to prepare the response, to be assisted by a trade union representative or fellow employee, and to be notified in writing of the decision taken. However, the Act provides that discipline against a trade union representative or an employee who is an office-bearer of a trade union should not be instituted without informing and consulting the representative trade union.

In addition to the above, all employees who commit misconduct should be subject to disciplinary measures. The LRA (South Africa, 1995) and the disciplinary code and procedure for employees (Resolution 1 of 2003) provide that a supervisor should adopt a corrective or a progressive disciplinary measure when addressing employee misconduct that is related to substance abuse in the workplace. Section 3 of schedule 8 of the LRA (South Africa, 1995a) provides that the concept of corrective or progressive discipline should be adopted, which requires that the purpose of discipline and the standard of behaviour required should be made known to the employees, and that efforts should be made to correct the behaviour of employees through a system of graduated disciplinary measures such as counselling and warnings. It also provides that informal advice and correction can be evoked to deal with minor violations of work discipline.

Section 3 of the schedule 8 of the Act further provides that it is not appropriate to dismiss an employee for a first offence, unless the misconduct is serious and is of such gravity that it makes a continued employment relationship intolerable. The following acts by employees are regarded as serious misconduct: *gross dishonesty*; *wilful damage to employer's property*; *wilful endangering of the safety of others*; *physical assault on the employer, a fellow employee, client or customer*; and *gross insubordination*. In spite of the

above, the section provides that the employer should apply sanctions consistently with the way in which they have been applied to the same or other employees in the past, and consistently between two or more employees who participated in the misconduct under consideration.

The LRA (South Africa, 1995a) further provides that a disciplinary hearing can lead to dismissal based on operational requirements. According to section 213 of LRA '*operational requirements*' refers to requirements based on the economic, technological, structural or similar needs of the employer. Before an employee is dismissed based on operational requirements, it is expected of a supervisor to first establish whether or not the employee has contravened a rule or standard regulating conduct in, or relevant to, the workplace; and if a rule or standard was contravened, whether or not it is a valid or reasonable rule or standard, the employee was aware or could reasonably be expected to have been aware of a rule or standard, the rule or standard has been consistently applied by the employer, and dismissal is an appropriate sanction for the contravention of the rule or standard (section 7 of schedule 8 of the Act, South Africa, 1995a:278-279). If the supervisor or employer has failed to follow the above-mentioned procedure, then the dismissal would be regarded as unfair.

Section 8 of schedule 8 of the LRA (South Africa, 1995a) provides that a newly hired employee must be given a reasonable probationary period to perform satisfactorily, given the circumstances of the job in order to determine the employee's continued employment. It also provides that an employee could be dismissed during the probationary period following an opportunity afforded to state a case in response and, having been afforded an opportunity, to be assisted by a trade union representative or fellow employee. It further provides that after the probation period an employee may be dismissed for unsatisfactory performance following the appropriate evaluation, instruction, training, guidance or counselling; and following a reasonable period for improvement, and the employee continues to perform unsatisfactorily. This implies that the person in the supervisory position should ensure that the subordinate is aware that the performance standard is

not being met, and that the subordinate is provided a reasonable period or a fair opportunity to improve the required performance standard before dismissal can be considered.   Furthermore, it also provides that the reasons for unsatisfactory performance must be established in order to consider alternative employment to remedy the matter other than dismissal, and that in the process the employee has a right to state a case and to be assisted by a trade union representative or fellow employee.

However, section 9 of schedule 8 of the LRA (South Africa, 1995a) provides that to determine whether a dismissal for poor work performance is unfair, it must be established whether or not the employee has failed to meet a work performance standard; and if the work performance standard is not met, whether or not the employee was aware or could reasonably be expected to have been aware of the work performance standard, the employee was afforded a fair opportunity to meet the work performance standard, and dismissal is an appropriate sanction for not meeting the required work performance standard.   This implies that it would be procedurally unfair if the above procedure has not been followed before dismissing a poorly performing employee.

Section 17(5)(a) of the Public Service Act (South Africa, 199b4:25) provides that an employee who absents himself or herself from his or her official duties without permission for a period exceeding one calendar month shall be deemed to have been discharged from the public service on account of misconduct with effect from the date immediately succeeding his or her last day of attendance at his or her place of duty.

It is crucial that supervisors and employees are aware of the above provisions in order to minimise unnecessary disputes.   It is essential that these provisions are communicated to the lowest level and that they are implemented accordingly and consistently.

2.2.2.2   Regulatory Frameworks for Military Labour Relations

The LRA does not apply to military members of the SANDF. In 1948 the International Labour Organisation (ILO) held a general conference

(Convention 87) to discuss freedom of association and protection of the right to organise (Human Rights Education Association, 2005). The participating member states recognised that the principle of freedom of association is a significant means of improving conditions of labour and of establishing peace. A number of articles were consequently adopted, one of which is article 9. This article provides that the extent to which the guarantees provided for in the convention should apply to the security force members would have to be determined by national laws or regulations.

In the DOD military labour relations came into effect after the military members decided to establish a new South African National Defence Union (SANDU) in the late 1990s. SANDU was initially not recognised by the management of the South African National Defence Force (SANDF) and the military members were prohibited from participating in the activities of their union. This situation changed after SANDU challenged the decision in court (see the court cases mentioned in section 1.1 of Chapter 1) and the Supreme Court ruled in favour of the union, because the Minister of Defence and the top management of the SANDF were unable to justify reasonably the limitation or prohibition in terms of section 36 of the Constitution (South Africa, 1996a). Subsequently, the South African government, in collaboration with the DOD, introduced Chapter XX of the General Regulations for members of the National Defence Force and Reserve (1999).

Although regulation 4 of the General Regulations (South Africa, 1999) acknowledged that military members have the right to form and join any recognised military trade union (MTU) of their choice, regulations 6, 7 and 8 of the General Regulations (South Africa, 1999) prohibited military members from participating in the activities and programmes of their union. As a result, SANDU challenged the constitutionality of the limitation in courts and the Constitutional Court (South Africa, 2007b) ruled in favour of the union. The media summary of the judgement states that "Finally, to the extent that good order and discipline of the military is not jeopardised, the DOD cannot forbid non-uniformed soldiers from assembling to petition or picket as private citizens". As such, the Court ruled that the DOD should amend the General

Regulations to give effect to the judgement, but to date the DOD has not yet effected the changes. In spite of the Constitutional Court judgement, the DOD management is still reluctant to accept the existence of the military trade unions in the SANDF, and no guidelines have been provided on how to effect and manage the Constitutional Court's judgement. As a result, LR practitioners are uncertain on how to advise their clients on the implications of the judgement and are unable to support their clients in matters related to participation of military members in MTU activities.

In addition, regulation 37 of the General Regulations (1999:29) prohibited military members from participating on the activities of MTU while participating in a military operation in fulfilment of an authorised international obligation or military exercise or undergoing training as an integral part of a military operation or during military training. The Constitutional Court judgement (South Africa, 2007b) upheld the limitation on the basis of the fact that military members have an obligation to defend the sovereignty of the Republic and therefore cannot participate in union activities whilst they are being prepared to fulfil that obligation.

Section 200 of the Constitution (South Africa, 1996a:113) provides that the Defence Force must be structured and managed as a disciplined military force. As a result, section 50 of the Defence Act (South Africa, 2002:46) limits some of the rights of military members and civilian employees on the basis of reasons necessary for national security. However, the Constitutional Court judgement (South Africa, 2007b) did not address these limitations.

Having discussed the provisions of the South African labour relations regulatory frameworks, it would be appropriate to discuss how the DOD is adapting to changing labour relations circumstances.

2.2.3   Adapting to a Changing Labour Relations Environment

The Constitution (South Africa, 1996a), supplemented by labour relations legislation and national policies (such as the White Paper on the Transformation of the Public Service (South Africa, 1995b), the White Paper on Human Resource Management (South Africa, 1997b), and the White

Paper on the Transformation of the Public Service Delivery (South Africa, 1998c)), has improved the management of labour relations in the Republic of South Africa, and all this legislation has had considerable influence on the transformation of public service departments, including the DOD. The White Paper on the Transformation of the Public Service (South Africa, 1995b) provides significant guidelines and prescriptions on the extent to which the transformation of the public service should take place in South Africa. However, the success of the transformation process is dependent on a careful consideration of the need for change and the implementation of the (organisational) change management process (Robbins, 1990:393).

Since 1996 the DOD has been undergoing massive and continuous organisational changes, which include structural reforms and changes to some of its business processes as guided by the Defence Review (South Africa, 1998b) and the White Paper on Defence (South Africa, 1996b). According to Smit and De J Cronje (1997:260) organisational changes (including those that took place in the DOD) are influenced by internal and external environmental factors that affect the business of that organisation.

It was indicated in the previous sections that section 23 of the Constitution (South Africa, 1996a) provides that citizens of South Africa have the fundamental right to labour relations. This means that all the citizens (including citizens in uniform) have the fundamental right to form and join any recognised trade union of their choice, to participate in the activities and programmes of their unions, and to strike, etc. However, the limitation of this right must meet the provisions of section 36 of the Constitution (South Africa, 1996a), which provides that these rights can be limited only in terms of the law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into consideration all relevant factors. This implies that a limitation that does not satisfy the provisions of section 36 is unlawful.

It was also indicated in the previous section that section 200 of the Constitution (South Africa, 1996a:113) provides that the Defence Force must be structured and managed as a disciplined military force, as its primary role

is to defend and protect the Republic, its territorial integrity and its people in accordance with the Constitution and the principles of international law regulating the use of force. This implies that the persons in management positions in the DOD are required to ensure there is a balance between promoting sound labour relations and managing the Defence Force as a disciplined military force.

Taking the above into consideration, it can be argued that the success of the organisational changes that are taking place in the DOD is still dependent on whether the DOD management is following appropriate change management principles and processes, whether the envisaged change is properly planned, and whether competent catalysts of change are available and utilised to facilitate the change process (Van der Waldt and Knipe, 2001:29).

The management of labour relations matters is therefore a responsibility of people in supervisory positions (Tustin and Geldenhuys, 2000:102). Grobler *et al.* (2002:293) also argue that it is the responsibility of the persons in supervisory positions to ensure that poor performers in the workplace are managed effectively and that their inadequate performance is corrected to meet the desired standard. Grobler *et al* (2006:11) state that employees who fail to perform up to expectations cannot only become costly liabilities to management but can also generate stress, frustration and tension within the work group. As such, managers are expected to recognise the causes of unsatisfactory performance and to bring about a permanent improvement in the job behaviour.

It was mentioned earlier that the citizens of the Republic have a right to form or join unions of their choice. Grobler *et al.* (2006:11) note that labour unions exert a powerful influence on employers and help them shape HR policies and programmes in the workplace. In an attempt to further regulate labour relations and the challenges that may be encountered in the workplace, the South African government has promulgated numerous pieces of legislation, which include (among others) the Basic Conditions of Employment Act (South Africa, 1997a) and the Employment Equity Act (South Africa, 1998a). However, the majority of these legislative frameworks are not applicable to

military members. Therefore, it is expected that LR practitioners should have an adequate knowledge of the above provisions in order to advise and/or support all DOD personnel.

Defence forces in the world are recognised as unique government departments or state organs. Gil-Robles (2002:6) argues that the proper functioning of any defence force is hardly imaginable without legal rules designed to prevent the military members from undermining military discipline. Conversely, Winslow (2002:3) argues that members in uniform deserve to be recognised as citizens in uniform and therefore should enjoy the same rights as any ordinary citizen. Winslow also argues that it is different with military personnel or members in uniform, because they are a unique professional group that can be asked to do more than the ordinary citizens, including making the ultimate sacrifice of their lives. His concern is that members in uniform are defenders of democracy but are not allowed to enjoy the democracy, and so his question is: '*How can military personnel be expected to defend the democracy when they do not enjoy it?*' He points out that members in uniform have volunteered to protect and defend the rights and freedom of their fellow citizens, and therefore should be entitled to enjoy and exercise the same rights and freedom. However, Winslow suggests that the right of military personnel to organise should be limited only when it relates to military operational matters.

Adapting to the changing labour relations environment has led to conflict in the workplace, especially in the DOD.

2.2.4 Causes of Conflict

There are several issues that cause conflict in the DOD, and some of them include the management of military labour relations in the SANDF. Therefore, it is imperative that the basic causes are identified in order to understand their consequences. Tustin and Geldenhuys (2000:107-112) describe three main categories of causes of conflict. The first category is *distributive causes*. Tustin and Geldenhuys (2000:107) state that this category underlies conflict that arises in the formulation or operation of the

economic or substantive contract or agreement. It is based on the problem of the allocation or distribution of rewards for the performance of work. They argue that any problem or failure to resolve a problem can be ascribed to inadequate communication between management, employees and/or trade union representatives. However, Tustin and Geldenhuys (2000:108) further argue that it would be wrong to overrate the significance of communication both as a cause of conflict and as a means to solve it. They state that the source of labour conflict most of the time lies in differences of objectives and interests, and communication between different levels of an organisation provides only the means to identify differences, to develop a better understanding, and to seek accommodation within a mutually acceptable solution. In addition, Nel *et al.* (2005:171) state that people, either individually or in a group context, differ in the ways in which they pursue a predetermined objective. For example, they state that in the industrial environment this can manifest in divergent opinions among members of the workplace committee or forum on how to convey a complaint, problem or grievance to the management. Nel *et al* add that unless a group or groups in an organisation have a common objective with regard to a certain matter, conflict will result.

The second category is *structural causes*. Tustin and Geldenhuys (2000:108) state that this category is the basis of the sort of problem that emerges from interactions brought about by informal structures of an organisation and is usually the result of a failure to structure the organisation properly, or a failure to adapt its structure in times of change in order to deal with the role and authority problems of the organisation. According to Nelson and Quick (1997) and Robbins (1998), as cited in Tustin and Geldenhuys (2000:108), structural causes of conflict in organisations are as a result of: *specialisation* – highly specialised jobs may lead to conflict because employees in those jobs lose contact with the tasks that others perform; *interdependence* – conflict is stimulated when the inputs of workers are dependent on the output of others or if interdependence allows one group to gain at the expense of another group; *common resources* – there is potential for conflict when different parties have to share resources, especially when

shared resources are scarce; *goal differences* – the possibility of conflict arises when people within an organisation have different goals; *status inconsistencies* – resentment and conflict may arise where employees experience a strong difference between the status of management and that of other workers, for instance, if managers have more flexibility; and *jurisdictional ambiguities* – conflicts over responsibility arise when there are unclear lines of responsibility within an organisation.

The third category is *human relations causes*. Tustin and Geldenhuys (2000:109) state that this category underlies the sort of problems that emerge from the more informal, interpersonal level of interaction. Luthans (1998), as cited in Tustin and Geldenhuys (2000:109), states that the sources of interpersonal conflict are personal differences, information deficiency, role incompatibility and environmental stress, and that there are also sources of intra-personal conflicts. Nelson and Quick (1997, as cited in Tustin and Geldenhuys, 2000:110) state that the **personal differences** include *skills and abilities* – where experienced competent workers may find it difficult to work alongside unskilled workers who lack experience; *personalities* – people with certain personality traits, such as high self-esteem, abrasiveness, authoritarianism and dogmatism, have a high potential for conflict; and *values and ethics* – value differences offer the best explanation for prejudice and other common disagreements that are based on value judgements. They also state that **information deficiency** results from a communication breakdown in organisations, and that a communication barrier such as language can create distortions in messages, which can lead to conflict.

Tustin and Geldenhuys (2000:110) state that **role incompatibility** results from both intra-personal conflict and inter-group conflict. They explain that a role is a set of expectations placed on an individual occupying a focal role (role incumbent) by others (role senders). Types of role conflict they describe include: *inter-role conflict* – which occurs when a person experiences conflict between the multiple roles in his/her life such as conflict between work and home life; *intra-role conflict* – occurs when a person receives conflicting messages from the role senders (management and trade union

representative) about how to perform a certain role; and *person-role conflict* – which occurs when a person is expected to perform a role that clashes with his/her personal values. Tustin and Geldenhuys (2000:111) state that **environmental stress** can be amplified by a stressful environment, which is characterised by, for example, downsizing, competitive pressure or high degrees of uncertainty within an organisation.

Tustin and Geldenhuys (2000:111, citing Luthans, 1998) further state that **intra-personal conflict** occurs within (*intra*) the individual, and that this is important because it often leads to conflict between (*inter*) people. They argue that *frustration* is an important source of intra-personal conflict, and that it occurs when a person's drive is blocked by either an overt (*outward or physical*) or a covert (*inward or mental/socio-psychological*) barrier. They further argue that frustration normally triggers defence mechanisms, which include but are not limited to *aggressive mechanisms* (*fixation* – occurs when, for example, an individual becomes embroiled in a battle in an effort to be appointed or promoted despite the fact that there are no vacancies; *displacement* – when an individual directs his/her anger towards someone who is not the source of conflict; and *negativism* – a form of active or passive resistance); *withdrawal mechanisms* – arise when frustrated individuals try to flee physically or psychologically from conflict; and *compromise mechanisms* (*compensation* – occurs when a person tries to compensate or make up for a shortcoming by putting increased energy into activity; *identification* – occurs when one person patterns his/her behaviour after another person's behaviour; and *rationalisation* – occurs when people try to justify their behaviour by constructing bogus reasons for it).

In support of the above, Tustin and Geldenhuys (2000:112) state that *violence* is one example of an aggressive outcome of job frustration, and that a *withdrawal reaction* can be an explanation for motivational problems of employees. They cite an example of affirmative action in South Africa whereby an individual is appointed in a post without adequate qualifications and that appointee then encounters barriers of prejudice, lack of education

and discrimination, which may lead to aggressive, withdrawal or compromise responses to such barriers.

Tustin and Geldenhuys (2000:115) further state that conflict can manifest itself in several ways, which include grievances, poor communication, disregard for others' views, violence at work (e.g. verbal abuse or assault), violence outside the work environment, high absenteeism, de-motivated employees, victimisation, high labour turnover, negative attitudes, uncompromising viewpoints, poor job performance, low morale, increased transgression of the disciplinary code, and industrial action (e.g. strikes, picketing, marches, or stay-away).

It is essential that persons in supervisory or management positions are able to identify possible conflict and manage it effectively. In the next sub-section we explore how conflict can be effectively managed in the workplace.

2.2.5   Management of Conflict

Swanepoel *et al.* (1999:237) state that the management of conflict is more than merely the handling of a situational problem and demands a more holistic approach. They add that managing conflict implies managing the entire conflict process. They argue that conflict management is more than dealing with strikes and that it requires greater skills than those required to deal with conflict. They also argue that conflict management should be incorporated into strategic management and management practices, and that a holistic approach is a prerequisite. They state that the conflict management process consists of the following elements: conflict care, conflict identification, conflict handling and conflict cure. The features of these elements will be discussed next.

2.2.5.1   Conflict Care

Swanepoel *et al.* (1999:237-238) state that conflict care is a positive proactive management activity, which means being prepared to deal with conflict and care for the organisation and its people. They also state that conflict care requires knowledge of both the nature of conflict and of conflict management,

which in turn requires training. According to them, conflict care means structuring the management of conflict by preparing and equipping the organisation and its people with adequate skills and knowledge to manage conflict.

On the one hand, equipping people to manage conflict requires that they be evaluated with regard to their conflict-management abilities, knowledge of industrial relations, interpersonal skills and conflict-handling styles (Swanepoel *et al.*, 1999:238). They add that conflict is a process whose nature and origin lie in the essence of the human being, which is also the determinant of human behaviour, and therefore a prerequisite for the ability to control or manage conflict is a reasonable knowledge of the dynamics of human behaviour, especially in respect of individual and group behaviour. Thus conflict management implies the will and ability to understand people and their behaviour, and to manipulate them. It also implies that training (that is equipping people with knowledge, skills and feasible attitude) is the most important conflict-care activity.

On the other hand, organisational factors play an important part in causing conflict, and must be addressed: it is therefore necessary to determine the organisation's conflict potential and to evaluate, create or improve policies, systems, procedures and organisational culture (Swanepoel *et al.*, 1999:239). In this thesis equipping people to be able to manage conflict will be the focus of the conflict-care process.

2.2.5.2   Conflict Identification

Swanepoel *et al.* (1999:241) state that besides talking to one another, people also communicate through their behaviour (non-verbal communication). They state that employees' behaviour is significant in the conflict state, and that isolated sources of conflict rarely escalate beyond the interpersonal level and can be dealt with effectively within the line of the relationship. They add that realisation of this fact should indicate the need for timeous and effective resolution of isolated incidents. It is important that sources of conflict and the

conflict-generating behaviours of employees are identified at the earliest possible time in order to determine interventions.

2.2.5.3   Conflict Handling

Swanepoel *et al.* (1999:245) state that people's behaviour is determined by their intentions and disposition.   Citing Thomas (1976:156), they describe Thomas-Kilmann's conflict mode instrument (Swanepoel, 1999:231), which depicts five behavioural intentions/conflict-handling modes that classify conflict in terms of cooperation and assertiveness (see Figure 2.1 below).

Figure 2.1: Thomas-Kilmann's Conflict Mode Instrument

The explanation of the terminology is as follows (Swanepoel *et al.*, 1999:245):

- *competing* (assertive, uncooperative) behaviour is an attempt to address one's own concerns at the expense of another party, usually by overpowering the other through argument, authority, threats or physical force;

- *accommodating* (unassertive, cooperative) behaviour, in contrast, is an attempt to satisfy the concerns of the other party at the cost of the neglect/expense of one's own;

- *avoiding* (unassertive, uncooperative) behaviour is the neglect of both one's own and the other party's concerns by side-stepping or postponing the raising of conflict issues;

- *collaborating* (assertive, cooperative) behaviour is an attempt to fully satisfy the concerns of both parties; and

- *compromising* behaviour seeks partial satisfaction for both parties through a middle-ground position, which represent some mutual sacrifice.

Swanepoel *et al.* (1999:245) therefore suggest that conflict handling must be viewed as an integral part of management process. They argue that the objective of conflict handling is to make cooperation and cohabitation possible. They state that people cannot work or live together if they are unable to resolve their conflicts; that conflict resolution is possible only through joint decision-making where all parties join in the decision-making process as a whole; and that consensus can be achieved only when the parties have mastered communication skills. Besides the above, they state that communication is possible only between people and groups that know one another. As such, they suggest that getting to know people requires contact between them and a continuous process of gathering information about and understanding one another (consultation). In the long run this process will build mutual trust and support

2.2.5.4   Conflict Culture

Swanepoel *et al.* (1999:245) further state that every aspect of conflict and the way it is handled is influenced by the organisation's view of conflict. They argue that, if the pervading culture of the organisation is to perceive conflict as negative, the organisation is predominantly a *conflict-negative organisation*. They add that an organisation that predominantly perceives conflict as constructive is seen as a *conflict-positive organisation*.

A conflict-negative organisation perceives that conflict is negative and destructive, and should be avoided at all costs (Swanepoel *et al.*, 1999:246).

In such organisations individuals are used as building blocks; strict adherence to rules and procedures when making decisions is the norm for functioning; impersonal relationships are encouraged, where employees spend more substantial time with co-workers than with anybody else; and managerial leaders are expected to take decisions and solve problems decisively, because the organisation perceives conflict to be unfavourable to their productivity.

In a conflict-positive organisation there is an understanding that conflict is an integral part of organisational life, and there is also an understanding that poorly managed conflicts cost a great deal and no one wins when conflict escalates (Swanepoel *et al.*, 1999:246-247).   The culture in this organisation allows for diverse opinions and information, and the understanding is that conflict is part of the solution and not of the problem.   Conflict is perceived as the reconciliation of opposing tensions and directions into a workable solution. In such organisations tasks are assigned to groups because groups are perceived as the basic building blocks of the organisation; team meetings are the forums for solving problems in order to enable employees to deal with them; genuinely open relationships are encouraged in order to ensure that feelings, hunches and frustrations are expressed; and conflict-positive organisations foster the emergence of participative leaders, who enable the group to discuss problems and conflict openly and constructively, because it is believed that employees involved in the actual work often have the answers to work-related problems.

Swanepoel *et al.* (1999:247, citing Tjosvold, 1991:3-4) describe eight benefits of a well-managed conflict in order to ensure that conflict management makes a contribution to organisations.   These benefits are:

- *problem awareness* – where discussion of frustrations can assist employees and management to identify poor quality, excessive costs, injustices and other barriers to effectiveness;

- *organisational change* – where conflict creates an incentive to challenge and change outdated procedures and structures;

- *improved solutions* – where debating opposing views probes into issues, searches for information and insights, and integrates ideas to create solutions that are responsive to unfavourable perspectives;

- *morale* – where employees release tension through discussing their problems;

- *personal development* – where managers and employees learn how their different styles affect one another and acquire the skills to adapt accordingly;

- *self- and other awareness* – where people learn what irritates themselves and others, and what is important to them;

- *psychological maturity* – where people take the perspectives of others, integrate them and become less self-centred (egocentric); and

- *fun* – where employees enjoy the stimulation, arousal and involvement of conflict in which conflict invites people to examine and appreciate the ins and outs (intricacies) of their relationship.

Swanepoel *et al.* (1999:248) add that people need to debate their different ideas and positions as they explore their different preferences and relationships to forge a common ground to deal with these differences. They state that people express their frustration and anger, and try to manage it so that they can feel accepted by their colleagues and be involved in the organisation. They argue that conflict can be used to promote an organisation's effectiveness, if managers learn how to utilise and manage it effectively. They emphasise that transforming the organisation's conflict culture into a positive one demands reflection on one's own attitude towards conflict and on individual decisions to change certain aspects.

2.2.5.5   Conflict Cure

Swanepoel *et al.* (1999:249) state that conflict episodes and instances can leave substantial scars on the system within which they occur. They argue that a 'sick' organisation can be rehabilitated from a condition of labour unrest.

They state that conflict must make that system far more mindful of its functioning because of its history of incidents. In view of this analogy, it is advisable to keep the system and its methods sound by means of anticipation and a proactive mentality.

Swanepoel *et al.* (1999:249) also state that South Africa's unique socio-economic framework has rendered the country vulnerable to conflict and tension. They state that the process of labour relations, which defines and precipitates new levels of contact, has led to conflict situations following the meaningful settlement and termination of a conflict situation that inevitably leads to a situation of acquiescence and of assurance (or trustworthiness). They suggest that it is far more helpful to develop methods and systems for anticipation and structuring and to remain critically attuned to labour relations in general and potential conflict in particular.

Conflict cure ensures that the feedback loop is closed, because this final stage represents the grand finale of the conflict management process. The aim of the conflict cure is to maintain peace following the meaningful settlement of disputes, and to function in a preventative manner and ensure that the potential for conflict is kept to a minimum.

2.2.6 Labour Relations Functions

Tustin and Geldenhuys (2000:101-102) state that labour relations (LR) primarily entail a relationship between employers (or persons in supervisory and management positions) and employees (or trade union representatives), and every manager (from supervisor to senior management) should therefore be involved in the process. They also state that these line managers are the people dealing, as part of their duties, with subordinates, teams and shop stewards (trade union representatives), and they have to deal with grievances, apply discipline, deal with conflict, and negotiate on shop-floor level with trade union representatives. However, Tustin and Geldenhuys argue that, although it is the duty of every person in the supervisory or managerial position to care for his/her subordinates and to ensure sound labour relations with them, it is common in large organisations to make use of

a labour relations manager to coordinate the labour relations issues of that organisation.

Tustin and Geldenhuys (2000:102) further state that the function of the LR manager is traditionally seen as an extension of management to represent the employer in dealing with conflict among employees and with trade unions in particular.   Citing Salomon (1998), they argue that this viewpoint is still valid in certain organisations, especially in cases where the HR management approach is based on a traditional unitary perspective of labour relations, where management's ways of dealing with employees is paternalistic or authoritarian.

However, Tustin and Geldenhuys state that with the recent emphasis on democracy in the workplace, the role of labour relations managers has changed.   Their view is that LR appointees must not be perceived as part of, or in the camp of, management, but rather as intermediaries whose most essential task is promoting effectively the interests of both the organisation and its employees, and to facilitate the relationship between the parties. Citing Bendix (1996), they argue that the use of the title 'LR Manager', coupled with the perceptions of the position, might have led to the failure of LR managers in the past to fulfil their tasks.   They contend that LR managers are often utilised as presiding officers during disciplinary hearings and as chief negotiators during substantive negotiations.

Tustin and Geldenhuys (2000:102) state that the staff functions of LR managers include: holding negotiations and discussions with both parties separately in order to widen their framework by presenting the perspective of both parties; holding negotiations and discussions with both parties simultaneously to bring them closer to each other, and to promote cooperation and integration; handling conflict, establishing structures and processes for the handling of conflict, and training others in the handling of conflict; advising managers on the use of procedures and the implementation of sound and fair practices; establishing processes and structures for dealing with conflict; and monitoring the internal and external climate that may have an impact on the workplace and consequently on the labour relationship.

It was mentioned in the previous chapter that LR practitioners were initially appointed as MSFs (South Africa, 2001b), that they were selected from HR practitioners, and that they were equipped with skills for advising persons in supervisory positions with the knowledge and skills on dealing with EO matters. It was also mentioned that the researcher has experience of the execution of LR functions at grassroots level. In the absence of clear functions to be executed by the LR practitioners at grassroots level, the researcher was mandated and tasked by the Director Labour and Service Relations to develop LR functions for LR practitioners, which include (among other things):

- the facilitation of the handling and management of conflict between persons in supervisory positions and trade union representatives (including military members and civilian employees);

- the facilitation of the handling and management of individual and collective grievances;

- the facilitation of the handling and management of civilian employee discipline (excluding the discipline of military members because they are dealt with in terms of MDC);

- the facilitation of the handling and management of employee incapacity, poor performance and incapacity because of ill-health or injury;

- the facilitation of the handling and management of the participation of military members and civilian employees in labour actions;

- the empowerment or conscientisation of DOD personnel with knowledge on procedures and skills for dealing with LR matters; and

- the provision of LR specialist advice and support to the persons in supervisory positions, military members and civilian employees.

2.2.7 The Role of Labour Relations Practitioners

It was mentioned in the previous chapter that, according to the PSC report, the role of LR practitioners in the public service is not clearly defined. The PSC report (South Africa, 200b5:14) states that LR practitioners should have specific competencies in order to successfully perform their job at various post levels. These competencies include:

- *knowledge of LR legislation* and other statutes that govern employment relations in the public service, including how they are applied in different sectors;

- *knowledge of administrative law and principles* of fair administrative process;

- *research and analytical skills* – the ability to determine the applicable policies, decisions, collective agreements and legislation;

- *exceptional interpersonal skills*, including excellent listening skills, superior verbal and written communication skills as well as presentation skills;

- interest-based *conflict resolution skills* – the ability to assess the people being dealt with and be seen to be neutral, impartial and fair;

- *mediation or facilitation skills* – the ability to work with various parties understanding the influences on their behaviour and attitudes;

- the *ability to manage* a wide range of highly sensitive and confidential files, projects and processes, while meeting multiple deadlines; and

- the *ability to use discretion and flexibility* with considerable *independence* and to adapt policies and procedures to individual cases.

In addition to above, Chapter 3 of the PSC report (South Africa, 2005b) dealt with the broad perspectives on the role of the LR practitioners. The report cites the arguments of some authors who regard LR practitioners as change agents. For instance, the report (South Africa, 2005b: 8) includes the

argument of Schutte and Pieterse (1989:47) as well as Horwitz (1989:6) that a LR practitioner in the workplace acts as a change agent when dealing with internal (management and employees) and external (unions) stakeholders, and when interacting with people at various levels. The report also refers to the argument of Schutte and Pieterse (1989:47) that one of the functions of the LR practitioner is to equip management and employees with adequate knowledge on handling LR matters, thereby adopting a wider role of a change agent (i.e. the facilitator, counsellor and advisor). Furthermore, Slabbert (1997:15-16 cited in the PSC Report 71 (South Africa, 2005b:9)) argues that LR practitioners (acting as change agents) proactively engage the persons in management positions on labour relations issues, procedures and standards, and conscientise employees about relevant issues to enable them to deal with their problems that are related to labour relations.

The principles of labour relations in the South African perspective were discussed above, and the researcher argues that the democratic situation in South Africa required effective management of change. In the next section the principles regarding effective management of change will be explored.

2.3   Management of Change

Any organisation will reach a stage where it must adapt to changing circumstances. Smit and Cronje (1997:260) argue that changes in many organisations are influenced by internal (micro-environmental) factors, external (macro-environmental) factors, or both. Smit and Cronje (1997:262) further state that internal factors that influence changes in an organisation arise from the challenge of creating an organisational structure that is capable of facilitating the attainment of organisational goals, whereas external factors are derived from the international elements, which include the obligations imposed by international declarations as well as national elements that include the economic, political and national laws or regulations of that country. This implies that an organisation should be able to adapt to changes in its environment and that changes should be purposeful and/or planned. This section explores concepts of change management, adapting to changing

circumstances, selected planning for change, obstacles to changes and improvements, resistance to change and managing resistance to change.

2.3.1 Definitions of Change Management Concepts

Ulrich (1997:30) defines *change* as the ability of an organisation to improve the design and implementation of initiatives, and to reduce cycle time in all organisational activities. Catalysts of change or change agents should be able to identify the need for change and to implement the processes of change. According to Van der Waldt and Knipe (2001:27-8), the management of change is a multidimensional process. They provide that:

- employees in an organisation must be informed of the need for change;

- change agents must be identified to facilitate the change process;

- an environment and climate that support change must be created; and

- the objectives of the organisation must be adapted.

This implies that the person responsible for change in any organisation must ensure that:

- proper diagnosis of the current situation is conducted to determine any need for change;

- the envisaged change is communicated down to the lowest possible level, because lack of communication of the envisage change may result in resistance to change; and

- the fundamental objectives of the organisation are modified to improve the future organisational performance.

2.3.2 Adapting to Changing Circumstances

Organisations must always strive to adapt to changing circumstances. Ulrich (1997:151-152) argues that both winning and losing organisations are faced with increasing amounts of change that cannot be fully predicted, anticipated

or controlled. He contends that a difference between winning and losing organisations would *not be the pace of change*, but rather the *ability to respond* to the pace of change. He further claims that the winning organisations would not be surprised at the unanticipated changes they encounter, because they would have developed the ability to adapt, learn and respond to them, whereas the losing organisations would spend time trying to control and overcome the change rather than responding to it quickly. Ulrich (1997:152) provides the following three types of general responses:

- *initiative changes*, the focus of which is on implementing new programmes, projects and/or procedures, which are identified through strategic planning and are implemented as part of an evolving management-improvement process. He emphasises that these initiatives replenish the organisation with new ideas, insights and approaches;

- *process changes*, the focus of which is on the ways in which work gets done, where an organisation identifies core processes and then tries to improve those processes through work simplification, value-added assessments and other reengineering efforts. He emphasises that these process improvements redefine the infrastructure of an organisation;

- *cultural changes*, which occur within an organisation when the fundamental ways of doing business are re-conceptualised. He emphasises that these cultural adaptations change the manner in which the organisation thinks and feels about itself.

Ulrich states that change agents should be able to build an organisation's capacity to handle these three types of adaptations. He further states that the change agents should make sure that initiatives are defined, developed and implemented in a timely manner; that processes are started, stopped and simplified; and that fundamental values within the organisation are debated and appropriately adapted to changing business conditions.

There are various areas in which change may occur. According to Smit and Cronje (1997:263-264), organisations may undertake change in four areas, namely strategy, structure, technology and people. They argue that when a change is made in one of the areas, that change would generally influence change in other areas. However, the change that the researcher is concerned with is the change in people – which involves changes in the attitudes, perceptions, behaviours and expectations of the people – because this is of relevance to the character of LR practitioners.

According to Van de Waldt and Knipe (2001:29-30), there are various categories of change, but an organisation should adopt techniques or methods of change that would satisfy its needs or circumstances. Discussed here under are six categories of change:

- *reactive change* – this change is a reaction to a threat or opportunity in the environment;

- *planned change* – this change is managed in an orderly manner and on time in anticipation of approaching events;

- *developmental change* – this change is aimed at developing what the organisation is currently doing in such a way that it can be done more effectively;

- *transitional change* – this change takes place more slowly in the organisation to replace an obsolete system that cannot be further improved;

- *transformational change* – this change requires a radical change that alters the variables in the vision of an organisation such as the values, the mission, culture, leadership and organisational culture; and

- *paradigm shift* – this refers to a fundamental change in the way of doing things, enabling the individuals and the organisation to observe, understand and interpret things.

Van der Waldt and Knipe (2001:30) suggest that in order for any organisation to be successful, the methods and techniques of change selected should satisfy the circumstances of that particular organisation. In terms of the research problem it is likely that the category of change to be managed is that of transformational and paradigm shift.

2.3.3   Planning for Change

According to Smit and Cronje (1997:261), *planned change* involves the entire organisation or a major part of it in order to adapt to significant changes in the organisation's goals or direction, and in reaction to expected change in the external environment.   Robbins (1990:383) argues that as long as organisations confront changes – such as changes in government regulations and policies that affect the organisation or a previously non-unionised organisation that has allowed union representation – the organisation either responds or accepts the inevitable decline in effectiveness.   He further argues that an organisation that persists in keeping its head in the sand eventually would find itself running *going-out-of-business* sales, bankrupt, or just fading from existence.   This argument does not necessarily apply to public service organisations, especially the Defence Force, because the existence of the Defence Force is a constitutional imperative (South Africa, 1996a:113) and therefore the Defence Force would not fade, irrespective of whether it adapts to changing circumstances or not.

Kirkpatrick (2001:33-37) argues that in order to manage change effectively, it is essential to adopt a systematic approach.   His model for management of change with seven steps is provided below (see Figure 2.1).   He suggests that these steps should be followed in order to ensure that the best decisions are taken and the changes are acceptable:
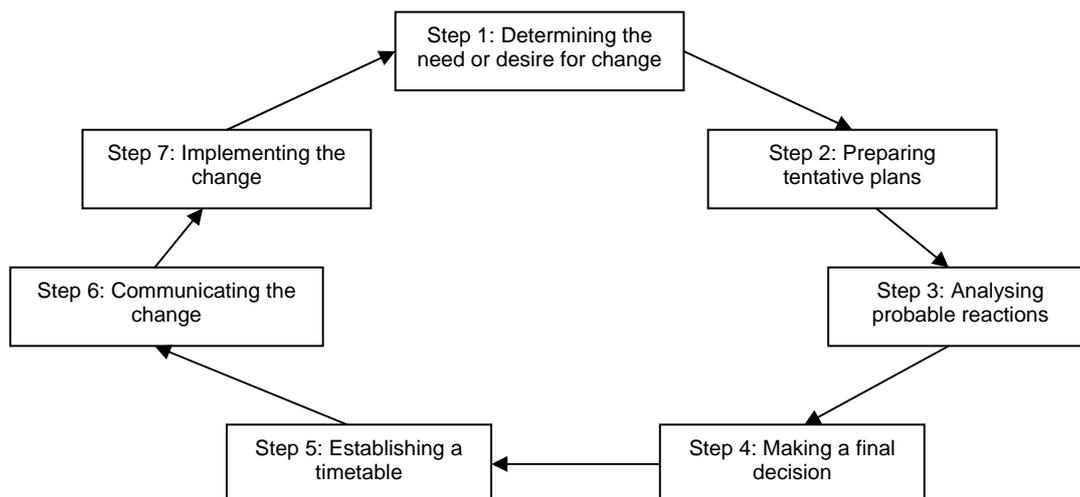
Figure 2.1:   Model for Management of Change

Step 1: Determining the need or desire for a change.   This step suggests that the top management should determine whether there is a need for change. A manager, either personally or based on suggestions from subordinates, could decide that there is a need for a change.

Step 2: Preparing tentative plans.   This step suggests that tentative plans would have to be developed in order to ensure that the envisaged change is implemented.   It is imperative that those who develop the tentative plans should be open to change for the implementation of change to be effective and that they do not adopt a defensive attitude when reactions to the envisaged change are negative and/or suggest a modification.   It is also crucial to take note that those who have other ideas would recognise that their inputs are not considered and consequently would be reluctant to contribute or participate in the change process.   Participation is essential in the change process and therefore those involved in it should be asked to contribute their ideas before tentative plans are developed.

Step 3: Analysing probable reactions.   This step suggests that almost every proposed change would encounter three different types of reactions.   It should be expected that some people would resent and possibly resist the change, some would remain neutral stating that they could not care less whether the change take place or not, and others would accept and possibly

welcome the change. Therefore, it is essential that these reactions are carefully observed and analysed.

Step 4: Making a final decision. This step suggests that a final decision should be taken after plans and approaches have been compared. Two possible approaches are suggested. The first approach is for the manager to consider all data and come to a decision. This approach is quick and it emphasises the authority and status of the manager. If he or she is highly respected by subordinates and the inputs from the subordinates are considered, this approach could be effective and highly acceptable. The second approach is to use group problem-solving techniques, where the manager would call together all or some of the people involved and ask them to contribute towards taking a decision. This approach could be effective if the manager is able to conduct a productive meeting and get people to reach consensus. The advantage of this approach is that a high level of commitment to the decision would be obtained, because it would be the decision of the group rather than the decision of the manager.

Step 5: Establishing a timetable. Some changes could be simple and could be implemented in one step, but other changes could be complicated and could require a timetable for implementation. Kirkpatrick (2001:35) states that change could either be coerced or decided by participation. He argues that the coerced approach is fast but it could only be maintained as long as the leader has a position of power to make it stick. He adds that the participative approach is slow and evolutionary, but its advantage is that the change tends to be sustainable because it belongs to the people, who would also be highly committed to it.

Step 7: Communicating the change. Kirkpatrick (2001:37) emphasises that communication is a continuous process starting from the first step to the final stages of the change process. However, he encourages the understanding that communication should be a two-way process – telling and selling the change plan as well as listening to reactions and suggestions. Costello (1994:46) emphasises that effective two-way communication is vital to assist people in the transition process. She suggests that change agents should be

clear about the envisaged change, should be able identify similarities and/or differences between current and new ways, should report regularly on the status of the change or progress made, and should acknowledge the effort made and success. She further emphasises that it is essential to set milestones to measure success and to ensure that everyone knows what they are and whether they have been reached. She therefore suggests that if it is predicted that milestones won't be reached, then reasons should be communicated and plans should be revised accordingly, because people would be motivated by reaching the milestones.

Step 7: Implementing the change. This is a step in which the final decision is implemented according to the timetable established. However, Kirkpatrick (2001:37) emphasises that if the change process were not to proceed as planned, then resistance would prevail. He therefore suggests that the change process should be stopped and the situation be evaluated in order to determine whether the decision should be modified or reconsidered. He suggests that the timetable could have been introduced too rapidly or requires modification, or it could be that the communication was not effective and therefore people do not understand the need for change or the degree of participation in the decision-making process was not sufficient.

Van der Waldt and Knipe (2001:32) state that change is a process, which occurs in three phases: the unfreezing phase, the transition or change phase, and refreezing phase. The *unfreezing phase* refers to preparation for change; it involves changing existing attitudes and perceptions to create a need for change. Fox *et al.* (1991:167) stress that unfreezing is aimed at increasing the awareness of the need for change, and that the status quo is disturbed by a reduction in the strength of current attitudes, behaviours and/or values. The *transition or change phase* involves the thorough modification of people, structures and technology. Fox *et al.* (1991:167) claim that this change phase reflects the action-orientated phase and that explicit changes are brought about through the development of new attitudes, behaviours and/or values. The *refreezing phase* is designed to maintain the momentum of change in which the positive results of the transition process are frozen.

Fox *et al.* (1991:167) state that refreezing stabilises the change that has been brought about and that the new state, which has been reached, becomes the status quo and must be sustained. Figure 2.2 depicts the change process.

```
┌─────────────────────────────────────┐          ┌─────────────────────────────────────┐
│           Present State              │          │           Desired State             │
│  Key concern: Unfreezing stage - How │◄─────────│  Key concern: Refreezing stage - How │
│  to effectively assist people in     │          │  to provide the necessary support   │
│  letting go of the present ways of   │          │  for people to accept, adopt and    │
│  doing things or tasks?              │          │  execute new or alternative ways of │
│                                      │          │  doing things or tasks?             │
└─────────────────────────────────────┘          └─────────────────────────────────────┘
              ┌────────────────────────────────────────────┐
              │              Transition State               │
              │  Key concern: Change stage - How to         │
              │  effectively direct and manage people in    │
              │  their movement through the transition      │
              │  period i.e. the new ways of doing things   │
              │  or tasks?                                  │
              └────────────────────────────────────────────┘
```

Figure 2.2: Model for Change Process

Harvey and Brown (1996:44-45) state that organisational change is a deliberate attempt to modify the functions of the total organisation or one of its major parts in order to bring about improved effectiveness. They state that change efforts can focus on individual, group or organisational behaviour. The change efforts that are aimed at improving individual and group effectiveness are discuss below, as they are most relevant to LR practices.

With regard to individual effectiveness, Harvey and Brown (1996:44) state that an organisation is made up of individuals who have unique values, beliefs and motivations. They point out that the effectiveness of an organisation can be increased by creating a culture that achieves the organisational goals and at the same time that satisfies the needs of its employees. They argue that empowering the individual employees by letting them contribute to decision-making could improve quality, productivity and employee commitment. They further state that change efforts that focus on individual effectiveness include empowerment activities that are designed to improve their skills, abilities or motivational levels, and would result in a more effective organisation.

With regard to team effectiveness, Harvey and Brown (1996:45) state that change efforts may also focus on the fundamental unit of an organisation, the team or work group, as means for improving the effectiveness of the

organisation.   They state that there is an emerging approach of self-managed work teams, which entails that organisations should elicit the commitment of their employees if they are to achieve a sustainable competitive advantage in a turbulent marketplace.   This approach is also applicable to the public service departments, especially within the emerging new public management and good governance approached, where the provision of some of the public services could be in competition with the private sector (Jann, 2002).   Harvey and Brown (1996:45) further state that there is an emphasis on improving problem-solving processes while working through conflicts and issues surrounding ways in which the group could improve its effectiveness and productivity.   These activities are designed to improve the operations of the work teams focusing on task activities (what the team does) or they deal with team process (how the team execute its tasks or work, and the quality of the relationships amongst team members), which would improve the effectiveness of the teams.

2.3.4   Obstacles to Changes and Improvements

Changes and improvements in an organisation are often hindered by the attitudes of the people affected by change and sometimes by the indecisiveness of the people in management or leadership positions.   Van der Waldt and Knipe (2001:41) argue that a positive attitude towards change is necessary to ensure stability, which implies that in order to obtain stability as quickly as possible in a new system, all strategies, concepts, attitudes, structures, systems, processes and reactions must be positively oriented towards change.   They support the view that change agents should be transformational leaders who empower employees with adequate skills and knowledge, increase their need levels, inspire them to be proactive, establish positive change in organisations, and enhance proactive participation by all role-players affected by the change.

Van der Waldt and Knipe (2001:37) also argue that the change process cannot succeed until it obtains the necessary support of and a powerbase in the authorities, which include a political system with competing groups, role-players and communities, each with own point of view on any particular

change. Thus, they emphasise that change agents should have legitimacy among the personnel of the organisation and must have certain skills, including negotiation and communication skills. Burkey (1993:78) also argues that change agents would face considerable obstacles and would therefore be completely frustrated in their efforts unless they can gain the support, acceptance and confidence of the people with whom they are trying to work.

Fox *et al.* (1991:166) argue that change is not confined to modifying organisational processes, but also comprises efforts aimed at altering the behaviour of individuals (i.e. reducing their fears or stereotypes), to increase their confidence in themselves, and to make them more open, co-operative and trusting. They also argue that no change would be likely to occur unless there is motivation to change, and where such motivation is not readily available, its cultivation could be the most difficult part of the change process. Ulrich (1997:157) states that HR professionals must turn desire into competence by recognising the challenges to successful change and by building plans to overcome those challenges.

Van der Waldt and Knipe (2001:42) further state that in some instances external change agents are used because of the argument that top management has too much power and authority and it can therefore veto important transition processes to suit its own agenda. They also argue that top management determines the main and long-term objectives and policy of the organisation, and determines priorities, develops strategies, initiates programmes and regulates acquisition and utilisation of resources. As such, top management is expected to display better insight, vision, creativity, initiative and judgement than lower management. Therefore they suggest that top management should set out broad guidelines and policy in the change process.

Fox *et al.* (1991:164), however, argue that the use of external change agents could also be disadvantageous, because they usually have an inadequate understanding of the organisation's culture, history, operating procedures and personnel. It is for this reason that change agents should obtain the support,

acceptance and confidence of the people with whom they are trying to work. Burkey (1993:78) suggests that in order for the change agents to gain confidence, they need to be visible amongst the people, make friendships with them and share their burdens as well as joy.

The tension between the roles of change agents and administrative experts yields a number of paradoxes that needs to be managed effectively. Ulrich (1997:46) suggests that efforts must be made to balance the need for change, innovation and transformation with the need for continuity, discipline and stability. His suggestions include that:

- an organisation must balance the need for stability and change. This implies that an organisation must have stability to ensure continuity in products, services and manufacturing. However, he argues that an organisation that changes constantly lose its identity and ends up chasing mythical successes that never materialise. Yet he also argues that an organisation that fails to change eventually ends up collapsing;

- an organisation must balance the past and the future. This implies that an organisation must honour its past but also move beyond it. He argues that an organisation must recognise that past successes ensure current survival, but only by letting go of the past would the future arrive;

- an organisation must balance the benefits of free agency and control. This implies that an organisation needs to encourage free agency and autonomy in making decisions, sharing information and soliciting ideas. He argues that an organisation requires discipline among its employees to make the value of the whole greater than that of the parts, to forge individual effort into team accomplishment, and to create boundaries for freedom;

- an organisation must balance efficiency and innovation. This implies that new ideas and programmes require risk capital, both economic

and human. He argues that change agents need to encourage risk and innovation while maintaining efficiency.

2.3.5 Resistance to Change

Fox *et al.* (1991:166) note that change threatens the status quo and therefore tends to increase ambiguity and uncertainty. As such, most organisational change efforts run into some form of employee resistance and trigger some emotional reaction because of the uncertainty involved (Smit and Cronje, 1997:265). Van der Waldt and Knipe (2001:46) point out that change involves a movement away from the known to the unknown, which obviously creates uncertainty among people affected as to whether they would be accommodated in the future situation, whether their skills would be appreciated, and whether they would be able to keep up with change. Smit and Cronje (1997:265) suggest that, in planning for change, change agents should always take resistance into account. They (citing Mondy and Premeaux) give the following reasons for resistance to change:

- uncertainty amongst those affected by change;

- the possible loss of social status;

- the possible financial loss;

- fear of inconvenience;

- fear of loss of control over their own future, because change is usually unavoidable;

- unforeseen implications because organisations are open systems and continually subject to forces of change; and

- loss of a powerbase among groups or individuals within the organisation as a result of change.

Van der Waldt and Knipe (2001:46) suggest that the following reasons for resistance should be effectively managed:

- *perceptual reasons* – which involve stereotyping, lack of identifying and isolating problems, narrowing down the problem area, inability to consider the problems from different point of view and approach, and information overload;

- *emotional reasons* – which include being afraid of taking risks and failing, being intolerant of vagueness, having a tendency to criticise rather than generating ideas, and being unable to consider the situation owing to pressure of time and personality;

- *cultural reasons* – which include certain circumstances being regarded as taboo and not taken seriously, too much emphasis on practical obstacles, solution of problem being considered too seriously, and establishing traditions that are difficult to change;

- *environmental reasons* – which include lack of support such as legislation and funding, inability to use criticism and advice constructively, and being open to participation from personnel; and

- *cognitive reasons* – which include the use of unsuitable language and messages, strategies being used inflexibly, and lack of relevant and reliable information.

2.3.6 Managing Resistance to Change

Smit and Cronje (1997:266) argue that resisting change is a human response and management should take drastic steps to counter it. They further argue that reducing resistance would cut down on the time needed for change to be accepted. They suggest that:

- employees should be educated about the impending change before it occurs, which should include explaining the nature and the logic behind the change;

- participation is the most effective technique for overcoming resistance to change, because it give employees a chance to express their fears

- about the proposed changes and it brings together those affected to help implement the change;

- facilitating change would provide the necessary resources that employees need to carry out change and properly perform their job;

- change process should be supported;

- proposed change should be negotiated with the parties involved in order to reach an agreement; and

- managers should refrain from threatening employees with job losses or loss of privileges, because this creates hostility and bad feelings - instead they should co-opt the resisting individuals by offering them a desired role in the change efforts.

Van der Waldt and Knipe (2001:49) state that the management of resistance to change is one of the main components of the management of change. In order to manage resistance to change, they suggest that *change agents* should: determine the institution's readiness for change; identify the origins of the resistance; determine the nature of change; diagnose the reasons for resistance; implement strategies for the management of change; and evaluate and monitor the progress.

Fox *et al.* (1991:166) also state that both individuals and groups fear that change may adversely affect their interests and therefore they would frequently create barriers to change, even though the change may prove to be beneficial to them. Therefore, Fox *et al.*, (1991:166 citing Schein) suggest that in order to plan effective interventions, change agents need some kind of change theory, which explains how to initiate change, how to manage the whole change process, and how to stabilise desired change outcomes. Van der Waldt and Knipe (2001:49) provide *practical measures to manage resistance to change*, which include:

- providing sufficient information on the nature and logic behind the change before the change begins;

- ensuring participation in order to give employees a chance to express their fears about the proposed changes;

- providing guarantees (where possible) that losses would be avoided;

- making only the most essential changes;

- making an effort to maintain effective practices and informal culture;

- establishing confidence in management and in the process;

- offering support – listening to problems and being understanding; and

- making possible negotiation and communication with the parties involved.

2.3.7 Change Agent

Successful changes within an organisation demand a catalyst of change or a change agent. Burkey (1993:76) defines a *change agent* as a person who initiates a process of change. This implies that even when the need for change is identified, change can only take place in an organisation if someone initiates the process, otherwise the envisaged change would not be effected. Fox *et al.* (1991:164) further describe a *change agent* as the person who assumes the responsibility of managing the change process within an organisation and who acts as a catalyst of change.

However, this responsibility of managing change processes within a specific field of expertise (e.g. organisational restructuring) cannot be assumed by anybody within an organisation other than the subject experts or specialists of that business practice (e.g. the organisational work study specialist). It does not make business-process sense to find somebody who does not have adequate knowledge of the subject matter, but who takes the responsibility for managing the change process, because the responsible person (a change agent) is expected to share his/her expertise with the people for whom the change is executed. Heller (1998:46) refers to a *change agent* as an

enthusiast for change, who can pass his/her enthusiasm on to other people and so takes on pivotal responsibility in a change programme.

This implies that a change agent is the facilitator of the change process. According to Van der Waldt and Knipe (2001:41), a *change agent* is an individual who facilitates development projects that are aimed at changing the quality of the employees' lives. Burkey (1993: 211) suggests that "*a change agent must not do anything for the people that they can do for themselves*" in order to avoid dependence. According to Ulrich (1997:161), change agents do not carry out change, but they must be able to get the change effected. He also states that change agents should identify and profile key factors for change. Ulrich (1997:158-9) lists several key success factors for building capacity for change:

- *leading change* – having a catalyst of change who owns and leads the change initiative;

- *creating a shared need* – ensuring that individuals know why they should change;

- *shaping a vision* – articulating the desired outcome from change;

- *mobilising commitment* – identifying, involving and pledging the key stakeholders who must be involved to accomplish the change;

- *change systems and structures* – using HR and management tools (staffing, development, appraisal, rewards, organisational design, communication systems, etc) to ensure that the change is built into the organisation's infrastructure;

- *monitoring progress* – defining bench-marks, milestones and experiments with which to measure and demonstrate progress; and

- *making change last or sustainable* – ensuring that change happens through implementation plans, follow-through and on-going commitments.

Ulrich further states that change agents should turn knowledge about change into know-how for accomplishing change, and should turn key success factors for change into action plans for accomplishing change.

2.3.8 The Characteristics of a Change Agent

In order for the change agents to be successful in their role of changing perceptions, it is essential that they possess specific characteristics. In this regard, Burkey (1993:82) suggests that change agents should:

- have respect for, and faith in, the employees with whom they are working with or influencing;

- go to the employees as learners and not as teachers;

- be humble, honest, dedicated, patient and sensitive;

- try to know the employees, their socio-economic, political and cultural situations and problems;

- be well acquainted with the management of conflict, since their work might lead to conflict situations within the organisation; and

- have the capacity and humility to withdraw as soon as the employees are ready to manage their own affairs.

2.3.9 The Role of a Change Agent

Burkey (1993:78) states that a change agent has basically two roles. The *first role* is as a facilitator of human development or conscientisation. Burkey (1993:55) defines *conscientisation* as a process in which the people try to understand their present situation in terms of the prevailing social, economic and political relationships in which they find themselves. Burkey argues that the first step in achieving genuine participation is a process in which the people themselves become aware of their own situation, the socio-economic reality around them, their real problems, the causes of these problems, and what measures they themselves need to take to begin changing their situation.

In order for change agents to become effective catalysts of change and conscientise themselves regarding the realities of the employees, it is essential to ensure that they possess specific skills and abilities to initiate the change process, which can be acquired through empowerment programmes. Theron *et al.* (2005:123) provide two views of empowerment. The first view is that *empowerment* is the development of skills and abilities, which enable people to manage and/or negotiate better with development delivery systems. The second view is that *empowerment* is a process that equips people to decide on, and take action regarding, their development process. The empowerment should benefit both the change agents and beneficiaries of the change process. This implies that empowerment should equip change agents with adequate skills to facilitate the change process; it should also equip the beneficiaries with abilities to respond positively to change efforts. In order for change agents to be effective, it is essential for them to work more closely with organisational management and employees at all levels.

Burkey (1993:56) continues that once the process of critical awareness building has begun among a group of people, the **second role** of a change agent is to become an organisational consultant. Burkey (1993:81) argues that a change agent can play his/her facilitator's role effectively only if he/she has adequate knowledge and understanding of the people with whom he/she is going to work. Meyer (2004:1) states that a change agent, as a facilitator, is someone who enables things to happen in an organisation. A change agent helps the employees to identify the causes of their problems and assists them in finding solutions to these problems; a change agent also presents training programmes to employees to equip them with adequate knowledge, skills and values to function effectively in their jobs. Meyer (2004:9) states further that facilitation is one of the best techniques to use when implementing change management. He argues that by means of facilitation the organisation can obtain valuable information about people's ideas on change and the role they can play to support change. Burkey (1993:79, citing Bhasin) lists the following basic roles of a change agent as developed by experienced change agents in Asia:

- a change agent should *work with people* and not for them. This implies that people should be the subjects of change rather than being treated as objects or targets;

- a change agent should *work mainly with the vulnerable groups*;

- a change agent should initiate a *process of critical awareness building (conscientisation)* amongst people. This implies that a change agent should set in motion a dialogue on the realities of people and so enable them to identify their own needs and problems, and express what kind of changes they want and how they would like to see them come about;

- a change agent should *assist people to appreciate the advantages of working in groups*, because it is only through group action that people stand a chance of increasing their bargaining power and control over their own problems;

- a change agent should *promote the broadest possible participation* through the emergence of numerous and varied small groups based on the interests of their members;

- a change agent should *assist groups during their establishment phase* to analyse and make decisions regarding their rules and objectives, decision-making, leadership and financial controls;

- a change agent should *encourage the development of leadership skills* among the group members so that he/she may withdraw after some time;

- a change agent should *assist and encourage groups to establish external linkages* between themselves and other government departments, including communicating their needs and grievances;

- a change agent should *share his/her special expertise knowledge and experience* with people, but in a way that maintains their dignity and self-reliance;

- a change agent should *encourage groups and employees at large to establish links* between themselves and other groups or organisations; and

- a change agent should *constantly review and assess his/her own role*, behaviour and relationships with others, and his/her performance.

Burkey (1993:76) states that the direction which the change should take needs to be decided through interaction with the people with whom the change agent is working, rather than unilaterally by the change agent acting alone or on behalf of outside interests.

2.4   Change Management within Labour Relations

There is a lot in common between labour relations (section 2.2) and change management (section 2.3) principles. For example, it was established that sound labour relations and harmony in the workplace can be realised when people in supervisory positions have an adequate understanding of the regulatory framework governing labour relations principles in the workplace, and when they consistently implement and/or execute the prescribed labour relations practices.   At the same time, it was also established that organisational change would be successful when people in supervisory positions have an ability to identify the need for change and adapt to changing circumstances.   This means that in order to achieve harmony in the workplace the people in supervisory positions should accept that labour relations circumstances are changing or have changed, and that organisations should adapt to such changing or changed circumstances.

It was further established that if the envisaged change is not communicated and implemented properly, then people in the workplace would resist it, and this resistance is likely to cause conflict. It is essential that the people in supervisory positions should be equipped with adequate knowledge for managing change and resistance to change, and for handling conflict that may emerge.   In cases where the required knowledge is lacking, LR practitioners are expected to empower them with such knowledge.

It was also mentioned that it would be difficult to achieve labour peace in the DOD without top management support, because they have power to influence change processes in the workplace. As such, top management needs to accept that military labour relations cannot be wished away, because they came into being as a consequence of the Constitution (South Africa, 1996a) and the General Regulations (South Africa, 1999). Therefore, the acceptance of this would make it possible for military labour relations circumstances to be steered in the right direction, which means that adequate LR structures and systems would be established and proper guidelines regarding the management of military labour relations would be developed.

2.5 Improvement of Service Delivery

In 1997 the South African government introduced a policy of *putting people first* (also known as *Batho Pele*) to promote a customer-based approach to service delivery. The *Batho Pele Handbook* (South Africa, 2003c: 8-9) states that this initiative was aimed at encouraging public servants to become customer-services orientated, to strive for excellence in service delivery, and to be committed to continuous service delivery improvement. It also provides that the *Batho Pele* approach needs to be embraced as an integral part of management activities to ensure that every management process is aimed at improving service delivery and customer satisfaction. Every person who works in the public service is expected to relish the challenge of providing improved services that would help South Africans to rise above the legacy of the past.

The South African government has acknowledged that responding to the challenges presented by the legacy of the past and having to rise to the legitimate demand of citizens to be treated as customers as opposed to mere users of public services is an enormous and daunting task. All citizens have a right to expect high-quality public services that meet their needs. The main challenge facing the public service is to move from mere knowledge of the services to be delivered, and discover ways of working that would encourage new attitudes and organisational culture, and develop their competencies to be able to render professional services.

The *Batho Pele Handbook* (South Africa, 2003c:81) provides eight principles of *Batho Pele*. These principles are *consultation, service standards, access, courtesy, information, openness and transparency, redress, and value for money*.

- *Consultation* entails that citizens should be consulted about the level and quality of the public service they are entitles to receive, and where possible, should be given a choice about the public services that are offered.

- *Service standards* entails that citizens should be told what level and quality of public service they will receive so that they are aware of what to expect.

- *Access* entails that all citizens should have equal access to the public services to which they are entitled.

- *Courtesy* entails that citizens should be treated with courtesy and consideration.

- *Information* entails that citizens should be given full and accurate information about the public services they are entitled to receive.

- *Openness and Transparency* entails that citizens should be told how national and provincial departments are run, how much they cost and who is in charge.

- *Redress* entails that if the promised standard of public service is not delivered, then citizens should be offered an apology, a full explanation and speedy and effective remedy; and when complaints are made, citizens should receive a sympathetic positive response.

- *Value for money* entails that public services should be provided economically and efficiently in order to give citizens the best possible value for money.

2.6   Conclusion

This chapter has covered regulatory framework that regulates the management of labour relations in the DOD. What transpired in the discussions is that LRA does not apply to military personnel and therefore legislation unique to the military was developed to regulate the provision and the management of military labour rights. One of these pieces of legislation, the General Regulations (South Africa, 1999), created conflicts and disputes between military trade unions and the DOD leadership over the limitations it places on military personnel to exercise their labour rights. The judgement of the Constitutional Court (South Africa, 2007b) was in favour of the military trade unions. However, the judgement of the court was not implemented by the DOD, which caused conflicts between LR practitioners and persons in command positions at grassroots level over the way in which military labour relations should be managed in the workplace.

Subsequently, the principles pertaining to the management of change were defined and analysed. These principles include that employees in an organisation should be informed of the need to change in order to ensure that everyone is prepared to adapt to the proposed change; that a catalyst for change should be identified to facilitate the process of change that would satisfy the circumstances of that organisation; that a change agent should create an environment conducive to change through lobbying support from the top management and employees for the proposed change; and that resistance to change should be identified at an early stage of the change process in order to reduce it or effectively manage it.

The meaning of change agents, their characteristics and roles when facilitating a change process were also discussed. It was explained that change agents are catalysts of change; that they facilitate the change process; and that the change agents should not dominate the change process, but rather should ensure that the organisation and its employees drive the change process.

It was also noted that there is a common relationship between labour relations and change management practices. As such, it was suggested that top management should accept LR circumstances and that change management

principles must be utilised to manage the changing LR circumstances. It was also suggested that HR professionals should turn the desire for change into competence by recognising the challenges to successful change and by building plans to overcome those challenges.

Lastly, the principles of service delivery (*putting people first – Batho Pele*) were also discussed to promote a customer-based approach to public service delivery. These principles are expected to be an integral part of management activities that are aimed at service delivery improvement. Therefore, it is crucial that LR practitioners should be equipped with adequate knowledge and skills in order to assist persons in supervisory positions to be able to handle and manage LR matters in the workplace.

Having discussed the principles of labour relations and management of change, a DOD case study is undertaken to explore the objectives of LR support and the content of LR practices, and to determine those aspects of the regulatory frameworks that impede the ability of LR practitioners to be change agents.

CHAPTER 3: HANDLING LABOUR RELATIONS MATTERS: A DEPARTMENT OF DEFENCE CASE STUDY

3.1   Introduction

In the previous chapter the theoretical framework for labour relations and management of change was explored. In addition, the two theories were discussed to determine the extent of their relationship. What transpired is that there is some kind of relationship between the two theories, although it is not strong. In terms of the theory it was determined that traditional and stereotyped perceptions on labour relations practices need not be maintained, because there is room for an interpretation whereby the appropriate applications of such practices can contribute towards better performance and delivery of LR services, especially given the transformation and even paradigm shift that are required in the DOD.

The management of military labour relations is a new phenomenon in the DOD and the new responsibility of military commanders. It seems ironic, therefore, that on the strategic level the top management in the DOD promotes this paradigm shift, whereas it is, on the other hand, reluctant to accept that labour relations principles are applicable in the military. This thesis contends that the reason for this reluctance is because of the perceived clash between maintaining military discipline and promoting labour rights of military personnel, as well as the inappropriate application of labour relations practices in the SANDF.

It is the traditional and primary responsibility of military commanders to ensure that all military personnel under their command are equipped with adequate knowledge and skills to defend the sovereignty and the democracy of the Republic of South Africa. This entails that military commanders need to acquire adequate and appropriate skills to execute professional labour relations practices.

This chapter will cover the following aspects:

- explore the objectives of the LR support function in the DOD;

- explore the content of LR practices; and

- identify the regulatory frameworks and procedures that impede the ability of LR practitioners to facilitate change.

3.2   Objectives of LR Support Function

In the DOD the labour relations environment is dynamic and changing rapidly. On the one hand, the SANDF military commanders and military section heads often find themselves under intense pressure to be able to manage labour relations challenges and their implications professionally.   In recent years the Secretary for Defence and the Commander of the SANDF (accompanied by senior military officers and civilian officials) have from time-to-time been summoned to the Parliamentary Committee on Defence (PCOD) to provide clarity and to account for the persistent conflict and poor relationships between themselves and military trade union representatives, as well as the escalating number of military personnel grievances.   The researcher argues that senior military officers and civilian officials are supposed to have adequate knowledge and skills to professionally manage labour relations issues as well as to ensure that persons in supervisory positions are able to handle labour relations challenges in their areas of responsibility.

Yet the persons in supervisory positions at grassroots level also often find themselves in a situation where they are expected to handle labour relations challenges as they emerge in order to ensure that work performance and productivity are not disrupted.   In this dynamic and rapidly changing labour relations environment, trade unions representatives often exert enormous and intense pressure on persons in supervisory positions at the grassroots level to address the concerns of their members and to implement collective agreements taken in the bargaining councils.

In order to ensure that the DOD senior management and persons in supervisory or managerial positions at grassroots levels are able to professionally manage this dynamic and rapid changing LR environment, it became apparent that LR support needs to be provided.   The first objective of this LR support is to ensure that persons in supervisory positions at

grassroots level are able to manage and handle LR challenges. Programmes are conducted to empower them with adequate skills and knowledge on the procedures for managing or handling LR challenges in the workplace, which include (amongst other things) conflict, problems with discipline, poor work performance because of incapacity, and participation in labour actions.

The second objective of LR support is to ensure that the persons in supervisory positions at grassroots level as well as DOD personnel in general are able to adapt to changing LR circumstances in the workplace. The persons in supervisory positions are required to embrace all the efforts aimed at enhancing the LR knowledge at grassroots level. They are expected to ensure that LR practitioners have access in their areas of responsibility and are supported with adequate resources, and are empowered with adequate skills and knowledge to be able to facilitate change in the field of LR.

The third objective of LR support is to ensure that LR matters such as conflict, problems with discipline, poor work performance, and participation in labour actions are handled objectively and consistently. The LR practitioners are required to advise and support persons in supervisory positions with adequate knowledge and skills to enable them to manage and handle LR matters professionally in their areas of responsibility and to enable them to execute acceptable and appropriate LR practices in the workplace.

3.3   The Content of LR Practices

In the DOD there are numerous labour relations matters that need to be managed in a professional manner. These matters include, amongst other things, conflict between persons in supervisory positions (as employers) and trade union representatives, military collective bargaining activities, handling of grievances and disciplinary matters, handling of poor performance because of incapacity, incapacity on the grounds of ill-health or injury, trade union organisational rights, and participation of military members and civilian employees in union activities. However, for the sake of this thesis the researcher will in this chapter attempt to explore the manner in which

disciplinary processes, poor performance because of incapacity, and participation in trade union activities are managed in the DOD; this chapter will also discuss the challenges facing LR practitioners, and relate the practices to the theoretical framework presented in the previous chapter.

3.3.1   The Management of Disciplinary Matters in the DOD

In the DOD disciplinary matters of military members and civilian employees are managed and handled in different ways. As indicated in the previous chapter, it is expected that the Defence Force be structured and managed as a disciplined military force. As such, the disciplinary matters related to military members are managed and handled in terms of the Military Disciplinary Code (MDC). On the other hand, the disciplinary matters related to civilian employees are handled in terms of the provisions of the Labour Relations Act (South Africa, 1995a) as well as in terms of the disciplinary code and procedures of the public service (South Africa, 2003a). The management of disciplinary matters of military members in the DOD will be explored in order to determine the challenges facing LR practitioners in the military.

3.3.1.1   The Management of Disciplinary Matters of Military Members

Disciplinary matters of military members are managed and handled in terms of the MDC (South Africa, 1957) and it is traditional for military disciplinary processes to be punitive in nature, but they are also aimed at correcting the unacceptable behaviour. When military members commit misconduct, they are regarded as ill-disciplined and are charged in terms of the MDC and disciplined in terms of military court procedures as established by the Military Discipline Supplement Measures Act (South Africa, 1999). For instance, it is common to catch military members drunk during working hours, and drunkenness in the workplace is one of the common causes of poor work performance and/or regular absenteeism. A drunken person could also be a danger to other military members in that he/she could endanger their lives. The core business of the military is to handle and operate sophisticated

weapons such as guns, rifles and pistols, and when these are handled or operated by a drunk military person, disasters can happen.

For example, in an isolated case one military guard consumed liquor whilst on night guard duty relief at a remote camping base without being noticed. During the night he started shooting at random around the camp in all directions and fortunately there were no casualties. As soon as he emptied his rifle magazine, he was arrested and brought to the camp commander. The camp commander charged him for drunkenness during working hours and random shooting, and he was later dismissed from the military through the recommendations of the summary trial.

However, although military members commit these kinds of crimes, on numerous occasions they have logged complaints through LR offices at grassroots level about inconsistent handling of similar offences. The complaints included some supervisors being lenient to some offenders and very harsh with others. According to the reports, some commanding officers or persons in supervisory positions have advised some offenders to seek specialist assistance for their drinking problems, in which case their problems are resolved. But other offenders are charged and subsequently dismissed for drunkenness and misconduct.

In the latter instance LR practitioners collaborating with legal officers and social workers have alleged that the majority of the persons in supervisory positions do not attempt to establish the reasons for offenders' absenteeism, behaviour, misconduct or substance abuse. Instead they follow a punitive procedure whereby they charge the offenders for misconduct and later discharge them irrespective of whether the conduct is a first offence or a recurring problem. The researcher acknowledges these allegations, because during the period 2006 to 2007 the Parliamentary Committee on Defence confronted the Secretary for Defence and the Chief of SANDF on the increased number of grievances expressed by the military members which in their view were not addressed. The outcome of the confrontation was that Chiefs of Services and Divisions should devise alternative measures for

addressing petty offences committed by military members before adopting the sanction of dismissal.

Furthermore, the dismissal sanction is in contradiction of section 33 of the MDC (South Africa, 1957), which states that any person who is drunk on or off duty, or who is unfit to properly perform his or her duties due to excessive use of alcohol or narcotic drugs, shall be guilty of an offence and would be liable for conviction to imprisonment for a period not exceeding one year if he or she has committed the offence while on service and/or on duty, or would be liable for conviction to imprisonment not exceeding three months if he or she is off duty.   In this section there is no provision made for dismissal and as such it is evident that the disciplinary approach in the military is punitive in nature.

Nevertheless, whatever sanction is applied substance abuse in the workplace during or after working hours has not scaled down. The implication is that this disciplinary procedure adopted in the military does not address the cause of drunkenness or substance abuse in the workplace, and the MDC (South Africa, 1957) does not provide for a role to be played by LR practitioners and/or social workers in the military disciplining process.

The data presented in Table 3.1 below depict the nature and number of military members who were charged for offences related to drunkenness, absence without leave (AWOL) and disobedience (of a lawful command) in the workplace over the period 2002 to 2008.

Table 3.1: Members Misconduct Records between 2002 and 2008

Offences	Financial Years (2002 to 2008)						Trend
	02/03	03/04	04/05	05/06	06/07	07/08	
Drunkenness	121	147	69	149	No Records Found	No Records Found	Fluctuating
AWOL	2727	2741	2002	1245			Decreasing
Disobedience	247	359	482	285			Decreasing

(Source: DOD Annual Reports – South Africa, 2003b, 2004b, 2005a, 2006a, 2007a and 2008)

In addition, section 59(3) of the Defence Act (South Africa, 2002:60) provides that a member who absents himself or herself from official duty without the permission of his or her supervisor for a period exceeding 30 days would be regarded as having been dismissed, if he or she is an officer, or discharged if he or she is of another rank on account of misconduct with effect from the day

immediately following his or her last day of attendance at his or her place of duty, or the last day of his or her official leave.

Some LR practitioners at grassroots level have reported to the Directorate Labour and Service Relations that some persons in supervisory positions do not apply the provisions of this section in a professional manner. For example, it has happened in the past that one military member was admitted to hospital after a public transport accident and that the DOD was not informed by the hospital, the member or his/her family. While in hospital, the DOD implemented the administrative discharge process in terms of the provisions of section 59 (3) of the Defence Act (South Africa, 2002) after the period of 30 days elapsed. On recovery, the member, unaware of these developments, reported for duty with a copy of a sick report from the hospital, but he was informed that his/her service had been terminated in terms of section 59 (3) of the Defence Act.

It is common that members who are affected in this way often report their cases to the office of the Minister or Deputy Minister of Defence, the Presidency, the Human Rights Commission or the Public Protector and the outcome is often a demand that the affected members be reinstatement in their former position. In addition, military trade unions representatives have sometimes put pressure on the DOD top management to address their concerns related to inconsistent application of military discipline.

Some offenders have in the past resorted to violent actions when they are dissatisfied with the responses they have received from the DOD. An example is the shooting incident that occurred in Bloemfontein in early 2000 (*Star*, 2000). The offender had gone on family responsibility leave to bury his deceased father. After the funeral, he claimed that he had reported to the duty officer that he had to finalise some administrative issues at home such as collecting burial insurance monies, payment of burial service costs, returning the equipment he had borrows and the like. The offender also claimed that he was also expecting to get his salary on the 15th of the month (pay day for military personnel), which was also during his period of absence. When the

offender went to the bank, he found that his salary had not been paid into his bank account.

Apparently, the duty officer, who the offender claim to have talked to, did not capture the report in the occurrence book and therefore there was no written proof of the claim, but he acknowledged receipt of the call. The offender returned to work fuming with anger and confronted the administrative and pay staff, and later fatally shot some of them before he was shot dead. Therefore, it is imperative that the provisions of the regulatory framework are applied with due consideration of what may transpired and without favour, and that they are communicated down to lowest level in order to ensure that they are understood by everybody and implemented fairly.

The researcher contends that the MDC does not correlate with labour law. This implies that convicted offenders cannot report their dissatisfaction or complaints related to their military court convictions through the labour relations system, but are rather required to appeal or submit all their complaints through the military court system. As indicated in the previous chapter, the proper functioning of the Defence Force is unimaginable without legal rules designed to prevent military members from undermining military discipline. However, because of complaints regarding the unprofessional handling of military disciplinary cases, it is imperative that the military disciplinary process is revised to bring it in line with the labour relations disciplinary system to avoid unnecessary conflict in the workplace.

In this context the role of the LR practitioners would be to communicate adequate knowledge on the corrective and progressive approach or procedure for dealing with disciplinary matters; to ensure that procedural fairness is institutionalised when dealing with disciplinary matters; and to facilitate the management, handling and speedy finalisation of disciplinary matters. The LR practitioners, in collaboration with legal practitioners, would be expected:

- to conscientise the persons in supervisory positions with respect to the realities of unprofessional and inconsistent handling of misconduct and fair procedures for dealing with disciplinary matters for members;

- to facilitate the empowerment of persons in supervisory positions so that they acquire adequate skills and knowledge on the procedures for professionally managing or handling disciplinary matters of military members in order to enhance fair labour practice; and

- to facilitate the corrective or progressive management or handling of disciplinary matters of military members in order to encourage fair and speedy resolution and finalisation.

Therefore, persons in supervisory positions and their subordinates are both expected to have a sense of duty or responsibility in order to act proactively in rectifying misconduct and/or inappropriate behaviour in the workplace. When any military member absents himself or herself for more than 7 days, it is required that the person in the immediate supervisory or management position should attempt to establish the whereabouts of that military member before the 30 days elapse in order to ensure that a fair opportunity is provided to the offender to state his or her case before the sanction of dismissal is implemented. Also, when subordinates have any personal problems that would lead them to be absent from work or that would negatively affect their conduct in the workplace, it is expected of them to report such problems to their superior in order to obtain professional assistance (where necessary).

The next section will explore the manner in which disciplinary matters related to civilian employees are managed or handled, and also the role played by LR practitioners.

3.3.1.2   The management of Disciplinary Matters of Civilian Employees

The Department of Public Service and Administration (DPSA), in consultation with recognised trade unions, developed comprehensive disciplinary measures for public servants in the form of a disciplinary code and procedures for the public service (South Africa, 2003a). Persons in

supervisory or managerial positions in the DOD (i.e. military commanders and supervisors as well as civilian managers) are expected to have adequate skills and knowledge to implement these procedures when handling the misconduct of their civilian subordinates. However, the researcher submits that the majority of persons in supervisory or managerial positions at grassroots do not have adequate knowledge on the procedures for handling disciplinary matters of civilian employees.

For example, when a civilian employee regularly commits misconduct (say, being absent without permission (AWOP) on Mondays, Fridays or after pay days), military persons in supervisory positions at unit level have a tendency of applying military methods of handling disciplinary matters with respect to their civilian employee subordinates. In some cases, some persons in supervisory positions have a tendency to ask civilian personnel under their supervision to attend roll call on the parade ground and to form up in a military squad during the roll call.

When the civilian employees resist these orders, they would report them to the Officers Commanding (OC) of the unit, who will in turn ask their immediate supervisors or Regimental Sergeant Major (RSM) to bring those civilian employees to his orders or office bearing, and/or charge them for AWOP or disobedience of lawful commands. This practice has resulted in numerous conflicts between trade union representatives and the alleged OC or persons in supervisory positions. In this regard, the disciplinary code and procedures stipulate that corrective and progressive disciplinary processes must be followed when addressing the misconduct of the employees (Resolution 1 of 2003a).

Taking into considering the same offence of drunkenness in the workplace, which in most cases leads to either poor performance or absenteeism, it is expected that corrective disciplinary procedures be followed to determine the causes of this behaviour. Unlike the military disciplinary procedure, if the corrective and progressive measures are not followed, then any sanction implemented or decision taken is usually tested against a code of good practice: procedural fairness (schedule 8 of the Labour Relations Act, South

Africa, 1995a). However, it is the responsibility of persons in supervisory or managerial positions at grassroots level to handle the conduct or behaviour committed by the employees under their supervision. It is also the responsibility of the civilian subordinates to conduct themselves professionally in the workplace.

The data captured in Table 3.2 below depict the nature and the number offences committed by DOD civilian employees who have committed offences such as drunkenness in the workplace, being absent without permission (AWOP), fraud and theft of state property over the period 2002 to 2008.

Table 3.2: The Record of Misconduct committed by Employees between 2002 and 2008

Offences	Financial Years						Trend
	02/03	03/04	04/05	05/06	06/07	07/08	
Drunkenness	-	32	-	3	2	3	Dropped
AWOP	16	315	23	38	7	6	Dropped
Fraud	2	114	17	9	3	6	Dropped
Theft of State Property	8	226	13	11	2	0	Dropped

(Source: DOD Annual Reports – South Africa, 2003b, 2004b, 2005a, 2006a, 2007a and 2008)

The previous chapter indicates that the persons in supervisory or managerial positions should adopt corrective or progressive disciplinary measures when handling the misconduct of civilian employees that is related to substance abuse in the workplace. They are expected to adopt a corrective or progressive disciplinary approach, which requires that the purpose of the discipline and the standard of behaviour required should be made known to the employees, and that efforts should be made to correct the behaviour of employees through a system of progressive disciplinary measures such as counselling and warnings.

In order to fulfil this task they are therefore expected to conduct a thorough investigation to establish the reasons for the behaviour (e.g. drunkenness during working hours) and attempt to assist the employee through corrective counselling (i.e. rehabilitation) process. Only when the employee is not cooperative or the behaviour does not change can warnings and/or disciplinary hearings be invoked. Therefore, it is crucial that the persons in supervisory or managerial positions, as well as the civilian employees

themselves, are made aware of, and empowered with, procedures for dealing with disciplinary matters in the workplace in order to minimise misconducts and subsequent conflicts, and that the procedure is implemented professionally, fairly and consistently to minimise unnecessary disputes.

In this way LR practitioners could become change agents and be responsible for sensitising and empowering persons in supervisory or managerial positions with the skills and knowledge of the procedures for dealing with disciplinary matters related to civilian employees.

The majority of persons in supervisory and managerial positions seem to be unwilling to participate in the procedures for dealing with disciplinary matters related to civilian employees and to understand the role of LR practitioners at unit level, because they always expect LR practitioners to handle all LR matters that emerge in their areas of responsibility. This expectation is not in line with the guidelines provided by Director of Labour and Service Relations to LR practitioners (South Africa, 2001c), which stipulates that LR practitioners should:

- conscientise persons in supervisory or managerial positions with the realities and consequences of adopting a fair procedure when dealing with disciplinary matters of civilian employees;

- facilitate the empowerment of persons in supervisory or managerial positions with adequate skills and knowledge on the procedures for professionally managing or handling disciplinary matters of civilian employees in order to encourage a corrective and progressive disciplinary procedure as well as to promote fair labour practice; and

- facilitate and enhance fair procedure for dealing with disciplinary hearings in order to ensure speedy finalisation of the disciplinary hearings.

If a civilian employee absents him- or herself from the workplace for more than 7 days, it is the responsibility of the LR practitioners to encourage, empower and advise the immediate supervisor or manager of that employee

to establish the whereabouts of this employee before a calendar month elapses in order to ensure that the employee has been given an opportunity to state his or her case before the sanction of dismissal is implemented. However, the majority of LR practitioners fail to encourage, empower and advise the persons in supervisory or managerial positions on the procedure to handle absenteeism in the workplace in a professional way.

This failure is the result of the lack of confidence from the LR practitioners to conduct empowerment programmes to enhance skills and knowledge on the procedures for handling LR matters. The researcher has established that in most cases they do not render LR services in their areas of responsibility, but rather they perform HR services (such as HR transactions, career management, staffing, HR planning, and the like) because of a shortage of HR practitioners or a lack of commitment to rendering LR services. This lack of commitment in rendering LR services and provide specialist advice to persons in supervisory and managerial positions has a negative impact on the professional handling of absenteeism in (for example) the DOD, which in the medium to long term has negative impact on the productivity in the workplace.

It is imperative that LR practitioners at unit level acquire adequate knowledge and skills in the procedures for managing disciplinary matters for civilian employees in order to ensure that persons in supervisory or managerial positions are empowered with the skills and knowledge that would enable them to handle disciplinary matters regarding their subordinates and to adapt to the dynamic and rapidly changing LR circumstances in the DOD.

In the DOD military members and civilian employees are expected to perform their functions and tasks in order to ensure that the DOD fulfils its constitutional obligation. In the following section the management and handling of poor performance as a result of incapacity in the DOD will be explored in order to ascertain the role of LR practitioners in the process.

3.3.2 The Management of Poor Work Performance because of Incapacity

It is the responsibility of the persons in supervisory or managerial positions to manage or deal with the poor work performance as a result of incapacity.

Furthermore, the persons in supervisory or managerial positions have a responsibility to ensure that all subordinates under their supervision are in possession of comprehensive duty sheets or directives so that they know what is expected of them in the workplace. The researcher found that the majority of subordinates did not have comprehensive duty sheets or directives, and if they did then these sheets are not updated on a regular basis and aligned with the transformation that is taking place in the DOD.

For example, it was mentioned earlier that LR practitioners at unit level were initially utilised as multi-skilled functionaries (MSFs). When the officer in charge of HR support functions decided that their responsibility would be to focus on executing LR functions, the duty sheets of MSFs were not aligned with the new function. The lack of alignment of the duty sheet later created confusion regarding their responsibility and tasks, which caused some LR practitioners to be unable to perform their work according to the required work performance standards.

Consequently, some LR practitioners submitted their grievances to their supervisor at the Directorate challenging the low rating they had received during the 2006/2007 performance appraisal assessment cycle. They argued that they had rendered HR services to their clients on request, which they did. But at the same time the supervisor argued they did not render LR services as required, which affected the productivity and the predetermined output of the Directorate. Therefore, it is imperative that all DOD personnel are issued with comprehensive performance agreements, management directives and duty sheets or directives in order to ensure that they understand the work they are expected to perform. When they receive their performance-guiding documents, persons in supervisory or managerial positions are expected to ensure that they perform their functions in accordance with the stipulated performance standards, and that poor work performance as a result of incapacity is dealt with appropriately.

In the following two sections the manner in which the poor performance of military members as a result of incapacity is managed in the DOD will be

discussed and analysed to determine the role of LR practitioners in the process.

3.3.2.1 The Management of Poor Work Performance of Military Members because of Incapacity

In the DOD military members are placed in posts in the military establishments and are therefore expected to perform the functions of those particular posts in accordance with the required standard (South Africa, 2005c). However, some individuals do not perform their duties for various reasons that are related, but not limited, to lack of supervision, excessive substance abuse, regular absenteeism, domestic violence and/or inadequate training or empowerment. In the previous chapter it was stated that it is the responsibility of persons in supervisory or managerial positions to ensure that lowered work performance standards are corrected immediately. It is often the person in a supervisory or managerial position who directly and consistently observes the performance of his/her subordinates and who knows thus what level of performance is expected.

At the same time, it can be argued that in most cases the majority of persons in supervisory positions often avoid performance management; the reason for this is that they are uncomfortable with the face-to-face confrontation that may follow. In the DOD this avoidance manifests itself when the person in a supervisory position is dependent on his/her subordinate for fulfilling his/her assignments, and consequently the subordinate does not have respect for the superior because of his/her incapacity to perform his/her managerial work.

However, in the DOD there is no policy that prescribes the procedure for managing or dealing with military members who perform below the required standard. Traditionally, in the military any soldier who is unable to perform an assigned task is regarded as an under-achiever and would be either charged with disobedience or discharged from the force. This is because all military personnel undergo and pass intensive training and courses before being appointed to a particular post. As such it is regarded as an offence for

any military personnel to be unable to execute an assigned task, because training was provided in executing tasks at each specific level.

Currently the SANDF is operating under a democratic government and military personnel have labour rights. In the absence of the policy for handling poor performers (as under-achievers are referred to in the SANDF), individual persons in command and supervisory positions utilise their discretion to address poor work performance, which is largely dependent on individual leadership and management styles. Military trade union representatives often challenge their military approach of handling poor work performers in the court of law; this is regarded as interference with traditional military command.

Furthermore, the role of LR practitioners in the process of managing or handling military members who perform below the required standard is not described. However, LR practitioners are expected to facilitate the management and the handling of poor work performance of military members as a result of incapacity, and to acquire adequate knowledge on the procedures for managing or handling it (South Africa, 2005c). It is therefore imperative that the person in charge of HR in the DOD provides strategic direction on the development of a comprehensive policy for dealing with poor work performance of military personnel in order to enable persons in supervisory positions at grassroots level to manage poor performers in their areas of responsibility.

It is suggested that this policy should also provide guidelines for managing and handling poor work performance of military personnel because of incapacity. This policy should include recommendations that:

- military personnel at all levels should be made aware of the desired work performance standards;

- military personnel should be made aware of the work performance standards that are not met;

- military personnel at all levels should be afforded an equitable chance to improve their performance standard;

- persons in supervisory positions should correct poor performance in the workplace as a result of incapacity;

- military personnel at all levels should be equipped with adequate skills and knowledge on the procedure for handling their poor performance in the workplace as a result of incapacity;

- persons in supervisory or managerial positions at all levels should be empowered with adequate skills and knowledge to professionally manage and handle the poor performance of their subordinates in the workplace as a result of incapacity; and

- persons in supervisory and managerial positions should ensure that the procedure for managing or handling poor performance as a result of incapacity is applied consistently and fairly.

It is a common practice in the DOD to transfer poor performers or place them additional (supernumerary) to the structure. It was mentioned in the previous section that some persons in supervisory positions often avoid performance management because they wish to avoid the face-to-face confrontation that may follow. It is imperative that LR practitioners should be involved in the process of managing or handling the poor performance of military members as a result of incapacity in order to ensure that they assist persons in supervisory or managerial positions to adapt to the dynamic and rapidly changing LR circumstances, and to ensure that they are empowered with adequate skills and knowledge on the procedures for managing or handling the poor performance of their subordinates because of incapacity in their areas of responsibility.

In the next section the way in which the poor performance of the civilian employees because of incapacity is managed and handled in the DOD is explored to determine the role of LR practitioners.

3.3.2.2 The management of Poor Work Performance of Civilian Employees because of Incapacity

In the DOD civilian employees are placed in civilian posts and are therefore expected to perform the functions of those posts. However, some individuals are unable to perform their duties in accordance with the required standards for various reasons that are related, but not limited, to lack of adequate supervision, excessive substance abuse, domestic violence or inadequate training or empowerment. It was indicated in the previous section that it is the responsibility of the person in the supervisory position to ensure that poor performers in his/her area of responsibility are managed, and that their inadequate performance is corrected to the desired standard. It is the direct supervisor or manager who has a better chance of observing the employee's performance and determining the required performance standard, and who can therefore correct the lowered or declining standard of performance.

However, in the previous section it was also indicated that the majority of supervisors and managers often avoid the management of their subordinate's performance because they are not comfortable with the face-to-face confrontation that may follow. The LRA (South Africa, 1995a) provides clear guidelines on how to handle the poor performance of civilian employees as a result of incapacity, including a newly hired employee. It indicates that

- persons in supervisory or managerial positions should ensure that their subordinates are aware of the performance standard that is not met;

- each subordinate is provided a reasonable period or a fair opportunity to improve the required performance standard before dismissal can be considered;

- the reasons for unsatisfactory performance are established in order to consider alternative employment to remedy the matter short of dismissal; and

- in the process the employee should be afforded an opportunity to state his/her case and to be assisted by a trade union representative or fellow employee.

It was also indicated that it would be unfair if the procedure for dealing with poor work performance as a result of incapacity is not followed before dismissing a poorly performing employee.

On the basis of the incapacity code and procedure for the public service (Resolution 10 of 1999), the DOD developed a comprehensive procedure in the form of a standard operating procedure (SOP) – Incapacity: Poor Work Performance of Employees (South Africa, 2001d) for the management and handling of poor performance of civilian employees as a result of incapacity. The SOP provides guidance that:

- persons in supervisory and managerial positions should ensure that their subordinates are aware of the desired work performance and that they are afforded an equitable chance (i.e. sufficient time and opportunity) to improve their performance;

- LR practitioners empower persons in supervisory and managerial positions with adequate skills and knowledge of the procedure to manage or handle poor performance of their subordinates as a result of incapacity in their areas of responsibility; and

- poor performance in the workplace as a result of incapacity is managed or handled in a professional and fair manner.

LR practitioners have indicated in their monthly LR reports that the majority of persons in supervisory or managerial positions do not follow the prescribed procedure for managing or handling poor performance as a result of incapacity. For example, they have reported that persons in supervisory positions do not hold counselling sessions with their subordinates in the presence of their trade union representatives in order to determine the cause of that employee performing below the required standard. Trade union representatives would then confront them afterwards to rectify this approach

and force them to follow the prescribed procedure. Therefore, it is imperative to ensure that LR practitioners are involved in the process of managing or handling the poor performance of civilian employees because of incapacity in order to facilitate the procedural management of poor performance in the workplace.

The following section explores the way in which the participation of military members and civilian employees in their trade union activities is managed and handled in the DOD in order to determine the role of LR practitioners.

3.3.3   The Management of Participation in Trade Union Activities

It was stated in the previous chapter that the citizens of the Republic of South Africa have the right to fair labour practice – that is to say, they have the right to form and join any recognised trade union of their choice, to participate in the activities and programmes of their unions, and to strike. It was also stated that this right could only be limited in terms of section 36 of the Constitution (South Africa, 1996a).

The next two sections explores the way in which the participation of military members and civilian employees in their trade unions is managed and handled in the DOD to determine the role played by LR practitioners at grassroots level.

3.3.3.1   The Management of the Participation of Military Members in Military Trade Union Activities

It was stated in the chapter on the theoretical framework that since 1999 military members in the DOD have exercised their right to form and join recognised military trade unions of their choice. It was argued that military members deserve to be recognised as *citizens in uniform* and are therefore entitled to enjoy the same rights as ordinary citizens of the Republic of South Africa. However, it was also indicated that they are a unique professional group that can be asked to do more than ordinary citizens including making the ultimate sacrifice of their lives. It was suggested, however, that their right

to organise should be limited only when it relates to military operational matters.

In spite of the above, the right of military members to participate in the activities of their military unions is prohibited in terms of the General Regulations (South Africa, 1999), because the Defence Force is regarded as an essential service. This limitation has given rise to conflict between DOD top management and the representative military trade union (SANDU), which had led to SANDU lodging a dispute that went from the High Court to the Constitutional Court. The outcome was that the Constitutional Court (South Africa, 2007b) ruled in favour of SANDU. However, the DOD leadership is still reluctant to accept the judgement, because they argue that the participation of military members in military trade union activities (especially labour actions, i.e. picketing and protest actions) is unacceptable in the military and constitutes the breach of military discipline.

In terms of the theoretical framework presented in the previous chapter, this reluctance to accept the Constitutional Court judgement constitutes resistance to change. As such, LR practitioners are encountering difficulties in advising persons in supervisory or managerial positions on the manner in which the Constitutional Court judgement regarding the participation of military personnel in the activities of military trade unions should be handled at grassroots level. It is the view of the researcher that the DOD leadership should accept the judgement to avoid further disputes and litigation costs in order to provide a chance for the interpretation of the judgement as well as to determine the way forward for the implementation of the judgement.

In the previous chapter it was further indicated that the proper functioning of any Defence Force is hardly imaginable without legal rules designed to prevent military members from undermining military discipline. The participation of military personnel in labour actions suggests that there are numerous labour-related concerns affecting military personnel that are not addressed or that need to be addressed as a matter of urgency, because they cause unnecessary tension and conflict in the DOD workplace.

In order to minimise the tension and conflict in the workplace, it is important for military personnel always to strike a balance between protecting their labour rights and maintaining military discipline. At the same time, in order to promote harmony in the workplace, it is also imperative for persons in supervisory positions to strike a balance between promoting the labour rights of military personnel and enforcing military discipline. It is the view of the researcher that LR practitioners could play a significant role in facilitating the realisation of this balance.

The role that LR practitioners could play may include:

- empowering military personnel with the provisions of the regulatory framework regarding their participation in military trade union activities and the consequences thereof;

- facilitating the management or handling of military personnel who participate in the labour actions of a military trade union;

- empowering persons in command and supervisory positions with adequate skills and knowledge of the procedures to manage or handle the participation of military members in the labour actions of a military trade union;

- supporting, in collaboration with legal practitioners, the persons in command and supervisory positions with specialist advice and processes for disciplining military personnel who have participated in labour actions of a military trade unions that are not legitimate and without prior arrangement for leave; and

- supporting the persons in command and supervisory positions in dealing with resistance to change.

The position of the DOD (SANDF) is that military personnel who participate in military labour actions without permission would be regarded as absent without leave (AWOL) and would be dealt with in terms of the MDC. A different approach is followed when civilian employees have participated in

their trade union activities and will be addressed in the following section. However, without departmental interpretation of the Constitutional Court judgement (South Africa, 2007b) and with lack of guidelines on the manner in which they should be implemented, it is impossible for LR practitioners to advise and support the DOD personnel and facilitate the management of military personnel who have participated in the activities of their military trade unions.

The following section will explore the way in which the participation of civilian employees in the activities of their trade union and discuss the role played by LR practitioners.

3.3.3.2 The Management of the Participation of Civilian Employees in Trade Union Activities

In the previous section it was noted that civilian employees have the right to form and join a trade union of their choice, to participate in the activities and programmes of a trade union, and to strike.   In this regard, it is acknowledged that the majority of civilian employees in the DOD are members of the recognised employee trade unions; that the majority of their trade unions are affiliated with federations such as the Congress of South African Trade Unions (COSATU); and that civilian employees in the DOD have participated in the activities and programmes of COSATU over the period 2005 to 2008. During this period COSATU organised a series of national protest marches to protest against the increase in food, fuel and electricity prices, racism and sexism in the workplace, poor working conditions, casual workers, job losses and poverty in South Africa.

In spite of the fact that the DOD falls within the parameters of the definition of essential services as provided in section 65 of the LRA (South Africa, 1995a), the civilian employees in the DOD participated in the above activities, but the majority of persons in supervisory positions failed to monitor and report their participation as required by the Department of Public Service and Administration (DPSA).   At the same time the DPSA issued a notice which specified the status of the protest action very late (i.e. either one day before,

on the day or a day after the protest action) for the Heads of Departments to respond and disseminate to the lowest level where, the participation had taken place. This means that persons in supervisory positions had not monitored the participation of their subordinates during the day of the protest action and therefore the DOD had nothing to report to the DPSA.

As was mentioned earlier, the DOD does not have a policy to manage or handle the participation of civilian employees in the activities of their trade unions and federation, and that the management of labour relations matters is a new responsibility for military persons in supervisory positions. The researcher found that the practice in the DOD was that persons in supervisory or managerial positions at grassroots level would not take action if they have not received an administrative order that specifies the status of the protest action and the action they need to take.

It is imperative that LR practitioners should play a significant role in facilitating the monitoring process and supporting persons in supervisory positions to enable them to manage and handle civilian employees who participate in the activities of their union. In the previous section it was noted that LR practitioners should:

- empower civilian employees with adequate knowledge about the regulatory framework that guides participation in trade union activities and the consequences thereof;

- facilitate the management and handling of civilian employee who participate in the activities of their trade unions;

- empower persons in supervisory and management positions with adequate skills and knowledge about the procedure for managing and handling the participation of civilian employees in the activities of their trade union; and

- support persons in supervisory positions by facilitating the disciplinary processes involving civilian employees who have committed

misconduct during their participation in the activities of their trade unions.

It is evident from the above discussions and analysis that adherence to the prescribed laws and procedures is essential for managing and dealing with LR matters.   Taking in account that the management of LR matters is a new and unfamiliar responsibility for military persons in command and supervisory positions, it is imperative that LR practitioners should be allowed to play the role of facilitators and educators in order to ensure that military commanders and supervisors change their perception about the management of LR matters, and that they adapt to the dynamics and rapidly changing LR circumstances in the DOD.

According to section 2.3.7 of the previous chapter, a catalyst of change or the facilitator of a change process is regarded as a change agent.   It was argued that the responsibility of change can only be assumed by somebody who is a specialist on a particular subject or business practice.   As such, it is unlikely that LR practitioners can act as change agents, if they are unable to facilitate changes of LR practices in their areas of responsibility, and if they are unable to ensure that management practice includes the management of LR matters in the DOD.   The assessment of LR practitioners as change agents is undertaken in the next chapter.

To conclude this section on the content of LR practices, it is imperative to mention that the management of military labour relations is a new command and supervisory responsibility and task in the DOD, and that it cannot be fulfilled without comprehensive training being provided to DOD personnel at all levels.   In the military it is the norm that all personnel at different levels are empowered with adequate and appropriate skills and knowledge through education, training and development courses and programmes to enable them to execute the responsibilities and tasks entrusted to them.   As such, it would not be easy for military personnel to understand and execute LR practices without being educated, trained and developed to do so.

It is for this reason that the researcher has emphasised throughout this section that LR practitioners at grassroots level are expected to empower persons in command, supervisory and managerial staff, including their subordinates, with adequate knowledge and skills in order for them to be able to manage and handle LR matters in the DOD. Regulatory Framework that Impedes the Ability of LR Practitioners to Facilitate Change

The previous chapter discussed the regulatory framework and procedures for regulating LR matters in the DOD, and the previous section explored the content of LR practices in the DOD to determine the role that should be played by LR practitioners at grassroots level. The sections below will investigate the regulatory frameworks and procedures that impede LR practitioners in facilitating LR changes in the DOD.

3.3.4 Disciplinary Codes and Procedures

Earlier in this chapter it was indicated that in the DOD disciplinary matters for military members and civilian employees are managed and handled in a different ways. Disciplinary matters of military members are handled in terms of a military disciplinary code (South Africa, 1957), whereas disciplinary matters regarding civilian employees are handled in terms of the disciplinary code and procedures for the public service (Resolution 1 of 2003 as amended).

The disciplinary code and procedures for the public service provide clear guidelines on how to manage and handle disciplinary matters in the case of civilian employees. On the other hand, the military disciplinary code (MDC) provides clear guidelines on how to handle disciplinary matters in the case of military members. In spite of these provisions, the procedure provided in the MDC is not associated with sound labour relations, but is rather aimed at punishing the ill-disciplined military member and enforcing military discipline in the DOD (SANDF), whereas the disciplinary code and procedures for public service are aimed at correcting the bad behaviour and conduct of civilian employees.

In general, military personnel are expected to behave and conduct themselves in a militarily disciplined manner. Chapter 2 indicated that it is a constitutional imperative to structure and manage the Defence Force as a disciplined military force, and that the proper functioning of any Defence Force is unimaginable without legal rules designed to prevent military personnel from undermining military discipline. A convicted military member is expected to pursue his/her dissatisfaction regarding the conviction through the military court system. It follows therefore that LR practitioners are not involved in the military disciplinary process.

Military institutions are the second homes of military personnel, because this is where they are taught military culture and military discipline. There is a belief that charity begins at home. It is very important that military persons in command and supervisory positions become parental figures to their subordinates. They should teach them the significance of upholding military discipline in the Defence Force and by so doing they would earn their respect. It is the view of the researcher that the military disciplinary process should not be utilised as a source of punishment, but rather as a mechanism to correct the behaviour of military subordinates.

As indicated in Chapter 2, labour relations means the relationship between the person in command and in a supervisory position as employer and the subordinate. It was also indicated that persons in command and supervisory positions should encourage their subordinates to discuss their frustrations and learn how their behaviour affects others in the workplace. In order for the organisation to be like a peaceful home, the relationship between the employer and the employee must be harmonious. It is the view of the researcher that LR practitioners, as specialist of labour relations and conflict management, should be involved in the military disciplinary process in order to promote a culture of corrective disciplinary processes.

There is a difference between the military disciplinary process and a labour relations disciplinary process. The former is aimed at determining whether the offender has committed the offence or not so that he/she can be punished, whereas the latter determines the balance of probabilities aimed at

finding out whether the behaviour can be corrected or not. In this context, the labour relations process is aimed at facilitating a change of the behaviour. As indicated in Chapter 2, LR practitioners have the ability to influence behaviours and attitudes, and to adapt policies and procedures to individual cases. Therefore, it is the view of the researcher that MDC impedes the chances of LR practitioners to facilitate the way that the military disciplinary process is conducted and to improve the behaviour of military personnel.

3.3.5 General Regulations for the Members of the South African National Defence Force and Reserve

The previous chapter indicated that the Labour Relations Act (South Africa, 1995a) does not apply to the Defence Force and its military members. It was also noted that the General Regulations (South Africa, 1999) were promulgated to promote the labour rights of military members, following SANDU's dispute against the Minister of Defence for prohibiting military members from exercising their labour rights to participate in military trade union activities. Yet the General Regulations provide contradictory and confusing regulations regarding the procedure and the manner in which the labour rights of military members to participate in military trade union activities can be handled, and they do not provide the role of LR practitioners in the process. It was pointed out in the previous chapter that SANDU took the DOD to court challenging the constitutionality of prohibiting military members from participating in military trade union activities, and the judgement ruled in favour of SANDU, enforcing the DOD to amend and align those regulations with the constitutional imperatives.

The previous chapter also argued that the proper functioning of any Defence Force is unimaginable without legal rules designed to prevent military members from undermining military discipline. It was further pointed out that the Constitutional Court judgement ruled that the Defence Force couldn't prohibit military members from participating in military trade union activities in their capacity as private citizens. Therefore, it follows that a balance needs to be struck between maintaining military discipline and promoting the labour rights of military members. On the one hand, LR practitioners encounter

serious challenges which mean that they are unable to advise Officers Commanding (OCs) on the way in which they should manage or handle military members who have participated in military union activities and protest actions. On the other hand, OCs emphasise their constitutional obligation to maintain military discipline in their areas of responsibility.

The position of the DOD is that military members who participate in protest actions of their military trade unions without permission are regarded as being absent without leave (AWOL) and therefore would be dealt with in terms of the MDC. The problem regarding the protest actions of military unions is that they is no regulation that stipulates the process to be followed as in the case with civilian protest actions. Although the military unions might communicate their intentions to embark on a protest action well in advance, the office responsible for collective military relations fail to communicate the status of the protest action until the day of the protest.

The involvement of LR practitioners has most of the times been limited to providing OCs and military police with advice to monitor the participation in order to identify the military participants involved for disciplinary actions. However, they are not involved in the disciplinary process of military participants. As mentioned in the previous section, LR practitioners have the skills to influence behaviours and attitudes, and have the ability to adapt policies and procedures to individual cases. Since the General Regulations (South Africa, 1999) are silent on the role of LR practitioners, it is argued here that this impedes their ability to facilitate a change in stereotyped perceptions regarding military labour relations in the DOD.

3.4   Conclusion

This chapter explored the objectives of LR support function in the DOD to ensure that:

- persons in command, supervisory and managerial positions at grassroots level are able to manage and handle LR matters;

- persons in command, supervisory and managerial positions as well as subordinate personnel at grassroots level are able to adapt to changing LR circumstances in the workplace; and

- LR matters such as conflict, discipline, poor work performance because of incapacity, and participation in the activities of trade unions are professionally and consistently managed and handled at grassroots level.

The content of LR practices in the DOD according to which the disciplinary matters, poor work performance because of incapacity, and participation in the activities of trade unions are managed and handled at grassroots level were also explored in order to determine the role played by LR practitioners.

The DOD is an organisation in which the management of military personnel is guided by the military regulatory framework. The regulatory framework that impedes LR practitioners from facilitating change in the LR environment was explored. It transpired in the deliberations that the effective execution of responsibilities and tasks is determined by the training provided to military personnel irrespective of where they are utilised and which positions they occupy in the workplace.

In order for DOD personnel at grassroots to be able to adapt to the dynamic and rapidly changing LR environment, it is imperative that they should receive the relevant education, training and development to take up the responsibilities and tasks they are expected to perform. However, in order to ensure that change in the LR environment takes place, it is imperative that catalysts of change are identified to facilitate the speedy adaptation of military personnel at all levels to DOD LR circumstances.

Chapter 4 will describe data collection and undertake an analysis of these data in order to promote change management principles and the values of LR practices in the DOD.

CHAPTER 4: DATA COLLECTION AND ANALYSIS

4.1   Introduction

Chapter 3 presented the objectives of the LR support function and explored LR practices in the DOD to determine the way labour relations were practised at grassroots level.   The extent to which LR practitioners in the DOD execute LR functions at grassroots level was discussed and the regulatory frameworks that impede LR practitioners in facilitating the resolution of LR matters in the DOD were analysed.   It became evident that there is a need for LR practices in the DOD to embrace change management principles.   Such an approach will enhance the value of LR practices in the DOD.

It became evident in Chapter 2 that the change process in organisations requires catalysts of change, and therefore it is imperative to determine whether the LR practitioners are able to play a significant role in changing the way in which labour relations are practised in the DOD.   This chapter explores the characteristics and the role of LR practitioners in supporting persons in command, supervisory and managerial positions to manage and handle labour relations matters in the DOD appropriately.

In this endeavour the researcher will:

- collect and present data on LR practitioners in order to ascertain their behaviour and characteristics when handling LR matters at grassroots level; and

- analyse the behaviour and characteristics of LR practitioners when handling LR matters in order to examine their role as change agents.

4.2   Data Collection

In the broader public service the conduct and behaviour of public servants are regulated in terms of regulatory frameworks such as Public Service Act (South Africa, 1994b), the Public Service Regulations (1999) and the resolutions adopted in the Public Service Coordinating Bargaining Council (PSCBC) and the General Public Service Sectoral Bargaining Council (GPSSBC), which

include the Code of Conduct. However, these regulatory frameworks apply only to civilian employees of the DOD.

In South Africa the DOD is regarded as a unique government department. Unlike other departments, unique regulatory frameworks regulate the conduct and behaviour of military personnel; these include among others the Military Disciplinary Code (South Africa, 1957: Schedule 1 of the Defence Act 44 as amended), the Defence Act (South Africa, 2002), and the General Regulations for Defence Force and Reserve (South Africa, 1999). As a result, most of the information and data regarding DOD personnel is classified because of its sensitivity and for security reasons (South Africa, 2002:46).

It follows that data or information regarding LR practitioners and management of labour relations matters in the DOD are not accessible and cannot be disclosed without written consent of the member(s) and the employee(s) concerned, and without the approval, authorisation or the permission of the Head of the Department (i.e. the Secretary for Defence) and the Chief of the National Defence Force (CSANDF). The purpose of these restrictions is to maintain the confidentiality of the data or information, and to protect the interests of the affected military members and civilian employees.

Therefore the researcher collected the data and information regarding LR practitioners from LR practitioners in the workplace, and during planning work sessions and LR empowerment workshops utilising unstructured personal interviews and participant observation research techniques, as discussed in Chapter 1. The collected information is limited to biographical and background information about LR practitioners, their attitudes (feelings) about LR matters in the DOD, their attributes in when dealing with LR matters, the challenges they encounter or experience when rendering LR services, and the manner in which LR practitioners deal with LR challenges in their areas of responsibility.

The information referred to above has been gathered to interrogate and determine the behaviour and characteristics of LR practitioners when dealing with LR matters in the DOD. According to the SANDF COLET handbook

(South Africa, 2003d) and for the purpose of this thesis, *biographical information* refers to general information regarding the target group such as race and gender, and *background information* refers to the educational qualifications (i.e. academic and functional qualifications) and previous experience in the DOD, which includes military, human resource (HR), labour relations (LR) and equal opportunity (EO) backgrounds.

The findings and the recommendations provided in Report 71 of the PSC (South Africa, 2005b) are considered and utilised as points of departure to substantiate the argument that LR practitioners are change agents. In addition, the behaviour of LR practitioners when dealing with LR matters at grassroots level, and the provisions of the theoretical framework on the labour relations and management of change principles, are also considered to evaluate the extent to which LR practitioners can become change agents.

In this thesis the focus is on 22 regional labour relations (LR) offices at grassroots level that are distributed in all the provinces around South Africa, and the target group is LR practitioners operating in the regional LR offices. The information and data gathered are derived from the records compiled and organised by the researcher as a participant observer in the workplace. They are also derived from records compiled during staff visits conducted to all regional LR offices and during LR planning work sessions and LR empowerment workshops over the period 2004 to 2008. They cover the biographical and background information of the target group, their attributes and attitudes towards LR function, the challenges they encountered when delivering LR services and their behaviour when dealing with LR matters in the DOD. Furthermore, the information and data gathered are carefully examined in relation to theoretical framework to ascertain the desired characteristics and role of the target group to be change agents.

The rest of the section on data collection will examine the collection and the analysis of LR structural, gender and race distribution, and background information or data regarding LR practitioners at grassroots level in order to establish the influence they have on the role of LR practitioners to become change agents. In order to provide appropriate LR services, given the

SANDF context, LR practitioners should be catalysts of change because enhanced LR services, appropriate for this context, will mean going beyond LR as a support service, based on the kind of predictability normally associated with the LR environment, to LR support services in an environment where the required transformational and paradigmatic changes are incomplete, making it impossible for LR practitioners to function in a routine and predictable pattern. The persons in command, supervisory and managerial positions are also very much in need of changing their perception towards labour relations, so that they may grasp the dynamics of the changing military LR environment.

Therefore the above argument calls on LR practitioners not only to support persons in command, management and supervisory positions, but also become catalysts of change bringing about a change of attitudes in the workplace. This means persuading persons in command, supervisory and managerial positions to rely on LR experts for LR support and enhanced LR service. And of course, LR practitioners as LR experts must be equipped with adequate skills and knowledge on LR procedures to be catalysts of change in the LR environment.

4.2.1   The Collection of LR Structural Data

The data regarding the DOD LR structure at grassroots level are derived from the records gathered, compiled and organised by the researcher as a participant observer and during unstructured interviews conducted with the target group. Because of the sensitivity of the DOD structure, the researcher does not reveal any details of the structure and therefore the data presented are limited to what reveals the effect the LR structure has on the behaviour of the target group.

The data presented in Table 4.1 below are limited to the number of LR offices in the DOD, where each LR office is located, the number of approved LR posts per LR office, and how the LR offices are organised at grassroots level. The researcher has organised the LR offices into regions in order to make it easy for the reader to comprehend the discussions and arguments from a

regional perspective. The data presented also include LR offices organised in regions, the number of LR offices per region, the number of personnel placed per LR office and per region as at April 2004 and July 2008, and the number of incumbents (i.e. target group) per LR office and per region.

In addition, unstructured interviews with the target group were conducted during the training workshop over the period 13-17 November 2006 to obtain the number of clients (military bases/units served by each LR office) per region, and the number of personnel (strength per area of responsibility) per LR office and per region.

Table 4.1: LR Practitioners and their clients at the regional level as at 1 April 2004 and 1 June 2008

Region	LR Offices	No of Clients per Region	Total Strength per Region	Strength per Area of Responsibility	No of LR Posts per LR office	No of Target Group as at 1 Apr 04	No of Target Group as at 1 Jul 08	Total Target Group per Region
South Western	Bredasdorp	90	11706	300	1	1	0	5
	Langebaanweg			2257	3	1	1	
	Simon's Town			5709	3	2	1	
	Youngsfield			3440	3	3	3	
South Eastern	Oudtshoorn	22	3755	737	2	1	1	2
	Port Elizabeth			3018	3	2	1	
Eastern	Durban	26	4671	2527	3	3	3	4
	Ladysmith			2144	3	2	1	
North Eastern	Hoedspruit	84	13618	2485	3	2	1	4
	Makhado			1468	2	2	0	
	Nelspruit			6336	3	3	2	
	Polokwane			3329	3	2	1	
North Gauteng	Garrison	83	16942	5041	3	3	0	2
	Thaba Tshwane			3862	3	1	0	
	Waterkloof			5865	3	1	0	
	Wonderboom			2174	6	5	2	
South Gauteng	Johannesburg	35	14418	3384	3	3	3	6
	Kroonstad			600	2	1	0	
	Potchefstroom			10434	3	2	3	
Central	Bloemfontein	49	8123	2809	3	2	1	4
	Lohatlha			1919	3	2	1	
	Kimberley			3395	3	3	2	
Grand Total		389	73233	73233	64	47	27	27

(Source: Organised and compiled by the Researcher)

The data presented in Table 4.1 above are analysed to determine the extent to which LR practitioners are capable of rendering enhanced LR services and of providing support to their clients. It is evident from the data that as at 1 July 2008 the ratio between the current number of the target group (i.e. 27) and the total strength per region (i.e. 73 233) is extremely high, which implies that the capacity of the LR offices to render effective LR services at grassroots level is relatively low.

It was stated in Chapter 1 that prior to October 2003 LR practitioners were utilised as MSFs and their functions included rendering HR, EO and LR services. Following the decision taken by the officer in charge of HR management that MSFs would only execute LR functions, LR practitioners were confronted with a great deal of pressure because persons in command, supervisory and managerial positions at grassroots level were still expecting them to continue rendering HR and EO services because there were no other persons to render such services. It follows therefore that there were no clear guidance regarding what LR functions the LR practitioners should execute at grassroots level.

In the absence of clear guidance regarding LR functions at grassroots level, the researcher (as a participant observer and the supervisor of LR practitioners) compiled a draft duty directive to provide guidance on the LR duties and services the LR practitioner should render to their clients (South Africa, 2006c). These LR duties and services included, amongst other things:

- facilitating the management of conflict between trade union representatives and persons in command, supervisory and managerial positions;

- facilitating the management of individual and collective grievances in the workplace;

- facilitating the management of employee discipline;

- facilitating the management of poor performance by employees because of incapacity and ill-health or injury;

- facilitating the management of participation in trade union activities, including strikes and protest actions;

- empowering DOD personnel with skills and knowledge about procedures for dealing with LR matters; and

- providing LR specialist advice and support to their clients.

Because of the transformation process that is taking place within the DOD, the SANDF is recruiting new personnel to rejuvenate its workforce and to enhance its capacity to fulfil its constitutional obligation of defending the sovereignty and the democracy of the Republic of South Africa. The SANDF is also under pressure to deploy some of its limited workforce in support of peacekeeping operations to those African states that are experiencing conflicts and instability. The majority of LR practitioners are assigned to participate in such peace-support operations and at the same time the need to empower the recruits on LR matters has increased tremendously. According to the SANDF COLET handbook (South Africa, 2003d:12), a facilitator can work effectively with a group of 20 to 25 people. Taking the capacity of LR offices into consideration, it is practically impossible to expect the target group (27) to render LR services effectively to DOD personnel (73 233).

During the unstructured interviews other LR practitioners reported that the geographic distances between regional LR offices within a region and from other regions, as well as between LR offices and clients are, in some areas, relatively large – between 200 km up to 900 km. Taking LR office Port Elizabeth, as an example, it has a military unit stationed in Umtata approximately 600 km away from it as a client. It also has numerous other clients within 1 kilometre radius and others scattered around within a radius of up to 180 kilometres.

It is extremely difficult for the Port Elizabeth LR office to render LR support and services to all its clients, because it has only one LR practitioner to serve a clientele of approximately 3 018 DOD personnel. On top of this problem, this LR office is not allocated with a military vehicle because of shortage of vehicles in DLSR. Moreover, there are not enough financial resources (FR) allocated to this LR office for subsistence and travel allowance (S&T) purposes to enable the LR practitioner to purchase training aids and other administrative resources. This is a common problem for all LR offices across the country.

This challenge was communicated to the Director in charge of LR services in the DOD and yet there was no intervention. As an intervention the

researcher, as the person in charge of the delivery of LR service at grassroots level, negotiated with unit OCs at grassroots level to provide assistance (where possible) with vehicles and training aids in order to enable LR practitioners to support them with LR services. In some other areas the researcher had appealed to those LR offices that have access to resources from their clients to support the clients of LR offices adjacent to their offices whenever possible. As a result of the above challenges and because the LR environment does not have a structure that is conducive to career growth (in terms of promotion), the majority of LR practitioners have left the LR environment and returned to HR environment to pursue their HR careers.

This lack of adequate capacity to render LR services undermines the principles of service delivery provided in the White Paper on the Transformation of Service Delivery in the public service (South Africa, 1998c). In Chapter 2 it was mentioned that failure to structure the organisation properly or to adapt structures in times of change causes conflict or uncertainty, and in most cases confusion and frustration in the workplace. It is the duty of senior management to embrace change efforts through the necessary intervention and support initiatives, to ensure that the LR environment in the DOD is adequately structured, and to ensure that adequate resources are allocated to all regional LR offices in order to enable LR practitioners to render appropriate and effective LR services to their clients. This shows that in the DOD the commitment to put LR systems, structures and facilities in place at grassroots level is lacking, which in turn impacts negatively on the ability of LR practitioners to render enhanced LR services.

Next, the data regarding gender and race distribution of LR practitioners will be presented and explored in order to determine to what extent this influences their behaviour and ability to become catalysts of change.

4.2.2 The Collection of Gender and Race Distribution Data

The data regarding gender and race distribution of the target group at grassroots level are derived from records compiled and organised by the

researcher using a combination of unstructured personal interviews with the target group and participant observation. These data were compiled to ascertain the extent to which race and gender characteristics can influence the ability of LR practitioners to become catalyst of change. The information and data presented in Table 4.2 below depict gender and race distribution of the target group per LR office and per region.

Table 4.2: The composition of the workforce in LR offices at the regional level per gender and race

Region	LR Offices	Gender		Race			
		M	F	A	W	C	I
South Western	Bredasdorp	0	0	0	0	0	0
	Langebaanweg	1	0	0	0	1	0
	Simon's Town	1	0	0	0	1	0
	Youngsfield	2	1	0	2	1	0
South Eastern	Oudtshoorn	1	0	0	0	1	0
	Port Elizabeth	1	0	1	0	0	0
Eastern	Durban	2	1	1	2	0	0
	Ladysmith	1	0	0	0	1	0
North Eastern	Hoedspruit	1	0	1	0	0	0
	Makhado	0	0	0	0	0	0
	Nelspruit	1	1	1	1	0	0
	Polokwane	1	0	1	0	0	0
North Gauteng	Garrison	0	0	0	0	0	0
	Thaba Tshwane	0	0	0	0	0	0
	Waterkloof	0	0	0	0	0	0
	Wonderboom	0	2	0	2	0	0
South Gauteng	Johannesburg	3	0	3	0	0	0
	Kroonstad	0	0	0	0	0	0
	Potchefstroom	2	1	2	1	0	0
Central	Bloemfontein	1	0	0	1	0	0
	Lohatlha	1	0	0	1	0	0
	Kimberley	1	1	1	1	0	0
Grand Total		20	7	11	11	5	0

(Source: organised and compiled by the Researcher)

According to the data presented, the representivity level per gender in LR offices is approximately 74 percent male (i.e. 20 out of 27) and approximately 26 percent females (i.e. 7 out of 27), and the representivity level per race in LR offices is approximately 41 percent Africans (i.e. 11 out of 27), approximately 41 percent Whites (i.e. 11 out of 27), approximately 18 percent Coloureds (i.e. 5 out of 27) and 0 percent Indians. From Table 4.2 above it is noted that some LR office are dominated by certain race and gender groups: LR office Durban (1 African Male and 2 Whites (Male and Female)), LR office Johannesburg (3 African Males), and LR office Youngsfield (2 Whites (Male and Female) and 1 Coloured Male). It is evident that in some areas LR offices are either dominated by male or female incumbents, and by either African or White incumbents.

Over the period January 2004 up to July 2008 several LR work sessions, planning sessions and training workshops were conducted. During these sessions and workshops, the researcher (as participant observer) has

observed that during smoke or tea breaks and lunch times, as well as at the sleeping quarters, LR practitioners organise themselves into clusters of race groups (i.e. Africans, Whites or Coloured), gender groups (male or females), rank groups (officers or non-officers) and cultural groups.

In other cases, the researcher observed that LR practitioners organise themselves into the cluster of people that work together – e.g. the people who work at the same LR office or region, the cluster of people who have known one another over a period of time (e.g. military intakes - people who joined the military at the same time), and the cluster of people who speak the same language (e.g. isiXhosa- and isiZulu-speaking group, Tswana- and Sotho-speaking group, and Afrikaans- and English-speaking group).   It was established that relationships and social activities amongst LR practitioners are characterised by racial and/or gender relationships or cultural background.

The above-mentioned kinds of relationships are natural and common within South African society because of the country's past history. The apartheid system had categorised and segregated the people of South Africa in terms of race, gender, culture, language, etc., and the legacy of this segregation is still seen to be instrumental in influencing the way in which the relationships as well as social groups in our society and in the workplace are formed (i.e. the relationships that are based on the understanding and the knowledge of one another, and/or the relationships that are based on tolerance of one another's cultures).

In addition, during LR planning work sessions and LR empowerment workshops, discussions regarding LR matters (especially those that are related to handling of grievances, sexual harassment cases and participation in trade union activities) turned into heated debates between different race and gender groups. This is because there is controversy related to the ways in which race groups and gender groups interpret transformation issues such as affirming previously disadvantaged target groups i.e. Africans, Coloured, Indians and women, as provided in the White Paper on the Transformation of the Public Service (South Africa, 1995b), equal opportunity issues and sexual harassment.

In Chapter 2 it was argued that human relations conflict manifests itself in the form of information deficiency, in which communication breakdown or barriers occurs because people of different racial, gender and cultural groups do not share specific information with people who do not belong to their group; this shows that there is no cohesion between the groups. The researcher also observed that LR practitioners of different racial and gender groups have a tendency to become emotional or take sides when debating these controversial issues, because they promote or protect their positions and sentiments regarding the issue under debate.

It is not the intention of the researcher to discuss the effects of racial differences in the DOD, but their consequences on the way in which LR matters are handled at grassroots level cannot be ignored. In Chapter 1 the researcher mentioned that in 1994 the SANDF integrated 7 former armed forces into one force, and it is known that in the history of South Africa during the apartheid era some of these forces used to be adversaries. It would be premature to expect them to have settled their differences in ideology and attitudes towards one another. Therefore it should not come as a surprise to find that persons in command and supervisory positions as well as LR practitioners at grassroots level have differences in the way in which transformation issues and LR matters are dealt with.

The researcher submits that, although the democracy of South Africa is over 15 years old, the DOD personnel – irrespective of the position they occupy – are still unable to agree on a number of issues and there is tendency to brush aside the tensions brought about by their different personalities, diverse ideologies, the legacy of the apartheid and the effects of the liberation struggle. It is in this context that the researcher has discussed the effects of racial and gender differences in the way in which LR matters are handled at grassroots level in the DOD.

In Chapter 2 it was argued that human relations conflict manifests itself through personal differences, biased personalities, value and ethics, which arise because the people of South Africa had been categorised along racial, gender and cultural line creating a situation where people who belong to

different racial, gender and/or cultural groups see and interpret things in a different way. It is in this context that the general behaviour when dealing with LR matters is influenced by gender, race, cultural background and experiences in the workplace. This confirms that there is a lack of real leadership regarding the management and handling of LR matters in the DOD, which has a negative impact on the ability of LR practitioners to deal with LR matters in an objective manner.

In the next section the data on the background of the target group will be explored in order to determine to what extent this influences their behaviour and ability to become catalysts of change in the LR environment.

4.2.3   The Collection of Background Information on the Target Group

The data on the background information of the target group were derived from the records compiled by the researcher from skills audits conducted from January 2005 to February 2008 as well as from unstructured personal interviews conducted with the target group over the periods 25-29 June 2007 and 2-5 July 2008. The background information refers to educational (i.e. academic and/or functional) qualifications of the target group, as well as their previous experiences in the DOD including military, labour relations (LR), human resource (HR) and equal opportunity (EO) background and exposure.

The data on the previous experience of the target group were compiled from a skills audit on the following issues: their military background, background other than military, functional courses attended, period of involvement in a functional environment, knowledge about the provisions of military and LR regulatory frameworks, and knowledge about the procedures for dealing with LR matters in the DOD.

The majority of the target group were appointed in the LR environment between 1999 and 2003 as multi-skilled functionaries (MSFs), and during this period they had gained experience or exposure as advisors on HR, EO and LR issues or challenges. Table 4.3 depicts data organised and compiled by the researcher on the previous experience of the target group.

Table 4.3: Previous experience of the target group at the regional level

Region	LR Offices	Previous Experience			
		Military Background	Labour Relations	Equal Opportunity	Human Resources
South Western	Bredasdorp	0	0	0	0
	Langebaanweg	1	0	0	1
	Simon's Town	1	1	0	1
	Youngsfield	2	3	0	3
South Eastern	Oudtshoorn	1	0	0	1
	Port Elizabeth	1	0	0	0
Eastern	Durban	3	2	2	3
	Ladysmith	1	1	0	1
North Eastern	Hoedspruit	1	1	1	1
	Makhado	0	0	1	1
	Nelspruit	2	1	0	2
	Polokwane	1	1	1	1
North Gauteng	Garrison	0	0	0	0
	Thaba Tshwane	0	0	0	0
	Waterkloof	0	0	0	0
	Wonderboom	1	2	2	2
South Gauteng	Johannesburg	3	2	0	3
	Kroonstad	0	0	0	0
	Potchefstroom	2	1	0	2
Central	Bloemfontein	1	1	0	1
	Lohatlha	1	1	0	1
	Kimberley	2	2	0	2
Grand Total		24	19	7	26

(Source: organised and compiled by the researcher)

Although the data provided in Table 4.3 reveal that approximately 70 percent (i.e. 19 out of 27) of the target group have experience and exposure in the LR environment, the researcher submits that only 9 out of 19 (i.e. approximately 47 percent) of the target group understand what LR entails, the provisions of the regulatory framework, and the applications of procedures for dealing with LR matters in the DOD. The researcher found that the incumbents of LR offices in Bloemfontein, Johannesburg, Langebaanweg, Lohatlha, Hoedspruit, Nelspruit and Wonderboom are unable to render LR services to their clients as required because of a lack of adequate knowledge on the procedures for dealing with LR matters.

It should be mentioned that 24 out of 27 (approximately 89 percent) of the target group have military background, and that military personnel have a better understanding of some military issues than their civilian counterparts in the DOD because they are trained and developed in the military environment. Let's take for example an incident in one of the military units where there was serious tension between the person in the command position of this unit and trade union representatives over the closure of the kitchen without proper

consultation with trade unions. On the one hand, the trade union representatives claimed that the closure of the kitchen had led to their members not having work to do, which they claimed could lead to unfair dismissal. On the other hand, the unit Commander argued that the running of the kitchen was exhausting the budget of his unit because the unit was no longer receiving the funds to run the kitchen.

It was reasonable for the trade union representatives to suspect that the DOD had intensions of dismissing the affected employees based on operational requirements. According to section 189 of LRA (South Africa, 1995), when an employer contemplates dismissing one or more employees for reasons based on operational requirements, that employer must consult the employee(s) or the representative trade union and disclose the relevant information in writing to the consulting parties. Without revealing the details that led to the causes of the dispute, the DOD failed to consult the representative trade unions and affected civilian employees or provide any relevant information surrounding the closure of the kitchen and what the DOD intend doing about the affected employees.

The data presented in Table 4.4 were also compiled by the researcher from records contained in the skills audit conducted in April 2005. These data reveal the qualifications of the LR practitioners at the time including their higher academic qualifications, LR qualifications, other LR functional courses, and LR workshops or seminars they have attended. The data revealed that only 3 out of 48 LR practitioners (i.e. approximately 6 percent) had LR qualifications. Another skills audit was conducted in July 2008, which revealed that the LR environment had lost 21 LR practitioners, which constitutes a total loss of approximately 44 percent of the previous total of 48 LR practitioners. This audit further revealed that 12 out of 27 LR practitioners remaining (i.e. approximately 44 percent) had obtained an LR qualification (i.e. either LR management or HR management), and that 22 out of 27 (i.e. approximately 81 percent) had attended the extended LR training presented by the General Public Service Sectoral Bargaining Council (GPSSBC).

Table 4.4: The LR qualifications of the target group

| Region | LR Offices | LR Practitioners with LR Qualifications | | | | |
| | | 1 April 2005 | | 1 Jul 2008 | | |
		Target Group	Target Group with LR Qualifications	Target Group	Target Group with LR Management or HR Management	Target Group who attended Extended GPSSBC LR Training
South Western	Bredasdorp	1	0	0	0	0
	Langebaanweg	1	0	1	0	0
	Simon's Town	2	0	1	1	1
	Youngsfield	3	0	3	2	3
South Eastern	Oudtshoorn	1	0	1	0	1
	Port Elizabeth	2	0	1	0	0
Eastern	Durban	3	0	2	1	2
	Ladysmith	2	0	0	0	0
North Eastern	Hoedspruit	2	0	1	0	1
	Makhado	2	0	1	0	1
	Nelspruit	3	0	2	0	2
	Polokwane	2	0	1	1	1
North Gauteng	Garrison	3	0	0	0	0
	Thaba Tshwane	1	0	0	0	0
	Waterkloof	1	0	0	0	0
	Wonderboom	5	2	4	1	4
South Gauteng	Johannesburg	3	0	3	2	1
	Kroonstad	1	0	0	0	0
	Potchefstroom	3	1	2	1	2
Central	Bloemfontein	2	0	1	1	1
	Lohatlha	2	0	1	0	0
	Kimberley	3	0	2	2	2
Grand Total		48	3	27	12	22

(Source: organised and compiled by the researcher)

It should be mentioned that the total of 81 percent of LR practitioners with LR qualification is considered to be high. But if one considers the fact that the LR environment lost 21 LR practitioners (approximately 44 percent) between the period 1 April 2005 and 1 July 2008, then it would mean that the total number of incumbents was reduced to only 27 LR practitioners. Therefore, although LR practitioners with basic LR qualifications have increased over the period April 2005 to July 2008, it shows that there has been tremendous improvement in increasing LR training. At the same time, the turnover reveals that the ratio of LR practitioners (i.e. 27) and the total number of DOD personnel (i.e. 73 233) is relatively large, which means that the capacity of LR practitioners to render LR services is relatively low.

In addition, the researcher argues that in order for the target group to be able to apply the principles of labour relations, it is imperative that they:

- have an adequate understanding of South African labour law or at least acquired basic labour relations qualifications;

- are able to comprehend how to deal with both military and civilian employee labour relations matters;

- have a basic knowledge of HR processes and procedures for managing LR matters, and of relevant LR-related regulatory frameworks applicable in the DOD; and

- have a basic understanding of military systems and their application.

This means that the target group must always act proactively so as to bring about the best overall consequences and happiness of the greatest number.

In Chapter 2 it was argued that LR Practitioners should have specific competencies in order to successfully perform their job at various post levels. These competencies include:

- knowledge of LR legislation and other statutes that govern employment relations in the workplace;

- knowledge of administrative law and principles of fair administrative process;

- research and analytical skills – the ability to determine the applicable policies, decisions, collective agreements and legislation;

- exceptional interpersonal skills – excellent listening, superior verbal and written communication and presentation;

- interest-based conflict-resolution skills – the ability to assess the people being dealt with, and seen to be neutral, impartial and fair;

- mediation or facilitation skills – the ability to work with various parties, understanding the influences on behaviour and attitudes;

- the ability to manage a wide range of highly sensitive and confidential files, projects and processes while meeting multiple deadlines; and

- the ability to use discretion and flexibility with considerable independence and to adapt policies and procedures to individual cases.

Table 4.5 shows the category of competencies that some members of the target group have acquired. These include facilitation skills over the periods 13-17 November 2006 and LR empowerment skills over the periods 25-29 June 2007 and 2-5 July 2008 with the aim of enhancing their ability to render LR services to their clients, conflict resolution skills as well as knowledge of LR legislation and other relevant statutes.

Table 4.5: LR practitioners who have acquired additional skills and LR Offices that submitted LR plans and reports

Region	LR Office	Target Group	Facilitation Skills (13-17 Nov 06)	LR Empowerment skills (25-29 Jun 07)	LR Empowerment skills (2-5 Jul 08)	Conflict Resolution Skills	Knowledge of LR Legislation and Other Relevant Statutes	LR offices that submits LR plans and reports
South Western	Bredasdorp	0	0	0	0	0	0	0
	Langebaanweg	1	0	0	1	0	0	0
	Simon's Town	1	1	1	1	1	1	1
	Youngsfield	3	1	3	3	2	2	1
South Eastern	Oudtshoorn	1	1	1	1	0	1	1
	Port Elizabeth	1	0	1	0	0	0	1
Eastern	Durban	3	2	2	3	2	2	1
	Ladysmith	1	0	0	1	1	1	1
North Eastern	Hoedspruit	1	1	1	1	0	0	1
	Makhado	0	0	0	0	0	0	0
	Nelspruit	2	1	2	2	0	0	0
	Polokwane	1	1	1	1	1	1	1
North Gauteng	Garrison	0	0	0	0	0	0	0
	Thaba Tshwane	0	0	0	0	0	0	0
	Waterkloof	0	0	0	0	0	0	0
	Wonderboom	2	2	2	2	1	1	0
South Gauteng	Johannesburg	3	2	2	2	0	1	0
	Kroonstad	0	0	0	0	0	0	0
	Potchefstroom	3	1	1	1	1	1	1
Central	Bloemfontein	1	1	1	0	0	0	0
	Lohatlha	1	0	1	1	0	0	0
	Kimberley	2	1	2	2	2	2	1
Grand Total		27	15	21	22	11	13	10

(Source: organised and compiled by the researcher)

The data in Table 4.5 was organised and compiled by the researcher from the skills audit that he conducted early 2008. The data presented indicates that:

- 15 out of 27 LR practitioners (i.e. approximately 56 percent) acquired facilitation skills;

- 21 out of 27 LR practitioners (i.e. approximately 78 percent) attended LR empowerment skills workshop over the period 25-29 June 2007;

- 22 out of 27 LR practitioners (i.e. approximately 81 percent) attended LR empowerment skills workshop over the period 2-5 July 2008;

- 11 out of 27 LR practitioners (i.e. approximately 41 percent) acquired conflict-resolution skills; and

- 13 out of 27 LR practitioners (i.e. approximately 48 percent) acquired knowledge of LR legislation and other relevant statutes.

Although the data show that the majority of the target group acquired the necessary skills, the researcher found that only 11 out of 27 LR practitioners (i.e. 41 percent) were able to support persons in command and supervisory positions and their subordinate with the skills to deal with LR matters. However, 10 out of 22 LR offices (i.e. 45 percent) were willing to submit LR plans and reports on the LR activities they executed to render LR service in their areas of responsibility.

It can thus be deduced that LR practitioners would be unable to become catalysts of change under the above circumstances. It was noted in Chapter 2 that human relations sometimes cause conflict. This conflict can manifest itself through personal differences characterised by inadequate skills and abilities. It was also pointed out that in the workplace the inputs of some workers are dependent on the output of others, which sometimes causes human relations conflict. If there is huge gap in skills and abilities among the group, then it follows that there would be no cohesion amongst that group and that it would be unable to achieve the results of a winning organisation. This confirms the claims made in Chapter 3 that the DOD has a tendency of appointing staffs in LR posts with no adequate knowledge and experience of the execution of LR services, and that there is no adequate empowerment of LR staff to enable them to do what they are supposed to be doing.

The next section will explore the challenges associated with the delivery of LR services at grassroots level to determine the extent to which they influence LR practitioners as change agents.

4.3   LR Services Delivery Challenges at Grassroots Level

The information on the challenges pertaining to the delivery of LR services at grassroots level is derived from the official records compiled by the researcher from unstructured interviews with the target group, which were conducted during the LR empowerment workshop at Pretoria over the periods 25-29 June 2007 and 2-5 July 2008.   The target group was made up of practitioners invited from all the LR offices countrywide to participate in the workshops, and 25 out of 27 (approximately 92.6 percent) and 22 out of 27 (approximately 81 percent) attended the respective workshops.

In the previous section the researcher pointed out that that the majority of LR practitioners were unable to render the desired LR services to their clients for a number of reasons.   During the LR empowerment workshops the target group indicated the reasons for their inability to render LR services in their areas of responsibility, some of which are analysed below.

4.3.1   High Vacancy Rate

A number of LR offices are understaffed and some are vacant.   Table 4.1 has shown that 6 LR offices have no staff and 9 LR offices have only one staff member (LR practitioner) who is expected to serve a very large clientele. The researcher found that the reason for the LR offices being vacant for a long time is that career managers often rotate LR practitioners out of LR environments to HR environments because of shortage of HR practitioners.

In some cases when there is someone interested in working in the LR environment, the DOD has a rigid and very strict process to transfer a person. Therefore, it follows that the responsibilities of vacant LR offices sometimes become the burden of the closest yet understaffed LR offices, because they are often the closest LR service provider available to render LR services to those clients.   In most cases such overstretching is the cause of stress to the

incumbent because of an inability to cope with it, and it is also the reason for the affected LR offices being unable to render reasonable LR services to their clients. In such cases, the ratio between the LR practitioners and the clientele becomes too large to be handled.

In Chapter 2 it was argued that it is essential for the LR practitioners to have a positive attitude towards change in order to ensure that stability is realised in an organisation, and that in order to achieve stability in a new system it is important for strategies, structures, systems, and processes to be positively oriented towards change. It is imperative for the DOD LR environment to have a stable LR support system in order to ensure that LR practitioners develop positive attitudes towards their work in the LR environment. Hence the target group is unable to render professional LR services if the LR environment is characterised by such a high vacancy rate.

4.3.2 Lack of Adequate Transport System and Financial Resources

The majority of LR offices are situated far from their clients. This means that the target group are unable to access their clients on foot, which in turn implies that they would require reliable transport. In cases where LR practitioners are required to travel long distances to render LR service to their clients, it is important that they receive adequate subsistence and travel (S&T) allowances to pay for meals en route and for accommodation if they are required to sleep over.

The DOD remuneration policy makes provision for all officials to receive inland accommodation expenditure (IAE) in the form of an S&T allowance when they travel long distances to conduct official duties beyond 100 kilometre radius from their workplace. But because of the rigid DOD budget spending system and the under-funding of LR objectives, the Directorate responsible for rendering LR services is unable to purchase reliable military transport for LR offices and to allocate S&T allowances that would be sufficient for all LR offices to arrange official visits to their clients aimed.

Chapter 2 indicated that the change process cannot succeed without the necessary support of persons in top management, and that they are ones who

determine priorities, develop strategies, initiate programmes, regulate acquisition and utilisation of resources, and allocate adequate resources in order to enable staff to execute their duties. Hence the target group would not be able to deliver LR services to their clients if adequate resources are not available for such activities.

4.3.3 Resistance to Change

Some persons in command, supervisory and managerial positions are reluctant and not willing to provide the target group with adequate access to their areas of responsibility. This reluctance and unwillingness prevents the target group from being able to render the required LR services. The researcher found that these reluctant commanders, supervisors and managers usually perceive that LR practitioners promote union activities and unionisation in the workplace, and that LR activities encourage subordinates to undermine and challenge military command, instructions and directives.

It is argued in Chapter 2 that change involves a movement from the known to the unknown, which creates uncertainty among the people involved about whether they would keep up with change. It was also noted that change threatens the status quo and tends to increase ambiguity and uncertainty. Therefore, it was recommended that employees should be informed and educated about the planned change before it occurs so that:

- they understand the nature and logic behind the change;

- those affected by change are encouraged to participate in the change process in order to overcome resistance to change because participation provides those affected with the opportunity to express their fears about the proposed changes and it brings together those affected to help implement the change;

- change must be appropriately facilitated in order to ensure that necessary resources are distributed to employees who need to carry out change to perform their job properly;

- the top management is encouraged to support the change process;

- the proposed change should be negotiated with the parties involved in order to reach an agreement; and

- people in command, supervisory and managerial positions are encouraged to refrain from threatening employees with job losses or loss of privileges, because this creates hostility and bad feelings; instead they should assign the resisting individuals their desired role in the change process.

It was argued in Chapter 2 that the unfreezing phase of the change process is significant for individuals to change their attitudes and perceptions about the need for change, to increase their awareness of the need for change, and to disturb the status quo in order to reduce the strength of current ways of doing things. It is the view of the researcher that the change management process regarding the management of LR was not executed in the DOD and this is why persons in command, supervisory and managerial positions are resisting change in the LR environment. Therefore, the delivery of LR services would be ineffective in the DOD without the proper execution of the change management process, which would assist in reducing and alleviating resistance to change.

4.3.4 Lack of Adequate Skills and Knowledge

Although Tables 4.4 and 4.5 revealed that a lot of effort went into empowering LR practitioners with adequate skills and knowledge on the procedures for facilitating the management and handling of LR matters, the researcher still contends that very few of them are able to render the enhanced LR services to their clients. The researcher argues that in order to achieve genuine participation from DOD personnel, it is necessary for LR practitioners and persons in command, supervisory and managerial positions to become aware of their own situation, of the socio-economic reality around them, of the real problems, the causes of these problems, and what measures they themselves should take to begin changing the prevailing LR situation in the DOD.

It was indicated in Chapter 2 that empowerment is the key to the development of the skills and ability that would enable the employees to manage and negotiate more effectively with the development delivery systems. As such, in order for LR practitioners and persons in command and supervisory positions to be able to handle LR matters in the workplace, it is imperative that they acquire adequate competencies that would enable them to facilitate the change process; these competencies were outlined in section 4.2.3 above.

It can be deduced from the above that the Directorate responsible for the management of LR matters and the execution of LR services should ensure that LR practitioners acquire adequate competencies, and that the persons in command, supervisory and managerial positions are empowered with the knowledge and skills for the management of LR matters in their areas of responsibility.

4.3.5   Negative Perception of LR Services

Persons in command, supervisory and managerial positions have negative perceptions about the management of LR matters. The researcher has interacted with a number of Officers Commanding (OCs) at grassroots during the visits to his LR staff in the regional LR offices over the period 2005 to 2008. The purpose of his interactions with them was to request their cooperation and permission to allow LR practitioners to empower them, their staff and their subordinates in their areas of responsibility with adequate skills and knowledge about the procedures for dealing with LR matters in the workplace. The reason for this initiative was that LR practitioners had reported to the LR department headquarters (HQs) that they were encountering some resistance from some of their clients in their areas of responsibility.

The response of some of the OCs was shocking. Some argued that allowing LR practitioners in their areas of responsibility would create problems such as union activities and some responded that they have assigned their HR officers to handle all LR matters in their units. What was amazing was that the HR officers they were referring to had neither LR qualifications nor LR knowledge

and experience. When the researcher advised them that their HR officers should liaise with the LR office responsible in their region, their response was that they receive orders from their higher HQs.

This is one problem amongst many and it was reported to the higher HQs of the resisting units, but no intervention was made to change the situation. The researcher contends that this problem will not be resolved without the intervention of the HR department as well as the support from the persons in the top managerial positions in the DOD as a whole. It is evident that there is little action taken by the LR department to address these challenges and to motivate for the empowerment of its LR staff to ensure that the enhanced LR services are executed effectively and efficiently.

4.4   Main Findings

In the data collection as well as the LR service delivery sections, the researcher discussed the problems and challenges facing the LR environment in its endeavour to render LR services in the DOD. It is evident that:

- there is lack of management in putting LR systems, structures and facilities in place at grassroots level;

- there is a lack of real leadership regarding the management and handling of LR matters in the DOD;

- staff are appointed to LR posts without adequate knowledge and experience in the execution of LR services;

- there is no adequate empowerment of the LR staff to enable them to do what they are supposed to be doing;

- there is little action taken by LR staff to deal with their situation and motivate to address the challenges experienced in the LR environment; and

- the LR department in the DOD is not active enough to ensure that enhanced LR services are executed effectively and efficiently.

It is the view of the researcher that LR practitioners would be unable to become catalysts of change or change agents in the DOD unless the above problems and challenges are addressed by the DOD LR department and that the DOD management at all levels intervenes to ensure that enhanced LR support services are rendered.

4.5   Conclusion

This chapter covers the collection of data on the challenges facing the target group (LR practitioners) at grassroots level and describes the limitation of the data collection.   The researcher as a participant observer personally compiled and recorded the data during his visits to the LR offices and during LR training workshops and planning work sessions.   The data collected account for the DOD LR structural challenges at grassroots level and the effect the challenges have on the delivery of LR services.   The deductions made are that the DOD LR structural situation is not conducive to LR practitioners rendering enhanced LR services at grassroots level, thereby limiting the possibility of their becoming catalysts of change.

The data collected also comprise the gender and racial distribution of LR practitioners at each LR office and the effect this distribution has on their behaviour and characteristics when dealing with LR matters at grassroots level.   It was argued that gender and racial characteristics have an influence on the LR practitioners' personalities and values, on their ability to act as a cohesive group as well as on their ability to address LR matters in an objective manner.   Therefore, they would be unable to adapt LR policies to individual situations, and as such they are not catalysts of change.

The data also cover the educational qualifications and competencies of LR practitioners, and the effect these have on the way in which LR practitioners render LR services at grassroots level.   It was found that 11 out of 27 (approximately 41 percent) have the ability to render enhanced LR services to their clients.   It was therefore deduced that LR practitioners cannot become catalysts of change if they do not acquire adequate qualifications and competencies to execute enhanced LR services.

In addition, challenges regarding the delivery of LR services at grassroots level were also explored to determine the extent to which they affect the ability of the target group to become change agents. It was found that a high vacancy rate, lack of adequate resources, clients' resistance to change, lack of adequate skills to deal with LR matters as well as clients' negative perceptions about LR services limit the possibilities of LR practitioners becoming catalysts of change.

The following chapter makes recommendations on the necessary interventions related to the findings, any possible policy implications and future research to suggest what should be done to ensure that LR practitioners in the DOD become change agents.

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1   Introduction

Chapter 3 discussed the way LR matters are managed and handled at grassroots level in the DOD, and Chapter 4 discussed and analysed the factors affecting the ability of the target group to deal with LR matters. The main findings regarding the factors affecting the ability of the target group to deal with LR matters were outlined at the end of the previous chapter.

In this chapter the main findings will be analysed in order to draw some conclusions on the possibilities of the target group becoming change agents in the DOD, taking into consideration the provisions of the theoretical framework on labour relations and the management of change. Finally recommendations will be provided on the actions to be taken to improve the current LR situation in the DOD.

5.2   The Analysis of the Main Findings and Conclusions

5.2.1   Inadequate LR Systems, Structures and Facilities at Grassroots Level

The first main finding in Chapter 3 suggests that there is lack of management to put LR systems, structure and facilities in place at grassroots level. This means that there are no management processes taking place to develop adequate systems, structures and facilities to manage changing LR circumstances. As a result, the situation at grassroots level is not conducive to the professional and effective delivery of enhanced LR services.

In 2001 the DOD developed an internal policy on HR strategy 2010 (South Africa, 2001a); one of its objectives is to develop an LR strategy that would provide guidance toward the achievement of LR excellence in the DOD. The researcher contends that the DOD LR strategy has not yet been developed, and that this is the reason it is so difficult to render enhanced LR services at grassroots.

The culture of the military is that structure follows strategy; this culture is confirmed by organisational design scholars. For example, Robbins (1990)

argues that the structure of an organisation is unlikely to function effectively when there is no strategy to support it.   Chapter 2 also indicated that it is the responsibility of the persons in top management positions to determine organisational strategies, systems and structures, and to decide on the allocation of resources.   Van der Waldt and Knipe (2001:37) argue that change processes would never succeed without the necessary support of the top management.

In 1996 the DOD underwent a massive transformation process, since the section 204 of the Constitution (South Africa, 1996a) introduced the establishment of the defence secretariat.   Subsequently, in 1999 the LR department was established to deal with individual and collective labour relations following the introduction of military trade unions in terms of the General Regulations (South Africa, 1999).   However, it is evident from the deliberations in previous chapters that not much has been done to address the shortcomings in the DOD LR environment.

It is evident that without an overarching LR strategy no appropriate LR structure could be determined, and without an LR structure and adequate resources, it would be impossible for LR practitioners to render enhanced LR services in the DOD.   Therefore, the researcher concludes that the DOD should developed adequate LR systems, structures and processes that provide clear guidance on the way in which enhanced LR services should be rendered.

5.2.2   Inadequate Leadership to Manage and Handle LR Matters

The second finding suggests that there is no adequate leadership regarding the management and handling of LR matters in the DOD.   In Chapter 4 the researcher mentioned that the management of LR matters in the DOD is characterised by practitioner's gender, racial and cultural background as well as their experiences in the workplace.   This background exerts considerable influence on the personalities and values on DOD personnel at all levels, and leads to the differences in the way that they deal with LR challenges.

The theoretical framework provided in Chapter 2 indicated that LR is the relationship between persons in command, supervisory and managerial positions and their subordinates. It also shows that the persons in command, supervisory and managerial positions are involved in the process, because as part of their duties they are dealing with their subordinates' grievances, apply discipline and deal with conflict in their areas of responsibility. It was also argued that, although it is their duty to care for their subordinates and to ensure that sound LR is maintained between them, it is common in large organisations such as the DOD to make use of the LR department to coordinate LR matters. It was also noted that the use of the LR departments by persons in command, supervisory and managerial positions led to their failure in the past to fulfil the above-mentioned responsibility and duty.

In Chapter 4 it was found that the management and the handling of LR matters in the DOD is characterised by race and gender difference, which in the long run leads to an inability to agree on certain issues, thereby resulting in conflicts and disputes. The researcher argues that

- where there is racial difference, there is no trust;

- where there is lack of trust, there is racial bias;

- where there is racial bias, there is no fairness;

- where there is lack of fairness, there will always be LR conflicts and disputes;

- where there are LR conflicts and disputes, there is no stability in the workplace;

- where there is instability, there will always be poor work performance and low productivity; and

- where there is poor work performance and low productivity indicates that there is poor leadership in managing and addressing LR matters.

It was also found that persons among whom there are racial and gender differences cannot form a cohesive group. The researcher argues that high productivity in the workplace requires a cohesive group and teamwork. Chapter 2 noted that in the workplace catalysts of change are required to assist persons in command, supervisory and managerial positions and their subordinates to appreciate the advantages of working as a team in order to achieve high work performance and yield high productivity. This goal cannot be realised if the DOD personnel do not function as a cohesive team and the LR practitioners do not work as a team.

Harvey and Brown (1996:45) suggest that change efforts should focus on the fundamental unit of an organisation, the team or work groups, as the means for improving the effectiveness of the organisation. They further argue that organisations should elicit the commitment of their employees, if they are to achieve a sustainable competitive advantage in a turbulent marketplace. They suggest that there must be an emphasis on improving problem-solving processes, while working through conflicts and issues around the ways in which the group could improve its effectiveness and productivity. It is also critical that LR practitioners should be impartial, objective, fair and consistent when dealing with LR matters.

Therefore, activities should be designed to improve the operations of the work teams, focusing on what the team does (task activities) or on how the team executes its tasks or work (i.e. team processes), and focusing on the quality of the relationships amongst team members, which would improve the effectiveness and cohesiveness of the teams. It is concluded that LR practitioners would be unable to become change agents without working as a cohesive team.

5.2.3 Inadequate LR Skills and Knowledge

In the previous chapter the researcher found that in the DOD there is a tendency to appoint personnel to LR posts without their having adequate knowledge and experience to execute LR services. The researcher also found that LR personnel do not receive enough training and empowerment to

enable them to do what they are supposed to be doing in the workplace. The researcher noted that LR personnel are not taking action to deal with their situation and motivate for their empowerment in order to improve their situation.

The PSC report suggests that LR practitioners should have special knowledge and skills that would enable them to perform their jobs successfully at various post levels. The researcher argues that the appointment of staff with no knowledge and skills in rendering LR services undermines the South African policy of improving the delivery of services that enhance and promote putting the people first.

Tustin and Geldenhuys (2000:102) state that some of the responsibilities of LR practitioners include:

- handling conflict;

- establishing structures and processes for the handling of conflict;

- training managers and their employees to be able to handle conflict;

- advising managers on the use of procedures and the implementation of sound and fair practices; and

- monitoring the internal and external climate that may have an impact on the workplace and consequences for the labour relationship.

They argue that personal differences would arise when experienced competent employees work alongside unskilled employees who lack experience, and that conflict is stimulated when the inputs of some employees are dependent on the output of others. The researcher argues that when LR practitioners do not have adequate knowledge and skills, they would not yield the required output to other sectors of the work place, which would result in confrontations and conflicts.

The ability of LR practitioners to render enhanced LR services is dependent on their qualifications as well as their skills and knowledge of the LR

regulatory framework and procedures for dealing with LR matters. It is concluded that LR practitioners would be unable to render enhanced and sustainable LR services, and so become catalysts of change in the field of LR without adequate qualification, knowledge and skills to do so.

5.2.4 Inefficient LR Department

Chapter 3 indicated that in the DOD the LR department is not active enough to ensure that the LR services at grassroots level are rendered in an effective and efficient manner. Tustin and Geldenhuys (2000:102) argue that the function of LR managers is traditionally perceived as an extension of management to represent the employer in dealing with conflict involving employees and their trade unions. They suggest that LR appointees should not be perceived as part of, or in the camp of management, but rather as intermediaries with the most essential task of promoting effectively the interests of both the organisation and the employees, and of facilitating the relationship between the parties.

Likewise, it is the responsibility of LR managers to manage LR matters affecting LR practitioners under their supervision, to ensure that poor work performers in the LR environment are managed effectively, and to correct declining performance to the desired performance standard. It is their duty to recognise the causes of the unsatisfactory performance of LR practitioners and to bring about an improvement in performance. LR practitioners who fail to perform up to expectation can become costly to management and can create stress, frustration and tension within the work group.

Organisations must always strive to adapt to changing circumstances. In Chapter 1 it was mentioned that the DOD is facing the serious challenge of accommodating military labour relations in its command and management practices. The HR strategist and scholar, Ulrich (1997:151) argues that all organisations are faced with increasing levels of change that cannot be predicted, anticipated or controlled. On the one hand, he states that losing organisations concentrate on the pace of change and spend their time trying to control and overcome the change. On the other hand, he argues that

winning organisations focus on their ability to respond to the pace of change and would not be surprised at the unanticipated changes they encounter, because they would have developed the ability to adapt, learn and respond to them.

The researcher argues that the DOD responds reactively to change rather than proactively. The LR department is not doing enough to assist the persons in top management positions to develop adequate LR systems, structures, programmes and procedures for dealing with LR matters in the DOD. The DOD does not have an LR policy in place that guides the manner in which military LR activities should be managed and handled. Instead instructions are issued from time to time to respond to activities and conflicts that emerge on the ground. This shows that the DOD has failed to develop its ability to adapt and respond to the LR changes that have taken place since 1999, but rather spends a lot of time trying to control and overcome LR conflicts. In this context, the DOD falls within the category of a losing organisation.

The researcher argues that LR practitioners would be unable to perform to the desired standard without getting guidance and support from the persons in managerial positions in the LR environment, and would be unable to become catalyst of change.

5.3   Recommendations

5.3.1 The persons in top management should adopt a positive attitude towards change in order to ensure stability in the organisation. Persons in managerial positions at all levels of the DOD should change their attitude towards LR management and provide guidance on the development of a LR strategy. This action would make it easy for the LR department to determine the number of LR posts necessary to execute LR functions at grassroots level. Therefore, it is recommended that a credible LR system, structure and process are investigated and determined in order to ensure that enhanced LR services are rendered in the DOD.

5.3.2 Conflict is an integral part of organisational life and poorly managed conflicts cost the organisation a great deal. Therefore, in order for the DOD to succeed in its endeavours to render enhanced LR services at grassroots level, it should become a conflict-positive organisation. DOD personnel of different racial and gender groups at all levels should be encouraged to utilise conflict to reconcile the opposing tensions in their areas of responsibility, so that they can enhance their ability to deal with LR challenges in the workplace. Therefore, it is recommended that LR practitioners at all levels should unite in diversity and also acquire conflict-management skills in order to handle LR matters in the workplace professionally and fairly.

5.3.3 The empowerment programme is the key to success. It would be a step in the right direction if financial resources could be allocated for the development of LR practitioners with the skills and ability to do what they are expected to do in the workplace. Therefore, it is recommended that LR practitioners should maximise their efforts to acquire adequate LR qualifications, skills and knowledge to be able to render enhanced and sustainable LR services.

5.3.4 The researcher further recommends that LR department in the DOD should be active and lead the development of LR systems, structures, programmes and procedures for the management and handling of LR matters in the DOD.

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DEFINITION OF CONCEPTS

For the sake of clarity it is essential to define and explain key concepts and terminology utilised in this research paper:

'*Change*' means the ability of an organisation to improve the design and implementation of initiatives and to reduce cycle time in all organisational activities (Ulrich, 1997:30).

'*Change agent*' means the person who assumes the responsibility of managing the change process within an organisation and who acts as a catalyst (Fox *et al.*, 1991:164).

'*Citizen*' means a South African citizen as contemplated in the South African Citizenship Act (Act 88 of 1995).

'*Code*' means the Military Disciplinary Code referred to section 104 (1) and Schedule 1 of the Defence Act (Act 44 of 1957).

'*Conscientisation*' refers to a process in which the employees and/or the members try to understand their present situation in terms of the prevailing social, economic and political relationship in which they find themselves (Burkey, 1993:55).

'*Defence Force*' means the South African National Defence Force (SANDF).

'*Department of Defence (DOD)*' has changed to the Department of Defence and Military Veterans since May 2009. However, for the purpose of this thesis the term DOD will be used throughout because the policies and legislation governing the department still utilised this term.

 '*Employee*' means a non-military person appointed to the DOD in terms of the Public Service Act (Proclamation No 103 of 1994).

'*Empowerment*' refers to the development of skills and abilities, which enables people to manage and negotiate better with respect to development delivery

systems; and to a process that equips people to decide on and take action regarding their development process (Theron *et al.*, 2005: 123).

'*Essential service*' means a service which, if interrupted, endangers the life, personal safety or health of the whole or any part of the population (LRA, 1995:211).

'*Executive Authority*' means the Minister of Defence.

'*Facilitator*' is someone who enables things to happen in an organisation (Meyer, 2004: 1).

'*Labour relations*' refers to the relationship and the interaction between the workforce and management, the structures designed to formalise the relationship, and the systems created to support the interaction including the conditions under which the workforce seeks to satisfy its economic, social, sociological and psychological needs, and the effects on themselves and on society of their attempts to do so (Nel and van Rooyen, 1989: 18).

'*Management of change*' refers to management processes that should be followed to facilitate internal change, especially the influence of change on people within the institution (Van der Waldt and Knipe, 2001:27-28).

'*Member*', in relation to the Defence Force, means any officer and other rank serving in terms of the Defence Act (Act 42 of 2002).

'*Officer*', in relation to the Defence Force, means a military person on whom a permanent or temporary commission has been conferred by or under the Defence Act (Act 42 of 2002), and has been appointed to the rank of officer.

'*Organisational change*' refers to a process in which an organisation takes on new ideas to become different (Smit and De J Cronje, 1997:260).

'*Other rank*', in relation to the Defence Force, means any military person other than an officer.

'*Paradigm*' refers to a system of opinions and assumptions that determine the institution's view of itself and the environment (Faulkner and Johnson, 1992: 206 cited by Van der Waldt and Knipe, 2001: 30).

'*Protest action*' means the partial or complete concerted refusal to work, or the retardation or obstruction of work, for the purpose of promoting or defending the socio-economic interests of workers but not for a purpose referred to in the definition of *strike* (General Regulations for Defence Force and Reserve, 1999).

'*Secondary strike*' means a strike or conduct in contemplation or furtherance of a strike, that is in support of a strike by other employees against their employer but does not include a strike in pursuit of a demand and referred to a council if the striking employees, employed within the registered scope of that council, have a material interest in that demand (General Regulations for Defence Force and Reserve, 1999).

'*Strike*' means the partial or complete concerted refusal to work, or the retardation or obstruction of work, by persons who are or have been employed by the same employer or different employers, for the purpose of remedying a grievance or resolving a dispute in respect of any matter of mutual interest between the employer and employee, and every reference to work in this definition includes overtime work, whether it is voluntary or compulsory (General Regulations for Defence Force and Reserve, 1999).

'*Workforce*' means the employees and members of the DOD and Defence Force.