

# BOOKS

## Noel S. Woods. **Industrial Relations; a Search for Understanding.**

Wellington, Hicks Smith & Sons Ltd, 1975.  
\$4.65.

This slim volume of 120 pages brings together ten public addresses by N. S. Woods, retired Secretary of the Department of Labour and now Visiting Fellow in Industrial Relations at Victoria University of Wellington. Most were delivered to different audiences during 1972 and 1973, and some have been revised and up-dated to take account of changes in the law.

While the dominant theme is industrial relations, some of the lectures are wider in scope, discussing the human condition in general (a talk to army personnel on "What is Man?") and the place of the individual in the modern world. This broad range is fully in line with the author's view that industrial relations are "human relationships in industrial society." He believes that conflicts which arise in industry are not basically different from conflicts between individuals and that differences can be resolved by goodwill and mutual understanding.

Woods accepts trade unions not just as a necessary evil but as a positive force whose inescapable clashes with management provide a vital stimulus to social progress. The worker, he writes, turns to his union because he "has learnt by long experience that he doesn't get his share of the increments by just waiting." Management, it seems, would like to do its best by its workforce but is hampered by conflicting loyalties, for it has to consider shareholders, clients and customers as well as its employees.

Nevertheless, Woods sees large areas where the interests of management and labour coincide. The really basic objective of an enterprise, he writes, is to meet a need in the community for a product or service. This objective is common to management and workers and provides a basis for their co-operation. Making a profit, though necessary, is incidental.

The author refers, almost in passing, to "obstacles caused by economic and social

problems, by inflation or depression," and to "forces that may be pressing (the) employer to reduce overtime, hold costs, create redundancies." These external forces he sees as beyond the control of either management or labour but what remains of industrial conflict can be directed into constructive channels. The book seeks to assist both workers and managers in their dealings with one another; there is much good advice in it designed to ease shop-floor relations, but one may doubt whether prescriptions for sweet reasonableness will find great favour in the harsh mid-seventies.

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H. ROTH

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## Alexander Szakats. **Introduction to the Law of Employment.**

Wellington: Butterworths, 1975. 464 p.  
\$17.50 (soft cover), \$22.50 (hard cover).

If a student of New Zealand industrial law were only to read the Industrial Relations Act 1973, he could be forgiven for concluding that the individual worker has no place, no legal rights or protection, few duties even, in our system. Even in the provisions relating to personal grievances and recovery of wages, the worker has no direct right of access to the Industrial Court. The Act regulates and governs almost entirely on a collective level.

Of course, it is fairly widely known that the worker's legal position is governed largely by the ordinary common law rules of contract and that there is an ever-increasing number of legislative enactments (for example, Accident Compensation Act 1972; Annual Holidays Act 1944) which further proscribe his legal rights and duties. It is surprising however that the laws relating to the individual worker and those governing the collective relations of trade unions and employers are normally regarded as being independent and separate. The most that will be acknowledged is that rights and duties determined collectively become "incorporated" into the worker's contract of employment. It is as if, on the one hand, the "pure" common law of contract must remain conceptually intact and sacrosanct and, on the other hand, the legal procedures and agencies of the industrial system must remain the sole prerogative and domain of unions and employers.

To the extent that it endeavours to break down this artificial barrier and to show that there is a vital interdependence between the individual and collective aspects of our industrial laws, Dr. Szakats' latest book, **Introduction to the Law of Employment**, is particularly welcome. It is a text-book, but one with a message.

The message is that a comprehensive labour code, regulating the **whole of the law of employment** covering "all aspects of the individual employer-employee inter-connection in harmony with collective industrial relations", should be enacted by the Legislature. Further, that the Industrial Court should be given the exclusive jurisdiction to deal with "every dispute of rights arising out of all work-connected legal problems" in addition to its present collective rights jurisdiction.

Whether a labour code is the correct or the best solution to the present conceptual inadequacies of our industrial law is open to debate. There are difficulties also (as Dr. Szakats recognises) in the more modest proposal that the Industrial Court be given exclusive jurisdiction in the whole labour law area. Nevertheless, the work does point up the need for urgent and radical reform of our basic concepts and institutions.

At the more mundane level of a text-book, Dr. Szakats' work is thorough, accurate and well-written. It contains particularly good sections on the legal content of the employment relationship and on its termination. One can also sympathise with his realistic conclusion that the distinction between independent contractors and employees has become unhelpful and largely unworkable. His chapters on the formation and elements of a contract of employment, on the other hand, have a very dated look which is out-of-character with much of the rest of the book. Nevertheless the book as a whole is recommended to students of the subject.

**J. A. FARMER**

### **Joel Seidman. Attitudes of New Zealand Workers.**

**Industrial Relations Research Monograph No. 1 1975, Victoria University of Wellington**

This study was an exploratory Attitude to Work survey of employees in four inter-related companies; a metal working plant, a wood products plant, a sawmill, and a construction company in the southern part of the North Island. Each plant employed

between 100 and 200 people and respondents were administered with different questionnaires for blue collar personnel, job delegates and foremen.

Many of the questions were taken from the 1966 U.K. Royal Commission Study and the general themes include job satisfaction, job interest, hygiene factors, supervision, union membership, strike decisions etc. Thus the methodology is fairly conventional and conservative, and the questions, whilst covering a wide issue area, are not able to pursue any issues deeply.

The conclusions of the survey were fairly predictable; a general level of approval with most aspects of work, though some problems with foreman role, lack of union activity, company hygiene matters etc. Workers were opposed to compulsory unionism though would join a union as a matter of course. Some significant differences of attitude were shown between European, Maori and Pacific Island worker groups.

This survey took place in December 1974 and January 1975 but was not published until December 1975; in the meantime labour turnover at one of the plants is such that the workers surveyed probably have been completely replaced. Given the general usefulness of **any** data on New Zealand worker attitudes what issues arise from this type of research? One problem which researchers and sponsoring managers must realise is that attitude surveys constitute a Managerial Change Intervention in an organisation; they arouse expectations in the workforce, usually that perceived complaints will be rectified quickly. Thus delayed and limited feedback and poor action planning involving workers may actually regress internal industrial relations.

Secondly, the very limited studies on New Zealand work motivation patterns desperately need to be developed by rigorous research. Our management training still preaches Herzberg, McClelland and Maslow without knowing the true cultural differences in New Zealand. This survey does little to illuminate the problem due to question limitation though the data does at least generate some of the questions to be asked. What is needed now is a Goldthorpe-type multi-disciplinary longitudinal study, and an interviewing study of New Zealand worker and managerial constructs of motivation and job satisfaction.

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