

REVIEWS

F.J.L. Young (ed), *Proceedings of a Seminar: New Technologies and Industrial Relations*, Industrial Relations Centre, Victoria University of Wellington, August 1980, pp 100. Price: \$5.00.

There is very little *locally* produced material on new technology available to the public: two union productions — the working-party report and "The Crunch" — a National Party booklet, "Dish and Chips" (How many more bad puns on 'chip' technology can there be?) and that's about it. Nothing from the Government, nor the opposition, nor the employers . . .

The publication of the contributions made at an Industrial Relations Centre seminar on new technology is therefore to be welcomed as an addition to the available literature.

It is additionally welcome because it contains two very significant pieces by industrial relations academics, Bill Ford and Morris Weisz, both of whom are currently based in Australia, where not only the climate but also the pace of the debate on new technology is hotter than it is here.

Ford, who now heads the N.S.W. State government's research unit on new technology, puts the issue in a very broad perspective. He demonstrates the role of the transitional corporations in the control and dissemination of technological change. He makes pertinent comments on the possible effects of 'chips' on jobs and on everyday life and he draws attention to the failure to design new technologies around human needs. To summarise, he emphasises the potential *social* importance of new technology.

Weisz, in a much shorter contribution, concentrates on the industrial relations aspects of the issue and illustrates the areas over which employers and unions should be negotiating. He notes that in the U.S.A. unions and employers have reached agreements on consultation/negotiation on the introduction of new technology from the point at which the employer starts to consider it.

Why single out these two contributions? First because they're not by trade unionists with an obvious axe to grind and secondly they refer not only to the magnitude of the changes facing us and to possible ways in which to manage these changes (research, consultation, negotiation, etc.) but in so doing they make painfully plain the fact that the powers that be in our society are doing *nothing*, absolutely nothing, to prepare our society to meet these changes adequately and equitably.

Indeed, they're either being ostrich-like or simply bloody obstructive.

For example, the present government is prepared, ostrich-like, to ignore the many social impacts of new technology and to leave its introduction to 'collective bargaining'.

Within 'collective bargaining' the employers have strenuously resisted union attempts to have 'prior consultation' clauses written into awards. When the Clerical Union sought to have such a clause inserted into the legal workers' award, the Employers Federation produced a massive (and bloody obstructive) counter-argument (22 pages excluding appendices), which amongst other things, said that the claim was really — secretly — essentially — one for workers' control! Law clerks and typists of Godzone unite . . .

The Arbitration Court granted the clause but also ruled that the *decision* to introduce new technology was *not* an 'industrial matter'. Exit the N.Z.E.F., wreathed in smiles, and enter a grim-looking future for industrial relations in New Zealand in the coming era of rapid and extensive technological change.

Back to the book. The N.Z.E.F.'s attitude was epitomised in Bill Poole's, their Research Director's, talk. It is exceedingly long. It is as dry as the Gobi Desert. It is negative, patronising and chiding — to the workers and to the unions: It adopts an 'all will be for the best in the best of all possible (employer-dominated) worlds' approach to new technology. It stresses the current 'buzz' words in government/employer economic thinking (as does the brief comment on Ford's talk by D. Imray, of the Labour Department); words like 'efficiency', 'growth', 'productivity'.

All very well, Billy boy, but what sort of society is all this new technology and growth to be used to construct? The same sort as now, only worse? After all, the present economic strategy of 'export-oriented development' is destroying jobs wholesale and creating only a few — at over a million dollars each! And *both* the government *and* the N.Z.E.F. see new technology as being used as an integral part of this strategy.

That doesn't worry Bill. It does worry John Slater of the Clerical Workers Union, though, and as well as shooting off a few blasts at electronics monopoly IBM and their role in technological change, in his excellent talk John Slater uses the clerical industry to show how new technology is being used to reduce job levels and opportunities — at a time of mass youth unemployment.

The booklet also contains a contribution by B. Moon of the Computer Society, who tries to be balanced but slips over into the N.Z.E.F.'s direction, and a note by Professor F.J.L. Young on how the Norwegians — those eminently reasonable people — have a negotiated agreement on the introduction of data processing technology — N.Z.E.F. please note well and urgently.

The question and answer sessions at the end of each talk would have made an interesting addition to the text but aren't included; which doesn't detract from the overall value of the booklet.

It's now six months since the seminar and what hasn't happened since then is worth noting. We haven't any Norwegian or American technology agreements nor are we likely to get one. We have no technology assessment centre nor are those in power proposing one.

Which simply reminds one of the horse to the water syndrome. You can take senior government officials, managers, employers and the like, to seminars and expose them to the constructive ideas of Ford and Weisz, to the union view of Slater, to the examples of overseas practices cited, e.g. by Young, but you cannot make them *act* on what they hear. They're not even listening; they've decided what new technology is for and how it's to be introduced and that's that. You couldn't find a surer formula for (near) future industrial unrest and social conflict.

PAUL HARRIS

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Noel S. Woods, *Troubled Heritage: The Main Stream of Developments in Private Sector Industrial Relations in New Zealand 1894-1978*. Occasional

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Paper in Industrial Relations No. 23, Victoria University of Wellington, 1979. pp 38. Price: \$2.00.

Noel Woods has had an illustrious career in industrial relations. Or should it be careers? On retiring from the position of Secretary of Labour in 1970, he embarked on a new career as full-time visiting fellow at the Industrial Relations Centre of Victoria University of Wellington. The publication of his latest work, *Troubled Heritage*, marks his departure from the Centre after 10 years of invaluable service to it.

As the summary of the views of such an important actor in industrial relations, *Troubled Heritage* is of special significance. It begins with the origins of the New Zealand system, an understanding of which is crucial to any evaluation of the present situation. A major confrontation between management and labour came as early as 1890 and prompted strident demands for government to become involved in industrial relations. This it did in 1894 by introducing the system of conciliation and arbitration, a system that is with us still. The emphasis on industrial peace and conformity of that time produced the preference for unionists, wage relativities and penalties which have become hallmarks of our system.

Woods stresses that conciliation and arbitration demand the existence of identifiable and representative organisations of workers and employers. The Industrial Conciliation and Arbitration Act was intended to promote the development of these organisations and was in some ways successful. In many others though it was unsuccessful, and much of what Woods has to say about these organisations concerns not their development but their underdevelopment.

In any conciliation and arbitration system union membership will always be an issue. The dictates of conciliation and arbitration point in the direction of preference for unionists, yet not all workers take kindly to being forced to belong to a union. Woods fully examines this question.

A possibly even more contentious issue involves the legislation's penalty provisions which receive special attention in the paper. Woods' basic position is that while some penalty provisions are necessary, most of those currently in existence make little sense and indeed are counter-productive.

One of the greatest strains on the system in Woods' view has been the inflation of the 1970s. It is seen to have coped reasonably well with the less turbulent fifties and sixties, but to have come apart at the seams with the onslaught of rapid inflation. Quite clearly, conciliation and arbitration cannot be relied upon to control inflation yet controlled it must be if these procedures are to remain intact.

Despite the continued presence of inflation, Woods' outlook for the future is not entirely gloomy. He sees the Industrial Relations Act to be 'substantially good legislation' and suggests some ways by which it could be further improved. Woods ends with the salutary observation that the future will work only in so far as the parties are not too bound by the past. This paper is essential reading for anyone interested in New Zealand industrial relations.

DON J. TURKINGTON
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G.M. Teen, *Resource Material for Union Representatives*, Industrial Relations Centre, Victoria University of Wellington, 1980, pp 68. Price: \$2.00. Canterbury Trades Council, *Trade Union Resource Notes for Schools*, 1980, pp 50. Price not available.

Both of these documents have been produced by people experienced in industrial relations, from both sides of the table. As the titles suggest, the booklets are both intended to be used as resource materials about trade unions, the first for union officials and delegates, the second for teachers and union officials.

The Industrial Relations Centre publication contains a wealth of information about union structures, delegates' duties and responsibilities, notes on how to organise, legislation on industrial relations, handling grievances, and running meetings.

Much of the material included in this booklet is duplicated elsewhere, but not in one publication. The booklet will be particularly useful for delegates and representatives in unions which have not yet developed delegate training programmes or handbooks for delegates.

The booklet may cause some confusion for its users with the inclusion of questionnaires with multiple answers. This renders the booklet less effective in that a new or inexperienced delegate would need the help of an experienced unionist to establish the correct answers and explain them. Nowhere does the author explain the possibilities for practical use of the booklet, and this may perhaps lessen the value of the publication for union officials.

The role of the job delegate in the union structure and the duties of the delegate in the workplace are dealt with succinctly and well. The need for protection for the delegate by the union and members is also noted and clearly explained.

The chapter on knowledge needed by the delegate could have been more clearly defined and explained, as the long list of items would seem rather daunting to a new delegate and is duplicated (often more effectively) in the chapter on organisation of the job.

The communications chapter is helpful but, again, somewhat confusing for a new delegate. The questionnaire on workplace communication is more of a teaching aid than a resource for a union representative.

The chapters on legislation, disputes procedures and handling of grievances are very useful, particularly the stages of handling a member's grievance. This sort of information should be available to all delegates, although the mixture of information and questionnaires is again confusing.

Meeting procedures often form an important part of a delegate's duties and the instructions given are clear and easily followed. Further comments on the basics of minute-taking would have been useful in this context.

Information on the interpretation of awards and collective agreements and company accounts will help delegates to understand the basic factors involved. The explanation of terms is not a glossary of common terms, and this is a marked omission in the booklet, especially given the jargon-filled language of industrial relations. The final chapter on the Federation of Labour and the parties in private sector industrial relations provides good basic information for union delegates in the private sector workforce.

Resource Material for Union Representatives is marred by three assumptions

apparently made by the author: (1) that union delegates are all male, (2) that no unions exist for government employees, and (3) that most delegates have a good vocabulary and University Entrance. The booklet will be useful for the more educated delegates with access to an experienced trade union official to guide them in extracting the knowledge they need, but without careful instructions and introduction, new delegates may not find this publication easy to use.

Trade Union Resource Notes for Schools was produced by the Canterbury Trades Council to meet "the need to provide secondary schools with material about trade unions and their role in our industrial society". The ingredients for this booklet were collected, checked and edited by people involved in trade union education, and, like the Teen publication, owe much to materials collated by the Trade Union Training Board and other union delegate handbooks.

The booklet is broken up into four distinct parts, dealing with important dates and events for trade unions, common questions and answers, an excellent glossary of terms, a listing of abbreviations, and an explanation of the structures of the NZ Federation of Labour and the Canterbury Trades Council.

The result is an interesting and stimulating treatment of the facts and fantasies of the trade union movement. Although the text strongly advocates the value of trade unions, and may be viewed with disfavour by some teachers for this reason, it is thoroughly factual and displays a refreshing common sense about what unions are, why they exist, and what they do. The only omission, as with the Teen publication, is any mention of public sector unionism, which may confuse the many students who will go to work in government departments.

The material in the Canterbury Trades Council's booklet is well presented, with short, easily digestible articles on the definition of a trade union, its purposes, and the need for trade unions. Cartoons and graphs add visual depth to the information and often make important points which compliment the text. Sections on union membership, fees, political affiliation, and duties of union officials deal with some of the many criticisms levelled at unionists and would help teachers and union officials to handle queries from students.

A section on what the union movement does for women is particularly topical, since it mentions the significance of campaigns within the movement (and the adoption of a Working Women's Charter) to improve the lot of working women. Information about rights and opportunities for young people in the workforce must reach them before they close off their options about future careers, and this section will hopefully encourage teachers to ensure that this kind of information gets through to young students of both sexes.

Trade Union Resource Notes for Schools has been prepared, as the name suggests, as a resource for teachers and union officials who work in schools, not as a handout for students. A handy introduction suggesting possible methods for use of the resource notes printed on the inside front cover is a welcome indication of the thought and care which has gone into preparing these notes. It is to be hoped that teachers and union officials will make good use of them.

MARY SINCLAIR
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Benjamin Martin and Everett M. Kassalow (ed). *Labour Relations in Advanced Industrial Societies*. Carnegie Endowment for International Peace, Washington D.C., 1980, pp 224. Price: \$10.00.

This book contains papers presented at a conference on international labour problems held at the University of Wisconsin in December 1977. It has both the virtues and faults of such collections.

First, the individual pieces are of varying interest, depending inevitably on the particular interests of the reader. The authors include people who are well known in this country, Don Turkington and Sol Levine for example, and others who are familiar from the literature: Kassalow, Rudolf Meidner, Yves Delamotte and others.

But this is one of the book's major problems. The preface concedes that the conference was prompted because there were several foreign scholars of industrial relations at the university. That may be reason enough to get together for a conference: it proves to be less than a satisfactory basis for publishing a book with a title which promises a theme. Despite the editors' efforts to establish such a theme in the introduction, this is no more than an interesting collection of individual contributions.

Which leads to the second problem. These individual contributions are of different lengths, depth of argument and scholarship. They have been prepared with different purposes in mind, one suspects. Moreover, for those who keep reasonably in touch with industrial relations around the world, there is very little in this book which is new. For those who want a quick account of some situations, and for whom more detailed studies are not available, then the work may be of value.

But it is also a mixture. For example, a very predictable account of the German experience of worker participation is followed by a description by Rudolf Meidner himself of his proposal to achieve capital formation through investment funds. Given the circumstances of their original presentation, it is inevitable that the contributions to this book are nothing more than papers presented at a conference, and it is difficult always to accept in print the generalised treatment which is possible from behind a lectern.

And so, "Industrial Relations and Industrial Conflict: The Case of Sweden" passes by in 20 pages. Don Turkington has eight pages for a comparison of the New Zealand and Australian experiences.

As with all writing, the contributions to this book (dating from late 1977) are very susceptible to being overtaken by events. The luckless author of the article on Sweden must rue the day he wrote:

"Since the late 1930s, the LO and the unions have generally come to take the orderly progress of the national economy into account in its wages policy. They therefore have generally limited wage demands to what has been permitted by increases in production. Strikes became regarded as something unnecessary. In the post-World War II period, the LO and the union leadership came to view strikes even more negatively. Neither could the employers use the lockout weapon with good chances of success'".

Despite the cautious use of 'generally', that whole statement and the concept it carries has been rendered simply historical by the events of early 1980. That is, of course, an inevitable problem.

Unfortunately, the editors are not content to let the various contributions stand by themselves. They feel the need to sew a thread throughout the work, but fail in their attempts to do this. The introduction claims that the book is 'intended as a contribution to a discussion of topics that have thus far not received adequate attention'. That statement is really too brazen: all these topics have been covered elsewhere, often by the same authors.

To illustrate this point further, and without intending any criticism of Don Turkington's work, the editors introduce his paper with the comment that observers ordinarily expect a low incidence of conflict in countries with compulsory conciliation and arbitration frameworks, but the experience of Australia and New Zealand tends not to bear this out. What is the evidence used by Martin and Kassalow in their claim that observers expect low conflict levels in conciliation and arbitration systems? It is certainly not cited in their introduction.

This is an overview which covers less ground than its title implies and is introduced in a way which promises a theme which does not materialise. Most of the contributions are individually interesting and useful introductions to their topics. The collection falls down because of an unfulfilled promise of more.

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BOOKS RECEIVED

The Labour Relations Process, W.H. Tolley, Jr and K.M. Jennings, The Dryden Press, 1980, pp 656.

Economic Change and Employment Policy, R.M. Lindley (ed), MacMillan, 1980, pp 395.

CASE NOTES

(a) VICTIMISATION

The following six cases mark a thorough review of the law of victimisation. John Hughes points out the differences, now, between a personal grievance claim (S.117) and a victimisation action (S.150). The lesson for the employer seems to be that he can win, under S.150, if he can convince the Court on a preponderance of the evidence, that his mind was directed to a real or imagined fault in the worker. Conversely, the lesson for the Union may be that a victimisation claim can be made out, even when the worker could have been dismissed with justification (under S.117), if the employer's conscious decision-making dwelt (for example) upon the worker's Union activity.

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