

VOLUNTARISM AND ORDER IN TRADE UNIONS: UNION OFFICIALS' ATTITUDES TO UNOFFICIAL STRIKE ACTION

Teresa Brannick and Aidan Kelly*

In recent years there has been a noticeable change in the Irish strike pattern to the extent that unofficial strike action has become more prevalent and few people would deny that such actions have become the focus of a wider and more contentious debate in industrial relations generally. The extent of unofficial strike action is illustrated in the Report of the Commission of Inquiry on Industrial Relations (1981) and also by the Irish Congress of Trade Unions (1980). While the reasons for unofficial strikes are frequently unclear, the responses of some of the affected parties are for the most part predictable; with the public there is likely to be an expression of a sense of moral outrage against such activities, while employers, whether directly or indirectly affected, tend to stress the disproportionate economic loss and community disruption caused by such strikes. But what is the position of the trade union or its full-time official in such testing circumstances? His role is almost unavoidably ambiguous and unclear, as he attempts to cope with a phenomenon which may be seen as both a threat to the prevailing order, and at the same time, as a legitimate or rational response at the workplace to changing circumstances not envisaged in the original employer-labour contract.

This article focuses on the occurrence of unofficial strike action as viewed from the standpoint of senior full-time trade union officials. We discuss several facets of such activity. First, we explore the questions of trade union policy on, and intervention in, unofficial strikes; second, we examine the full-time officials' attitudes to the role of management in this sphere; third, we relate and consider the views expressed by trade union officials on the reasons for unofficial strikes and how they might be avoided. In the final section we discuss the findings in the context of the tradition of voluntarism in Irish industrial relations.

Research Design

In 1981 a total of 59 trade unions were contacted and senior full-time officials from 32 of these agreed to participate in this study. Senior full-time officials were chosen because they are most likely to be able to provide the considered union establishment viewpoint. These 32

*The authors are respectively, Research Officer and Lecturer in Industrial Relations in the Department of Industrial Relations, University College Dublin.

trade unions together represent approximately 82% of all union membership in the Republic; of those not included, which were mostly small unions, six declined to participate for such reasons as pressure of work, and non-availability of full-time staff; the remaining 21 did not respond to repeated enquiries. Questionnaires were subsequently administered to a senior official of each of the 32 participating unions. The questions were for the most part unstructured and assistance was provided in cases of perceived ambiguity or where clarification was required. From the 32 questionnaires returned we are confident that the sample is broadly representative of the Irish trade union movement in that it captured the various dimensions of unionism in terms of union size, occupational type and socio-political orientations. The sample included eleven general and other manual trade unions, six craft and fifteen white-collar trade unions.

Trade Union Policies on Unofficial Strikes

The trade union response to unofficial action varies in the sense that there are contrasting positions on the issue of whether unofficial strikes should be given a formal status, thereby making such strikes official. From the data in table 1 it may be seen that 50% of the union officials surveyed declared that they would not offer any explicit support to unofficial action, while the officials of another ten unions (31%) indicated that they would consider such support. There was no particular strength of opinion shown on this issue by union type, although of the twelve

Table 1: *Trade Union Policies on the Status of Unofficial Strikes*

Response	Number of Respondents	
	N	%
— In certain circumstances such strikes would be declared as official	10	31
— Would not give official support to unofficial strikes	10	31
— Would not give any support to unofficial strikes before members return to work	4	13
— Members involved in unofficial action would be disciplined and probably expelled	1	3
— Would endeavour to avoid a confrontation on the issue by addressing the problem at the earliest stage	1	3
— No answer	6	19
N	32	100

unions in the sample which never experienced unofficial action, only two stated that support might be given to such action.¹ However, judging from the data in table 2, trade union policy on the question of union officials becoming involved in the settlement of unofficial action is more concerted. Seventy per cent of the officials surveyed indicated they would favour some form of union intervention. Those unions which had experienced unofficial action were much more likely to favour their officials being involved in settling unofficial strikes.

Table 2: *Trade Union Policy on Intervention in the Settlement of Unofficial Action*

Response	Number of Respondents	
	N	%
— Would negotiate with unofficial strikers	12	38
— Would negotiate with management within existing agreements in seeking a solution	2	6
— Trade union officials would be available to intervene and would most likely become involved	7	22
— Trade union officials would be involved and would use situation to apply pressure on management	1	3
— Officials would not become involved	2	6
— Officials would not become involved until work is resumed	3	9
— No answer	5	16
N	32	100

Perception of Managements' Role

Table 3 depicts the trade union officials' viewpoint on the role management should play in the context of unofficial action. The evidence indicates that most union officials would prefer to see management remain at a distance in such circumstances. In effect, the general viewpoint is that management should not deal with unofficial strikers, but negotiate with the full-time officials or ignore the unofficial strike leadership. Taking the data in both tables 2 and 3 one may detect a clear distinction in the union officials' perception of their own and managements' role: from the responses in table 2 we may conclude that the unions' attitude is one of "keep out — we'll look after it" — evidence of an overwhelming desire by trade union officials to maintain contact

Table 3: *Trade Unions View on Managements Response to Unofficial Action*

Response/Views	Number of Respondents	
	N	%
— Management should negotiate with unofficial strikers	2	6.3
— Management should disregard the unofficial strikers and negotiate with trade union officials	11	34.4
— Bad management responsible for unofficial action so no responses expected	3	9.4
— Management should make its own decision depending on reasons for unofficial action	2	6.3
— Management should ignore the unofficial strikers and should not negotiate	6	18.8
— Management should leave unofficial strikers out	1	3.1
— Management should not act until work is resumed	3	9.4
— No answer	4	12.5
N	32	100

with the strikers so as to reach a solution. By contrast, the data in table 3 reflects the desire that management should not deal with unofficial strikers. From these responses one can see the union officials' perceived area of responsibility, in the sense of being anxious to maintain communications and ultimately to solve the unofficial action on behalf of the dissidents. Unofficial action seems to be regarded by union officials as something akin to a family row, and therefore the settlement of the conflict is seen as an internal matter for the union, and most certainly not a responsibility of management.

Explaining and Resolving Unofficial Strikes

The reasons given by the trade union officials as to why their members take unofficial strike action are contained in table 4. Almost 40%, or twelve unions, stated that the official procedures and mechanisms are not adequate for handling employee problems, and seven of these specified management delays. Four unions indicated that unofficial action is directly related to the workers' personal characteristics and two unions linked unofficial strike action to a specific issue — sympathetic action with staff dismissals.

Table 4: *Reasons for Unofficial Strikes Among Your Members*

Response/Reasons	Number of Respondents	
	N	%
– Delays by management in dealing with employees' problems	7	21.9
– Lack of progress in dealing with problems at official level	4	12.5
– Bad management linked to national wage agreements	1	3.1
– Management respond to unofficial action while refusing to negotiate with trade union official	1	3.1
– Sympathetic action with staff dismissals	2	6.3
– Unofficial strikers have no concern for fellow workers	2	6.3
– Young workers react to the slightest incident	1	3.1
– Human nature	1	3.1
– No unofficial action/No answer	13	40.6
N	32	100

All but seven (21.9%) union officials saw ways of preventing unofficial strikes, as shown in table 5. Just over 40% considered better procedures for dealing with grievances to be the best method of preventing unofficial strikes. A recurring opinion among union officials concerned a perceived ill-will on the part of management in the context of procedure design and their subsequent operation. Union officials expressed a desire for clear time scales to be built into staged grievance procedures, but claimed that management in general is not keen on time scaling. Indeed they argued that management is inclined to design delaying mechanisms into procedural agreements so as to defer conclusions with the result that subsequent worker reaction becomes manifest in unofficial strike action. Seven officials stated that the trade unions themselves required some changes, while another two suggested that improved management systems would be the best method of preventing unofficial strikes. Six of the seven unions who saw no way of preventing unofficial strikes had direct experience of unofficial strikes.

In table 6 it is shown that just less than 78%, or 24 of the 32 trade unions surveyed, saw unofficial strikes as having a damaging effect on the trade union movement. Ten union officials saw unofficial action as undermining the status of trade union officials when in negotiation with manage-

ment and a further six stated that unofficial strikes undermine the solidarity and democratic structures of the trade union movement.

Table 5: *Ways and Means of Preventing the Occurrence of Unofficial Strikes*

Response	Number of Respondents	
	N	%
- Trade unions to adhere to their rules and take a firm line on unofficial action	4	12.5
- Trade unions should provide better service for their members	3	9.4
- Better and speedier procedures for processing pay claims and grievances	7	21.9
- Better grievance procedures and better training for both trade unions and management	6	18.8
- Better management	2	6.3
- Trade unions be given more control of workplace	2	6.3
- A return to free collective bargaining	1	3.1
- No way of preventing unofficial strikes	7	21.9
N	32	100

Table 6: *The Damaging Effects of Unofficial Strikes on the Trade Union Movement*

Response	Number of Respondents	
	No	%
- Yes: undermines the status of trade union officials to negotiate with management	10	31.3
- Yes: undermines the solidarity and democratic procedures of the trade union movement itself	6	18.8
- Yes: leads to a loss of status in the trade union movement generally	5	15.6
- Yes: gives rise to bad propaganda for the movement which may lead to repressive legislation	3	9.4
- Yes: when unions on the periphery interfere and support unofficial strikers	1	3.1
- To a limited extent/overstated	4	12.5
- No damaging effect	3	9.4
N	32	100

In general, trade union officials viewed the unofficial strike as a blow to their sense of professional competence in the sense that it represented failure on their part to interpret the views and also the time scale of their memberships in the presentation of cases to management. The seven unions which considered unofficial strikes as having little or no damaging effects on the trade union movement all had experienced unofficial strikes.

Discussion

The attitudes reported here might suggest some disagreements or differences among trade union officials in their rationalisation of and responses to unofficial strikes. However, while there are clear divergencies of opinion on certain policy and strategy matters, there is evidence of agreement on some issues. Thus, certain general observations can be advanced. While there are clear differences of opinion on the issue of whether formal union support should be given to unofficial strikes, there is greater firmness on the need for union officials to intervene in such circumstances. And again, there is strong concerted opinion on both the role of management in unofficial strikes and the degree of responsibility which they should bear for such actions. But the most prevalent outcome, as a whole, is the general desire for the maintenance of the right of union officials to resolve the problem of unofficial strikes within the boundaries of the trade union movement. In explaining some of these attitudes it is useful to review the data in the context of the tradition of voluntarism in Irish industrial relations. Trade unions and trade union officials, as with various other institutions and people who form distinct interest groups, are likely to hold certain values and principles and behave accordingly. The canons of voluntarism in Irish industrial relations help us to understand more clearly the views of trade union officials as reported in this article.

Voluntarism in Industrial Relations

The tradition of voluntarism, as the term applies to industrial relations, is well documented [Flanders 1974, White, 1978, Clegg, 1979]. The way in which trade unions evolved in nineteenth-century Britain provides one of the most notable instances of the development of a voluntarist tradition, and because of former political and economic links, Ireland, as in so many areas of institutional development, inherited and subsequently accommodated this voluntarist approach to industrial relations. In brief, the underlying theme in voluntarism is the general absence of state involvement in the regulation of industrial relations, particularly in such areas as pay determination, control of industrial action, and reform of trade union structure [Roche, 1982]. The tradition developed whereby employers and trade unions in various industries

negotiated basic employment conditions and procedures for resolving disputes and the state, for its part, showed little interest in either the substantive terms of the agreements or in the specific institutional arrangements developed by the parties [Hawkins, 1979, p. 13]. Thus, unlike the practice in many countries, such as in West Germany, Sweden, Australia and the United States of America, where the law is used extensively in the shaping and regulation of industrial relations, in Ireland the voluntarist doctrine persists, although it has been weakened considerably in recent decades. While there is substantial auxiliary legislation in the field of industrial relations, the collective bargaining arena remains largely unregulated by law. Thus, the position of the state in this tradition is a largely inactive, auxiliary presence. Typically, employers and trade unions together develop a framework of rules and as both organisations are voluntary bodies, the rules which they produce to regulate their relationships are also regarded as voluntary in character [Hawkins, *op. cit.* p. 13]. In this tradition the state's role is essentially a peripheral one; it provides statutory assistance to those individuals or groups who need support, such as for those whose bargaining strength is unusually weak; it also provides peace-keeping machinery which is readily available to the parties and acts as guarantor of last resort in matters of basic trade union rights. While there are differences of opinion as to the relevance and efficiency of this system in the 1980s (see Commission Report, *op. cit.*) the doctrine of voluntarism, as a set of principles or ideas which guides actions and behaviour in industrial relations, remains intact and may be said to represent the 'point of equilibrium' in the system.

Trade Unions and the Voluntarist Tradition

Within this framework trade unions view themselves as voluntary associations who engage in free bargaining relationships with employers. From the outset the unions, in both Britain and Ireland, displayed a deep distrust of the law, viewing the courts as being prejudiced towards employer interests, and these attitudes, still widely in evidence, served to reinforce the maintenance of voluntarism in industrial relations. Unions in Ireland, it may be safely said, do not see the courts as the appropriate forum for dealing with industrial relations issues.

How then do trade unions exercise their responsibilities to society at large when there are apparent weaknesses or breaches in the practice of the voluntary code, as is often the perception when unofficial strikes occur? The data contained in tables 1-6, when considered in the context of the voluntarist tradition, allows us to make the following observations.

There is a clear conception of good trade union practice, much of which is represented in the formal rules of the union and in the rules of a national coordinating body such as the Irish Congress of Trades Unions, and this ethos of good practice may be said to be violated with the occurrence of unofficial strike action. However, while many unions and union officials reject the right of sections of their members to pursue such independent action, there is considerable difficulty in resisting such strikes in public. It is in the nature of a voluntary organisation that it must react and sometimes submit to the untoward or unconstitutional actions of elements of its membership in order to retain support and maintain stability. Should it act strictly to the rules it may risk substantial loss of membership and/or a considerable dissipation of morale. This dilemma for trade union officials, especially in a highly competitive union environment as in Ireland, is not easily resolved and the very mixed reactions to this issue are clearly evident in the views of officials reported in table 1. Also, the strong desire by union officials to intervene in unofficial strikes with a view to their settlement, notwithstanding strict union policies, should be regarded as no more than a pragmatic acceptance of the need to become involved. If trade union officials pursue a harsh policy of opposition towards unofficial strikes there are dangers in the emergence, or further consolidation, of another source of authority, widening dissatisfaction among the rank-and-file membership and even a loss of membership. Trade union officials clearly recognise these dangers.

Union officials' perceptions on the role of management in the context of unofficial strikes reflect a fundamental tenet of the voluntarist tradition. Again, there is the indisputable conception of the trade union as a voluntary organisation; while management, as parties in the wider collective bargaining environment, are inevitably involved in such conflict circumstances, union officials refuse to accord any legitimacy to them in seeking to resolve such matters. Here, the trade union is projected as an autonomous organisation and it follows that if issues about disciplining members arise this should be regarded as a matter solely for the union itself. Management involvement, insofar as it results in direct contacts with unofficial strikers, is viewed by union officials as an interference in the internal affairs of the union and is likely to be regarded as an offering of succour to the dissidents. Whatever the arguments of parties external to and affected by unofficial strikes, union officials, keen to retain control of their own organisations, view matters of resolution as a fundamental element of their domain, a maxim which flows directly from the tradition of voluntarism.

The multiplicity of reasons for unofficial strikes given by union officials may also be said in some respects to correspond with the various negative attributes, as might be perceived by them, of the employer-labour environment fashioned by the voluntarist tradition. As Hawkins (*op. cit.* p. 13) pointed out, because the state, in the formative years, did not assume an active role in industrial relations certain important institutional and behavioural consequences took root; he noted that neither employers nor trade unions had any incentive to develop strong institutional controls over the conduct of labour relations in the workplace. Secondly, such state reticence ensured that the national organisations of both sides remained constitutionally weak. Thirdly, it resulted in extremely diverse bargaining relationships and structures and finally it encouraged both sides to act as though the agreements concluded were of interest to no one except to the parties themselves. While Hawkins was reflecting on the British voluntarist tradition many of these observations also apply to the Irish experience. In summary, the voluntarist tradition has resulted in a highly decentralised bargaining environment where an ethos of good trade union practice prevails in knitting together the highly spontaneous and dynamic behaviour of shop stewards and workplace representatives who represent the views of their immediate constituencies. Here, the nature of trade union discipline does not come from a formal command structure, but from a moral set of standards. Order in the voluntarist tradition is not based on a formal legislative programme, but on a moral set of precepts which invariably are followed. It is this scenario which the full-time trade union official must respond to and cope with and because of voluntarism's inherent flexibility and spontaneity [White, *op. cit.* p. 43] unavoidable clashes between the formal command structure of the unions (which is often silent on the role and power of the shop steward) and the workplace authorities occur from time to time. Thus, the union officials' perceptions of the reasons for unofficial action may be said to reflect the frustrations experienced in dealing with such difficulties and in some cases may be seen as an inability to accept or respond to fundamental changes occurring at the workplace because of the changing and very specific demands of certain employee groups.

The union officials' views on how unofficial strikes may be prevented also reflect the many deficiencies which may exist in their relationships with members and management. With regard to their membership, while some officials favour autocratic union government, others seek to integrate the local membership more fully into formal industrial relations through the provision of better training and services. In this way they confer more formality on the role of local leaders, thereby gaining more control over events at the workplace and preventing unofficial

action. With management, the emphasis is on improving and widening the procedural framework, which again reflects the concern to achieve stability in the workplace. Thus, for the most part their solutions to the problem of unofficial action represent a preoccupation with bringing greater formality to the relationships between union officials, management and members. Again, on the matter of the perceived effects of unofficial action on the trade union movement, there is an overwhelming and unequivocal statement as to its detrimental character. Such actions are viewed as being contrary to the Irish tradition of voluntarism in that the status of the voluntary union organisation, its officials and its relationships with employers are put at risk. For union officials, unofficial strikes have no legitimacy in the tradition of voluntarism.

REFERENCES

- Clegg, H.A. *The Changing System of Industrial Relations in Great Britain*, Oxford, Basil Blackwell, 1979.
- Flanders, Allan D., "The Tradition of Voluntarism", *British Journal of Industrial Relations*, November 1974, Volume XII, Number 3, pp. 352-370.
- Hawkins, Kevin, "The Future of Collective Bargaining", *Industrial Relations Journal*, Winter 1979/80, Volume 10, Number 4, pp. 10-21.
- Irish Congress of Trade Unions*, Annual Report, 1980, Appendix 4.
- Report of Commission of Inquiry on Industrial Relations*, Dublin, The Stationery Office, 1981.
- Roche, Bill, "Social Partnership and Political Control: State Strategy and Industrial Relations in Ireland", in *Power, Conflict and Inequality*, edited by M. Kelly, L. O'Dowd and J. Wickham, Dublin, Turoe Press, 1982, pp. 44-67.
- White, P.J., "Is Voluntarism in Decline?", *Industrial Relations Journal*, Autumn, 1978, Volume 9, Number 3, pp. 34-43.

NOTE

1. Officials of twelve of the thirty-two unions surveyed indicated that they never experienced unofficial strike action. Nine of these unions are classified as white-collar.