

LABOUR-MANAGEMENT PARTNERSHIPS: U.S. EVIDENCE AND IMPLICATIONS FOR IRELAND*

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Introduction

For many years after publication of *The Transformation of American Industrial Relations* (Kochan, Katz & McKersie 1986), we observed only scant evidence that the transformation process, especially at the strategic level, was actually taking place. Finally, now, in the mid-1990s, a wide range of activities under the banner of labour-management, strategic partnerships can be seen, and they possess the potential to bring forth a new paradigm in employment relationships. Many examples in both the manufacturing and public sectors can be found in the United States, Britain, and Ireland, as well as other European countries.

Before getting too far into the subject, it is useful to attempt to define the scope of what is meant by a strategic partnership. A recent position paper prepared by a task force between the Communications, Energy and Paper (CEP) Union and Bell Canada defines the elements of a strategic partnership as follows:

[Union-management partnerships need to] involve, through the corporate steering committee and other exchanges of information, appropriate union executives in planning, strategy, training, and policy formulation in areas such as quality, human resources planning, new technology, major product and market changes, and strategic alliances with other telecommunications companies. These partnerships take place, for the most part, directly between labour and management – government as a player is generally not involved. Another key distinction is that these partnerships are at the corporate level where key business decisions are made that affect the viability of the enterprise. This is in line with the general decentralisation of collective bargaining that has occurred in Western countries from industry level down to enterprise level.

In the face of a natural reluctance by managers to share power, as well as a hesitancy on the part of many union leaders to move away from the traditional system wherein “management acts and the union reacts”, we need to understand what has changed in the environment that is driving this important development. In addition, we need to understand the nature of the many, many dilemmas that the parties participating in these new arrangements are experiencing. The purpose of this paper is to explore these

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developments and challenges, using evidence from a number of partnerships, to demonstrate that this development is both robust and likely to expand.

The Explanation for the Emergence of Partnerships

One of the most prominent examples of labour-management partnerships in the United States is what has emerged in the integrated sector of the steel industry. Lynn Williams, former president of the United Steelworkers of America, explained recently (in January 1996), in an address to the Trade Union Programme at Harvard University, why he advocated a new strategy and bargained a series of contracts in 1993 with the major steel companies that embodied a comprehensive set of innovations. Basically, his premise was that with employment dropping precipitously and likely to drop even further as companies restructured, and as the character of the industry moved away from the dominance of large integrated operations and increasingly populated by mini-mills (largely non-union), the United Steelworkers Union and its members were going to lose out if ways were not found to participate at the strategic level as key business plans were formulated. Williams also recognised that the integrated sector needed to be more productive, and that such organisational innovations as teams, problem-solving groups, delegation of responsibility downward in the organization, and contingency compensation had to be implemented in the integrated sector (intensely organised by the United Steelworkers union). Otherwise, the union was not going to survive. The phrase that Williams likes to use is: “Managerial decisions are too important to be left just to executives”. He firmly believes that strategic decisions, taken with full participation of union members and their representatives, will be better decisions thereby producing benefits for all stakeholders.

The emergence of strategic partnerships can also be framed in the language of economics, namely, the volatility of the marketplace (world competition, new technology, and new products) means that all parties are substantially more at risk. One important means of addressing such risk is to make compensation more contingent. Indeed, recent agreements in the steel sector include a significant element of profit-sharing. In general, if workers’ employment continuity and compensation are increasingly affected by the “big decisions” at the top, then it is important for their trade union representatives to be present when such decisions are made.

Examples of Partnerships in the U.S.

In a rather selective manner, it is useful to enumerate a number of salient examples to capture the flavour of strategic partnerships. Others will be cited along the way. First, let us consider the U.S.

- *The Telephone Industry* – The Communication Workers of America (CWA), with many of the regional operating companies and especially with AT&T, has

instituted common interest forums and a number of pioneering arrangements that deal with guidelines for representation elections at unorganised plants as well as putting in place an array of committees and joint forums.

- *The Amalgamated Clothing and Textile Workers* (now referred to as UNITE) has signed a pioneering agreement with Levi Strauss that commits the union to help management install team operations in its non-union plants, provides for monthly meetings to review business plans, and contains an understanding to recognise the union on the basis of a card check.
- *United Airlines* has recently instituted a major partnership that rests on worker ownership. It is the view of the author that partnerships do not require worker ownership, but this can be a very important supporting arrangement. In a statement by the Canadian region of the Steelworkers, the point is made that if worker ownership is to be part of the plan, then there needs to be substantial representation of employees on the board of directors, and employees must approve all major strategic decisions.
- *Xerox* – This is one of the most enduring examples in the U.S. and illustrates how a partnership has withstood the test of time, and how it has grown from the bottom upwards to the top. The work of Joel Cutcher-Gershenfeld is particularly helpful in understanding the Xerox story (Cutcher-Gershenfeld 1991).
- *Conrail* – This case is a story of a partnership developing in the face of bankruptcy. Quite significantly, the strong working relationship between top management and top union leaders has continued now that Conrail is no longer under government ownership. This case is reviewed in a recently published text on strategic negotiations (Walton *et al* 1994).

Examples from Other Countries

- *Welsh Water Partnership Agreement* – In this case the basic principle is a “commitment by the trade unions to the company’s business objectives and the acceptance by senior management of the value of discussions and agreeing to partnership proposals with the trade unions representing their employees”. Essential features include no compulsory redundancy, training and development for all employees, and joint forums, specifically, the Joint Officers Group and the Representation Council.
- *Royal Mail in London* – In this case, the partnership occurred around a major restructuring of operations. The Industrial Partnership Association which sponsored this study of Royal Mail has stated:

Many British trade unionists now suggest that we need a new industrial relations forum where a new agenda of issues can be discussed between managers and employee representatives at the workplace and company level. In return for this new arrangement, many trade unions have accepted the idea that the election of representatives to any new forum should include all the workforce and not just trade union members.

- *Some Irish Examples* – In Ireland, it appears that most developments towards partnership-type arrangements are to be found in the State sector. The experience under, for example, the Worker Participation (State Enterprises) Acts of 1977 and 1988 are well-outlined by Aidan Kelly and Fintan Hourihan (see Kelly and Hourihan 1994).

Types of Partnerships

It is apparent that labour-management partnerships come in many forms. One important distinction is between a formal partnership that contains very specific structures versus a programmatic approach where the parties join together to design and implement a specific change effort (for example, the change programme at Royal Mail in London).

Aside from the degree of institutionalisation of the partnership, another important distinction is the focus or agenda of the partnership. The author would contend that labour-management partnerships dealing with strategic business decisions as especially significant, although a number of other important agenda items have been at the centre of partnerships. For example, in the case of the steel industry in Canada, the focus has been on industry-wide, labour market adjustment programs to help the many workers who have been affected by restructuring. By contrast, in the U.S. with a similar environment facing the steel industry, the emphasis has been much more on business decisions, e.g., subcontracting and programs for providing continuity of employment in the face of restructuring. Such arrangements, by necessity, must be negotiated on a firm-by-firm basis.

Trade unions bring very important interests to the partnership process. Growth of union membership is always a key objective. In the example cited earlier for Levi Strauss, an arrangement has been worked out whereby the union (UNITE) helps management install modern work systems in unorganised plants. The leadership of Levi Strauss has referred to this development as a “fundamental paradigm shift”: the parties have moved from earlier adversarial dealings when the union attempted to organise plants, to one of enabling the union to present itself in a constructive role to potential members. The main proviso on management’s part is that employees be allowed to exercise free choice.

By contrast, this same interest in signing up new members has not resulted in a breakthrough for the United Steelworkers union at Inland Steel even though a strong partnership exists between the company and the union. The distribution company at

Inland remains largely non-union and campaigns to organise these workers are still characterised by considerable contention.

The Essence of Strategic Partnerships

What is the nature of a partnership, especially with respect to decision making? For one thing, these partnerships represent much more a sharing of power than has been the case in the many publicised examples of co-operation and consultation that have occurred over the years. A key feature of partnerships is that the trade union has an opportunity to challenge or confront management before a decision is made. This produces a better process than allowing management to make a decision and then placing the union in the position of challenging and seeking to overturn or modify the decision.

The agreement between the United Steelworkers union and Inland Steel uses such phrases as "shared decision making" and "input before decisions are made". Some union leaders feel quite comfortable playing a type of co-management role. This would be the experience in the Saturn Corporation in the U.S. (see Rubinstein *et al* 1993). In the instance of Welsh Water, where they use a joint officers group and a representative council, the evidence is that the parties "reason together" about subjects of common concern.

In other situations, management opens up its decision-making process so that the union is present to object and to contribute but is not expected to come on board as a joint decision maker. How the parties shape the nature of union involvement at the strategic level depends on how the union leadership manages the trade-off between maintaining its independence in order to pursue its representation function and at the same time participates in key business deliberations.

Getting Partnerships Started

Partnerships come on the scene in a variety of ways. In Ireland it would appear that partnership-type arrangements within state-owned enterprises developed as the result of legislation. In most of the other examples at hand, partnerships have been instigated by labour and employer leaders on their own initiative, and significantly, they are just as likely to be proposed by the union side as by management. For example, mention was made earlier of the visionary leadership of Lynn Williams, President of the Steelworkers when they embraced a program entitled "New Directions." Similarly, in the case of the State of Ohio, the initiative has come from the president of the union who has recognised that with all the pressures for change in government, the union needs to be at the centre of this process (See Scott 1996).

While a number of the examples begin with a vision and commitment at the top, many develop more gradually through a process of evolution, often starting with earlier efforts to develop labour-management co-operation at the operating level. For example, in the case of Xerox in the U.S., the journey toward a fully-fledged strategic partnership

started with employee involvement groups, joint efforts to address quality issues, and the negotiation of employment and career enhancement – all of these setting the stage for the “icing on the cake”, an established protocol that provides for management and top union leadership to meet regularly to discuss the vital problems facing the business.

Substructures are important so that partnerships can be grounded in the lower levels of the organization. This point has been made very clearly in the analysis of the experience in Ireland with partnerships in state enterprises (Kelly & Hourihan 1994). Representatives on corporate boards need reference groups at lower levels with which to interact in order to maintain a good flow of communication. They also need the “cover” of these groups when unpopular decisions are in the offing. In the case of Welsh Water, the representation council performs this function. In passing, it should be noted that in the case of Britain, the Advisory, Conciliation and Arbitration Service (ACAS) has played a constructive role in fostering the development of forums and joint groups at this critical middle level of the organization (See Kessler and Purcell 1993).

Another important prerequisite is the fashioning of employment continuity in a way that frees people to participate fully and provides buffers, given the vicissitudes of the marketplace. In the case of the State of Ohio, assurances were given that no one would be laid off as a result of their efforts to improve quality and customer service. In the case of the integrated steel companies in the U.S., the provision of employment security went even further and guaranteed that for the six year contract term, short of major economic calamity, workers would not be laid off. This assurance was a crucial *quid pro quo* to induce workers to accept such fundamental changes as self-directed teams, craft consolidation, and quality improvement programs.

Usually, the group that is most reticent to embrace the philosophy of a partnership is middle management. Sharing of power evokes considerable trepidation given the authoritarian traditions that run deep in most organizations. For example, in the case of Welsh Water, change took place at the top of the organization quite readily; however, middle management was slow to change and to shift to the role of facilitating a process for involving workers in the vital problems of the business.

A practical reason for the hesitancy of many middle managers to come on board is that partnerships take time, and decisions are often slower to emerge. (However, their implementation is usually much faster and devoid of controversy.) In passing, it should be noted that in the case of the State of Ohio, this impatience led one manager to preempt the partnership process and to move ahead with his own restructuring program. Indeed, he even set aside the employment continuity provision.

In the case of the telephone industry in the U.S. where common interest forums are present and have been developing and implementing change programs, a number of managers also have set these processes aside in favour of aggressive downsizing programs. Of course, there is no greater setback for the partnership process than for people who are making a serious effort to deal with a challenging environment, only to learn that decisions made “higher up” the organization have pre-empted the partnership

with a program that is being forced through on a hurried timetable. It may be that a turn of events would be much less likely to happen in Ireland than in the U.S., where the pressures from the investment community to improve quarterly financial results are intense.

Limited Partnerships

Given the critical importance of implementation in all change efforts, it is appropriate to discuss several examples that focus almost exclusively on implementation activities. The concept of a limited partnership is well-established in the financial world. The term is used here to suggest that the partnership is centred on specific change programs rather than a more general sharing of power across the board for all business decisions. Let me provide an illustration. Some years ago, the bar mill division of Inland Steel faced substantial competitive challenges. Management seriously considered shutting the mill down – a step that had been taken by most other integrated mills for comparable products. However, another idea gained support, namely, putting in place a mill with state-of-the-art technology and work organization. To achieve this objective required the negotiation of a very innovative collective bargaining agreement with the local union. The result could be labelled ‘Mutual Gains Collective Bargaining’, but it also could be called a partnership since management and union leaders jointly designed the new organization for the bar mill.

What is the rationale for the approach of a limited partnership? From management’s side, the results will be better than if it attempted to push through the change program on its own, i.e., by use of a forcing strategy. Also, management does not share power across the board, but structures involvement on a project-by-project basis. From the union side of the house, the limited partnership resembles the “living agreement” approach to collective bargaining, and in this sense the process may be more acceptable to the membership. While the agenda is wide-ranging and involves many dimensions of the work organization – for example, introduction of teams, identification of new career lines, design of retraining programs, revision of incentive systems, and extensive communication – the union joins the process at the beginning and has a chance to shape the program rather than sitting back and letting management propose the design and then trying to influence it from a reactive position.

So while management has the initiative – at least to present the case for change – the union is brought in early and helps shape the major details of the program as well as the timetable. For example, in the experience of the Royal Mail program for reorganising the main letter offices in London, the union was briefed on the broad parameters of the program and then was in a position to consult with and sell the concept to its membership.

In some cases, the union may not be successful in its merchandising of the new program and the parties return to the status quo. This happened in the U.S. in the case of CSX Railroads, which attempted to fashion a dramatic new approach to staffing

levels and a sharing of savings with all of its operating unions. Substantial opposition developed within one of the major unions and the entire program was put on the shelf. Clearly, this represented a major setback for the process of collaboration.

The aforementioned example underscores one of the biggest drawbacks or risks inherent in any partnership. Management may find itself going down a road where the result is no change or change on a very slow timetable. In such a case, management might say to itself, "We have wasted a lot of time and it would have been better to have initiated this change program via a forcing strategy." The earlier examples from the State of Ohio and the U.S. telephone industry illustrate this sequence. Of course, there is another way to view such a turn of events. Having tried a fostering approach, management is in a position to shift gears and to, in effect, say, "We tried to work this out on a reasonable basis via partnership. That has not succeeded and now we need to proceed forthwith and drive this program to completion on the basis of our proposals" (see, for example, Cutcher-Gershenfeld *et al* 1995).

Challenges and Responses of Union Leaders to the Risks and Opportunities of Partnerships

No doubt the biggest risk facing union leaders involved in partnerships is that such an arrangement has the potential to weaken their ability to handle their representation function. It is possible that leaders who are involved in shaping business plans and influencing key strategic decisions may have difficulty effectively representing individuals who file grievances as a result of the implementation of these programs. One solution is for the union to have differentiated functions that create, in effect, checks and balances. For example, in one union-management partnership where there has been considerable attention devoted to streamlining the maintenance function and increasing productivity of craft personnel, the union's subcommittee on subcontracting maintains a very vigilant stance and insists that the company assiduously follow the contract for every proposed outsourcing.

A second problem, and one related to the first, is that the union leader may become identified with an unpopular decision. There is no easy answer to this reality. Presumably, over time, as the result of communication and general education, the membership will come to appreciate that their employment and economic prospects are enhanced as a result of the partnership even though there may be changes that actually hurt the economic interests of individual employees.

A further risk is that given access to key information at very early stages, union leaders will learn about developments long before they can be promulgated more generally to the organization. Again, this is not all negative. For example, in one instance, a union leader knew about the need to shut down a department long before most managers knew about the decision. He was able, as the result of being involved in early discussions, to help shape the transition plan.

Finally, the biggest risk for a union leader in having a “close-in” relationship with top management is that management may act in ways that are at variance with the spirit of the partnership. And if the violation is fundamental, then the union leader will need to withdraw from the partnership, or at least to put participation by the union on hold until the working relationship can be re-established. A vivid example of this breakdown in trust comes from the steel industry in the U.S. Several months ago LTV Steel, in concert with British Steel and Sumitomo, announced the formation of a joint venture to construct and operate a mini-mill in Decatur, Alabama. LTV has a partnership agreement with the United Steelworkers union for its other plants. However, in this instance, LTV indicated that the Steelworkers would not be automatically recognised nor would workers on layoff from its other plants be given transfer rights. The Steelworkers have reacted angrily and stated: “By persisting with this betrayal of our Union, LTV has elected to destroy its relationship with the Steelworkers Union.”

Major Issues Faced by Union-nominated Directors

In this section, the author would like to draw on his own experience on two boards as a union-nominated director. Frequently the question is asked “What difference can one person make on a board?” Well, first, this implies that boards take votes and that one vote by itself would not mean very much. The author’s experience is that the culture of the boardroom places importance on consensus, or at least on the appearance of consensus. Consequently, one individual can have considerable influence by asking questions and, even in some instances, requesting that a decision be delayed, pending the presentation of more information.

An important distinction, and one that is mentioned in the literature, is whether the union-designated director serves as a delegate from the union or operates more as a free agent. The author’s approach has attempted to combine both the role of delegate and that of an independent director. It is important that union nominated directors be very accessible and visible to the membership so that they can keep such directors informed about their concerns. In this sense, the union nominated director is deputised to inform management about the concerns of the membership. However, in the authors case, he does not view his role as an agent or in any way carrying particular instructions from the union. It is dangerous within the board to become typed as the “union” person, where one’s contributions are only solicited for issues relating to labour-management relations.

It is important to serve on key committees. For example, the author currently serves on the audit committee of one of the companies where he is union nominated director. In this instance, he has made suggestions to extend the audit process to subjects beyond financial matters. For example, outside experts on occupational safety and health have conducted audits and presented reports regarding the general level of compliance within the plant.

In some instances, directors are held at arm's length by management out of fear that sharing confidential information with them would place the directors in an awkward position – presuming they would be under pressure from the union to be a channel of information. The author has not experienced this dilemma, but at least one other director has reported an experience of this sort. Specifically, this director recently confided that shortly before the company was to enter wage negotiations, the CEO asked this director to step out of discussions that would be defining the bargaining parameters.

Union leadership can also feel uneasy about a free-wheeling, union-nominated director who might serve as a parallel communication channel. The author works very hard to avoid this situation. Clearly, the union nominated director should be a channel of upward communication as they meet with stewards and members and inform themselves about their member. However, it is important to insist that answers to their questions come down through channels and that union leadership and management be the delivery point for answers to questions that have been raised in various forums.

Similarly, the sharing of sensitive information about important business matters should be initiated by management with key union officials and not by the union director. At Inland Steel the union president learns about major decisions affecting employment long before the union nominated director are appraised.

In talking about how a union-nominated or worker representative on a board of directors makes a mark, the author would like to draw a parallel to the style of the man for whom the lecture at which this paper was first presented was named, John Lovett. While never having had the benefit of meeting this special individual, the phrases “outstanding qualities of intellect and articulation,” “unassuming, yet his achievement was recognised by all who came in contact” stand as reminders to all of us who have the privilege of serving on boards with a special union brief. Engaging top management in an adversarial manner will force key decisions to be made in subcommittees and away from the forum of the board meeting, or lead perhaps to a restructuring of the board to eliminate the director, as happened in a major company in the U.S. A director enjoys incredible access to information and can observe operations first-hand and on a regular basis. Working quietly behind the scenes, yet at the same time being visible to the membership, can help to make this new role effective and acceptable to the rank and file as well as to union and management officials.

Pathways Available to the Parties

At this point, it is appropriate to make a direct connection between the general experience being analysed (for the most part drawn from the U.S.), and the situation existing in Ireland and the various options that are available to the parties. Let me do this by delineating three systems or tracks.

- The first track is that of the manufacturing transplant that is operating with the latest human resource policies and practices, including ever-present efforts to

remain non-union. Many of these manufacturing plants are owned by U.S. corporations. In data collected by Gunnigle for Ireland, of 27 U.S.-owned plants in the sample, only 4 had recognised a union; by contrast, for the 11 Irish-owned plants, 9 had recognised a union (Gunnigle 1994, 1995). The statistic for the U.S.-owned plants is not surprising, and based on extensive interviews with managers in the U.S., it seems unlikely that U.S.-owned companies in Ireland are going to change their strong preference for operating on a non-union basis.

- The other track now present in this country is the Irish-owned company with traditional work organization and traditional labour-management relations. In most of these situations, trade unions are accepted as key players in the employment relationship.
- The big opportunity (and what is seen as a third track) would be to combine the best features of the new non-union plants, i.e., comprehensive human resource systems with the latest innovations in labour-management relations, i.e., strategic partnerships.

Casey Ichniowski has presented some very persuasive evidence in support of this hybrid by analysing the nature of the human resource systems in place for a group of comparable operations in the steel industry and found: the more comprehensive the human resource practices, the stronger the economic performance (see Ichniowski & Shaw 1995). It is clear that the economic advantage to operating with advanced high-performance systems can be substantial.

The challenge, then, is to transform existing workplaces where traditions run deep and collective bargaining is characterised by a strong culture. In this country, where the preference is not so decidedly anti-union, there is the possibility of transforming existing workplaces into modern, high-performance systems. By contrast, in the U.S., the preference is to shut down ageing traditional operations and start afresh with modern work practices and to operate on a non-union basis.

This is where the concept of the strategic partnership comes into play, precisely because it provides the union with a *quid pro quo* for its willingness to play a key role in transforming the workplace. If employment arrangements are going to be put on a much more market-related basis, and if union leaders and members are going to be asked to forego the security of a standardised agreement, then they need to be brought into the enterprise as partners to participate in the major decisions of the business.

We are in a phase of industrial history in the U.S. and Ireland where the proposition is being tested that unions can add value compared to the performance of a non-union operation. The author firmly believes that this premise will be borne out by future developments. We have already seen such possibilities in post-war Germany and Japan. It seems just a matter of time before we begin to see in the U.S., as well as here in Ireland, examples of robust, state-of-the-art manufacturing facilities that are unionised and are operating on the basis of comprehensive human resource systems. With respect

to the shape of governance for this hybrid, it is worth noting that the directives of the European Union, mandating works councils for multinational corporations, are helping to move us on to this third pathway.

So the challenge is clear: Ireland, with one leg in Europe and a language and cultural heritage that foster close affiliation with the U.S., is in a position to conduct a grand social experiment to test the premise that strategic partnerships, coupled with modern human resource systems, can be an unbeatable combination. This country is just the right size to embark upon such a social experiment and to move actively forward to solidify a new model of industrial relations.

Beyond Free Market Capitalism

It is just possible that strategic partnerships might be a bridge to an economic system that would be more durable than free-market capitalism. Currently available economic models leave something to be desired. Socialism has been discredited due to its stifling of individual initiative – and is in retreat. By the same token, free-market capitalism has created large inequities in income and a range of social problems stemming from unbridled change. The involvement of workers and their representatives in the vital affairs of the business – in effect, a new entrepreneurial mode (what the late U.S. Senator Jacob Javits referred to as “people’s capitalism”) – might very well combine the “economic must” with the “human ought” in a new and very creative way.

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