



The story continues...

What can Discount King do if negotiations are proving difficult?



If Discount King, or any other people in business, finds the negotiations to resolve a conflict difficult, then the parties to the dispute may agree to ask an independent third party that they both trust and respect to act as a conciliator.

Conciliation means getting a neutral party to listen to both sides individually and then together before suggesting possible solutions that would be acceptable to both. The conciliator can only recommend solutions and their suggestions may be rejected. For example, in a dispute between a business and local residents about excessive noise pollution, a respected local religious person or politician may be asked to act as a conciliator. Conciliation should not be confused with arbitration.

Arbitration occurs where a both parties agree in advance to accept whatever recommendations a respected neutral third party recommends.

The use of conciliation and arbitration is very common in the resolution of disputes between employers and employees. However it is relevant to all conflict situations.

Discount King uses the LRC's conciliation service



Discount King has announced that they want to open the firm's flagship supermarket on a 24-hour basis. They are proposing to pay staff on the night shift the same pay as workers on the day shift. Staffs were unhappy with this proposal. Specifically, staff are requesting that workers put on the night shift be paid 10% extra, given the very unsocial, and family-unfriendly hours that they would be working. They have asked their union to use the company grievance procedure to find a solution. Tensions arose over this issue and some employees were also talking of the real possibility of a strike if the firm's proposal for 24-hour opening goes ahead as currently planned.

In negotiations with management, no agreement could be reached, as the firm said that they couldn't afford the extra cost. However, both sides are keen to find a solution and have agreed to take the case to the Labour Relations Commission (LRC) for conciliation. The LRC appointed an Industrial Relations Officer to listen to both sides of the dispute before making a recommendation that the staff working night shifts could be entitled to longer holidays as compensation, rather than extra pay. Both management and unions in Discount King agreed to this proposal and this dispute was resolved.

Recall & Review

1. Explain the underlined terms.
2. If unions and management had rejected the LRC's recommendation for a solution, what further steps could be taken to resolve this issue?
3. Distinguish between the role of the LRC and the Labour Court.



Rights Commissioner investigates Security Guard's complaint



Bob Heaslip, a newly recruited security guard at Discount King Supermarkets, discovered that he was being paid a lower salary than other security guards employed by the company. He complained to his manager that he was discriminated against but was told that it was company rules that employees get paid a higher rate of pay after completing 1 full year of service. Bob has only been working for the firm for 6 months and is not yet entitled to a higher salary.

Bob took his complaint to the LRC. As Bob is the only person complaining about this issue, they sent in a Rights Commissioner to investigate the complaint. After listening to all the facts, the Rights Commissioner decided that, as the same rules applied to all staff in the supermarket, Bob was not being discriminated against and the complaint was dismissed.

Equality Authority investigates discrimination claim at hotel



Terry Jones, a bar man in the Waterfront Hotel, was turned down for promotion to head bar man and decided to take his case to the **Equality Authority**, claiming discrimination on the basis of age. He said that he was being turned down because the hotel manager told him that he was “too young” for such a position of responsibility.

The Director of Equality Investigations is responsible for investigating complaints brought to the Equality Authority. The Authority investigated Terry's complaint and found that Terry had more training, skills and experience than the successful applicant and should have been given the job. It ruled that he had been discriminated against because of his age and ordered the hotel to pay Terry compensation.

Summary - Fill in the gaps



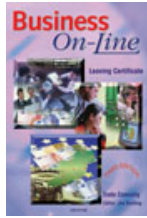
Industrial relations refer to the quality of relations that exist between the employers and _____ in an organisation. When there is a conflict between these two stakeholders in a business, it is known as an industrial _____.

Trade unions are organisations representing the interests of employees by speaking and _____ on their behalf with employers. A union cannot organise a strike without first organising a _____ among its members and securing majority approval. If employees do go on strike without following the procedures set out in law, then the dispute is illegal.

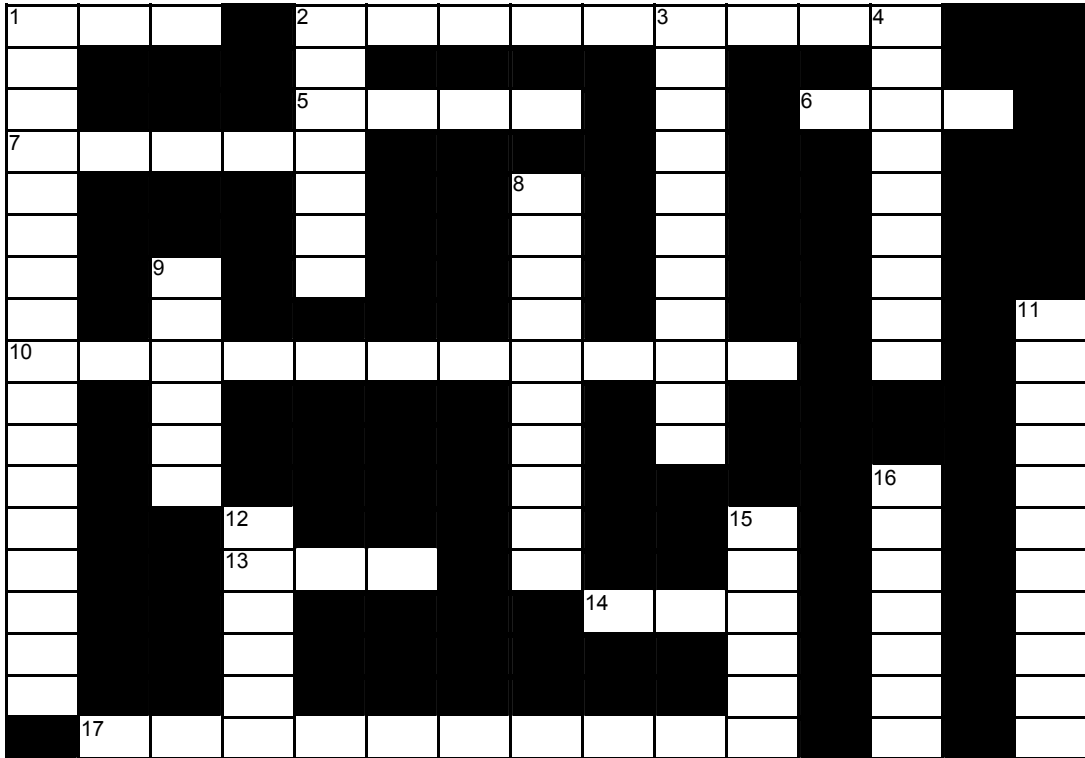
If employers and employees are unable to resolve their differences, they can go to the Labour _____ Commission (LRC), which will use its conciliation service to help both sides negotiate an agreement. If the LRC fail to get an agreement acceptable to both sides, the dispute can be taken to the Labour _____ for binding _____. This means that both sides agree in advance to accept whatever solution is proposed.

For smaller disputes involving individuals or small groups of employees, the LRC provides a Rights _____ service. This service is usually used for disputes over disciplinary matters, holiday and leave entitlements and payment of wages. For disputes involving discrimination against employees, there is a specialist agency called the _____ Authority. For disputes about unfair dismissal, employees can take their case to the _____ Appeals _____.

At national level, social _____ agreements have been negotiated between the government, business and union representatives. These agreements cover pay, employment conditions and other issues and are designed to maintain good industrial relations and promote business growth.



Crossword 3 - Conflict in the Workplace



CLUES

Across

1. Initials of an organisation that ensures firms obey the Unfair Dismissals Act and what you do with food (3)
2. What workers engage in to show there is a strike in their workplace (9)
5. The body that acts for all types of 3 down in Ireland (4)
6. Initials of a voluntary body used for negotiations for certain industries (3)
7. This goes off when robbers enter a property (5)
10. A service provided by the Labour Court (11)
13. Initials of an organisation that provides conciliation services to help settle disputes (3)
14. Initials of a committee set up by the Labour Court to negotiate for workers with no union protection (3)
17. _____ relations refers to the quality of relations that exist between owners and workers in a business (10)

Down

1. The State agency that ensures businesses do not break equality laws (7, 9)
2. Discount King workers engaged in this type of 2 across (7)
3. These organisations represent the interests of workers (5, 6)
4. A type of procedure for unions and employees to follow when raising complaints and resolving disputes (9)
8. When workers refuse to do any work that is outside the precise terms of their employment contract (4, 2, 4)
9. This court helped to resolve the dispute at Discount King Supermarkets (6)
11. Denise Roche holds this position in Discount King (4, 7)
12. This word describes a workplace with only one union or a shop that isn't open (6)
15. These type of partners represent government, employers, employees, farmers and community organisations (6)
16. An unofficial strike with no advance warning given to management (7)