

Declining use of bargaining councils correlates high frequency of failed wage negotiations - expert

The statistics about to be released by the South African Institute on Race Relations (SAIRR) on the declining use of bargaining councils appear to correlate with the high frequency of failed wage negotiations. This is according to Johan Botes, director, Employment, Cliffe Dekker Hofmeyr.

He says breakdowns in collective bargaining have become the norm rather than the exception.

"Whilst there are various factors that contribute to labour negotiations resulting in deadlock (and strike action), the decrease in the number of bargaining councils support perceptions that the very institution of collective bargaining in South Africa is in dire need of an overhaul. There were 77 registered bargaining councils in 1996. In 2012 this figure had dwindled to 46," he says.

Botes says that facilitation by the Commission for Conciliation, Mediation and Arbitration should be used more frequently, as proper facilitation during labour, decreases the risk of the parties reaching deadlock.

Identifying common ground

"Trained facilitators can assist parties in identifying common ground. They can further steer negotiators away from areas that frequently cause deadlock. Good facilitators are adept at finding ways to allow parties to extricate themselves from tight spots that, if left unchecked, could easily result in negotiations breaking down."

"Training of negotiators is of cardinal importance," Botes adds. "With bargaining councils declining, the CCMA could take a much more active role in rolling out free training to union and employer negotiators. Where properly schooled in negotiation theory and practices, negotiators can conclude collective agreements that better address the needs of their respective constituencies as the fruits of the negotiations would represent win-win outcomes, rather than the win-lose outcomes typical of many labour negotiations. This latter aspect of collective bargaining arguably contributes significantly to the hostile nature (or winner takes all approach) seen in ordinary union/ management negotiations."