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Collective Bargaining Agreements in Industrial Conflict Resolutions in the Ghanaian Public Sector: Workers' Perspective

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ABSTRACT

In recent years, industrial conflicts have reached alarming proportions, especially in Ghana's public sector. In some instances, workers resort to strike actions and marches whiles employers use lockout and other methods not approved by the Labour Act or set out in a collective agreement. In Ghana, several heads of institutions and the management of most public institutions make unilateral decisions without consulting collective bargaining agreements. Many structures have been thrown into disarray; thus, resulting in industrial tensions at one point or another. This study aims to assess how effective collective bargaining agreements are at resolving labour disputes. A descriptive survey design was used, and the study participants included members of the Public Service Workers' Union (PSWU) with a sample size of 240 unionised staff members. Poor coordination, lack of shared respect and consultation, and an unfavourable attitude toward union leaders and members were discovered to be the key causes of industrial conflict in the public sector. Furthermore, problems relating to salaries and wages, redundancies and layoffs, gratuities and pensions, and bad working conditions were the other causes of industrial unrest in Ghana's public sector. It was suggested that employers establish a constructive collective bargaining procedural and substantive rule to react swiftly to economic changes that impact workers' terms and conditions of service.

Keywords: Collective bargaining agreement, industrial conflicts, labour relations, dispute resolution mechanisms, the public sector

INTRODUCTION

Collective bargaining agreements are the fundamental and regulatory agreements for all workers' issues related to wages and salaries, hours of work, benefits, working conditions and the workplace rules in an organisation (Gyesie, 2017). Being a type of negotiation used by workers to work with their employers, both the employees and employers agree to the terms of the agreement and sign it for a set period to govern the industrial relationship (Kyei, 2018). In Ghana, the public sector often does not adhere to the collective bargaining machinery. Governments at all levels of employment, including the national and at the local level, have continued to set aside collective bargaining agreements and given conditions of services and other workers' benefits inadequate attention, despite its signatory and ratifications to the International Labour Organization (ILO) convention 98 of 1949 to bargain with workers freely. On record, most government departments and agencies disregard the position of agreed collective terms and exercise their powers without recourse to laid down principles. Issues of upgrading and promotions, transfers, dismissals and grievance procedures are discriminated

against, affecting productivity and conflict management processes. These indeed are buttressed by Nimo (2015), who asserted that industrial harmony suffers and disputes arise to affect peace. Thus, the socio-economic cost of conflict is so colossal that a staid manager would do all within his powers to find the best strategies for conflict resolution.

Atypically, when labour unrest in Ghana is discussed, they denote an industrial action by employees in the form of a strike other than in a lockout by employers. According to Amegee (2012), this is probably because industrial action by employers is seldom than an industrial action by workers, which is rampant. To any degree, both industrial actions generate labour unrest. It is challenging to term a specific date to mark the commencement of labour unrest in Ghana, but that of 1919 involving Public Works Department workers over wage increase is regarded as its antecedent in Ghana (Obeng-Fosu, 2007). Both the private and public sectors of the economy have experienced labour unrests, but for a very long time, the private sector of the Ghanaian economy has been the citadel of labour unrests.

Therefore, there has been a public outcry for the government to intervene to salvage the public sector from imminent collapse. Indeed, this had long been expressed by Taylor (2017) and Nimoh (2015), stating that Ghana is one of the 57 countries faced with periodic critical labour unrest because most organisations are not happy with their conditions of services, especially their remuneration. It is therefore imperative to determine why since the promulgation of the Ghana Labour Act, 2003, (Act 651), which seeks to address the concerns of labour and management relationship legally and peacefully, industrial unrest persist in the Ghanaian Public sector even with collective bargaining agreements signed between labour and management to forestall peace at the industrial front.

Tentatively, change and economic growth bring prosperity, but they also pose on their way threats, mainly in an era of worldwide rivalry and competition for market share and resources. In the Ghanaian public sector and or service, the causes of industrial conflicts have always resulted from management's unsatisfactory consultations with labour in terms of non-payment of wages and salaries, poor working conditions and indifference towards disputes resolution mechanisms and processes.

There is, therefore, the need to examine the most common platform for dispute resolutions which is the Collective Bargaining Agreement (CBA), to determine whether it is indeed working positively; and if need be, suggest solutions and/or recommendations to make it work better in the Ghanaian public institutions. Against this background, the current study attempts to assess the effectiveness or otherwise of collective bargaining agreements as a tool for industrial conflict management in Ghanaian public sector employment relations. Specifically, the study sought to assess the impact of collective bargaining on conflict resolution in the public sector of Ghana.

LITERATURE REVIEW

Public Service Sector and Labour Relations

By characterisation, the public service sector comprises organisational entities funded, owned and/or managed by the State (Osborne, 2018; Casale et al., 2008). The government mainly controls the resources and activities of public service organisations; therefore, managers and

employees in the public sector have an abridged decision-making margin in making organisational changes. In this study, public employees represent civil servants, public servants, and other workers at all levels of government institutions, including local government sectors and employees of State-owned Enterprises (SOE).

Granted, in some nations, labour relations in the public sector have remained varied from the private sector; currently, the public service structures are becoming very comparable to those of the private sector, thus, the growing significance of good governance in public affairs. Characteristically, the public sector collective bargaining occurs at the national level. Negotiation, consultation, as well as co-determination are their principal characteristics. In the political context of the public service sector, collective bargaining is sensitive to government policies, and public service labour relations are frequently characterised by extreme external political control of resources and activities (Asamu et al., 2019).

In this regard, Osbourn & Gaebler (1993) proposed four (4) critical approaches to defeating the hierarchical and bureaucratic procedures encompassing political administrations. These include the empowerment of public service employees, inoculating competition into service delivery, and ensuring that public service agencies are mission-driven and concentrate on client requirements. The various political systems in the world have occasioned varied labour relation processes in the public sector. While public service workers in some nations have the right to bargain collectively, others elsewhere do not. For instance, in countries such as Spain, Italy, Sweden, and New Zealand, central collective bargaining is practised. In some emerging countries like Pakistan and the Dominican Republic, the regime unilaterally determines the working conditions in the public service sector; thus, public servants are deprived of the right to collective bargaining.

Some categories of public service workers have no right to strike or even engage in any form of industrial action under any condition as a result of a "clause" that the functions of these workforces are essential, for instance, those involved with the provision of essential services like electricity and water supply, as well as medical services. Comparing employment plus labour relations in the public service sector, and more explicitly in central government, is not an easy task. Likened with the private sector, employment relations in the public service sector are profoundly rooted in country-specific legal, normative as well as institutional conventions, which make comparisons problematic.

Furthermore, difficulties arise in the conceptual characterisation and statistical identification of central government plus the public sector. For example, their borders and size can differ substantially depending on the logical standpoint from which they are classified. Martinson (2012) underscores that governments are a particularly slippery term presenting numerous difficulties in classification with the shared hypothesis that it encompasses all the agencies that afford public services involves numerous complexities. Such complexities are, amongst other things, related to the fact that several services can be publicly funded but are provided by private agencies and that local governments can be key providers of public services.

These two (2) features indicate complications in drawing detailed boundaries between the public and private sectors on the one hand and the central government and other levels of

government within the public service on the other. Such difficulties are not wholly overcome by the classification set forth by the System of National Accounts, which differentiates public activities in two varied ways: by institutional unit or by function. With the first option, classifying public activities by institutional unit, problems arise about whether or not to include in the definition non-governmental organisations (NGOs) with leading or relevant public investment, or even private enterprises with a distinctive and statutory advantaged market position.

The inclusion of these organisations within the limits of government or the broader public sector may be defensible from the standpoint of national accounting; such a position is often espoused by economists and public finance scholars keen on public expenditure. However, its effectiveness is contentious from an industrial relations viewpoint. For instance, it would connote including in the public sector the employees of those public enterprises which have been legally transformed into joint-stock companies and privatised, thus operating under market conditions and subject to private and commercial laws. However, the state or local government remain the core shareholder. Such a situation is typical for railways, some banks, public utilities and national or local public transport. Moreover, non-profit organisations indirectly financed by public funds and concessions and legal monopolies would also have to be included.

Forms and Causes of Labour Conflicts

In the public sector, employees are continuously disenchanted with the regime over their workers' welfare and the general penury facing the nation (Zamponi, 2020). Medoye (2020) and Ivlevs & Veliziotis (2018), among others, identified that the almost total freeze on new employment, large scale retrenchment, chronic and severe shortage of foodstuffs and all types of goods, as well as the high rate of inflation and the consequent reduction in the real value of wages, salaries and allowances coupled with the interplay and irregular payment of these, as not auguring well for workers.

Andreoni & Chang (2019) view economic depression in a country as exposing workers to a high level of economic hardship, which was not witnessed in the past. They further contend that public sector workers have been faced with given economic realities and may have seen conflicts as a way of breaking loose from the shackles of economic deprivation. There are several sources of conflict in the local government system: political instability, low financial base, incessant demand for an increase in wages, fringe benefits, regular payment of salaries, leadership problems, and poor communication (Okechukwu, 2016).

According to the ILO (2013), labour disagreements may be major or minor, collective or individual or confined to one workplace or extended to many enterprises. The causes of these differences are many and various, ranging from a simple complaint by an individual employee overpay entitlements, to a complaint by a group of employees concerning unsafe or unhealthy working arrangements, to a work stoppage by all employees within a workplace claiming they are being prevented from forming a union to further their interests.

Based on his work, Nimoh (2015) gathered from the labour department that the major causes of strikes in Ghana included employees' support of or against; unlawful dismissals, arrears of

pay approved by the government and management, violation of Ghana's labour laws, unilateral decisions by management toward workers, the implementation of existing collective agreements, overtime allowance, current or overdue, review of expired collective agreements, transport subsidy, tax exemptions on overtime wages, delayed approved bonuses, payment of agreed end of service benefits, payment of government sanctioned minimum wages, government-approved housing allowance, food subsidies, improved working conditions; and the removal of corrupt/incompetent management.

Disagreements over the issues mentioned above are considered normal in an economy in which market forces dominate the resource allocation process. However, disagreements, complaints, and conflicts in a mature labour relations system do not necessarily have significant labour disputes. However, most of the causes of disputes mentioned above relate to the collective interest. There is a need for the country to focus some attention on individual disputes.

Types of Conflicts in Industrial Relations

Some disputes are on an individual basis; others are collective; some disputes are identified as disputes over rights, others as disputes over interests. Below are some categories of conflicts in industrial relations (see Keashly et al. 2020; Kuriakose et al. 2019; Maiti & Choi, 2018; Comboh, 2014):

Individual Conflict

This is an incongruity between a single worker and his or her employer, usually over existing rights. It can also include situations in which several workers disagree with their employer over the same issue but where each worker acts as an individual.

Collective Conflicts

This specifies a disagreement between workers, but not essentially, represented by a specific trade union and an employer or employers over existing rights or future interests.

Right Conflict

This indicates an incongruity between an employee or employees and their employer regarding the violation of a prevailing entitlement embodied in the law, a collective agreement, or under a contract of employment. Such disputes typically take the form of a claim by employees that they have not been provided with their entitlements concerning such things as wages, overtime payments, holidays, and the working environment – indeed, anything which is an entitlement that already exists by law. Rights disputes can be either individual or collective.

An Interest Conflict

This implies a disagreement between workers and their employer concerning future rights and obligations under the employment contract. In practice, most interest differences result from a breakdown in the bargaining process, with the parties disagreeing on the terms and conditions of employment that will apply in the future. Interest disputes are generally collective. Some jurisdictions identify various types of rights disputes, including those relating to trade union recognition, the determination of bargaining units, the interpretation and application of collective agreements, and those concerning unfair dismissals. This raises whether such

'special' disputes should be handled differently from mainstream rights disputes involving outstanding institutions and processes.

Labour Conflict Manifestation

Labour disputes occur in different forms and may include strikes, demonstrations, lockouts and picketing (see Maganga, 2020; Okoro et al. 2019; Frangi et al. 2018; Botha & Lephoto, 2017; Boll, 2017; Nowak, 2016; Wilmshurst, 2012):

Strikes

In Ghana, the Labour Acts, 2003 (Act 651) describes strikes as any action by two or more workers acting in concert which they intend to restrict in any way the service they usually provide for the employer or diminish the output of such service to the view of applying coercive pressure upon the employer. Strikes may include sit down strikes, sympathy strikes, and other activities generally called work-to-rule and go-slow. Audaciously, workers' strikes are usually carried out to force employers to accept specific terms of the condition of service or employment as laid down and trampled upon by management according to the affected workers.

Demonstrations

Workers' demonstration is a procession for a few hours by staff to press home a demand or draw attention to a breach of justice, fairness, and inequality at the workplace. According to the Ghana Public Order Act, 1994 (Acts 491), demonstrations may be included as a "special event", and any person desiring to undertake demonstrations in any public place would have to notify the police not less than five days before the date of the event.

Lockouts

These are regarded as a management tool to "show" employees where power lies during disputes. This is when management refuses to allow workers to enter the company's premises by locking the gate during the unrest. Indeed, a lockout is a management or employer strategy employed or adopted to counter a strike action and coerce workers to withdraw their demands during the strike. This is intended to cow workers to rescind their decisions.

Picketing

Picketing raises the alert through actions and demonstration to fellow employees and the general public that strike action is in progress. It generally involves engaging some workers to the entrance to a workplace or an organisation to prevent people from entering the enterprise's premises. Usually, a line denoted as a 'picket line' would be drawn, and people would be barred from crossing it. In most cases, picketing is embarked on at a place not less than ten to twelve metres away from the workplace or premises of the employer's business. In several circumstances, the congenial and peaceful communication of information by carrying placards and word of mouth is necessary to cause a cooperative response from management. If such a move cannot achieve its intended purpose, those demonstrating may choose to use verbal threats or physical force to intimidate and stop persons from crossing the picket line.

Effects of Labour Conflicts

According to Obeng-Fosu (2007), one thousand, eight hundred and sixty-one (1,861) labour unrest occurred in Ghana between 1944 and 2003. This is appalling. Undeniably, the awful effect of labour unrest is the disruption of socio-economic activities, which lead to low productivity and economic hardships. It is satirical that strikes are embarked upon on rising prices, but they give an obstruction to production, which pushes prices further up.

At times, when there are demonstrations and or strikes in what is considered the essential services sector, they hold the whole country or society to ransom, and everything becomes a standstill, affecting people's lives thereof. In such a situation, it becomes very tough deciding whether strikes or unrests are worthy of sympathy or condemnation since a great depression is caused to the masses in general. One negative effect of labour conflict is physical injury or death on account of violence during the unrest (Fan et al., 2018; Abiodun, 2014). This happens when the demonstrating group cause harm to properties, people and other structures on their way. Such situations may call for the police to intervene but, in most cases, results in brutalities, retaliations and unwarranted scenes.

One further problem that could affect an entire organisation because of labour unrest would be the relationship between staff and management. Indeed, there is always bitterness in relations between workers and management due to labour conflicts (Malo & Sánchez-Sánchez, 2014; Mwangi & Ragui, 2013). This strains any peaceful industrial harmony that may exist, thereby causing further frictions to stall any progress at the labour front for the benefit of both staff and management.

Dispute Resolution Mechanisms

Ostensibly, Osam (2012) asserts that the industrial relations environment is usually set by laws established to protect the actors in the industrial environment. The main actors are government, employers and workers. Nonetheless, the actors become the union in the organisational setup, representing workers, whilst employers are represented by management. In the modern industrial relation environment, unions and leadership enter into bargaining and negotiations, leading to establishing a bargaining agreement that serves as a guide for the two actors in their employment relations. However, the overall industrial relation legislation presents to actors the process and procedure for dispute resolution.

The collective bargaining agreement between the actors also sets out internal procedures and processes for dispute resolution. As a result, the collective bargaining agreement between unions and management usually sets out the process and procedures that both unions and management should follow if an unresolved issue arises from the collective bargaining agreement that guides them. The three main dispute resolution apparatuses that the Labour Act recognises are negotiation, mediation and arbitration. These three strategies are applied in seriatim. Hence, if negotiation fails, mediation is seen as the possible alternative, and then lastly, arbitration is considered the last resort in the dispute resolution process.

However, under a situation where the principal dispute resolution mechanisms either fail to bring harmony or one party in the industrial dispute refuses to go through the process, either party may take one or two forms of action to register their disagreement. Workers usually

adopt strike action, work to rule, demonstration, among others. On the other hand, management may take industrial actions such as lockout, dismissal of employees as a form of industrial action, and registering their disagreement. However, irrespective of the industrial action brought by either party, the repercussion to the whole organisation invariably affects each party. Employees may lose their job, and management may lose revenue due to any form of industrial action adopted by either party.

As in grievance processes, dispute resolutions provide unions and management a stipulated vehicle through which employees may pursue contentious issues to assure that doing so will not jeopardise their continued employment (Martinson, 2012). Disputes are subject to a settlement without resort to higher-cost resolution methods like strikes, slowdowns, and litigations through grievance processes. This advantage has been recognised as a matter of national policy in some countries. Menkel-Meadow et al. (2018) and Goltsman et al. (2009) suggest three principal dispute resolution mechanisms: negotiation, mediation, and arbitration. These mechanisms are undoubtedly the most preferred methods in the world due to the backing of legislation of such mechanisms throughout the world, especially the ILO. Labour arbitration is established as the concluding phase of dispute resolution in practically every collective bargaining agreement.

A close look at dispute intervention shows that the intervention process consists of a sequence of decisions that need to be handled resiliently. In light of this, Brett (2007) proposed that negotiation should be used as the first to resolve disputes. Unlike mediation or arbitration, negotiation does not include a third party in the process of resolution. Resolving disputes through negotiation is an indispensable part of the working relationship between employees and employers. Another voluntary dispute resolution method is mediation, which requires a neutral third party known as a 'mediator' to settle. Both negotiation and mediation necessitate concerted efforts as well as trust from both sides. It is only when the disputants have failed to negotiate a settlement that arbitration would be employed.

Arbitration panels are made up of experts, sometimes including experienced experts from overseas, which improve the quality of hearings and awards (Kantor, 2008). Arbitration is the most favoured technique because of its binding outcome with the backing of legislation. Compulsory arbitration seems to be the last resort in dispute resolution after negotiations and mediations have failed. When an agreement cannot be reached, arbitration comes in. In Ghana, sections 162 and 164 of the Labour Act 2003 (651) provide compulsory arbitration by the National Labour Commission (NLC).

Collective Bargaining Agreements

As advocated by Web & Webb, (1987), the established model of collective bargaining agreements was basically an economic model. It clearly stated the main functions of unions on how they have bargaining over the price of labour, even though this was not the only method used by trade unions in the nineteenth century in most of the advanced countries. According to Webb, unions use mutual insurance and legal decrees to obtain various benefits for their members.

Rather than the employer making series of separate contracts with isolated individuals, he meets with a collective will and settles down, in a solitary agreement, the principles on which, for the time being, all workers of a specific group or class, or grade will be engaged. Webb conceptualised collective bargaining as a communal equal and alternative to individual bargaining. The role of employers and their associations was overlooked. The rulemaking character of the process was not clearly stated. Recent critics of Webb's theoretical model have argued that individual bargaining can and co-exists with collective bargaining. Individual bargainers may have plenty of scopes, depending upon the nature of the labour market to obtain wages over and above the minimum level laid down in collective agreement.

However, a more severe oversight in Webb's model is considered the lack of emphasis on the power relationship that occurs in a collective bargaining situation. It is contended that the fuzziness in Webb's concept of collective bargaining is detached if its two essential features of rulemaking and power relationship are placed in the proper context. Much of this criticism regarding the conceptual inadequacy of Webb's framework is baseless as the institutional nature of collective bargaining itself had drastically changed since 1897 when they made a realistic observation of the trade union behaviour in England.

Functions of Collective Bargaining Agreements

Collective bargaining is off the faucet of jointly and severally to each of the actors in the industry. Fajana (2006) links collective bargaining functions to the workers, to the employers and the state. Regarding the workers, Fajana notes that collective bargaining is the alternative to replacing weak individual attempts at bargaining. The terms and conditions are encoded in a collective agreement, and the provision binds the present and future employees unless otherwise reviewed. Collective bargaining allows the employees to participate in the management functions of their organisations. The absence of collective bargaining implies that managerial prerogatives would dominate most labour matters.

Furthermore, collective bargaining is the process of making rules that govern the workplace. Such substantive and procedural are jointly determined by union and management and sometimes with the government. Substantive rules pertain to financial issues. Procedural rules refer to the process for reviews of collective agreements, periodicity of meetings and methods of disputes settlement. With regards to the employer Fajana, (2006) notes that collective bargaining is of the following essential values to the employer; It saves the cost of negotiating with each worker It simplifies the salary administration system It tends to general industrial harmony, and this saves the cost of strikes as enumerated previously. Jointly authored rules tend to be complied with quickly. It provides a grievance procedure that prevents the deployment of multiple standards by management in treating indiscipline and avoidance of compatibility issues that workers may raise if individual bargaining had been used.

Fajana, relative to the state, notes that the value of collective bargaining to the state derives in part from its valve to the other two actors to the extent that they are directly connected with the tempo of industrial relations. Therefore, peaceful industrial relations can be attributed to labour and management since they can be expected to work out arrangements mutually acceptable to them. Hence, the state stands to benefit from the orderly resolution of conflicts through collective labour-management relations. Nevertheless, these additional ad- vantages

accrue directly to the state. That is the avoidance of political instability, which overt expression of unresolved conflict can bring about. The avoidance of the adverse effects of visible expression of disputes. Also, removing the need for state intervention may be mutually perceived as biased towards labour management, and therefore, unsatisfactory, and fewer efforts and resources of the state will be expanded by the state in attempting to help labour and management resolve their differences.

Conditions Necessary for Collective Bargaining

According to Crentsil (2019), collective bargaining is a crucial portion of the theory of social partnership, which captures the technique on which labour relations succeed. Social partnership in this framework may be described as a partnership between organised labour plus organised employer organisations. This framework is envisioned to preserve non-confrontational actions in settling the differences between employees and their employers. Union consultations typically factor in the minimum wage as a critical component in their negotiations. They adopt the underlying dynamics employed in the calculation of the minimum wage. Suggestively, the general minimum wage, which is negotiated yearly by the National Tripartite Committee, serves as a measure to Collective Bargaining Agreement negotiations by the Unions.

At present, the practice of negotiating for the level of minimum wages for the public sector gyrates around the principle of a living wage in which the local economic inflation element acts as a referent measure. Thus, efforts are made to increase the prevailing minimum wage by improving workers' standard of living, which is determined by individuals' purchasing power. In determining the daily minimum wage, the tripartite committee usually considers economic factors, including the anticipated total wage bill expressed in percent (%) of the anticipated GDP in government agencies and private sectors and their ability to pay as reflected in their operative cost structure. Again, economic indicators like the GDP growth rate projected for the year and the projected inflation rate for the year are altogether considered.

Acknowledgement of Trade Unions

The existence of freedom of association does not inevitably warrant the acknowledgement of unions for bargaining drive. The acknowledged conditions recognise the most representative Union (Sisson, 2015; Blair & Crawford, 1984). Nevertheless, there is always the custom to discover the situations used and by whom, which may differ from country to country, in cultures where there are several trade unions, previously established standard procedures within the industrial relations structure are employed to determine when and how a union must be accepted for collective bargaining reasons. In other structures, the matter could be decided by requesting that the union have not below a stated percentage of workforces in the organisation or class in its membership.

Multiplicity and the freedom of association

Conditions must exist to improve labour relations. Undeniably a pluralistic society in a political system distinguishes pressure groups like unions, political parties, religious groups, and business associations. These clusters have specific interests with which a regime can discourse and perform conciliations by making concessions. Pluralism signifies a platform or a stratosphere of bargaining amongst these groups and among one or more of them on the one

hand and the government on the other. This setting makes it possible to identify these groups as checks and balances that safeguard democracy. Thus, pluralism connotes those men associate together to further their mutual interests and wishes; these associations exert some pressure on each other and the regime. The concessions that follow assist in binding society together. Subsequently, stability is preserved by further concessions and modifications as novel associations arise and power moves from one group to the other.

Good Faith

All parties to the collective bargain are required to negotiate in good faith. Collective bargaining is likely only if the parties bargain in good faith. If not, there will only be the process of bargaining deprived of any concrete outcome. Act 651, section 97 of Ghana's labour law cautions the bargaining parties to act in good faith. Good faith is only achievable where explicit characteristics are shared amongst workers, employers, and organisations. This emanates from the belief and faith in the significance of the collaboration between the parties through diplomatic discourse in the bargaining process and the dynamic nature of the negotiation rapport the bargaining involves.

Adherence of Agreements

All Trade Unions are expected to follow the provisions as well as the agreements reached in negotiations. However, Unions are occasionally not able to uphold compliance agreements by members. This is primarily so in emerging economies where there are several unions. Wherever a labour law structure defines sanctions for breaches of pacts, the labour management organisation may be reluctant in enforcing sanctions on the workers. Where there is persistent non-observance of pacts or understandings attained through the collective bargaining process, the party not in default could lose faith in the process.

Backing of the Labour Administrative System

Direction by the national labour administration is vital for positive collective bargaining. This connotes that they will have to provide the requisite environment for it. This would be useful in affording conciliation services in the occurrence of a breakdown in the negotiation process and making accessible the required legal framework for it to function where required. It also implies they will not side with any of the parties that break the arrangements established during the collective bargaining and, insofar as is probable, guide and defend the compliance of collective bargaining agreements.

Appropriate Internal Communication

It is crucial that any arrangement reached at the negations be communicated to all the stakeholders concerned. It is incumbent both the union and the management keep their members well-informed on arrangements tabled down. The absence of correct communication channels and precise data passed unto management, and members can occasionally lead to misapprehensions and even strikes. Occasionally managers and supervisors who are not sufficiently informed may inaccurately mislead others who work under them about the current state of negotiations. It is crucial to involve supervisors in determining the objects and resolutions. Management's participation is, thus, likely to warrant acceptance and, consequently, better execution by them.

Labour Disputes and Resolution in Ghana

Strikes are the means of social change used by most people, especially workers, apart from the ballot box (Nimoh 2015). In the eyes of many workers, a strike is a good deal more effective than the ballot, and they use it with more conviction, though it involves them in more trouble and sacrifice." Strikes are collective expressions of workers' interest. It is a collective action directed towards well-defined ends. A strike is one of the indispensable means available to workforces and their organisations to promote and protect their economic and social interest. Besides collective bargaining, strikes are the principal tool used by employees in Ghana to drive home their demand (Seniwoliba, 2013).

Prior to the country's independence, it was unlawful for workers in Ghana to go on strike. The colonial government used state apparatus to clamp down heavily on workers who engaged in stoppages. Workers involved in an illegal strike were imprisoned without trial. Despite the threat of imprisonment and other punishments, workers were still ready to go on stoppages to back their demands (Taylor, 2017; Amoako, 2015). Workers were very much aware that the only way to improve their conditions was first to redeem themselves from the shackles of colonialism. The two most prevalent formal modes of regulating the labour market are collective voice, through the representation of the parties and voluntary collective bargaining coupled with direct government intervention through statutory regulation. In all societies, these two formal modes will co-exist with the market and informal mechanisms. Regardless of the processes adopted, the public policy establishes the enabling framework. Concerning the formal modes of labour regulations, Ghana has an elaborate legal framework for collective bargaining. All the Industrial Relations Acts have sections that require unions to be certified as a condition for bargaining with employers (Nimoh, 2015).

The historical records portray that the enactment of the first Industrial Relations Act was a response to labour agitations in the colony. The Acts were meant to restore some decorum on the labour front. The Industrial Act 1958, which gave legal status to labour unions, also encouraged the formation of employers' unions since it made it compulsory for all employers to bargain with their employees. Section 3(1) of the Industrial Relations Act 1965, which replaced the 1958 Act, stipulated those employers and their employees should set up 'Standing Negotiating Committees.'

According to section 5(1), the Act states that within each bargaining unit; "It shall be the duty both of the trade union appointed in a certificate issued under section 3 and of the employer of the employees of the class to which the certificate relates to nominate representatives authorised to negotiate on their behalf and such representatives shall be members of a standing negotiating committee which shall be set up to negotiate on matters referred to them under this Act".

The law further gives the Attorney General authority to impose fines enforced by law courts if, within fourteen (14) days, an employer and the union concerned fail to create these committees for bargaining purposes. The law also states the details of the duties of the labour relations parties. The state also mandates the parties to submit copies of the collective agreements with the registrar "for his information." This demonstrates the depth of legislation and the extent to which public authorities intrude into the structure and scope of collective bargaining between

unions and employers. It also shows that, to a considerable extent, formal modes are employed in dealing with labour disputes.

The law also mandates compulsory settlement of labour conflicts. Dispute settlements that cover conciliation, mediation, arbitration and strikes are enshrined. For example, section 12(1) states that "Every collective agreement under this Act shall contain a provision for final and conclusive settlement by arbitration or otherwise, of all differences between the persons to whom the agreement applies concerning its interpretation." When disputes are not settled through arbitration and are likely to lead to strikes or lockouts, the minister of labour is accorded some discretionary powers and influence to resolve the issues at stake. In situations where workers have exhausted the requirements preceding legal strikes that are conciliation, arbitration and additional conciliation, they are only authorised and become legal if both parties to the dispute refuse to refer it to the minister.

After a referral to the minister, workers have to wait for four weeks before they can strike because of a mandated 28-day waiting period. If a strike or lockout persists for more than seven days, both feuding parties are subject to compulsory arbitration if the dispute is not resolved. The legal provisions demonstrate that Ghana relies extensively on formal regulations to check workers and employer's attitudes towards each other. According to the current labour law, Act 2003 (Act 651), as detailed by Osam (2012), it is seen that it tries to amend and consolidate the laws relating to labour, employers, trade unions and industrial relations to establish a National Labour Commission and to provide for matters related to these. Indeed, it has been observed that the present labour law conforms to the 1992 constitution, especially regarding the fundamental human rights of workers.

Tentatively, the current labour Act, Act 2003 (Act 651), is the legal framework of industrial relations that seeks to establish a stable framework for the settlement of industrial disputes. The Act, therefore, contains a comprehensive set of procedures by which disputes are supposed to be resolved. Expressively, these procedures are mandatory or compulsory, which implies that parties must comply with them. It is seen that section 108 of the Act allows parties to provide in the collective bargaining agreement final and conclusive settlement. The Labour Commission is established under section 135. The Commission's functions which include settlement of industrial disputes, are enshrined under section 138, whilst section 139 provides for the Commission's powers. The section provides that the Commission shall have powers like a High Court when settling disputes.

Sections 153, 154 and 157 provide for the procedures that disputants and the Labour Commission shall employ to settle industrial disputes. These include the use of negotiation, mediation and arbitration. In negotiating, parties are implored to negotiate in good faith with a view of reaching an agreement. After the parties have failed their differences through negotiation, the Commission shall request the parties to settle the dispute by mediation. The Commission is authorised by the Act to refer an unresolved dispute to arbitration. The Commission shall agree with the parties, but where they fail, the Commission is further empowered under section 164 to refer the matter to compulsory arbitration. Section 158 then provides that the arbitrator(s) award shall be final and binding on the parties.

Sections 159,160, and 161 provide the procedures that a party to a dispute shall follow if he wants to embark on strike or lockout. Section 161 prescribes explicitly strike action or lockout during mediation or arbitration. Section 162 and 163, however, does not permit essential services workers to embark on strike at all. Section 165 provides that arbitrators appointed under sections 156 or 164 shall have the powers of a High Court to issue a subpoena to compel the attendance of witnesses. Section 167 urges the Commission to publish the award by compulsory Arbitrators in the Gazette. The award published in the Gazette shall be final and binding unless challenged in the Court of Appeal. Thus, section 172 provides for the enforcement of orders of the Commission.

The Commission is mandated to apply to the High Court for an order to compel obedience to its orders. Sections 168 and 169 provide for when strike or lockout shall be deemed to be lawful. This is where the strike or lockout is in sympathy with or support a strike action taken by another worker or group of workers against their employer based on an industrial dispute with the employer. Section 169 protects the employment of workers who undertake a lawful strike. In the modern industrial relation environment, unions and management enter into bargaining and negotiations, which finally leads to establishing a bargaining agreement that serves as a guide for the two actors in their employment relations. Though, the overall industrial relation legislation presents to actors the process and procedure for dispute resolution. The collective bargaining agreement between the actors also sets out internal procedures and processes for dispute resolution.

As a result, the collective bargaining agreement between unions and management usually sets out the process and procedures that both union and management should follow if an unresolved issue arises from the collective bargaining agreement that guides them. The three main dispute resolution mechanisms that the Labour Act recognises are negotiation, mediation and arbitration. These three mechanisms are applied in seriatim. Thus, if negotiation fails, mediation is seen as the possible alternative, and then lastly, arbitration is considered the last resort in the dispute resolution process.

However, under a situation where the principal dispute resolution mechanisms either fail to bring harmony or one party in the industrial dispute refuses to go through the process, either party may take one or two forms of action to register their disagreement. Workers usually adopt strike action, work to rule, demonstration, among others. On the other hand, management may take industrial actions such as lockout, dismissal of employees as a form of industrial action, and registering their disagreement. Nevertheless, irrespective of the industrial action brought by either party, the repercussion to the whole organisation invariably affects each party. Employees may lose their job, and management may lose revenue due to any form of industrial action adopted by either party.

METHODOLOGY

This study employed a descriptive survey design. Survey designs are a type of research design that involves collecting and analysing large volumes of quantitative data from a sizeable population using descriptive and inferential statistics (Faems, 2020; Goertzen, 2017). Survey designs are a prevalent and authoritative research strategy, allowing researchers to control the research process (Zyphur & Pierides, 2017). The population for the study included Union

members of the Public Service (PSWU) Workers' Union and heads of the public institutions. In ascertaining the sample size for the respondents, a simple random sampling technique was adopted (Sharma, 2017).

This technique was considered appropriate for the study because, in simple random sampling, it is envisaged that all members of the population stand an equal and independent chance of being selected (Barragán-Landy et al. 2020; Rahi, 2017). As a result, the researcher contacted Union members and some public service management staff at random to collect data for analysis and interpretation for the exercise. The total sample size out of the total population realised was 240 unionised staff and public sector management personnel.

RESEARCH FINDINGS

Demographic characteristics

TABLE 1 Demographic Characteristics of respondents

Criteria	*Frequency (n)*	*Percent (%)*
Age		
20 - 30	24	10.0
31 - 40	104	43.3
41 - 50	78	32.5
> 50 yrs.	34	14.2
Gender		
Male	176	73.3
Female	64	26.7
Working Experience (years)		
< 1	26	10.8
1 – 5	76	31.7
6 – 10	44	18.3
> 10	94	39.2
Educational Qualification		
SHS	18	7.5
BSc. /HND	187	77.9
Masters	20	8.3
PhD	15	6.3

n=240

The majority of the 240 respondents were between the ages of 31-40 years (n=104, 43%), followed by those between the ages of 41–50 years (n=78, 33%), more than 50 years of age were 34 comprising of 14% whereas 24 (10%) were between 20-30 years. This shows that the majority of respondents used for this study are within the age bracket of 31-50 years; it can be deduced that the active labour force in the country is youthful. Meanwhile, the results showed that 176 representing almost two-thirds (73%) of the respondents were males, with the remaining 64 (26.7%) of the respondents being females from the distribution; it can be inferred that the public sector in Ghana is a male-dominated one.

Furthermore, the findings of the respondents' working experience revealed that the majority (n=94, 39%) of the respondents have been working in the sector for more than 10 years, while 76, representing 32 percent of the respondents, suggested they have been working in the public sector for 1 - 5 years. The results also show that 44 respondents (18%) had worked in the industry for 6 – 10 years, while 26 (11%) had less than a year of experience at the time of the survey. The findings indicate that more than two-thirds (n=187, 78%) of the respondents had a first degree or a diploma (Table 1). Furthermore, 20 (8%) of the respondents had a master's degree, while 15 (6%) said they had a PhD at the time of the survey. Meanwhile, 18 (or 8% of all respondents) were Senior High School graduates. According to the responses, the public sector is dominated by workers with a mid-tertiary educational qualification.

Causes of industrial conflicts in the public sector

TABLE 2 Factors influencing industrial conflicts in the public sector

Causes	M	±SD	S	K
Poor cooperation between Union and Management	4.29	0.895	0.734	0.077
Lack of mutual respect between Union and Management	4.17	0.794	0.854	0.616
Lack of consultation between management and union	4.12	0.532	0.241	1.325
Unfavourable attitude of management towards union leaders	4.03	0.891	1.471	1.453
Poor communication between stakeholders	3.86	0.616	0.916	0.563
Apathy on the part of management to the needs of Unions	3.82	0.756	1.126	1.732
Management unwilling to support and facilitate the operations of Union	3.66	0.932	0.047	0.563

***n*=240**

Conflict among human beings by nature is ubiquitous and inevitable. It is a product of human interaction and relations; hence its occurrence is only among and between people. However, peculiar factors give rise to conflicts, particularly among people who have a collective organisational interest. Factors influencing or causing industrial conflicts in the public sector in the study revealed that the majority (M=4.29, ±SD=0.895) of the respondents agreed that poor cooperation between the Labour Unions and their respective management is an influential factor responsible for industrial conflicts (Table 2). More so, the table shows that the lack of mutual respect between Labour Unions and Management was agreed by the majority (M=4.17, ±SD=0.794) as another influential factor in causing industrial conflicts.

Additionally, most of the respondents agreed (M=4.12, ±SD=.532) that the lack of consultation between Management and the Labour Unions was a contributing factor to industrial conflicts. In contrast, others also agreed (M=4.03, ±SD=.891) that the unfavourable attitude of management towards Labour Union leaders was a factor in the industrial conflicts experienced in the country. Furthermore, the majority of the respondents agreed that poor communication between stakeholders (M=3.86, ±SD=.616), apathy on the part of management towards the needs of labour unions (M=3.82, ±SD=.756) as well as the unwillingness on the part of management to support and facilitate the operations of labour unions (M=3.66, ±SD=.932) were the factors influencing industrial conflicts in the public sector.

Table 3: Issues underlying industrial conflicts

Underlying Issue	Mean	±SD	S	K
Salaries and Wages	4.28	.804	1.018	-.391
Redundancies and Layoffs	4.20	1.037	.627	-483
Gratuities and Pensions	4.17	1.082	.798	.561
Poor working conditions	3.95	.944	.941	.321
Workload	2.26	.983	.897	.469
	n=240			

Results presented in Table 3 concerns the issues that underly industrial conflicts in the public sectors of Ghana. From the table, it could be observed that the majority of the respondents agreed that, to a very large extent, issues concerning Salaries and Wages (M= 4.28, ±SD=.804, S=1.018, K=-.391) underly or is the root cause behind the industrial conflicts in Ghana's public sector. Additionally, as it is known, downsizing is considered as much more disheartening in the public sector, where job security has long been a primary advantage and regular motivator to enter; hence any attempt to layoff or cause redundancy in the sector is always met with a grin. The majority of the respondents agreed that to a very large extent (M=4.20, ±SD=1.037, S=.627, K=-.483), redundancies and layoffs represent a key underlying factor to industrial conflict in the public sector (Table 3).

More so, another underlying issue to industrial conflict relates to gratuities and pensions as the majority of the respondents agreed to a very large extent (M=4.17, ±SD=1.082, S=.798, K=-.561). Also, the respondents agreed that to a large extent, poor working conditions (M=3.95, ±SD=.944, S=.941, K=.321) had become one of the underlying issues leading to industrial conflicts in the public sector. However, most of them indicated that to a small extent (M=2.26, ±SD=.983, S=.897, K=.469), has there been agitation in the sector about the workload on the public sector workers. The results imply that agitations in the public sector have been initiated by rifts between Labour Unions and Management mainly due to salaries and wages, redundancies and layoffs, gratuities and pensions and poor working conditions.

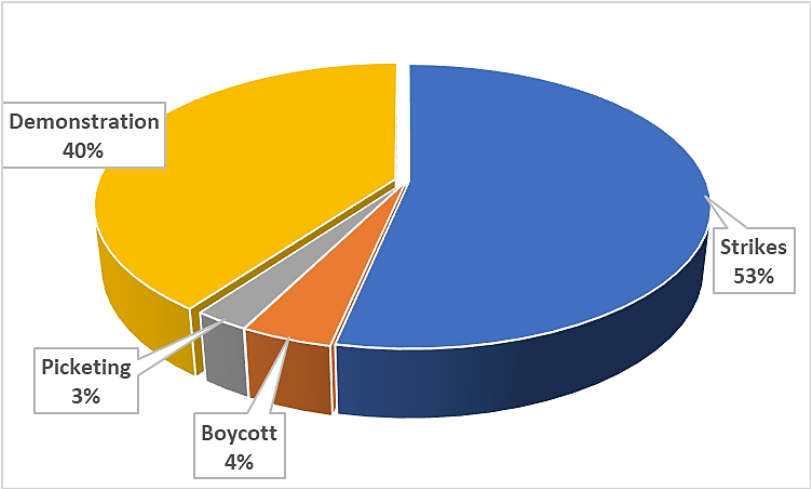


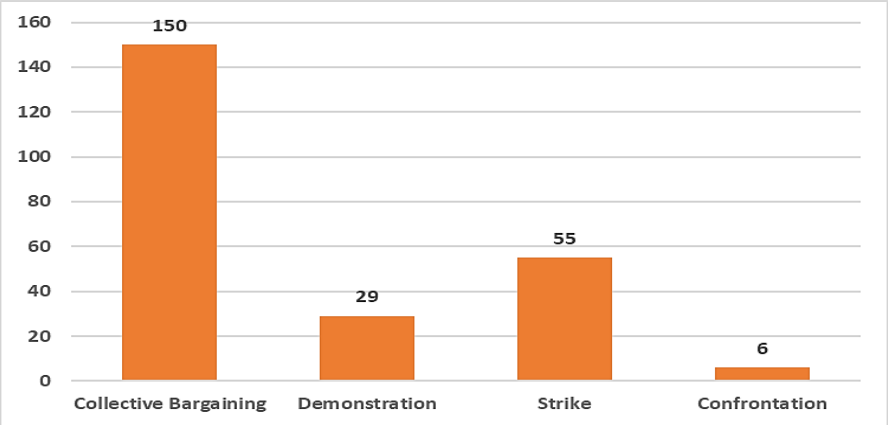
FIGURE 1: Forms of Industrial conflict manifestations

Methods of exhibition of industrial conflicts

Industrial conflicts point to differences between employees and their employers, mainly connected to workers' conditions of service. However, the employees' expression of these resentments and dissatisfaction takes various forms, as shown in Figure 1. From the figure; it could be observed that the majority, mainly in the Ghanaian public sector expression of industrial conflicts take the form of Strikes (53%) by workers whereas 40% are by a demonstration where the remaining is split between boycotts (4%) as well as pickets (3%). The results affirm that the majority of the industrial conflicts experienced in the public sector are characterised by employees embarking on industrial strikes and demonstrations as a means of forcing the hand of management to provide them with their demands.

Management of industrial conflicts in the public sector

The respondents were asked to indicate what they consider the most effective conflict resolution tool available to resolve industrial conflicts. Figure 2 shows that the majority (n=150) of the respondents pointed out that collective bargaining is the surest way of resolving industrial conflicts in the public sector. Furthermore, others (n=55) believed that resort to Industrial Strikes was the best option for conflict resolution in the public sector. Other alternatives were Demonstrations (n=29) and Confrontation (n=6). This clearly shows that with all other measures in place to impact industrial conflict resolutions, collective bargaining remains the obvious and the most effective tool in resolving industrial conflicts in the industrial relation practices of the Ghanaian public sector.



n=240

FIGURE 2: Effective Conflict Resolution Instrument

TABLE 4 Strategies for effective collective bargaining

Strategy	M	±SD	S	K
The union must always do their background research to get all the facts and figure supporting the demand being made	4.130	1.045	1.321	1.813
The effectiveness or otherwise of collective bargaining will depend on the bargaining power of both parties	4.119	1.110	1.325	1.247
Effective preparation for negotiation should be able to address the issues of when, who, how and what must be done	4.020	1.058	0.356	1.253
Collective bargaining built upon voluntary principle	3.910	1.048	1.025	0.186
Good presentation is very crucial as this could make or unmake the demand	3.850	1.126	1.486	0.248

***n*=240**

The respondents were asked to give their opinions on the strategies for effective conflict resolution. As shown in Table 4, most respondents agreed (M=4.130, ±SD=1.045, S=1.321, K=1.813) that the labour unions must always do their background research to get all the facts supporting the demand being made. More so, the respondents agreed that the effectiveness or otherwise of collective bargaining would depend on the bargaining power of both parties (M=4.119, ±SD=1.110, S=1.325, K=1.247) and also the effective preparation for negotiation should be able to address the issues of when who, how and what must be done (M=4.020, ±SD=1.058, S=1.356, K=1.253); it was further agreed that effective collective bargaining is built upon voluntary principles (M=4.130, ±SD=1.045, S=1.321, K=1.813) and also agreed with the assertion that good presentation is very critical as this could make or unmake the demand.

Impact of collective bargaining on industrial conflict resolution in the public sector

TABLE 5 Impact of collective bargaining on industrial conflict resolution

Source	SS	df	MS		
Model	22.351	1	22.351	Number of obs.	96
Residual	8.649	50	.173	F (1, 240)	129.209
Total	31.000	51	22.524	Prob > F	.000[b]
				R	.849[a]
				R-squared	.721
				Adj. R-squared	.715

Col_Barg	Coef.	Std. Err.	t	P>|t|	(95% Confidence Interval)	
Ind_confRes	.798	.070	3.447	.000	.657	.939
_cons	1.061	.308	11.367	.001	.443	1.680

a. Predictors: (Constant), Collection Bargaining
b. Dependent Variable: Industrial Conflict

Table 5 shows the regression results between collective bargaining and industrial conflict resolution between workers and management in the public sector. The regression results showed that the estimated coefficient of the regression parameter has a positive sign and hence indicated a positive relationship between the variables (Dependent and Independent). This sign implied that the dependent variable collective bargaining practices and industrial conflict

resolution. The coefficient of determination R-square of 0.721 implied that 72.1% of the sample variation in the dependent variable (conflict resolution) was explained by the independent variable (Collective bargaining). The remaining 27.9% could be caused by other factors or variables not built into the model.

The high value of R-square indicates an excellent relationship between the dependent and independent variables. It also suggests that collective bargaining remains a critical factor in settling many industrial conflicts in the public sector. The value of the adjusted R2 was 0.715. This showed that the regression line, which captures 71.5% of the total variation in the degree of relationship between collective bargaining and conflict resolution in the public sector, was caused by variation in the explanatory variable specified in the model with 27.9% accounting the stochastic error term. The F-statistic was also used to test the overall significance of the model. The F-value of 129.209 was an indication that the model was statistically significant at a 5 per cent level of significance at a degree of freedom df1=1 and df2= 50.

DISCUSSIONS

Disputes in labour relations can include physical and emotional confrontations, such as when employees lay down their tools to express their displeasure. The findings have established the causes of industrial conflict in the public sector to emanate from poor cooperation between unionised staff and management, lack of mutual respect between union and management, lack of consultation between management and collaboration, and the unfavourable attitude of management towards union leaders. This is the case due to the structure of the public sector system being practised. There is the dimensional thinking that management is in cahoots with the government and is only interested in fulfilling their interests.

This perspective makes the underlying causes one that points to political underpinnings to industrial conflicts in the Ghanaian public sector. That notwithstanding, (Nimoh 2015) observed that the causes might be more political and far-reaching such as heated debates between unions and employer groups. Industrial relations, in general, are more concerned with more than just the job relationship. Many industrial conflict theorists regard organisations as an inexorable battleground for conflicts traceable not to individual characteristics but to organisational institutional and inter-group characteristics (Yasin, 2010).

The finding further confirms Turner & Weed (1983), who observed that conflicts in organisations are likely to result from lack of or too much structure, inappropriate leadership, or over control. The study also confirmed the works of Medoye (2020) and Ivlevs & Veliziotis (2018), who opined that, among others, identified as the almost total freeze on new employment, large scale retrenchment, chronic and severe shortage of foodstuffs and all types of goods as well as the high rate of inflation and the consequent reduction in the real value of wages, salaries and allowances coupled with the interplay and irregular payment of these, as not auguring well for workers.

Consequently, the study's findings have revealed that salaries and wages, redundancies and layoffs, gratuities and pensions and poor working conditions are the main factors for industrial conflicts in the Ghanaian public sector. From the study, it could be observed that the findings on the factors of industrial conflicts in Ghana support Tembeka (2004) classification of factors

of industrial conflicts, which included remuneration matters (salary, administration, promotion opportunities, overtime pay and consistency of management actions); management affairs (procedures, cohesion, identity and human relations); communication (effectiveness and rumours); personnel affairs (working conditions, equipment, facilities and benefits); and training (needs and opportunities). The factors by Tembaka (2004) show that they continue to remain central to the main issues underlying industrial conflicts in Ghana.

Moreover, the study observed that industrial conflicts in the Ghanaian public sector manifest through industrial strikes and demonstrations to force the hand of management to meet their demands. This is how employees, unions through collective action at the workplace, can dictate and control the production power Medoye (2020). Additionally, Finnermore & Rensburg (2000) posited that sometimes to influence the harsh policies of management, staff unions may consider using their collective economic power as leverage to protest against the authorities. The bottom line without the employees, no work gets done. The choice of strike action and demonstrations allows the unions to make their voices heard in the public domain to sway public opinion against management or government.

Finally, on the management of industrial conflicts in the public sector, the study established collective bargaining as the most effective means of resolving industrial conflicts. The collective bargaining agreement sets out the contractual agreement between unions, and management usually sets out the process and procedures that both union and management should follow. The finding reiterates that the effective use of the collective bargaining process holds the potential to achieve stability and regularity in the public sector through procedural and substantive rules to ensure a credible mechanism for the peaceful resolution of labour conflict. This is confirmed by Fashoyin (2004), who asserted that industrial conflict between employers and employees, in general, can be effectively managed through collective negotiation and consultation with the workers. The factor infringes on the workings of procedural rules as a central component in the collective bargaining process. The result of the collective bargaining procedure is a collective agreement. Reinforcing this point, the pluralist theory assumed that if collective bargaining procedure is handled correctly, it provides a solid opportunity to bring out a feeling of contentment and unity between employers and employees. It helps enact a formal set of procedures both parties will agree. Consequently, Adu-poku (2006) ascribed collective bargaining as another strategy that the government employs in managing industrial conflict to promote pluralism in the economy.

RECOMMENDATIONS AND CONCLUSIONS

In recent times in Ghana, labour unrests and industrial conflicts have been increasing, creating undesirable tensions and apprehension in the public sector. Like many countries, Ghana's public sector has attracted interest among politicians, citizens, public servants, and development partners. It is believed that no country can make any meaningful progress towards developmental governance capacity without a professional, meritocratic and effective public service capable of delivering value-for-money services. This situation hampers the growth and processes of government and public sector agencies. Effective management of industrial conflict can help not to worsen the unemployment situation in Ghana.

However, an increase in diversity, conflict in the workplace cannot be ruled out, even with the presence of a labour union. Therefore, collective bargaining is seen as a process of meeting, presenting demands, discussing, presenting counter proposals and sometimes bullying and threatening, all a bid to reach an agreement. Theoretically, no model thoroughly explains how collective bargaining should be used in the presence of conflict; this is due to the complexity involved. This study adopted the Pluralist theory as a framework; according to the theory, the employment relationship is regarded as a bargaining problem that depends on the distribution of resources and the rules governing the interactions between employers and the employees. The introduction of a labour union, public policies and relevant institutions can help to eliminate or reduce conflict in society. Essential to this argument is the role of collective bargaining in industrial conflict.

This study has demonstrated that despite the forms and implications of industrial conflicts on the public sector service delivery, collective bargaining remains an effective instrument for reconciling confliction interests and contracting strength. The results affirmed that effective collective bargaining practice must be characterised by effective background research about the issues at hand, strengthening their bargaining power, and effectively preparing for negotiations. This study focused on the role of collective bargaining in industrial conflict. The results showed that collective bargaining remains a statistically significant factor in industrial conflict resolution in the public sector. In other words, collective bargaining directly contributes to conflict resolution in the sector.

Thus, it is strongly recommended that parties to any industrial conflict situation must always be prepared for the consequences of industrial conflicts and tolerate and contain all stakeholders involved in the process. A proactive collective bargaining procedural and substantive rule should be entrenched by employers to often expect and respond to economic developments that affect the terms and conditions of workers. Similarly, unions must respect employer's prerogatives. It must be said that employers should ensure that employees are involved in decision-making, promotions, and other conditions of service that are fair and equitable. Worker orientation and training should include education on labour management, stakeholder interactive forums, genuine conflict resolution mechanisms, interpersonal relations and leadership development.

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