

***CONFLICT MANAGEMENT IN STAFF-EMPLOYER RELATIONS  
IN EDUCATION***

**By**

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Master of Education in the Department of Educational Planning and Administration  
of the University of Zululand.**

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## DECLARATION

"I declare that this dissertation : 'CONFLICT MANAGEMENT IN STAFF-EMPLOYER RELATIONS IN SCHOOLS' represents my own work and that all the sources I have quoted have been indicated and acknowledged by means of complete references."

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DECEMBER 1996

(ii)

## DEDICATION

This work is dedicated to my mother Lucy Cabangile (UmaMvubu) Hlatshwayo who made it possible for me to obtain my basic education. My late father, Alfred Mkhathazeni Hlatshwayo. May his soul rest in peace.

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## **ABSTRACT MEd.**

This study investigated the management of staff-employer conflict in schools in KwaZulu-Natal.

The researcher has identified various approaches to conflict management in schools and has indicated implications of each approach in staff employer relations and in the education of students.

The research has also highlighted, through a careful application of content analysis of cases of conflict, the significance of useful conflict management and resolution methods. Examples of these approaches are consensus and collaboration.

Furthermore, the study has offered a review of the Education Labour Relations Act (Act 146 of 1993). This Act is pertinent to conflict management in South Africa.

Finally, the research recommends that effective approaches to conflict management be used by superintendents of schools, principals and the Department of Education to facilitate the satisfaction of needs of people involved including those of students.

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## CHAPTER ONE

### ORIENTATION TO THE PROBLEM

#### 1.1 INTRODUCTION

This study examines the approaches used in the management of conflict between teachers and their employers in the Department of Education in KwaZulu-Natal generally and in the district of Mahlabathini in particular. These teachers are being employed and remunerated by the Department of Education of the National Government. The Provincial Government of KwaZulu-Natal plays the role of an administrator.

Below is an operational definition of concepts which are used in the study.

#### 1.2 DEFINITION OF CONCEPTS

##### 1.2.1 The Concept: Conflict

Conflict means to be in opposition to one another. It refers to disagreement between people or members of organisations. Such disagreement is inherent in relationships between all human beings. Larfela (1988:45) concurs with this view when he defines conflict as: "Part of the competition process that is basic to the survival and successful evolution of the species, *homosapiens* and to his search for new and better ways to cope with limited resources and stress from environmental change."

According to this definition it is obvious that conflict always exists between people, groups of people, members of an organisation and between organisations which are related in one way or another. Clearly therefore, conflict is inherent in the relationship between teachers (employees) and the Department of Education

### **1.2.2 The Concept : Conflict Management**

Anderson (1990:261) and Burton (1987:8) maintain that conflict management has a wide application. It stretches from deterrence strategies to propaganda. Burton (1987:8) goes on to state that the significant feature of conflict management is that it is an attempt by the status quo to manage the dispute, or to avoid escalation of the conflict, while maintaining control without giving way. Related to conflict management is conflict resolution. Conflict resolution refers to dealing with or removing the cause of the conflict. In this study conflict management will refer to both strategies and approaches of containing (managing the conflict) as well as to strategies and approaches of resolving it.

### **1.2.3 The Concept: Staff**

The concept staff refers to all qualified and unqualified teachers who teach, train and educate others in schools and colleges of education, who are in the employment of the Department of Education. In this study staff will refer to teachers who teach in KwaZulu-Natal including Mahlabathini District.

With regard to manager-principal conflict the latter will be defined as staff.

### 1.3 BACKGROUND TO THE PROBLEM

The education Labour Relations Act ( Act 146 of 1993) came into being as a result of conflict which took place between the Department of Education in South Africa and the teachers. Before 1993, neither the Department nor the teachers had a document which contained regulations and procedures which they could use to prevent, manage and resolve conflicts between the two parties. The document of this kind was intended to help reduce disputes between the teachers and the Department because it would clarify duties, roles, rights and the limits of the rights of each party. (Natal Mercury: 1993: 5).

In 1991 the Transitional Executive Council produced the Bill of Rights (Natal Mercury 1993). This document allowed any employee to go on strike if his or her demands were not attended to by the employer in the work place. The Bill did not clarify the right of the employer. It also did not have the mechanism for negotiation in the event of a conflict between the employer and employees. The result of this situation was that teacher organisations at times encouraged their members to chalk down and to go on strike (S.A.B.C. 1993). Therefore, the Government of the day realised that it was necessary to have in place a mechanism which could be used to resolve conflicts between the employer and the employees. Therefore, the Education Labour Relations Act was enacted in 1993. The main objective of the act, as it appears in Section 4, was to promote and maintain peace in education.

However, even with the existence of the Act, there is no research which has been undertaken which indicates approaches used to manage staff-employer conflict. There is also no data which shows the effectiveness or otherwise of the approaches used. This research is undertaken against this background.

#### **1.4 ASSUMPTIONS UNDERLYING THIS STUDY**

- a. Consensus approaches of managing conflict are more useful in employer-employee relations in education, than power and rights approaches.
- b. Power approaches to conflict management often jeopardise the satisfaction of needs of some stake holders.

#### **1.5 RESEARCH QUESTIONS IN THE STUDY**

The study sets out to answer the following questions:

- \* Which approach(es) to conflict management in staff-employer relations in education are in the interest of all parties?;
- \* What is the role and significance of the Education Labour Relations Act in bringing about harmony between staff and employers in education?

## **1.6 STATEMENT OF THE PROBLEM**

The researcher has observed that staff-employer conflict affects teaching and learning. When teachers allegedly suffer from unfair labour practices from the Department they vent their frustration through disruptive behaviour.

When disruptive conflict exists between teachers and the Department of Education, the goals of education are hardly realised. Teachers and the Department become antagonistic towards one another and this further impacts negatively in education. Disruptive conflict results in poor co-operation and distrust between teachers and the Department.

It is clear to the researcher, therefore, that this disruptive conflict, if not managed properly can disturb the teaching process in schools. Therefore, ways of managing staff-employer conflict need to be investigated so that peace and stability can be restored and maintained in schools.

## **1.7 MOTIVATION FOR UNDERTAKING THE STUDY**

My observation is that teachers resort to strikes when they are in conflict with the Department of Education. These strikes deprive pupils of the opportunity to learn. Thus education system is paralysed.

It is precisely these alleged effects of conflict which have motivated the researcher to undertake this study.



On noting this problem, the researcher resolved to investigate conflict management in staff-employer relations with a few aims in mind. These are spelt out in 1.8 below.

## **1.8 SIGNIFICANCE OF THE STUDY**

By examining the nature of issues related to staff-employer conflict in education, this study will provide a data base which can be used to understand and manage teacher-employer conflict. In this way the project is likely to enrich the understanding of conflict management between the two relevant stake holders in education. The readers of this research will be provided with information they can use to creatively deal with employer-employee conflict, especially during the current transformation process in which conflict in education is high.

## **1.9 METHODS OF RESEARCH**

The researcher will use content analysis as a method of research. According to Borg and Gall (1989:56) content analysis is a technique for the objective, systematic and quantitative description of the manifest content of communication. Gay (1981:236) calls this research technique, document analysis.

This study will analyse conflict cases selected from the following categories:

- \* Teacher-principal conflicts
- \* Principal-inspector conflicts and
- \* Conflicts between teacher organisations and the Department of Education, both nationally and provincially.

These cases will be viewed against the provisions of the Education Labour Relations Act (Act 146 of 1993). The researcher will determine whether these conflicts were resolved according to the Act or not, what approaches were used and with what effect. In cases where the provisions of the act were ignored in resolving conflicts, the rationale for doing so will be sought.

The conflict incidents between some teacher organisations in KwaZulu-Natal and the Department of Education will be retrieved from the files of these organisations and those of KwaZulu-Natal Department of Education. All data to be analysed will be selected, categorised and analysed in chapter four of this study.

## **1.10 THE LAYOUT OF THE STUDY**

The layout of the chapters is as follows:-

Chapter One provides orientation to the study.

Chapter Two presents a review of literature on the management and resolution of staff-employer conflict.

Chapter Three deals with the methods of research which will be used in this study.

Chapter Four will be the analysis and interpretation of data.

Chapter Five present conclusions on this study and recommendations.

## **1.11 CONCLUSION**

This chapter provided an orientation to the problem and an introduction to the research project. The next chapter will focus on literature review on conflict management.

## **CHAPTER TWO**

### **LITERATURE REVIEW ON CONFLICT MANAGEMENT**

#### **2.1 INTRODUCTION**

In this chapter, literature is reviewed on sources of staff-employer conflicts. A brief discussion on approaches to conflict management follows, and against this background a review of literature on the management of staff-employer conflict.

#### **2.2 SOURCES OF STAFF-EMPLOYER CONFLICT**

##### **2.2.1 Professionalism**

Glatter and Preedy (1988:11) maintain that professionals employed in schools, and colleges of education are liable to have conflict with those in authority in their Department. The reason for this is that professionals are unreasonably resistant to administrative control. Kriesberg (1990:44) believes that the resistance emanates, firstly from the fact that professionals claim to be highly autonomous in their work, and secondly, professionals look for assistance outside their bureaucratic structures.

Thus teachers as professionals do not expect their employers to give them instructions as to how to do their work in schools. Burton (1987:87) seems to be of the same opinion as Kriesberg. Burton (1987:53) further points out that, because of their specialised training, teachers expect to be accorded a large measure of autonomy in dealing with matters considered to be within their area of expertise.

According to Kriesberg (1990:45) teachers argue that it is by using their professional expertise that they can make their best contribution to the objectives of their employing organisations. Therefore, if they are employed in a highly structured and tight bureaucracy, a certain level of conflict will erupt from time to time between teachers and the administrators.

Burton (1987:53) argues that specialisation in the teaching profession has caused educators to have interest outside their bureaucratic structures. They look for help from other specialists such as doctors, lawyers, ministers of religion and accountants. Teachers do this in order to maintain standards and to further develop their expertise. But this outward look is sometimes interpreted by the departmental officials as resistance to administrative control.

Glatter and Preedy (1988:8) add that the external interest of the teachers frustrates locally based administrators such as principals and inspectors. These administrators become sceptical about the priorities and departmental unity of professional staff.

Such differences of perspectives, according to Hargreaves and Woods (1984:63) are common place in colleges and universities. They are sources of conflict.

### **2.2.2 Socio-political Changes**

According to Likert and Likert (1976:4) socio-political change is a source of conflict in society. Teachers as members of society are inevitably affected by changes in society.

It was mentioned in chapter one that the Transitional Executive Council produced the Bill of Rights in 1991. This was a social change. The Bill declared the rights of employees to go on strike if their demands were not met by their employer in the work place. But the Bill did not clarify the rights of employers. There was also no mechanism in the Bill of Rights which could be used to resolve disputes. Conflict could arise as employers would prefer to maintain the status quo and resist change for their own survival. Kendall (1987:43) argues that change is usually accompanied by tension, resistance and anxiety.

### **2.2.3 Shortage of resources in Schools**

Robbins (1988:74) believes that conflict frequently occurs as a result of a scramble for scarce resources. Moore (1988:30) classifies these resources into three types, namely; physical, human and financial resources.

The shortage of human resources includes under-staffing which results into high teacher-pupil ratio in schools. This was common in KwaZulu schools before the election of 1994 which brought in a new Government in the country. Physical resources, according to Moore (1988:300) include sports facilities, school buildings, teaching aids, furniture, library and laboratory equipment. These physical resources are still scarce in most schools in Kwa-Zulu-Natal. Bedian (1989) maintains that the scarcity of these resources can be the source of conflict between the staff and the Department. He argues that teachers become dissatisfied as their work cannot be done smoothly without these resources.

#### **2.2.4 The Role of the Media**

Finnemore and Van der Merwe (1992:67) maintain that television, radio, newspapers and periodicals generally support the values and interests of those who control the media. Raskin (1981:340) further maintains that the media can be used by the state, employers and labour unions to gain support for their policies on specific actions.

Walsh (1988:74) indicates that much of the media coverage of trade unions on television and in newspapers focus on the dispute aspects of trade unions. According to him workers are usually portrayed as angry and militant while employers are described as tough but confident. The actions of trade unions are commonly presented as less legitimate than those of government and employers.

Finnemore and Van der Merwe (1992:68) state categorically that in South Africa, the union movement was portrayed in an extremely negative light up until the mid 1990's. They maintain that the National Party Government used its control of the South African Broadcasting Corporation to portray Congress of South African Trade Union and other unions as part of the total communist onslaught against South Africa. According to the researcher such negative reporting about the employees, only helps to diminish relationship between teacher organisations and the Department of Education as the employer of teachers.

## **2.3 APPROACHES TO CONFLICT MANAGEMENT**

From the literature review of authors such as Ury, Brett and Goldeberg (1988:4-7) and Ngcongco (1993), it is evident that there are many approaches used to manage conflict. In this study three approaches will be discussed. These approaches are power approach, rights approach and consensus approach.

### **2.3.1 The Power Approach**

The power approach to conflict management entails the use of power to force the opponent to agree to one's demands. Different sources of power such as positions, financial power and numbers are some examples. With the use of each source of power the attempt is to force the opponent to succumb to their demands. Examples of power approach are strikes, expulsion and demonstrations.



### 2.3.2 The Rights Approach

The rights approach is observed when people demand their right from others. For example the rights approach is experienced when one person lays a charge against another, say of trespass. The accuser demands his rights to privacy.

### 2.3.3 The Consensus Approach

The consensus approach is experienced when all parties involved in a conflict agree to search for a solution which will benefit all the parties concerned. For instance, when parties involved in a conflict mediate or negotiate. Examples of the consensus approach are problem solving and integrative decision making.

### 2.3.4 Advantages and Disadvantages of each Approach

According to Ury, Brett and Goldberg (1988:17 - 19) the three approaches have advantages as well as disadvantages.

Power approach carries advantages for the party which is more powerful than others and disadvantages for weaker parties in a conflict. For instance, an employer may refuse to pay striking workers. In so doing he is using his financial power to force workers to stop the strike. In the same way superintendents of education can use their position powers to transfer or demote educators.

Workers can use their numbers in a strike to force employers to yield to their demands. The main disadvantage of the power approach, according to Ury, Brett and Goldberg (1988), is that it does not eliminate conflict between parties. The rights approach, like the power approach above can be used in a win-lose situation. Some parties win and others lose. These two are not win-for-all approaches. The rights approach also does not remove the conflict between the parties.

The consensus approach, according to Ngcongo (1993) and Filley (1975) is a win-win approach in which all parties involved in a conflict agree to give and take. All parties win at the end and the conflict between them is removed. The only disadvantage which is experienced in this approach is that time is consumed in negotiation, facilitation or mediation. The following section will review the management of staff-employer conflict in Britain.

## **2.4 THE MANAGEMENT OF STAFF-EMPLOYER CONFLICT IN BRITAIN**

### **2.4.1 Preamble**

Before reviewing literature on the management of conflict generally the researcher considered it necessary to deal with staff-employer dispute management in another country. This is done for the purpose of setting a background against which the South African system of dispute management can be compared.

The country which was chosen is Britain. The rationale for choosing Britain is that both South Africa and Britain use English as a medium of communication. Thus the problem of translating from one language to another is eliminated. Further, there is plenty of literature on British Education in this country and therefore it was quite easy for the researcher to find information on the management of staff-employer conflict in Britain.

The British system of managing staff-employer conflict evolved over a long period of time. Different parliaments had a number of systems, committees, commissions, laws and acts.

#### **2.4.2 Voluntarism**

According to Brewster (1989:65) voluntarism came about as a result of the laws which were passed by parliaments in Britain in the nineteenth century. These laws tended to restrict the activities of the unions. The unions were forced to campaign against such legislations. In 1902 the unions established their own party, the Labour Party, to help unions establish voluntarism.

For the unions, voluntarism means that they have more freedom to conduct their affairs. This approach was developed by trade unions. The approach allows both employers and employees to freely fix wages and working conditions between themselves without the government being involved.

According to Pardoe (1971) Voluntarism made a great contribution in bringing employers and trade unions closer together. It put both employers and employees on an equal basis. In this way a platform for negotiations in the event of conflict was established and both employers and employees could fix wages and conditions of service together. This prevented a lot of conflict cases from taking place.

The involvement of both employers and employees in the policy-making brought about satisfaction to both sides and these policies were viewed as legitimate and therefore easily accepted.

#### **2.4.3 The Whitley Committee**

While Voluntarism dealt with employer-employee relations in the private sector, the Whitley Committee concentrated on the relationship between the government and its employees.

According to Brewster (1989:54) all civil servants in Britain are employed by the state. Teachers fall in this category of workers. The civil service and many other parts of the state machinery conduct their employee relations on the Whitley pattern. The Whitley Committee was set up by the state immediately after the First World War. The Committee was asked to make recommendations on public service which had been in force for more than a century.

Whitley and his committee recommended a system of joint councils at national, district and local levels, meeting frequently to discuss industrial relations issues. Employers and employees are represented on all these levels.

Thus any changes to the employment situation would have to be agreed by both sides or they would not take place.

These recommendations were adopted by the government of the day. The requirements to establish Whitley style machinery were included by successive governments in acts of parliament.

The advantage of the joint councils was that the regular meetings at all levels improved communication and reduced the possibility of conflict over important issues. Whitley's recommendations also recognised the legitimacy of trade unions and their interests. The commission also created formal channels for these interests to be expressed. From this brief review of the establishment and role of the Whitley Committee it can be inferred that opportunity was created for the rights and the consensus approaches to be used in managing staff employer conflicts.

#### **2.4.4 The Donovan Commission**

The Donovan Commission was set up by the British Government to reinforce the Voluntary System (Voluntarism) which had been introduced in the nineteenth century. It safeguarded the interests of the employees.

Employer-employee dispute procedure in Britain came about as a result of the reluctance of the management to acknowledge the role of the employee organisations. This was revealed by the Donovan Commission in 1968.

After this date substantial government pressure was directed to the improvement of this situation. According to Leighton (1992:74); in 1971 the Industrial Relations Code of Practice subsequently was enacted by the British Parliament. According to this bill employers were urged to formalise procedures for negotiating arrangements as well as for collective dispute, individual grievances and disciplinary matters.

Further, according to Brown (1981:43) the Commission of Industrial Relations was established to facilitate the process of dispute management. Employees were then entitled to be told, within thirteen weeks of employment, how they could seek redress for any individual grievance and disciplinary decision relating to their employment. In 1971 the British Parliament introduced statutory protection against unfair dismissal.

Another mechanism which was put into place was the Advisory, Conciliation and Arbitration Service. This service produced a more detailed code of practice in the management of employer-employee disputes. The Advisory, Conciliation and Arbitration Service was reputed for the involvement of the third party either in the form of a mediator or arbitrator. This use of the third party in employer-employee dispute management was particularly popular in the 1970's (Brewster 1989:57). It can be deduced that the Advisory, Conciliation and Arbitration Service contributed to, among other things, the use of a consensus approach to Conflict Management in Britain.

#### **2.4.5 The Industrial Tribunal**

The industrial court is sometimes referred to as industrial tribunal. This is a special service provided by the state to resolve employer-employee conflicts. Either the employer or the employee organisation can appeal to the tribunal for the resolution of a conflict case.

Conflict cases which may be submitted to the industrial court are those that have gone through employer-employee negotiations, mediations and arbitration processes. When these approaches fail to resolve the conflict case, the case is referred to the tribunal for resolution (Willes, 1989:340-349).

#### **2.4.6 Management of Conflict and the Law in Britain**

Leighton (1992:77) points out that the law provides a frame work within which employers and employees have to operate. Law provides remedies for victims. The emphasis of law is on the procedures of staff management which must be correctly drafted and applied. These rules apply to all types of school employees in Britain.

According to Brewster (1989:67) labour laws in Britain have been developed from two sources, and these are common law and statute law. Willes (1989:346) defines statute law as legislation which has been passed by parliament. It takes the form of an act of parliament.

There is an enormous amount of legislation going through parliament every year. In employment issues parliament has been passing laws for over 150 years. In spite of this long period, it is only recently that statute law has had any significant impact on employee relations in Britain. This implies that Britain has been using common law in labour relations.

Common law is defined by Pardoe (1971:75) in broad terms as that which has existed throughout history. It insists on standards such as fairness and equity between individuals. Brown (1981:30) defines common law as judge-made law.

Over time judges have built up a body of cases which lay down principles that are followed by subsequent courts.

#### **2.4.7 The Local Education Authority in Britain**

Staff management in the independent or private schools is relatively straight forward because the school is the employer and is accountable if legal rules are broken. However, according to Leighton (1992:78) for most schools in Britain, staff management has been until 1988 a matter for the Local Education Authorities. Head teachers and senior staff dealt with day to day matters of lateness and other relatively minor acts of misconduct of teachers and support staff. But once the matter became more serious, the Local Education Authorities took over. The technique used by the Local Education Authorities was negotiation. In 1988 the Education Reform Act came into being.



#### **2.4.8 The Education Reform Act**

The inception of the Education Reform Act marked the end of the powers of the Local Education Authority and the responsibility for managing staff-employer conflict in schools fell in the hands of school governors and senior school managers.

Even during this period, the Local Education Authority remained the employer of the teachers. It was only the management which shifted to school governors and senior school managers (Spackman, 1991:45).

#### **2.4.9 Summary of Management of Conflict in Britain**

It is clear from the above discussion that the mechanism and procedures for managing employer-employee conflict in Britain were developed over a long period of time. They went through a number of commissions and acts.

They seem to allow for a range of approaches to be used to manage conflicts.

### **2.5 THE MANAGEMENT OF STAFF-EMPLOYER CONFLICT IN GENERAL**

As discussed earlier, some commonly used approaches to Conflict Management are the rights and the power approaches as well as the consensus approach.

As part of consensus, mediation and negotiation are processes which are used, while collective bargaining and lobbying also feature as either part of the power or rights approach. In the next section a review of various processes of conflict management is made.

### 2.5.1 Mediation

Mediation, according to Grogan (1993:60) is the process by which an independent third party is introduced into a dispute in order to assist the parties to reach an agreement.

According to Grogan (1993:41) the mediator acts mainly as a communication and problem solving catalyst, or as an agent to maximise the exploration and generation of alternatives. He does not have adjudicative powers. Nieuwmeijer (1988:10) concurs with this opinion when she points out that the whole responsibility for the final agreement rests with the conflicting parties. She also concludes that mediation brings and keeps the conflicting parties together to confront their problem. The mediator should have no interest in either of the conflicting parties (Le Roux and Van Niekerk, 1994:15).

Ngcongco (1993:71) argues that mediation should be accompanied by fact finding in order to establish an objective picture.

She feels that it would be expected that there is an overlap between fact finding and mediation.

### 2.5.2 Arbitration

In order to clarify the distinction between mediation and arbitration it is necessary to give the comparison between the two techniques. Arbitration differs from mediation in that the arbitrator has the power to prescribe a settlement for the parties. According to Grogan (1993:61) these parties bind themselves in advance to abide by the arbitrator's settlement.

In both these processes the mediator and the arbitrator are neutral third parties in dispute settlement. The mediator facilitates communication between conflicting parties. The arbitrator finds facts and adjudicates.

The mediator takes no decisions. Decisions are taken by the parties involved. The arbitrator takes decisions and these decisions are binding to all parties involved.

### 2.5.3 Collective Bargaining

Collective bargaining, according to Grogan (1993:65) is a process by which labour and management seek to reach agreement or compromise by the process of give and take on matters in dispute. He maintains that this process is executed by a combination of discussion, persuasion, blandishment and even threats.

Pienaar and Spoelstra (1991:5) believe that the outcome of collective bargaining between the employer and the employees is determined ultimately by the economic power of the conflicting parties.

This implies that in the process of collective bargaining the employer has the ultimate advantage, since it is he who has the money. Therefore, the economic factor, according to the view of the researcher can influence the employer to refuse to compromise sufficiently since his economic position is superior to that of his employees. In other words the employer is bargaining from the position of power while the employee bargains from the position of weakness.

For employees, the only way of bringing pressure to bear on the employer is to withhold their labour. That is why freedom to strike is described by le Roux and Van Niekerk (1994:79) as necessary to the creation of equilibrium in industrial relations. The employees cause the employer greater loss than he would suffer if he were to comply with the workers' demands.

However, over and above this option of employees to strike, the employer has the freedom of locking out or dismissing the striking employees.

Therefore, the success or failure of collective bargaining to achieve agreement depends largely on the attitude of the employer (Le Roux and Van Niekerk, 1994:37).

Nieuwmeijer (1988:8) contrasts collective bargaining with negotiation. She states that negotiation is co-operative while bargaining is competitive. On the other hand, Moore (1988:29) sees collective bargaining as having two aspects. These are interest based bargaining and positional bargaining.

Interest based bargaining is aligned to negotiation, while positional bargaining is competitive, because parties are set to protect their positions.

According to Moore (1988:27) interest based bargaining is a strategy that focuses on satisfying as many interests or needs as possible for all negotiators. Positional bargaining sees the other negotiators as opponents, and therefore, the goal is to win and defeat the opponents.

#### 2.5.4 Lobbying

Lobbying, as understood by Nieuwmeijer (1988:11) is a process where one party tries to pressurise the other, directly or indirectly through a third party to accept their point of view or objective. Lobbying includes influencing a person or persons influential enough to advance ones issue or viewpoint (Trollip, 1992).

The researcher is of the opinion that in labour relations, lobbying can be used as a preventive measure to prevent the occurrence of disputes between the employers and their employees. For example, when the Government enacts a law which deprives employees of their rights in the workplace, their labour union would lobby against the law by threatening to outvote the current government. The employers would do the same when the law being enacted is against their interests.

In the next section of this chapter the researcher will review literature on the use of negotiation as an instrument for staff-employer dispute management.

## 2.6 THE USE OF NEGOTIATIONS TO SETTLE LABOUR DISPUTES

### 2.6.1 Definition of the Process of Negotiation

According to Nieuwmeijer (1988:1) negotiation is a process through which two or more parties communicate with one another in an effort to resolve their opposing interests. Mastenbroek (1987:85), Moore (1988:13), Thorn (1989:6-7) and Pienaar and Spoelstra (1991:3) also hold the same view of negotiation.

Finnemore and Van der Merwe (1992:207) highlight a few more characteristics of the process of negotiation, and these are:

Negotiation is a verbal interactive process involving two or more parties who are seeking to reach an agreement over a problem or conflict of interest between themselves, but adjust their views and positions in the joint effort to achieve agreement.

According to the above quotation all parties involved in a conflict need to be fully committed in the process. Parties need to agree before hand to work together to find a solution, or else the process cannot succeed (Leritz, 1991:115). With this definition of negotiation, the next section reviews some principles of negotiation.

## 2.6.2 The Principles of Negotiation

During the process of negotiation there are several elements which should be understood and be dealt with accordingly by negotiators. Failing to deal with some of these principles appropriately, may cause the collapse of the process (Leritz, 1991:101).

### 2.6.2.1 Creation of a safe environment

Creating a safe environment for opponents in negotiation entails co-operative rather than competitive negotiation. Calero and Oskam (1988:47) believe that competitive negotiation is based on the assumption that people cannot be trusted and are out to get all they can at everyone's expense. This causes the opponent to become defensive and therefore the process of negotiation may suffer.

According to Leritz (1991:161) negotiators should avoid intimidation and taking advantage of their opponents.

He believes that threats and intimidations are like boxing the opposition into a corner. The more people are threatened the more their capacities to generate new ideas are constricted. Milman (1986:43) maintains that the more relaxed we feel the more our capacities expand. Therefore, neither the employer organisation nor the teacher organisations need to intimidate and threaten the other parties taking part in negotiation.

### 2.6.2.2 Honesty and trustworthiness

Honesty means fairness, straight forwardness, integrity, truthfulness, sincerity and it absolutely excludes misrepresentation of facts. According to Calero and Oskam (1988:106) negotiators need to be honest. Honest negotiators have a potential of making negotiation successful. If, according to Fisher and Brown (1989:108) all negotiators are honest they are likely to trust each other and thus co-operate easily.

Ngcongong (1993:70) is of the opinion that building trust and co-operation means focusing on dealing with relationship needs which promotes the climate of negotiation. She further maintains that trustworthiness means developing strategies to cope with strong feelings and emotions since they have a retarding effect on negotiation.

Thorn (1989:74) believes that trust is central to the negotiation process, without it negotiation is just talk with little hope of resolving issues. He feels that without trust, neither side will be prepared to commit itself to any course of action to make negotiation successful.



### 2.6.2.3 Readiness to compromise

Anderson (1990:277) understands compromise as a technique used in negotiation which relies on negotiators to agree to the process of give-and-take. It is an attempt to resolve conflict by encouraging compromise through negotiation. Compromising, according to Leritz (1991:67) brings both negotiating parties to an intermediate position. Negotiators need to enter negotiation prepared to gain some of their needs and to lose some. Compromise will therefore permit parties to move beyond a stalemate situation.

Nierenberg (1968:56) explains compromising as a technique for resolving conflict temporarily. This is so because parties are willing only to end the conflict between themselves while the differences between the parties are not eliminated.

### 2.6.2.4 Readiness to co-operate

In order to ensure the success of negotiation, Thorn (1989:45) feels that negotiators should work jointly in a problem-solving exercise. He maintains

That co-operation means that in the early stages of negotiations much time is spent in identifying the problem areas and looking together for solutions. In order to get the best outcome, negotiators need to share information.

The sharing of information encourages negotiators to move to a position of mutual trust and is therefore a major feature which brings about co-operation between negotiators.

Nieuwmeijer (1988:27) maintains that mutual respect is a prerequisite for co-operation in negotiations. Therefore, both staff and employers should enter negotiations with mutual respect in order to be able to co-operate.

Nierenberg (1968:53) feels that reward is another factor which encourages co-operation between negotiating parties. He stresses the need for rewarding positive signals from the other side. According to him, what is important in rewards is not the size of the reward but the frequency of concessions that are conducive to co-operation.

Thorn (1989:47), Calero and Oskam (1988:123) and Leritz (1991:53) advise that negotiators should avoid taking defensive postures. They should also avoid taking a legalistic approach in negotiation. These approaches discourage co-operation.

#### 2.6.2.5 Ability to listen

Nierenberg (1968:56) maintains that listening has real advantages in the process of negotiating a settlement to a disputes. Thorn (1989:73) shares the same view

when he points out that listening can also uncover valuable clues on how truthful the other party is. Listening makes a person understand the position of the other negotiators. Calero and Oskam (1988:99) point out that in order to make a convincing case one has to ascertain what one considers desirable gain, so that one can make use of that knowledge.

Trollip (1991) explains that one cannot listen and talk at the same time. Therefore a good negotiator will give a chance to other negotiators to talk while he keeps quite and concentrates on listening. This will allow him sufficient time to listen to what is said, how it is said and by whom it is said.

By listening attentively, argue Calero and Oskam (1988:99) the negotiator will realise where the argument is unsound, illogical, impractical, impossible and irrelevant. Once one understands the situation, one is better able to control it.

While Calero and Oskam (1988) and Thorn (1989) stress the fact that one should not talk while listening, Pienaar and Spoelstra (1991:17) argue that negotiators should learn to listen while talking. According to this opinion a negotiator should be able to listen to reactions of other negotiators to what he is saying. For example, one should be able to detect a murmur of approval, a groan of disbelief, a sigh of relief, and a mutter of disagreement.

All these provide clues on how to follow up on a point which one is dealing with during a particular reaction.

One will also be aware whether the other negotiators are listening to one or not.

#### 2.6.2.6 Mental attitudes

Mental attitudes, according to Patel (1994:137) are an overall outlook or approach to challenges posed, not only in a negotiation but in all areas. Mastenbroek (1987:85) and Thorn (1989:7) also hold the same view about mental attitudes. They maintain that a negotiator with a positive attitude towards a negotiating situation, primes himself for winning in a bargaining encounter. However, a negotiator with a negative attitude towards a negotiation situation is likely to lose in the negotiation encounter.

Moore (1988:13) states that negotiators with positive mental attitudes recognise their responsibility for their own actions and decisions. They are ready to make adjustments in their own decisions during the process of negotiation when the situation warrants these. Nieuwmeijer (1988:80) holds the same view when she says that in order to reach an agreement in negotiation, a change or adjustment of attitude is necessary. She adds that the change of attitude takes place with difficulty particularly for negotiators with negative mental attitudes.

Thus the success or failure of a negotiation situation depends much on the mental attitudes of negotiators.

### 2.6.2.7 Persuasion versus coercion

Persuasion is explained by Finnemore and Van der Merwe (1992:213) as the art of getting the other side to join with one or act for one in dealing with the difficulty at hand. Mastenbroek (1987:42) expresses the feeling that to achieve this kind of co-operation one must talk his opponent into it.

According to Patel (1994:134) coercion is forcing a person to do something against his or her will. Nieuwmeijer (1988:51) maintains that coercion sometimes leads to violence in negotiation, adjudication or arbitration.

According to the above definitions the two tactics can be used in negotiations with positive results. The difference between the two is that coercion may lead to dissatisfaction and violence from the opponent. On the other hand, Leritz (1991:53) points out that to persuade an opponent, one does not need to use force or coercion, but must appeal to his interests or needs. This, according to Moore (1988:65) convinces the opponent that one is eager to co-operate with him. The opponent will likely give in voluntarily.

### 2.6.2.8 Goal setting

Leritz (1991:35) understands the setting of goals in negotiations to be the establishment of a relationship which brings about settlement between negotiators.

Robbins (1988:57) concurs when he says that the most important goal of negotiating is to reach an agreement. This, according to him means that the purpose of negotiation is to resolve a disagreement between two or more parties. Nieuwmeijer (1988:103) feels that the absolute minimum goal is that the conflicting parties agree on the necessity for negotiating. Therefore, in the process of negotiation both the employer and the teacher organisations need to aim at reaching some kind of agreement. Fisher and Brown (1989:560) argue that the main goal of negotiation is the establishment of a relationship between negotiators. Therefore, when negotiation process begins the implication is that all parties participating agree to find a solution and restore relations.

#### 2.6.2.9 Assertiveness

According to Nierenberg (1968) assertiveness means to stand up for ones rights, opinions and beliefs, but without destroying the rights, opinions and beliefs of others.

Leritz (1991:37) agrees with Anderson and further states that assertiveness may be explained as insistence on a right or opinion. It is insistence on recognition of one's claim, a declaration or a positive statement.

Being assertive also means being free to choose the behaviour one would use depending on the situation one finds oneself in.

Pienaar and Spoelstra (1991:41) further state that assertiveness calls upon one to have both a high regard for one's interests as well as a high regard for the interests of others. This implies that assertion differs from aggression in so much as the individual uses his power to insist on a right or opinion without infringing on the rights or opinions of others.

Therefore, assertiveness is a necessary virtue which should be acquired by both employer and employee representatives when they negotiate settlements between these two groups.

#### 2.6.2.10 Keeping negotiation on track

Authors like Robbins (1988:53) Anderson (1988:123), Fisher and Brown (1989:67) and Calero and Oskam (1988:293) hold the view that efforts have to be made to keep negotiation on track. Calero and Oskam (1988:293 - 298) even suggest steps to be taken in order to keep negotiation on track and preventing it from being derailed. They argue that derailment usually happens on the second day of negotiating. Issues that had been developed to a certain point or fully on the first day, unexpectedly come up in their original form to be dealt with all over again, as if nothing had been done on the first day. This, according to Robbins (1988:53), frustrates negotiators and stalls the process of negotiation.

To avoid repeating issues which were dealt with on the first day, Calero and Oskam (1988) suggests the following steps:

- Recapitulate everything dealt with before adjourning the meeting on the first day. Identify what has been discussed, what has been agreed upon or settled, what agreements in principle have been established. The recapitulation should explicitly be accepted as accurate by both sides.
- After recapitulation, outline the points of concentration for the following day. The concurrence of the other parties should also be obtained.
- The third step would be to identify who the participants would be on the next day. Sometimes someone may be added to the team because a particular expert's input is required.
- Knowing in advance that the other team is bringing in council an expert, makes planning your strategy and tactics for the next day easier.

The above steps need to be taken before closing on each day of negotiating. On the second day, and everyday thereafter, before the day's work is embarked upon, the following steps should be followed:

- Introducing any new member who may have joined either team. The introduction should include mention of the person's name and title.
- It is important also to restate briefly what it is that brings the two parties together. This helps to re-emphasise common goals and needs (Patel, 1994:134).



### **2.6.3 Some Tactics Used in Negotiations**

#### **2.6.3.1 Bluff**

Bluff is one of the tactics used by negotiators to get what they want in the process of negotiation. Leritz (1991:127) says that it is bluff when a person lets others think that he knows more than he really does, that he has more money than he really has, or he holds better playing cards than he really holds.

Bluff is a tactic whereby a misleading impression is created usually through boasting. According to Nieuwmeijer (1988:160) bluff can be used with success sometimes because there is no stigma attached to it as such. But there is always a risk of discovery that one is bluffing. Once discovered that one is using a bluff, the poor negotiator is apt to lose more than he can really afford to. That is the reason why Fisher and Brown (1989:128) insist on avoiding using bluff when employers and employees negotiate a settlement.

#### **2.6.3.2 Using threats**

A threat, according to Walton (1987:59), Thorn (1989:70) and Nierenberg (1968:53) is a statement of what will be done to hurt or punish someone. It is an act of intimidating a person into accepting, doing or avoiding something.

Robbins (1988:126) points out that some negotiators use this tactic successfully. However, Nieuwmeijer (1988:141) cautions that if threats occur during the early stage of a negotiation, they may lead to mutual suspicion and competition. Both suspicion and competition are not conducive to conflict resolution.

Walton (1987:77) warns, however that threats do not diminish conflict. Thorn (1989:23) maintains that they are more successful when they have the desired effect, but do not have to be carried out.

#### 2.6.3.3 Dealing with rumours

A rumour, according to the Oxford Dictionary is a story or statement talked of as news without any proof that it is true. Calero and Oskam (1988:264) maintain that rumour crops up like weeds sometimes. Like weeds it generally acts to divert energy from productive priority concerns. Walton (1987:74) explains that rumours are deliberately sprung during negotiation with an intent to startle and put an opponent on the defensive.

When a rumour springs up, argues, Walton (1987), discussion of whatever issue is put aside while the rumour takes centre stage. The aim of a negotiator who throws up a rumour is to keep other negotiators out of balance since the opponent has to struggle to defend himself. While the opponent is explaining in defence, the presenter of the rumour takes notes of what the opponent is saying.

In the process the opponent may let out the information which the other party would find difficult to obtain in the absence of a rumour (Fisher and Brown, 1989:77-78).

Nieuwmeijer (1988:152) therefore, recommends that instead of taking it upon oneself to convince one's opponent of the falsehood of the rumour, one should have the opponent convince one of the relevance of the rumour. Let him assume the burden of establishing the credibility for the hearsay.

## **2.7 HOW EMPLOYEES DEAL WITH DISPUTES**

It was mentioned earlier in this chapter that for employees, the only way of bringing pressure to bear on the employer is to withhold their labour when there is a dispute between the two parties. According to Grogan (1993:66) withholding labour means going on strike. There are different forms of strikes falling short of a fully blown work stoppages by employees, explains le Roux and Van Niekerk (1994:86). These are overtime bans, work-to-rules, go-slows, and intermittent work stoppage.

Grogan (1993:69) points out that collective refusal by employees to do overtime work is a popular stratagem by employees who wish to exert pressure on employers during negotiations. Employees do so without losing their normal wages or subjecting themselves to disciplinary action. Patel (1994:56) states that overtime ban is a form of collective action to which employers who rely on overtime work to meet urgent orders or seasonal upswings in demand are especially vulnerable.

Patel (1994:51) believes that the thinking behind overtime ban tactic is that, if individual employees are free to refuse or decline requests to do overtime work, employees are also free to do so collectively.

Work-to-rules and go slows are, according to Finnemore and Van der Merwe (1992:105), forms of partial strikes in the sense that the participant employees continue working. In the case of work-to-rules the employee works only as far as the letter of his contract requires and not more. In a go-slow the employee works at a slower pace than normal. Trollip and Gon (1992:47) feel that both forms of industrial action are clearly cognate and it appears that the Department of Education contemplates both as forms of strike. Both forms help to influence negotiations in favour of employees.

Le Roux and Van Niekerk (1994:74) explain that intermittent strikes are those strikes which recur over the same issue involving the same group of employees.

These strikes are also staged in order to influence negotiations in favour of the employees.

In the next section literature will be reviewed on options which are used by employers in the event of employer-employee disputes.

## 2.8 HOW EMPLOYERS DEAL WITH STRIKES

According to Grogan (1993:86-87) the employer's main aim when confronted with a strike action is to minimise his damages. The options which will best promote that end will vary from case to case. Trollip and Gon (1992:24) maintain that the options range from capitulation to the worker's demands on the one hand, to dismissing the strikers on the other.

Patel (1994:17) points out that the first and obvious inducement to the strikers to return to work is to withhold their pay, that is, no work no pay. Since the strikers are not tendering service, they are not entitled to their wages.

A second alternative, according to De Jager and Wild (1993:32) is for the employer to take on casual or temporary employees to keep production going, or to request employees who are not participating in the strike to put in overtime work. But this does not resolve the employer-employee conflict.

That is why Calero and Oskam (1988:53) suggests that even if the employer manages to keep production going, he should strive to keep open negotiation.

He may suggest mediation or if he is confident of his position should opt for arbitration.

Thorn (1989:23) suggests that the most important option for employers under all circumstances is to keep communication channels with the workers trade union open. Leritz (1991:142) suggests that should the above measures fail to stop the strike the employer should seek to divide strikers by locking them out, until such time as they accept the employers' offer. The very last option open to employers is to dismiss the strikers (Calero and Oskam 1988:74).

## **2.9 HOW TEACHER ORGANISATIONS IN SOUTH AFRICA DEALT WITH DISPUTES BEFORE 1993**

Before the enactment of the Education Labour Relations Act (Act 146 of 1993) the constitution of the country did not have mechanisms for settling staff-employer disputes in the Education Department. Teacher organisations existed but were not empowered by the constitution to settle disputes. They could not even use the Industrial Courts, the Labour Appeal Courts or the Appellate Division of the Supreme Court. All the Acts of parliament which came before 1993 excluded teachers from their provisions (le Roux and van Niekerk 1994:45).

The only option teacher organisations could take was to try to negotiate with the employer if there was a grievance on the part of the teachers. The employer would unilaterally decide the settlement. Le Roux and Van Niekerk (1994:46) point out that the teacher organisations had no choice but to accept the settlement since they could not take

any further action. With the introduction of the Education Labour Relations Act, there was a change in this situation.

## **2.10 THE EDUCATION LABOUR RELATIONS CHAMBER IN SOUTH AFRICA**

The objectives of the provincial chamber, according to the constitution of the Education Labour Relations Council (Department of Education 1996) are as follows:

- a. To maintain and promote labour peace;
- b. To prevent and resolve labour disputes in education;
- c. To perform dispute resolution functions;
- d. To promote collective bargaining and to conclude and enforce collective bargaining and to conclude and enforce collective agreements;
- e. To conduct research, analyse and survey education subject to approval by the Council;
- f. To promote training and build capacity;
- g. To confer on work place forums additional matters for conclusions;
- h. To consider and deal with any other matter that may affect the interest of the parties.

### **2.10.1 Functions of the Chamber**

The functions of the provincial chamber are:-

- a. To deal with such matters which will promote the objectives of the chamber;
- b. To deal with matters emanating from the provisions of the Act;
- c. To refer matters which fall outside their scope and which matter should be dealt with by the Council through the Executive Officer.

#### **2.10.2 The Structure of the Provincial Chamber**

- a. Parties to the Provincial Chamber

According to the constitution of the Education Labour Relations Council the parties to the chamber are the provincial education department as employer and teacher organisations in the province. These teacher organisations must be registered and also be members of the council.

Each registered teacher organisation is represented by one representative per 1 500 paid up numbers. These teachers unions are also entitled to have observers equal to the number of its representatives.

The Department of Education is represented by representatives equal to the total number of all teacher organisations representation and also equal number of observers.



#### **b. Chairperson and Vice-Chairperson**

In a meeting designated for this purpose the chamber elects a chairperson and one vice-chairperson. The chairperson or vice-chairperson holds office for a term of 24 months. The chairperson presides over all meetings of the chamber. Whenever the chairperson is not available, the vice presides. The chairperson is not entitled to vote.

#### **c. The Secretary of the Chamber**

The secretary of the chamber is appointed and is a permanent employee of the Department. She/he does all clerical work in the office such as keeping records, files, dealing with the correspondence of the chamber, recording minutes of the chamber and doing general office administration.

### **2.10.3 The Manner of Dealling with Grievances**

An educator with a grievance must lodge the grievance with the head of the institution. If the grievant is an educator outside an educational institution, he/she must lodge his/her grievance with his supervisor. This must be done verbally or in writing not later than 180 calendar days. The head of the institution or the supervisor must respond in writing within 10 working days. A copy of the response must be forwarded to the grievants' trade union, if any, and the provincial head of the Department immediately.

If the aggrieved is not satisfied with the outcome of the complaint he may refer the matter to the provincial head of the department within 14 days. The provincial head of the department must respond in writing within 14 days. A trade union may also submit a grievance on behalf of its member.

a. Formal Dispute

If the grievant is not satisfied with the outcome of the grievance, an agreement must be reached whether the dispute is a dispute of right or a dispute of interest. If an agreement cannot be reached in this respect, the matter must be referred to the National Dispute Resolution Committee (NDRC) of the council via the Executive Officer of the council for determination on whether the dispute is a dispute of right or a dispute of interest.

Should the National Dispute Resolution Committee decide that the matter is a dispute of right, it shall be dealt with in the following manner:-

i. *The process of conciliation*

The matter under dispute is referred to the provincial Conciliation Committee for conciliation. If the matter is not resolved within 14 working days, the secretary of the chamber refers the dispute, together with certificate confirming the nature of the dispute, the fact that it has not been resolved, as well as other relevant details to the Executive Officer.

ii. *The mediation process*

The Executive Officer registers the dispute and refers it to the National Dispute Resolution Committee for mediation within seven working days. The National Dispute Resolution Committee (NDRC) mediates the matter to resolve the dispute within 14 days.

iii. *The labour court and voluntary arbitration*

In the event of the dispute being unresolved through mediation a party may refer the matter to the labour court or the parties may agree to submit the dispute to voluntary arbitration.

iv. *Compulsory arbitration*

If a dispute concerns any dismissed or suspension of an employee, the matter is referred to the Secretary of the Council within thirty days. The Secretary shall appoint an arbitrator to arbitrate the dispute.

**2.10.4 Dispute Resolution Procedure in Matters of Mutual Interest**

Should a dispute be declared a dispute of interest, the dispute is referred to the National Dispute Resolution Committee via the Executive Officer.

The National Dispute Resolution Committee determines the nature of the dispute and the forum where the dispute can be dealt with.

The dispute is then mediated either by the National Dispute Resolution Committee or the Provincial Conciliation Committee (PCC). Should the parties fail to resolve the dispute, any party may resort to the strike or lock-out option.

#### **2.10.5 The Composition of the Bargaining Committee**

The employer is represented by the maximum of ten members and ten observers.

The employees are represented by a maximum of ten representatives and ten observers.

#### **2.10.6 Functions of the Bargaining Committee**

Although the Bargaining Committee is a committee of the Council, the provincial chamber refers some of the disputes to the Bargaining Committee to resolve. The following are the functions of the Bargaining Committee:-

- \* To negotiate all matters referred to it, with the view to reaching provisional agreement for ratification by the council.
- \* To afford the representatives of the employer and the employee parties to the council the opportunity to pursue the interests of their principals on matters of mutual interests through collective bargaining.

- \* To refer matters which require further investigation to the Research Committee.
- \* To consider and take steps to settle disputes that arise in the Bargaining Committee, any committee or sub committee.

## 2.11 CONCLUSION

In this chapter literature has been reviewed on some sources of employer-employee disputes in the Department of Education. Relevant literature was also reviewed on the management of staff-employer conflict. The management of British staff-employer conflict was also dealt with. Special attention was given to the process of negotiation and to a brief discussion of the Education Labour Relation Act. The next chapter will deal with the methodology to be used in this study.

## **CHAPTER THREE**

### **THE METHOD OF RESEARCH**

#### **3.1 INTRODUCTION**

The previous chapter reviewed literature on the management of staff-employer conflict. This chapter discusses the method which was used in this research. Besides literature review, the researcher applied content analysis which is sometimes referred to as document analysis.

Content analysis has been described by Sax (1979:301) as a research technique for the objective, systematic and quantitative description of manifest content of communication.

Anderson (1990) adds that the word communication is not restricted to spoken language only but is used to encompass both verbal and non verbal behaviour.

Thus, for example, one might be interested in studying the content of speeches, letters, essays, journals, documents, slogans, propaganda, interviews, questionnaires and other communication documents.

Best (1977:129) seems to agree with Sax when he points out that document analysis deals with the systematic examination of current records or documents as sources of data.

In summary it can be said that the process of content analysis follows the following stages:-

- \* Specification of objectives of the study.
- \* Locating relevant data.
- \* Developing a data sampling plan
- \* Categorisation of data
- \* Developing a coding procedure
- \* Planning analysis procedure

In the present study content analysis has been used to determine how staff-employer conflict is managed and resolved in the Education Department.

### **3.2 RATIONALE FOR CHOICE OF CONTENT ANALYSIS**

It was essential for purposes of this research to study mainly through reading documents the nature of conflict between teachers and employers. It was also equally important to determine how such conflicts were managed. These two requirements necessitated the use of content analysis of documents containing staff-employer conflicts. Content analysis enabled the researcher to discern the nature of staff-employer conflict and to establish how such conflicts tend to be managed.

According to Anderson (1990) the raw material for a research worker applying the

content analysis technique may be any form of communication but he stresses that written communication is the most appropriate. In the present study conflict cases between teachers and employers were collected from minutes of the negotiation process either in the Education Labour Relations Council or the KwaZulu-Natal Provincial Chambers. Teacher organisations which are members of the Chamber keep these minutes as records of what takes place between teachers and the Department of Education. The researcher selected conflict cases from files of the following teacher organisations:-

- \* Natal African Teachers' Union (N.A.T.U);
- \* Association of Professional Educators of KwaZulu-Natal (A.P.E.K); and
- \* South African Democratic Teachers' Union (S.A.D.T.U).

The documents clearly explain how each conflict case was dealt with by teacher organisations and the representatives of the Department.

### 3.3 THE USE OF INTERVIEWS

To further enhance the validity of data in the selected staff-employer conflict cases, the researcher interviewed secretaries of teacher organisations. The secretaries interviewed belonged to Natal African Teachers' Union, Association of Professional Educators of KwaZulu-Natal and South African Democratic Teachers' Union.



The interviews sought to extract more details about the conflict cases which were obtained from the files of the above mentioned teacher organisations. The interview schedule which was used to obtain this information is found in appendix.

Besides interviewing teacher organisation secretaries, the researcher further interviewed two other groups. These are school inspectors in Mahlabathini District and the school principals in Mahlabathini District.

The aim of interviewing school inspectors was to obtain principal-inspector conflict cases in Mahlabathini District. The school principals were interviewed in order to secure teacher-principal conflict cases in Mahlabathini District. The interview schedules for both groups appear in the appendix. The researcher also wished to determine whether the approaches to conflict management which are used by middle management employees, such as principals and inspectors, are different from those used by the Department of Education.

### **3.4 SAMPLING**

It was indicated in paragraph 3.3 that three groups of people were interviewed in this research. Therefore this section will show how the three samples were selected.

### 3.4.1 Sample of Representatives of Teacher Organisations *how?*

It must be mentioned that out of the three secretaries of teacher organisations whom the researcher intended to interview, only one secretary was interviewed. The other two secretaries instructed representatives of their organisations to undergo interviews on their behalf. All three organisations were interviewed.

### 3.4.2 Sample of Mahlabathini Inspectors

In the Mahlabathini District there are six superintendents of education, including the researcher. The researcher decided to interview all five superintendents of Education.

### 3.4.3 Sample of Mahlabathini School Principals

An alphabetical list of all schools was obtained from the area manager of Mahlabathini District. There are 147 schools and this number corresponds with the principals in the District. Twenty seven principals were removed from this list. These principals were employed after 1993 and were considered to have experienced few teacher-principal conflict cases. Then a sample of 16 principals was chosen by selecting every 7th person of the 120 population of the principals. This represents 13,3% of the principals in this district. The schools were not categorised into junior primary, senior primary, junior secondary or senior secondary schools. Categorisation was deemed unnecessary since all principals are treated equally by the department.

### **3.5 PERMISSION TO CONDUCT RESEARCH**

Permission to conduct research was obtained from the Education Department of KwaZulu-Natal, from the principals of selected schools, from Mahlabathini area manager and from the selected three teacher organisations which were mentioned in paragraph 3.2. Permission from KwaZulu-Natal Department of Education was granted following a letter of request and the registration proof from the University of Zululand which was submitted by the researcher to the Department.

#### **3.5.1 Permission from Mahlabathini Area Manager**

The Mahlabathini area manager was requested verbally to grant permission to conduct the investigation in his district. He was also shown the permission letter from the Department. A written permission was obtained from him.

#### **3.5.2 Permission from Mahlabathini School Principals**

Letters were written to principals of sample schools asking for permission to visit and conduct interviews with them. It was mentioned in the letter that the approval of the Department to visit their schools had been obtained. A certified copy of the permission letter from the Department was attached to the letters to principals. Eleven principals responded and granted their permission in writing. Principals who did not respond to the letters were visited and were requested verbally to grant permission. Verbal permission was granted in turn.

### 3.5.3 Permission from Teacher Organisations

All teacher organisations which were visited for interviews were requested by means of letters. They all granted the required permission. However, one teacher organisation did not respond timeously. The researcher phoned and then permission to conduct research was granted over the phone.

## 3.6 DATA SAMPLING

According to Best (1977:129) setting time frame from which to select data is of utmost importance in content analysis. Therefore, to do justice to this fact the researcher selected conflict cases which took place from 1993 until 1996. Cases falling outside this time frame are not included in the data. This was done, first in order to reduce the quantity of data to a manageable amount. Secondly, these conflict cases will be analysed against the provisions of the Education Labour Relations Act (Act 146 of 1993) which came into being in 1993.

Sax (1979:304) suggests that even within time parameters, random sampling of data is necessary in content analysis. In the present research there was no need to sample the data since conflict cases were not so many that they needed reduction. All conflict cases which were obtained from records were selected as data.

While, according to Walker (1985:107) random sampling eliminates the possibility of bias in selecting data, in the present study there was no possibility of bias in the selection of data by the researcher since all conflict cases within the demarcated time frame were accommodated, particularly those that were obtained from the records of teacher organisations. However, when selecting conflict cases obtained from school principals and superintendents of education some cases were similar with regard to causes, management and outcomes.

Anderson (1990) further observes that in content analysis studies, there must be clear and direct relationship between the content to be analysed and the research objectives. The objective of the present research is to produce descriptive information as to how staff-employer conflict is managed and resolved in the Department of Education. On basis of this objective, the researcher selected only conflict cases which took place within the given time frame, that is, from 1993 to 1996.

### **3.7 INTERVIEWS WITH REPRESENTATIVES OF TEACHER ORGANISATIONS**

After obtaining the necessary permissions from the Department of Education and from the selected teacher organisations to conduct the investigation, the researcher visited the offices of the three teacher organisations.

On arriving at each office, the researcher interviewed the secretary or representative. The researcher asked each interviewee questions on each conflict case selected from the

records of the teacher organisations. The questions were based on the following aspects of conflict:

- \* The source of the conflict case.
- \* How each conflict case was managed.
- \* What was the outcome.

The researcher then deduced an approach or approaches used.

As it was stated earlier in this chapter, the purpose of these interviews was to consolidate the information which was obtained in documents on the selected conflict cases. These interviews were not meant to discover new conflict cases.

The responses of the interviewee were recorded by the researcher.

### **3.7.1 Interviews with School Principals**

After interviewing the representatives of the teacher organisations the research worker visited the schools which fell within the sample. The principals of these schools were interviewed.

The interview schedule for these principals was completely different from that of the representatives of the teacher organisations. The principal was asked to narrate conflict cases which took place between him and members of his staff.

In each case the principal was asked the following three aspects of conflict:-

- \* Causes of conflict case.
- \* How the case was managed, and
- \* The outcomes.

The researcher recorded each conflict case according to the above mentioned aspects.

Before asking questions the research worker first assured the principal that his name and the name of his school were not recorded by the interviewer. The principal was also asked not to mention the names of the teachers who were involved in conflicts with the principals. All this was done to maintain the confidentiality of the names of the people involved.

### **3.7.2 Interviews with the Superintendents of Education**

These interviews were designed to obtain principal-inspector conflict cases from the inspectors. The inspectors were required to narrate conflict cases which took place between them and the school principals in their district. The mentioning of the names of principals who were involved in conflict with inspectors was discouraged. The interviewer recorded all the conflict cases given by the inspectors.

## **3.8 CATEGORISATION OF DATA**

The conflict cases were categorised into three groups:-

- \* Teacher-principal conflict cases.
- \* Principal-inspector conflict cases.
- \* Conflict cases between the Department of Education and the teacher organisations.

## **3.9 ANALYSIS OF DATA**

Each conflict case was divided into five sections. The first section was the date on which the conflict took place. The second section contained the heading and the full explanation of the case.



In the third section the method(s) used to manage the conflict were given and in the forth column the outcomes of managing conflict were written. The fifth section was entitled the approaches which were used to manage conflict.

### 3.10 CONCLUSION

In this chapter a description of the research method which was used in this investigation was given. It was also stated how and why the document analysis technique was applied in the study. The next chapter will deal with the analysis and the interpretation of the conflict cases.

## **CHAPTER FOUR**

### **ANALYSIS AND INTERPRETATION OF DATA**

#### **4.1 INTRODUCTION**

The purpose of this chapter is to present, analyse and interpret the cases of conflict.

These cases fall into three categories and these categories are:-

- \* Principal - teacher conflict cases.
- \* Principal-inspector conflict cases and
- \* Conflict cases between teacher organisations and the Departments of Education, both national and provincial.

The characteristic approaches of conflict management adopted by teacher organisations, principals, inspectors and other representatives of the Department of Education will be interpreted in this chapter.

## 4.2 PRESENTATION AND ANALYSIS OF TEACHER-DEPARTMENT CONFLICT CASES

### CONFLICT CASE NO. 1

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p><u>Dispute over the increase of teachers' salaries</u></p> <p>Teachers demanded 18% salary increase in 1995. The Department of Education was not prepared to effect any increment in the salaries of teachers. The refusal of the Department to increase teachers' salaries angered the teachers. Teachers responded by staging mass demonstrations on 29 May 1995.</p> <p>(Source: minutes of the Education Labour Relations Council, 29 September 1995)</p>	<p>Negotiations took place between the national Education Department and the following teacher organisations: Natal African Teachers' Union and the Association of Professional Educators of KwaZulu-Natal</p>	<p>After negotiations the Department of Education increased the salaries by 1,4%. Teachers were dissatisfied with 1,4% increase. This money was borrowed from teachers' pension fund.</p>	<p>By demonstrations teachers were using the rights approach. By negotiating both teachers and the Department were using the consensus approach. The Department used its power when it used teachers' pension fund to effect the increment.</p>

## CONFLICT CASE NO. 2

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p>Dispute over the participation of married women in home owner allowance scheme</p> <p>Teachers demanded that married teachers should be allowed to participate in the home owner allowance scheme. The National Department of Education refused to include them in the scheme. This refusal created conflict between teachers and the Department of Education. (Source: Minutes of the Education Labour Relations Council, 29 September 1995).</p>	<p>Negotiations were held between the National Department of Education and the following teacher organisations:-</p> <p>The Natal African Teachers' Union, the Association of Professional Educators of KwaZulu-Natal and the South African Democratic Teachers Union.</p>	<p>The Department agreed to include married women in the scheme.</p> <p>Teachers welcomed the inclusion. Teachers benefited from the deal and they were satisfied with the inclusion.</p>	<p>Both the consensus and power approaches were used in this case.</p>

## CONFLICT CASE NO. 3

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p>Dispute over the redeployment of teachers in excess, in educational institutions.</p> <p>The national education Department decided to redeploy teachers who were in excess in some educational institutions.</p> <p>This became a conflict when all teacher organisations opposed the redeployment while the Department insisted on implementing it.</p> <p>(Source: Minutes of the Education Labour Relations Council, 29 September 1995)</p>	<p>Negotiations between teacher organisations and the National Department of Education took place.</p>	<p>In the negotiations the teacher organisations ultimately agreed to the redeployment of teachers.</p>	<p>Consensus approach was used in this case</p>

## CONFLICT CASE NO. 4

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1994	<p><b>Termination of unqualified teachers</b></p> <p>The dispute was between some area managers of KwaZulu-Natal and the Natal African Teachers Union.</p> <p>At the end of each year these area managers terminated the services of all unqualified teachers in their districts. The above mentioned organisation objected to the termination.</p> <p>They took up the matter with the Provincial Education Department. An agreement was reached that unqualified teachers should not be terminated.</p> <p>Inspite of this agreement some inspectors continued to terminate unqualified teachers.</p> <p>(Source: Minutes of the Natal African Teachers Union, 77th Annual Conference 1995)</p>	<p>Negotiations between the inspectors and the following teacher organisations took place:</p> <p>These are Natal African Teachers Union and the South African Democratic Teachers Union.</p>	<p>An agreement was reached that unqualified teachers should not be terminated, particularly those who were registered and were training as teachers through correspondence.</p>	<p>It appears that the approach which was used in this conflict case was consensus.</p>

## CONFLICT CASE NO. 5

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p>Dispute arising from the appointment of acting principals by some area managers.</p> <p>The Departmental regulation is that an acting principal should be appointed among the staff of the same school.</p> <p>A teacher should not be transferred from one school to act as principal in another school.</p> <p>The conflict was between some area managers and the Natal African Teachers Union.</p> <p>These area managers transferred teachers from their schools and made them act as principals in other schools. The NATU demanded that the process be reversed and acting principals be appointed among the staff of the same schools.</p> <p>(Source: Minutes of the Education Labour Relations Council, 1996)</p>	<p>The matter was negotiated between the KwaZulu-Natal Department of Education and the Natal African Teachers' Union.</p> <p>The area managers who were involved in the conflict were instructed once more to reverse the process of appointing the acting principals.</p>	<p>The process of appointing acting principals was reversed and acting principals were appointed from within the schools.</p> <p>The area managers involved agreed that they had overlooked the regulations regarding the appointment of acting principals.</p>	<p>The refusal of the area managers to reverse the process of appointing acting principals constitutes the use of power approach. Negotiation between the Provincial Department of Education and the Natal African Teachers Union constitutes consensus approach.</p>

## CONFLICT CASE NO. 6

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p>Dispute over the participation of teacher organisations in selection panels for educators' promotion posts</p> <p>The conflict was between the KwaZulu-Natal Department of Education and the following teacher organisations:</p> <p>The Natal African Teachers' Union(NATU) the Association of Professional Educators of KwaZulu-Natal (APEK) and the South African Democratic Teachers' Union(SADTU).</p> <p>These organisations demanded their participation in the selection panels for educators' promotion posts. The Department was against the participation of these organisations. And thus tension took place between the two.</p> <p>(Source: Minutes of NATU one day conference 1995)</p>	<p>Negotiations took place between the KwaZulu- Natal Education Department and the following teacher organisation:- NATU, SADTU, and APEK</p>	<p>The Provincial Education Department agreed to include the teacher organisations in the selection panels for educators' promotion posts.</p> <p>In this situation transparency was introduced to the appointment of teachers. Candidates were selected on merit rather than on favouritism.</p>	<p>The approach which was used in this conflict case was consensus.</p>



## CONFLICT CASE NO. 7

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p><u>Dispute over the posts of directors in the Department of Education</u></p> <p>The central Department of Education announced that the posts of the directors did not fall under educators' posts. All teacher organisations in the country were angered by this move of the Department.</p> <p>The organisations demanded that these posts should be categorised as educators' post since they were to be occupied by educators or superintendents of education.</p> <p>They maintain that a person from outside the teaching profession would be irrelevant in these posts.</p> <p>(Source: minutes of the Education Labour Relations Council meeting in Pretoria, 1996.)</p>	<p>Negotiations took place between the central Education Department and the following teacher organisations:-</p> <p>Natal African Teachers' Union, the Association of Professional Educators of KwaZulu-Natal and the South African Democratic Teachers' Union. The teacher organisations called for arbitration.</p>	<p>The process of arbitration categorised the directors' posts as educators' posts. Teachers were satisfied</p>	<p>When the teacher organisations called for arbitration they used the rights approach.</p> <p>Consensus approach was also used as both parties agreed to negotiate.</p>

## CONFLICT CASE NO. 8

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p>Dispute over the department's introduction of the voluntary severance packages for educators</p> <p>The Central Education Department introduced the severance packages but the Natal African Teachers Union was opposed to the packages.</p> <p>The Union's argument was that in the ex-KwaZulu schools there was a shortage of educators and therefore there was no need to encourage serving teachers to leave the profession.</p> <p>The organisation also doubted if the Department would have sufficient money to pay for the packages.</p> <p>(Source: Minutes of the Education Labour Relations Council meeting in Pretoria 1996)</p>	<p>The matter was negotiated at national level between the Natal African Teachers' Union and the Department of Education. But the NATU did not have the support of the other unions.</p>	<p>The voluntary severance package was not withdrawn.</p>	<p>Since both parties which were involved in the conflict actually negotiated, the consensus approach was used in this conflict case.</p>

## CONFLICT CASE NO. 9

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p><u>Dispute over the increment of teachers' salaries in 1996</u></p> <p>The dispute was between all the teacher organisations in the country and the central Education Department.</p> <p>The teacher organisations still demanded the 18% which the Department failed to effect in 1995.</p> <p>The conflict occurred because the Department was not prepared to effect the increment.</p> <p>(Source: Minutes of the Education Labour Relations Council meeting Pretoria 1996)</p>	<p>Negotiations took place between the Central Department of Education and the teachers' unions. The Department ultimately agreed to increase the teachers' salaries. The increment percent ranged between 10% and 49%.</p>	<p>Teachers' unions accepted the increment which ranged between 10% and 49% according to different pay brackets. These pay brackets appear in the appendix.</p>	<p>The consensus approach was used in this conflict case.</p>

## CONFLICT CASE NO. 10

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p><b>Conflict over the learner: Educator ratios</b></p> <p>The conflict was between National Education Department and all teacher organisations in the country.</p> <p>The teacher organisations demanded a low learner-educator ratio where each teacher would teach thirty pupils and in this way the work of teachers would not be strenuous.</p> <p>On the other hand the Department pressed for the following ratios: Primary school 40:1 Secondary school 35:1 a situation where one teacher would have a large group of pupils to teach (high learner: educator ratio). This argument on teacher-pupil ratio constituted a conflict between the teacher organisations and the Department.</p> <p>(Source: Minutes of the Education Labour Relations Council 29 September 1995 in Pretoria)</p>	<p>Negotiations between the Council and the teacher organisations took place.</p>	<p>An agreement was reached on the guidelines on learner: educator ratios in different types of schools.</p>	<p>By agreeing to negotiate and attempting to solve the problem both parties applied the consensus approach.</p>

### 4.3 PRESENTATION AND ANALYSIS OF CONFLICT CASES BETWEEN THE AREA MANAGER AND PRINCIPALS IN MAHLABATHINI DISTRICT

#### CONFLICT CASE NO. 11

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1993	<p><u>Conflict over the misappropriation of funds</u></p> <p>A school principal used money from the building fund to buy soccer uniform for a soccer team of his school without obtaining permission. The school committee reported the matter to the area manager.</p> <p>The area manager investigated the allegation and found that the money had been misappropriated. The area manager demanded that the principal refund the building fund from his own income.</p> <p>The principal thought there was nothing wrong in the use of building fund to buy soccer uniform. He therefore refused to restore the money. Tension built up between the principal and the area manager.</p> <p>(Source: School principal)</p>	<p>A dialogue took place in the area manager's office between him and the principal.</p> <p>The area manager convinced the principal that what he had done was misappropriation of funds and was punishable in the court of law.</p>	<p>The principal restored the money when he realised that it would be in his own interest to refund the money.</p> <p>Good working relations between the principal and the area manager were restored after the dialogue.</p> <p>The principal was grateful for the clarification he received from the area manager.</p>	<p>Since both the area manager and the principal produced a solution for the misunderstanding between them, it can be said that the consensus approach was used in this conflict case.</p>

## CONFLICT CASE 12

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p><u>Failure to submit monthly income and expenditure returns</u></p> <p>A school principal failed to submit monthly income and expenditure returns. The area manager demanded the returns but the principal still failed to submit the returns.</p> <p>Failure to submit angered the area manager. The principal was also unhappy because the area manager did not teach him how to do returns when he was appointed as principal. He thus blamed the area manager for his inability to do the returns. Tensions ensued between the two.</p> <p>(Source: Principal).</p>	<p>The principal was invited to the area manager's office. During the talks it transpired that the principal did not know how to do the returns.</p> <p>The auditing clerk was instructed to show the principal how to do the returns.</p>	<p>After showing the principal how to process the returns the principal began to submit the returns on time.</p> <p>The tension between the principal and the area manager stopped. They began to work smoothly together.</p>	<p>The area manager used the power approach when he demanded the returns from the principal.</p> <p>When the area manager and the principal held talks in the office they were using the consensus approach.</p>

## CONFLICT CASE 13

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1993	<p>Dispute over the encouragement of irregularities in the examinations</p> <p>An assistant teacher reported to the area manager that the principal (chief invigilator) instructed subject teachers to read questions for Std 10 candidates and also to give answers.</p> <p>The area manager investigated the matter and found that what was said about the principal was true. The area manager was angry with the principal and charged him with misconduct for interfering with the education norm.</p> <p>(Source: Superintendent of education)</p>	<p>The area manager recommended a transfer with demotion for the principal.</p> <p>The Department of Education agreed. The principal was demoted for showing irresponsibility as a chief invigilator.</p>	<p>The transfer and the demotion did not remove the source of conflict between the principal and the area manager.</p>	<p>When transferring and demoting the principal, the area manager was exercising the power approach to the conflict.</p>

## CONFLICT CASE 14

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1994	<p><u>Conflict over dishonoured school cheque</u></p> <p>A school principal signed a cheque from his school cheque book. The cheque was dishonoured by the bank because there was no money in the school account. The builder to whom the cheque was payable reported the matter to the school committee.</p> <p>The school committee in turn informed the area manager about the dishonoured cheque and the bank charges which were demanded by the bank.</p> <p>The builder too demanded his payment. The conflict began when the principal failed to pay the builder and the bank charges on the area manager's instructions.</p> <p>The principal argued that he was not aware that there was no money in the school account. (Source: Superintendent of education).</p>	<p>The area manager charged the principal with misconduct and recommended a transfer of the principal to another school.</p>	<p>The transfer did not resolve the conflict between the principal and the area manager.</p>	<p>By transferring the principal, the area manager was using the power approach to resolve the conflict.</p>



## CONFLICT CASE 15

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1993	<p><u>Conflict over the salary cheque which was cashed before time</u></p> <p>The area manager usually released teachers' salary cheques one or two days before the actual pay day at the end of each month.</p> <p>One principal cashed his cheque in a local shop two days before the date appearing on the cheque.</p> <p>The local shop in turn tried to cash the cheque in the bank on the same day which was two days before the date on the cheque.</p> <p>The bank refused the cheque. The shop manager reported the matter to the area manager as the principal had disappeared with cash. The area manager was so angry with the principal that he decided to retain the cheques for the whole school and to release them on the pay day in future.</p> <p>The school was a long way from the district office and there was no transport to rush the cheques to reach the school on time.</p> <p>(Source: Superintendent of Education).</p>	<p>The area manager withheld the cheques and released them on the pay day.</p> <p>No efforts were made to manage the conflict between the staff and the district office. The management part of this conflict was avoided.</p>	<p>The whole staff of the school remained unhappy with the area manager's decision because sometimes the cheques reached the school late on the pay day or the following day.</p>	<p>By keeping the school's salary cheques until the last day, the area manager was applying the power approach to conflict management.</p>

## CONFLICT CASE 16

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1996	<p><b>Conflict arising from the principal's persistent absenteeism</b></p> <p>A school principal was often absent from school. Whenever the area manager sent an instruction to him, he would often respond after the deadline because he was usually away from school and he would receive the instructions late.</p> <p>The response of the principal angered the area manager, particularly when he discovered that the cause of the late response was his being absent from school.</p> <p>(Source: Principal)</p>	<p>The area manager called the principal to his office and warned him very strongly never to be absent again. If he absented himself again he would lose his job as a principal.</p>	<p>After warnings by the area manager the principal was never absent again. He also began to submit his returns on time. Good working relations between the principal and the area manager were restored.</p>	<p>By threatening the principal with dismissal the area manager was using the power approach to manage the conflict.</p>

## CONFLICT CASE 17

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1993	<p><u>Dispute over the employment of 3 unqualified teachers</u></p> <p>A school principal admitted more pupils than his staff could handle at the beginning of the year. He then appointed three more unqualified teachers in order to ease the overload on his staff. But there were no vacant posts in his school.</p> <p>The principal believed that the area manager would be influenced by the high enrolment and therefore grant three new posts to the school.</p> <p>Unfortunately the area manager was not aware of the three new teachers who were employed in the school. During the third quarter of the same year the three teachers visited the area manager's office and complained that they had were working without pay.</p> <p>The area manger was furious with the principal for appointing teachers where there were no approved posts.</p> <p>(Source: Area Manager)</p>	<p>The area manager reported the matter to the head office. He requested the head office to pay the salaries of the three teachers. The area manager further recommended that the principal be demoted.</p>	<p>The head office responded by paying salaries of the teachers and transferring the principal to a smaller school.</p>	<p>Both the area manager and the head office used power approach to the conflict.</p>

## CONFLICT CASE 18

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	<p>Dispute arising from the principal's failure to attend meetings and workshops</p> <p>A school principal was addicted to intoxicating drugs. As a drug addict he was uncomfortable when he found himself among his senior officials such as inspectors.</p> <p>Therefore he dodged workshops and meetings organised by the area manager.</p> <p>The conflict between this principal and the area manager grew when the principal failed to attend the workshops even after an instruction from the area manager to attend.</p> <p>(Source: School principal)</p>	<p>The principal was called to the area manager's office. The area manager gave him the last warning to stop using drugs or face dismissal. The principal did not stop using drugs and he was dismissed.</p>	<p>Warnings and dismissals did not remove the principal-inspector conflict. The principal did not stop using drugs even after dismissal.</p>	<p>Both warnings and dismissal are power approaches to the conflict.</p>

## CONFLICT CASE 19

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1994	<p><u>Dispute over the late submission of quarterly returns</u></p> <p>A new principal was unable to fill in the quarterly returns and was therefore always late to submit the returns. The area manager was annoyed by the late submission because he had to wait for the principal to submit before drawing a summary for the district.</p> <p>This caused the area manager to overstep the deadlines for submitting to the head office. Conflict began to grow between the area manager and the principal. On investigating the matter the area manager discovered that the principal did not know how to fill in the returns.</p> <p>(Source: Inspector)</p>	<p>The area manager instructed one of the superintendents of education to teach the principal how to do the quarterly returns.</p>	<p>After being taught how to do the quarterly returns the principal was never late to submit the quarterly returns of his school again.</p> <p>Good working relations between the principal and the area manager were restored.</p>	<p>Teaching the principal how to fill the quarterly returns is a consensus approach which was used by the area manager.</p>

## CONFLICT CASE 20

	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1993	<p><u>Conflict over the appointment of a new teacher</u></p> <p>The area manager appointed a new teacher for a primary school which had a vacant post. When the teacher came to the school to assume duties, the principal and the school committee chairperson told the teacher that he was not accepted as a teacher in this school and was sent back to the area manager to find another school for him.</p> <p>The reason was that the committee chairperson and the principal knew that this teacher had been dismissed from another district for misconduct.</p> <p>Seemingly the area manager did not know this teacher. The area manager was annoyed by the behaviour of the principal and the chairperson and conflictual relationship developed between the area manager on one hand, and the principal and chairperson on the other.</p> <p>(Source: Principal).</p>	<p>The area manager visited the school to find out why the teacher had been refused.</p> <p>When he was told that the teacher had been dismissed from another school for misconduct, he instructed the principal that the teacher would be kept on probation for a year.</p> <p>He further promised the principal that the teacher was going to reform. The principal and the chairperson regarded this as the imposition of this man upon their school by the area manager.</p>	<p>The teacher was kept in the school, but the principal was unhappy with the area manager</p>	<p>By imposing the teacher upon the school the area manager was using the power approach.</p>

## CONFLICT CASE NO. 21

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1996	Dispute over the use of corporal punishment.			
	<p>A school principal continued to use corporal punishment even after its abolition by the government.</p> <p>The area manager was angry with the principal because he feared that the use of corporal punishment would cause riots in his district.</p> <p>But the principal believed that corporal punishment was the best method of maintaining discipline in his school. Tension thus developed between the principal and the area manager.</p> <p>(Source: Principal)</p>	<p>The area manager held talks with the principal and convinced him that corporal punishment had to be discontinued because the government had abolished it.</p> <p>The principal was also told that corporal punishment had more disadvantages than advantages, since it can create teacher - pupil conflict.</p>	<p>The principal discontinued using corporal punishment in his school.</p> <p>The conflict between the principal and the area manager came to an end because corporal punishment which was the cause of conflict was stopped.</p>	<p>The consensus approach was used to manage this conflict case.</p>

## CONFLICT CASE NO 22.

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1995	<p>Dispute arising from discouraging remarks during an inspection</p> <p>A panel of inspectors held an inspection in a school. After the inspection the principal wrote a letter to the area manager complaining that some members of the panel made rude, discouraging remarks to the teachers during the inspection.</p> <p>The principal explained to the area manager that she was bitter about the remarks because these remarks served only to discourage the teachers.</p> <p>She wanted the panel to apologise to her and her staff for the remarks. Initially the panel was not keen to apologise. (Source: Inspector).</p>	<p>Negotiations were held between the school and the area manager.</p> <p>During the talks the principal threatened to brief her teacher organisation.</p> <p>The inspectors apologised and the conflict was resolved before the teacher's union was involved.</p>	<p>After negotiations both parties were satisfied and the conflict was thus resolved.</p> <p>Good working relations were restored after the apology was made by the inspectors.</p>	<p>When the two parties came together to talk they were using the consensus approach.</p> <p>When the principal threatened to involve her teachers' union, she was using the rights approach.</p>



4.4 PRESENTATION AND ANALYSIS OF THE TEACHER-PRINCIPAL CONFLICT CASES IN  
MAHLABATHINI DISTRICT

CONFLICT CASE NO. 23.

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1993	<p><u>Conflict arising from a teachers' lack of punctuality</u></p> <p>An assistant teacher was late for school every Monday morning.</p> <p>The principal was against this behaviour, but the teacher was persistently late for school in spite of the principal's warning to stop coming late.</p> <p>The principal was cross with the teacher. He argued that the teacher was a bad example to both pupils and other teachers. (Source: Principal).</p>	<p>The principal invited the teacher to his office for talks on her late coming.</p> <p>The principal discovered that the teacher used to visit her home which was more than 100km away for the school. On Mondays there was no public transport to take her to school.</p> <p>She hiked her way back to school and was always late on Mondays. The principal advised her to return on Sundays.</p>	<p>The assistant teacher agreed to return from home on Sundays.</p> <p>Late coming stopped and the conflict was thus resolved between the principal and the teacher.</p>	<p>When the principal and the assistant teacher came together to talk, they were using the consensus approach.</p>

## CONFLICT CASE No. 24

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1995	<p><u>Conflict arising from the misuse of pupils' money.</u></p> <p>A school teacher who was a sports organiser collected money from soccer players. The money was intended to be used to bus the soccer team to another school where a friendly match was to be held between the two schools.</p> <p>The trip was a failure and the pupils demanded their money back. The teacher was unable to refund the money.</p> <p>When the principal instructed the teacher to return the pupils' money, the teacher failed to do so.</p> <p>The principal was angry because he feared that riots might begin in the school. He reprimanded and pressurized the teacher to refund the pupils' money. The conflict built up between them.</p> <p>(Source: Principal).</p>	<p>The principal reprimanded the teacher and ordered him to refund the money immediately.</p> <p>When the teacher failed to pay immediately the principal instructed him to pay the whole amount during the following month end.</p> <p>The principal recommended a transfer for the teacher. He argued that this teacher would never be trusted again by both the parents and their children in this school.</p>	<p>The teacher refunded the money and he was transferred to another school.</p>	<p>The principal was using the power approach when he transferred the teacher and also when he reprimanded the teacher.</p>

## CONFLICT CASE No. 25

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1993	Conflict over the use of corporal punishment.			
	<p>A school teacher used to give corporal punishment to pupils. The principal told him to stop punishing pupils corporally.</p> <p>The teacher did not stop. The principal reprimanded the teacher and the teacher became angry with the principal because the teacher believed that corporal punishment was the only method of maintaining discipline in the classroom.</p> <p>That is how conflict began between the principal and his assistant teacher. (Source: Principal).</p>	<p>The principal told the teacher to stop inflicting corporal punishment. He did not stop.</p> <p>The teacher was then called to the principals' office. The principal outlined the negative effects of corporal punishment and was also informed that this kind of punishment had been banned by the government.</p>	<p>In the dialogue the principal managed to convince the teacher that corporal punishment was not the best way to keep discipline in the classroom.</p> <p>This ended the conflict between the two since corporal punishment which was the source of conflict was no longer used.</p>	<p>When the principal and the teacher held a dialogue, they were using the consensus approach.</p>

## CONFLICT CASE No. 26

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1996	Dispute over the use of liquor during working hours.			
	<p>A male teacher sometimes became drunk during school hours. The work of this teacher deteriorated. The principal told him to stop drinking immediately.</p> <p>The teacher did not stop. Both the principal and the school committee were cross with the teacher.</p> <p>They said that the teacher was not a good example to the pupils. (Source : Principal).</p>	<p>After building a case against the teacher, the principal recommended a transfer for the teacher.</p> <p>The area manager transferred the teacher to another school in the same district.</p>	<p>The transfer did not help the teacher to stop drinking.</p>	<p>In transferring the teacher the area manager was using power approach.</p>

## CONFLICT CASE No. 27

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1996	Conflict arising from a teacher's failure to do his duties.			
	<p>A teacher failed to do his daily preparation and marking of pupils' work. The principal demanded that the teacher should perform his duties.</p> <p>The teacher was not prepared to improve his work. Therefore, tension between the principal and the teacher grew.</p> <p>The principal investigated the matter and found that the teacher did not have proper accommodation.</p> <p>He was a lodger in a crowded home therefore, could not do marking and daily preparations after school.</p> <p>(Source : Inspector).</p>	<p>The principal together with the school committee chairperson found a better accommodation for the teacher and removed him from the crowded home.</p>	<p>The work of the teacher improved and thus the conflict between the teacher and the principal was resolved.</p>	<p>The school chairperson and the principal used the consensus approach when they looked for accommodation for the teacher.</p>

## CONFLICT CASE No. 28

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1994	Dispute over a teacher's salary			
	<p>A lady who was a matriculant and without employment offered to assist the local school principal by teaching in the school without pay.</p> <p>After three months the lady began to demand pay from the principal. The principal tried to dismiss the lady but the lady was supported by some members of the community.</p> <p>These members argued that one of the unqualified teachers who did not belong to that community should resign and her post be given to the local lady. They threaten the principal with violence. (Source: Principal).</p>	<p>The principal and the school committee chairperson reported the matter to the local headman.</p> <p>The headman instructed the lady to stop offering assistance to the school and should never come to the school again.</p> <p>The lady was also told that if she is seen in the school again she would be charged for trespass.</p>	<p>The lady complied with the headman's instruction and there was peace in the school again.</p>	<p>The chairperson and the principal used the rights approach, when they appealed to the headman and asked him to remove the local lady from the school.</p> <p>The headman used power approach.</p>

## CONFLICT CASE No. 29

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1993	Conflict over the school policy.			
	<p>A new principal assumed duties in January. He alone drew up the school policy. This policy was not communicated to teaches and pupils.</p> <p>At the end of the second month all teachers were unhappy with the principal, because he was always complaining that the teachers were not working according to the school policy.</p> <p>Tension grew because the principal wanted the teachers to follow the school policy yet teachers did not know the school policy. (Source : Principal).</p>	<p>When the principal realised that the teachers did not know the school policy he called the staff meeting and began to communicate the policy to the staff.</p> <p>The principal also tendered an apology for taking for granted that the teachers knew the school policy when they did not know it.</p> <p>The principal further asked the staff to make adjustments in the policy where they thought it was necessary.</p>	<p>After the meeting teachers were happy because they knew how to do things in the school.</p> <p>They were also allowed to have an input in the formulation of the policy.</p>	<p>By calling a meeting and having discussion , the principal was applying the consensus approach.</p>

## CONFLICT CASE No. 30

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1996	<p><u>Conflict arising from the use of corporal punishment</u></p> <p>A class teacher refused to inflict corporal punishment to late comers on the instructions of the principal.</p> <p>The principal was cross with the teacher for letting down the discipline of the school. The principal was not aware of the ban on corporal punishment by the government. (Source : Principal).</p>	<p>The teacher visited the principal in his office and first apologised for not complying with the principal's instruction to punish late comers.</p> <p>The teacher then politely informed the principal about the ban which had been imposed by the government on corporal punishment.</p>	<p>The principal was grateful for the new information from the teacher.</p> <p>Both the principal and the teacher were happy and the conflict was thus resolved between two people.</p>	<p>By visiting the principal in his office and holding polite talks with him the teacher was applying the consensus approach to the conflict.</p>



## CONFLICT CASE NO. 31

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1993	<u>Conflict over the shortage of resources.</u>			
	<p>The conflict was between the principal and three teachers who taught General Science. The school had no science equipment. The teachers could not do experiments for their pupils. They turned to the principal and asked him to buy the science equipment for the school. There was no money for this purpose. The teachers kept on demanding that the principal buys the equipment from school fund. Parents could not raise funds for science equipment. The conflict came to the head when the three teachers refused to continue teaching science. They said it was practically impossible to teach science without equipment.</p> <p>(Source : Principal)</p>	<p>The principal held talks with the three teachers. The principal asked the teachers to teach parts which could be taught without equipment and where equipment was necessary he asked the teachers to improvise as much as it was possible to improvise. He promised that the school was going to add money for the equipment in the budget for the following year.</p>	<p>The teachers were convinced by the principal's suggestions and agreed to improvise. The principal also added money for science equipment in the budget for the following year.</p>	<p>In this conflict case the Principal used consensus approach.</p>

## CONFLICT CASE NO. 32

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES USED
1995	A dispute arising from the use of teaching periods for choir rehearsals by the music organiser.			
	<p>During the season for music competition, the school music organiser began to use other teacher's teaching periods for choir rehearsals. The principal was against this practice but the teacher continued using these periods inspite of the principals warnings. The music organiser's argument was that if the choir won in the competition, good reputation would belong to the school as a whole and therefore the principal and other teachers should surrender their teaching time to be used for rehearsals for the choir in order to win in the competition. This was not acceptable to the principal. Thus conflict began between the music organiser and the principal. Conflict intensified when the organiser influenced the choristers to defy the principal's instructions to stop rehearsing as soon as the bell rings after breaks.</p> <p>(Source : Principal)</p>	<p>The Principal reported the matter to the school committee and to the area manager. He also recommended the dismissal of the organiser from the school for inciting the choristers to stage a strike in the school. The music organiser was transferred from the school.</p>	<p>After the transfer of the music organiser teaching periods were no longer used for rehearsals and probably the strike was avoided. There was no one to organise the choir and to conduct it. The school choir thus disintegrated.</p>	<p>The Principal and the school committee were using their power when they recommended the dismissal of the music organiser. They were using their rights to manage school matters. The area Manager was using the power approach when he transferred the music organiser.</p>

## CONFLICT CASE NO. 33

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1994	Conflict arising from teaching on weekends and holidays			
	<p>A standard 10 History Teacher began to ask his pupils to come to school on weekends to attend lessons. He motivated the kids by telling them that their history results would improve at the end of the year. This teacher gained support of some parents. The principal instructed the teacher to stop asking pupils to come to school on weekends and holidays. The principal's argument was that teaching on holidays and weekends was taxing to pupils who stayed far from school and also to parents whose children were lodgers in private homes. These parents had to pay rent even during holidays. The principal also stated that there had been no disturbance which might warrant the use of weekends and holidays for teaching. The conflict grew when the teacher refused to comply with the principal's instructions.</p> <p>(Source : Principal)</p>	<p>The Principal reprimanded the teacher and told him to stop teaching on weekends and holidays.</p> <p>When the teacher continued to teach on weekends the principals called him to his office and told him that teaching on weekends and holidays had more disadvantages than benefits.</p>	<p>After negotiations the teacher was convinced that the teaching periods on the time table were sufficient and good examination results could be obtained if these teaching periods were used properly. He therefore stopped using weekends and holidays for teaching. The removal of the cause of conflict brought an end to the conflict between the teacher and the principal.</p>	<p>Reprimanding the teacher and telling him to stop teaching on weekends with immediate effect is power approach.</p> <p>The principal also used consensus approach when he negotiated with the teacher.</p>

## CONFLICT CASE NO. 34

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1996	<u>Conflict between the principal and teachers who were furthering their studies</u>			
	<p>A group of five teachers in a school were improving their academic qualification through private study. The principal was not against this undertaking. But conflict between the principal and these teachers began when they began to dodge their classes in order to write their assignments.</p> <p>The conflict reached its climax when all five teachers demanded study leaves for six weeks each to prepare for examinations. The principal refused to recommend these leaves because there would be no one to conduct examinations in their classes and children would be left alone. The teachers began to absent themselves without any permission or approval of their leave.</p> <p>(Source : Principal)</p>	<p>The principal built cases against these teachers by recording all their behaviour in detail. He submitted these reports to the school committee and the area manager. He recommended disciplinary action for the teachers.</p>	<p>The Department of Education responded by deduction from their monthly salaries the amount of money for the number of days on which they were absent.</p>	<p>Recommending disciplinary action was a rights approach. Deduction from the teachers salaries by the Department was the power approach.</p>

## CONFLICT CASE NO. 35

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1993	Dispute over the dismissing of an unqualified teacher who had nine year service			
	<p>A new principal assumed duties at a school in January. When he realised that there were many newly qualified teachers from colleges of education, looking for teaching posts, he instructed an unqualified teacher who had served for 9 years in this school to write a resignation letter because he was unqualified and therefore temporary in the post. The teacher refused to resign. The teacher reported the matter to the school committee. The principal was unhappy with this behaviour and the conflict thus began.</p>	<p>The school committee told the principal in no uncertain terms that they would not allow him to dismiss the teacher as she was doing excellent work as a teacher in the school.</p>	<p>The teacher was not dismissed. The unqualified teacher was happy but the principal was not happy since he lost the case.</p>	<p>When the teacher reported the matter to the committee, she was using the rights approach. The committee used its power not to terminate the unqualified teacher.</p>

## CONFLICT CASE NO. 36

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
1995	Conflict arising from the misappropriation of school funds.			
	<p>The conflict was between a class teacher and the principal. The class teacher collected money from his pupils. Receipts were not issued to the pupils who paid school fund. The teacher promised them their receipts on following day. The whole week passed without the receipts being given to pupils and the parents reported the matter to the principal. The principal was annoyed by the behaviour of this teacher. The parents were also angry with the class teacher. The principal instructed the class teacher to issue receipts to pupils and submit the money to him with immediate effect. The receipts were issued to the pupils but money was not submitted to the principal. Tension ensued between the teacher and the principal.</p> <p>(Source : Principal)</p>	<p>When the class teacher failed to submit money to the principal. The principal reported the matter to the school committee. The school committee took the matter to the court of law. The class teacher was instructed by the court to pay the money together with the charges incurred during the legal action.</p>	<p>The parent's money was restored but relationship between the teacher and the principal remained strained.</p>	<p>The school committee used the rights approach when they took legal action.</p>

## CONFLICT CASE NO. 37

YEAR	CONFLICT CASE	MANAGEMENT	OUTCOMES	APPROACHES
	<u>Conflict over whether prayers should be conducted at school or not</u>			
	<p>The conflict was between the school principal and two class teachers. The principal drew the school policy which includes morning and afternoon prayers for all classes. Class teachers, according to the policy were supposed to conduct prayers in their classes before teaching began in the morning and also when they close in the afternoon. These two teachers refused to conduct prayers in their classes. They maintained that praying in the government institutions was optional. They were not keen on praying in the morning in their classes. Therefore they need not be forced to conduct prayers in their classes. The parents also wanted prayers to be conducted.</p> <p>(Source : Principal)</p>	<p>The principal called the two teachers to his office and held talks with them. He told the teachers that it is the wish of the parents that the prayers should be carried out in the school. Therefore it was the owners of the school that made it compulsory to hold prayers. Teachers as employees had no choice but to comply.</p>	<p>The two teachers agreed to conduct prayers in their classes.</p> <p>Since there there is no evidence that these teachers changed their views, regarding morning prayers in classrooms, it seems they conformed to the principal's instructions.</p>	<p>The principal used the power of his position, it seems, to make teacher conduct morning prayers.</p>

## **4.5 CONFLICT MANAGEMENT BETWEEN TEACHER ORGANISATIONS AND THE DEPARTMENT OF EDUCATION**

### **4.5.1 The most commonly used approaches at the beginning of conflict**

At the beginning of a conflict, teacher organisations are inclined to use either the rights or the power approach to manage conflict. This can be observed in conflict cases 1, 2, 5, 6, 7 and 9.

### **4.5.2 The outcomes of the rights and the power approaches of conflict management**

It seems that both the rights and the power approaches which were used at the beginning of the conflicts did not yield the expected results. Instead of resolving conflict these two approaches helped to intensify the conflicts. Once the conflict grew to a dangerous level (dysfunctional level), a need was strongly felt to look for effective approaches to manage the conflict. The participants then turned to the consensus approach, in the form of negotiation.

### **4.5.3 The most commonly used methods during the process of conflict management.**

The process of negotiation was used to manage all the ten conflict cases between the Department of Education and the teacher organisations. Negotiation as a process falls under the consensus approach. All the ten cases were managed successfully, that is, for each conflict case an agreement was reached between the teacher organisations and the Department of Education.

### **4.5.4 The combination of approaches used to manage teacher-department conflict.**

The researcher has observed that while teacher organisations and the Department of Education used one approach to conflict management, sometimes a combination of approaches is used to manage conflict.



In conflict case no. 1 all three approaches, namely power, rights and consensus approaches were used to manage one conflict case.

Conflict cases 2, 5, 6, 7 and 9 are examples where a combination of two approaches was used. As it was mentioned earlier in this chapter, in all the above cases the rights and the power approaches were used at the beginning of the conflict and when these approaches failed to resolve conflict, the participants turned to the process of negotiation.

#### **4.5.5 Benefit for the power approach in managing conflict**

There is a benefit for a power approach to managing conflict. When teacher organisations down tools or use any form of power to manage conflict with the department, what seems to happen is that the process of negotiation with the department is speeded up. It can be assumed that escalating conflict to some degree, has some benefits especially for parties who are aggrieved or perceive themselves as such, such as teacher organisations.

### **4.6 THE PRINCIPAL - SUPERINTENDENT CONFLICT CASES**

#### **4.6.1 The most commonly used approaches at the beginning of the conflict**

The most commonly used approaches at the beginning of the conflict are power and rights approaches. The evidence of this can be seen in conflict cases 12, 13, 14, 15, 16, 20 and 21.

These two approaches did not produce positive results but contributed towards intensifying the conflict. The participants then turned to negotiations. For example, conflict cases numbers 12, 16 and 22. In conflict cases 13, 14, 15, and 20 the power approach was used to manage the conflict. In these cases principals were either transferred or demoted.

#### **4.6.2 Main outcomes of the rights and the power approaches, in principal - area manager conflict.**

Both the power and the rights approaches did not often produce positive results. Transfers and demotions did not remove the conflict between the area manager and the principal.

#### **4.6.3 The role of negotiation**

Six out of twelve principal-area manager conflict cases were managed through negotiations. This constitutes 50% of the cases. These are cases 11, 12, 16, 19, 22 and 21.

Conflict cases 13, 14, 15, 17, 18 and 20 were subjected to the power approach. These cases also constitute 50% of the 12 cases which were managed between the principals and the area manager of Mahlabathini District.

#### **4.6.4 General outcomes of the methods used to manage conflicts**

Where negotiation was used to manage the conflicts, the results were positive. That is, the conflict was resolved and good working relations were restored between the principal and the area manager. The assumption that consensus approaches of managing conflict are more useful in employer-employee relations in education, than power and rights approaches is confirmed.

The other six cases where the power approach was used were not resolved. The conflict between the principal and the area manager remained, even after the transfer or demotion of the principal.

## **4.7 TEACHER-PRINCIPAL CONFLICT CASES**

### **4.7.1 The most commonly used approaches in managing conflict**

There were fifteen teacher-principal conflict cases which were managed by some principals of Mahlabathini District.

The consensus approach was used in seven conflict cases. These are cases 23, 25, 27, 29, 30, 31 and 33. This approach yielded positive results.

In conflict cases 24, 26, 32, 34, 35 and 37 power approach was applied. In these six cases the teachers were reprimanded and transferred. Reprimand and transfers did not resolve the conflict between the teacher and the principal. Transfers only separated the two people.

In conflict case 28, the school committee used the rights approach when it asked the Induna (headman) to remove the unqualified teacher from the school. This removal also separated the principal and the teacher but the conflict between them remained.

## **4.8 STRENGTHS AND WEAKNESSES OF EACH APPROACH**

While it appears that consensus has enabled parties to resolve most cases, the other approaches to conflict management seem to have some benefits as well. In conflict cases 17 and 18, for instance, the power approach seems to have been appropriately used, given the situation. Yet, as has been shown in a number of other cases where the power approach was used, the source of conflict was smoothed over. From the above observation, it is clear that a diagnosis of each conflict situation is critical as a basis for the determination of the most appropriate approach to conflict management.

## 4.9 CONCLUSION

In this chapter conflict cases have been analysed. These cases were categorised into three. The categories include conflict cases between teachers and principals, between principals and area manager and between the Department and teacher organisations.

The chapter also identifies three different approaches which are applied in managing staff-employer conflict. These were rights, power and consensus approaches. It also highlighted common outcomes for each approach. The next chapter draws conclusions from the whole research project.

## **CHAPTER FIVE**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 INTRODUCTION**

This study has focused on patterns of the management and resolution of conflict which takes place between teachers and principals, principals and superintendents of education and between the Department of Education and the teacher organisations in KwaZulu-Natal. The aim of the research was to determine the approaches which are used in managing interpersonal conflict between the above mentioned groups. The study also sought to establish the effects of the approaches used in conflict resolution. The researcher will now draw conclusions from the whole study, then make recommendations.

#### **5.2 CONCLUSIONS**

- a. Teacher organisations use confrontational methods at the initial stages of conflict management.**

At initial stages of conflict, teacher organisations are inclined to use either power or rights approach to manage conflict. Examples of these two approaches are demands, demonstrations, strikes and the go-slows.

- b. Superintendents of education and some principals tend to use power approach to manage conflict.**

Superintendents of education and some principals who were interviewed also show the tendency of using power approach when they deal with their subordinates.

Out of the twelve conflict cases which were dealt with by the area manager of Mahlabathini, for example, nine were managed through power approach.

School principals also have the tendency of using confrontational methods when they manage conflict between themselves and their assistant teachers. Fifty percent of the conflict cases which were managed by Mahlabathini school principals were managed through power approach. On the whole, the use of power approaches, seem to satisfy the needs of the party which uses such an approach. For example, when superintendents transfer teachers, because of the power of their position. Such an approach often makes it difficult for the needs of the other party to be satisfied. This however, is not to suggest that power approaches do not have a place in conflict management.

**c. The current form of collective bargaining is culturally foreign to predominantly african schools**

When teachers bargain collectively they confront the Department officials in a culturally unacceptable fashion. They make demands to their seniors and take a positional stand which is antithetical to the respect for authority which African culture encourages. This seems to create a gap between younger teachers and their seniors.

**d. The current form of collective bargaining creates a we-versus-them attitude as pointed out above**

When teachers are in conflict with the Department of Education there seems to be a we (teachers) versus them (Department) approach. Principals are very often lumped in the "them" category. This polarisation threatens the unity of the educators and administrators, and creates a situation which threatens the smooth running of education. Tensions between principals and teachers are likely to affect the climate and team work in the school.

**e. Negotiation tend to lead to a resolution of conflict**

This study concludes that negotiations tend to constitute the most useful method in conflict management. The evidence of this is found in the conflict cases which were analysed in chapter four. There were thirty eight conflict cases and out of these twenty four were resolved successfully through negotiations. This number constitutes sixty five percent of the cases handled. The first assumption in this study, namely that consensus approaches are more useful in employer-employee relations in education is thus upheld. It is thus evident that consensus approaches need to be encouraged for they seem to meet the satisfaction of the needs of teachers and employers and indirectly students.

**f. The education labour relations act has supported teacher organisations and employers to negotiate**

It is obvious from the above paragraphs that the Department of Education, teacher organisations, superintendents of education and school principals espouse negotiations above all other methods of managing conflict. This can be attributed to the Education Labour Relations Act (Act no. 146 of 1993) which elevated negotiation as the primary process to be used in staff-employer conflict management. This study therefore, concludes that the Act has made a visible impact on all stake holders in education concerning conflict management.

**g. Conditions of service for teachers seem to promote staff-employer conflict**

The researcher concludes that poor conditions of service for teachers such as poor salaries and lack of facilities contribute to staff-employer conflict in the Department of Education. Conflict cases 1, 2, 4, 5, 8, 9, 10 15, 26 and 30 are examples of conflict which occurred as a result of poor conditions of service for teachers.

**h. There is a culture of entitlement which emerges among teachers**

There has developed a culture of demanding among a significant population of South Africans including teachers. Teachers manifest elements of this culture by demanding different resources from the department, probably with a belief that they are entitled to these resources.

Some teachers in KwaZulu-Natal, for example demanded security and better salaries from the Department of Education. While teachers might have a right to demand, it is not clear how such a culture affects education generally.

**i. Teachers need to understand that learning is a process.**

Some teachers teach for long hours over weekends, in an attempt to make up for lost or allegedly inadequate regular teaching time. While this commitment from teachers is commendable, it also needs to be observed that teaching and learning are processes. Students, it is felt can absorb and digest portions at work at a time. It may thus be counter productive to teach for extended periods.

### **5.3 RECOMMENDATIONS DIRECTED TO PRINCIPALS AND TEACHERS**

**a. Channels of communication between teachers and principals must be established**

School principals should communicate their school policies to their staff. Teachers need to know and understand the policies of their schools. When the researcher visited schools it appeared that there was little communication between teachers and principals. Furthermore, in a number of schools teachers were not clear on what the school policy was.



**b. Teachers and principals need to be trained in conflict management methods**

Principals need to be acquainted with various methods of conflict management. Among others, are the win-win or consensus approaches which are found in processes such as negotiation, mediation, integrative decision making and facilitation.

**c. Principals must also be engaged in preventive conflict management**

School principals should take precautions to prevent unnecessary teacher-principal conflict before it occurs. Principals can do this by practising effective school management.

**d. Principals and teachers need to learn alternative methods of discipline**

It has been shown in this study that corporal punishment can stimulate conflict in a school. It is recommended therefore, that teachers and principals find alternative ways of exercising discipline in their schools.

**e. Principals need in-service courses in school management**

In service courses for principals in school management need to be organised on regular basis. In these courses principals should be encouraged to use own conflict cases, as data for workshops. These could be cases of conflict which they find to be difficult to manage in their schools. These cases should be discussed with the aim of empowering principals to resolve them.

**f. Teachers right need not encroach on pupils rights**

When teachers fight for their rights or interests, such as salaries or studies, their behaviour sometimes conflict with the students right.

It is felt that students rights to learn must be secured even when teachers fight for theirs.

#### **5.4 RECOMMENDATIONS DIRECTED TO SUPERINTENDENTS OF EDUCATION**

- a. Superintendents of education need to review the application of power approach to conflict management**

Power approach often fails to manage conflict successfully. This can be seen in conflict cases 13, 14, 15, 17 and 18. Instead of using power approach the researcher recommends the use of win-win approaches of resolving conflicts by the superintendents of education.

- b. Superintendents of education need to pay guidance visits to schools in their circuits**

Superintendents of education should visit their schools on regular basis to give guidance and support to principals and teachers on how to carry out their duties effectively as educators.

- c. Superintendents of education need to learn creative ways of managing their areas.**

It seems that quite a few superintendents are still caught up in authoritarian and dictatorial tendencies when dealing with principals. The new emphasis on democratic but accountable leadership need to be inculcated among superintendents as well. A new title of superintendent, which replaces inspector alone, is inadequate to promote better practice by superintendents.

#### **5.5 RECOMMENDATIONS DIRECTED TO TEACHER ORGANISATIONS**

- a. Teacher organisations should establish codes of conduct for their members**

*Teachers' unions should encourage their members to practise professional conduct.*

The inculcation of the codes of conduct should be handled first at colleges of education for student teachers and also through in service courses for serving teachers. It should be an on-going process to which all educators are exposed throughout their teaching career. Conflict cases 11, 12, 15, 16, 18, 23, 26, 27 and 28 suggest that misconduct of educators can create conflict.

**b. Teacher organisations must establish creative methods of conflict management**

Teacher organisations need to explore alternative methods of bargaining which are not confrontational in nature. While appreciating the way teacher organisations safeguard the interests and the rights of their members, the researcher recommends that these organisations should guard against the use of confrontational methods which cause conflict to be dysfunctional.

**c. Teachers' unions must ensure that teaching and learning receive equal attention as pursuits of matters related to teacher interest**

Traditionally teacher organisations are established to fight for the favourable conditions of service for members and to promote quality education. However, with the pursuit of teacher interest in South Africa, it appears that members of some teacher organisations do not equally demonstrate commitment to students' interest. When teachers go on strike for days and there are no coherent plans to provide for students' learning, it appears that there is conflict between teachers' interests in themselves on one hand and in students learning on the other.

**5.6 RECOMMENDATIONS DIRECTED TO THE DEPARTMENT OF EDUCATION**

**a. The Department must involve teachers in major decisions which affect their lives**

The Department of Education should always involve teacher organisations when taking major decisions concerning the policy of the department.

The department should avoid deciding unilaterally and imposing its decisions upon teachers. If teachers are not involved in the decision making they tend to reject the decision and make it difficult for the Department to implement it. Conflict case no. 6 is the basis for this recommendation.

**b. The Department of Education should keep constant contact with teachers**

The Department of Education needs to be kept informed on the needs, interests and the views of teachers concerning education on one hand. On the other hand teachers need to know the future plans of the Department long before their implementation. This flow of information to and from the Department is facilitated by the Education Labour Relations Council at national level and the Education Labour Relations Chambers in the provinces. The Department of Education should always keep these two forums in place since these are some of the points of contact between the Department and the teacher organisations.

**5.7 RECOMMENDATIONS DIRECTED TO ALL STAKE HOLDERS IN EDUCATION**

**a. All stakeholders in education must be familiar with the Education Labour Relations Act.**

All stake holders in education should be conversant with the act. This document is valuable as it contains the rights and limitations of employees and employers. The document also contains procedures which are followed in resolving staff-employer conflict.

**5.8 GENERAL CONCLUSION**

Harmony and stability in education is significant. This is especially so in staff-employer relations. Staff (teachers) and employer (Department of Education) are some of the key stakeholders in education.

Their ability and commitment to managing conflict creatively and with the minimum adverse effects on education is important.

This research has reviewed various approaches to conflict management and has argued for those approaches which tend to bring about a win for all parties.

Hopefully, the conclusions reached and the recommendations made in this study will be a challenge to educators and the Department of Education for consideration, implementation and even further research with the aim of improving the quality of education.

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APPENDIX 1

P O Box 1004  
NONGOMA  
3950

23 March 1996

The Secretary  
Department of Education  
P/Bag X04  
ULUNDI

Sir

**REQUEST TO CONDUCT A RESEARCH IN MAHLABATHINI DISTRICT**

I hereby apply for permission to conduct a research on staff-employer conflict management in the district of Mahlabathini. The topic for my research is **THE MANAGEMENT OF STAFF-EMPLOYER CONFLICT IN KWAZULU-NATAL.**

If I am successful in obtaining your permission, Sir, my population will be divided into two groups, namely:

School Principals and

Superintendents of education in Mahlabathini District.

The interview schedule for each group is attached to this application letter.

I will be grateful if my application meets your favourable consideration.

Yours faithfully

**HM HLATSHWAYO**

APPENDIX 2

P O Box 1004  
NONGOMA  
3950

26 May 1996

The Area Manager  
Department of Education  
P/Bag X574  
MAHLABATHINI

Sir

**APPLICATION FOR PERMISSION TO CONDUCT A RESEARCH IN YOUR  
DISTRICT**

I hereby request you, Sir, to give me permission to conduct a research on staff-employer conflict management in your district. The topic for my research is as follows:

**THE MANAGEMENT OF STAFF-EMPLOYER CONFLICT IN KWAZULU-NATAL.**

If I am successful in obtaining your permission, Sir, my population will be divided into two groups, namely:

School principals and  
Superintendents of Education

The interview schedule for each group is attached to this application.

I will be grateful if my application is successful.

Yours faithfully

**HM HLATSHWAYO**



APPENDIX 3

P O Box 1004  
NONGOMA  
3950

22 September 1996

The Principal  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam

**REQUEST TO CONDUCT INTERVIEWS IN YOUR SCHOOL**

I am presently doing research on staff-employer conflict and I would like you to assist me by holding interviews with me in your school. In the interviews I will ask you a few simple questions on the Management of Teacher-Principal Conflict.

I have already asked the Provincial Department of Education to grant me permission to conduct these interviews. I hope by the time I visit your school the permission from the Department will be in my possession.

Thanking you in advance.

Yours Faithfully

**H.M. HLATSHWAYO**

APPENDIX 4

INTERVIEW SCHEDULE WITH MAHLABATHINI SUPERINTENDENTS OF  
EDUCATION

*PRELIMINARY REMARKS TO SUPERINTENDENTS OF EDUCATION.*

As you know from our previous conversation that I am conducting an investigation on the management of staff-employer conflict, I need your assistance. I would like you to give me one or more conflict cases which took place between 1993 and 1996. The conflict cases I need from you are principal-teacher conflict cases.

Please answer the following questions as a guide. Be frank and honest in answering the questions. Your cases will be treated confidentially.

QUESTIONS:

1. Name one conflict case which this district office had over the last three years with a school principal or school principals.

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2. How was the conflict managed?

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3. What were the outcomes of managing the conflict?

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THANK YOU FOR YOUR CO-OPERATION

**APPENDIX 5****INTERVIEW SCHEDULE WITH MAHLABATHINI PRINCIPALS***PRELIMINARY REMARKS TO PRINCIPALS:*

As you know from our telephonic conversation that I am conducting an investigation on the “management of staff-employer conflict”, I need your assistance. I would like you to kindly give me one or more conflict cases which took place between 1993 and 1996. I need conflict cases which took place between you and one or more of your staff members.

Please answer the following as your guide. Be frank and honest in answering the questions. Your cases will be treated confidentially.

**QUESTIONS:**

1. Name one conflict case which took place between you and your staff member or members over the last three years.

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2. How was the conflict managed?

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3. What were the outcomes of managing the conflict?

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**THANK YOU FOR YOUR CO-OPERATION**

**APPENDIX 6**

P O Box 1004  
NONGOMA  
3950

26 May 1996

The Secretary

.....  
.....  
.....

Sir

**REQUEST TO CONDUCT INTERVIEWS WITH YOU OR YOUR REPRESENTATIVE**

I am presently conducting an investigation into the management of staff-employer conflict in the Department of Education. I kindly request you Sir, to assist me by holding interviews with me.

As one of the biggest teacher organisation in the province, you will surely enjoy sharing a few conflict cases which took place between your organisation and the Department of Education in the past three years.

I will be grateful if my application meets with success.

Yours faithfully

**HM HLATSHWAYO**

APPENDIX 7

MAP OF KWAZULU-NATAL

