

## REVIEWS

Deeks, John and Boxall, Peter *Labour relations in New Zealand*. Auckland, Longman Paul, 1989, pp.xviii, 417, \$39.35.

"Labour relations", say Deeks and Boxall in this otherwise sensible book, "is an exciting subject for study".

I've found the study of industrial relations interesting, but I must say that I have never found it exciting, and this book has not changed my view. Readers can confidently expect to make it through this work without becoming unduly agitated.

*Labour relations in New Zealand* does, however, achieve its end of serving as a comprehensive introduction to the study of industrial relations in this country. Generally it maintains a simplicity of approach which makes the varied subjects covered approachable even to the uninitiated reader.

This is achieved mainly by transferring some of the techniques of the good lecture or seminar to the written word. The authors devote a great deal of space to detailed introductory material 'setting up' each theme. In Chapter 2 they go so far as to provide readers with a list of the sub-headings to be found later in the chapter! At times readers who know "where the authors are going" will find this tiresome. While detailed introductions or recapitulations will no doubt help some through the text they must serve to entangle or simply to bore others.

*Labour relations in New Zealand* describes the reality of industrial relations law and practices in New Zealand and introduces the theoretical perspectives available for the study of that reality. These largely foreign theories are thus put into a New Zealand context, and this in itself will help many unionists to whom theoretical perspectives on their business have previously appeared pointless.

Those seeking a detailed critique of theoretical perspectives, however, will be disappointed. The brevity with which each aspect of industrial relations is treated sometimes leads to the obscuring of important theoretical points, such as the difference, in Marxist theory, between surplus value and profit (p.116). The same process appears to have led to the obfuscation of some important areas of fact as well. For example (p.193) the authors fail to distinguish between SOEs and government departments with regard to pay fixing, and on the same page confuse a dispute over performance review systems in the old public service with the PSA's attitude to state pay fixing changes.

As a unionist, I felt the book did not properly cover the human side of union organisation and the management of disputes and direct action. The authors appear to view unions as consisting primarily of paid officials providing services to a membership. They pay little attention to issues of union decision-making or the means by which members are motivated. In particular the critical role of the job delegate is described only in terms of delegates' formal position in the system. There is no indication of the sometimes soul-destroying and self-sacrificing struggle in which thousands of New Zealand delegates are constantly engaged. Similarly, strikes are discussed in terms of the range of potential causes for such action and the theoretical models of their resolution. There is no discussion of the task of *organising* a strike.

Some other important union issues are not discussed, including the issue of union under-resourcing. The authors correctly point to the need for unions to deal effectively with the whole range of issues affecting their members and to enter into wide-ranging

bargaining with the employers to achieve this. But they fail to address the critical issue of where the money is to come from.

Historically, unions in New Zealand have been acutely under-funded and have found it difficult to break out of the cycle of low income, poor services, and membership resistance to subscription increases.

Larger unions have also faced difficulty in developing decision-making systems that involve significant numbers of members and in maintaining effective delegate networks capable of exercising influence in political and social life as well as on the job.

So while *Labour relations in New Zealand* provides a good introduction to the potential reform of industrial relations, it provides few pointers for those interested in the accompanying issue of union reform. Deeks and Boxall foresee a future for effective, democratic and voluntary unions co-operating with employers to produce mutual benefit. But their book does not explain how such unions can be constructed.

Nonetheless, *Labour relations in New Zealand* should be seen as a positive contribution to industrial relations in New Zealand and the long-term development of a mature trade union movement. Its authors are optimists, seeing the benefits that can flow from both strong unionism and strong management. The book is a challenge to those who believe that the greatest benefits would flow from a massive reduction in unionism. It is an equal challenge to those warlord unionists who fail to see that co-operation as well as struggle can produce real benefits and power for workers.

Readers will find this book useful as a handy reference to a very wide range of issues. The extensive bibliographies which accompany each chapter provide an excellent shortcut for those who need to undertake some further study of an issue, and the text often offers useful interpretations of the significance of the texts listed. The index is not comprehensive.

Finally, I suppose this book represents a further victory in the gradual replacement of the term "industrial relations" with "labour relations". Only the boss has relations with labour. The term is thus subjective and employer-oriented, as is readily seen if its inverse "management relations" or "employer relations" is considered. This battle, of course, has been lost, and "labour relations" is now firmly established in New Zealand English. However, the authors may care to consider if future editions could be given a title which reflects the careful objectivity found between the covers.

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**Hughes, John** *Labour Law in New Zealand*. Sydney, The Law Book Company, 1989. Bound volume \$65.00 pp.8135. Loose leaf volume pp.14046. Price not stated.

This is an impressive contribution to the study of labour law in New Zealand. It aims to be the first comprehensive legal text since Mathieson's *Industrial Law in New Zealand* (1970), and in fact began life as a second edition of that book. It has emerged as a distinctively new work, and carries the stamp of its author, for many years now one of the most astute commentators on labour law in New Zealand. This review will assess the value of the book to the non-lawyer with a general interest, whether as academic or practitioner, in industrial relations. Legal journals will no doubt offer a specialist assessment.

There seems little doubt that the book will become - it probably already has become - an indispensable resource for practitioners, academics, and, I suspect, Labour Court judges alike. The book comes in two versions, one a bound volume aimed largely at the student market, and the more extensive and more expensive loose-leaf compendium, in two parts, to be updated regularly by Hughes, who will be joined in this task by Gordon Anderson. The publisher is surprisingly coy about the price of the loose-leaf volume.

The letters which accompanied the review copies listed the price of the bound volume but remained silent on the loose-leaf price.

The bound volume, which covers only the first 11 chapters of the loose-leaf work, is in five sections - contract of employment, personal grievances, unions, conciliation and arbitration and strikes and lock-outs. The loose-leaf volume continues with coverage of apprentices, the waterfront and maritime industries, the state sector, wages, holidays and leave, health and safety, shop trading hours and welfare. Presumably, not all of these will survive as the book is updated over time. There seems little point in continuing a separate section on shop trading hours, for example.

The coverage of all these issues is careful and comprehensive. In a review of this kind, it is impossible to comment on all the different topics covered. I examined carefully the areas I was most familiar with, and found them thorough, in places intriguing and always informative. Some will feel the discussion is in places too comprehensive. As one example, Hughes leads us through a lengthy discussion as to whether, despite the State Sector Act, the Crown retains its common law right to dismiss at pleasure. The possibility had never occurred to me, but I read on eagerly, wondering whether a tyrannical government might in the future use this right to sack widely throughout the public service. Hughes leads the reader through extensive citation of Commonwealth cases, nineteenth century precedent, an excursion into the Holmes satchel case and fully 49 footnotes before concluding that the Crown probably does not retain the right to dismiss at pleasure. State sector managers and unionists who want to use the book as a practical primer would probably have preferred an initial statement of the conclusion, and an invitation to follow the author if they had the time to do so. Nonetheless, the trip included much of interest, such as the information that the powers of chief executives as employers are too qualified for there to exist an employment relationship between public servants and chief executives. This may alarm some chief executives.

The production of the book and the loose-leaf volume is of high quality. The tables of cases and statutes are exhaustive. Inexplicably, the otherwise excellent index omits authors cited in the text. Possibly this is a legal convention - if so, it is not one to be recommended. The book is extremely well written. Hughes writes to be understood by as wide an audience as possible, and has largely succeeded in this objective. It might be excessive to describe the book as lively, but within the limitations imposed by the labour law text format, Hughes has managed to make it interesting, even for the non-specialist.

One reason for this is that the text ranges more widely than just legislation and case-law. There is a sense of historical perspective, and of industrial relations developing over time under political and economic influences. The discussion of the historical development of wage-fixing, for example, is comprehensive enough for most purposes, but without any obvious major omissions for a book of this nature. There is a recognition that legislation and Court decisions are woven into a wider political economy, but it remains implicit. The non-lawyer would prefer these issues to have been further developed. Hughes does not allow himself the liberty of any personal comment on the values that underpin either labour legislation or case law in New Zealand, nor on the interests they serve. If indeed, industrial relations in New Zealand is becoming more legalistic - and the lawyers keep telling us it is - then these issues become paramount. One would not normally look for much sensible comment on this from a lawyer, but Hughes' analytic skills are too plainly evident for him to escape the question much longer.

The only obvious example where Hughes' personal values intrude is an academic one. He cites, with evident approval, the reference by the Court of Appeal in the 1983 primary teachers' pay claim, to the wording of sections 9-12 of the now repealed State Services Conditions of Employment Act 1977 as being 'sociological'. Hughes clearly considers

this to be a particularly damning comment, and remarks tartly that subsequent amendments did little to remove the 'force' of this criticism.

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**Brosnan, P., Smith, D. F., and Walsh, P.** *The dynamics of New Zealand industrial relations*, Wiley, 1990, pp.vii, 230, \$34.95 plus GST.

The last decade has seen profound changes in the New Zealand bargaining system, and, simultaneously, the amount and quality of research into and analysis of the system has increased. This is in great part due to the efforts of researchers gathered in and around the Industrial Relations Centre in Wellington, including the three authors of this text. Brosnan, Smith and Walsh offer a new interpretation of the New Zealand system, and we all stand to benefit from their overview.

The text is compact - just over 200 pages - but it touches the essential bases of the New Zealand system - economic and social contexts, the organisation of work, worker and employer strategies, union and employer organisations, the state, and the collective bargaining process. The first lines of the text capture the intention of the book - to present a new approach to the study of industrial relations which rejects description, offering instead analysis. To achieve this end, the industrial relation system must be integrated into the wider aspects of New Zealand society. This is entirely sensible, though whether it is a new approach to industrial relations generally, as opposed to the New Zealand system, is open to doubt. The integrative model is now the theoretical objective of most industrial relations analysis. The quality of this text rests in the application of the integrative model to the New Zealand environment.

Any text of this length covering such a breadth of issues must be selective. For example, take the chapter on employer strategies. This is an important element in the text because it moves the debate away from the description of employer organisations into the political economy of management. Similarly, the chapter on worker strategies covers schematically the analytical issues and the empirical manifestations of worker resistance. However, as quickly as an issue is raised, it is put aside. Thus, the debate on employer strategy hangs much on Friedman's responsible autonomy versus direct control dichotomy. Friedman's view is not only one of the major contributions to this area; it is one which has been subject to wide criticism for its over-simplification of management strategy. In other words, it is useful when highly qualified. In effect, therefore, the chapter opens up a set of issues which then have to be explored elsewhere. Reading this chapter and thinking about the use of Friedman clarifies in my mind the niche for the text, and, perhaps, its audience.

Let me develop this point. What makes this a good book is its interest in explanation. Here, I believe that the authors have achieved what they set out to do - to write an analytically-informed book. Coupled to this focus on explanation is an excellent working through the text of general analytical insight with discussion of the New Zealand system. Thus, throughout the pages can be found rhetorical questions about how issues might be explained, allowing analytical interpretation of events and processes to be developed. Although jointly-written, the impression which I gained from the book was of an extended common perspective on theoretical and empirical concerns in New Zealand labour relations, rather like a 200 page article. This is an achievement of a high order as many jointly-written texts are flawed by the seams between different contributions and approaches.

The analytical approach, the communality of perspective and the need for brevity suggests to me that the book will be at its most effective when used in advanced classes with, say, Masters students who can complement the text with theoretical reading and

with study of an extended literature on the New Zealand system. The book provokes thought and questioning which would best be developed in the smaller group setting. This is not to say that it cannot be used in the larger basic courses, but the text lends itself to advanced study groups.

For similar reasons, I think that the authors have produced a text which will genuinely be of use to policy-makers and industrial relations strategists. Many texts are advertised as relevant to anyone remotely interested in the theme under consideration. In the case of Brosnan, Smith and Walsh, the claim is justified. Further strengths of the book are revealed in this context. The authors are well grounded in the internal working of the three main parties. This grounding is the result of location - the scuttlebut-in-Wellington factor - and the close involvement with and monitoring of key figures and organisations within the industrial relations world. For example, the commentaries offered on the legislative push under the 1984 Labour government, and the estimation of the efficacy of that push, should make the text compulsory reading for Ministers and departmental officials alike. Similarly, the Business Roundtable, the Employers' Federation and the union movement in general, will find much to ponder in the text.

There is little doubt in my mind that Brosnan, Smith and Walsh will find their text on the shelves of industrial relations academics and practitioners, politicians and policy-makers alike. I can give it no higher praise than to say that I intend to use it in the Auckland advanced industrial relations classes and have already received positive reports from Masters students to whom I have shown the text.

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**Baldry, Christopher** *Computers, jobs and skills: the industrial relations of technological change*, New York, Plenum Press, 1988, pp.191. Price not stated.

There has been a vast output of texts on technological change and labour relations in the last decade. These outpourings come in various guises: labour process analyses, manuals for the implementation of technical change, futurologies, the gender implications of new technology and so on. Few areas of study have been done to death so intensely as this. Perhaps I am not the only reader of these texts to think that the process of re-inventing the wheel is often very long-winded, but there is an undeniably high level of repetition and rote reproduction in the literature.

Surprisingly enough, there are few good introductions to the area which are readable, intellectually stimulating and broadly comprehensive. Baldry's text may well help to fill this gap. A relatively short work (under 200 pages), it charts a pleasingly-presented course through a variety of literatures - technology and change, the employment effects of technological innovation, the quality of working life debates, the bargaining process around new technology, alternative models of change - and offers both exegesis and speculation within a distinctive analytical framework.

The framework might be described as radical humanist. Baldry is no Luddite, but he combines detailed study of the technological change process with an overview of its current and potential effects and arrives at critical conclusions. He is very much at odds with the technological determinist position, and invokes historical explanation to justify his view that neither in the industrial revolution nor in the contemporary period do technologies pre-date social change. Rather, he adopts the radical perspective that it is the process of social transformation in which human agency is the central dynamic, which permits technological change to take on its revolutionary aspect. This position acts as a constant qualifying theme in much of the discussion of the more wide-eyed proponents of technological mysteries.

The critical perspective runs throughout the text. In the chapter on employment, for example, two themes of particular interest are discussed at length. The first is the ongoing debate about technology and job-loss on which Baldry adopts a balanced perspective. His review of the literature denies both the cataclysmic arguments of unionists and the re-born "leisure society" approaches. However, he takes the view, popular amongst some radical theorists of technological change, that we must look at the employment effects of technology at both aggregate and disaggregate levels. At the former, the jury is still out about the long-run effects on employment; at the latter, there is no question but that lives and futures have been, and will be devastated by new technologies. Thus it was for the handloom weavers, so it shall be for the printers.

A second theme rears its head towards the end of the chapter on employment, and reflects an area of debate which might well have been developed further in the text. Baldry implies a commitment to an under-consumptionist model of the effects of technological sophistication - the argument that chips are lousy customers. Though the debate is still at a fairly abstract level, it strikes me that the implications of under-consumptionist thinking, and of alternatives, might well have been given a longer run in the text.

The best chapter from an industrial relations perspective deals with new technology bargaining. I have been prescribing this extract to a number of practitioner classes over the last few months, and they have found it very useful. It lays out the agendas of the employers and the employees, it looks at the bargaining strategies which may be adopted, and, importantly, it offers a guide to the particular implications of technological change for the broader bargaining process. Although heavily based on the UK experience of New Technology Agreements, the lessons drawn are of use in the New Zealand environment. As for all the other chapters in the text, the bargaining chapter ends with a detailed case-study in which the general themes discussed earlier are observed *in situ*. In this case, the example is that of the UK printing industry. Each chapter also concludes with a short exercise designed to elicit discussion. This does not appear to be a particularly successful additional to the text.

A major advantage of the text is the liberal comparative content. Though this is particularly strong in the chapter dealing with alternative approaches to change, Baldry sprinkles international material throughout the text, illustrating both the universality of technological change and the particularities of national bargaining system responses. Clearly, he is well versed in the international scene, as he is well-established in the empirical study of technological change in the UK.

I am always attracted to texts in industrial relations which quote from the likes of Pascal, J.S. Mill, T.S. Eliot and Eric Hobsbawm. This is a cultured book which works both as a teaching text and as a personal statement on the issues raised. As a sound introduction to the issues, I recommend this text, particularly for undergraduate classes.

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**Terry, M. and Edwards, P. K.** (eds) *Shopfloor politics and job controls: the post-war engineering industry*, Oxford, Basil Blackwell, 1988, pp.245. Price not stated.

Having worked in the British engineering industry during part of the period covered by the case studies that make up the bulk of this book, I approached the material with some personal interest but little expectation of its relevance to contemporary issues in New Zealand labour relations. However, the cases reported not only illuminate a number of key debates in the labour relations literature but raise some intriguing questions with respect to the survival of trade unions in New Zealand under a National Party

administration committed to voluntary union membership and to further encouragement of enterprise level bargaining.

The book is an addition to the excellent series of *Warwick Studies in Industrial Relations*, launched in 1972 by Hugh Clegg and George Bain. It continues the strong tradition built up by the staff of the Industrial Relations Research Unit at Warwick of detailed empirical work on shopfloor industrial relations. Its longitudinal perspective and greater historical focus mark it out from its predecessors. It provides an analysis of shopfloor industrial relations in a number of engineering factories in the English Midlands in the period between the end of World War 2 and 1980. Five of the eight chapters are case studies of workplace organisation and union and management activities in these factories. (Four of the factories either made cars or supplied components to the motor assembly industry.) A sixth chapter contains a comparative study of the labour relations policies of employers in the Coventry motor industry in the period from 1945 to 1960. The editors provide introductory and concluding chapters designed to fill in the broad context of the case studies and to assess their implications for improving our understanding of the origins and nature of shopfloor job controls, the extent to which such controls challenge management prerogative in the workplace, their effects on productivity, and the internal tensions they may precipitate within the structures of union management and administration.

Books of case studies are notoriously difficult to pull together into some coherent whole, especially when, as here, the research materials written up in chapter form were collected at different times for different purposes and cover different, if overlapping, historical periods. By providing introductory notes to each chapter, as well as their top and tail essays, the editors are able to bring out the key features and common themes tying the various contributions together. Given the limitations of the format, Terry and Edwards have done a fine job.

It was my experience, working in the British engineering industry in the 1960s, that the deskilling of labour was in many cases not a management strategy to wrest job control from workers, even though it may have had that long-term effect, but rather a joint union/management response to the skilled labour shortages of the period. Notwithstanding official union policies on the prevention of skill dilution, there were numerous local accommodations between management and shop stewards to develop and train semi-skilled labour to perform elements of traditional craft work, machine-tool setting being the most prevalent example. Such accommodations increased the involvement of shop stewards in some key aspects of management decision-making and provided opportunities to negotiate and establish new boundaries of craft job control and new territories for the recruitment of members by craft-based unions. At the workplace level, both parties, unions and management, were taking a reactive rather than a proactive stance to the exigencies of the enterprise's business environment.

Material in Terry and Edwards confirms that this experience that management was largely innocent of deskilling as a labour control strategy during that period was by no means a unique one. By and large, shopfloor job controls were negotiated rather than unilaterally imposed by workers or managements. As Terry and Edwards point out in their concluding chapter, such controls not only provided ways for workers to challenge managerial authority but were also, through their legitimation in the process of collective bargaining, modes of accommodation with that authority that could actively assist the production process. In general, they conclude, job controls were not established against determined managerial opposition but rather with management actively facilitating the process. The editors challenge the traditional view that the extension of shopfloor bargaining during that period was the joint result of labour scarcity and effective union organisation at the workplace. Rather they suggest management initiatives had a role to play, that management were active agents in the extension of workplace bargaining, saw benefits to be obtained from it, and encouraged shop steward involvement in solving the production problems imposed by tight labour markets. Thus, 'restrictive' practices and

job controls did not necessarily frustrate employer objectives. Indeed, in some cases, by developing what Terry calls 'responsible autonomy' among groups of workers, they may have facilitated the task of management. Unfortunately, as unemployment in the British manufacturing sector increased, and labour market conditions reduced the bargaining power of many unions, strategies of accommodation gave way to strategies of increased managerial control. The opportunity to build on the strengths provided by workplace-based and workplace negotiated job controls was neglected in favour of a growing frenzy of union bashing and, in the 1980s, after the period to which these case studies relate, a managerial obsession with reasserting management controls and prerogatives in the area of labour relations.

One of the features of the British system of industrial relations has been the strength of union organisation at the workplace, particularly in key industries such as the motor industry. Effective job controls are a product of union organisation at the point of production and a feature of British union organisation that goes back to the nineteenth century. They reflect a form of unionism that was determined to be self-reliant, saw little to be achieved through statutory processes or compulsory arbitration procedures and much to be achieved through membership solidarity and voluntary collective bargaining. The contrast with the protective environment within which many trade unions in New Zealand were set up after 1894 could hardly be more marked. Now that the protective environment of guaranteed membership and blanket coverage is being progressively dismantled, the question arises as to how and if the unions in New Zealand will organise themselves to effectively represent their members in individual workplaces.

Of course, specifically *union* organisation of workers, as Terry points out in his introductory chapter, is not a necessary precondition for the creation and maintenance of job controls by workers. Even with a unionised workforce job controls may be developed independently of the formal union structures and the formal processes of collective bargaining. For this to happen, however, there has to be some dedicated active group of shopfloor workers who are prepared to put time and effort into building an effective organisation at the workplace level. In Britain this group has traditionally been found among the shop stewards. In some quarters the shop steward organisations have been condemned as vehicles for radicals, militants and agitators, and, in other quarters commended for their essential function in sustaining workplace democracy within large union bureaucracies. Whatever the perspective, active shop steward organisations, as the case studies in Terry and Edwards illustrate, pose problems for the formal hierarchies of representation in trade unions.

Some New Zealand unions (the Meatworkers, for example,) have a strong tradition of shopfloor representation and organisation. But without the protections provided by the present union membership clauses and union coverage provisions, it is difficult to see how a number of New Zealand unions will be able to effectively represent the interests of their memberships in the new environment. Effective workplace organisation will be an essential prerequisite not only for bargaining at enterprise level but for sustaining the membership base of the union. The inherited weakness of many New Zealand unions is that they have not had to expend large resources on union membership campaigns nor to actively demonstrate to potential members the advantages of collective organisation and action. The tradition of centrally-organised wage bargaining further reinforced the removal of much union business from the purview of rank-and-file members. In the next few years workers in a number of industries are likely to reap the consequences of this structurally-induced apathy about union affairs, union organisation and union membership. It will be a number of years I would think before they learn to properly value the importance of collective workplace organisation and action.

There is an argument that the desire to develop job controls at the point of production is a natural flow-on from the experiences of work within a capitalist economy. Thus pressure inevitably arises at the workplace level to organise collectively in order to ameliorate or change the controls and constraints imposed by management. The logic of



job controls flows from the nature of work rather than from the existence of trade unions. However, without organisation of some kind at the workplace level, attempts to exert control by workers are likely to be ineffective. As Terry and Edwards indicate, job controls and union organisation are intimately related. But so too are job controls and a commitment to collective action by rank and file members. Perhaps for many workers the system that developed in New Zealand after 1894 forestalled in part the appropriate grounding of union activity in the collective experience of discrimination and exploitation at the workplace. The need to fight for workplace representation, bargaining rights, and job controls that is so central a feature of the history of unionism in Britain and the United States is a much muted theme in New Zealand's labour history.

The dilemma for the unions in seeking a co-ordinated union strategy for the new environment is that enterprise bargaining, and the gains in terms of job protections and job controls that may eventuate from it, can only work through a decentralised organisational structure and strong workplace organisation. Such bargaining needs to be approached on a relatively pragmatic piecemeal basis, exploiting the opportunities that exist in particular workplaces and utilising the special knowledge and expertise of job delegates and shop stewards in those workplaces. The irony is that just as the central union organisation has worked through some attempts to define the strategic directions it wishes the union movement to pursue, it must now reconcile an increasingly tactical and local set of initiatives with those strategic goals. The centralised unionism of the collapsing Compact must give way to a unionism of the workplace. The union movement in New Zealand needs to build effective workplace organisations within the structure of the larger and more powerful federations currently being developed. The case studies in Terry and Edwards illustrate both the possibilities and the pitfalls in doing just that.

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