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**CONSULTATION IN A BRITISH
COMPANY**

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Consultation in a British Company

Abstract.

This paper analyses the qualities required for a union to respond effectively to management consultation demands. It examines consultation in a British utilities company since privatisation from interview, documentary and archival sources. Highly developed formal consultative procedures existed under nationalisation. Equivalent processes under privatisation made new demands on unions: speed of response, decentralisation and 'direct communication' by management with employees. One niche trade union for professional engineers was able to deal with these demands well in relation to other unions. The union's members had specific legal health and safety roles that were used to reduce the impact of serious job losses. Its representatives took advantage of these roles, and had a range of qualities helping it to reconcile member and management demands. This union also successfully re-structured to respond to management requirements in the 1990s and has improved its position relative to its competitors. Consultation has therefore been largely 'captured' by one union.

Introduction

This paper examines changing demands on a union made by new consultative arrangements in a British utilities company since privatisation in 1989-90. By consultation is meant the process by which management obtains reactions from employee representatives prior to making changes that affect them, i.e. 'indirect' employee consultation is discussed. It therefore lies between German-style co-determination on the one hand, where agreement is required, and simple information-giving on the other. The implication of consultation, not always realised in practice, is that representatives can affect the proposed changes. In some fields, consultation is a legal requirement in Britain, but more commonly it is simply regarded as useful by management. It is a process making demands distinct from those made by negotiation.

The focus is on the circumstances under which one union showed a high capacity to adapt to the new environment created by privatisation and management policy to re-fashion consultation. The paper therefore contributes to discussion of the wider issue of the capacities required by unions to adapt to demands for consultation. The subject acquires interest from the impending large-scale extension of consultative arrangements common in continental Europe to Britain through the EU's Consultation and Information Directive. It is also relevant to the practice of 'partnership'.

The paper is structured as follows. First, existing literature on consultation is reviewed and the research issue developed from this. Next, details of the case study method are provided. After giving industry and company background, we then outline management policies; the bulk of the paper focuses on one union's capacities to adapt to them while pursuing members' interests. Finally, conclusions are drawn.

Literature

Despite 'partnership' generating sharp debate, discussion of consultation, a central component of partnership, has recently been little concerned with its detailed operation. It has been the subject of surveys (Wood and Fenton-O'Creevy, 2001) much previous theoretical work (see for example the review in MacInnes, 1985) and earlier case studies (Marchington, 1993) but little recent British case study research analysing management-union interactions.

Management potentially benefits from consultation in several ways. It may facilitate change, bring access to employee tacit knowledge and improve trust levels. British management has much discretion on consultation's scope, though it has long been a statutory requirement in respect of health and safety and collective redundancies. Much research shows that in practice, and especially outside of senior management, operational pressures, reluctance to cede control, and ideology can lead managers to treat even legally required consultation perfunctorily in practice, or even to reject it. This applies even in Germany where co-determination law supports consultation (Ramsay, 1977; Hyman, 1987; Marchington, 1993; Trinczek, 1993; Bosch et al., 1999;

Bahn Müller, 1996; Denham et al., 1997; Weitbrecht and Braun, 1999). Thus, managers, the literature suggests, have contingent commitments to consultation, pressurising unions if management requirements are to be met.

British unions have increasingly been compelled to demonstrate their value as change facilitators, as management's confidence to manage without unions increased in the 1990s (Edwards et al., 1998: 47). It has been argued that, to the extent that collective bargaining has declined, influencing management through consultation has become proportionately more relevant (Terry, 2003, 2003a). He also stresses that consultation should not be understood as simply a 'watered down' form of negotiation but as a distinctive process making different demands on representatives and their unions. Incidence of the traditional British means of consultation, the Joint Consultative Committee, has slightly declined recently, and is now present in about one workplace in three (Cully et al, 1999; Gospel and William, 2003). This seems to indicate declining influence with management.

Unions represent employees, whose interests are not necessarily adequately represented by the 'business cases' required by managers. Representatives have to try to reconcile the two (Martens, 1999). Earlier studies drew attention to further difficulties for representatives because of blurred boundaries between formal consultative arrangements and informal exchanges, which members might not see as important (MacInnes, 1985). Marchington and Wilkinson (2000) identified different forms of employee participation, and the need for representatives to co-ordinate interventions in all of these simultaneously may pose further difficulties. How far unions can manage these problems is relevant to their usefulness to members. Unions may have these attributes to differing degrees; British multi-union contexts pose specific problems of information exchange and interest aggregation between unions (Hyman, 1997: 314).

Without strong legal underpinning British unions, it has been suggested, will find it difficult to deploy and generate the required skills, especially in consultation on 'difficult' issues such as re-structuring (Terry, 2003a). For this reason, our case study specifically focuses on major re-structuring post-privatisation. The central research questions are therefore: what new demands are being made on unions by consultation, and, in particular, *what capacities do they require to meet these?*

An in-depth case study method has been used. The case is drawn from the electricity supply industry (ESI), which is part of the utilities sector, a sector retaining relatively high union density in British terms. The case study company, as we show below, is relatively committed to a consultative style. There are therefore relatively favourable conditions for unions to demonstrate their consultative capacities. In reality, union capacities to adapt varied greatly and the case is interesting for the way in which it shows one relatively small niche union adapting well in relation to others, and coming to a dominant position within the process. Its members were well protected during the downsizing that followed privatisation. In short, only an exceptional union showed the required capacities.

Method

The research took place between April and November 2003. Seventeen semi-structured interviews were initially conducted with managers at different levels, trade union officials of all the unions present in the company and workplace representatives in Britain. Because the company was recently taken over by a large German company and to provide a further perspective, interviews with German managers and workplace representatives were conducted in German in Germany. In most cases, follow-up interviews, e-mail exchanges and telephone discussions were held. Interviews were recorded and transcribed except in three cases where respondents asked that only notes be taken. The transcriptions or summary notes were then checked with respondents. Company and union documentation was examined, including formal written agreements and internal memoranda. Extensive archival deposits of union records at the Modern Records Centre, University of Warwick, were consulted. These included Trades Union Congress correspondence with unions, records of the TGWU, AEEU and internal union correspondence of the Engineers and Managers' Association. The EMA's Executive Committee minutes for 1989-1993, were also consulted.

Industry and Company Background

From 1947-8 the industry was a publicly-owned vertically-integrated monopoly run by the Central Electricity Generating Board [CEGB] (Hannah, 1979). At privatisation, the ESI was split into two companies, of which the case study company was the smaller. Regulation was introduced but competition increased only gradually thereafter (Newbery, 1998: 148). Until 1998, the case study company remained a power generation company but it has since broadened its operations to include new areas such as energy trading and retail. New generating technologies have had a major impact. Consolidation has occurred, part of a wider European re-structuring accelerated by the EU's 1998 Directive on electricity. Cutting employment costs has been key for the company, since regulation determines prices. In the year after privatisation, the generating companies employed 23,300; by 1995 this became 9,600 (Hall, 2000: 9) Employment in the case study company fell from just over 9,000 in 1990 to around 3,000 in 2000 (Arrowsmith and Edwards, 2000). Increased use of contractors and functional flexibility were pursued. These changes contributed to high profit levels and the company was recently taken over by a large German-based conglomerate based around power.

Management Policy in the Privatised Company.

The CEGB had highly developed negotiating and consultation systems (Slinn, 1989; Ferner, 1990; Ferner and Colling, 1993), with separate national, regional and local structures for different grades of staff. The system was highly centralised. Full-time officers generally played an important role in relation to lay workplace representatives (Fairbrother, 2000). A wide range of substantive issues including for example job descriptions were dealt with at

national level, and unions tried to enforce these on local managers with the co-operation of CEEB national managers. There were high levels of informal contact between national union officers and senior managers, who often developed strong relationships. Agreements required consent before change could occur and consultation therefore allowed unions to exert considerable pressure on management and particularly local management whose observance of national agreements was centrally monitored:

'(...) if he (John Lyons, General Secretary of the EMA: authors) didn't like something it didn't happen. And he could stop things. Managers sort of down the line could get something going but then if John Lyons found out about it, decided it was not happening, he went straight to the top and it got stopped'
(Prospect National Officer)

The predominant view was that consultation took as long as necessary, since the legal obligation to provide a continuous supply of electricity had paramount importance. The process was therefore slow, and agreement could require years of consultation before agreement was reached (Ferner and Colling, 1993).

The state monopoly supported high union density, and the WIRS survey carried out during privatisation showed the energy and water supply industries as having the highest density of any industry sector at 75% for all employees in 1990 (Millward et al., 1992: 59). At the point of privatisation, density stood at 80% in electricity generation. The manual unions were, in descending order of membership, the EETPU, GMB, TGWU and AEU (AEU, 1988). NALGO also had substantial membership. The Electrical Power Engineers' Association (EPEA), part of the federal Engineers' and Managers' Association (EMA), later to become Prospect through merger with IPMS, had over 25,000 full members at this point. Many of these worked outside ESI, for example in distribution (EMA, 1989a). Inter-union competition was strong, especially between the EMA and craft unions and these tensions persisted after privatisation (Danford et al., 2003). The unions had weakly-developed lay representative structures, reflecting an 'implicit bargain' with management, bringing social peace in return for joint regulation (Ferner and Colling, 1993: 112-6).

At privatisation, management stressed that it intended to, take control. It left the national institutional set up to build company bargaining and consultation structures. Management characterised the CEEB's consultative processes as slow, 'bureaucratic', 'old-fashioned' and unsuited to the developing competitive environment. Though consultation remained important throughout the industry and a broadly consultative style has been widespread in privatised utilities (Danford et al., 2003: 156-7), few companies have formally adopted, 'partnership'.

The period 1989 - 1992 established several persistent patterns which have since remained in place in the case study company. Ferner (1990) analysed National Power's internal politics during the privatisation process. Some of

his findings are equally applicable to the company under discussion. Ferner found that in seeking to interpret the new situation and define new roles for themselves, managerial groups skirmished at various levels. Corporate HR promoted long-term changes in the cultures of management, staff and industrial relations. They used events generated by privatisation to show capacity to think strategically and adapt to the new organizational 'paradigm'. Their discourse stressed radical change in future, but a current need for stability. Line managers could over-react to new corporate messages, a finding later confirmed by Mulholland (2002). Objective circumstances prepared others to accept that staff and unions' reactions constituted an area of uncertainty whose reduction was critical to successful transition, thereby legitimising corporate HR taking a central role.

Ferner's arguments in relation to National Power have even more purchase in our company because of perceptions of its initial disadvantage as smaller than its competitor. It was initially widely accepted in the company that the need for a carefully managed staff reduction process was more acute because staff reductions would be a vital area for acquiring competitive advantage yet more difficult to manage with loss of relevant employees than in its larger competitor.

Despite these similarities the two companies took different approaches in relation to consultation, with the company under discussion taking a less formalistic approach than National Power. The company placed some emphasis on the importance of long-term planning and on managing the required change processes (Jennings, 2000). The possibility of union protests damaging the company's public image, and therefore their standing with investors was perceived as a risk to be avoided. Management stressed a need for 'no surprises' from either side (Arrowsmith, 2003). Consultation could make an important contribution to reassuring employees during the dramatic upheavals that were foreseen. It was agreed that changes in work processes and working time should be consulted on at an early stage in planning. According to a TGWU national official, a '*visionary management took the unions to the heart of the company*' at this stage and engaged constructively. Consultation was to take place with unions at all levels, i.e. national, business and workplace.

Within the general framework of union-based consultation, three central and inter-related principles informed management policy on consultation. These were: speed, decentralisation, and direct communication. These offered challenges and possibilities for unions and are now dealt with in turn.

Speed was seen by management as of critical importance; employee representatives should not be allowed to slow change through consultative processes. In contrast to the situation under the CEGB, the new business had to move quickly to gain competitive advantage. Therefore, consultation, whether statutory or not, did not require representatives' full agreement, but rather an explanation of rationales and mechanisms, and reception of reactions, and possibly adjustments followed by implementation. Only 'business case' arguments would be accepted unless no cost was involved

(as for example in cases where changes to working arrangements such as different shifts could be dealt with by workers rearranging their working times by agreement between themselves). Within this framework, statutory consultation on redundancies should be conducted in a relatively expansive way, with adequate time given to selection. Generous terms would probably mean large numbers of volunteers, some of whom would need to be retained. The result was a consultative policy that was broader, more geared to obtaining 'buy-in' than National Power's. However, all of this was secondary to the over-riding priority of speed.

Decentralisation of decision-making was considered equally important, through establishing cost and profit centres. Since these were linked to local management responsibilities, a corresponding decentralisation of decision-taking and consultation arrangements was seen as essential both to encourage local initiative and to allow for future commercial diversification. Decentralised bargaining and consultation arrangements were established and power station managers were paid by results. The previous practice of dealing with a wide range of issues through negotiating and consulting at national level was to be abandoned. Since job grades and descriptions had been fixed in this way, one of the benefits in terms of working practices would be, it was hoped, that functional flexibility among skilled workers could also be increased, leading to labour cost economies.

Direct communication with employees was the third principle. Unions would not be allowed to insist on union-based structures as the sole channel for communication with employees. The procedural agreement on consultation referred throughout to employee representatives, leaving the way open for recognition of non-union representatives. All kinds of communication, from team briefings through to use of the company intranet, were to be increased, and if direct consultation with employees was required then the company also reserved the right to do this.

These principles created new conditions for unions. Speed meant not only that they had to respond quickly but that they lost a means of pressurising management by slowing implementation. Decentralisation implied that local paid officers and lay representatives had to take on many tasks previously undertaken by national officials. Direct consultation loosened unions' grip on the consultative process, potentially diminishing their usefulness to employees as employees received information without intermediaries. It also opened the way for non-union elected representatives.

Simultaneously, the agreements threatened unions' collective bargaining function, by providing for employees to be removed from it and put on to individual contracts. In practice, the development of individual contracts was a limited and tentative process. 'Individual' contracts were only applied to some employees and where applied, generally showed relatively little individual variation. Collective bargaining became a decreasingly important union function in the 1990s not only because of this, but also because mobilisation possibilities for unions were highly restricted because of widespread redundancy. It also increased the significance to them of consultation, already

important because of union members' concerns about job security rather than remuneration.

The EPEA

Management was aware of the importance of professional engineers and their union the Electrical Power Engineers' Association (EPEA) to re-structuring. The EPEA played a leading role in the EMA and on occasions the two were virtually indistinguishable in public. We refer to it here as the EMA unless specifically referring to the EPEA. The union's members advise generalist managers, and supervise manual workers. Their strength in relation to other unions grew immediately prior to privatisation for several reasons including determined and adroit use of consultation, and downsizing's disproportionate impact on manual unions (Ferner and Colling, 1993: 109-110).

The EPEA's nature as a niche trade union has been outlined elsewhere (Slinn, 1989; Ferner, 1990; Ferner and Colling, 1993). A relatively small union of professional engineers, it had a number of particular characteristics. It was a coherent, and in practice a 'closed' union of skilled employees (Turner, 1962: 114). It was before privatisation a highly centralised organisation, with considerable power vested in its national headquarters. It was and remains relatively well-resourced by high subscriptions and its self-image was of a highly professional organisation. It has historically paid comparatively high salaries to attract high-quality officers. The recruitment organiser reflected just before privatisation:

'Certainly when compared to officials of other unions, we comport ourselves very professionally.....the service we give our members generally is second to none, and they know it. And, even more important, members of other trade unions know it too. We are perceived to be the best' (EMA, 1989b).

The union also had a pragmatic approach to political issues. Unlike other unions, it did not oppose contractors nor insist on their union membership. Its industrial politics were relatively palatable to management and government, i.e. opposed to privatisation but equally clearly opposed to both the ecological lobby and the left-wing politics of other energy unions.

Management solidified the EMA's position in relation to other unions by establishing 'single-table' bargaining in recognition and procedural agreements of 1991 and 1992. Separate negotiations for professional and manual workers were abolished, even though the EMA had historically opposed 'single table' bargaining on the grounds that it would dilute their bargaining power. The EMA now interacted directly with other unions in consultation and bargaining, and its leadership determined that this should not erode its position. Some advantages could be seen, among them a potential increase in their field of recruitment.

The EMA attempted to limit decentralisation in a field of special concern in the industry: health and safety. Traditionally, Health and Safety provisions had lent considerable influence to EMA members: *'They (the EMA-authors) had a negative power, they had a power of veto. And that must have been a very frustrating thing for power station managers.'* (TGWU National Officer). The EMA General Secretary approached the CEO arguing for preservation of the national health and safety committee rather than move the issue to local level. National officers could provide continuity of representation and shape issues raised. The overture was rejected: the proposal to make health and safety a local issue was maintained, ostensibly so that local managers' responsibility for results was not obscured and their capacity to resist health and safety-based arguments defending job demarcations not undermined. It seems likely that they estimated that EMA members' capacity to affect safety issues could more easily be reduced through local arrangements. The measure certainly had the advantage of shifting the risk of prosecution for breaches of health and safety law from national to local level.

Senior management may have under-estimated representatives' ability to continue to exert influence by using health and safety as a local bargaining tool. EMA members had long had significant power resources through their safety functions and these have been confirmed by recent legislation. This exemplifies how generalisations about weak British regulation of the employment relationship must occasionally be qualified by recognition of resources given to some employees by the statutory allocation of particular health and safety responsibilities. In this case, representatives took full advantage of the resource to protect members.

The union contains many Senior Authorised Persons (SAPs), a designation acquired by employees authorised to work and supervise in particular areas. SAP's functions entail planning and implementing interruptions to power supply and their decisions have major consequences for employee safety and company revenue. Management rhetoric emphasises safety's paramount importance, recognising that fatalities can result from safety failures. SAPs may be prosecuted by the Health and Safety Executive for their acts or omissions; whether the company undertakes their legal defence has been an issue and awareness of this can strengthen SAPs positions vis-à-vis senior managers by underlining SAPs *individual* responsibilities and thus their autonomy. EMA members are also often Senior Competent Persons (SCPs), statutory designations currently made under the Electricity (Safety Code) Regulations 2003 but with earlier equivalents. SCP status gives authority over where and when other employees may work through issuing permits to work and other safety documentation. This pressures operational managers to seek active co-operation from SCPs and lends the latter bargaining power that can operate in subtle and submerged ways. The SCP position lends them authority in consultation on safety committees. More importantly, it also strengthens them during consultation on work processes and redundancies, where future availability of SAPs or CPs is at issue since the company cannot carry out generation and distribution functions without sufficient SAPs and CPs. They can therefore argue for SAPs and CPs jobs to be preserved from a position of strength. Thus, decentralisation did not weaken professional

engineers' position as hoped for in this area. Arguably, it actually strengthened it by pushing an important area of consultation down to local level and thereby reducing its visibility to senior managers and national union officials.

As consultation became more central to union activity, it became apparent that EMA representatives knew how to take advantage of their position, because they had numerous other advantages over manual union representatives.

The first of these flowed from their capacity to use working time to access training and communicate with members. Work intensified in the new Combined Cycle Gas Turbine power stations; employee representatives experienced management and workgroup pressure not to take time off for industrial relations duties or training. Time off for training conducted by unions and agencies independent of the company became more difficult to obtain. EMA members also experienced difficulty in obtaining time off for training. On the other hand, by virtue of their managerial roles, they had informal possibilities for communicating with members that were greater than those of manual union representatives. They were therefore able to take more time to keep in contact with members and other managers.

A second advantage was a willingness to follow a policy of constructive engagement with management rather than taking the position that they did not wish to become implicated in company decisions. EMA representatives had been encouraged by their union to take the view that job loss was inevitable and that in-depth engagement would have to be undertaken requiring new methods. This did not mean, despite management policy not to allow delay, that management could not be pressurised; on one occasion, an EMA official and a representative questioned managers for some hours on the business case for job loss in one area. The official found the explanations unconvincing, told the manager that he would report this to members and obtained some modifications to the redundancies proposed. This example is also relevant to the third factor: confidence to deal with managers as social equals, helping officers and representatives formulate, develop and articulate lines of questioning and to express their dissatisfaction with management explanations when necessary. It was suggested by a general manual union (TGWU) official that this was not always shared by his unions' representatives, who could on occasion be reticent when facing management. The fourth was a capacity to challenge management not from a local or sectional viewpoint, but from a 'strategic' overview of the business as a whole. Several respondents suggested that manual workers' representatives were generally much more limited in their experience of the business, as the nature of their jobs and the restricted mobility around even one site which they entailed did not in practice allow them to acquire an overview in the same ways. This capacity was particularly valued by central management, who stressed the importance of this broad view in creating value for them in the process. They saw no contradiction between this view and allowing local managers to restrict time off for training (paid for from local budgets) for representatives. Fifth, as managers, their training and access to information

meant they could effectively explore the possibilities of constructing viable 'business cases' that also maximised the potential for simultaneously defending their members' interests. In fact, this could be pursued not only through the formal consultation procedures, but also through their day-to-day interactions with other managers. These helped them to obtain information unavailable to manual workers. These interactions were also ways through which informal solutions to members' problems could be tested with senior managers by 'casual' interchanges. This capacity was also related to the fact that they had technical and related computational skills lacked by generalist managers; they could raise issues in ways that put interlocutors on the defensive. Arithmetical skills were long ago recognised as an asset to the cotton unions' negotiators, where complex piece-work systems were used (Turner, 1962: 283). Computational skills beyond the arithmetic are also relevant to consultation in power, where more complex technical considerations are frequently significant and this was recognised by other unions.

There was also a further factor: their union's capacity to re-structure itself to adapt to management demands and to assist representatives. We turn now to this.

Union re-structuring.

Much of the EMA's membership worked in ESI and it was therefore both focussed and highly exposed. Adaptation was manifestly imperative. The leadership rejected a defensive merger strategy, responding instead with a dual policy: external co-operation and internal consolidation. It had already begun co-operation (though it later rejected merger) with the British Association of Colliery Managers (BACM) and the British Air Line Pilots Association (BALPA), for efficient sourcing of legal and pension facilities. By September 1990, the second path was embarked on: 'internal unification' between the EPEA and the other EMA constituents, principally the Shipbuilding Engineering and Aerospace group (SEA). This was the subject of a 'consultative process' among members with the aim of re-structuring the organisation and agreeing new rules.

'Internal unification' improved the EPEA's resources and influence within the EMA, and their capacity to conduct effective consultation. The first achievement was to ensure that merger, with its considerable attendant distractions and disruptions (Dempsey and McKeivitt, 2001) was not required. This was important in that it meant that attention could be focussed on the new tasks rather than on a merger process. Eventually, merger was undertaken in 2000, when the EMA merged with the civil service union IPMS to form Prospect, but by this point the EMA had stabilised the situation thrown up by privatisation in the early 1990s and the merger was not forced. The new EMA rules had taken EPEA rules as their basis and alternative proposals were rejected. The new arrangements were adopted despite SEA criticism that the new rules favoured the EPEA since, *inter alia*, they had disproportionate representation on the executive. Officers were re-allocated from head office to localities, bringing paid officers geographically closer to

representatives and local units, to respond to decentralisation. Members had previously been grouped geographically in branches, but were now grouped by company. The case study company had effectively dictated this change as it made clear that it would not accept union policy being made by non-employees of the company. Although a response to company demands, this also facilitated improved networking and information exchange between representatives within companies. Perhaps the most important change was that officers could respond to company demands for speed. As management processes were streamlined to speed up decision processes, the EMA flattened its own hierarchies. Union officers were given more freedom to act on their own initiative by the new rule book. A greater degree of independence was seen to be essential successful for consultation by another union's official:

'You gotta understand you're not there as a delegate, you're not there mandated, you're there as a representative to make judgements, that's the biggest difficulty in the consultative processes. People think that they are there as amplifiers of the member's wishes but not to exercise judgements.'

Devolution to the workplace meant that workplace representatives' responsibilities grew. The EMA reacted by intensifying its education efforts. In this it tries to develop an encompassing business understanding in members, it builds on members' existing expertise in developing arguments that are the basis of influencing management.

Re-structuring was swiftly accomplished. One EMA officer commented in relation to the case study company:

'Our union took a very clear decision to restructure ourselves, so that we could be much more speedily responsive to any consultation requests. And for a little while we actually sat and waited. Because the management hadn't restructured themselves'.

This illustrates how suited the union was to meet management demands for speed in consultation.

These measures consolidated EMA's already strong position in the industry. They made the union capable of responding to the requirements of speed and decentralisation. No other union made comparable changes. Their main competitor, the AEU (later part of Amicus), did make efforts to network shop stewards in power generation (Rooney, 1991), but they did not streamline their procedures in comparable ways. All of the other unions were involved in considerable organisational change through merger and in any event were relatively poorly resourced. All these unions were also to some extent general unions, which had to service multiple constituencies with declining resources. Those unions closest to the 'general' union model, the TGWU and GMB, suffered most.

The EMA's internal consolidation was the organisational basis for its capacity to fulfil a specific 'bridging' role in consultation and negotiation. This role meant that they played a key role in aggregating interests and mediating between the unions as a whole and management. Managers and union officers alike expected EMA officers to act as sounding boards for proposals, and as leader of the union side in consultation.

The central outcome has been that only two unions currently remain real forces in the company: Prospect and Amicus. Prospect, from being a relatively small player in the industry, is now the second largest union in power supply after Amicus. It was suggested by some respondents that this is because their members' skill levels protected them. However, the argument was rejected by others, including a TGWU official who argued strongly that it was because of their relatively successful defence of members' jobs through the consultation process. The two appear intertwined, but Prospect has claimed inroads into Amicus membership and increased its employee 'market share'. Arguments related to EMA members' safety functions were effectively deployed in consultations on which jobs were to be made redundant.

Attributes other than Prospect's ability to consult effectively were involved as far as employees were concerned. For example, the union also responded well to the development of individual contracts by setting up a large database through which members could compare their contracts with others in the same grade. Yet the central significance of job security for employees tends to suggest that the consultation capacity was also of at least some importance in the union's increased market share. As far as the union's utility to management is concerned, this was confirmed by corporate HR managers, who said that it had played a key role in 'getting the union side together'. In the late 1990s, some unit managers questioned the utility of union-based consultation in general, but this challenge was defeated by corporate HR which argued it would be needlessly risky to change successful arrangements. Thus, the union was able to meet both its members and central HR's requirements.

Conclusion

The research questions posed at this paper's outset concerned the demands made on unions by consultation and what capacities they need to meet these. These are now revisited.

The qualified, contingent and in practice uneven nature of the company's commitment to consultation through unions is clear, consistent with the literature. Arrangements are mainly driven by pragmatism and the corporate HR function, prompting the question of whether, when the main gains from down-sizing have been achieved, they may be reviewed. Internal management questioning of the union basis of consultation increased as the business diversified, but HR successfully defended it, qualified by pragmatic toleration of considerable local variation. HR management perceived the existing consultative arrangements as successful, argued that they could continue to be so, and defeated alternative arguments from operational managers.

The EMA/Prospect is certainly a union with unusual attributes, flowing from its 'closed' structure, and professional membership, with their resources, skills and links to management at different levels. EMA members played a 'bridge' role at work, mediating between senior management's requirements and manual workers implementation. They performed a similar role in formal consultation. Supported by significant aspects of safety law, they could disrupt without industrial action, make 'business cases' and challenge from their expertise. These were major power resources in consultation on redundancies. They also had more possibilities for time off for information gathering and training, eliding the boundaries between professional and union responsibilities, possibilities less available to their manual counterparts. They showed a capacity to obtain information, make inputs at a strategic level, the confidence to assert their interests and use informal channels. They balanced low-level sanctions and constructive engagement in the consultation process.

At the institutional level, the EMA improved officer coverage, and allowed quicker responses to company initiatives by streamlining internal reporting procedures. It also developed a computerised information service for members on individual contracts, allowing members to benchmark arrangements proposed to them against other similar contracts. Thus, Prospect's competitive advantage in relation to other unions lay not only in its capacity to defend members through consultation but also in its simultaneous adaptation to a reduced collective bargaining function. The EPEA's niche nature was a key factor in initiating these changes and implementing them speedily, since the strength of the threat initially posed by privatisation was *manifest* to members. The EPEA followed a dual policy of external collaboration and 'internal unification' within the EMA. Though Ferner and Colling (1993) had felt the EMA would not long be able to resist merger, they did so for ten years until their position in the industry had stabilised and they merged with IPMS largely on their terms.

Thus, management policies and union re-structuring interacted to reinforce and reproduce existing intra-employee and intra-union hierarchies. For manual workers, who previously had separate consultative arrangements, these developments may have had negative effects. Consultation's advantages, including its wider democratic benefits, may accrue *differentially* within workforces. This is important, because it has implications for those less well-positioned and skilled at defending their positions. For them, increased consultation may involve surrendering tacit knowledge with little balancing compensation. There may therefore be instances within 'partnership' where occupational groups more capable of seizing opportunities presented by consultation may benefit disproportionately.

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