



Perceptions of Employees regarding the Effectiveness of Trade Unions in
representing Employees at the University of KwaZulu-Natal.

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DECLARATION

I, Sandile Ndlovu, hereby declare that the study “Perceptions of Employees Regarding the Effectiveness of Trade Unions in Representing Employees at the University of KwaZulu-Natal” is my own work, and that all the sources that I have quoted or used have been indicated and acknowledged by means of complete references. This report is my own unaided work. It is submitted for the Master of Commerce (Course Work) Degree in the University of KwaZulu-Natal and it has not been submitted before any other examination or degree in any other university, nor has it been published by any other organisation or person.

Mr. Sandile Ndlovu

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There are so many lessons that I have learned through this dissertation and, in many ways, it was a journey of discovery.

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- The University of KwaZulu-Natal for granting me permission to conduct my research study.
- All participants from the University of KwaZulu-Natal.

DEDICATION

I wish to dedicate this dissertation to my family; my mother, Ms N.P Magubane, my father, Mr. M.S Ndlovu, and my aunt, Mrs S.P Hlongwane, for their encouragement and support and for being pillars of strength throughout my studies over the years. Without their loving support, it would have been difficult for me to accomplish my academic aspirations.

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ABSTRACT

In the field of industrial relations there is a confusion of mixed views between researchers about the effectiveness of trade unions in representing employees. For example, Walters, (2011) argues that trade unions which are meant to effectively represent their members have been restricted in doing so due to their increased focus on politics instead of their original duties and responsibilities. As a result, there has been a rapid increase in the general perception that trade unions are not effective in representing employees. On the other hand, Bryson (2012) argues that trade unions are effective in representing employees, however the problem is that they are unable to pinpoint their success so that it can be translated into perceived benefits arising from the effectiveness of the trade union's actions, and that this could account for the increase in the above general perception. There are many other challenges which are experienced by trade unions, which makes trade unions to be ineffective when representing employees. For example, Gumede (2012) argue that South African trade unions has lose their ability to function properly and effectively because of the unfavourable economic and labour market conditions that have created the daunting challenges for trade unions movement which are deeply rooted in the public sector and in the African National Congress (ANC). The other challenge is the onset of loss of trade unions members to such unions and in-fighting within trade unions (Gumede, 2012). This usually happens when there is more than one trade union which represent employees in a single workplace.

The research problem for this study is the effectiveness of trade unions in representing employees. The primary aim of this study is to examine whether trade unions are effective in representing employees. The following tools were used to investigate the above-mentioned research problem. Descriptive research design was used in this study. Research objectives and research questions were developed to investigate the above-mentioned research problem. The questionnaires (both open-ended and closed-ended questionnaires were used as the main tool of collecting data. A probability sampling method was used to select UKZN employees for inclusion in the sample.

This study used the mixed method research approach to critically analyse data. A thematic data analysis method was used to critically analyse data in this study.

The findings of this study discovered that trade unions are effective in representing employees. Based on the research questions the findings of this study discovered that UKZN trade unions are effective in collective bargaining regarding salary increments and the protection of employees against unfair treatments such as discrimination. They always make it sure that UKZN employees get salary increments and protected against unfair treatments such as discrimination. In the absence of them employees might not be able to get salary increments and be protected against unfair treatments such as discrimination. UKZN employees need trade unions to represent and protect them. The findings discovered that UKZN trade unions are effective in handling employees' grievances. UKZN Employees need trade unions to represent and protect them, without trade unions at UKZN things would be worse. The findings discovered that UKZN trade union representatives are effective in representing employees, they are beneficial to employees, they are also well trained and prepared to represent employees. Things would be worse in the absence of them in the workplace. The findings also discovered that there are challenges which are experienced by trade unions when representing employees. For example, the expertise or resource constraints, tight reins on trade union operation, political power which hinders trade unions progress, and bureaucracy, lack of funding and legal expertise etc. The findings discovered that these challenges affect trade unions as a result trade union maybe ineffective in doing their duties, but trade unions can address these challenges.

The findings of this study have discovered that trade unions are effective in representing employees, and this is different from what was said in the research problem of this study. But there is also similarity from what was said in the research problem and findings of this study, as they both said that there are challenges which are experienced by trade unions when representing employees and they mentioned different challenges. They both argue that these challenges affect

trade unions as a result trade union, may be ineffective in representing employees, but trade unions are able to address these challenges. The findings discovered that trade unions solve the challenges by studying the challenges, understand it and come up with solution to solve it, and they also give extra training to trade unions officials, so that they can have enough skills and knowledge to deal with any challenge that they experience.

Key words:

- ❖ Trade unions
- ❖ Effectiveness
- ❖ Representing
- ❖ Employees

TABLE OF CONTENTS

CHAPTER ONE

INTRODUCTION

1.1 Introduction.....	1
1.2 Research Problem.....	2
1.3 Research Questions.....	3
1.4 Research Objectives.....	4
1.5 Research Aims.....	4
1.6 Theoretical Framework.....	4
1.7 Definition of terms.....	6
1.8 Research methodology.....	7
1.9 Scope and Significance of the Study.....	8
1.10 Ethical Consideration.....	8
1.11 Limitations of the Study.....	9
1.12 Chapter Breakdown.....	9
1.13 Summary.....	10

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction.....	11
2.2 Understanding Trade Unions.....	11
2.3 The Trade Unions Movement in South Africa	11
2.4 The Role of Trade Unions.....	12
2.5 The Criticism of the South African Trade Unions Movement.....	13
2.6 Trade Unions' Effectiveness in Representing Employees.....	15
2.6.1 Trade Unions' Effectiveness in Collective Bargaining regarding salary increments.....	15
2.6.2 Trade unions' effectiveness in the protection of employees against unfair treatments.....	19
2.6.3 Trade Unions' Effectiveness in Handling Employees' Grievances.....	21
2.6.4 Are trade unions representatives able to effectively represent employees during wrongful dismissal?.....	23
2.6.5 Challenges experienced by Trade Unions when fulfilling their Roles.....	25

2.7 Summary.....	28
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CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction.....	29
3.2 The Objectives of the Study.....	29
3.3 Research Design.....	29
3.4 Research Approach/Paradigm.....	31
3.5 Study Site.....	32
3.6 Target Population.....	32
3.7 Sample.....	35
3.8 Sample Size.....	35
3.9 Sampling Strategies.....	37
3.10 Data and Methods of Collecting Data.....	38
3.10.1 Open-ended Questionnaires.....	39
3.10.2 Closed-ended Questionnaires.....	39
3.11 Data Analysis techniques.....	40
3.12 Data Collection Methods.....	40
3.12.1 Mixed Methods Research Approach.....	40
3.13 Research Interview Questions.....	41
3.14 Interviews.....	42
3.15 The Logic for using Semi-Structured Interviews.....	42
3.16 Methods used to Ensure Validity and Reliability.....	43
3.16.1 Validity.....	43
3.16.2 Reliability.....	43
3.17 Pilot Study.....	44
3.18 Summary.....	44

CHAPTER FOUR

PRESENTATION OF DATA

4.1 Introduction.....	45
4.2 Presentation and analysis of data.....	45
4.3 Section A: Demographic Data.....	46
4.3.1 Data presentation.....	46
4.3.2 Interpretation of results.....	52

4.4 Data Presentation and analysis: Section B.....	53
4.5 Objective 1: To investigate the effectiveness of trade unions during collective bargaining regarding salary increments and the protection of employees against unfair treatment.....	54
4.5.1 Research Instrument 1: Open-ended Questionnaires.....	54
4.5.2 Research Instrument 2: Closed-ended Questionnaires.....	57
4.5.3 Interpretation of results Research Instrument 1 Open-ended Questionnaires.....	58
4.5.4 Interpretation of results Research Instrument 2 Closed-ended Questionnaires.....	59
4.5.5 Comparisons of both questionnaires.....	60
4.5.6 Findings of previous studies.....	61
4.6 Objective 2: To determine whether trade unions are effective in handling employees' grievances.....	63
4.6.1 Research Instrument 1: Open-ended Questionnaire.....	63
4.6.2 Research Instrument 2: Closed-ended Questionnaire.....	64
4.6.3 Interpretation of results: Open-ended Questionnaires.....	65
4.6.4 Interpretation of results: Closed-ended Questionnaires.....	66
4.6.5 Comparisons of both Questionnaires.....	66
4.6.6 Findings of Previous Studies.....	67
4.7 Objective 3: To explore whether trade unions' representatives can effectively represent employees during wrongful dismissal.....	67
4.7.1 Research Instrument 1: Open-ended Questionnaire.....	67
4.7.2 Research Instrument 2: Closed-ended Questionnaire.....	69
4.7.3 Interpretation of results: Open-ended Questionnaires.....	70
4.7.4 Interpretation of results: Closed-ended Questionnaires.....	71
4.7.5 Comparisons of both Questionnaires.....	72
4.7.6 Findings of Previous Studies.....	72
4.8 Objective 4: To determine the challenges experienced by trade unions when fulfilling their roles.....	73
4.8.1 Research Instrument 1: Open-ended Questionnaire.....	73
4.8.2 Research Instrument 2: Closed-ended Questionnaire.....	75
4.8.3 Interpretation of results: Open-ended Questionnaires.....	76
4.8.4 Interpretation of results: Closed-ended Questionnaires.....	76
4.8.5 Comparisons of both Questionnaires.....	77
4.8.6 Findings from Previous Studies.....	77

4.9 Key themes drawn from the research objectives.....78
4.10 Summary.....80

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS AND CONCLUSION

5.1 Introduction.....81
5.2 Summary of chapters.....81
5.3 Research questions.....82
5.4 Recommendations.....83
5.5 Recommendations for Future Studies.....83
5.6 Conclusion.....83

LIST OF TABLES

Table 3.1: The total number of employees who are members of trade unions within the College of Humanities and the College of Law and Management Studies.....	33
Table 3.2: The total number of employees who are members of trade unions in all schools under the College of Humanities in Howard College Campus.....	33
Table 3.3: The total number of employees who are members of trade unions in all schools under the College of Law and Management Studies in Westville Campus.....	34
Table 3.4: The total sample size per union for the College of Humanities and College of Law and Management Studies.....	36
Table 3.5: The total sample size per union within the College of Humanities in Howard College Campus.....	36
Table 3.6: Illustrate the sample size per union within the College of Law and Management Studies in Westville Campus.....	37
Table 4.1: Frequency distribution and percentage of participants according to Gender.....	46
Table 4.2: Frequency distribution and percentage of participants according to nationality.....	46
Table 4.3: Frequency distribution and percentage of participants according to age.....	47
Table 4.4: Frequency distribution and percentage of participants according to level of education.....	48
Table 4.5: Frequency distribution and percentage of participants according to the number of years being a trade union member.....	49
Table 4.6: Frequency distribution and percentage of participants according to staff category.....	50
Table 4.7: Frequency distribution and percentage of participants according to Campus.....	51
Table 4.8: Frequency distribution and percentage of participants according to trade unions.....	52
Table 4.9 Key themes drawn from the research objectives.....	79

LIST OF FIGURES

Figure 1.1: Model of trade unions' effectiveness in representing employees.....	5
Figure 3.1: Illustrates concurrent triangulation.....	41
Figure 4.1: Illustrate the total percentage of participants according to gender.....	46
Figure 4.2: Illustrate the total percentage of participants according to nationality.....	47
Figure 4.3: Illustrate the total percentage of participants according to age.....	48
Figure 4.4: Illustrate the total percentage of participants according to level of education.....	49
Figure 4.5: Illustrate the total percentage of participants according to the number of years being a trade union member.....	50
Figure 4.6: Illustrate the total percentage of participants according to staff category.....	51
Figure 4.7: Illustrate the percentage of participants according to campus.....	51
Figure 4.8: Illustrate the total percentage of participants according to trade unions.....	52

APPENDICES

Annexure A: Ethical Clearance Approval

ABBREVIATIONS

African National Congress	ANC
Association of Mines and Construction Union	AMCU
Combined Staff Association	COMSA
Council for Conciliation, Mediation and Arbitration	CCMA
Congress of South African Trade Unions	COSATU
Labour Relations Act	LRA
Motor Transport Workers Union	MTWU
National Education Health & Allied Workers Union	NEHAWU
National Tertiary Education Union	NTEU
Non-Academic Staff Association	NASA
National Union of Mineworkers	NUM
National Union of Metalworkers of South Africa	NUMSA
Professional Transport and Allied Workers Union of South Africa	PTAWUSA
Standard Employment Relationships	SER
Transport and Allied Workers Union of South Africa	TAWUSA
University of KwaZulu-Natal	UKZN
University of Natal Staff Union	UNSU
University of KwaZulu-Natal Staff Union	UKSU

Chapter One:

Introduction

1.1 Introduction

South African trade unions have a long and interesting history which dates to the 1980s. According to Buhlungu, (2006) trade unions could be regarded as the reflection of the country's racial disunity, because the earliest trade unions were mainly for white workers only. "During 1948 to 1991, trade unions played a significant role in developing economic and political resistance and were eventually one of the driving forces in realising the need for the transition to democracy" (Hassen, 2014: 55). According to Hassen, (2014) trade unions have made major gains since 1994, which includes the significant "entrenchment of collective bargaining in different sectors and social dialogue forums, particularly the National Economic Development and Labour Council (NEDLAC) and improvements to labour legislation, which have changed many aspects of apartheid labour relations to democratic labour relations" (Hassen, 2014: 55).

Despite these achievements of the trade unions, there has been much debate about the effectiveness of trade unions in representing their members (employees). It has been argued that trade unions are not effective in representing their members because they tend to focus too much on politics; as a result, there has been a rapid increase in the general perception "that trade unions are not effective in representing their members" (Walters, 2011). On the other hand, there are those who argue that trade unions are effective in representing their members (Bryson, 2012). There is, therefore, a confusion of mixed views about the effectiveness of trade unions in representing their members. There are many challenges which are experienced by trade unions, which makes trade unions to be ineffective when representing employees. For example, Gumede (2012) argue that South African trade unions has lost their ability to function properly and effectively because of the unfavourable economic and labour market conditions that "have created the daunting challenges for trade unions movement which are deeply rooted in the public sector" (Gumede, 2012: 20). The other challenge is the onset of loss of trade unions members and in-fighting within trade unions (Gumede, 2012).

This study examines the perceptions held by employees at UKZN regarding the effectiveness of trade unions in representing employees in institutions of higher learning. This chapter is an introduction to this study, and it presents the research problem; research questions, aims and objectives, theoretical framework and research design. This chapter also presents the research

approaches/paradigms, study site, scope and significance of the study, ethical consideration and limitations of the study.

1.2 Research Problem

The primary aim of this study is to examine whether trade unions are effective in representing employees at UKZN. This is because there is confusion amongst researchers about the effectiveness of trade unions in representing employees. For example, Walters, (2011) argues that trade unions which are meant to effectively represent their members have been restricted in doing so due to their increased focus on politics instead of their original duties and responsibilities. As a result, there has been a rapid increase in the general perception that trade unions are not effective in representing employees. On the other hand, Bryson (2012) argues that trade unions are effective in representing employees, however the problem is that they are unable to pinpoint their success so that it can be translated into perceived benefits arising from the effectiveness of the trade union's actions, and that this could account for the increase in the above general perception. There are many other challenges which are experienced by trade unions, which makes trade unions to be ineffective when representing employees, as stated above. Waghorne, (2010) argues that privatisation, unemployment and employee dissatisfaction with a trade union are some of the challenges which are experienced by trade unions when representing employees. And these challenges make trade unions to be ineffective when representing employees.

The “University of KwaZulu-Natal (hereafter UKZN) is a research-led institution under the leadership of the Vice-Chancellor, Dr Albert van Jaarsveld. This university was formed in 2004 after the merger of the University of Durban Westville and the University of Natal” (<http://ukzn.ac.za>). It has five campuses which are “Edgewood, Howard College, Nelson Mandela Medical School, Pietermaritzburg and Westville” (<http://ukzn.ac.za>). All these campuses are in South Africa in the province of KwaZulu-Natal. In the newly established UKZN “there are four trade unions, namely: National Education Health & Allied Workers Union (NEHAWU), National Tertiary Education Union (NTEU), Combined Staff Association (COMSA), and University of KwaZulu-Natal Staff Union (UKSU)” (<http://ukzn.ac.za>).

The aim of the research is to determine the effectiveness of trade unions in representing employees in institutions of higher learning. This research study seeks to determine the effectiveness of trade unions in representing employees at UKZN. The researcher chose to focus on UKZN, because he

has been a UKZN student from 2009, therefore the researcher has a better understanding of all processes that must be followed when conducting a study at UKZN. UKZN has four (above-mentioned) different trade unions representing the different categories of employees, therefore the researcher thought that it is necessary to determine whether they are effective or not. It is essential that this study is conducted in order to determine whether the Unions at UKZN are effective. This will then bring clarity to the above-mentioned confusion of mixed views about the effectiveness of trade unions and challenges which are experienced by trade unions when representing employees. If the above-mentioned perception (trade unions are ineffective in representing employees) is true, then it is also true that there are challenges which are experienced by trade unions when representing employees and those challenges results in trade unions being ineffective in representing employees. This could impact on the role of the trade unions and collective bargaining. This perception can damage the image of trade unions and cause employees not to trust or recognise their trade unions. If this perception is true, and there are challenges which are experienced by trade unions, this could have a negative impact on employees, such as poor representation in collective bargaining for better wages, payment of bonuses and attaining of better employment terms and conditions. It could impact on the protection of employees from working in unsafe conditions or health risk jobs. There could be a lack of legal protection to ensure that employers treat their employees in accordance with South African labour legislation. Among other things, employees might not trust their trade unions, resulting in a bad relationship between the employers and employees which could cause a high rate of industrial unrest.

Thus, this study seeks to provide recommendations of how unions at UKZN can improve its effectiveness and overcome the challenges experienced in fulfilling its role.

1.3 Research Questions

This study will address the following research questions:

- 1.3.1 Are trade unions effective during collective bargaining regarding salary increments and the protection of employees against unfair treatment?
- 1.3.2 Are trade unions effective in handling employees' grievances?
- 1.3.3 Are trade unions representatives able to effectively represent employees during wrongful dismissal?
- 1.3.4 What challenges, if any, are experienced by trade unions when fulfilling their roles?

1.4 Research Objectives

The objectives of the study were to:

- 1.4.1 To investigate the effectiveness of trade unions during collective bargaining regarding salary increments and the protection of employees against unfair treatment.
- 1.4.2 To determine whether trade unions are effective in handling employees' grievances.
- 1.4.3 To explore whether trade unions' representatives can effectively represent employees during wrongful dismissal.
- 1.4.4 To determine the challenges experienced by trade unions when fulfilling their roles.

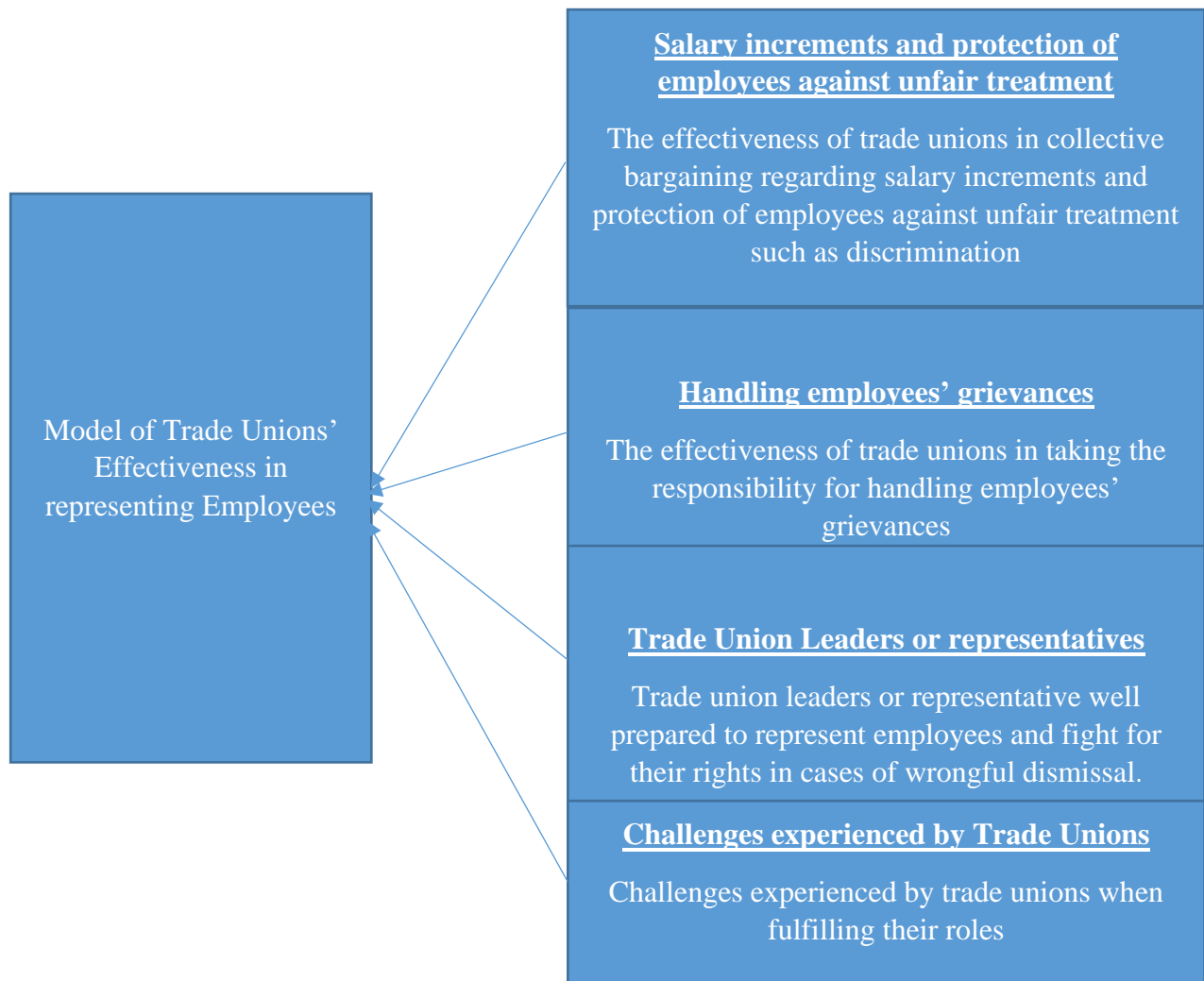
1.5 Research Aims

The main aim of this study is to investigate the perceptions held by employees at the University of KwaZulu-Natal regarding the effectiveness of trade unions in representing employees in institutions of higher learning.

1.6 Theoretical Framework

Barber's (2005) theory of trade unions' effectiveness is used in this study. This theory was used in the Barber study where the effectiveness of trade unions to represent their members was examined. In this theory, Barber argues that the following construct variables (salary increments and protection of employees against unfair treatment, handling employees' grievances, trade unions' leaders or representatives being well prepared to represent employees and the challenges experienced by trade unions when fulfilling their roles) assist in exploring the effectiveness of trade unions in representing employees. This theory was identified and chosen as it provides enough guidance to achieve the objectives of this study.

Figure 1.1: Model of trade unions' effectiveness in representing employees



Source: (Barber, 2005).

Construct variables:

- **Salary increments and protection of employees against unfair treatment:** A trade union refers to an “association of employees whose principal purpose is to regulate relations between employees and employers, including any employers' organisations” (Section 213 of the Labour Relations Act 66 of 1995 (LRA). The work of “trade unions is to engage in a process of collective bargaining with employers regarding many issues relating to employees” (Section 213 of the LRA 66 of 1995), including salary increments and the protection of employees against unfair treatment such as discrimination. Further definitions are provided below.

- **Handling employees’ grievances:** According to Mwilima (2008) trade unions represent or help employees in disciplinary hearings and handle their grievances; they also ensure that employees are not unfairly discriminated against in the workplace and ensure the “health and safety of employees in the workplace” (Mwilima, 2008: 33). A further discussion follows below
- **Trade Union Leaders or representatives:** “According to section 213 of the LRA trade unions elect leaders or representatives whose work is to represent employees in the workplace or to bargain with the employer or employers’ organisations on behalf of employees (rank and file members) and negotiate labour contracts (collective bargaining) with employers” (Section 213 of the LRA 66 of 1995).
- **Challenges experienced by Trade Unions:** According to Waghorne, (2010) there are many challenges which are likely to be experienced by trade unions when fulfilling their roles, such as privatisation, unemployment and employee dissatisfaction with a trade union.

1.7 Definitions of terms:

The following terms are defined below to provide clarity:

1.7.1 Trade union:

Refers to “an association of employees whose principal purpose is to regulate relations between employees and employers, including any employers' organisations” (Section 213 of the LRA 66 of 1995).

1.7.2 Employee:

An employee refers to: “any person, excluding an independent contractor, who works for another person or for the State and who receives, or is entitled to receive, any remuneration; and any other person who in any manner assists in carrying on or conducting the business of an employer, and employed and employment have meanings corresponding to that of employee” (Section 213 of the LRA 66 of 1995: 119).

1.7.3 Salary Increments:

“Salary increments are often expressed as a percentage of an employee's overall base pay. An increment usually represents a portion of what the employee earns per year. Employers use increments to increase or decrease base salaries or to award bonuses” (Mwilima, 2008: 33).

1.7.4 Unfair Discrimination:

The South African Constitution of (1995) guarantees the right to equality and the protection for all from unfair discrimination. “Discrimination is regarded as unfair when it withholds benefits or opportunities or imposes burdens from any person on one of the prohibited grounds listed in the Act” (Currie & De Waal, 2013: 25), namely: gender, age, sex, race, disability, marital status, colour, sexual orientation, religion, ethnic or social origin, pregnancy, belief, conscience, culture, birth and language (Currie & De Waal, 2013).

1.7.5 Grievance handling:

Is the process of dealing or managing an official statement of a complaint over something believed to be wrong or unfair (Barber, 2005).

1.8 Research Methodology

To achieve the objectives of this study, a mixed methods research approach was used. The “mixed methods research design is a procedure for collecting, analysing, and mixing both quantitative and qualitative research methods in a single study to understand a research problem” (Creswell, 2012: 21). This design was useful to this study because the **mixing of both qualitative and quantitative data gives the researcher a better understanding of the research problem than using one of them alone. By mixing qualitative and quantitative data in a single study, the researcher is more likely to get verification and detailed understanding of the research problem, while correcting the weaknesses inherent to using each approach by itself (Wesely, 2011).**

The advantage of using a mixed methods research design **is triangulation that allows using different means in a single study (such as researchers, data sources and methods) to study the same research problem. With triangulation the researcher can identify the aspects of the research problem more accurately by approaching it from different viewpoints using different methods and techniques (Wesely, 2011).** The researcher decided to use the mixed methods approach due to the benefit of triangulation. Through triangulation, the researcher could identify the aspects of employees’ perceptions regarding the effectiveness of trade unions in representing employees more accurately, “by approaching them from different viewpoints using different techniques and methods such as open-ended questions and closed-ended questions” (Wesely, 2011: 161).

“Study site refers to the physical or geographical place or area where the study will be conducted” (Leedy, 2013: 20). This study was conducted at the University of KwaZulu-Natal (UKZN). The researcher chooses UKZN as a study site, because the aim of this study was to examine the perceptions held by employees regarding the effectiveness of trade unions in representing employees in institutions of higher learning. While UKZN has five campuses the study was conducted at two UKZN Campuses which are the Howard College and Westville campuses. The researcher chose these two campuses because they are close to each other and it was thus easier for the researcher to travel from one campus to another during the process of collecting data; this enabled the researcher to save money and time. The participants for this study were UKZN employees (both support and academic staff) who are members of the above mentioned 4 trade unions that represents UKZN employees. The sample size of this study was 72 UKZN employees both support and academic staff, including trade unions officials who are members of the above-mentioned 4 trade unions. The researcher used open-ended and closed-ended questionnaires as instruments of collecting data.

1.9 Scope and Significance of the Study

The discussion of the research problem above indicates that, in the field of industrial relations, there is confusion concerning the effectiveness of trade unions in representing their members. As a result of this confusion workers have developed a perception that trade unions are less effective in fulfilling their obligations. This study is important because it attempts to solve this confusion of mixed views by investigating the perceptions held by employees at UKZN regarding the effectiveness of trade unions in representing them. It will also provide suggestions and recommendation which can be used by trade unions to improve its effectiveness. The image of trade unions could conceivably be damaged by an increase of the above general perception.

1.10 Ethical Consideration

The researcher obtained the ethical clearance or approval for conducting this research from the Ethics Committee of the University of KwaZulu-Natal. The researcher also ensured that human dignity was upheld by seeking informed consent from the research participants. This was done by reminding the participants of their rights to keep certain information about themselves confidential, while an agreement was used to limit or prohibit access to the private information. The researcher also ensured that, in this study, the research participants remained anonymous and that no names were used in this study except pseudonyms.

1.11 Limitations of the Study

Staff lack of willingness to participate in this study was the most significant limitation for this study, because most UKZN staff were unwilling to participate in this study. The researcher had to go door to door looking for participants. Data gathering was another limitation for this study, the researcher had to gather data while he was not in the province, he was in Pretoria where he was doing his internship, and as a result it was very difficult for the researcher to gather data. Therefore, the researcher was forced to hire someone who is experienced in data gathering, to help the researcher with data gathering. This study only focused on 2 campuses and 2 colleges of UKZN, because the researcher did not have enough resources (such as time and money) to focus on other campuses and colleges, therefore the reliability of data collected from this study can be questioned.

1.12 Chapters Breakdown

Chapter One: Introduction

Provided the introduction and background to the research topic of this study. This included, the research problem, research questions, objectives and aims of the study. Furthermore, this chapter included the theoretical framework on which the study is based, definitions of terms to provide clarity, research methodology, scope and significance of the study, ethical consideration and limitations of the study.

Chapter Two: Literature Review

This chapter provides the literature review; it starts by providing a brief definition of literature review and its importance in a study. It covers a brief definition of trade unions, it included the discussion of the South African trade union movement, the role of trade unions, and criticism of the South African trade unions movement. Then it outlines the effectiveness of trade unions in representing employees based on the research questions and objectives discussed above in chapter one.

Chapter Three: Research Methodology

This chapter provides the research methods used to conduct this study. This chapter provides the research design, research approach/paradigm, study site, sample, target population, sampling strategies, sample size, data and methods of collecting data such as (open-ended questionnaires and closed-ended questionnaires), data analysis, research interview questions, methods used to ensure validity and reliability of the study.

Chapter Four: Presentation of Data

This chapter provides the data which was collected in this study. It starts by presenting how data was collected using both open-ended and closed-ended research interview questionnaires. Then it presents the demographic details of the research participants. It also presented data which was collected by open-ended and closed-ended research interview questions. Lastly, it presents the key themes which were drawn from the research objectives.

Chapter Five: Summary, Conclusion and Recommendations

This chapter provides summary of all chapters of this study. It answers the research questions as set out in chapter one, it provides recommendations and recommendations for future studies. Lastly is provides conclusion based on the findings of the study.

1.13 Summary

This chapter provided the introduction and background to the research topic of this study. It presented, the research problem, research questions, aims and objectives of the study. It presented the theoretical framework on which the study is based, definitions of terms to provide clarity, research methodology, scope and significance of the study, ethical consideration and limitations of the study. Lastly it presented the chapters breakdown of all chapters in this study.

Chapter Two

Literature Review

2.1 Introduction

The literature review provides the theoretical base for the research and helps the researcher to determine the nature of the research. “It also shows where the research fits into the existing body of knowledge, it outlines the gaps and highlights the flaws in previous studies. It shows, that the work is adding to the understanding and knowledge of the field” (Boote & Beile, 2005: 25). It helps to refocus, refine or even change the topic (Boote & Beile, 2005).

This chapter provides a literature review about the effectiveness of trade unions in representing employees. In order to create a context this chapter begins by providing a brief definition of trade unions, the trade unions movement in South Africa, the role of trade unions, and the criticism of the South African trade unions movement. Lastly this chapter aims to provide an analysis of literature to the research questions set out in chapter one.

2.2 Understanding Trade Unions

A trade union can be regarded as an association of employees whose main aim is to regulate the employment relations between employees and employers as well as, employers' organisations (Section 213 of the LRA 66 of 195). Adler & Webster (2000) argue that trade unions refer to employees' associations which are formed or developed to improve the conditions of work and employees' income by collectively bargaining with organisations of employers, or employers. Trade unions are those “organisations whose membership consists of workers and union leaders, who are united to define, promote and fight for the collective interests and rights of workers or a group of workers, especially in relation to employers, but also in relation to the state and civil society” (Andrew, 2004: 1). They are the organisations that represent the employees at work, this refers to meeting with employers to resolve issues or problems on behalf of the employee (Von Holdt, 2003: 26). In other words, they are the voice of employees.

2.3 The trade union movement in South Africa

“The South African trade union movement is the most disciplined and largest on the African continent and has played an important role in determining industrial relations and labour market policies in the country” (Barrett, 2008: 25). In South Africa the labour movement is progressive

as it provides a platform to ensure fairness and settlement of disputes. During the period of apartheid this was not always the case; industrial relations were characterised by conflict, cheap labour policies, union repression, authoritarian management styles and a high level of racial discrimination (Barrett, 2008). The extensive consultation between employers, labour and government resulted in the post-1994 labour legislation which has encouraged institutions to nurture sound, co-operative industrial relations (Barrett, 2008). According to Grogan (2009) the Constitution (Act 108 of 1996) allows for the establishment of trade unions in the workplace; it guarantees employees with the right to strike and join a trade union without hindrance. The Constitution also recognises the duty to collectively bargain. These have been incorporated into the LRA (Grogan, 2009: 22).

2.4 The Role of Trade Unions

According to Adler & Webster, (2000) the main aim of trade unions is to protect the employees who are members of trade unions. They ensure that the workplace is safe for employees and that the employers do not place the employees' health at risk through poor working conditions. They also provide legal protection to their members; they employ lawyers to ensure that employers treat their employees in accordance with the South African labour legislation (Adler & Webster, 2000). Von Holdt (2003) indicates that the other aim of trade unions is to improve the employees' salaries or wages and employment conditions by collective bargaining. Andrew (2004) argues that the "principal purpose of trade unions is to regulate relations between employers and employees, to take collective action to enforce the terms of collective bargaining, to raise all employees' demands to their employers, and to help the employees in terms of settling their grievances and disciplinary matters" (Andrew, 2004: 66). In the development of employee's trade unions play an important role, they have contributed in improving the standard of living of their members by negotiating not only for decent wages, they also negotiate for better living conditions etc. It is assumed that it is through decent wages that the members' standard of living is improved but all these can be obtained if trade unions are active in negotiating for better terms and conditions of work for workers. Trade unions have also negotiated for other important benefits such as housing allowances, pension fund, medical aid and other benefits (Mwilima, 2008).

Mwilima (2008) mentions ten objectives of trade unions which are as follows:

- a. To secure the improvement of employment conditions and payment rate for employees through negotiation with government and employers.

- b. To negotiate on behalf of employees whenever disputes arise.
- c. To unite all those employees who have a common interest.
- d. To maintain the agreed employment or working conditions, which include ensuring that all promises made such as any increase in wages, getting promotions and paid leave etc. are honoured.
- e. To provide any type of mechanism that should allow “trade union members to express any dissatisfaction about their job and to highlight any development at local level that might conflict with their job description and job specification” (Mwilima, 2008: 25).
- f. To minimise employees’ exploitation and protect them and strive to ensure that they have job security.
- g. To provide employees “with services such as information regarding car insurance schemes, pension rights” (Mwilima, 2008: 25) and advise their members regarding any areas of doubt concerning union directives.
- h. To represent or help employees in disciplinary hearings.
- i. Ensure that employees are not unfairly discriminated in employment.
- j. Ensure the health and safety of employees in a workplace (Mwilima, 2008).

2.5 The Criticism of the South African Trade Unions Movement

Webster & Buhlungu (2007) argue that, just like many other trade unions in Africa, the South African trade unions movement has played an important role in fighting for the improved employment conditions of employees. **Trade unions also played an integral role during the apartheid era in fighting for the liberation of South Africa.** They have also played a crucial part by intervening in addressing the challenges facing the South African labour market especially in reducing the high rate of unemployment (Webster & Buhlungu, 2007). Despite this effort, the South African trade unions movement have been criticised by many people, regarding it as ineffective in representing employees.

According to Buhlungu, (2010) while most trade unions have managed to increase their membership their power has declined. COSATU has experienced a remarkable membership growth, “but there are some weaknesses in the trade unions movement. The expanded representational and political role of the federation has, perhaps accidentally, produced some counter-productive forces that have led to the decline of organisational power” (Buhlungu, 2010: 30). Buhlungu (2010) contends that democratic rupture is one of these, whereby the important

leaders of the trade unions are alienated from the members of their trade unions. Their outlook changes because they begin to act and think like the power elite members that the movement is attempting to displace, bureaucrats, politicians, business people as well as the other layers of the middle class (Buhlungu, 2010).

The democratic transition in South Africa, has generated the conditions that favour “the emergence of trade union leaders who believe that if they are undertaking the representational and political role of their federations and unions they should be regarded as reasonable and respectable by their interlocutors in the state and business” (Pillay, 2010: 26). As a result, they tend to spend longer hours in meetings with state bureaucrats and employers than they do with members of their trade unions (Pillay, 2010). Pillay (2010) avers that the role of being a leader of a trade union has become inscribed with powers and privileges, “hence the often-acrimonious leadership contests for power and resources that have occurred within the unions in recent years” (Pillay, 2010: 26). **Furthermore, being representatives of the federation means more than just conveying the views and mandates of trade unions, it also gives them the opportunity to networks to profile oneself and to have access to new opportunities** and to have access to benefits or perks such as paid time off work, to drive hired cars, and air travel etc. (Pillay, 2010).

The representational and political role of unions and their federations have an “effect of widening the horizons of their members, especially the leaders, from the shop stewards upwards in terms of the available opportunities for upward social mobility. It is not like in the past, where the best shop-steward was expected to aspire to become a supervisor on the shop-floor” (Ruggunan, 2008: 33). Today there is a range of options such as becoming a member of provincial or national parliament, a local government councillor and many other career possibilities (Ruggunan, 2008). These options have, since 1994, presented COSATU and its affiliated unions with serious challenges because the generations of activists and leaders have continued to search for better or more exciting jobs elsewhere. Often these leaders and activists develop the new networks and contracts while performing their representational roles, and through this their capabilities and skills are noticed by others (Ruggunan, 2008).

Buhlungu (2010) argues that it is not a surprise that trade union activists or leaders mostly tend to find employment in the organisations that they have the most interaction and contact with while working for the unions. “The dramatic increase in opportunities for the upward mobility of union officials, leaders and members has a generally de-radicalising effect on trade unions” (Cebekhulu,

2013: 15). It is not like in the past, when business and government organisations were considered by radical unionists as part of the putative enemy, today these organisations are considered as coveted and legitimate avenues for upward mobility (Cebekhulu, 2013). According to Buhlungu, (2010) in recent years, research indicates that the members of COSATU are satisfied with the general policy and direction which has been **taken by their leaders, there are strong indications that trade union members participation in union activities such as general meetings and union rallies has declined** (Buhlungu, 2010). This indicates that the membership of unions has become “increasingly motivated by the sort of instrumental pragmatism, where support for the union is driven more by material benefits that members can extract from the union than by a genuine support for the policy positions that the union espouses” (Buhlungu, 2010: 120).

2.6 Trade Unions’ Effectiveness in Representing Employees

Adler & Webster (2000), Von Holdt (2003), Andrew (2004) and Mwilima (2008) mention different aims and objectives of trade unions. When looking at the effectiveness of trade unions we are looking at how successful are trade unions in achieving the above-mentioned aims and objectives. Walters (2011) argues that the effectiveness of trade unions can be measured by the performance of trade unions in carrying out its duties and responsibilities.

2.6.1 Trade Unions’ Effectiveness in Collective Bargaining regarding Salary Increments

Walters (2011) argues that trade unions’ political involvement has made it difficult for them to remain effective in representing employees, because they tend to focus too much on political restructuring. However, one should not forget that it is very difficult to assess trade unions’ effectiveness, because many of the benefits which unions provide to employees, such as establishment and maintaining of family-friendly policies in the workplace are difficult to measure. According to Bryson, (2012) trade unions have been successful in encouraging employers to develop and maintain these policies and procedures. They are effective in representing employees; however, the problem is that they have not been successful in highlighting and emphasising their success, so that it can be translated into the perceived benefits. As a result, there has been a rapid increase in the general perception that trade unions are not effective in representing employees.

In 2012 Freeman conducted a study on the role of trade unions and their effectiveness in representing employees. The study was conducted in the uThukela District Municipality, in KwaZulu-Natal province in Ladysmith, the participants in this study were all municipality workers. In his study Freeman discovered that trade unions are not effective in collective bargaining regarding salary increments, because most of the times when they engage in collective bargaining for salary increments, their negotiation with employers always reach a deadlock, without any salary increment that is demanded by the employees, as a result employees tend to embark in an illegal strike (Freeman, 2012). Freeman (2012) argues that if trade unions are effective in collective bargaining regarding salary increments, their negotiations with employers should not reach deadlock, if they reach a deadlock trade union should provide “direction and leadership to workers, they must not support illegal strike” (Freeman, 2012: 22), but they should instruct employees to follow the set processes to express their grievances (Freeman, 2012). Freeman (2012) discovered that 54 per cent of respondents said that trade unions are not effective in collective bargaining regarding salary increments. The respondents were required to respond to the following statement: “Trade unions are effective in collective bargaining regarding salary increments?” about 25 per cent of respondents rated unions as very bad, while 29 per cent rated union as bad in performing this role (Freeman, 2012).

Flanders (2011) conducted a study in 2010 on the effectiveness of trade unions in representing employees, the study was conducted in Pretoria at the National Research Foundation (NRF). The employees in this organisation are represented by NEHAWU. In this study Flanders discovered that trade unions are not effective in collective bargaining regarding salary increments, 61 per cent of respondents said that they are not happy with their salaries, they said that they were paid low salaries than generally expected. Mwilima (2008) conducted a study on the role of trade unions in job creation, this study also focused on the effectiveness of trade unions in collective bargaining regarding salary increments. In this study Mwilima argues that trade unions are not effective in collective bargaining regarding salary increments, 58 per cent of participants said that their trade unions are not effective in collective bargaining regarding salary increments. They said that they are paid low salaries, and every time when they need salary increments, their trade unions always fail to negotiate with employers, the negotiations always reach deadlock without any reasonable agreements. As a result, trade unions encourage employees to go on illegal strike. They fail to provide direction and leadership to workers to follow the set processes to express their grievances. Polit & Hungler (2013) conducted a study about the effectiveness of trade unions, the study was conducted in Ladysmith St Chat Community Clinic, and the participants in this study were all

nurses in this clinic. 63% of the participants said that their unions were not effective in collective bargaining regarding salary increments. They said that they were not paid according to what they deserve. Their union which was NEHAWU was failing to represent them. 20% of the participants said that they have decided to exit from the union, because there is no need for them to part of the union, since the union was failing them.

Malopyane (2014) asserts that trade unions are not effective in collective bargaining regarding salary increments and in handling employees' grievances. In South Africa, every time when employees want salary increments, the negotiations between the employers and trade unions always reach deadlock, as a result employees go on strike. Since 2012 South Africa has experienced several devastating workers strike, this indicates that trade unions are ineffective in collective bargaining regarding salary increments and in handling employees' grievances. "On 16 August 2012, South Africa saw the most shocking killing of workers in Marikana during the Lonmin mineworkers' illegal strike" (Twala, 2012: 63). About 34 mineworkers were gunned down by police. Workers demanded a salary increase from R 4,000 to R12, 500 (Twala, 2012). The "other grievances included better living and working conditions. This sad event shocked the world and stimulated the debate about the role of trade unions in South Africa, such a catastrophic incident could have been prevented by more responsible trade unionism" (Twala, 2012: 63). **In South Africa the Marikana massacre has raised questions of whether this incident marks the 'rise' or 'fall' of trade unions (Twala, 2012).** It is this incident that causes Malopyane (2014) to state that trade unions are not effective in collective bargaining regarding salary increments, and in handling employees' grievances. He argues that if trade unions were effective in representing employees, the Marikana massacre would have been prevented through negotiations with management, and an agreement about employees' demands and grievances should have been reached before the employees embarked on a strike.

According to Twala (2012) "in the days leading up to Marikana shooting, about 10 mine workers died in clashes between, the two groups of workers led by the National Union of Mineworkers (NUM) and the Association of Mine Workers and Construction Union (AMCU)" (Twala, 2012: 63). This should have sent the warning bells to the respective leaders of trade unions, the police, management of the Lonmin mines, and department of mineral resources or labour to intervene and prevent further bloodshed. Twala (2012) argues that in the days that followed "about 34 more miners were gunned down in clashes with the police. Trade union leaders failed to provide leadership and direction to mineworkers leaving them to run amok. Trade unions should not have

supported the illegal strike but should have rather followed the set processes to express their grievances” (Twala, 2012: 64). On the part of trade unions this was irresponsible, and they should shoulder some of the blame.

There have been other devastating worker strikes which have taken place in South Africa that can be used as an example of indicating that trade unions are ineffective in collective bargaining regarding salary increments. For example, after the Marikana massacre, there was also another mineworkers strike. From July 2012, the four trade unions that represented the freight and truck drivers the Professional Transport and Allied Workers Union of South Africa (PTAWUSA), the South African Textile and Allied Workers Union (SATAWU), the Motor Transport Workers Union (MTWU) and the Transport and Allied Workers Union of South Africa (TAWUSA), were locked in the process of negotiations with employers regarding salary increments (Anderson, 2012). The employees demanded a ten per cent wage increase while employers offered a seven per cent wage increase. In 26 September 2012, the process of negotiations between these trade unions and employers reached a deadlock and as a result the freight and truck drivers went on strike (Anderson, 2012). According to Anderson (2012) this strike lasted for three weeks and was marked by violence which left one truck driver dead and many injured and many trucks destroyed or damaged. **Eventually a three-year wage agreement was reached, which was envisioned would guarantee stability in the industry. It was agreed that the wage increase would be staggered over three years** (Anderson, 2012).

According to Solomons, (2014) since 2012, the South African mining industry has experienced an increase in the number of strikes which indicates that trade unions are ineffective in negotiations regarding salary increments. In January 2014, South Africa experienced what can be noted as the most devastating labour conflict in the mining industry whereby about 70,000 mine workers embarked on a strike. **Most of the employees belonged to producers of platinum such as Anglo-American Platinum, Impala and Lonmin Platinum mines. They demanded a salary increase from R5, 000 to R12, 000 per month (Solomons, 2014).** The employer called this demand unreasonable and refused to go beyond a ten per cent wage increase (Solomons, 2014: 2).

This strike lasted for five months and it affected all major producers of platinum, especially Lonmin. Because of this strike and the subsequent shutdown of mines, the mines lost about 40 per cent of platinum production (Solomons, 2014). “The strike took around 440,000 ounces of platinum out of production. The three companies: Impala Platinum, Amplats and Lonmin suffered

a total revenue loss of approximately R24.1 billion during the strike and a further loss of R10.6 billion in wages” (Solomons, 2014: 2). This long strike affected both the mining companies and workers. Solomons (2014) states that the debts of mineworkers increased during their five months’ strike. This strike left mineworkers without salaries for the duration of the strike, **depending on credit for them increased and some of them were forced to borrow money in order to pay or buy necessities such as food, clothes and school fees etc.** “The average mineworker’s accumulated debt had increased, and they were paying back R5, 000 per month” (Solomons, 2012: 2). Solomons (2014) adds that the mineworkers who had taken out loans were not able to pay back their debt. “Mineworkers lost 45 per cent of their annual income, and it would take them roughly 2.5 years to recoup it through the recently negotiated wage increase” (Solomons, 2014: 2).

Considering the above discussion, it can be argued that the South African trade unions movement is ineffective in collective bargaining regarding salary increments. Most of the times when trade unions engaged in collective bargaining with employers regarding salary increments for employees, their negotiations always reached a deadlock without reaching a reasonable agreement between the two parties. As a result, employees decided to go on strike, which usually has a negative impact on employees and on the South African economy. Trade unions only effect salary increments after strike action, this is proof that they are ineffective in negotiating for salary increments.

2.6.2 Trade unions’ effectiveness in the protection of employees against unfair treatments

Burchielli (2011) argues that the role of trade unions is to work as a ‘sword of justice’ fighting to improve the working environment, by contributing towards better terms and conditions of employment that are not harmful to employees and protecting employees against unfair treatment such as discrimination. According to Burchielli (2011) discrimination refers to a process of making distinction, to treat people differently, and unfavourably due to prejudice. Section 9 of the Constitution guarantees all people with the right to equality, and protection for all against unfair discrimination (Section 9 of the Constitution of South Africa Act 108 of 1996). It also acknowledges that measures such as Affirmative Action are necessary to advance the disadvantaged groups. South African law classifies discrimination into fair and unfair discrimination. It is important to note that not all discrimination is unfair. If there is a legitimate basis and fair reason for the discrimination, it will be considered fair. Discrimination is deemed

to be fair if there is a justifiable basis, for example Affirmative Action, “compulsory discrimination by the law, discrimination based on productivity and discrimination based on inherent job requirement” (EEA, No 55 of 1998), (for example excluding blind workers from driving a bus) (Employment Equity Act (EEA) No 55 of 1998). Discrimination only becomes unfair if there is no justification for the disparate treatment. **Unfair discrimination arises when people are treated in a manner which impairs their fundamental dignity as human beings i.e. that there is no rational or legitimate basis for the differentiation (Kennedy, 2015).** It is differential treatment which is demeaning and hurtful. “It occurs when law or conduct, for no good reason treats some people as inferior or incapable or less deserving of respect than others” (Kennedy, 2015: 2).

“Unfair discrimination, on the grounds of gender, race, pregnancy, sex, social or ethnic origin, marital status, sexual orientation, colour, age, religion, belief, conscience, culture, birth and language” is prohibited (Section 6 (1) of the EEA No 55 of 1998). It is the responsibility of employers to remove unfair discrimination from all their practices and policies. Trade unions must also take the responsibility of ensuring that there is no unfair discrimination in the workplace and that its members are treated fairly and equally.

Freeman’s (2012) study illustrated that in a unionised workplace 85 per cent of employees believed that the protection of employees against unfair treatment such as discrimination is an important priority for trade unions, and 13 per cent regarded it as quite important (Freeman, 2012). The respondents were required to respond to the following statement: “unions tend to perform much better in protecting employees against unfair treatment such as discrimination than they do when they bargain for better wages”, about 21 per cent of employees rated unions as excellent, while 42 per cent rated the union as good in this role. In addition, union members were more positive, that trade unions protect employees against unfair treatment such as discrimination, 25 per cent of them rated unions as excellent and 45 per cent rated unions as good in this role (Freeman, 2012). Looking at these results one can conclude that trade unions are effective in protecting employees against unfair treatments such as discrimination.

The following cases are example where trade unions have successfully represented employees against unfair discrimination:

a. Unfair discrimination based on disability:

A lecturer with down syndrome, employed with the School of Anthropology in the College of Humanities, Howard College Campus, UKZN was excluded from a trip to a natural history museum because the school believed that he would not be able to participate in all activities provided by the museum. The lecturer felt that this was unfair discrimination against him. As a member of UKSU, he approached the union about this situation. The Union enquired with the employee's employer about this situation, the employer argued that this was not unfair discrimination. The union approached the CCMA, the CCMA ruled that this was unfair discrimination and ordered the employer to pay compensation to the discriminated employee (Highway Mail, 20/08/2011).

b. Unfair discrimination based on Religion or Belief:

A Muslim administrator employed with the School of Sociology in the College of Humanities, Howard College Campus, requested for flexibility in her working hours and days for the month of Ramadan (religious month) (Mail & Guardian, 25/03/2012). The School denied this request. Another Muslim administrator from the School of Anthropology, in the College of Humanities, Howard College Campus requested the same flexibility in her working hours during the month of Ramadan to fit with her religious commitments and she was permitted to leave work an hour early during the month of Ramadan. The first administrator was a member of NEHAWU, and approached her union, an inquiry was made to the employer about this situation. The union also approached the CCMA who ruled that the conduct of UKZN amounted to unfair discrimination and requested the employer to pay compensation to the discriminated employee (Mail & Guardian, 25/03/2012).

Considering the above discussion, it can be argued that trade unions are effective in protecting employees against unfair treatments such as discrimination. When looking at the above case examples it can be argued that trade unions are effective in protecting employees against unfair treatments. The above cases indicate that some UKZN employees have been exposed to unfair discrimination and their unions (UKSU and NEHAWU) have been successful in resolving their grievances.

2.6.3 Trade Unions' Effectiveness in Handling Employees' Grievances

Grievance refers to the circumstance that is thought to be unjust and the cause for complaint, it is an official statement of a complaint over something believed to be unfair or wrong (Bryson, 2012).

In looking at the effectiveness of trade unions in terms of handling employees' grievances, Bryson (2012) discovered that seven out of ten employees say that their trade unions can handle their grievances. While ex-union members disagree with this, they suggest that the lack of trade unions' responsibility to handle their grievances is the reason they decided to exit from trade unions (Bryson, 2012). According to Burchielli, (2011) the employees' perceptions regarding the effectiveness of trade unions in terms of handling employees' grievances depends on trade unions' on-site representation, especially the full-time representatives, and the extent in which employees contact their union's representatives. Trade unions are more likely to be effective in handling employee's grievances where the representative-to-employee ratio is low and there are more trade union representatives (Burchielli, 2011). Burchielli (2011) argues that trade unions tend to be effective in handling employees' grievances where they have more power and density. Bargaining coverage and structures are also important, employees tend to perceive trade unions as effective in handling their grievances, "if terms and conditions of employment are subject to collective bargaining, and that bargaining occurs in the workplace" (Burchielli, 2011: 11). If an employer supports trade unions, the unions tend to take more responsibility in handling the employees' grievances, "perhaps because supportive employers offer the facilities and time that representatives need to function effectively" (Burchielli, 2011: 11).

Freeman (2012) discovered that in unionised workplaces about 60 per cent of the employees say that helping employees with disciplinary proceedings is an important issue that trade unions should focus on. About 60 per cent of employees rated trade unions as excellent and 21 per cent rated trade unions as good in performing this role (Freeman, 2012). To investigate the effectiveness of trade unions in helping employees in disciplinary hearing, Freeman (2012) in his study, asked the employees the following question: "In the absence of trade unions how would the disciplinary hearing of employees be"? About 94 per cent of the employees stated that things would be worse in the absence of trade unions and 6 per cent of the employees argued that things would be better in a workplace in the absence of trade unions (Freeman, 2012). Flanders (2011) argues that trade unions are effective in handling employees' grievances, as 85 per cent of participants said that their trade unions are effective in handling employees' grievances. In Flanders study the participants were asked the following question: "Are trade unions effective in handling employee's grievances?" About 30 percent of participants rated union as good and 58 per cent rated union as excellent in handling employees' grievances.

The UKZN trade unions have been successful in handling employee's grievances. The four trade unions that represent UKZN employees has been successful in handling employees' grievances, for example they have been successful in rooting out outsourcing of UKZN's security and cleaning workers. According to The New Age (10/02/2016) from the beginning of 2016 first semester UKZN cleaners and security officers brought Westville, Howard College and Edgewood campuses to a standstill. They were led by their trade unions and students supported the strike. The protesting students and workers demanded that the cleaners and security officers be permanently employed by the University instead of being outsourced by different companies. The reason for this was that the cleaners and security officer were being underpaid by their respective companies. The university responded by saying that towards the end of second semester 2015, it had established a task team to investigate outsourcing and insourcing of services on the university. The task team comprised of trade unions, human resources and student's representatives (The New Age, 10/02/2016). The task team successfully provided feedback which supported moving away from outsourcing. An agreement to move away from outsourcing was reached, cleaners and security staff were employed by the University. "An agreement was reached that a minimum wage of R10 000 would be paid to workers by 2018 and salaries were immediately increased from R2 500 to R5 500" (The New Age, 10/02/2016: 1). UKZN trade unions were the main drivers of the negotiations concerning rooting out outsourcing in UKZN security and cleaning workers. The conclusion that can be drawn from the above discussion is that trade unions are effective in handling employees' grievances.

2.6.4 Are trade unions representatives able to effectively represent employees during wrongful dismissal?

Cebekhulu (2013) conducted a study about the challenges facing the South African trade unions movement. This study also looked at how effective are trade unions representatives in representing employees, especially in cases of wrongful dismissal. He argues that the signs of militant and vibrant trade unions representatives are still there, but the reality is that most trade union representatives who were ideological collectivists for furthering the interests of workers, worker activists, shop-floor issues, and knowledge custodians have left the labour movement and joined the public and private sectors, hence robbing the unions of their valuable expertise and knowledge. There are a few "unions that still pass or share knowledge to new upcoming young union members. For example, the National Union of Metalworkers of South Africa (NUMSA) continues to have trade union representatives who are well informed" (Malopyane, 2014: 1). The most important

part is that the elements that comprised the great labour movement of the 1980s are now lacking. “The black labour unions were the agitators of social change in the workplace. They were also radical, influential, and recognised as forerunners of change to come” (Malopyane, 2014: 1). Trade union officials (representatives, leaders) were organised and politically astute and acted as the instrument of backing for democracy (Malopyane, 2014). **COSATU after it was established was effective in co-ordinating, stopping general and wage strikes and were able to gather support from towns and factories countrywide to end apartheid (Malopyane, 2014).**

“Trade unions have always had two faces: which are swords of justice and vested interest. One may say that trade unions representatives only have their own interest at heart, without caring much about the difficulties experienced by the industry and workers in the wake of protected or unprotected strikes” (Malopyane, 2014: 1). Flanders (2011) conducted a study about the effectiveness of trade unions representatives in representing employees in different grievances including wrongful dismissal, in Pretoria at the National Research Foundation (NRF). Flanders (2011) discovered that 47% of respondents said that their trade unions representatives are effective in representing them. 10% of these respondents said that they were wrongfully dismissed, and their trade unions representatives have been effective in representing them in their cases of wrongful dismissal and won their cases. Freeman (2012) discovered that 57% of respondents said that their trade unions representatives are effective in representing them in cases of wrongful dismissal, 43% of respondents said that their trade unions are ineffective in representing employees in cases of wrongful dismissals. To investigate the effectiveness of trade unions representatives in representing employees in cases of wrongful dismissal, Freeman (2012) in his study, asked the employees the following question: “In the absence of trade unions representatives how would be the representation of employees in cases of wrongful dismissal?” 48% respondents said that things would be worse in the absence of trade unions representatives, because trade unions representatives are effective in representing employees. About 52% of respondents said that things would be better without trade unions representatives, because most trade unions representatives are not effective in representing employees, they are only there to advance themselves (Freeman, 2012).

According to Malopyane (2014) it looks like trade union representatives are content to use the labour movement to advance their own careers at the expense of employees, who remain as the biggest losers. Some trade unions have lost credibility with employees, because they are the means for representatives to acquire the powerful government positions. For example, in the case of

Marikana Massacre NUM has lost credibility with employees, because it is regarded as the means for its representatives to acquire “the powerful government positions and board directorship in mining industries. For example, Cyril Ramaphosa, who was the first General Secretary of NUM, was sitting on the board of directors of Lonmin as his company, Shanduka, was Lonmin’s Black Economic Empowerment (BEE) partner” (Gumede, 2012: 23). This might be one of the reasons for some employees in Lonmin mines to leave NUM and join AMCU (Gumede, 2012).

The conclusion that can be drawn from the above discussion is that some trade unions representatives are effective and some of them are ineffective in representing employees. But one can argue that these findings are dependent on the experience of the individual employee with trade union representatives and may therefore be subjective and biased.

2.6.5 Challenges experienced by Trade Unions when fulfilling their Roles.

In terms of looking at the challenges experienced by trade unions in fulfilling their roles, Waghorne (2010) argues that, in the past 20 years, the major challenge and change that has been experienced by trade unions is privatisation. Privatisation has affected employees, especially public sector employees. Under privatisation, some parts of local government services and nationalised industries were contracted out or sold off as separate entities. **This has resulted in many employees working for a new and different employer.** In such situations, an effective trade union is needed to work with the new employer to ensure that employees are not affected by the departure of the old employer (Waghorne, 2010).

“The change of organisation ownership from public to private sector can bring too many changes in the approach as to how the organisation is run. Private organisations look for opportunities to save money by cutting costs and pursuing profit” (Waghorne, 2010: 564). One of the key functions of a trade union is to ensure that the new employer honours and respects the existing employees’ contracts, including terms and conditions of employment, payments, pension rights, holiday entitlements and maternity leave (Waghorne, 2010). This is a challenge for trade unions as it is difficult to maintain. Some employers in the private sector are less willing to find common ground and are less approachable than others (Waghorne, 2010). With shareholders and profits in their minds, “they can be tempted to look for ways to cut earnings, lengthen working hours, shed jobs, abandon pension and sickness benefits, and lower safety standards to the legal minimum etc”

(Waghorne, 2010: 564). It is a challenge for trade unions to influence private sector employers to resist such temptations (Waghorne, 2010).

The other challenge that is experienced by trade unions when fulfilling their roles is losing their ability to function properly. Gumede (2012) argues that trade unions are losing their ability to function properly and effectively because of the unfavourable economic and labour market conditions that have created the daunting challenges for the labour unions movement which are deeply rooted in the public sector and in the African National Congress (ANC). Gumede (2012) asserts that the government policies which are failing to alleviate the high unemployment rate have made it difficult for trade unions to keep on supporting and justifying the policies of the ANC.

Gumede (2012) adds that the onset of loss of trade union members is a result of the conflict within COSATU. “The employees’ dissatisfaction with National Union of Mine workers (NUM), (which is the main member of COSATU) resulted in the formation of the Association of Mine Workers and Construction Union (AMCU)” (Gumede, 2012: 18). **The in-fighting within NUM led to the union losing support and membership in the platinum sector, most members went on to support AMCU.** “NUM has lost credibility with workers, as the union is now regarded as a means of acquiring powerful government positions and board directorship in mining companies” (Gumede, 2012: 18). The in-fighting within NUM has resulted in competition with AMCU “some competition can result in better service delivery or might cause unnecessary rivalry as trade unions will attempt to out compete each other at the expense of employees” (Gumede, 2012: 19).

According to Gernetzky, (2013) the other challenge that is experienced by trade unions is the bleed of members because of loss of trust. In 2012 trade unions “shed more than 300,000 members with workers’ dissatisfaction at their representation compounding a trend of jobless growth eroding the ranks of organised labour” (Gernetzky, 2013: 1). The 2012 violent mining industry strikes have resulted in a decline in union membership (Gernetzky, 2013). According to “the Department of Labour’s 2012/2013 annual labour report, the union membership declined by 11 per cent, from 3,392,149 members in 194 registered trade unions to 3,057,772 in 196 trade unions” (Gernetzky, 2013: 1). This decline in trade unions’ membership is being blamed on the widespread job losses since 2008 (Gernetzky, 2013). Gernetzky (2013) adds further that, during the 2012 illegal mineworkers’ strikes, “many workers voiced dissatisfaction with their trade union leaders, accusing them of being too close to management and too willing to compromise on workers’ demands” (Gernetzky, 2013: 1).

The increasing unemployment rate have become the major challenge facing the South African labour movement. The “narrow definition of unemployment includes only those unemployed people who take active steps to find employment but fail to do so. On the other hand, the expanded definition, includes everyone who desires employment, irrespective of whether they actively try to obtain a job” (Labour Force Survey, 04/2015: 2). According to Guliwe, (2013) the unemployment rate is very high among the black population and youth who are unskilled. Guliwe (2013) defines ‘youth’ as people who are between the ages of 18 to 35 years old. According to Statistics South Africa (2016) the unemployment rate in South Africa is at 26% or 37% when including dissatisfied job seekers. The main reason for this high unemployment rate is the mismatch between the demands of the labour market and skills. There are other factors which contribute to the high unemployment rate amongst the youth such as the “last in first out convention when jobs are lost, lack of job search capabilities/networks, lack of resources to travel in search of work, and the tendency to shop around (among the better-off youth)” (Guliwe, 2013: 3).

The casualisation of labour and labour brokering or outsourcing are other challenges which are experienced by trade unions when representing employees. According to Buhlungu, Southhall & Webster (2006) casualisation of labour refers to anything that affects the more rapid employment adjustment (such as the ability to easily hire and fire employees), increasing temporary jobs, fixed-term contracts and part-time work. One of the characteristics of the casualisation of labour is Non-Standard Employment Relationships (NSERs) which are associated with the decline of permanent, career long employment and replaced by contract work. Under the NSERs, all employment conditions which are based on industry awards such protection, and exercise of employees’ rights including employee’s benefits are dismantled, resulting in inferior employment terms and conditions (Buhlungu et al. 2006). In contrast, Standard Employment Relationships (SERs) provide employees with permanent, full-time and secure jobs and additional employee benefits such as regulated working hours, holiday entitlements and different leaves, such as sick leave, family responsibility and study leave etc. Most employers enter NSERs with their employees to reduce the costs of labour (Buhlungu et al. 2006).

According to Buhlungu et al. (2006) NSERs are the characteristics of the process of making the labour market to be more flexible to meet the market demands and to retain as much profit as possible. Because to respond to the demands of the market requires the firm to change the component of staff according to production demands, NSERs reflected on the fact that some

employees have jobs that are easy to be terminated, therefore they are vulnerable to unemployment (Buhlungu et al. 2006). Some employees in this context, may find themselves employed at an intermitted interval because the nature of their employment in under the NSERs sometimes it's likely to be uncertain. It becomes a challenge for trade unions to represent part-time, and contract workers under NSERs, because trade unions cannot make long term agreement with the employer on behalf of the contract or part-time work (Buhlungu et al. 2006). The conclusion that can be drawn from the above discussion is that there are challenges which are experienced by trade unions when representing employees.

2.7 Summary

This chapter provided the literature review, it started by providing a brief definition of literature review and its importance in a study. It provided the definition of trade union, the brief discussion of trade unions movement in South Africa. The role of trade unions, the criticism of the South African trade union movement. Then the last part covers the effectiveness of trade unions in representing employees based on the four research objectives. The literature indicates that trade unions are ineffective in collective bargaining regarding salary increments. Most of the times when trade unions engaged in collective bargaining with employers regarding salary increments for employees, their negotiations always reached a deadlock without reaching a reasonable agreement between the two parties. As a result, employees decided to go on strike, which usually has a negative impact on employees and on the South African economy. Trade unions only effect salary increments after strike action, this is proof that they are ineffective in negotiating for salary increments. The literature indicates that trade unions are effective in protecting employees against unfair treatments such as discrimination. Trade unions are effective in handling employees' grievances. The literature indicates that some trade unions representatives are effective and some of them are ineffective in representing employees. But one can argue that these findings are dependent on the experience of the individual employee with trade union representatives and may therefore be subjective and biased. There are challenges which are experienced by trade unions when representing employees.

Chapter Three

Research Methodology

3.1 Introduction

This chapter describes the research methods used to conduct this study. The aim of this study is to investigate the perceptions held by employees regarding the effectiveness of trade unions in representing employees at the University of KwaZulu-Natal. Previous studies revealed that trade unions are not effective in representing employees, because they tend to focus too much on politics, while others revealed that trade unions are effective in representing employees but fail to showcase their success; as a result, there has been a rapid increase in the general perception that trade unions are ineffective in representing employees. UKZN is a public university which complies with the rules, regulations, policies and the employment conditions set out by legislation. Much of its students are from KwaZulu-Natal and are from mainly disadvantaged communities (<http://www.ukzn.ac.za>). The study was conducted at the Howard College and Westville Campuses, because Westville is the main campus and Howard College is near Westville, so it was easy for the researcher to travel between these two campuses. This enabled the researcher to save time and money during the process of collecting data.

3.2 The Objectives of the Study

In chapter 1 the study has determined its objectives which will serve as the pillars of the study.

- To investigate the effectiveness of trade unions during collective bargaining regarding salary increments and the protection of employees against unfair treatment.
- To determine whether trade unions are effective in handling employees' grievances.
- To explore whether trade unions' representatives are able to effectively represent employees during wrongful dismissal.
- To determine the challenges experienced by trade unions when fulfilling their roles.

3.3 Research Design

According to Creswell, (2012) research methodology refers to the strategy that is used to collect data and information when conducting a study. This includes the identification of the research methods. This chapter provides detailed information on how this study was conducted. The research methodology and design identify the process that is used to collect data and information

to answer the research questions. The mixed method research design was used in this study. The mixed method research design includes the mixing of “both quantitative and qualitative methodologies, methods, data and paradigms in a single study, in order to understand the research problem” (Wesely, 2011: 22).

Descriptive research design was used in this study. According to Polit & Hungler (2013) descriptive research design “describes what exists and can help to uncover the new meaning and facts. Its purpose is to describe, observe and document aspects of a situation as it naturally occurs” (Polit & Hungler, 2013: 23). It involves data collection that will provide description or an account of individual groups or situations. The instruments that are used to collect data in descriptive research design include: observation (checklist, etc.), questionnaires, and interviews (Polit & Hungler, 2013). The researcher chose to use descriptive research design, “because this design depicts the participants in an accurate way. It describes the people who take part in the study” (Polit & Hungler, 2013: 23).

Polit & Hungler (2013) argues that “there are three ways a researcher can go about doing a descriptive research project and they are: Observational, defined as a method of viewing and recording the participants. Case study, defined as an in-depth study of an individual or group of individuals and survey, defined as a brief interview or discussion with an individual about a specific topic” (Polit & Hungler, 2013: 23). The researcher chose to use descriptive research design, because one of the above mentioned three ways is matching with what the researcher did in this study and that way is survey. In this study the researcher collected data through brief interviews or discussions with participants about the effectiveness of UKZN trade unions in representing employees. “Descriptive research is an innovative tool for researchers. It presents an opportunity to use both quantitative and qualitative data to reconstruct the what is of a topic” (Polit & Hungler, 2013: 23). This means that it allows the use of both quantitative and qualitative data (mixed methods) of collecting data in a single study. Therefore, the researcher chose to use descriptive research because it goes hand in hand with the research approach of this study which is mixed methods. According to Polit & Hungler (2013) the advantages and benefits of using descriptive research, is that participants are observed in a natural and unchanged environment without interfering with their normal behaviours or activities. The researcher benefited from these advantages and benefits. A purposive sampling approach was used to select participants in this study. According to Creswell (2012) a purposive sampling approach is a process whereby the

researcher selects people or units to be included in the sample with a purpose in his or her mind. UKZN staff members who are members of four trade unions that represents UKZN support and academic staff were included as a sample in this study.

3.4 Research Approach/Paradigm

Creswell (2012) indicates that there are three types of research approaches namely: mixed methods, quantitative and qualitative research approaches. According to Creswell (2012) qualitative research is multimethod in focus, involving an interpretive, naturalistic approach to its subject matter. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them. It is empirical research where the data are not in the form of numbers (Creswell, 2012). Creswell (2012) argue that quantitative research gathers data in a numerical form which can be put into categories, or in rank order, or measured in units of measurement. This type of data can be used to construct graphs and tables of raw data. Quantitative researchers aim to establish general laws of behaviour and phenomenon across different settings or contexts. This type of research is used to test a theory and ultimately support or reject it (Creswell, 2012). “Mixed methods research design is a procedure for collecting, analysing, and mixing both quantitative and qualitative research and methods in a single study to understand a research problem” (Creswell, 2012: 21). The mixed methods research approach was used to achieve the objectives of this study. This design was useful to this study because the integration of both qualitative and quantitative data provides a better understanding of the research problem than either standing alone. By mixing both quantitative and qualitative data in a research, “the researcher may gain corroboration and an in-depth understanding of the research problem, while offsetting the weaknesses inherent to using each approach by itself” (Wesely, 2011: 160).

Wesely (2011) claims that, “the advantage of using mixed methods research design is the possibility of triangulation, for example using several means in a single study (such as data sources, researchers and methods) to examine the same research problem” (Wesely, 2011: 161). “Triangulation allows the researcher to identify aspects of the research problem more accurately by approaching it from different viewpoints using different techniques and methods” (Wesely, 2011: 161). In this study triangulation was achieved by using both open-ended and closed-ended questionnaires. The successful triangulation requires the “careful analysis of information which is provided by each research methods, including its weaknesses and strengths” (Wesely, 2011: 161).

The researcher decided to use mixed methods due to the benefit of triangulation. Through triangulation the researcher was able to identify the aspects of employee's perceptions regarding the effectiveness of trade unions in representing employees "more accurately by approaching them from different viewpoints using different techniques and methods such as open-ended questions and closed-ended questions" (Wesely, 2011: 161).

3.5 Study Site

The study site "refers to the physical or geographical place or area where the study will be conducted (Leedy, 2013: 20). This study was conducted at the University of KwaZulu-Natal (UKZN). UKZN was chosen as the study site, because the aim of this study was to examine the perceptions held by employees regarding the effectiveness of trade unions in representing employees in institutions of higher learning. Therefore, UKZN was the best option for this study. UKZN has five campuses and all these campuses are in South Africa in the province of KwaZulu-Natal, but the study was conducted in only two UKZN Campuses namely Howard College and Westville campuses. At the Howard College Campus, the College of Humanities was selected as a study site and at Westville Campus all schools under the College of Law and Management Studies was identified. The researcher chose these two campuses because they are close to each other and it was thus easier for the researcher to travel from one campus to another during the process of collecting data; this enabled the researcher to save money and time. The researcher chose to conduct this study in all schools under the above mentioned two colleges, because the researcher has been a student under these colleges and hoped that data collection would not be a challenge.

3.6 Target Population

The "target population refers to the collection of people or units with the specific characteristics the researcher is interested in" (Babbie, 2013: 13). The target population of this study is UKZN employees (both support and academic staff, including trade union officials) from the College of Law and Management Studies as well as the College of Humanities who are members of the four trade unions that represent UKZN employees, especially those who have been members of trade unions for more than 12 months. It was assumed that these employees would have a better understanding of how their trade unions operate and could therefore provide truthful responses. The researcher targeted all schools under the College of Law and Management Studies and the College of Humanities, this is because the researcher assumed that the employees under these schools have a better understanding of how trade unions function. According to the UKZN HR

Department (2017) there are 66 employees under the College of Humanities and 78 employees under the College of Law and Management Studies who are members of trade unions including trade unions officials. The total population of these two Colleges is 144 employees. Therefore, the target population for this study is 144 College of Humanities and College of Law and Management Studies employees who are members of the above mentioned four UKZN trade unions.

According to UKZN HR Department (2017) the membership per above union is as follows, in all schools under the College of Humanities and College of Law and Management Studies.

The information on target population is displayed in the following tables due to the different colleges and schools.

Table 3.1: The total number of employees who are members of trade unions within the College of Humanities and the College of Law and Management Studies.

TRADE UNIONS	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	27	33	60
NEHAWU	17	22	39
COMSA	10	16	26
NTEU	7	12	19
TOTAL	61	83	144

Source: UKZN HR Department (2017)

Within the College of Humanities and the College of Law and Management Studies, there are 144 employees who are members of trade unions including trade unions officials (both support and academic staff). UKSU has the majority of membership with 60 employees, followed by NEHAWU with 39 employees, COMSA with 26 employees and NTEU has the lowest membership of 19 employees, this includes both support and academic staff. Academic staff have a higher membership of 83 employees compared to support staff with 61 employees in both campuses.

Table 3.2: The total number of employees who are members of trade unions, within the College of Humanities, Howard College Campus.

TRADE UNION	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	12	16	28
HEHAWU	7	10	17
COMSA	5	8	13
NTEU	3	5	8
TOTAL	27	39	66

Source: UKZN HR Department (2017)

In all schools under the College of Humanities there are 66 employees who are members of trade unions including trade unions officials (both support and academic staff). UKSU has the majority of membership with 28 employees, followed by NEHAWU with 17 employees, COMSA with 13 employees and NTEU with the lowest membership of 8 employees both support and academic staff. Academic staff has a membership of 39 employees, compared to support staff with 27 employees in all schools under the College of Humanities on the Howard College Campus.

Table 3.3: The total number of employees who are members of trade unions, within the College of Law and Management Studies, Westville Campus.

TRADE UNIONS	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	15	17	32
HEHAWU	10	12	22
COMSA	5	8	13
NTEU	4	7	11
TOTAL	34	44	78

Source: UKZN HR Department (2017)

In all schools under the College of Law and Management Studies there are 78 employees who are members of trade unions including trade unions officials (both support and academic staff). UKSU has the majority of membership with 32 employees, followed by NEHAWU with 22 employees, COMSA with 13 employees and NTEU with the lowest membership of 11 employees both support and academic staff. Academic staff membership consists of 44 employees compared to support

staff with 34 employees in all schools under the College of Law and Management Studies on the Westville Campus.

3.7 Sample

“Sample refers to the subset of the entire population from which data is collected by the researcher” (Aridly, 2010: 15). There are four trade unions that represent workers at UKZN, and they are: The University of KwaZulu-Natal Staff Union (UKSU), the “Combined Staff Association (COMSA), the National Education Health & Allied Workers Union (NEHAWU), and the National Tertiary Education Union (NTEU)” (UKSU Constitution, 2008: 3). The sample of this study was selected from employees who are members of the above four trade unions, including trade unions officials who are UKZN employees. In UKZN there are two different types of employees, namely support and academic staff, therefore the sample of this was also selected from these two types of employees and the study attempted to have an equal representation of these two types of employees, but this depended on the availability of such employees.

3.8 Sample size

“Sample size refers to the total number of people or units that are selected in order to participate in a study” (Aridly, 2010: 15). Ardilly & Tille (2007) argue that using sampling procedures can add some advantage to the study, such as reliability of information collected during the study. If all units of the population are used to collect information, “the collected information might be true, but we are not sure about it. We do not know whether the information is true or false. Thus, we cannot say anything with confidence about the quality of information. We say that the reliability is not possible. This is a very important advantage of sampling. The inference about the population parameters is possible only when the sample data is collected from the selected sample” (Ardilly & Tille, 2007: 83). In most cases, it is not possible for the researcher to use all units of the population to collect information, for different reasons. But the researcher must “select a sample that is as close as possible to being representative of the population, then any observation the researcher can make regarding that sample should be true for the population” (Ardilly & Tille, 2007: 83). If it is impossible for the researcher to select all units of the population, then the researcher may select half of the total population (Ardilly & Tille, 2007). The sample size of this study was 72 UKZN employees both support and academic staff, including trade unions officials who are members of the above-mentioned trade unions. The researcher selected 72 employees because it is half of the target population (144 employees). It was impossible for all 144 employees

to be interviewed due to time and financial constraints therefore 72 UKZN employees support and academic staff including trade unions officials were selected to participate in this study.

Below is a breakdown of the sample size undertaken in this study.

Table 3.4: The total sample size per union for the College of Humanities and College of Law and Management Studies.

TRADE UNIONS	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	13	15	28
HEHAWU	8	11	19
COMSA	5	8	13
NTEU	5	7	12
TOTAL	31	41	72

Source: UKZN HR department (2017).

It was indicated above that there are 144 employees within the college of Law and Management Studies and College of Humanities who are members of trade unions. 72 of these employees were selected to participate in this study. UKSU has most participants with 28 employees, followed by NEHAWU with 19 employees, COMSA with 13 employees and NTEU with the lowest of 12 employees including both support and academic staff. Academic staff consist most participants with 41 employees compared to support staff with 31 employees in both colleges.

Table 3.5: The total sample size per union within the College of Humanities in Howard College Campus.

TRADE UNIONS	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	6	8	14
NEHAWU	3	5	8
COMSA	2	4	6
NTEU	2	3	5
TOTAL	13	20	33

Source: UKZN HR department (2017).

It was indicated above that there are 66 (Table 3.2 above) UKZN employees who are members of trade unions in all schools under the college of Humanities in Howard College Campus. 33 of these employees were selected to participate in this study. UKSU has most participants of 14 employees, followed by NEHAWU with 8 employees, COMSA with 6 employees and NTEU with the lowest of 5 employees both support and academic staff. Academic staff consist the majority with 20 employees compared to support staff with 13 employees within the college of Humanities in Howard College Campus.

Table 3.6: Illustrate the sample size per union within the College of Law and Management Studies in Westville Campus.

TRADE UNIONS	SUPPORT STAFF	ACADEMIC STAFF	TOTAL
UKSU	7	7	14
NEHAWU	5	6	11
COMSA	3	4	7
NTUE	3	4	7
TOTAL	18	21	39

Source: UKZN HR department (2017).

It was indicated above that there are 78 (Table 3.3 above) UKZN employees who are members of trade unions in all schools under the College of Law and Management Studies, Westville Campus. 39 of these employees were selected to participate in this study. The trade unions officials are included in these numbers. UKSU has most participants with 14 employees, followed by NEHAWU with 11 employees, while COMSA and NTEU has the same membership of 7 employees. Academic staff consist most of the membership with 21 employees compared to support staff with 18 employees.

3.9 Sampling Strategies

The researcher used the probability sampling method to select the employees that were included in the sample. The “probability sampling method is a sampling technique whereby the samples are gathered in a process that gives all the individuals in the population an equal chance of being

selected” (Creswell, 2012: 30). In this study, the “stratified random sampling method was used, in this sampling technique the researcher divides the entire target population into different subgroups, or strata. Then the researcher randomly selects the final subjects proportionally from the different strata” (Creswell, 2012: 30). The researcher chose to use stratified random sampling in order “obtain a sample population that best represents the entire target population being studied. The advantage of stratified random sampling is to minimise the sample selection bias and ensuring that certain segments of the population are not underrepresented or overrepresented” (Creswell, 2012: 30). The researcher chose this sampling method because he wanted to benefit from the above-mentioned advantage.

The researcher organised the population by category of employees (academic and support staff). Then selected the appropriate numbers of academic and support staff chosen to participate in this study. During this process the unions which participants belong to was considered. “Stratified random sampling method is used when the researcher wants to highlight specific subgroups within the population. This ensures that the researcher has an adequate number of subjects from each class in the final sample” (Aridly, 2010: 65). This sampling method is useful in this study, since the target population consists of two different types of employees (academic and support staff). The researcher divided these employees “into different subgroups and then randomly selected the final subjects proportionally from these different subgroups” (Aridly, 2010: 65). When the employees were selected, the union in which employees belong to was also considered. This was done to determine how effective the union at UKZN are. This sampling method helped the researcher to have both support and academic staff represented in the sample, since the target population of this study consist of these types of employees. The aim of this study was to determine the effectiveness of trade union representation at UKZN in general. Thus, this study did not compare the effectiveness between the different trade unions at UKZN. This study did not aim to compare and measure the level of effectiveness of the different trade unions.

3.10 Data and methods of collecting data

“Data refers to the information that is collected during the process of conducting research, while instruments of collecting data refers to the method or devices that are used in order to collect data during the process of conducting research” (Hair, 2010: 20). The researcher used questionnaires as an instrument of collecting data. There are many alternative strategies that can be used to collect data within the mixed methods research, “for example the concurrent strategy. This strategy

involves the collection of data by using a questionnaire whereby you use both qualitative and quantitative approaches simultaneously” (Creswell, 2012: 34). The researcher used this concurrent strategy in this study. These two types of questions (Open-ended and closed-ended questions) complement each other by collecting different but useful data. The researcher decided to use these two questions because they go hand in hand with the research approach/paradigm of this study and they enabled the researcher to explore the employees’ perceptions regarding the effectiveness of unions in representing employees from different viewpoints.

3.10.1 Open-ended Questionnaires

According to King, (2010) an open-ended questionnaire refers to a questionnaire which has “unstructured questions and their possible answers are not suggested; therefore, the respondents answer the questions in his or her own words. Such questions usually begin with a how, what, when, where, and why such as what factors you consider saying that your trade union is effective in representing you? Or in your opinion, what makes your trade union to be effective?” (King, 2010: 22). Open-ended questions were used as they allowed the respondents to have an unlimited number of possible answers. This allowed “respondents to answer questions in detail and clarify their responses, the responses revealed the respondents’ thinking processes, logic and frame of reference, it permitted creativity, self-expression and richness of details, they also permitted adequate answers to the complex issues, and unanticipated findings can be discovered through open-ended questions” (King, 2010: 22). These questions gave research respondents’ freedom in answering, and they also allowed respondents to share their own perceptions and experiences about trade unions’ effectiveness, without being influenced. Therefore, by using these questions the researcher collected detailed information about employees’ perceptions and experiences regarding the effectiveness of trade unions in representing them.

3.10.2 Closed-ended Questionnaires

King (2010) describes closed-ended questionnaires as the “questionnaires which are structured and provide respondents with a set of possible answers which they choose from in order to answer the questions, for example multiple choice questions. The researcher decided to use these kinds of questions (closed ended questions) as they are easier and quicker for respondents to answer. It is easier to compare the answers of different respondents” (King, 2010: 23). It is easier to statistically analyse and code the answers, and the choices of responses can clarify the questions for respondents (King, 2010). Closed-ended questions allowed the researcher to collect detailed

information regarding the perceptions of employees on the effectiveness of trade unions in representing them.

3.11 Data Analysis techniques

“Data analysis refers to the process of evaluating data using analytical and logical reasoning to examine each component of data provided, and the data from various sources is gathered, reviewed, and then analysed to form some sort of finding or conclusion” (Olsen, 2012: 26). In this study thematic data analysis method was used to analyse data which was collected through both closed-ended and open-ended questionnaires. “Thematic data analysis refers to the method of analysing data which emphasises, identifies or pinpoints, examines, records the themes or patterns, within the research data and then reports them as findings of the research” (Clarke, 2011: 50). Thematic data analysis was used because it is the most common form of data analysis which is used in mixed methods research. Further the “thematic data analysis method is suitable to analyse data in this study because its technique concisely organises data and thereafter describes the sets of data in detail” (Clarke, 2011: 50).

3.12 Data Collection Methods

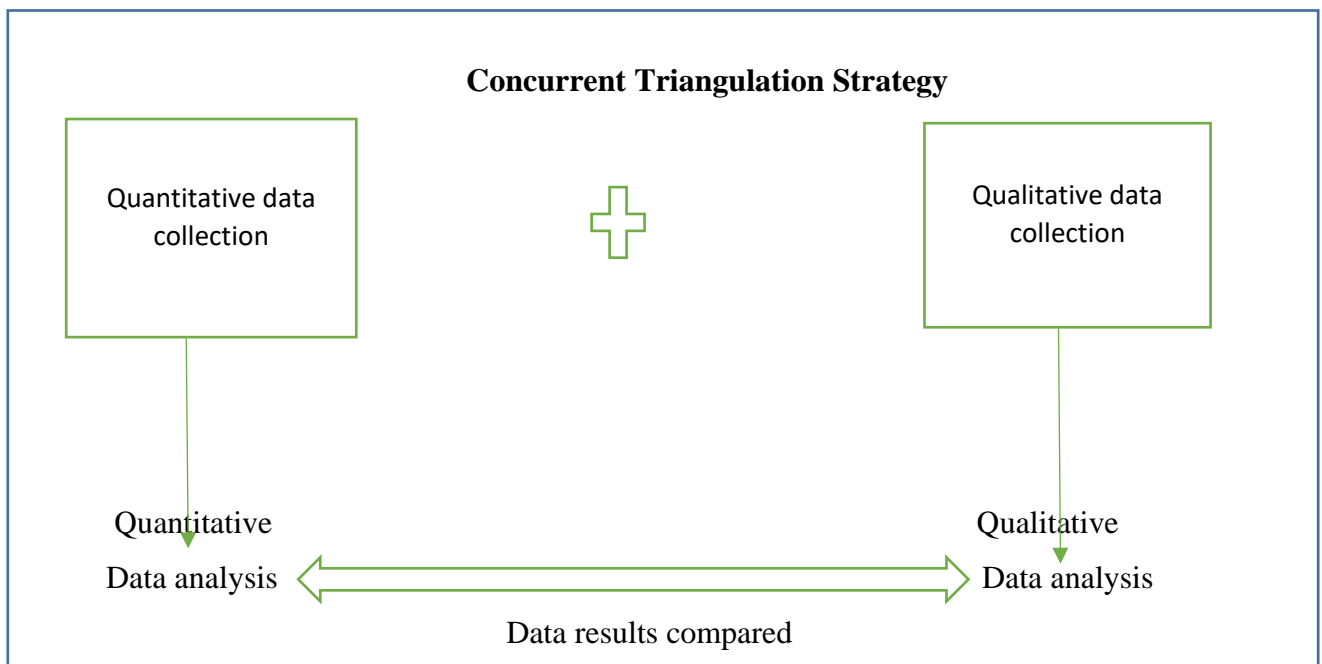
3.12.1 Mixed Method Research Approach

This study used the mixed method research design. “The mixed methods research design is a procedure for collecting, analysing, and ‘mixing’ both quantitative and qualitative research methods in a single study to understand a research problem” (Creswell, 2012: 21). The most important “goal of the mixed method research design is to tackle a single research problem from many different relevant angles, making use where appropriate of previous studies” (Aguado, 2009: 257). Aguado (2009) states that it is sometimes called multi-methodology or as mixed methodology, as it offers the researcher the “in-depth, contextualised and natural but more time-consuming insights of qualitative research coupled with more efficient but less compelling or rich predictive power of quantitative research” (Aguado, 2009: 257). “These approaches are far more comprehensive than attacking a problem from only one point of view and, with the emergence of strategies and tools for blending these different types of data, it allows for the crossing of disciplinary boundaries like never before” (Aguado, 2009: 258).

The questionnaires were used as instruments of collecting data in this study. This study used mixed method research design, as a result it benefited from a concurrent triangulation strategy (see figure 3.1 below). Creswell (2012) explains concurrent triangulation strategy as that which refers to the

method of collecting data by using questionnaires whereby both qualitative and quantitative approaches are used simultaneously. Concurrent triangulation strategy was achieved in this study by collecting information using both open-ended and closed-ended questionnaires. “This strategy is used to cross-validate, confirm or corroborate the findings within the study. Generally, both methods are used to overcome a weakness in using one method with the strengths of another” (Aguado, 2009: 260).

Figure 3.1: Illustrates concurrent triangulation



Source: (Creswell, 2012)

3.13 Research Interview Questions

The research interview questions are the questions that the researcher asks the research participants. According to Ardilly & Tille, (2007) research interview questions are different from normal interview questions. The research interview questions describe the issue the researcher wants to learn about, but the researcher rarely learns about that issue by asking literal questions. For example, if a researcher wants to learn why trade unions are ineffective in representing employees, the researcher cannot ask employees, “Why trade unions are ineffective, or why do you think trade unions are ineffective in representing employees? Research interview questions are usually too broad to serve as productive interview questions” (Ardilly & Tille, 2007: 89). Once the researcher has the research questions, he or she should develop a plan for collecting data that

will help him or her to gather credible clues, or evidence which is relevant to the research questions. The interview guide is the plan for data collection (Ardilly & Tille, 2007).

3.14 Interviews

To collect data for this study, a semi-structured interview method was used. King (2010) explains a semi-structured interview as an interview whereby both the “interviewer and respondents engage in a formal interview. The interviewer develops and uses an interview guide. This is a list of questions and topics that need to be covered during the interview, usually in a particular order. The interviewer follows the guide but can follow topical trajectories in the conversation that may stray from the guide when he or she feels this is appropriate” (King, 2010:20).

The chairpersons of all four trade unions which represent UKZN employees were the first people who were approached by the researcher for advice on how to select research participants. The chairpersons were of great assistance as they sent out a communiqué to the selected employees notifying them of the study. The researcher followed up by sending an email as a formal request to participate in this study. In this formal request the researcher asked the respondents to indicate a date and time that was suitable for them to be interviewed. All interviews were conducted in places that were preferred by the respondents, this was done to protect their privacy and ensure confidentiality. A total of 72 employees (academic and support staff) were chosen to participate in this study.

At the beginning of the interview all participants were requested to sign the informed consent letter and were reminded about the purpose of the study, they were also reminded of their right to privacy and confidentiality and the right to withdraw from participating in the study. The interviews lasted for 20 to 30 minutes for open-ended questions and for the closed-ended question interviews lasted not more than 15 minutes. During the interview, both the interviewer and interviewee manually recorded responses to the questions. All interviews were face-to-face discussions which resulted in longer discussions on some questions where more clarity was needed.

3.15 The Logic for using Semi-Structured Interviews

The researcher decided to use semi-structured interviews because these allowed for better explanation and understanding of important terms. This method also allowed the “interviewer to clarify questions and allowed for follow up questions which allowed flexibility of the discussion of topic in detail” (Ardilly & Tille, 2007: 87). Semi-structured interviews allowed the researcher

“to prepare questions ahead of time, which enabled the interviewer to be prepared and appear competent during the interview. Semi-structured interviews enable the research participants the freedom to express their views when responding to questions” (Ardilly & Tille, 2010: 87). They can also provide comparable and reliable qualitative data. Formal appointments were made via email with the participants to conduct the interviews. Respondents who were interviewed face to face responded much better than those who sent their responses via email as they were not available for face to face interviews. The researcher did self-administered questionnaires for the closed-ended questionnaires. “Self-administered questionnaire refers to a questionnaire that has been designed specifically to be completed by a respondent without intervention of the researcher (e.g. an interviewer) collecting the data” (King, 2010: 24). This helped the researcher to save time, and focus on other parts of the study, because there was no need to interview the participants, the participants were given the questionnaires and they responded to the questionnaires. This gave the participants the opportunity to answer the questions in their own way without the intervention of the researcher.

3.16 Methods used to Ensure Validity and Reliability

3.16.1 Validity

Aguado (2009) states that measuring validity refers to the process whereby the researcher checks “how well the operational and conceptual definitions fit together with each other and is the extent to which an investigation or test measures what it claims to measure” (Aguado, 2009: 255). Validity is very important because it confirms the truthfulness of the study. The following are the important issues that should be considered to ensure the validity of results: it is important to consider the system that was used to draw the sample and instruments that were used in a study. It is also important to consider the environmental issues in “which the study was conducted and full understanding of the research approach to support the study” (Aguado, 2009: 255). Validity for this study is maintained through the following: Selecting models/frameworks and theories which are related to the research topic, and objectives and questions used as the guideline.

3.16.2 Reliability

Reliability just like validity is the “way of assessing the quality of the measurement procedure used to collect data in a dissertation” (Aguado, 2009: 259). It is the “extent to which the measuring instrument gives the same results when used repetitively” (Aguado, 2009: 259). The open-ended and closed-ended questionnaires were developed in a standard format in such a way that they

produced the same result even when they were applied more than once. This means that the other researchers who will do the same study would be able to implement the same experiment and generate the same results under the same conditions. This will support the findings and ensure that the community will accept the hypothesis.

3.17 Pilot Study

A pilot study was undertaken, in order to test the protocol or process of this study. The researcher undertook a pilot study to test how possible this study was, for example to test whether the study resources were adequate, including finances, time and materials etc. Furthermore, the pilot study sought to identify whether there were other problems that needed to be addressed specifically around the questionnaires. The outcome of the pilot study indicated that time and finances were not enough to complete this study, because the target population was very high with 144 employees. The researcher did not have enough time and money to accommodate this high target population. As a result, the researcher decided to interview half of the target population which is 72 employees. The researcher can say that the pilot study helped him to select the manageable sample size. The outcome of the pilot study also indicated that there were no challenges regarding the questionnaires. The researcher can say that the pilot study helped him to have manageable questionnaires.

3.18 Summary

This chapter provided the research methods that were used to conduct this study. This study provided the research design, research approach/paradigm, study site, target population, sampling strategies, sample size, data and methods of collecting data such as (open-ended questionnaires and closed-ended questionnaires), data analysis techniques, research interview questions, methods used to ensure validity and reliability of the study. The next chapter presents data which was collected in this study.

Chapter Four

Presentation of Data

4.1 Introduction

This chapter presents the data for this study. The questionnaires (open-ended and closed-ended) were used to collect data from UKZN employees, both support and academic staff. In this study, thematic data analysis was used to analyse data. This chapter consists of two sections, section A which covers the demographic details of all research participants. This includes gender, nationality, age, and level of education, number of years as a member of a trade union, staff category and campus. Section B consists of open-ended interview questions and closed-ended questions. All interviews were conducted at UKZN on the Howard College and Westville campuses. Before every interview session, all research participants were briefed about the study, including its aims and objectives and were required to read and sign the consent letter. The researcher also reminded the research participants about their right to withdraw from participating in this study at any time and they were also assured of their anonymity and that confidentiality would be observed.

4.2 Presentation and analysis of data:

This study used 2 research instruments in order to achieve triangulation. The research instruments were divided into 2 different sets i.e. open-ended questionnaire (Research Instrument 1) and a closed-ended questionnaire (Research Instrument 2). The sample size (72 employees) was also divided into 2 different groups, half of the sample (36 participants) participated in research instrument 1 and the other half (36 participants) participated in research instrument 2. Research Instrument 1 (open-ended questionnaire) had 4 sections, A, B, C and D. Section A focussed on the personal information of the respondents, for example, age, gender, trade union details and so on. The questions in section B centred on the subject matter based on the research objectives that were stated earlier. Research Instrument 2 (closed-ended questionnaire) is made up of 2 sections – A and B. Section A deals with personal information of the respondents and Section B deals with questions (closed-ended) relating to the research objectives. In these questions the respondents were expected to choose their answers from the options provided. They were required to rate their answers from the following responses: Strongly agree, slightly agree, agree, strongly disagree, slightly disagree, disagree and undecided.

4.3 Section A: Demographic Data

This section presents the demographic details of all research participants for Research Instruments 1 and 2 as the same participants were questioned.

4.3.1 Data presentation:

Table 4.1: Frequency distribution and percentage of participants according to gender

Gender	Male	Female	Total
Frequency	31	41	72
Percentage	43%	57%	100%

Source: Field Survey (2016)

Figure 4.1: Illustrate the total percentage of participants according to gender

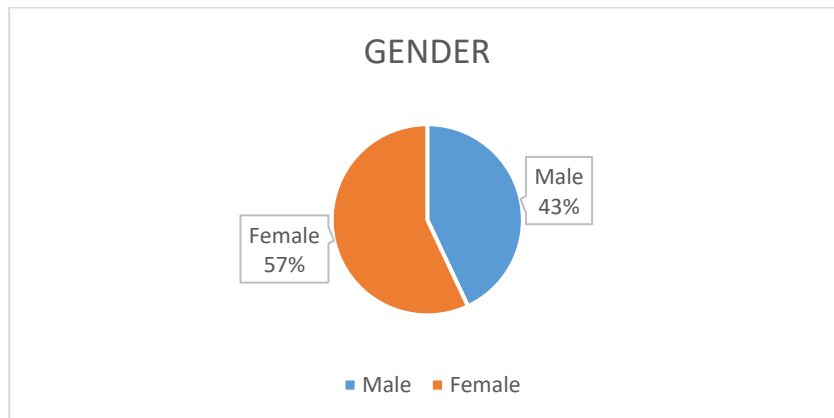


Table 4.1 and Figure 4.1 above illustrate the total percentage of participants according to gender. 57% of the participants who participated in this study were female with 43% being male.

Table 4.2: Frequency distribution and percentage of participants according to nationality

Nationality	Blacks	Coloureds	Indians	Whites	Total
Frequency	37	0	29	6	72
Percentage	51%	0%	41%	8%	100%

Source: Field Survey (2016)

Figure 4.2: Illustrate the total percentage of participants according to nationality

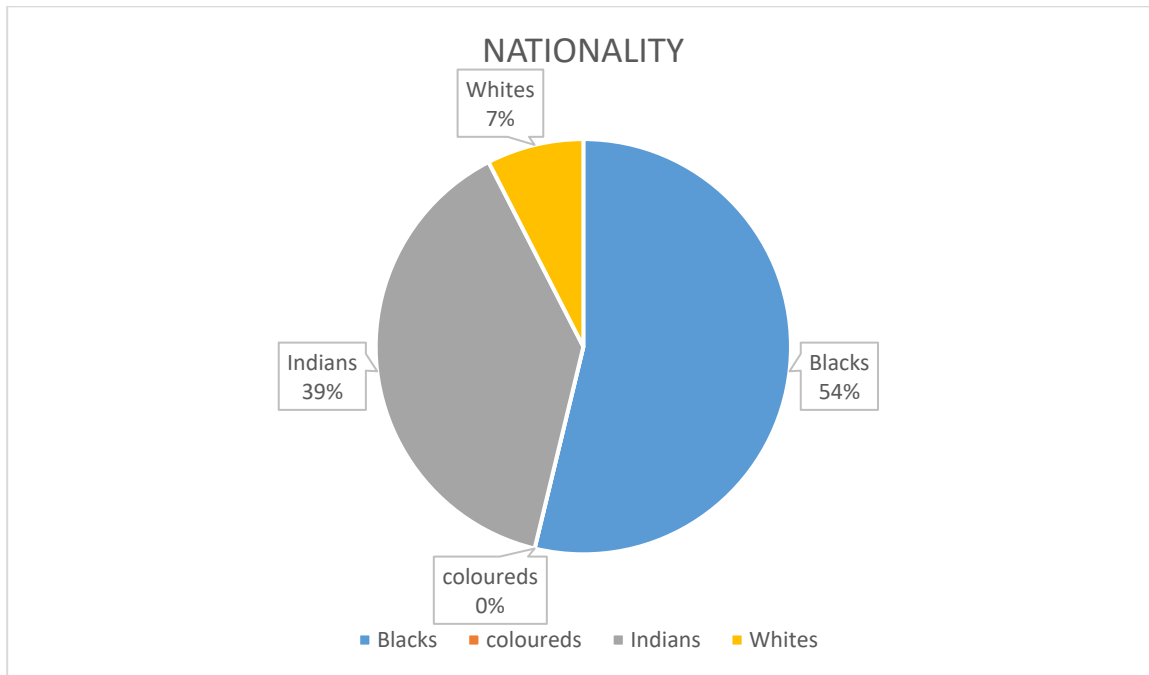


Table 4.2 and figure 4.2 above illustrate the total percentage of participants according to nationality. 54% of participants who participated in this study were blacks, 39% were Indians, 7% were whites and there were 0% participations of coloureds.

Table 4.3: Frequency distribution and percentage of participants according to age

Age	< 21	21-30	31-40	41-50	51-60	>60	Total
Frequency	0	20	33	15	4	0	72
Percentage	0%	28%	46%	21%	5%	0%	100%

Source: Field Source (2016)

Figure 4.3: Illustrate the total percentage of participants according to age

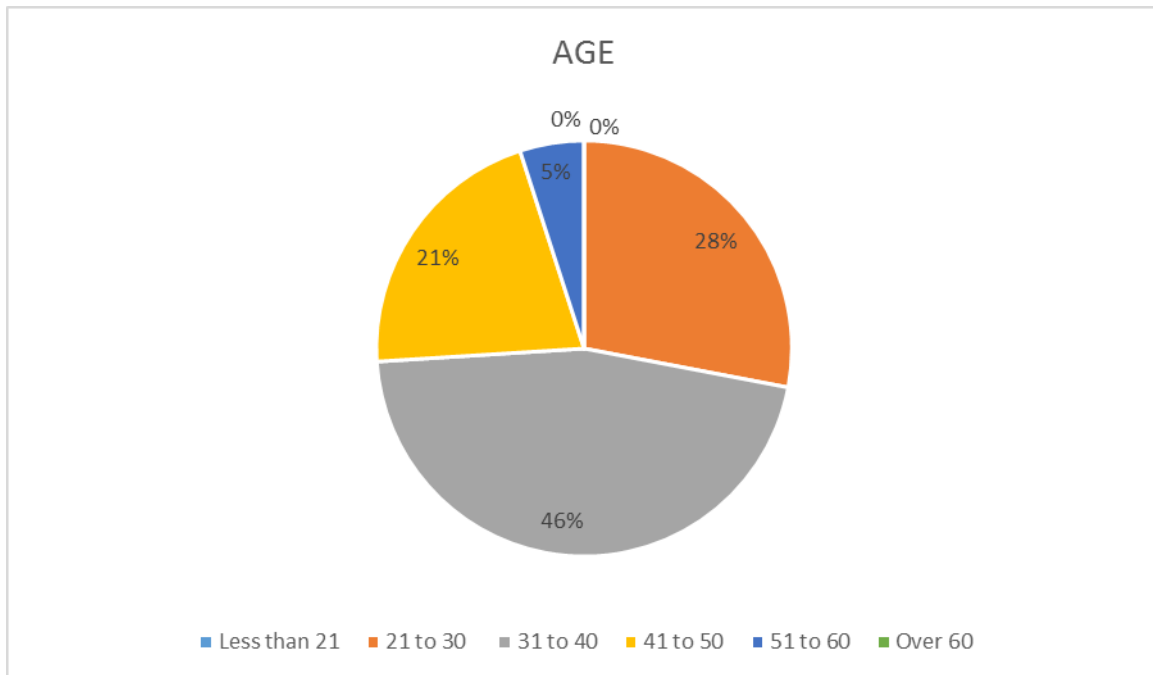


Table 4.3 and figure 4.3 illustrate the total percentage of participants according to age. 46% participants who participated in this study were between the age of 31 to 40 years, 28% of participants were between the age of 21 to 30 years, 21% of participants were between the age of 41 to 50 years, 5% of participants were between the age of 51 to 60 years, and there were 0% participants who are less than 21 and over 60 years.

Table 4.4: Frequency distribution and percentage of participants according to level of education

Level of education	Matric	Certificate	Undergraduate	Postgraduate	Total
Frequency	6	10	32	24	72
Percentage	8%	14%	44%	34%	100%

Source: Field Survey (2016)

Figure 4.4: Illustrate the total percentage of participants according to the level of education

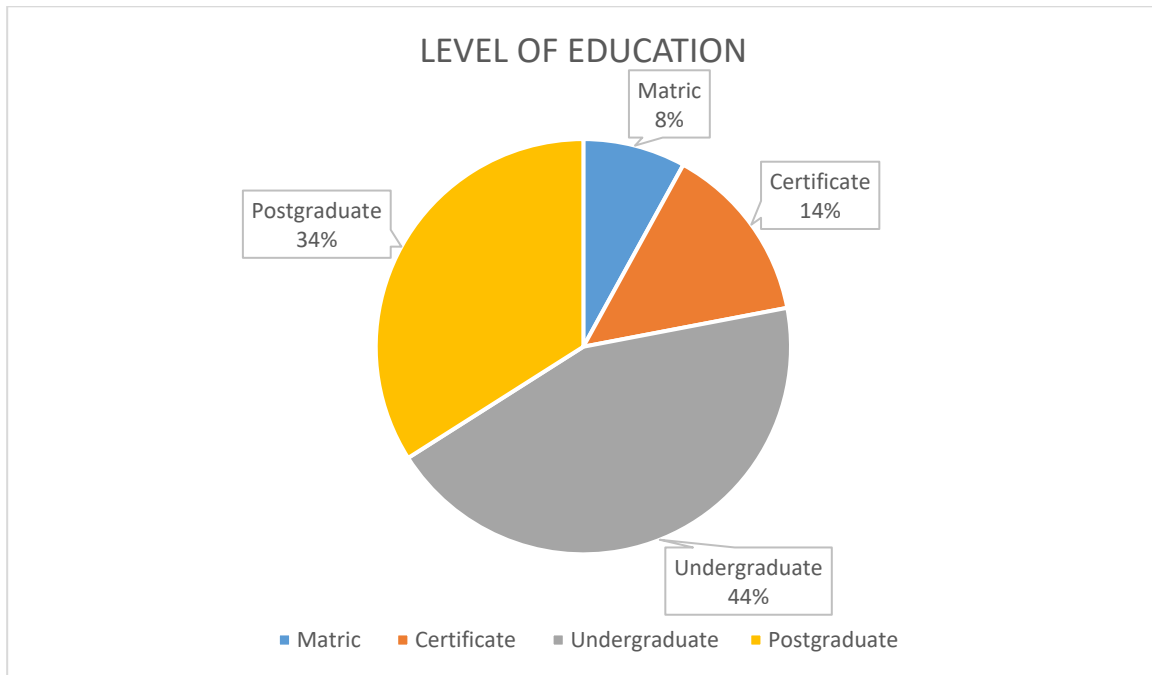


Table 4.4 and Figure 4.4 illustrate the total percentage of participants according to level of education. 44% of participants who participated in this study had undergraduate qualifications, 34% had postgraduate qualifications, 14% had certificates and 8% had matric.

Table 4.5: Frequency distribution and percentage of participants according to the number of years being a trade union member.

Number of years being a trade union member	0-1	2-5	5-10	10-15	15 or more	Total
Frequency	5	27	32	8	0	72
Percentage	7%	38%	44%	11%	0%	100%

Source: Field Survey (2016)

Figure 4.5: Illustrate the total percentage of participants according to the number of years being a trade union member

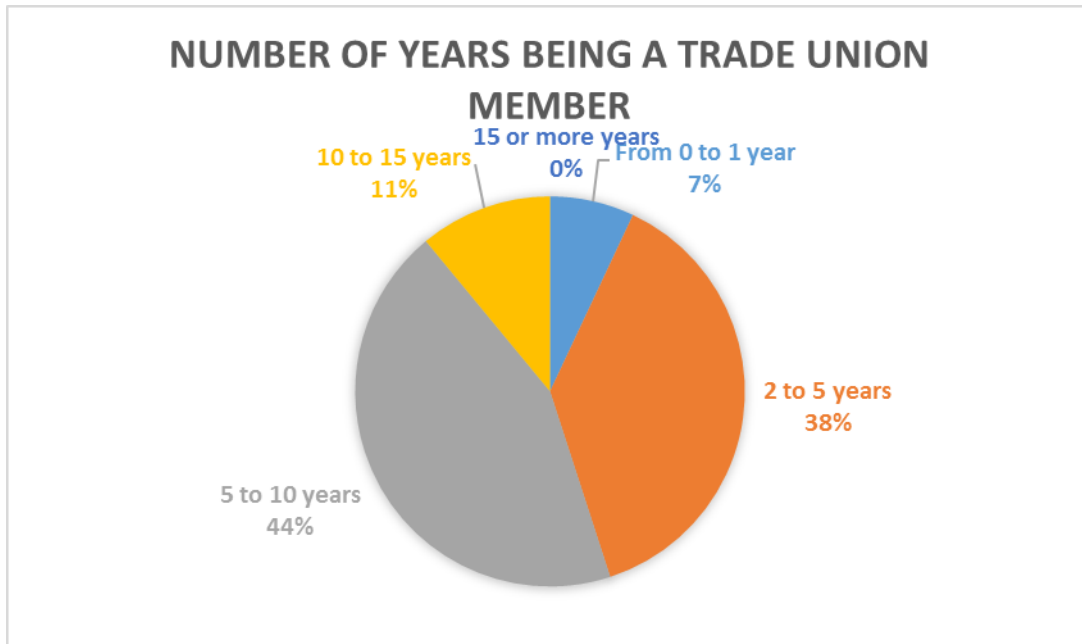


Table 4.5 and figure 4.5 illustrate the total percentage of participants according to the number of years being a member of trade unions. 44% of the participants who participated in this study have been members of trade unions for 5 to 10 years, 38% of participants have been members of trade unions for 2 to 5 years, 11% have been members of trade unions for 10 to 15 years, 7% have been members of trade unions for 0 to 1 year and there was 0% of participants who have been members of trade unions for 15 or more years.

Table 4.6: Frequency distribution and percentage of participants according to staff category

Staff category	Support staff	Academic staff	Total
Frequency	31	41	72
Percentage	43%	57%	100%

Source: Field Survey (2016)

Figure 4.6: Illustrate the total percentage of participants according to staff category

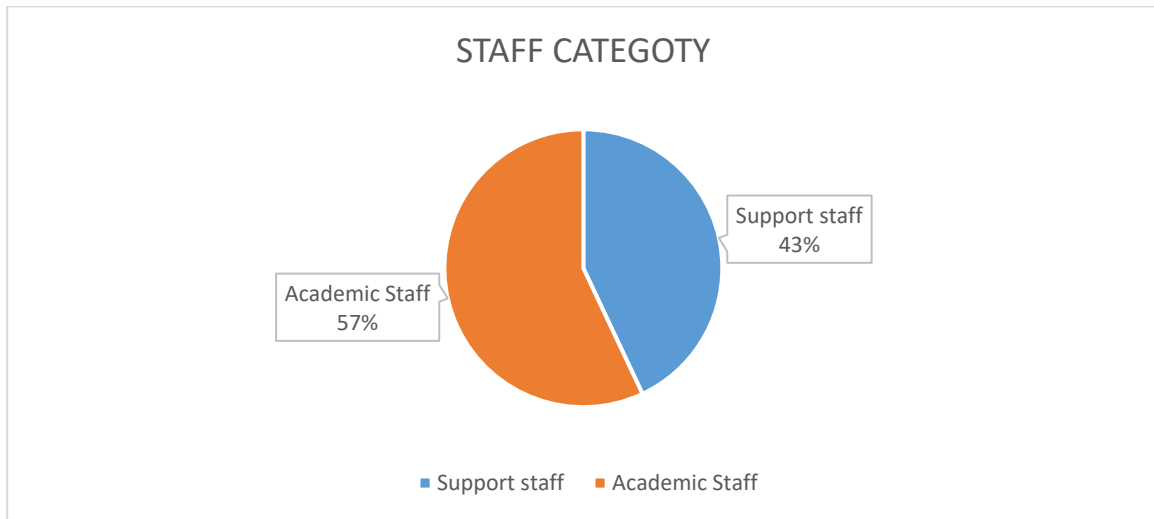


Table 4.6 and figure 4.6 illustrate the total percentage of participants according to staff category. 57% of participants who participated in this study were academic staff and 43% were support staff.

Table 4.7: Frequency distribution and percentage of participants according to campus

Campus	Westville Campus	Howard College Campus	Total
Frequency	39	33	72
Percentage	54%	46%	100%

Source: Field Survey (2016)

Figure 4.7: Illustrate the total percentage of participants according to campus

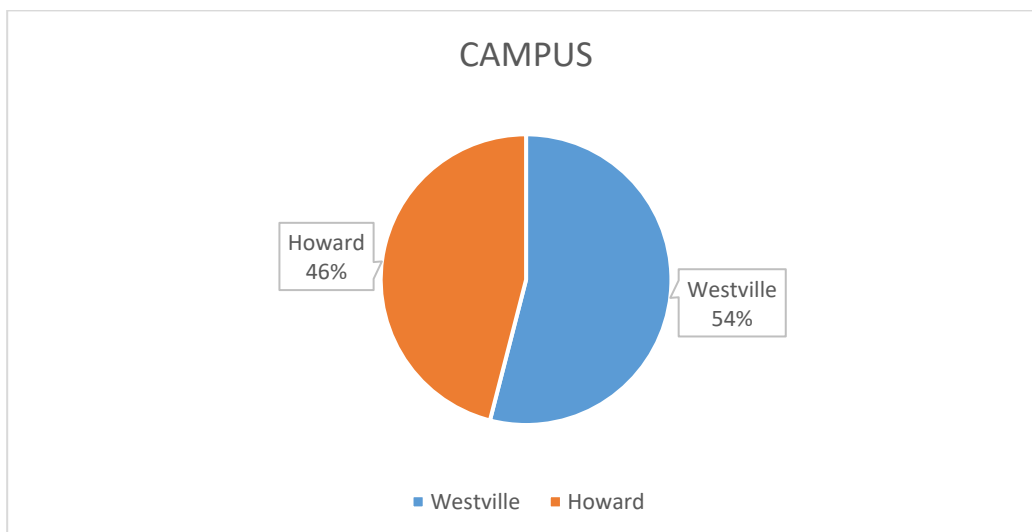


Table 4.7 and figure 4.7 illustrate the total percentage of participants according to campus. 54% of participants who participated in this study were from Westville Campus and 46% were from Howard College Campus.

Table 4.8: Frequency distribution and percentage of participants according to trade unions.

Trade Unions	Support Staff	Academic Staff	Total	Percentage
UKSU	13	15	28	39%
NEHAWU	8	11	19	26%
COMSA	5	8	13	18%
NTEU	5	7	12	17%

Source: Field Survey (2016)

Figure 4.8: Illustrate the total percentage of participants according to trade unions

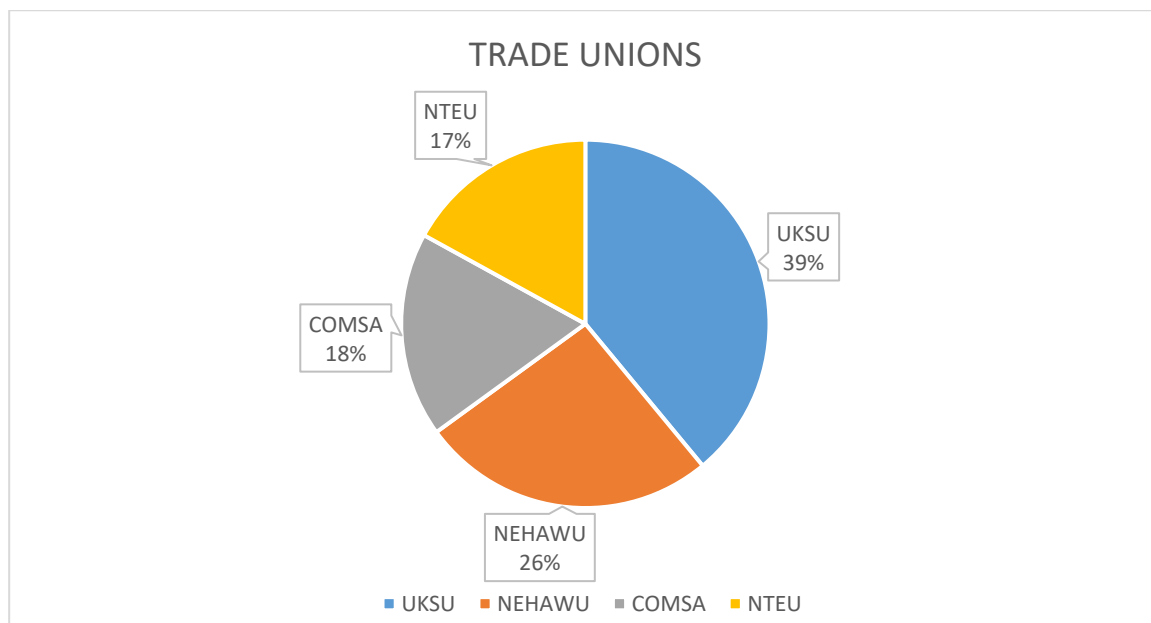


Table 4.8 and figure 4.8 illustrate the total percentage of participants according to trade unions. 39% of participants who participated in this study were members of UKSU, NEHAWU with 26%, COMSA with 18% and NTEU with 17% of participants.

4.3.2 Interpretation of results:

The sample of this study was drawn only from UKZN employees, both academic and support staff from the College of Law and Management Studies and the College of Humanities on both the Westville and Howard College campuses. These employees are all members of trade unions that represent UKZN employees, some of these employees were trade unions officials.

Most participants in this study were females, making up 57 per cent and males totalling 43 per cent. The population groups consisted of black employees as the majority participants being 51

per cent, Indians 41 per cent, whites 8 per cent and coloureds 0 per cent. Regarding the age of the participants, the majority of the participants were between the age of 31 to 40 years being 46 per cent, those who were between 21 to 30 years was 28 per cent, those who were between 41 to 50 years was 21 per cent, those who were between 51 to 60 years was 5 per cent. There was 0 per cent participation from those who were below 21 and those who were above 60 years. In respect of participation according to the level of education, 44 per cent of the participants had undergraduate qualifications, while 34 per cent had postgraduate qualifications, 14 per cent of the participants had certificates and only 8 per cent had matric as an educational qualification.

In respect of the number of years being a member of trade unions, 44 per cent of the participants indicated that they had been members of the trade unions for 5 to 10 years, 38 per cent indicated a membership of 2 to 5 years, while 11 per cent had been a part of a trade union for 10 to 15 years, only 7 per cent of the participants were part of the union for 0 to 1 year, 0 per cent of the participants were in the union for 15 years or more. The participation according to staff category, saw most participants being academic staff with 57 per cent and support staff were the lowest at 43 per cent. Most participants were from the Westville campus with 54 per cent and the Howard College campus with 46 per cent. The majority of participants were the members of UKSU with 39 per cent, NEHAWU with 26 per cent, and COMSA with 18 per cent and 17 per cent of the participants were the members of NTEU. The conclusion that can be drawn from these data, is that most research participants have been members of trade unions for a long time (from 2 to 10 years). This means that they have a better understanding of how their trade unions operate. Therefore, one can argue that their responses are reliable.

4.4 Data Presentation and analysis: Section B

The data set out below is presented in terms of the research objectives of this study. This section presents data on employees' perceptions regarding the effectiveness of trade unions in representing employees.

4.5 Objective 1: To investigate the effectiveness of trade unions during collective bargaining regarding salary increments and the protection of employees against unfair treatment.

4.5.1 Research Instrument 1: Open-ended Questionnaire

There are seven questions which were designed to achieve the first objective.

Question 1: Does your trade union engage with your employer in collective bargaining regarding salary increments?

- Respondent 1, 16, 19, 20, 22, 26, & 30: "Yes they do, but this is a bureaucratic institution so 'negotiations' and 'transparency' are pseudo strategies".
- Respondents 2, 3, 4, 17, 18, 21, 24, 29, & 33: "Yes, they do, in each financial year they hold meetings with employers to review our wages and try to adjust them to the inflation rate".
- Respondent 5, 28, 31, 32, 34, 35, & 36: "Yes, they do, but we don't always get what we want".
- Respondents 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 23, 25, & 27: "Yes", however these respondents did not elaborate on their responses.

Question 2: Is your trade union effective in collective bargaining? Elaborate on your response.

- Respondent 1, & 18: "I think they are, but those whom they are up against and political affiliates use that to oppress unions".
- Respondent 2, 16, 22, 26, & 36: "Yes, they are effective, we almost get what we want. At some point, you may find out that we want 5 per cent wage increase, we might get it or not get it, but if we don't get it we might get something which is close to that 5 per cent".
- Respondent 3, 17, & 27: "They are not effective; they always fail us".
- Respondent 4, 19, 20, 29, 30, & 35: "They are effective, they always make sure that we get what we are supposed to get".
- Respondent 5 & 33: "Yes, they lobby for our benefits".
- Respondent 6, 21, 23, 24, 25, 28, 31, 32 & 34: "Yes, they are effective, every time after collective bargaining we experience a wage increase although that increase may be less than what we were expecting".
- Respondents 7, 8, 9, 10, 11, 12, 13, 14, & 15: "Yes, they are effective". Again, these respondents did not elaborate on their responses.

Question 3: Does your trade union protect employees against unfair treatment such as discrimination? Elaborate on your response.

- Respondent 1, 12, & 14: "Yes trade unions are effective in protecting employees against unfair treatment. One staff member, who is my friend, who had been treated unfairly by another staff member and her manager, the trade union was able to help her".
- Respondent 2, 16, 18, 25, & 32: "Yes, I think they are effective; I have heard of such cases being handled by trade unions".
- Respondent 3, & 20: "Yes, even though I have never been in such a situation I have heard from my colleagues that our union has been able to handle cases of unfair treatment such as discrimination".
- Respondent 4, 17, 21, 22, 23, 26, 33, & 34: "Yes, they do fight for and protect us from such cases".
- Respondent 5, 19, 24, 27, 28, & 30: "Yes, they protect us, they always remind our employer about what the South African labour relations act is saying about discrimination".
- Respondent 6, 29, & 31: "To an extent yes, employment laws are discriminatory, so trade unions are there to ensure that employment laws are not discriminatory".
- Respondents 7, 8, 9, 10, 11, 13, 15, 35 & 36: Said yes, but did not elaborate on their responses.

Question 4: Have you ever been in a situation whereby your employer refused to increase your salary or unfairly treated (discriminated against) you? How does your trade union respond in such situation?

- Respondents 1, 3, 4, 5, 6, 8, 11, 12, 14, 15, 18, 20, 22, 31, 35 & 36: Said no.
- Responded 2, 9, 7, 10, 13, 16, 17, 19, 28, 29, 30, 32, 33, & 34: "Yes I have been in that situation so many times, our employer refused to increase our salaries. The union engaged them, but they refused, then the union told us to strike, and we got what we want"
- Responded 21, 23, 24, 25, 26, & 27: Yes, I have been a victim of discrimination, my union was able to help me, and instructed the employer to pay compensation to me.

Question 5: In your opinion is your trade union effective in representing your interests. Explain fully.

- Respondent 1, 10, 12, & 15: "I think they try, and they believe they are, however there are some uncommitted, unethical, immoral people who create obstacles for unions".
- Respondents 2, & 16: "Yes on some points they are affective but, on some points, they are not effective".
- Respondent 3, 18, & 20: "Yes and no, at present yes. In the last 2-3 years, no".

- Respondent 4, 17, 19, & 23: "Yes, it is. From time to time they engage with the employers to negotiate and represent our interests".
- Respondents 5, 6, & 21: "No, there are limits to bargaining with management".
- Respondent 7, 22, 24, 27, 28, 29, 30, 33, 34 & 35: "Yes, they are effective, they make sure that we get whatever we want, and make us feel comfortable at work".
- Respondents 8, 9, 11, 13, 14, 25, 26, 31, 32 & 36: Said 'yes', but did not elaborate on their responses.

Question 6: In the absence of trade unions do you think collective bargaining on issues such as salary increments will be effective?

- Respondents 1, 2, 6, 16, 23, 26, & 28: Said no, "I don't think so".
- Respondent 4, 3, 5, & 15: "Not sure".
- Respondents 7, 9, 17, 18, 20, 21, 24, 25, 29, 30, 32, & 33: "No, trade unions play a crucial role in collective bargaining regarding salary increments and without them the process will be ineffective".
- Respondents 8, 10, 11, 12, 13, 14, 19, 22, 27, 31, 34, 35 & 36: Said no it won't be effective, it can delay matters.

Question 7: In the absence of trade unions do you think that employees would be protected against unfair treatment such as discrimination?

- Respondents 1, 2, 5, 8, 10, 11, 15, 19, 22, 27, 28, & 34: "No, I don't think employees will be protected in the absence of trade unions".
- Respondents 3, 6, 16, 20, & 31: "Yes, they can be protected through the introduction of relevant labour legislation into the workplace, although this might require trade unions to play an important role".
- Respondent 4, 17, 18, 21, 23, 24, 26, 29, 30, 32, 33, 35, & 36: "In the absence of trade unions employees won't be protected enough, because there will be no one who will speak on their behalf or represent them".
- Respondents 7, 9, 12, 13, 14 & 25: Undecided, not sure about this.

4.5.2 Research Instrument 2: Closed-ended Questionnaire

There are 6 questions that were developed to achieve this objective.

	Strongly agree	Slightly agree	Agree	Strongly disagree	Slightly disagree	Disagree	Undecided
Question 1: Trade unions engage with employers in collective bargaining regarding salary increments and the protection of employees against unfair treatment such as discrimination.	20		16				
Question 2: Trade unions protect employees against unfair treatment such as discrimination.	18	4	14				
Question 3: Trade unions are effective in collective bargaining regarding salary increments and in the protection of employees against unfair treatment such as discrimination	22	3	9			2	
Question 4: Trade unions always encourage employers to increase employees' salaries whenever it is necessary and protect employees against unfair treatment such as discrimination.	17	7	12				
Question 5: Trade unions encourage employees to strike if employers refuse to	12		16	2	3	3	

increase their salaries and unfairly treat (discriminate against) employees.							
Question 6: In the absence of trade unions, employees will be able to get salary increments and will be protected against unfair treatment such as discrimination.				18		16	2

4.5.3 Interpretation of results Research Instrument 1 Open-ended Questionnaires

The findings discovered that 0 per cent of participants said that their trade unions do not engage in collective bargaining with employers regarding salary increments. All participants said that their trade unions engaged with employers in collective bargaining regarding salary increments. Some participants said that in every financial year their trade unions held a meeting with employers to review the employees’ wages and tried to adjust them to inflation rates. They said that their trade unions were effective in collective bargaining, they always ensured that employees got what they deserved in terms of salary increments. They said that collective bargaining resulted in wage increases even if the increase was less than what they expected. However, (3 out 36 participants) 8 per cent of participants said that their trade unions are not effective in collective bargaining as they always failed employees. In this study the participants were asked the following question: “In the absence of trade unions do you think collective bargaining on issues such as salary increments will be effective?” (4 out 36 participants) 11 per cent of participants said that they are not sure about this. All other participants said no. Some of them said that trade unions play a crucial role in collective bargaining regarding salary increments and without them the process will be ineffective. Some of them said no, it would not be effective, it can delay matters. The conclusion that can be drawn from these findings is that trade unions engage in collective bargaining with employers regarding salary increments and they are effective in this process.

In this study participants were asked the following question: “Does your trade union protect employees against unfair treatment such as discrimination? Elaborate on your response”. None of

the participants said no to this question, they all said yes however some of them did not elaborate on their responses. Some of them said yes, they do fight for and protect them from such cases. Others said that their trade unions protect them, they always remind the employer of their obligations under about what the South African Labour Relations Act. Participants were also asked the following question “In the absence of trade unions do you think that employees would be protected against unfair treatment such as discrimination?” (6 out 36 participants) 17 per cent of participants said that they are not sure about this. (5 out 36 participants) 14 per cent of participants said that in the absence of trade unions employees might be protected against unfair treatments such as discrimination through the introduction of relevant labour legislation into the workplace, although this might require trade unions to play an important role. All other participants said no. Some of them said that in the absence of trade unions employees will not be protected enough, because there will be no one who will speak on their behalf or represent them.

The conclusion that can be drawn from these findings, is that trade unions engage in collective bargaining with employers regarding salary increments and they are effective in this process. They are also effective in protecting employees against unfair treatment such as discrimination. One can argue that trade unions have a good working relationship with employees and they are effective in representing them. They also protect them against unfair treatment and ensure that employers follow the South African labour laws.

4.5.4 Interpretation of results Research Instrument 2 Closed-ended Questionnaires

(20 out of 36 participants) 56 per cent of participants said that they strongly agree and (16 out of 36 participants) 44 per cent said that they agree that their trade unions engage with employers in collective bargaining regarding salary increments and the protection of employees against unfair treatment such as discrimination. (18 out of 36 participants) 50 per cent of participants said that they strongly agree, (4 out of 36 participants) 11 per cent of participants said that they slightly agree and (14 out of 36 participants) 39 per cent of participants said that they agree that their trade unions protect employees against unfair treatment such as discrimination. (22 out of 36 participants) 61 per cent of participants said that they strongly agree, (3 out of 36 participants) 8 per cent said that they slightly agree, and (9 out of 36 participants) 25 per cent of participants said that they agree that their trade unions are effective in collective bargaining regarding salary increments and in protecting employees against unfair treatment such as discrimination. While (2

out of 36 participants) 6 per cent of participants said that they disagree that their trade unions are effective in collective bargaining regarding salary increments and in protecting employees against unfair treatment such as discrimination. (18 out of 36 participants) 50 per cent of participants said that they strongly disagree, (16 out of 36 participants) 44 per cent of participants said that they disagree that in the absence of trade unions, employees will be able to get salary increments and be protected against unfair treatment such as discrimination.

The conclusion that can be drawn from these findings is that trade unions engage in collective bargaining with employers regarding salary increments and the protection of employees against unfair treatments such as discrimination, and they are effective in this process. One can argue that in the absence of trade unions employees might not be able to get salary increments and be protected against unfair treatments such as discrimination. Employees need trade unions to represent and protect them.

4.5.5 Comparisons of both questionnaires

There is not much difference from the findings of research instrument 1 and 2. The findings of these two research instruments indicate that trade unions engage in collective bargaining processes with employers regarding salary increments and the protection of employees against unfair treatments such as discrimination. Both these findings illustrate that trade unions are effective in this process. From research instrument 1 only 8 per cent of participants indicated that their trade unions are not effective they always fail employees. From research instrument 2 none of the participants said that their trade unions were ineffective. According to the findings in the absence of trade unions in collective bargaining regarding salary increments, the collective bargaining will not be effective, and employees might not be protected against unfair treatments such as discrimination. Employees require trade unions to represent and protect them, trade unions play an important role in collective bargaining regarding salary increments and in the protection of employees against unfair treatments, without them employees might not get salary increments and might not be protected against unfair treatments.

4.5.6 Findings of previous studies

There is a difference between the findings of previous studies and this study regarding the effectiveness of trade unions in collective bargaining regarding salary increments. The findings of this study illustrate that trade unions are effective in collective bargaining regarding salary

increments. While the findings of previous studies show that trade unions are not effective in collective bargaining regarding salary increments. Freeman (2012) argues that trade unions are not effective in collective bargaining regarding salary increments, because most of the time when they engage in collective bargaining for salary increments, their negotiation with employers always reach a deadlock, without any agreement on salary increment as a result employees tend to embark in an illegal strike. Freeman (2012) argues that if trade unions are effective in collective bargaining regarding salary increments, their negotiations with employers should not reach deadlock, if a deadlock is reached trade unions should provide direction and leadership to workers, they should not support illegal strikes, but they should instruct employees to follow the legal processes to express their grievances.

Malopyane (2014) asserts that trade unions are not effective in collective bargaining regarding salary increments and in handling employees' grievances. Since 2012 South Africa has experienced a number of devastating workers strike, this indicates that trade unions are ineffective in collective bargaining regarding salary increments and in handling employees' grievances. On 16 August 2012, South Africa experienced the most shocking killing of mine workers in Lonmin mines also known as the Marikana massacre. "This sad event shocked the world and stimulated the debate about the role of trade unions in South Africa, such a catastrophic incident could have been prevented by more responsible trade unionism" (Twala, 2012: 63). The Marikana massacre has also "raised questions of whether this event marks the 'rise' or 'fall' of trade unionism in South Africa" (Twala, 2012: 63). It is this incident that causes Malopyane (2014) to contend that trade unions are not effective in collective bargaining regarding salary increments, and in handling employees' grievances. He avers that if trade unions were effective in representing employees, the Marikana massacre could have been prevented through negotiations with management and an agreement about employees' demands and grievances should have been reached before the employees embarked on a wildcat strike.

The reason for the difference between the previous studies findings and findings of this study might be the fact that, while trade unions are effective in collective bargaining regarding salary increments and in the protection of employees against unfair treatment, they are not successful in pointing out their success so that it can be translated into the perceived benefits arising from the effectiveness of trade unions' actions. As a result, there is a difference between the findings of previous studies and this study. Therefore, there has been a rapid increase in the general perception which says that trade unions are not effective in representing employees, as stated by Bryson (2012). Bryson (2012) argues that trade unions are unable to point out their success, because they

are more interested in representing employees, rather than on pointing out their success. In every quarter of the year trade unions must have mass meetings with their members, where they must show their success and failures to their members so that their members will be aware about the success and failures of trade unions. Bryson (2012) further argues that if this can be done well, the increase of the above general perception which says that trade unions are not effective in representing employees will end, and trade unions will be judged with what they have done rather than on perceptions. The other reason for the difference between the previous studies findings and findings of this study, might be the fact that the trade unions and management have always attempted to negotiate in good faith and have always been able to reach consensus on salary increment at UKZN.

According to Malopyane, (2014) since 2012 there have been many strikes, and it can therefore be summarised that trade unions are not effective in collective bargaining regarding salary increments. For example, the 2012 freight and truck drivers' strike which was regarded as the most devastating labour conflict as it lasted for three weeks. The employees demanded a ten per cent wage increase and the employer offered them seven per cent; as a result, the strike was marked by violence which left one truck driver dead and many injured and many trucks destroyed or damaged, and it took trade unions three weeks to reach an agreement with employers (Malopyane, 2014).

In looking at the effectiveness of trade unions in the protection of employees against unfair treatment such as discrimination, there is little difference from the findings of previous studies and findings of this study. It is evident that trade unions are effective in protecting employees against unfair treatments such as discrimination. Freeman (2012) conducted a study on the role of trade unions and their effectiveness in performing their roles. In his study, he discovered that in unionised workplace 85 per cent of employees believed that the protection of employees against unfair treatment, such as discrimination is an important priority for trade unions, and 13 per cent regarded it as quite important. In response to the statement that unions tend to perform much better in this role than they do when they bargain for better wages, about 21 per cent of the employees rated unions as excellent, while 42 per cent rated unions as good in this role. In addition, when asked whether union members were more positive, 25 per cent of the employees rated unions as excellent and 45 per cent rated unions as good in this role (Freeman, 2012).

The conclusion that can be drawn is that UKZN trade unions are effective in collective bargaining regarding salary increments and in protecting employees against unfair treatments such as discrimination. The trade unions always ensure that UKZN employees get salary increments and are protected against unfair treatments such as discrimination.

4.6 Objective 2: To determine whether trade unions are effective in handling employees' grievances.

4.6.1 Research Instrument 1: Open-ended Questionnaire

There are five questions which were designed to achieve the above objective.

Question 1: Does your trade union handle employee grievances?

- Respondents 1, 3, 4, 5, 6, 7, 9, 12, 19, 22, 23, 24, 29, 32, 33, & 36: "Yes, they do".
- Respondents 2, 8, 16, 18, 20, 21, 25, 26, 27, 28, 30, 31, 34, & 35: "Yes, I think so, because they always encourage us to come to them whenever we experience problems and let them know about our problems so that they can handle them".
- Respondent 10: "No, they are not it's more an HR function. I work in HR; HR is useless and employ incompetent people".
- Respondents 11, 13, 14, 15 & 17: "Undecided, not sure about this".

Question 2: Is your trade union effective in handling employees' grievances?

- Respondents 1, 7, 16, 17, 19, 20, 25, 26, 31, 32, & 36: "Yes, they are effective, they listen to you and attend to our grievances in a professional way".
- Respondents 2, 3, 4, 5, 18, 21, 24, 27, 30, 33, & 35: "Yes, they are effective".
- Respondents 6, 8, 10, 11, 22, 23, 28, 29, & 34: "Yes, I think so".
- Respondents 9, & 12: "I suppose so".
- Respondents 13, 14 & 15: "Not sure about this".

Question 3: What does your trade union do to ensure that they handle employees' grievances effectively?

- Respondent 1, 9, 16, 19, & 22: "Perhaps by acting on it".
- Respondents 2, 3, 5, 10, & 15: "Not sure about this".

- Respondent 4: "Not part of the process as far as I know".
- Respondents 6, 7, 12, 13, 14, 17, 21, 23, 30, & 32: "They always defend us, they encourage us to come to them and let them know about our grievances so that they can handle them".
- Respondent 8, 18, 20, 24, 25, 27, 28, 29, 31, 34, & 36: "It gathers information about the situation (our grievances) and handles it in a professional way and makes sure that the employees are happy about the outcomes".
- Respondent 11, 26, 33, & 35: "They listen to the employee's side of the story and listen to the other (employers) side of the story and then find common ground where they solve the problem and make sure that the employee is not harmed or treated hardly".

Question 4: As an employee, have you ever been in a situation where you needed your trade union to handle your grievance (s)? How did your trade union help you in this situation?

- Respondent 2, 5, 7, 8, 12, 13, 17, 20, 22, 25, 27, 29, & 30: "Yes, it has happened so many times and my union has been effective in representing me".
- All respondents said they had never been in a situation whereby they needed their trade unions to handle their grievances.

Question 5: In your opinion, would the handling of employee grievances be more effective in the absence of trade unions?

- Respondent 1, 3, 4, 6, 8, 12, 16, 19, 22, 26, 27, 32, & 33: "No I don't think so, if there are no trade unions things would be worse at the workplace".
- Respondent 2, 5, 7, 9, 11, 15, 18, 21, 24, 28, 31, 34, & 36: "No it won't be effective; we need trade unions".
- Respondents 10, 13, 14, 17, 20, 23, 25, 29, 30, & 35: said no to this question and did not elaborate on their responses.

4.6.2 Research Instrument 2: Closed-ended Questionnaire

There are 4 questions which were developed to achieve this objective.

	Strongly agree	Slightly agree	Agree	Strongly disagree	Slightly disagree	Disagree	Undecided
Question 1:	16		20				

Trade unions can handle employees' grievances.							
Question 2: Trade unions are effective in handling employees' grievances.	23		13				
Question 3: In the absence of trade unions, the handling of employees' grievances would be poor.	17		11				8
Question 4: Trade unions consider the handling of employees' grievances as an important priority.	13	8	11				4

4.6.3 Interpretation of results: Open-ended Questionnaires

The findings of this study discovered that only 1 participant out of 36 said that his/her trade union do not handle employees' grievances. The participant said that trade unions are useless and employ incompetent people. While (5 out of 36 participants) 14 per cent of participants said that they are not sure if their trade unions handle employees' grievances. All other participants said that their trade unions handle employees' grievances. Some of the participants said that their trade unions always encourage them to come to the unions whenever they experience problems and let the union know about the problems so that the union will handle that problem. (3 out of 36 participants) 4 per cent of participants said that they are not sure if their trade unions are effective in handling employees' grievances. While all other participants said that their trade unions are effective in handling employees' grievances. Some of them said that their trade unions are effective in handling employees' grievances, they listen to the employee and attend to his/her grievances in a professional way. In this study the participants were asked the following question: "In your opinion, would the handling of employee grievances be more effective in the absence of trade unions? None of the participants said yes to this question, all participants said no but some of them did not elaborate on their responses. Some of them said that, if there are no trade unions things

would be worse at the workplace. Some said that the handling of employees' grievances will not be effective in the absence of trade unions, they need trade unions to represent and protect them.

Looking at the findings of this study, only 4 per cent of the participants said that they are not sure if their trade unions are effective in handling their grievances. None of the participants said that their trade unions are not effective in handling employees' grievances. All other participants said that their trade unions are effective in handling employees' grievances. Therefore, the conclusion that can be drawn from the findings of this study is that trade unions are effective in handling employees' grievances. Employees need trade unions to represent and protect them, without trade unions things would be worse at the workplace.

4.6.4 Interpretation of results: Closed-ended Questionnaires

(16 out of 36 participants) 44 per cent of participants said that they strongly agree and (20 out of 36 participants) 56 per cent of participants said that their trade unions handle employee grievances. (23 out of 36 participants) 64 per cent of participants said that they strongly agree while (13 out of 36 participants) 36 per cent of participants said that they agree that their trade unions are effective in handling employees' grievances. (17 out of 36 participants) 47 per cent of participants said that they strongly agree and (11 out of 36 participants) 31 per cent of participants said that they agree that in the absence of trade unions, the handling of employees' grievances would be poor. The conclusion that can be drawn from these findings is that trade unions are effective in handling employees' grievances, in the absence of them the handling of employees' grievances would be poor.

4.6.5 Comparisons of both Questionnaires

From research instrument 1 (open-ended question) most participants said that their trade unions are effective in handling employees' grievances, it is only 4 per cent of the participants who said that they are not sure if their trade unions are effective in handling employees' grievances. All participants said that in the absence of trade unions the handling of employees' grievances will be not effective, in the absence of trade unions things would be worse at the workplace. From research instrument 2 (closed-ended question) 64 per cent of the participants said that they strongly agree while 36 per cent of participants said that they agree that their trade unions are effective in handling employees' grievances. 47 per cent of participants said that they strongly agree and 31 per cent of participants said that they agree that in the absence of trade unions, the handling of

employees' grievances would be poor. The conclusion that can be drawn from these findings is that trade unions at UKZN are effective in handling employees' grievances, and without them things would be worse. Employees need trade unions to protect and represent them.

4.6.6 Findings of Previous Studies

In looking at the effectiveness of trade unions in terms of handling employees' grievances, there is not much difference between the literature and the findings of this study. Bryson (2012) discovered that 7 out of 10 (70 per cent) employees said that their trade unions could handle their grievances. While ex-union members disagreed with this, they suggested that a lack of trade union responsibility to handle their grievances was the reason they decided to exit from the trade unions (Bryson, 2012). Freeman (2012) discovered that in unionised workplaces about 60 per cent of the employees said that helping employees with disciplinary proceedings was an important issue that trade unions should focus on. About 60 per cent of employees rated trade unions as excellent and 21 per cent rated trade unions as good in performing this role (Freeman, 2012). To investigate the effectiveness of trade unions in helping employees in disciplinary hearing, Freeman, (2012) in his study, asked the employees the following question. "In the absence of trade unions how would the disciplinary hearing of employees be?" About 94 per cent of the employees argued that things would be worse in the absence of trade unions and six per cent of the employees argued that things would be better in the workplace in the absence of trade unions. In the findings of this study the majority of participants agreed that trade unions are effective in handling employees' grievances. In the absence of trade unions, the handling of employees' grievances would be poor, and things would be worse at the workplace.

4.7 Objective 3: To explore whether trade unions' representatives can effectively represent employees during wrongful dismissal.

4.7.1 Research Instrument 1: Open-ended Questionnaire

There are five questions which were designed to achieve the above objective.

Question 1: Does your trade union have representatives who represent employees at the workplace?

- Respondents 1, 2, 6, 7, 8, 9, 10, 11, 13, 14, 16, 21, 24, 26, 27, 28, 30, 31, 32, 33, 34, 35, & 36: Said that unions have trade union representatives (shop-stewards) who represent them at the workplace.
- Respondents 3, 4, 5, 12, 15, 17, 18, 19, 20, 22, 23, 25 & 29: Said "Yes there are trade union representatives and their offices are at the workplace, whenever we need help from them, we always consult them in their offices, and they are always available to help us".

Question 2: In your opinion are trade union representatives well prepared to represent employees and fight for their rights in cases of wrongful dismissals?

- Respondents 1 & 5: Said no to this question, but they did not elaborate on their responses.
- Respondents 2, 3, 4, 6, 19, 21, 23, 26, 30, 33, 36: Said "some of them are effective".
- Respondents 7, 10, 18, 24, 25, 29, 31, 32, 34, & 35: "Yes, they are effective and well trained, they also know the processes and procedures on how to protect staff and play their role".
- Respondent 8: "Yes, I think so, but I have never been in that situation whereby I needed my union representative to represent me, but my friend was wrongfully dismissed, and our union was able to represent him, and he won the case".
- Respondents 9, 11, & 16: Said no "some of them are just there to get their salaries and feed themselves and their families, they don't care about us".
- Respondents 12, 13, 14, 15, 17, 20, 22, 27 & 28: Said yes but they didn't elaborate on their responses.

Question 3: In your opinion are trade union representatives beneficial to employees? Elaborate on your response.

- Respondents 1, 4, 11, 16, 21, 24, & 25: "Yes, they are beneficial as they maintain communication between us and our employer".
- Respondent 2, 27, & 28: "Yes, they help us. They conduct meetings every 2 months to give us an opportunity to let them know about our grievances at work and they also give us feedback about the meetings that they always hold with our employer".
- Respondents 3, 5, 12, 14, 15, 17, 22, 26, 29 & 30: "Yes, they are beneficial to employees. It is better to have someone who is in the same environment (workplace) who understands the situation, your feelings and problems and who is easy to access every time you need them".
- Respondent 6, 9, 18, 20, 31, 33, 35 & 36: "Yes, they provide a loud collective forum to represent employees' interests".

- Respondent 7: "Yes to a certain extent. In the last 5 years, there has been negativity towards trade unions".
- Respondents 8, 10, & 13: Said "yes to a certain extent".
- Respondents 19, 23, 32, & 34: Said "yes" but they did not elaborate on their responses.

Question 4: As an employee have you ever been in a situation whereby your right (s) were not protected, or you were wrongfully dismissed? How did your trade union representative/s help you in this situation?

- Respondents 3, 5, 6, 9, & 16: Said yes, they were wrongfully dismissed and consulted their trade union representative and trade representative represented them well. Trade unions representative were well trained and know their job, they were effective in doing their job.
- Respondents, 1, 2, 4, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 & 36: Said "No, they have never been in that situation".

Question 5: In the absence of trade union representatives, would the representation of employees be effective?

- Respondents 1, 3, 4, 5, 9, 11, 12, 16, 18, & 20: Said "no, trade union representatives play an important role in representing employees, things would be worse in the absence of them".
- Respondents 6, 7, 10, 14, 21, 22, 26, & 28: Said "No it won't be effective, we need trade unions representatives, because it is better to have someone who is in the same working environment who is easy to access every time you need, when you have a problem.
- Respondent 2: Said yes but didn't elaborate on his/her response.
- Respondents 8, 13, 15, 17, 19, 23, 24, 25, 27, 29, 30, 31, 32, 33, 34, 35, & 36: Said no, but they did not elaborate on their responses.

4.7.2 Research Instrument 2: Closed-ended Questionnaire

There are five questions which were designed to achieve the above objective.

	Strongly agree	Slightly agree	Agree	Strongly disagree	Slightly disagree	Disagree	Undecided
Question 1:	20		16				

Your trade union has representatives who represent employees at the workplace.							
Question 2: Trade union representatives are well prepared to represent employees and fight for their rights in cases of wrongful dismissals.	14		18			4	
Question 3: Trade union representatives are beneficial to employees.	17		15			4	
Question 4: Trade union representatives ensure that employees are not wrongfully dismissed.	16		13			4	3
Question 5: In the absence of trade union representatives, employees would be represented and able to fight for their rights in cases of wrongful dismissal.				13		21	2

4.7.3 Interpretation of results: Open-ended Questionnaires

All participants said that their trade unions had trade union representatives (shop-stewards) who represent employees at the workplace. In this study participants were asked the following question: “In your opinion are trade union representatives well prepared to represent employees and fight for their rights in cases of wrongful dismissals?” (2 out of 36 participants) 6 per cent of participants said no to this question and they did not elaborate on their responses. (3 out of 36 participants) 8 per cent of participants indicated that the shop stewards were interested in earning salaries to support themselves and their families, they did not show much interest in the needs of employees. All other participants said that trade union representatives are effective and well trained, to represent employees and fight for their rights in cases of wrongful dismissals. The union representatives were aware of the processes and procedures on how to protect and represent employees. All participants said that trade unions representatives are beneficial to employees for

different reasons. Some participants said that trade unions representatives are beneficial to employees because they maintain communication between the employer and employee. Some of them said that trade union representatives are beneficial to employees, because they provide an effective collective bargaining forum to represent employees' interests. They said it is better to have someone who is in the same working environment, who understands the whole situation, the feelings and problems experienced by employees, and who is easily accessible. It is easier for trade union representatives at root level to represent and protect employees, than senior trade unions officials in top positions who did not understand the workplace environment.

In this study participants were also asked the following question: "In the absence of trade union representatives, would the representation of employees be effective?" only 1 out of 36 participants said yes to this question but did not elaborate on his/her response. All other participants said no to this question. They said that they need trade unions representatives because they played an important role in representing employees in the workplace, they said that things would be worse in the absence of trade union representatives in the workplace. The conclusion that can be drawn from these findings is that UKZN trade union representatives are effective in representing employees. Employees need trade union representatives to protect and represent employees, in the absence of trade unions representatives' things would be worse in the workplace. It can be concluded that these findings are dependent on the experience of the individual employee with the trade union and may therefore be subjective and biased.

4.7.4 Interpretation of results: Closed-ended Questionnaires

(20 out of 36 participants) 56 per cent of participants said that they strongly agree, and (16 out of 36 participants) 44 per cent of participants said that they agree that their union had trade union representatives who represent employees at workplace. (14 out of 36 participants) 39 per cent of participants said that they strongly agree and (18 out of 36 participants) 50 per cent of participants said that they agree that trade union representatives are well prepared to represent employees and fight for their rights in cases of wrongful dismissals. While (4 out of 36 participants) 11 per cent of participants said that they disagree that trade union representatives are well prepared to represent employees and fight for their rights in cases of wrongful dismissals. (17 out of 36 participants) 47 per cent of participants said that they strongly agree, and (15 out of 36 participants) 42 per cent of participants said that they agree that trade union representatives are beneficial to employees. While (4 out of 36 participants) 11 per cent of participants said that they disagree that trade union

representatives are beneficial to employees. (13 out of 36 participants) 36 per cent of participants said that they strongly disagree, and (21 out of 36 participants) 58 per cent said that they disagree that in the absence of trade union representatives, employees would be represented and able to fight for their rights in cases of wrongful dismissal. Looking at these findings, one can conclude that trade union representatives are effective in representing employees, they are beneficial to employees and well trained and prepared to represent employees. Things would be worse in the absence of them in the workplace.

4.7.5 Comparisons of both Questionnaires

There is similarity in the findings of research instrument 1 (open-ended questionnaires) and research instrument 2 (closed-ended questionnaires) as all participants said that their union had trade union representatives who represent employees at the workplace. The majority of participants from both research instruments indicated that trade unions representatives are effective in representing employees, they are beneficial to employees. They are well trained and prepared to represent employees. Most participants from both research instruments said that in the absence of trade unions representatives' things would be worse at the workplace.

4.7.6 Findings of Previous Studies

The signs of militant and vibrant trade union representatives are still there, but the reality is that most trade union representatives who were ideological collectivists for furthering the interests of workers, worker activists, shop-floor issues, and knowledge custodians have left the labour movement and joined the “public and private sectors, hence robbing the unions of their valuable expertise and knowledge” (Cebekhulu, 2013: 20). “Trade unions have always had two faces: which are swords of justice and vested interest” (Malopyane, 2014: 2). One may say that trade union representatives only have their “own interest at heart, without caring much about the difficulties experienced by the industry and workers in the wake of protected or unprotected strikes” (Malopyane, 2014: 2).

Flanders (2011) discovered that 47 per cent of respondents said that their trade unions representatives are effective in representing them. 10 per cent of these respondents said that they have been wrongfully dismissed and their trade unions representatives have been effective in representing them in their cases of wrongful dismissal and won their cases. Freeman (2012) in his/her study discovered that 57 per cent of respondents said that their trade unions representatives

are effective in representing them in cases of wrongful dismissal, 43 per cent of respondents said that their trade unions are ineffective in representing employees in cases of wrongful dismissals. To investigate the effectiveness of trade unions representatives in representing employees in cases of wrongful dismissal, Freeman (2012) in his study, asked the employees the following question: “In the absence of trade unions representatives how would be the representation of employees in cases of wrongful dismissal”? 48 per cent respondents said that things would be worse in the absence of trade unions representatives, because trade unions representatives are effective in representing employees. About 52 per cent of respondents said that things would be better without trade unions representatives, because the majority of trade unions representatives are not effective in representing employees, they are only there to advance themselves. This is different from what the findings of this study has discovered, one can conclude that UKZN trade union representatives are effective in representing employees. They are beneficial to employees, they are also well trained and prepared to represent employees, without the presence of trade union representatives’ things would be worse at the workplace.

4.8 Objective 4: To determine the challenges experienced by trade unions when fulfilling their roles.

4.8.1 Research Instrument 1: Open-ended Questionnaire

There are five questions which were designed to achieve this objective.

Question 1: Are there any challenges which are experienced by trade unions when fulfilling their roles? Elaborate on your response.

- Respondents 1, 4, 12, 16, 19, 26, 29, & 36: “Yes, perhaps expertise or resource constraints, tight reins on trade union operation”.
- Respondent 2, 17, 24, 25, 31, & 35: “Political power hinders their progress, and bureaucracy”.
- Respondent 3, 14, 27, 30, 34: “Yes, maybe lack of funding and legal expertise”.
- Respondent 5, 18, 20, 23, 28, 32, & 33: “Yes there are challenges, such as the terms of reference for a performance bonus etc. and they are working hard to sort it out”.
- Respondents 6, 10, & 22: “Yes there are challenges, such as the employer may refuse to recognise trade unions even if they are registered and have a right to be recognised by the employer”.
- Respondents 7, 8, 9 & 11: Said they are not sure about this.

- Respondents 13, 15, & 21: Said that so far, they have not seen any challenges.

Question 2: How do these challenges affect trade unions when fulfilling their roles?

- Respondents 1, 2, 3, 4, 5, 6, 10, 12, 14, 17, 18, 20, 24, 27, 25, 26, 29, 31, 32, 33, 34, 35 & 36: Their answers were almost the same, they said that the challenges made trade unions to be ineffective when representing employees, and they diminish their role or influence.
- Respondents
- Respondents 7, 8, 9, 11, 16, 19, 22, 23, 28, & 30: Said they are not sure about this.
- Respondents 13, 15 & 21: said that they had not heard or been made aware of any challenges experienced by trade unions, as a result they did not answer this question.

Question 3: As an employee have you been in a situation whereby your trade union was unable to help you because it experienced some challenges? Elaborate on your response.

- All respondents said no to this question.

Question 4: Do you think trade unions can address the challenges that they experience when fulfilling their roles?

- Respondents 1, 4, 8, 11, 15, 24, 28, 29, 31, 33, 34, & 35: Said "trade unions can address the challenges through a persistent and well-articulated and appropriate approach".
- Respondents 2, 5, 16, & 17: Said "yes, they can address the challenges but not in full".
- Respondents 3, 6, 7, 9, & 18: "Yes, I think they can address the challenges because our trade unions always get what we want as employees and they always get it on time".
- Respondent 10, 13, 19, 20, 22, 23, 25, 26, 27, 30, 32 & 36: Trade unions solve the challenges by studying the challenges, understand it and come up with solution to solve it, and they also give extra training to trade unions officials, so that they can have enough skills and knowledge to deal with any challenge that they experience.
- Respondents 12, 14, & 21: Said no but they did not elaborate on their responses.

Question 5: In your opinion what should trade unions do to avoid the challenges they experience when fulfilling their roles?

- Respondents 1, 3, 4, 6, 7, 10, 11, 14, 15, 19, 20, 22, 24, 25, 30, 32, 34, 35, & 36: Their responses are almost the same; they said that trade unions need to elect effective leadership,

give extra training to their leadership, and trade union officials or representatives (shop-stewards) so that they will be able to deal with any challenges that they may experience while representing employees.

- Respondents 2, 5, 8, 16, 18, 21, 23, 26, 28, 29, 31, & 33: Said "trade unions must investigate the source of challenges, understand the challenges and then it will be easier to address the challenges".
- Respondents 9, 12, 13, 17, & 27: Said that they are not sure about this.

4.8.2 Research Instrument 2: Closed-ended Questionnaire

There are five questions which were designed to achieve the above objective.

	Strongly agree	Slightly agree	Agree	Strongly disagree	Slightly disagree	Disagree	Undecided
Question 1: There are challenges which are experienced by trade unions when fulfilling their roles.	17	9	10				
Question 2: These challenges affect trade unions when fulfilling their roles, as a result trade union maybe ineffective in representing employees.	16	4	13				3
Question 3: Trade unions can address these challenges so that they can be effective in fulfilling their roles.	14	5	12				5
Question 4: In the absence of these challenges trade unions can be effective when fulfilling their roles.	20		13				3
Question 5:	13	8	10				5

Trade unions can avoid these challenges.							
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4.8.3 Interpretation of results: Open-ended Questionnaires

(4 out of 36 participants) 11 per cent of participants said that they are not sure if there are challenges which are experienced by trade unions when representing employees. While (3 out of 36 participants) 8 per cent of participants said that so far, they have not seen any challenges which are experienced by trade unions. All other 29 respondents (81 per cent of participants) said that there are challenges which are experienced by trade unions, and they mentioned some different challenges. Such as political power which hinders trade union progress, bureaucracy, the lack of expertise on resource constraints, and the tight rein on trade union operation. Sometimes it could be a lack of funding and legal expertise. Some employers may refuse to recognise trade unions even if they are registered. (23 out of 36 participants) 64 per cent of participants said that these challenges made trade unions to be ineffective when representing employees, and they diminish their role or influence. (33 out of 36 participants) 92 per cent of participants said that their trade unions tried to solve the challenges and they were successful in attempting to solve these challenges. Some participants said that trade unions solve the challenges by studying the challenges so as to understand the challenges in order to come up with solution to solve it, and the trade unions also provide extra training to trade unions officials, so that these officials have enough skills and knowledge to deal with any challenge that employees experience. The conclusion that can be drawn from these findings is that there are many different challenges which are experienced by UKZN trade unions when they represent employees, these challenges made trade unions to be ineffective in representing employees and trade unions have been successful in solving the challenges, as indicated above.

4.8.4 Interpretation of results: Closed-ended Questionnaires

(17 out of 36 participants) 47 per cent of participants said that they strongly agree, (9 out of 36 participants) 25 per cent of participants said that they slightly agree, while (10 out of 36 participants) 28 per cent of participants said that they agree that there are challenges which are experienced by trade unions when representing employees. (16 out of 36 participants) 44 per cent of participants said that they strongly agree, (4 out of 36 participants) 11 per cent of participants said that they slightly agree, while (13 out of 36 participants) 36 per cent of participants said that they agree that these challenges affect trade unions when representing employees, as a result trade

union may be ineffective. (14 out of 36 participants) 39 per cent of participants said that they strongly agree, (5 out of 36 participants) 14 per cent of participants said that they slightly agree, while (12 out of 36 participants) 33 per cent of participants said that they agree that trade unions are able to address these challenges, so that they might be effective in representing employees. (20 out of 36 participants) 56 per cent of participants said that they strongly agree, while (13 out of 36 participants) 36 per cent of participants said that they agree that in the absence of these challenges trade unions can be effective in representing employees. The conclusion that can be drawn from these findings is that there are challenges which are experienced by trade unions at UKZN when representing employees, these challenges makes trade unions to be ineffective in representing employees. UKZN trade unions are able to address these challenges (as it was discussed above in the interpretation of open-ended questionnaires), so that they can be effective in representing employees.

4.8.5 Comparisons of both Questionnaires

There is no difference from the findings of research instrument 1 (open-ended questionnaires) and research instrument 2 (closed-ended questionnaires). In both findings, the majority of participants said that there are challenges which are experienced by trade unions when representing employees. These challenges affect trade unions, as a result trade union maybe ineffective in representing employees. The majority of participants also said that trade unions are able to address these challenges, as it was discussed above in the interpretation of open-ended questionnaires.

4.8.6 Findings from Previous Studies

Both the findings of this study and the literature agree that there are challenges which are experienced by trade unions, however they both mention different challenges. Waghorne (2010) argues that the major challenge that has been experienced by trade unions when representing employees is privatisation, which has affected employees, especially public sector employees. Under privatisation, some parts of the local government services and nationalised industries were contracted out or “sold off as separate entities, as a result many employees have found themselves working for a new and different employer. The change of organisation ownership from public to private sector can bring too many changes in the approach as to how the organisation is run. Private organisations look for opportunities to save money by cutting costs and pursuing profit” (Waghorne, 2010: 564). With shareholders and profits in their minds, “they can be tempted to look

for ways to cut earnings, lengthen working hours, shed jobs, abandon pension and sickness benefits, and lower safety standards to the legal minimum etc.” (Waghorne, 2010: 564).

The other challenge could be the increasing unemployment rate. The “narrow definition of unemployment includes only those unemployed people who take active steps to find employment but fail to do so” (Labour Force Survey, 04/2014: 2). On the other hand, “the expanded definition, includes everyone who desires employment, irrespective of whether they actively try to obtain a job” (Labour Force Survey, 04/2014: 2). According to Guliwe, (2013) the unemployment rate is very high among the black population and youth who are unskilled. Guliwe (2013) defines ‘youth’ as people who are between the ages of 18 to 35 years old. According to Statistics South Africa (2016) the unemployment rate in South Africa is at 26% or 37% when including dissatisfied job seekers. The main reason for this high unemployment rate is the mismatch between the demands of the labour market and skills. There are other factors which contribute to the high unemployment rate amongst the youth such as the “last in first out convention when jobs are lost, lack of job search capabilities/networks, lack of resources to travel in search of work, and the tendency to shop around (among the better-off youth)” (Guliwe, 2013: 3). There are many other challenges which are experienced by the South African labour movement, and those challenges were discussed above in chapter two literature review.

4.9 Key themes drawn from the research objectives

Table 4.9 Key themes drawn from the research objectives

	Themes	Research objectives	Direct Feedback
1.	Salary increments and protection of employees against unfair treatments such as discrimination.	Trade unions engage in collective bargaining regarding salary increments and they protect employees against unfair treatments.	Trade unions are effective in bargaining on issues pertaining to salary increments. Trade unions attempt to get what employees want or at least half of what they want in terms of salary increments. They are also effective in protecting employees against unfair treatment, such as discrimination. They ensure that employers comply with the labour laws.
2.	Handling employees' grievances.	Trade unions handle employees' grievances.	Trade unions are effective in handling employees' grievances. They encourage employees to advise the trade unions of challenges experienced at work so that the trade unions can handle those challenges.
3.	Trade union representatives.	Trade unions have representatives who represent employees at work.	Trade union representatives are effective in representing employees, they are well trained and prepared to represent employees, and they are also beneficial to employees.
4.	Challenges experienced by trade unions.	There are challenges which are experienced by trade unions.	The challenges which are experienced by trade unions when representing employees include: lack of funding and legal expertise. This impacts the trade union representative's capacity to represent the employees.

Source Field Survey 2016

4.10 Summary

This chapter presented data which was collected in this study. It starts by presenting how data was collected using both research instrument 1 (open-ended questionnaires) and research instrument 2 (closed-ended questionnaires). Then it presented the demographic details of the research participants. It presented data which was collected by research instrument 1 and 2. It also presented the comparisons of research instrument 1 and 2 data and the findings of previous studies. Lastly, it presented the key themes which were drawn from the research objectives.

Chapter Five

SUMMARY, RECOMMENDATIONS AND CONCLUSION

5.1 Introduction

This study investigated the perceptions held by employees regarding the effectiveness of trade unions in representing employees at the University of KwaZulu-Natal. Data which was collected in this study was presented and interpreted in chapter four.

5.2 Summary of chapters:

Chapter one: Introduction

This chapter provided the introduction and background to the research topic of this study. This included, the research problem, research questions, objectives and aims of the study. Furthermore, this chapter included the theoretical framework on which the study is based, definitions of terms to provide clarity, research design, research approach/paradigm, study site, scope and significance of the study, ethical consideration and limitations of the study.

Chapter two: Literature Review

This chapter provided the literature review; it started by providing a brief definition of literature review and its importance in a study. It presented a brief definition of trade union, the history of the South African trade unions. It also provided the discussion of the South African trade union movement, the role of trade unions, the criticism of the South African trade unions movement. Then it outlined the effectiveness of trade unions in representing employees based on the research questions and objectives of this study.

Chapter three: Research Methodology

This chapter provided the research methods used to conduct this study. This study provided the research design, research approach/paradigm, study site, sample, target population, sampling strategies, sample size, data and methods of collecting data such as (open-ended questionnaires and closed-ended questionnaires), data analysis, research interview questions, methods used to ensure validity and reliability of this study.

Chapter four: Presentation of Data

This chapter provided data which was collected in this study. It started by indicating how data was collected using both research instrument 1 (open-ended questionnaires) and research instrument 2 (closed-ended questionnaires). Then it presented the demographic details of the research participants. It also presented data which was collected by research instrument 1 and 2, it provided the comparisons of data from research instrument 1 and 2, and the findings from previous studies. Lastly, it presented the key themes which were drawn from the research objectives.

Chapter five: Summary, Conclusion and Recommendations

This chapter provides the summary of the entire dissertation. It answers the research questions as set out in chapter one and it also provides the recommendations and conclusion.

5.3 Research questions:

5.3.1 Are trade unions effective during collective bargaining regarding salary increments and the protection of employees against unfair treatment?

Based on the data collected from this study, one can argue that UKZN trade unions are effective in collective bargaining regarding salary increments and protecting employees against unfair treatments such as discrimination. They ensure that UKZN employees get salary increments and are protected against unfair treatments such as discrimination. One can argue that in the absence of trade unions employees might not be able to get salary increments and be protected against unfair treatments such as discrimination. UKZN employees need trade unions to represent and protect them.

5.3.2 Are trade unions effective in handling employees' grievances?

Based on the data collected from this study, one can argue that UKZN trade unions are effective in handling employees' grievances. UKZN employees need trade unions to represent and protect them, without trade unions at UKZN things would be worse.

5.3.3 Are trade unions representatives able to effectively represent employees during wrongful dismissals?

Based on the data collected from this study, one can argue that UKZN trade union representatives are effective in representing employees, they are beneficial to employees, they are also well trained and prepared to represent employees. Things would be worse in the absence of them in the workplace.

5.3.4 What challenges, if any, are experienced by trade unions when fulfilling their roles?

From the findings of this study participants argued that there are challenges which are experienced by trade unions when representing employees. They mentioned the following different challenges: The expertise or resource constraints, tight reins on trade union operation, political power which hinders trade unions progress, and bureaucracy, lack of funding and legal expertise etc. The participants argued that these challenges affect trade unions as a result trade union maybe ineffective in performing their duties, but trade unions are able to address these challenges.

5.4 Recommendations

- Trade unions should invite more employees to come and join trade unions, they should have increase in trade union membership.
- Trade unions should work together; they should have the same vision and mission of representing employees, they should avoid the in-fighting within them.
- Trade unions should have enough resources to represent employees such as funding and legal expertise
- Trade unions should make it sure that they satisfy every employee, so that there will be no employee dissatisfaction with a trade union.
- Trade unions need to elect effective leadership, trade union officials or representatives (shop-stewards). They must provide them with extra training so that they can have enough skills and knowledge to deal with any challenge that they experience when representing employees.

5.5 Recommendations for Future Studies

This study recommends that future studies on the effectiveness of trade unions in representing employees should focus on what trade unions can do in order to point out their successes in representing employees, so that they will be perceived as effective in representing employees.

5.6 Conclusion

According to the researcher, the conclusion that can be drawn based on the findings of this study, is that UKZN trade unions are effective in representing employees, in all areas that were mentioned in research objectives of this study. Therefore, the rapid increase of the general perception which says that trade unions are not effective in representing employees does not apply to UKZN trade unions.

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Annexure A: Ethical Clearance Approval



06 October 2015

Mr Sandile Enocent Ndlovu (209508907)
School of Management, IT & Governance
Westville Campus

Dear Mr Ndlovu,

Protocol reference number: **H55/1273/015M**

Project title: Perceptions of Employees regarding the effectiveness of Trade Unions in representing employees at the University of KwaZulu-Natal

Full Approval – Expedited / Amendment Application

In response to your application received on 02 September 2015, the Humanities & Social Sciences Research Ethics Committee has considered the abovementioned application and the protocol have been granted **FULL APPROVAL**.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

Dr Shenuka Singh (Chair)

/ms

Cc Supervisor: Ms Rowena Bernard
Cc Academic Leader Research: Professor Brian McArthur
Cc School Administrator: Ms Angela Pearce

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