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**An Assessment on the Role of Trade Unions at ASKU
Private Limited Company in Safeguarding Employees**

Interest:

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Abstract

Safe working environment and smooth employee- employer relationship are very essential factors affecting the effectiveness and efficiency of a particular organization. One of the means devised to establish such a relationship is the formation and effective functioning of Trade Unions. The case in point is ASKU Private Limited Company engaged in the production of Aqua Addis purified water having 475 employees. In this paper, an attempt is made to assess the role that the trade union of ASKU PLC is currently playing in safeguarding the rights and interests of the employees of the said company. The research adopts a descriptive approach and Questionnaire and interviews were used as methods of data collection and the finding of the study showed that the employees are not happy with what the management is currently doing and strongly believe that it is not responsive, it doesn't have a system of developing their career, it doesn't have a system of benefits or neither it allows or have the practice of workers participation in the management decision making process. They don't have also a confidence in the trade union that the trade union in most, if not all, of the activities, did very few things, and doesn't have the power/capacity to influence managerial decisions. For such problems, it is recommended that the management should be able to allow the union to participate in every activity that involves the employees interest and the trade union should be able develop a positive attitude towards the management and the regional government office should be active in contacting with and supervising the overall situation of the company and the union very closely.

Chapter One

Introduction

This chapter introduces the overall theme of the research paper. It, briefly, narrates the conceptual discussion of the topic, and most importantly how the topic is relevant in the current situation of the country, and a brief organizational introduction of the company. Definition of terms, the statement of the problem identified, the objectives (General and specific) and the research questions, the scope and limitations of the research are also parts of this chapter for the purpose of giving a general picture to the reader.

1.1. Background of the Study

In the opinion of the researcher, Safe working environment and smooth relationship among the employees and the management of a given work place are very essential factors affecting the effectiveness and efficiency of a particular organization either positively or negatively.

Employees of any organization are presumed to be productive if and only if their fundamental rights and freedoms are well protected and enforced and if and only if they strongly believe that their contribution is given a due regard and the opposite is also true. Globally, starting from late 17th Century ‘till now, many movements and events have been recorded which have changed the reality and attitude of the international community. Of these, the international labor movements are the most prominent ones.

Especially, the two industrial revolutions of 1689 and 1789 in England and France respectively were the most important global events in world history the cause of which was poor labor conditions and requesting, among other things, the reduction of working hours. These and other fundamental questions of the workers couldn’t be addressed by the then regimes as a result of which, the revolutions took place and were successfully managing in removing the regime and change the overall socio-political and socio-legal setup of both countries specifically and the whole world generally. One of the achievements of these two remarkable movements and other subsequent historical events was the formation of trade unions the sole purpose of which was to safeguard the rights and interests of the employees.

Trade Unions play a very vital role in industrial relations and peace. They are the middle ground players between the workers and the management by, in principle, standing on the



side of the workers but also by not jeopardizing the interests and integrity of the organization in which they are working. These trade unions are like the mouths of the workers to express by echoing the voices of the workers. This being the fact, in the world as well as in Ethiopia, there were many instances that both the government as well as some employers have done things that would cripple the hands of the Trade Unions and if the unions prove themselves to be strong and undefeatable, even to the extent of abolishing it. This is because of the fact that, in most instances, Unions try to obtain a higher wage for their members than would be offered in the absence of the union which, other things equal, results in workers taking a greater share of profits at the expense of the firm. This monopoly face of unions might lead to deteriorating management–employee relations where it leads to management adopting anti-union strategies, intensifying conflict, while the union mobilization needed for the union to have monopoly power may lead to anti-management views on the part of the workforce.

In this paper, an attempt is going to be made to assess this current debatable issue of the role and importance of trade unions especially in safeguarding the rights and interests of the employees of the organization and see if this is being done without affecting the productivity of the organization. The writer of the paper is motivated to carry out this research due to the fact that the long history of trade unions and their challenges in Ethiopia. Practically and from the previous courses that he has taken especially Industrial relation and labor law, the writer usually asks this question as to why such an area is neglected and faces problem from every corner while its significance is not only for the employees but also for the success of the organization and for the overall socio-economic development of the nation at large.

To my knowledge, this research is one of the few researches carried out so far, there are very small number of researches on this topic from the human resource aspects, however, there also some papers at AAU former Faculty of law written from purely legal perspectives.

The case in point is the situation in ASKU Private Limited Company, whose brief business background is stated below.



The profile of the Company

ASKU PLC was established as a manufacturing company October 2000 G/C (1992 E.C) engaged itself in the manufacturing and distribution of soft drink products such as Aqua Addis, RC soft drinks such as RC Cola, RC orange and the like. The company was established at amount of 100, 000 birr as an initial capital with few workers.

The company now has more than 400 employees amongst whom, 200 employees are permanent. With regard to its management style, it adopts a participative management system that every employee has the right to express his/her opinion so long as it is essential for the success of the organization. Though the trade union of the organization was established very recently (2012/13G.C/2005E.C), the management is working hand in hand with the union for the betterment of employees welfare at all levels. Besides, the management adopts different approaches to motivate and encourages its employees by praising those who excels at monthly or

annual bases and somehow by way of promotion and salary increment.

1.2. Statement of the Problem

The issue of trade union especially in Ethiopia has a very long history and such has contributed positively and negatively to the overall socio-political, socio-economic and sociolegal set up of the country in general. From the past experiences and all the country have went through, the government usually considers trade unions as threats to its power as a result, it had made the formation and activity of trade unions difficult either by not allowing their establishment or affecting their independence in one way or the other. Employers also were and, to some extent, still are reluctant to entertain the formation and role of trade unions in their respective enterprises as they consider such unions as obstacles to the enterprise's profit objective as they always strive for safeguarding the interests and rights of the employees by totally disregarding the interest and ultimate objective of the enterprise. Employees themselves have some negative feeling towards trade unions especially if the employees believe that the unions are either created or imposed upon them not to protect them but to serve the management without having their own power or independence.

In all these, some trade unions of some organizations have attempted their best to stand on behalf of their members/employees and some of them have failed their mission for various



reasons in the industrial relation and labor movement of this country. Taking this general problem in the broader picture in to account, the case of the stated manufacturing company will be assessed whether or not such problems with their specific details exist. The reason for this are:

1. The manufacturing company is young that it was established recently,
2. It has relatively few employees; i.e. 475 employees, and
3. Its activities/products are multifaceted that it provides various services for the public by dominating the market.

1.3. Definition of Terms and Concepts

Here, under this subsection, an attempt is made to give definitions for the most important terms and concepts which are going to be discussed in the paper so that the reader will find it easy to understand when ever he/she encountered them.

1. **Trade Union:** - is defined as an organization formed to negotiate with employers, on behalf of workers collectively, about job-related issues such as salary, benefits, working hours and conditions.
2. **Industrial democracy:**-is defined as the process of workers participation in managerial decision making.
3. **Industrial dispute:** - can be defined as disagreement or difference between employers and employees or between the management and the trade union that might affect groups of workmen and employers engaged in an industry.

1.4. Research Questions

This research has attempted to answer the following basic research questions:

1. What are the importance and the legal and institutional bases for trade unions in general and in Ethiopia?
2. Whether the company respects the independence of the trade union?
3. To what extent are the employees satisfied with the trade union's activities?
4. Does the management encourage the trade union to actively participate in managerial decision making process and if it does, in what modes/forms?



1.5. Objectives of the Research

1.5.1. General Objective

Generally, the objective of this study is to assess the actual role that the trade union of ASKU PLC is currently playing in safeguarding the rights and interests of the employees of the said company.

1.5.2. Specific Objectives

The study, by keeping the above generally stated objective in mind, has the following specific aims and objectives;

- a. To describe the legal and institutional bases for trade unions generally and in Ethiopia,
- b. To measure the attitude of the management of the company towards the trade

- union in relation to its independence,
- c. To assess the level of the satisfaction of the employees with regard to the activities of the trade union,
 - d. To examine the existence of workers' participation in management, -
If it is there, to describe its mode/form,
 - e. To analyze the challenges faced by and opportunities available for the trade union in the company

1.6. Significance of the Research

Proper management of the employer-employee relationships is very essential for successful human resource management, organizational effectiveness and for the overall industrial peace and prosperity. It is an undeniable fact that the human element and resource of an organization is one of the primary important yet very difficult and complicated assets of an organization. It has been said that an organization is as good as its people and this goes without saying that an organization with the necessary financial and facility capacity but without the necessary people will not definitely be able to attain its corporate objectives.

For this, Trade Unions are considered to be the most effective channel through which the management may be able to know how to manage this essential resource and what to do to



fulfill its interests. If the organization fails to do this, then, the consequence will not limit itself in harming the organization itself alone, it will also have a serious impact on the socio-economic and socio-political set up of the whole nation. Therefore, this study, no matter how limited its scope is and objectives; will contribute its share identifying out the problems and suggest some points in the form of recommendations. Specifically: it is important

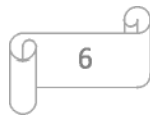
1. For the organization under scrutiny as it provides information about the gaps and problems so that the management will be aware of it and take proper course of action,
2. For the trade union as it is informative and helpful in improving their activity as they are going to be recommended some solutions, and
3. For further researches as it serves as a background and springboard for other similar researches to approach this and other problems from a different perspectives.

1.7. Scope of the Research

Research studies must be organized in a very coherent and understandable manner, and for such a plausible reason, their scope must be limited in terms of coverage and issue. Labor rights and employment relations are the most serious aspects of labor management. Not only that they are serious, but also very broad in terms of issues, problems and legal and policy coverage. They do have an international significance as well, therefore, as has been stated in the objective part above, the interest of this study is only limited to evaluating the notion in the framework of Ethiopian legal, political and managerial situation and within the structure and activity of one single organization.

1.8. Limitation of the Research

The most serious problem that was faced by the writer of this paper was the collection data. Starting from getting the permission to distribute the questionnaire to the factory employees to collecting the questionnaire, the whole process was very challenging. Since the manufacturing factory is located at Burayou area (Oromia Special Zonal Administration), almost 50% of the factory employees speak, write, read and listen either Oromifa Qubee or else Amharic, as a result of which, the questionnaire was to be translated into Amharic and Qubee. Due to lack of knowledge about the questions in the questionnaire, among the collected 225 questionnaires, 7 questionnaires were disqualified as they were inappropriately filled.



Coming back to literatures, of course, as the researcher has said it else were in the paper, the area is rich in literatures regarding the general concepts of trade unions, there are no much books or scholarly articles written in published journals on the history and current practice and situation of trade unions in our country, Ethiopia. There are few material documents unpublished which are not easily accessible to anyone due to the difficult bureaucratic process just to use the library and read these materials at the Confederation of the Ethiopian Trade Union (CETU).

Moreover, the paper could have been more benefited if an opportunity was there to get information from the CETU which, due to the shortage of the time, couldn't be achieved as a result of which, the paper might be incomplete to some extent.

1.9. Organization of the Paper

The thesis has five chapters. The first chapter gives the reader a general background of the topic by introducing the concept and the various approaches therein, the general and specific purposes/objectives as to why such a topic becomes researchable, the problem identified, its delimitation and significance, all these, will be able to make the reader much interested in the topic.

The second chapter is devoted to the visiting and discussion of the relevant literatures like authoritative books, scholarly journals, legal and policy materials of both international as well as domestic.

The third chapter is all about the way how the research is carried out (the methodological issues), here the reader is informed about the research design, the source of the data/information, the tools employed for gathering such information, the sample size and sampling techniques and the method as to how such data/information are going to be interpreted/analyzed.

Chapter four discusses the way how the data/information gathered, organized and analyzed. The last chapter, based on the data and information gathered and the analyses made under the previous chapter, focuses on drawing conclusions and based on such conclusions, some points in the form of recommendations are going to be forwarded.



Chapter Two

Review of the Relevant Literatures

Introduction

Fortunately, this area of research (Industrial relation) is rich in relevant literatures worldwide; it is very easy to gather the information based on the experiences of other countries and to discuss some theoretical points. Nevertheless, when it comes to the Ethiopian context, it is somehow problematic as literatures written on industrial relation in Ethiopia are very few and those which are accessible are those focusing on its historical development.

Be that as it may, the literatures which are going to be visited can be categorized in to three major classes.

- The first one are books authored by various scholars in the area focusing on the issue of trade unions from different perspectives,
- The second one are scholarly journals on some selected issues of industrial relations like workers participation in management (the notion of industrial democracy), and
- The last are international and domestic normative/legal instruments which give legal recognition and provide protection for trade unions.

The expression industrial relations, one of the major part of it is trade union, is used to express the nature of relationship between the employer and the employee in an industry or an organization. Where willing cooperation emanates from employees towards the achievement of organizational goal, there will be a good industrial relation.

According to Professor Davar, *The concept of industrial relations has generally developed as a consequence of the industrial revolution as, prior to this, the master-servant relationship which existed was simple and of a personal nature. With the acceleration in industrialization, the relations aspect became complex and impersonal.* (Davar: 1988, 257) Under the early factory system, the worker was looked upon as a commodity which could not be easily secured but also replaced. The attitude was that of considering the supply and demand position as in case of a commodity. As the employer was in a dominating situation, he/she



dictates both the wages and the conditions of the services of the workers resulting in many industrial and social ills such as low wages, unduly long hours of work, poor working conditions and persecutions of trade union activity. The plight of the workers was miserable in most European countries during such a time and trade union leaders were persecuted and victimized. (Davar: 1988, 258)

A new awakening among the working class was brought about after the First World War and the industrial relations position took a new turn. Workers began to take retaliatory actions to help themselves to get a new deal. They began to strike, declare lock-outs, as a result of which, industrial war began (Davar: 1988, 258). Pursuant to the same author, *at first, governments were very much reluctant to deal with the issue in a very smooth manner, the British government has attempted not to intervene to settle disputes neither did it nothing to ensure good industrial relations, however, when things started to go from worse to the worst and strikes had began to*

stay much longer than expected, the government had started to establish committees of inquiry, and at last, for the first time, it enacted the famous Trade Disputes Act of 1929, followed by the 1947 Industrial Disputes Act, which provided a permanent machinery for settlement of disputes such as works committees, conciliation officers and industrial tribunals (Davar; 1988, 258)

2.1. The concept, essential features and importance of Trade union

According to the famous Black's law dictionary, a trade union is defined as “*an organization formed to negotiate with employers, on behalf of workers collectively, about job-related issues such as salary, benefits, working hours and conditions*” (Black: 2009, 1671).

In fact, this is a definition which seems to be all rounded and purpose oriented. All legal definitions, in all cases, are purpose oriented as they intend to achieve a specific objective. When analyzing this definition, a trade union is a separate entity/organization different from its members having its own legal personality and capacity. The other important feature of a trade union, according to the above definition, is its primary purpose. The purpose of any trade union, among other things, is to negotiate with employers and other entities on behalf of and for the exclusive interests of their members; i.e. the workers/employees. And thirdly, the main issues about which these unions are to negotiate with the workers by representing the



workers are job-related issues, not other purely political or any other non-work related matter. This is not to conclude that job-related matters will remain as purely socio-economic agendas always especially if they are not managed and settled properly and gently, there is a high probability that they could turn out to be political.

Another definition is provided by Robins and DeCenzo that *a Trade Union is an organization of workers acting collectively, seeking to promote and protect its mutual interests through collective bargaining.* (DeCenzo & Robins: 2005, 354)

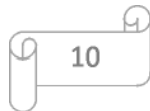
This definition by both scholars is not that much different from the above definition provided by the law dictionary that both literatures focused on three important points; i.e. organization, workers/employees and collective interest of the workers.

Pursuant to Monique Marks and Jenny Fleming, citing Burgmann and Burgmann, *Trade unions are among the most democratic organizations in our society, certainly more democratic in*

general than corporations, parliamentary parties and governments (Mark and Fleming: 1998, 2). Here, both scholars are trying to argue in favor of the nature and process of trade union formation and their function as democratic because they are established, structured and empowered by the workers themselves. The following definition also describes the means by which Trade unions advance the interest of the workers:

It is an organization based on membership of employees in various trades, occupations and professions, whose major focus is the representation of its members at the work place and in the wider society. It particularly seeks to advance its interest through the process of rule making and collective bargaining. (Deset Abebe: 2013, 113)

Trade unions can be thought of as ‘*janus faced*’ organizations. They have, not only the potential to advance social justice agendas, but also to be narrowly concerned with their own vested interests. In recent decades, trade unions have displayed their vested interest face more often than they have revealed their social justice features. Bureaucratic conservatism has shaped much of the direction taken by the trade union movement in recent years. The challenge for the trade union movement in the 21st century is for unions to overcome this conservatism and to reinvigorate and ‘redefine their role as a sword of justice’. Such a change is necessary and inevitable for two reasons (Mark and



Fleming.: 1998, 4). First, engaging in more social justice issues provides unions with an opportunity for much needed revival. Second, through being involved in social justice issues, trade unions will increase their capacity to mobilize a broad range of civil society actors in pursuit of their public interest agendas. Some scholars suggest that the trade union movement offers a social democratic alternative to global neo liberalism (Lambert, Adler and Webster: 2000, 42). But to be able to achieve these objectives, according to Margaret Levi, trade unions must be part of a major social movement in which organized labor plays a crucial role while acting as a reciprocal participant in a larger network of social activists. An increasing number of unions – although still too few – are democratizing internally, engaging in issues of economic and social justice for others as well as themselves (Levi: 2003, 60).

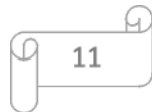
These authors are strongly arguing, by taking the current situation of the world and socio-

economic realities of the workers, that the role of trade unions should be, to the extent possible, broadened and should be able to incorporate other socio-economic factors affecting the lives and wellbeing of the workers which they represent.

How unions identify themselves, what agendas they decide to promote and who they forge alliances with are all contingent on a number of factors. These include the political opportunity structure at the local, national and global level; the characteristics of union members and supporters; the extent to which unions are viewed as valuable within networks of influence; the vision of union leaders; and, the frameworks of international regulatory organizations such as the International Labor Organization (Mark and Fleming: 1998, 5). According to Robins and DeCenzo, individual workers usually join union for the reasons of higher wages and benefits, greater job security and to have an influence on the work rules. (DeCenzo & Robins: 2005, 355)

2.2. The pros and cons of Trade Unions

In spite of all the above unique features and expanding roles and importance of trade unions, there are still arguments by some entities in favor and against trade unions from different perspectives. The former groups strongly insist on the fact that trade unions are good for the



society where as the latter disagree that trade unions harm society severely. The pro-trade union scholars list the following reasons to justify their stand. (Bridegam: 2010, 22)

1. Trade unions have the capacity of reducing both injustice and radical reactions to it. Before unions became fully legal, working people's life were frequently hellish. Unions were necessary responses to the industrial revolution, the introduction of large scale manufacturing that began in north-western Europe in the mid- 18th century. Before unions were legalized, organized labor actions such as strikes were frequently treated as criminal offences. It took courage or an overwhelming strength in numbers for a powerless person like a factory worker to join a union.
2. Horrible conditions still exist in industries and places where unions are difficult to form. For instance, there are continuing reports of labor abuses involving Asian immigrants to Saipan, a U.S. possession in the Northern Mariana Islands where many clothing companies have factories. In recent years there have also been terrible stories of child labor and near-slavery conditions among immigrant farm workers and guest workers in

every part of the world.

3. Unions fight “the race to the bottom”. The term “race to the bottom” describes the harm done when businesses compete with each other to cut costs. In particular, manufacturing businesses tend to move jobs where workers can be paid the least—for example, to countries where it is illegal to join an independent union. When not restrained by law or contract, business owners may feel that competition forces them to move jobs in this way even if presumably they would rather not hurt their existing workers.
4. Unions make and maintain institutions that protect every one. Some people claim that unions are unnecessary now as government agencies protect things like minimum wages, maximum hours, pensions, health insurance funds, and consumer and workplace safety. Yet unions helped create those protective agencies and are needed to defend them. Some scholars say unions have been better at passing laws to protect the general public than at passing laws to protect their own right to organize.

Others strongly oppose the idea of having a trade union for the following reasons.

1. Unions slow economic growth. Unions are bad for business growth, and thus for the economy in general, even if they help individual members. According to Hirsch, an



economist, There has been extensive study in recent years, particularly in the U.S., of the relationship of unionization to productivity, profitability, investment, and employment growth. The broad pattern that emerges from these studies is that unions significantly increase compensation for their members, but fail to increase productivity sufficiently to offset the cost increases from higher compensation. As a result, unions are associated with lower profitability, decreased investment in physical capital and research and development (R&D), and lower rates of employment and sales growth. (Hirsch: 1997, 35-70)

2. Unions are unnecessary. Employment rights have made progress over the past hundred years, and unions cannot claim all the credit. Employers have economic and moral reasons to treat employees well voluntarily. Good employers have been providing for employees for a long time. Some attempts to do so, such as company towns (entire communities centered around a factory or mine), have had undesirable effects, but there is a good side to welfare capitalism (the business practice of providing benefits such as medical care, pensions, and other perks) for the mutual benefit of employers and

employees (Bridegam: 2010, 42).

2.3. The concept of Industrial Democracy (Workers' participation in management)

The objective of workers' participation in management is to increase workers' productivity. Workers participation results in cooperation between labor and management and enhances productivity of labor. (Kester: 2007, 255) Poor labor management relations may de-motivate a worker and he/she may land up in minimum possible production. Workers participation helps management in maintaining sound labor- management relations and hence contributes to higher productivity. (Kester: 2007, 257) One of the psychological objectives of workers participation is to increase the workers' level of motivation. Participation provides satisfaction of non-economic needs of workers. Through participation scheme, a worker feels that his/her importance is felt by the management; he/she feels proud of working in the organization; he/she would have a sense of belonging to the organization. (Kester: 2007, 255)



Thus, according to this author, participation provides the employees with a sense of importance, pride and accomplishment, freedom and opportunity for expression, a feeling of a belonging to the place of work and sense of workmanship and creativity, and a total devotion to the work. The ultimate result would be the enhanced motivation and higher productivity. Workers participation ensures a respectable status for the employees in the society. It assures the human dignity because the workers become a partner in the gains of productivity. One of the ethical objectives of workers participation is to change and mould the employee behavior. For instance, if employees resist some important changes in organization, participative approach would be fruitful in introducing change and reduce the resistance to change.

This is supported by Professor Daniel Haile that labor democracy is regarded as a powerful factor not only for improving the productivity of undertakings, but also stimulate the spirit of initiative and responsibility among the workers, enable the management to benefit from the practical experience of the rank and file and improve the cooperation between the two levels, avoid misunderstanding, resistance, low morals, suspicion, and labor unrest. (Daniel Haile:

1986, 124)

Daniel further stated that industrial/labor democracy or allowing the worker to participate in the managerial decision making process has the most important significance as it enhances the dignity of the worker. Though economic well-being is one factor, as man doesn't live by bread alone, it has been argued that participation in decision making is a means to promote individual development and fulfillment. (Daniel Haile: 1986, 125)

So, as has been discussed above, the ethical objective of participation is to develop workers' free personality, dignity, and belonging to the enterprise. Workers participation should be distinguished from collective bargaining. Collective bargaining is essentially based on power-play, pressure tactics and to a certain extent non-sharing of information whereas participative management is based on mutual trust, information, and mutual problem-solving.

2.4. The International, Regional and Domestic legal and institutional frameworks on Trade unions

Several international, regional and local legal regimes have attempted to address this issue from the perspective of rights and freedoms. For instance, the ILO (International Labor Organization)¹ was successful in convincing the international community to adopt legally binding instruments with regard to the fundamental rights to establish trade unions. These are the 1948 freedom of association and protection of the right to organize convention No. 87 containing 21 articles all of which are devoted to the listing out the rights of not only workers, but also even employers to establish associations/unions and in imposing obligations on the public authorities from intervening in the whole process. The other international legal instrument is the 1949 right to organize and collective bargaining convention No. 98 containing 16 provisions with the purpose of governing the issue of the power of trade unions to collective bargaining by representing their members.

There are also the International Bill of Rights (the Universal Declaration of Human Rights of 1948 (UDHR), the International Covenant on Civil and Political Rights of 1966 (ICCPR), and the International Covenant on Economic, Social and Cultural Rights of 1966 (ICESCR)). For instance when we look at the UDHR, art. 20 clearly states that everyone has the right to freedom of peaceful assembly and association and no one may be compelled to belong to an association. In a very detailed manner, the ICCPR, under arts. 21 and 22 has also dealt with this issue. Especially, art. 22(1) states that every one shall have the right to freedom of association with others including *the right to form and join trade unions for the protection of his/her interests.* (Emphasis mine). In a very similar fashion, the ICESCR of 1966, under art. 8, recognized the right to form trade unions and become the member there of by imposing an obligation on the state parties to ensure, among other things, the right to everyone to form trade unions and join the trade union of his/her choice, subject only to the rules of the organization concerned for the promotion and protection of his/her economic and social interests.

1. A specialized agency under the UN engaged in ensuring the fundamental rights and freedoms of workers of every nation are properly respected and protected by the member states. Regarding its history of formation and current status, look at the subsequent section of this chapter.

Other than these basic international legal set ups and regional human rights systems have also recognized this fundamental issue. For instance, one of the most effective regional human rights arrangements, the European system gave a full recognition and protection for this right under art. 11 of the 1950 European convention for the protection of human rights and fundamental freedoms, moreover, the European social charter of 1961 and the revised charter of 1996 under arts. 5 and 6 recognize the right to organize and the right to bargain collectively. The other regional human rights system currently functional is the Inter-American system. Under this arrangement, we have the American Declaration on the rights and duties of Man of 1948, the American convention on Human Rights of 1969 and its additional protocol of 1988 in the area of economic, social and cultural rights. The declaration and the 1969 human rights convention under arts. 22 and 16 respectively mention about the fundamental rights of association in general and the right to form a trade union in particular. The additional protocol of 1988, on the other hand, under art. 8, elaborates this right in a very detailed manner than the previous instruments of the system. Similarly, the African charter on human and people's rights of 1981, which forms the main part of the African human rights system, under art. 10 give a full recognition to this right by simply stating the fact that every individual has the right to free association provided that he/she abides by the law.

Coming to the institutional set up, each and every international and regional human rights instrument that we have assessed has their own institutional mechanisms established for the purpose of following up the progress made by the state parties to enforce the rights contained thereof and comply with their international legal obligations. Other than these, we have the ILO. The International Labor Organization (ILO), founded in 1919, was formed through the negotiations of the Treaty of Versailles, and was initially an agency of the League of Nations. It became a member of the UN system after the demise of the League and the formation of the UN at the end of World War II. There are currently 175 members of the ILO. Its headquarters are in Geneva, Switzerland (Bowett: 2003, 108). Its Constitution, as amended to date, includes the Declaration of Philadelphia (1944) on the aims and purposes of the Organization. As well-known, ILO is a specialized agency of the United Nations that deals with labor issues.

The primary goal of the ILO today is to promote opportunities for women and men to obtain

decent and productive work, in conditions of freedom, equity, security and human dignity. In working towards this goal, the organization seeks to promote employment creation, strengthen fundamental principles and rights at work - workers' rights, improve social protection, and promote social dialogue as well as provide relevant information, training and technical assistance. At present, the ILO's work is organized into four thematic groupings or sectors: (1) Standards and fundamental principles and rights at work; (2) Employment; (3) Social Protection; and (4) Social Dialogue. (Bowett: 2003, 108)

One of the principal functions of the ILO involves setting international labor standards through the adoption of Conventions and Recommendations covering a broad spectrum of labor-related subjects and which, together, are sometimes referred to as the International Labor Code. Adoption of a Convention by the International Labor Conference allows governments to ratify it, and the Convention then becomes a treaty in international law when a specified number of governments have ratified it. All adopted ILO Conventions are considered international labor standards regardless of how many national governments have ratified them. The topics covered by them cover a wide range of issues, from freedom of association to health and safety at work, working conditions in the maritime sector, night work, discrimination, child labor and forced labor. The coming into force of a Convention results in a legal obligation to apply its provisions by the nations that have ratified it. Ratification of a Convention is voluntary. Conventions that have not been ratified by member states have the same legal force as Recommendations. (Kapoor: 2002, 580)

Recommendations do not have the binding force of Conventions, and are not subject to ratification by member countries. Recommendations may be adopted at the same time as Conventions to supplement the latter with additional or more detailed provisions. The intent of these recommendations is often to more precisely detail the principles of related Conventions. In other cases Recommendations may be adopted separately and address issues not covered by, or unrelated to any particular Convention. The ILO hosts the International Labor Conference in Geneva every year in June. At the Conference, Conventions and

Recommendations are crafted and adopted by majority decision. The Conference also makes decisions on the ILO's general policy, work program and budget. Each member state is represented at the International Labor Conference by four delegates: two government delegates, an employer delegate and a worker delegate. All delegates have individual voting rights, and all votes are equal, regardless of the population of the delegate's member state. The employer and worker delegates are normally chosen in agreement with the most representative national organizations of employers and workers. Usually, the workers' delegates coordinate their voting, as do the employers' delegates. (Kapoor: 2002, 581)

2.5. Trade Unions in Ethiopia

Coming to the context of our country, trade unions emerged as cooperative societies in Ethiopia as Idir and Equb² and in 1963 G/C (1956 E/C), the first law (Decree) on trade unions was adopted. Though, the 1955 revised constitution guaranteed the right to form workers' association, it was after the adoption of the labor relation decree came in to force that the "Federation of Employees of Ethiopia" in 1963 and the "Confederation of Ethiopian Labor Unions" (CELU) in 1964 came in to the picture. (Deset Abebe: 2013, 111) The history before that was marked by the suppression of any movement close to unionism as criminal and such a fact compelled workers to undertake similar actions in to hiding and hold their meetings under the guise of social gatherings in the compound of churches, even after the adoption of the decree in 1963, trade unions were not as strong and independent as they should have been, since the law was highly biased towards employers. (Deset Abebe: 2013, 112) In spite of this fact, however, there were many instances of attempting to form a kind of labor union at different enterprises in Ethiopia, one of which is the *Chemin de fer* incident which was the strike of the workers of the Franco-Ethiopian Railway company in 1947 (Daniel Haile, 2004).

After the adoption of the Ethiopian civil code of 1960, certain provisions have also been inserted to govern this matter the 1975 workers proclamation no. 64 was the other legal instrument adopted during the military regime, however it didn't bring about the desired change on the status of trade unions, rather they were used as a tool for the promotion of socialist ideology and mouth piece of the government, the law provided no autonomy with

These are also traditional social organizations which the society had used them as self-help mechanisms.

regard to the conclusion of collective agreements as a form of independent control over working life exercised by freely constituted trade unions, there were no employers' organizations and no contractual freedom between employer and employee. (Deset Abebe: 2013, 111)

After the overthrow of the DERG regime in 1991, the law adopted to govern labor relations in Ethiopia was the labor proclamation no. 42/1993, this law preceded the 1995 FDRE constitution in its recognition of trade union rights and currently, this fundamental right of association is protected by the FDRE (Federal Democratic Republic of Ethiopia) constitution of 1995. If we look at art. 30 of this constitution, it tries to guarantee the freedom of association in general that every person has the right to freedom of association for any cause or purpose. Therefore, it is possible to conclude that forming trade unions to safe guard the interest of the staffs is one of these legitimate causes having a constitutional protection of such kind. More specifically, under art. 42(1)/a/, factory and service workers, farmers, farm laborers, other rural workers and government employees whose work compatibility allows for it and who are below a certain level of responsibility have the right to form an association to improve their conditions of employment and economic well-being. The provision further went to use the term and states that such a right includes the right to form trade unions and other associations to bargain collectively with employers or other organizations that affect their interests. This constitutional provision gives a full recognition and guarantees its protection though it puts some qualifications such as employees below certain levels of responsibilities. The other interesting point to note here is, in spite of the full constitutional protection of this right, it may not be applicable to civil servants (government employees) until a special law is going to be enacted (Art. 42(1)/c/ of the FDRE constitution). Government employees are employees of different Ministries, Commissions, Agencies, and Authorities other than public enterprises, to our knowledge, such a law promised by the constitution is not yet enacted and the reason for this, according to Professor Daniel Haile, is mere ideological.

Equally important with the constitution, the Labor proclamation of 2003 is the other domestic legal regime governing labor/industrial relations in general and trade unions in particular. One of the primary purposes of Procl. # 377/2003 (the currently applicable labor proclamation) which is clearly set in the Preambular part of the proclamation is to guarantee the right of

workers and employers to form their respective associations and to engage, through their lawful elected representatives, in collective bargaining and to lay down the procedure for expeditious settlement of labor disputes, which arise between workers and employers. To this end, art. 113 and the following provisions of the proclamation lay down the detail matters concerning the formation process, function, registration, dissolution, personality and judicial review system of trade unions. Art. 113(1) tries to re-confirm what has been guaranteed by the constitution; i.e. the right to form organizations. The other important point worthy of mentioning here is that the law allows the formation of more than one trade union and if this is applied, then a federation will be formed (Art. 113(2)/c/ of the proclamation). Putting all other things aside, the overall purpose of every trade union is to facilitate the smoothness of the industrial relations and ensure industrial peace.

To come to the conclusion part of this chapter of the paper, all literatures that have been reviewed have backed up the idea of trade unions as effective mechanisms of channeling the voices of their members and ensuring industrial peace if managed properly. Having this as a back ground, international, regional and domestic laws have also given wide protection of these fundamental rights from different possible violations.

Chapter Three

Research Design and Methodology

In this chapter, the researcher focuses on the research design and methodology under the following sub-headings:

- Research design and methodology
- Population and sampling procedure
- Data collection and data analysis
- Validity and reliability

3.1. Research Design and Methodology

Welman and Kruger (2004) describe the research design as the plan in which information is obtained from the research participants. In the plan, it is clearly defined how participants are going to be selected in order to get valid and reliable research results. However, Olivier (1997) argues that researchers should accept that there are a variety of research approaches and perspectives, all of which are relevant to different research problems. Hence the researcher just selects the approach which seems the most suitable for the study.

According to Henning (2004), the distinction between the qualitative paradigm and the better known quantitative paradigm lies in the quest for understanding and for in-depth inquiry. In quantitative research methodology, the study will be guided with acute focus on how variables are related, whereas in qualitative research, the variables are usually not controlled. Neuman (2000) makes a distinction between qualitative and quantitative research designs.

For the purpose of this study, the research methodology to gather data is that of quantitative design which Neuman (2000) described and includes: experiments, surveys and content analysis, using a structured questionnaire. Gronhaug and Ghauri (2005) conclude that quantitative designs deal with a large number of respondents and use sufficiently large numbers to allow for generalized comparisons and for conclusions to be drawn about populations.

3.2. Population and Sampling Procedure

In this section, the research population and related sampling method are discussed as follows.

Researchers suggest that a population, sometimes referred to as a “target population”, is the set of elements on which the research focuses and to which the results obtained by testing the sample, should be generalized (Bless & Higson-Smith 2000). According to Oliver (1997), a population is the group of people to which the research applies and conclusions will be drawn from those people. Furthermore, Leedy and Ormord (2000) provide specific characteristics to describe a population, these are

1. A population is generally a homogenous group of individual units.
2. A population contains definite strata that are approximately equal in size.
3. A population contains definite strata that appear in different proportions within the population, and
4. A population consists of clusters whose cluster characteristics are similar, yet whose characteristics are as heterogeneous as those of the overall population.

ASKU P.L.C. has a total of 475 employees currently working under different capacities and activities.

3.2.2. Sampling

According to (Oliver 1997), the most representative type of sample would be one in which every individual person in the targeted population had an equal chance of being selected for the sample. Also researchers suggest that defining sampling units clearly before choosing cases is essential in order to avoid messy and empirically shallow research (Seal, Gobo, Gubrium & Silverman, 2004). According to (Stuart and Wayne: 1996), samples must be representative of the population of concern; otherwise no general observations about the population can be made from the sample. One of the aims of the study is to be able to say with confidence that the results of the study apply to a wider population at the organization. That can only be obtained and be confirmed if the sample size was large enough to represent a population correctly.

Regarding sample population, from a total of 475 employees in the company, 250 of them were simply handpicked and required to fill in the questionnaires. Welman and Kruger (2001) describe many different types of sampling and for this study the researcher employed simple random sampling because with such a system, the researcher is ensured of representativeness irrespective of sample size.



3.3. Method of Data collection and Analysis

3.3.1. Data collection

After the design activities have been completed, the researcher has to decide on which data collecting method is the most suitable for the inquiry and the particular population. As mentioned earlier, for this study, the researcher used questionnaires to collect data from participants. Stuart and Wayne (1996) state that questionnaires are commonly used and also commonly abused. They argue that it is easy to compile a questionnaire; it is not easy to complete an effective questionnaire and Welman and Kruger (2004) identified the advantages and disadvantages of using questionnaires as follows:

Disadvantages

Control over responding - The researcher has the least control over the conditions under which questionnaires are completed, though this lack of control also holds potential advantage in the sense that respondents are allowed to complete the questionnaires at their own convenience.

Response rate - The researcher's lack of control over the completion of the questionnaires may result in a poor response rate, also in poorly completed questionnaires. A poor response rate restricts the generalization of inquiry; the results of any research should apply to a wider population.

Advantages

Cost and ease of application - The use of questionnaire is preferable as it is inexpensive and efficient. Also questionnaires are easily quantified and analyzed statistically. It is simpler and quicker to work with questionnaires.

In addition the questionnaire filled by the sample employees, the researcher has conducted a formal interview with three entities; i.e. the trade union chairman of ASKU PLC conducted at the company's premise on Saturday February 22/2014 @ 10:30 a.m., the Human Resource Division Director of ASKU PLC conducted at the company's premise on Saturday February 22/2014 @ 9:30 a.m and the Industrial Relation division of the Labor and Social Affairs Agency of the Oromia National Regional State on Tuesday February 25/20 14 @ 9 a.m., and



informal discussions were made and information were gathered from some employees from four factories factory through an informal conversation with the researcher with some company employees of four different factories located at the same area with the company under scrutiny

for comparison purpose. These methods are used by the researcher as it is believed that these are relatively the most effective tools to get information directly from the concerned entities, and since the research has both qualitative and quantitative aspect, both tools; i.e. questionnaire and interview are believed to be suitable.

3.3.2. Data analysis

According to Oliver (1997), research is always seen as a series of overlapping activities which often proceed simultaneously. This view applies very much to the processes of data collection and data analysis. Welman and Kruger (2004), state that once an appropriate research design and a suitable means of measuring instrument have been chosen, the researcher has to choose an appropriate statistical procedure to analyze the data obtained. Once the data is collected, it should be organized, coded, and then the analysis proceeds. For this study, the data were collected from employees who are still employed in the company. Those who left the service of the company won't form part of the study.

3.3.3. Ethical considerations

The respondents of the questionnaire and the interviewees are informed that the information that they have provided will be kept confidential and have been used only for the purpose of the conducting an academic research and study. In addition, an official statement is incorporated and a promise has been made that their name or specific identity won't be divulged, this has the purpose of avoiding unnecessary and undesirable prejudiced responses or data which are not based on the reality and truth. The data gathered during the process of the research, as promised, was kept confidential and would not be used for any personal interest and this research has been carried out and supervised to be within the acceptable professional research ethics.

Chapter Four

Data Presentation and Analysis

This chapter intends to organize, present and discuss the results obtained from the data collected from participants for the purpose of the study. After the design activities have been completed, the researcher has to decide on which data collecting method is the most suitable for the inquiry and the particular population. For this study the researcher used questionnaires to collect data from participants.

4.1. Demographic Profile of the Respondents

When we consider the demographical representation of the employees at ASKU PLC; i.e. the age and sex distribution, the work experience in terms of yrs and their educational background and from the questionnaires that they filled, the researcher has the following findings represented in tabular form.

Table 1. Age and Sex of respondents

Age group	Male	Female	Total	%
18 -----	4	8	12	5.5
21 -----	70	23	93	42.6
31 -----	41	56	97	44.5
41 -----	7	9	16	7.3
Total	122	96	218	100

From the above table, we can simply see that the majority of the employees are male employees whereas most of the employees are within the age range between 31 ----40 yrs old that most of them are youngsters.

Table 2. The work experience of respondents

Work experience	# of employees	%
Up to 1 yr	34	15.6
2-----5 yrs	174	79.8
6 yrs and above	10	4.6
Total	218	100

The above table clearly shows us that most of the employees have the work experience from 2 to 5 yrs and this can show us the fact that they have stayed in the organization long enough to give the information about the trade union and it can be concluded that the information they gave can be taken as reliable from what they have experienced personally in one way or another.

Table 3. The Educational Background of Respondents

Educational background	# of employees	%
From 8 th ---12 th grade (High school)	86	39.4
TVET diploma	115	52.8
First degree	17	7.8
Second degree	0	0
Total	218	100

In the above table, we can look at most of the respondents have got a college Technical and vocational education and this led the researcher to believe the fact that they have understood all the questions and their meanings, all in all, they do have the understanding about what has been and still is going on with regard to the trade union in the organization and other related issues.

4.2. Presentation and Analysis of Data

As mentioned above, 250 questionnaires were distributed to the factory employees and 225 were filled and returned. And among these filled and returned questionnaires, seven of them

have to be rejected as they were filled inappropriately; i.e. two or three different answers were given for one same question. So, the data will be organized and presented based on the 218 questionnaires in the following manner.

4.2.1. The basic right to unionize

The employees were to respond to 14 questions and their response is organized as follows. The first section under which there are three questions was about the basic right to organize/unionize and their respective response is organized and presented under the following table as follows:

Table 4. The basic right to unionize

	Items	Mean (X)
1	The management respects the employees' right to unionize	2.33
2	The management gives assistance in every aspect to ensure the employees' right to form a trade union	2.53
3	Trade union's officials are elected in a free and fair manner	2.63

With regard to the first question, the majority of the employees responded negatively that the employer/management doesn't respect employees' rights to organize; concerning the second question, again the majority of the employees responded that the employer/management doesn't give assistance in every aspect to ensure the employees' right to organize/form a trade union and with regard to the last question of this part, whether or not the employees know the fact that the trade union officials were elected in a free and fair manner, relative majority of them responded that they are not sure, actually, even though they don't disagree, the mere fact that they are not aware of this situation implies that the management either conceals or the employees are reluctant in making themselves informed of the process.

In conclusion, totally among the 218 respondents, 192 (88.1%) responded to the negative that they strongly disagree that the management respects the basic rights of the employees to form an association, and 171 (78.4%) disagree that the management doesn't respect this basic right. This is confirmed by the Trade Union official that the organization didn't accept the request of few employees to establish a trade union, as a result of which they went to a church compound and gather to establish a trade union before three yrs, and when the company was

informed about its formation by the official certificate sent by the confederation, there was difficulty to retain their job especially the trade union officials, though the management's impression that the trade union and the whole employee have a smooth relationship with the organization. All these show the fact that the employee, trade union and the management of the company don't have a smooth and productive relation and the employees are not happy with regard to their rights guaranteed for them in the constitution.

4.2.2. The Activity and Effectiveness of the Trade Union

Under this category, the respondents were asked six questions, and the way how they reacted to these questions with regard to the activity that the trade union has attempted to carry out and the degree of the effectiveness, it is organized and presented in the following table as follows:

Table 5. The Activity and Effectiveness of the Trade Union

	Items	Mean (X)
1	The trade union's officials regularly meet with the employees	2.38
2	The trade union's officials ensure workers participation in management	1.64
3	The trade union's officials play a role in promotion, salary increment, safety measures and other employees' benefits	2.69
4	The employees' have an opportunity to express their grievance to the management through the trade union and gets responses in due time	2.33
5	The trade union plays a role in the development of employees' career like education, training, etc...	1.65
6	Awareness creation by the trade union to the employees about their welfare and job security.	2.25

As it is stated in the above table, for the first question that whether or not the representatives of the employees'/trade union's officials regularly meet with the employees, relative majority of the respondents stated that the trade union officials, in this regard, ill performed that they don't meet with the workers in a regular basis, this response by the workers conflicts with the information obtained from the trade union officials and the company according to whom, the trade union officials and the employees meet twice in a year (once in six months).

For the purpose of clearing confusions and filling such an information gap, the researcher had also interviewed the Industrial Relation and control Division of the Oromia Labor and Social

Affairs Agency, and according to this office, the trade union officials usually attempts to call upon a meeting and try their best to conduct the meeting, they also invite the office to observe the overall process as a result of which, the office sends an observer, but in most of the cases, very few employees attend the meeting, and most of the employees don't really care and don't give attention to it. From this what we can understand and conclude is that sometimes, the employees are somehow reluctant in assisting and cross checking the trade union by actively participating in it.

Regarding the second question that either there is a system of workers participation in the management decision making process or not, again the majority of the employees responded negatively and this is again confirmed by the trade union official and also the company that there is no such a system. However, the company stated that it usually consults the trade union whenever there is an issue which touches upon the interest of the employees in one way or another and requires managerial decision; but according to the information obtained from the trade union official, this is done once in a blue moon and in most of the cases, the management makes its own decision regardless of the impact of the decision on the interest of the employees. This can lead us to the conclusion that there is no system of workers participation in the managerial decision making process, or if there is any, it is below standard and poor. The third question to employees was whether or not the union plays a significant role in ensuring and safeguarding employees' benefits like promotion, salary increment, and safety measures and so on. A relative majority of them responded negatively, but the union has made some positive contribution especially in salary increment and safety measure. For instance, before the formation of the union, the minimum wage was 200 birr, and due to the relentless effort made by the union, now the minimum wage increases to 600-800 average. There was no work uniform wearing for employees, and the union together with the Labor and social affairs office of the regional state convinced the company to purchase and now all the workers have got this wearing. The company, on the other hand, stated that there is a promotion committee in which the representative of the union is a member; this committee has the mandate of promoting employees based on some standards that the committee itself adopted but admitted the fact that the company doesn't have a promotion, salary increment or any other benefit package policy. This fact is confirmed by the Union official with some

reservations that the committee was established very recently and has done nothing with regard to the promotion yet. This implies that though the union has done a lot under such a pressure and difficulties stated above, there are lots of activities left and the respondents with a little majority responded in the negative as the union has performed below expectation.

The fourth question for the employees was whether or not they have an opportunity to express their grievance to the management through the trade union and gets responses in due time, a great deal of the majority responded that the union in this regard is very poor. This again is confirmed by the union official that the company is very reluctant in making use of the union as a media of communication with the employees, instead the company wants only the union to be its mouth piece and to conduit information, rules and orders to the employees not the other way round. The company, in this regard, stated that it has a discipline committee established and the union is represented by one official, and the mandate of this committee is to see and decide on grievances and other work and employee related issues like violations of work rules and ethics of the company, other than this, there is no system of grievance handling. This gives a clear picture that the company has no intention of making or using the union as a medium of communication with the employees both ways especially in grievance entertaining and solution rendering. A great deal of the majority of the employees gave negative response to the fifth question whether or not the trade union plays a significant role in the development of employees' career like education, training, etc..... that the union has done nothing in this area. The union official has also confirmed this fact and stated that due lack of capacity of the union and the nature and time of the working condition of the employees, this is not done.

A relative majority of the employees responded negatively to the last question as to whether or not the trade Union officials are very active in creating awareness in the employees that their welfare and job security is dependent on the company's success and there by the employees would be as productive as possible. This fact is also confirmed by the Union official that 'till recently, there was a misunderstanding in the union officials that they used to think their sole primary purpose and objective is just to prioritize the welfare of the employees even at the expense of the company, it was not believed that caring for the company should

also be the concern of a trade union. This clearly show that the trade union was doing things which it thinks fit towards the interests of the employees without taking the interest and conditions of the company in to consideration.

4.2.3. The Independence and Capacity of the Trade Union

Under this section, the respondents were asked four questions, with regard to the degree of independence and the actual capacity of the union to promote their interests and rights from different perspectives. It is organized and presented in the following table as follows:

Table 6. The Independence and Capacity of the Trade Union

	Items	Mean (X)
1	The trade union officials are free from any kind of intervention from the management	2.22
2	The trade union raises awareness of the employees' about their rights and duties like work rules, the collective agreements, the employment contracts etc.....	1.82
3	The trade union officials are competent, diligent and impartial in terms educational background, experience, and commitment	2.63
4	The trade union officials are independent and capable enough to settle disputes.	2.32

The first question asked to the employees was that whether or not the trade union officials are free from any sort of interference from the management, the majority of them responded that they don't believe that the union officials are totally free from interference which has crippled their hands from doing anything. As a matter of fact, this information seems to be admitted though not directly by the trade union official interviewed that he stated whenever the union starts to challenge the management, the management retaliates by way of dividing the workers (adopting a divide and rule policy) or to the worst by firing the officials and threatening the employees by every mans possible, the official that the researcher has interviewed and the General Secretary of the union were having such an experience of being fired for similar reasons. However, the company denied this fact and strongly asserts that the union is free and independent of any influence what so ever.

The second question was all about that whether or not the trade union plays a very vital role in raising awareness of the employees' regarding their fundamental rights and duties like the work rules, the collective agreements, the employment contracts etc... the majority of them responded that in this regard, the union is very poor. This is confirmed by the union official interviewed and he has stated that even the collective agreement copy was sent to the union very recently. Better than the union, in this regard, the Labor and Social Affairs Agency of the Oromia Regional state has attempted to perform some activities. According to the information obtained from the office, during the past six months of 2006 E.C fiscal year (From Hamle/July to Tahesas/December), the office has trained 1,494 employees of 238 companies in the regional state, and it has arranged awareness programs and made 4,739 employees of 1,400 companies aware of the importance of trade unions and other related issues. In this regard, it can be concluded that, the union has done nothing but the government office seems to be doing some constructive activities to the extent possible.

The third question as to whether or not the representatives/officials of the trade union are competent, diligent and impartial in terms educational background, experience, commitment and impartiality is answered again negatively by a relative majority of the employees. This fact is again affirmed by the union and according to the union official interviewed, considering the short time of formation and being busy on other duties, the union officials did not have any time of developing their career and educational background so that they will be able to safeguard the interest of the employees. But, in cooperation with the Confederation of Ethiopian Trade Unions (CETU), they have participated in several trainings and workshops aiming at building their capacity. In this situation, it can be concluded that the union officials lack some experiences regarding the position they hold and this, somehow, created some difficulties in their activity and responsibility as trade union officials.

With regard to the fourth question as to whether or not trade union officials are independent and capable enough in facilitating the forum to settle work related disputes between the employer and the employee and there by industrial peace would be maintained is responded again negatively by a relative majority of the employees. The trade union official agreed with the employees and stated that the company has established a discipline committee and since

the union is represented in the committee, all work related disputes are settled by the decision of the committee, this fact is also affirmed by the company. However, the labor and social affairs Agency has the experience of handling and settling work related disputes and grievances by establishing a conciliation system and appointing a conciliator and usually invites both parties. This shows that the company, instead of settling disputes amicably through conciliation and negotiations, it has opted to use a kind of win-lose approach by considering cases and rendering decisions, and the trade union found it difficult to play a role in such a process due to the absence of such a system in the company.

With regard to the last question that whether or not the trade union in the company is effective and plays a very vital role in safe guarding employees' interest, the majority of the employees responded that it is very poor and below their expectation. The union official has also stated that, though the union has done few activities, there are lots of things which could have been done.

Coming to the general conclusion, based on the information gathered from the employees through their responses to the questionnaires, the answers given to the interviews by the company, the trade union and the government, the researcher found out and understand the fact that the trade union of ASKU PLC have the basic problem of getting legitimacy from the employees, the company is relatively reluctant in allowing the union to work freely and there seems to be a gap between the government and the trade union, of course, the union has a very good relationship with CETU, but with the government the relationship is not that much encouraging, the Agency has also confirmed this fact that there is a shortage of man power and the District (WEREDA) offices are given the responsibilities of following up the activities of the trade unions of the companies operating in their jurisdiction, but the Agency couldn't creating a system of strong communications and report, as a result of which, there is an information gap.

In fact, the trade union of the company under scrutiny, compared with some companies located at the same place, seems to be better, for instance, the researcher has tried to visit four factories at Burayou locality; i.e. Sarem Biscuit factory, Kurtu Plastic factory, Bricks factory

and a cartoon factory, and found out that only one (Sarem Biscuit factory) has a trade union, the remaining factories employees could not form a union as the owners do not have any interest in allowing them to do so, and this fact was communicated to the Wereda Labor and Social affair office, but no reply was given or action taken. Therefore, it can be concluded that ASKU PLC trade union is in a better position and according to the information gathered from the Agency; among from more than 20,000 large, medium and small scale industries and companies in Oromia Regional state, only 273 of them have trade unions, ASKU PLC's trade union has done some better activities and has a bright future, nevertheless, it can't be totally denied that it is surrounded with various challenges and difficulties.

Chapter Five

Summary, Conclusion and Recommendations

5.1. Summary of the major findings

ASKU PLC, one of the recently established manufacturing industry engaged in production of purified waters and other soft drinks is becoming one of the dominant and profitable business organization in Ethiopia, without the need of calculating its profits to be exact, we can simply guess by looking and closely observing the perception of the public as to how it's product have penetrated the market, Aqua Addis is in our home, work place and everywhere. No matter how one might think that behind this business success of the company, there are happy and productive workers represented by an effective trade union and a very transparent and democratic management system which is as responsive as possible to every work related problem, the finding of the study seems to be quite the opposite that about 77% of the employees are not happy with what the management is currently doing and strongly believe that it is not responsive, it doesn't have a system of developing their career, it doesn't have a system of benefits or neither it allows or have the practice of workers participation in the management decision making process.

It has also been found out that about 64 % the employees haven't also a confidence in the trade union that the trade union in most, if not all, of the activities, did very few things, and they also strongly believe that it is not strong enough to influence decisions, making the management to be transparent and responsive, overall, the majority of the employees consider the trade union as a very weak association and doesn't play a significant role in safeguarding their rights and interests.

5.2. Conclusion

Trade unions, everywhere, are expected to play a very vital role in not only promoting the interests and rights of their member employees but also in safeguarding and maintaining the success of the organization which they are serving. They are also one of the primary actors in ensuring socio-economic development of any nation as they represent the most important factor of production; i.e. the human/labor capital. However, if not managed properly or neglected or disregarded for any reason or if they are seen as a threat of any sort, they have

the capacity of distorting the industrial peace and stability of the company and they also play a negative role in the overall socio-economic relationship. When things go from worse to the worst, they can also be causes for political instability and so forth. This is what history thought us in the past not only globally but also in the context of Ethiopia. Having this in mind, the researcher have attempted to carry out this research considering its importance, timeliness and the fact that it goes with the current situation of the country regarding socio-economic development and finally draw a conclusion generally that the trade union at ASKU PLC is not active in safeguarding the rights and interests of its members (the employees) and the employees do not have confidence and trust in the trade union and specifically answered the research questions identified at first that

1. It has tried to conceptualize and identify the legal and institutional frameworks governing trade unions globally, regionally and domestically.
2. The research has also answered the question as to whether the company respects the independence of the trade union though negatively,
3. It has also answered the question as to what extent that the employees are satisfied with the activities of the Union that the employees satisfaction is below average; i.e. very low which in its turn may cause a negative impact on their productivity
4. It also tried to answer the question with regard to the encouragement of the management to the trade union to actively participate in management decision making process that there is no such a system or practice in the company
5. The research also addresses the question of the existence of challenges and opportunities for the trade union that relatively more than the opportunities, there are lots of challenges faced by the trade union.

5.3. Recommendations

Considering such a situation and looking at the role what the trade union, the government, the management and most importantly the employees themselves have played so far and are supposed to play in principle, and from the major findings of this research, the researcher would like to throw some important points to each of these entities in a form of recommendation.

1. The management, most importantly, should be able to avoid the attitude of looking at the trade union as a threat, instead it should develop the system and practice of cooperation and strong relationship with the union as much as possible, it should develop the understanding of the fact that trade union plays a role in increasing the profitability of the organization and without having an effective trade union, the organization won't be able to achieve its purposes
2. The management should be able to design and develop a policy regarding promotion, career development, salary increment, bonuses and other benefit packages so that every employee will be able to know the standards set by the policy and act accordingly. Not only that, while adopting and developing such a policy, it should be as much transparent and participative as possible that the employees should have a say in the process.
3. The management should be able to devise a system that will enable the participation of workers in the management decision making process as this is very essential to properly insuring industrial democracy in the company. If workers are invited to share in organizational problems, and to work towards common solutions, a greater degree of organizational balance occurs because of decreased misunderstanding and individual and group conflict. Participation leads to increased understanding throughout the organization. People learn that other have problems besides themselves. In addition to this, participation helps dispelling employees' misunderstandings about the outlook of management in industry. These misconceptions would otherwise die hard, and their damaging effect needs no emphasis. Moreover, the difficulties which management encounters in managing the enterprise will be appreciated by the employees. By taking all these and other benefits in to account, the company should think seriously and look for a mechanism to realize it.
4. The management of the company provides an office and a telephone service for the trade union officials which is good and must be encouraged and beside this; it should also provide other materials necessary for their activity upon request or in its own initiation.

For the Trade Union

1. The trade union officials must avoid the attitude that organizations or owners of

companies are monsters who always want to get much profit by the labor, blood and sweat of the employees by paying little, they, instead should develop the attitude of mutual understanding, respect to and cooperation with the management of the organization.

2. The trade union must create awareness in the employees to work for the betterment and success of the organization as much as possible and should make an effort to increase the productivity of the company by way of convincing the employees that their welfare and job security is highly dependent upon the success and sustenance of the organization.
3. Most importantly, the trade union should be able to initiate and coordinate the adoption of company policies on promotion, salary increment, bonuses, training and career development and other types of benefits for employees just like what it has started to do so far with regard to salary increment.
4. The trade union should also be able to build its capacity and improve its ability of representation and working towards the advancement of workers' interests by way of attending/participating in different workshops, trainings and it should strengthen its relationship with the Confederation, the Federations and other parallel trade unions and get experiences in different aspects.
5. The trade union must initiate the idea of workers participation in management decision making process and persuade the company to accept the system by way of making the management of the company well aware of the three-fold importance and benefits of the system to the management, to the trade union and to the employees in general and once it is devised, it should also nag the management for its implementation.
6. The trade union should play a very active role in settling work related disputes amicably by facilitating the forum and convincing the management to come to the table to discuss the problems openly and look for solutions together instead of passing a sole decision that might resolve the dispute for the time being but might also leave some scars on the employee/s and exacerbate grievances that might affect the

productivity of the organization in particular and the overall industrial peace and stability in general

For the employees

Without the active participation of the workers, the trade union may not be able to function properly and be able to represent their interests effectively, after all the trade union is assumed to be the creation of the employees by making use of their consent/free will and mere exercise of their fundamental constitutional rights of association. This being the fact, at least in principle, the workers should be able to cooperate with the activities of the trade union by every means upon request or by their own initiation. The employees must assist the trade union in implementing its decision, actively participate in any meeting that the trade union may call upon and most importantly, employees must strengthen the trade union by way of developing the tradition of settling their disputes and making every communication through the union instead of attempting to solve problems individually and approach the management by themselves, and most importantly, the employees should also be able to forward positive critics and express their opinion freely and fairly for the purpose of making the trade union strong and effective.

For the regional government Labor and social affairs office

1. The government especially the concerned organ; i.e. the Labor and Social affairs Agency of the Oromia National Regional State is expected to establish a strong linkage with the management as well as with the trade union, as both entities are essential for the government to achieve its purpose of ensuring the stability of the industrial relations.
2. The Agency should be able to adopt a system to continuously and regularly inspect and follow up the conditions of trade unions of organizations, how the employees are being treated by the management, and most importantly, it should encourage and provide the necessary assistance to employees without a trade union to form same and to act and work in an organized manner.
3. Since Ethiopia is a party to the ILO and has also adopted the international labor standards and conventions, this Agency should work hard towards meeting those

standards and make sure that all the constitutionally guaranteed and legally protected labor rights of the employees are practically realized by organizations.

4. For the purpose of inspecting, forwarding recommendations and controlling whether or not those recommendations are complied with the concerned entities, the Agency should be able allocate adequate amount of budget and recruit as much necessary experts and inspectors as possible, train and facilitate the forum for career development of these experts in order to improve the quality of inspection and supervision process and eliminate the various types of problems that might arise due to gap of supervision and continuous control and evaluation.
5. And, last but not least, the Agency should be able to build up the capacity of the trade union by way of providing technical assistance like training so that the trade union officials will be able to contribute for the ensuring of industrial peace and stability.

Generally, in the opinion of the researcher, if the above recommendations forwarded based on the findings of the research are taken into consideration; the major problems identified could be significantly tackled.

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Appendices

- 1. English version of the questionnaire**
- 2. Amharic version of the questionnaire**
- 3. Oromiffa (Qubee) version of the questionnaire**
- 4. Interview questions**

Appendix A

St. Mary's University

School of Graduate Studies (SGS)

Masters in Business Administration (MBA) in Human Resource Management

Data gathering questionnaire

Dear respondent,

The purpose of this questionnaire is to gather necessary data for an academic research. The research is a Master thesis in partial fulfillment of the requirements of the Master of Business Administration (MBA) in Human Resource Management, at the St. Mary's University, School of graduate Studies. Names and personal details of the respondents will be kept confidential. If identity identification is required, it will only be disclosed with the consent of the respondent. The qualities of the findings in the research largely depend on your candid and complete information.

Thank you in advance for your precious time and kind cooperation.

age _____ **educational background** _____

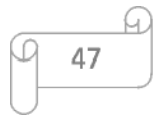
Position: _____ **Year of service** _____ **sex** _____

S/N	Questions	Strongly disagree (1)	Disagree (2)	Not sure (3)	Agree (4)	Strongly agree (5)
A.	Regarding the basic right to organize/unionize					
1.	The employer/management respects the employees' right to organize					
2.	The employer/management gives assistance in every aspect to ensure the employees' right to organize/form a trade union					
3.	The representatives of the employees'/trade union's officials are elected in a free and fair manner					

B.	Regarding the activity and	Very poor (1)	Poor (2)	Average (3)	Good (4)	Excellent (5)
	effectiveness of the trade union					
4.	The representatives of the employees'/trade union's officials regularly meet with the employees					
5.	The representatives of the employees'/trade union's officials ensures workers participation in management					
6.	The representatives of the employees'/trade union's officials are free from any kind of intervention from the management (please answer this question based on your personal experience)					
7.	The representatives of the employees'/trade union's officials play a significant role in promotion, salary increment, safety measures and other aspects of employees' benefits (please answer this question based on your personal experience)					
8.	The employees' have an opportunity to express their grievance to the management through the trade union and gets responses in due time (please answer this question based on your personal experience)					
9.	The trade union plays a very vital role in raising awareness of the employees' regarding their fundamental rights like the work rules, the collective agreements, the employment contracts etc..... (please answer this question based on your personal experience)					
10.	The trade union plays a significant role in the development of employees' career like education, training, etc..... (please answer this question based on your personal experience)					
11.	The representatives/officials of the trade union are competent, diligent and impartial in terms educational background, experience, commitment and impartiality.					
12.	Trade Union officials are very active in creating awareness in the employees that their welfare and job security is dependent on the company's success and there by the employees would be as productive as possible.					
13.	The trade union officials are active in facilitating the forum to settle work related					

	disputes between the employer and the employee and there by industrial peace would be maintained.					
14.	In general, the trade union in your company is effective and plays a very vital role in safe guarding your and other employees' interest					

Thank you for your time and kind contribution!



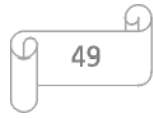
Appendix C



		(1)	(2)	(3)	(4)	(5)
1.						
2.						
3.						
		(1)	(2)	(3)	(4)	(5)
4.						
5.						
6.						
7.						

8.						
9.						
10.						
11.						
12.						
13.						
14.						





Yuunivarsiitii Qiddista Maariyaam
Barnoota Digrii Lammaffaa
Digrii Maastireetii Bulchiinsa Daldalaa
Kan Bulchiinsa Humna Namaa
Gaafannoo Odeeffannoo Ittiin Sassaaban

Kabajamoo odeeffannoo kana akka guuttan gaafatamtan

Kaayyoon ijoo gaafannoo kanaa odeeffannoo barbaachisaa fi sirnaawaa qo'annaa itti guuttannaa barreeffama eebbaatiif oolu walitti qabachuu dha. Bu'uura dambii naamusaa qophii barreeffama qo'annaatiin maqaawwan fi odeeffannoowwan dhuunfaa bifa kamiinuu, hayyama keessan malee eenyuufuu kan hin ibsamne yommuu ta'u qulqullinni qo'annichaa dhugaa fi guutummaa odeeffannoo isin kennitan irratti kan hundaa'e waan ta'eef hamma isiniif danda'ametti gaaffilee hunda isaanii of'eeggannoon akka guutan wayitan gaafadhu, waa'ee deeggarsa keessan'tiif dursa isinan galateeffadha.

Umurii _____ **Sadarkaa Barnootaa** _____

Gahee hojii keessan _____ **B**
 _____ **tajaajilaa Saala**

Lakk	Gaafannoowwan	Guddoo walii hin galu (1)	Walii hin galu (2)	Waa'ee dhimmichaa mirkannoo kennuu hin danda'u (3)	Nan waliigala (4)	Guddoon walii galu (5)
A	Bilisummaa Gurmaa'uu Ilaalchisee					
1	Hoggansichi/ qacaraan mirga gurmaa'uu sirriitti ni kabaja					
2	Hoggansichi/ qacaraan hojjetootni akka gurmaa'anii fi waldaa hojjetootaa akka hundeessan wantoota barbaachisoo hundaan deeggarsa ni taasisaa					

3	Bakka bu'ootni hojjetaa ykn hoggantootni waldaa hojjetaa bifa haqaan kanneen filaman dha					
B	Bilisummaa Gurmaa'uu Ilaalchisee	Baay'ee Dadhabaa (1)	Dadhabaa (2)	Gidduugaleesa (3)	Gaarii (4)	Baay'ee gaarii (5)
1	Hoggantootni Waldaa Hojjetootaa kunneen hojj eta waliin wal quunnamuu					
5	Hoggantootni Waldaa Hojjetootaa kunneen hojjetootni hoggansaa fi murteessitummaa irratti hirmaannaa akka qabaatan ni taasisuu					
6	Hoggantootni Waldaa Hojjetootaa kunneen dhiibbaa bifa kamuu irraa bilisa dha. (Gaaffii kana muuxannoo qabdan irraa ka'uun deebisuu ni dandeessu)					
7	Hoggantootni Waldaa Hojjetootaa kunneen guddiina sadarkaa, daballii mindaa, nageenya hojiirraa fi dhimmoota adda biroo irratti hirmaannaa ho'aa ni taasisuu (Gaaffii kana muuxannoo qabdan irraa ka'uun deebisuu ni dandeessu)					
8	Hoggantootni Waldaa Hojjetootaa kunneen komiiwwan hojjetoota irraa ka'an hoggansichaatiif/qacaraa'tiif, deebii fi furmaata immoo hoggansichaatiif/qacaraa irraa gara hojjetichaa geessisuun hirmaannaa ho'aa ni taasisuu					

	(Gaaffii kana muuxannoo qabdan irraa ka'uun deebisuu ni dandeessu)					
9	<p>Waldaan Hojjetootaa kun hojjetootni waa'ee dambii fi naamusaalee hojii, waa'ee waliigaltee gamtaa fi waa'ee walta'iinsa hojii hubannoo gahaa akka qabaatan gama gochuun shoorra ol'aanaa ni taphata</p> <p>(Gaaffii kana muuxannoo qabdan irraa ka'uun deebisuu ni dandeessu)</p>					
10	<p>Waldaan Hojjetootaa kun barnootaa fi leenjii hojjetootaa ilaalchisee hirmaannaa ho'aa ni taasisaa</p> <p>(Gaaffii kana muuxannoo qabdan irraa ka'uun deebisuu ni dandeessu)</p>					
11	<p>Hoggantootni Waldaa Hojjetootaa sadarkaa barnootaan fi muuxannoon ga'umsa kan qaban, cimoo fi ejjennoo mataa isaanii kan qaban dha.</p>					
12	<p>Hoggantootni Waldaa Hojjetootaa kunneen hojjetichi bu'aa qabeessummaa dhaabbata sanaatiif akka dhama'u jiruuf jireenyii fi wabummaan hojii hojjetichaa kan hundeeffame bu'aa qabeessummaa dhaabbatichaan akka ta'e hubannoo akka qabaatu carraaqqii ni taasisa.</p>					

13	Hoggantootni Waldaa Hojjetootaa kunneen komii hojjetichi qabu hogganaa/qacaraa waliin marii fi waliigalteen akka xumuruu fi haala kamiinuu hojiin akka hin miidhamnee fi nageenyi industirii akka diriiru tattaaffii barbaachisaa hunda ni taasisu.					
14	Walumaagalatti Waldaan Hojjetootaa dhaabbaticha keessa jiru jiruuf jireenyaa fi bu'aa qabeessummaa dhaabbatichaa akkasumas gama mirgaa fi faayidaa hojjetootaa kabajchiisuun shoora ol'aanaa taphachaa jira.					

Deeggarsa keessan yeroo maraatiif baay'een isin galateeffadha.

Appendix D

St. Mary's University

School of Graduate Studies (SGS)

Masters in Business Administration (MBA) in Human Resource Management

Interview questions for the Trade Union Officials

1. What was the process of the nomination/election of the trade union officials/representatives? (How did you come to this position?)
2. What was the role of the management of the company in the election process?
3. What kind of assistance does the trade union get from the management of the company?
4. Does the trade union meet regularly with the employees? What about with the management?
5. What activities has the trade union done/performed so far towards the interests of the employees'?
6. What is/was the role of the trade union in the preparation and adoption of the work rules, collective agreements, contracts?
7. What is the role of the trade union in ensuring workers participation in management?
8. What is the role of the trade union in grievance handling and work related conflict resolutions?
9. Do you have any relationship/cooperation with other similar trade unions and the confederation?
10. Do you believe that the trade union has done a lot in safeguarding the interest of the employees'?



Thank you for your time and kind contribution!

St. Mary's University

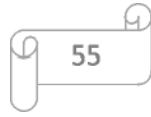
School of Graduate Studies (SGS)

Masters in Business Administration (MBA) in Human Resource Management

Interview questions for the management of the company

1. Who initiates the establishment/formation of the trade union?
2. What was the management's role in the formation process?
3. What kind of assistance does the management provide for the trade union upon request or in its own initiation?
4. Does the management have a policy that allows the participation of workers in managerial decision making process? If yes what kind of strategy do you employ to ensure this?
5. Does the management have a collective agreement with the trade union/employees'?
6. Does the management have a policy on compensation and reward, career development and other benefits to the employees'? If yes, is every employee aware of this and does the trade union have any role in making of the policy or in its implementation?
7. Does the management have specific work rules or ethical standards towards employees'? If yes, did the trade union participate in their development and adoption?
8. Does the management have a grievance handling and conflict resolution systems and strategies? If yes, what is the role of the trade union in this regard?
9. Does the management support and encourage the trade union to operate independently?
10. Does the management support and facilitate the trade union's relationship with other trade unions and the confederation?
11. Generally, does the management believe that trade union is strong and effective enough in safe guarding the employees' interest and ensures the company's sustenance and organizational success?

Thank you for your time and kind contribution!



Thank you for your time and kind contribution!